

Legal news in a word

The linguistic leave Act of January 21, 2009

The Act of January 21, 2009 has introduced a new special leave to allow employees of all nationalities to learn or improve their knowledge of the Luxembourgish language. The aim of this initiative is to facilitate the integration of foreign workers into Luxembourg.

All employees and independent workers are eligible for this linguistic leave, provided that they have been employed for at least 6 months in the Grand-Duchy of Luxembourg. No residence condition is required; therefore cross-border workers can also take advantage of this leave.

Eligible workers can benefit of a maximum of 200 hours of linguistic leave during their career, to be split into two parts of 80 to 120 hours each. Employees may only start the second training session, if they have obtained an official certificate or diploma at the end of the first training session.

In order to qualify under the Act, training seminars and classes in the Luxembourgish language can be held in Luxembourg or abroad and must be organized by private or public schools recognized by public authorities, by professional chambers or by private associations certified by the minister.

The linguistic leave is considered as regular working time. Employees will therefore be entitled to an indemnity at the expense of the employer for each day of leave, which will be equal to the employee's hourly wage, but not exceeding four times the minimum hourly wage for unqualified workers. This indemnity will be reimbursed by the State to the employer. The legal provisions in term of social security and employment protection will continue to apply for the duration of the special leave.

The linguistic leave will be awarded upon request of the worker to the minister of Labour and Employment. The applicable procedure will be further described by a grand-duchy Regulation.

We remain at your disposal, should you wish any further information.

Contacts : Marielle Stevenot
+352 26 48 42 35 13
Stevenot@mnks.com

Cindy Arces
+352 26 48 42 35 45
Arces@mnks.com

