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## TEXTS ADOPTED

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### **P9\_TA(2023)0239**

#### **Quality traineeships in the EU**

##### **European Parliament resolution of 14 June 2023 with recommendations to the Commission on quality traineeships in the Union (2020/2005(INL))**

*The European Parliament,*

- having regard to Article 225 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to Article 292 TFEU, in conjunction with Articles 153 and 166 TFEU,
- having regard to Article 153(2), point (b), TFEU, in conjunction with Article 153(1), point (b), TFEU,
- having regard to Council Recommendation of 10 March 2014 on a Quality Framework for Traineeships<sup>1</sup> ('2014 Council Recommendation'),
- having regard to the Commission's factual summary report of 3 August 2022 of the online public consultation in support to the evaluation of the 2014 Council Recommendation on a Quality Framework for Traineeships (QFT)<sup>2</sup>,
- having regard to the Eurofound report of 27 July 2017 entitled "Fraudulent contracting of work: Abusing traineeship status (Austria, Finland, Spain and UK)"<sup>3</sup>,
- having regard to the Commission report of October 2018 entitled "Traineeships under the Youth Guarantee – Experience from the ground"<sup>4</sup>,
- having regard to the Commission communication of 4 October 2016 entitled "The Youth Guarantee and Youth Employment Initiative three years on" (COM(2016)0646),
- having regard to the Commission Staff Working Document of 4 October 2016 entitled "Applying the Quality Framework for Traineeships" (SWD(2016)0324),

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<sup>1</sup> OJ C 88, 27.3.2014, p. 1.

<sup>2</sup> [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13118-Quality-Framework-for-Traineeships-review-evaluation-/public-consultation\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13118-Quality-Framework-for-Traineeships-review-evaluation-/public-consultation_en)

<sup>3</sup> <https://www.eurofound.europa.eu/publications/information-sheet/2017/fraudulent-contracting-of-work-abusing-traineeship-status-austria-finland-spain-and-uk>

<sup>4</sup> <https://ec.europa.eu/social/main.jsp?catId=738&langId=en&pubId=8163&furtherPubs=yes>

- having regard to Council Recommendation of 30 October 2020 on A Bridge to Jobs – Reinforcing the Youth Guarantee and replacing the Council Recommendation of 22 April 2013 on establishing a Youth Guarantee<sup>1</sup>,
- having regard to its resolution of 8 October 2020 on the Youth Guarantee<sup>2</sup>,
- having regard to its resolution of 17 December 2020 on a strong social Europe for just transitions<sup>3</sup>,
- having regard to its resolution of 17 February 2022 on empowering European youth: post-pandemic employment and social recovery<sup>4</sup>,
- having regard to its resolution of 24 November 2022 on the European Year of Youth 2022 legacy<sup>5</sup>,
- having regard to the European Pillar of Social Rights, proclaimed by the European Parliament, the Council and the Commission on 17 November 2017 at the Gothenburg Summit, in particular to its Principles No 1 and 4, the European Pillar of Social Rights Action Plan and the 2021 Porto Social Summit Declaration committing to work towards a Social Europe and reinforcing social cohesion,
- having regard to the Conference on the Future of Europe outcome document of 30 November 2022, adopted within the framework of the European Year of Youth, in particular proposal No 47, measure No 5, calling to “ensure that young people’s internships and jobs adhere to quality standards, including remuneration, putting an end to youth minimum wages and any other discriminatory labour law provisions specific to young people, as well as banning through a legal instrument unpaid internships on the labour market and outside formal education”,
- having regard to the Commission’s evaluation of 10 January 2023 of the Council Recommendation on a Quality Framework on Traineeships,
- having regard to the International Covenant of Economic, Social and Cultural Rights, to which all EU Member States are a State Party to, in particular Article 7, point (a)(i), on fair wages and equal remuneration, Article 7, point (c), on equal opportunities for everyone, and Article 9 on the right to social security for everyone,
- having regard to Regulation (EU) 2019/1700 of the European Parliament and of the Council of 10 October 2019 establishing a common framework for European statistics relating to persons and households, based on data at individual level collected from samples, amending Regulations (EC) No 808/2004, (EC) No 452/2008 and (EC) No 1338/2008 of the European Parliament and of the Council, and repealing Regulation (EC) No 1177/2003 of the European Parliament and of the Council and Council Regulation (EC) No 577/98<sup>6</sup>,

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<sup>1</sup> OJ C 372, 4.11.2020, p. 1.

<sup>2</sup> OJ C 395, 29.9.2021, p. 101.

<sup>3</sup> OJ C 445, 29.10.2021, p. 75.

<sup>4</sup> OJ C 342, 6.9.2022, p. 265.

<sup>5</sup> OJ C 167, 11.5.2023, p. 83.

<sup>6</sup> OJ L 261 I, 14.10.2019, p. 1.

- having regard to the Strategy for the Rights of Persons with Disabilities 2021-2030,
  - having regard to its resolution of 13 December 2022 entitled ‘towards equal rights for persons with disabilities’<sup>1</sup>,
  - having regard to the UN Convention on the Rights of Persons with Disabilities of 2006,
  - having regard to Rules 47 and 54 of its Rules of Procedure,
  - having regard to the opinion of the Committee on Culture and Education,
  - having regard to the report of the Committee on Employment and Social Affairs (A9-0186/2023),
- A. whereas traineeships are an important way for young people to gain experience before finding stable employment; whereas traineeships can ease the transition from education or vocational training into the labour market; whereas it is crucial that optimal conditions and incentives are established to enable young people to have access to high-quality traineeships that will provide them with a useful learning experience, as well as work experience and the development of a relevant set of skills; whereas trainees carrying out open labour market traineeships, traineeships in the context of active labour market policies (ALMPs) and traineeships that are part of mandatory professional training should have the right to remuneration as set out in Annex I; whereas trainees carrying out traineeships undertaken with the aim of obtaining educational qualifications should have access to adequate compensation as set out in Annex II;
- B. whereas the COVID-19 pandemic interrupted many educational and employment opportunities and thus created obstacles to gaining skills; whereas this affected disproportionately mainly school to work transition of young people coming from disadvantaged background;
- C. whereas different types of traineeships exist across the Union; whereas a traineeship can be understood to be a limited period of work practice which includes a learning and training component and which a person undertakes in order to gain practical and professional experience with a view to improving that person’s employability and facilitating transition to stable employment; whereas Parliament has repeatedly condemned the practice of unpaid traineeships as a form of exploitation of young workers and a violation of their rights and has called for a common legal framework to ensure fair remuneration for traineeships in order to avoid exploitative practices<sup>2</sup>;
- D. whereas most traineeships across the Union can be divided into the categories comprising: open-market traineeships, traineeships in the context of ALMPs, traineeships that are part of professional training and traineeships that are part of an academic or vocational curricula; whereas all these different types of traineeships provide an opportunity for young people to receive training, acquire skills that meet labour market needs and should provide them with easier access to quality jobs in the future while fulfilling their personal needs; whereas the Union, Member States and the social partners have a key role to play in providing access to quality traineeships;

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<sup>1</sup> OJ C 177, 17.5.2023, p. 13.

<sup>2</sup> European Parliament resolution of 17 February 2022 on empowering European youth: post-pandemic employment and social recovery (OJ C 342, 6.9.2022, p. 265).

- E. whereas different legal frameworks and approaches regulating traineeships exist across the Union; whereas such regulatory differences exist both between Member States and, in some cases, within Member States;
- F. whereas studies have established links between the quality of traineeships and employment outcomes<sup>1</sup>, with remuneration being one of the key quality criteria of what establishes a high-quality traineeship<sup>2</sup>;
- G. whereas the 2014 Council Recommendation addresses open-market traineeships and those in the context of ALMPs;
- H. whereas the 2014 Council Recommendation recommends that Member States put in practice the following principles for a quality framework for traineeships: the conclusion of a written traineeship agreements, learning and training objectives, working conditions applicable to trainees, rights and obligations of the trainee and the traineeship provider, the limitation of traineeships to a reasonable duration, the proper recognition of traineeships by means of Union tools (such as Europass), transparency requirements, the establishment of cross-border traineeships, the use of European Structural and Investment Funds to enhance traineeships, and the application of the quality framework for traineeships itself;
- I. whereas a person may experience discrimination differently based on a variety of factors, including, but not limited to, that person's sex, race, colour, nationality, ethnic or social and economic origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation<sup>3</sup>; whereas it is crucial to focus on addressing and overcoming all discrimination in traineeships and ensuring the accessibility of traineeships to persons and groups of persons who are furthest away from the labour market; whereas young people living in weaker financial circumstances, including people living in single-parent households, people with disabilities, migrants, people with lower educational levels, young people not living with their parents and people from low work-intensity households, are less likely to have access to the financial resources required to undertake unpaid or low-paying traineeships<sup>4</sup>;
- J. whereas 87 million Union citizens had some form of disability in July 2022; whereas people with disabilities still face barriers when accessing high-quality traineeships and finding employment on the open labour market;
- K. whereas high-quality traineeships are crucial to properly educate and train young people for the needs of the labour market and to tackle skills mismatches and consequent labour market shortages in the Union, while fulfilling the personal interests of the trainee and emphasising the potential added value for both employers and trainees; whereas too many young people are unable to find stable employment because available

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<sup>1</sup> [https://www.europarl.europa.eu/RegData/etudes/STUD/2022/699459/EPRS\\_STU\(2022\)699459\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2022/699459/EPRS_STU(2022)699459_EN.pdf), p. 1

<sup>2</sup> [https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms\\_799773.pdf](https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_799773.pdf)

<sup>3</sup> Article 21 on non-discrimination of the Charter of Fundamental Rights of the European Union <http://fra.europa.eu/en/eu-charter/article/21-non-discrimination#:~:text=Any%20discrimination%20based%20on%20any,sexual%20orientation%20shall%20be%20prohibited.>

<sup>4</sup> <https://www.youthforum.org/files/230111-DP-CostUnpaidInternships.pdf>

jobs might not correspond to their skill set; whereas, at the same time, 40 % of employers<sup>1</sup> face difficulties finding employees with the right skills; whereas the Union's youth unemployment rate is 15,1 %, and in the context of the current cost-of-living crisis, according to Eurostat<sup>2</sup>, young people are the group facing the highest risk of living in poverty, with 1 in 4 of young people living at-risk-of-poverty or social exclusion, and with young women living at a higher risk of poverty or social exclusion;

- L. whereas about half of all 15 to 34-year olds in the Union have gained work experience in at least one traineeship; whereas the majority of young people report having worked in two unpaid internships before getting stable employment<sup>3</sup>; whereas this means that approximately four million persons take part in at least one traineeship per year in the Union<sup>4</sup>;
- M. whereas the majority of trainees questioned during a Eurobarometer survey think that their experience was or would be useful to find stable employment (71 %), but almost one third disagree (28 %)<sup>5</sup>;
- N. whereas research confirms that the value of traineeships in facilitating the transition to employment depends on their quality in terms of learning content and working conditions<sup>6</sup>;
- O. whereas, according to the above-mentioned Eurobarometer survey, only 40 % of trainees received financial compensation and whereas more than half of those trainees (53 %) considered that compensation to be insufficient to cover their basic living costs<sup>7</sup>;
- P. whereas undertaking traineeships in another Member State is still rare, with only 9 % of traineeships in the Union taking place abroad according to a survey done by Eurobarometer<sup>8</sup>;
- Q. whereas there is a lack of up-to-date comparative data on traineeships at Union and national level, in particular concerning traineeships on the open labour market; whereas the available data on traineeships in the Union is supported by different definitions, which creates problems in terms of their comparability;
- R. whereas incentives to employers are crucial when offering quality traineeships, in particular where those employers are microenterprises and small and medium-sized enterprises; whereas strengthening digital skills and the necessary digital tools to support trainees while carrying out their traineeship is encouraged; whereas, in this regard, the digital opportunity traineeships programme, offered under the Erasmus+ programme, provides students and young graduates with the opportunity to gain digital skills at work and gain experience in the technology sector; whereas quality traineeships should in general be carried out while being physically present; whereas remote or

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<sup>1</sup> <https://ec.europa.eu/social/main.jsp?catId=1146&langId=en>

<sup>2</sup> [https://www.cedefop.europa.eu/files/9173\\_en.pdf](https://www.cedefop.europa.eu/files/9173_en.pdf)

<sup>3</sup> <https://www.youthforum.org/files/230111-DP-CostUnpaidInternships.pdf>

<sup>4</sup> [https://www.europarl.europa.eu/RegData/etudes/STUD/2022/699459/EPRS\\_STU\(2022\)699459\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2022/699459/EPRS_STU(2022)699459_EN.pdf), p. 2

<sup>5</sup> <https://europa.eu/eurobarometer/surveys/detail/1091>

<sup>6</sup> The impact assessment accompanying the document proposal for a Council recommendation on a quality framework for traineeships (SWD(2013)0495).

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

hybrid work is increasingly the norm in a number of sectors and companies; whereas, in this regard, any remote or hybrid part of a traineeship should be acceptable only when presence in the workplace is not necessary or possible and should comply with quality criteria;

1. Highlights that traineeships are primarily a learning experience that should not replace entry-level jobs; calls on the Commission and the Member States, in close cooperation with the social partners, to facilitate and improve access for young people to high-quality, paid, inclusive traineeships, particularly for those coming from vulnerable backgrounds, with a view to achieving the Union's objective of social cohesion and inclusion;
2. Stresses the need for high-quality traineeships to enhance the skills and employability of young people, thus easing their transition into the labour market; highlights that traineeships can be an opportunity for young people to learn and test different careers to find what jobs best suit their talents and aspirations;
3. Highlights the need to properly educate and train young people for the needs of the labour market to tackle skills mismatches, while fulfilling their personal interests and emphasising the potential added value for both employers and trainees; in this regard, also highlights the need to offer traineeships in areas linked to skills needs, labour shortages and future oriented sectors in view of both the green and digital transitions;
4. Stresses that the Union cannot promote precarity and that poor-quality and unpaid traineeships cannot be supported by public finances; insists that employers should receive and use financial public support only if they comply with the quality criteria, law and collective agreements;
5. Recalls that high-quality traineeships can play a valuable contribution in achieving the Union social targets by 2030 of having at least 60 % of all adults participating in training every year and having at least 78 % of people aged 20 to 64 in employment, as well as reducing the rate of persons who are neither in employment nor in education or training (NEETs) to 9 % through quality opportunities, in line with Agenda 2030 and the UN sustainable development goals Nos 1, 4, 8 and 10;
6. Highlights the need to protect young people from undertaking several consecutive traineeships by strict monitoring of the use of contracts aiming at making the transition between the education and labour market;
7. Emphasises that high-quality traineeships promote the idea of lifelong learning and contribute to adaptation in the face of dynamic change on the labour market, and consequently extend working lives;

#### **Revision of the current framework**

8. Calls on the Commission to update and strengthen the 2014 Council Recommendation and to turn it into a stronger legislative instrument;
9. Recognises that the existing quality framework for traineeships principles remain relevant in guiding employers to offer high-quality traineeships; takes note of the vulnerable position faced by young people in the labour market; stresses that new principles must be added to the quality framework for traineeships in order to improve the quality of traineeships and ease the transition of all young people from education to

the labour market; calls on the Commission, therefore, to include the following additional principles in an updated quality framework for traineeships:

- access to adequate compensation by trainees in line with the cost of living,
  - access to social protection by trainees in accordance with national schemes,
  - increased access to traineeships for trainees from vulnerable backgrounds, including trainees with disabilities, using an intersectional approach,
  - accessible workplaces,
  - compliance of any part of a traineeship conducted remotely with quality criteria,
  - clear learning objectives and access to adequate mentorship and to the guidance of trained mentors to ensure intergenerational transfers of skills,
  - in cooperation with the national labour inspectorates and relevant authorities, reporting of malpractice and poor conditions during the traineeship period by means of established channels;
10. Calls on the Commission to propose a directive on open labour market traineeships, traineeships in the context of ALMPs and traineeships that are a mandatory part of professional training, in order to ensure minimum quality standards, including rules on the duration of the traineeships, access to social protection in accordance with national law and practice as well as remuneration that ensures a decent standard of living in order to avoid exploitative practices, in accordance with the draft directive set out in Annex I;

### **Assistance and awareness-raising**

11. Condemns the use of traineeship status for contracting highly skilled and specialised workers, when in reality they are employees and their employment relationship should be recognised as such; such abusive practice often results in job insecurity, lower pay and a lack of social protection, in particular no paid holidays, sickness protection or parental leave, and also no end-of-year bonuses; stresses the importance of not allowing such practices to be formalised and legitimised;
12. Reiterates the central role that the European Social Fund Plus (ESF+), the Recovery and Resilience Facility and its associated scoreboard linking funding to policies for the NextGenerationEU instrument, and the Youth Guarantee can play in contributing to an increase in the number of high-quality traineeships including those that are accessible to disadvantaged groups; urges Member States, with the support of the Commission, to use all available resources in this area; calls on the Member States to increase investment including through the ESF+ to support measures aimed at integrating disadvantaged youth;
13. Calls on the Member States to better utilise the ESF+ to help progression within education, training and transition to work, by supporting the development of skills and competences, including upskilling, reskilling, lifelong learning and employability with a view to facilitating full participation in society for all, particularly with regard to persons who come from a vulnerable background in order to ensure their access to equal

opportunities, and contributing to competitiveness<sup>1</sup>; underlines the particular role of Erasmus+ programme in promoting intra-Union labour mobility for young trainees;

14. Calls on the Commission to raise awareness at national, regional and local level of available Union funds to ensure the accessibility by all to high-quality traineeships, particularly persons who come from a vulnerable background, in order to ensure their access to equal opportunities;
15. Calls on the Commission to support the exchange of best practices between the Member States in the area of high-quality traineeships that are accessible to all; encourages Member States to provide guidance and assistance to employers, in particular microenterprises and small and medium sized-enterprises, to enable them to offer high-quality traineeships, and to offer incentives to employers that provide trainees with a high-quality job after the successful completion of a traineeship;
16. Calls on the Commission to focus in particular on ensuring quality, accessible and paid traineeships, particularly in the open labour market, during the European Year of Skills as a follow-up to the European Year of Youth and in line with the report on the final outcome of the Conference on the Future of Europe of **May 2022**;
17. Calls on the Commission to provide assistance to the Member States on legal enquiries related to implementation of a quality framework for traineeships;

### **Best practices and monitoring**

18. Calls on Member States to implement adequate monitoring schemes to ensure that trainees' first working experience is of a high quality; calls on the Commission to convey guidelines for adequate monitoring schemes to ensure uniformity of data collection;
19. Calls for national labour market inspectorates to enforce compliance with existing regulations on high-quality traineeships; in this regard, calls for further awareness-raising, training and capacity building for national labour market inspectorates;
20. Calls for more cooperation between all stakeholders involved, in particular education and public employment services, traineeship providers including employers, national, regional and local governments and involvement of social partners, representatives of youth organisations and trainees; suggests the creation of a European Alliance for Traineeships, similar to the European Alliance for Apprenticeships, uniting governments and key stakeholders with the aim of strengthening the quality and offer of traineeships across the Union, while promoting the mobility of trainees, in particular by ensuring access to sufficient financial resources, including language courses;
21. Calls for the support of local pacts for skills in cooperation with public employment services and all relevant actors at local level to ensure that traineeships help in closing the skills mismatch in the labour markets;

### **Data collection**

22. Calls for better and more comparative data collection on traineeships at a national and

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<sup>1</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32021R1057&from=EN>



Union level; asks for comparative data on traineeships to be included in the social scoreboard;

23. Highlights the fact that further data is needed in particular on: statistics of unpaid traineeships and in which sectors the issue is more predominant; barriers that trainees face in obtaining a high-quality traineeship and ways of overcoming them; the effects of the recent socio-economic crises on trainees; the challenges frequently faced when undertaking a traineeship and ways in which to overcome them; possible obstacles faced by employers when offering high-quality traineeships and ways in which to overcome them; the advantages and disadvantages of digital traineeships; the experiences of trainees with disabilities as well as trainees who come from vulnerable backgrounds; obstacles to cross-border traineeships and ways in which to overcome them;

### **Accessibility**

24. Recalls that any discrimination based on grounds such as sex, race, colour, nationality, ethnic or social and economic origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation must be prohibited; calls on the Member States to put in place specific measures to ensure this<sup>1</sup>;
25. Underlines the fact that high-quality traineeships must be inclusive and accessible to all; stresses, in particular, the need to support persons with disabilities to have access to high-quality traineeships while ensuring an inclusive recruitment process and reducing barriers for people with disabilities; calls for a Union-wide definition of disability and calls on the Commission to accelerate the introduction of the EU disability card to facilitate the mobility of persons with disabilities and their ability to take up traineeship opportunities in other Member States; stresses the need for an accessible workplace adapted to the needs of trainees with different types of disabilities; calls for a revision of Council Directive 2000/78/EC<sup>2</sup> to improve the article on reasonable accommodation in the workplace in line with the UN Convention on the Rights of Persons with Disabilities; calls for the unblocking of the adoption of a proposal for an anti-discrimination directive (COM(2008)0426); highlights the need for the unbundling of remuneration and disability support to allow for extra disability related costs for traineeships; highlights the importance of personal assistance to support persons with disabilities, with a view to supporting independent living; calls for more cooperation between the social partners and the organisations representing people who are at greater risk of discrimination;
26. Highlights the need for lifelong learning; calls for traineeships to be accessible to people of all ages; recalls that traineeships can provide many benefits to the traineeship provider and the trainee; emphasises, in this connection, the huge and undervalued potential of older people;

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<sup>1</sup> Article 21 on non-discrimination of the Charter of Fundamental Rights of the European Union <http://fra.europa.eu/en/eu-charter/article/21-non-discrimination#:~:text=Any%20discrimination%20based%20on%20any,sexual%20orientation%20shall%20be%20prohibited.>

<sup>2</sup> Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (OJ L 303, 2.12.2000, p. 16).

27. Highlights the need to offer opportunities aimed at young people from disadvantaged backgrounds, in particular young NEETs; in this regard, supports the Union-level target stipulating that the share of NEETs should be less than 9 % by 2030<sup>1</sup>;

### **Cross-border mobility**

28. Calls on the Member States to encourage more cross-border traineeships; in this regard, highlights the potential of EURES as a traineeship-matching and placement tool; calls on the Commission to further develop EURES by providing clearer information, in formats that are accessible to people with different types of disabilities, as well as better guidance and placement services to interested trainees wishing to take advantage of cross-border mobility; calls on the Member States to promote EURES among, inter alia, traineeship providers, young people, unemployed people and recent graduates; calls on the Commission and the Member States to facilitate the recognition and validation of knowledge, skills and competences acquired during the traineeship, in particular when it comes to cross-border recognition of skills; reiterates the fact that traineeships are a valid work experience and should be recognised as such in recruitment processes;
29. Requests that the Commission submit, on the basis of Article 153(2), point (b), TFEU, in conjunction with Article 153(1), point (b), TFEU, a proposal for a directive of Parliament and of the Council on a framework on quality traineeships, setting out minimum requirements for quality standards and adequate remuneration for open labour market traineeships, traineeships in the context of ALMPs and traineeships that are a mandatory part of professional training, in accordance with the draft directive set out in Annex I;
30. Requests that the Commission submit, on the basis of Article 166(4) TFEU, a proposal for a decision of Parliament and of the Council on a quality framework for traineeships undertaken with the aim of obtaining educational qualifications, in accordance with the draft decision set out in Annex II;
31. Is of the view that sufficient funding for the proposals set out herein is required and considers that the financial implications of the requested proposals should be covered by the relevant Union budgetary allocation;
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32. Instructs its President to forward this resolution and the accompanying recommendations to the Commission and the Council.

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<sup>1</sup> [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Statistics\\_on\\_young\\_people\\_neither\\_in\\_employment\\_nor\\_in\\_education\\_or\\_training#To\\_what\\_extent\\_are\\_young\\_adults\\_neither\\_in\\_employment\\_nor\\_in\\_education\\_or\\_training.3F\\_The\\_transition\\_from\\_education\\_to\\_work](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Statistics_on_young_people_neither_in_employment_nor_in_education_or_training#To_what_extent_are_young_adults_neither_in_employment_nor_in_education_or_training.3F_The_transition_from_education_to_work)

## **ANNEX I TO THE RESOLUTION**

### **Proposal for a Directive of the European Parliament and of the Council on quality traineeships**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 153(2), point (b), in conjunction with Article 153(1), point (b), thereof,

Having regard to the proposal from the European Commission,

Having regard to the opinion of the European Economic and Social Committee,

Having regard to the opinion of the Committee of the Regions,

Acting in accordance with the ordinary legislative procedure,

Whereas:

(1) Principle 1 of the European Pillar of Social Rights states that everyone has the right to quality and inclusive education, training and life-long learning in order to maintain and acquire skills that enable them to participate fully in society and successfully manage transitions in the labour market. Principle 3 of the European Pillar of Social Rights underlines that regardless of gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation, everyone has the right to equal treatment and opportunities regarding, inter alia, employment and education.

(2) Article 14(1) of the Charter of Fundamental Rights of the European Union states that everyone has the right to education and to have access to vocational and continuing training.

(3) The Strategy for the Rights of Persons with Disabilities 2021-2030 aims to ensure full participation of persons with disabilities in society, on an equal basis with others in the Union and beyond. Within that strategy, the Commission commits ensuring that persons with disabilities can take part in training and in learning new skills as a fundamental requisite for employment and independence.

(4) Traineeships have become an important entry point into the labour market.

(5) Socio-economic costs arise if traineeships, particularly repeated ones, replace regular employment, notably entry-level positions usually offered to trainees. Moreover, low-quality traineeships, especially those with little learning content, do not lead to employability of the trainee and do not benefit any party. Social costs can also arise in connection with low or unpaid traineeships that limit the career opportunities of those from disadvantaged backgrounds.

(6) The financial circumstances of individuals greatly affect their choice to take an unpaid or poorly remunerated traineeship. Young people from vulnerable backgrounds are unfairly excluded from accessing employment opportunities within the organisations and

industries that offer unpaid traineeships and indirectly discriminate towards some groups of young people.

(7) There is evidence of the link between the quality of the traineeship and the employment outcome. The value of traineeships in easing the transition to employment depends on their quality in terms of learning content and working conditions. Quality traineeships motivate young people to enter the labour market, improve future prospects and mental stability, improve labour market matching, bring direct productivity benefits, and promote mobility notably by decreasing search and matching costs both for enterprises and for trainees.

(8) Evidence shows that a significant number of traineeships lack the connection between tasks and learning objectives. A quality traineeship must offer a solid and meaningful learning content. This means that the identification of the specific skills to be acquired, supervision and mentoring of the trainee, and monitoring of their progress throughout the traineeship are needed.

(9) Problems have also been identified as regards working conditions, such as long working hours, lack of social security coverage, lack of health and accident insurance coverage as well as sick leave, the protection against health and safety or occupational risks, little or no remuneration and a lack of clarity in the terms and conditions provided for in the traineeship agreements.

(10) Member States should ensure that trainees are covered by the social security system, especially regarding health, unemployment and pension rights, in accordance with national law and practice. The traineeship providers should ensure that trainees have insurance against accidents including accidents at the workplace in line with national law and practice.

(11) Traineeships in the open labour market remain unregulated in some Member States. In the absence of a regulatory framework or instrument, or because there is a lack of transparency regarding working conditions for traineeships and their learning content, many traineeship providers are able to use trainees as cheap or even unpaid labour.

(12) A lack of such information and binding quality criteria is one of the causes of low quality traineeships and is a much more widespread problem for traineeships than it is for regular employment. Increased transparency requirements and gender neutral and inclusive notices or announcements advertising traineeship positions improve the accessibility of traineeships.

(13) The social partners and other relevant stakeholders, such as student unions, youth organisations and providers of lifelong career guidance services, play a key role in the design, implementation and monitoring of training policies and programmes. Cooperation between them could provide trainees with targeted information on available career opportunities and skills needs on labour markets, as well as on trainees' rights and responsibilities.

(14) The European Parliament has repeatedly condemned the practice of unpaid traineeships as a form of exploitation of young workers and a violation of their rights and called for a common legal framework to ensure fair remuneration for traineeships in order to avoid exploitative practices.

(15) This Directive should set the minimum standards for determining what constitutes a high-quality traineeship.

(16) This Directive should cover trainees undertaking open labour market traineeships, traineeships in the context of active labour market policies including those offered by the Youth Guarantee, and traineeships that are part of mandatory professional training.

(17) Considering the nature and objective of this Directive, it should not be interpreted as hindering Member States from maintaining or establishing more favourable provisions for trainees,

HAVE ADOPTED THIS DIRECTIVE:

*Article 1*  
*Subject matter and scope*

1. This Directive establishes a framework for the purpose of improving the quality and accessibility of traineeships, as well as the working conditions of trainees carrying out such traineeships. This Directive applies to the following traineeships:

- (a) open-market traineeships;
- (b) traineeships in the context of active labour market policies;
- (c) traineeships that are a mandatory part of professional training.

*Article 2*  
*Definitions*

1. For the purpose of this Directive, the following definitions apply:

- (a) “open market traineeship” means a non-mandatory, bilateral, private agreement agreed between a trainee and a traineeship provider without the involvement of a third party and without a formal connection to an educational or a training establishment;
- (b) “traineeship in the context of active labour market policies” means a traineeship organised by a public employment service in cooperation with a traineeship provider, based on an agreement between the three parties with the aim of helping unemployed or inactive young people into employment;
- (c) “traineeship that is a mandatory part of professional training” means a traineeship that is a mandatory introduction into the professional practice of a specific field of work;
- (d) “traineeship agreement” means an agreement of a limited period of time, establishing an open market traineeship, a traineeship in the context of active labour market policies or a traineeship that is a mandatory part of professional training, which includes a learning and training component, that meets the conditions of an employment contract or employment relationship as defined in national law, a collective agreement or national practice in force in each Member State, taking into account the case-law of the Court of Justice of the European

Union;

(e) “trainee” means a person who undertakes an open market traineeship, a traineeship in the context of active labour market policies or a traineeship that is a mandatory part of professional training to gain practical and professional experience with a view to improving employability and facilitating transition to regular employment, on the basis of a traineeship agreement;

(f) “traineeship provider” means an undertaking, public employment service or other public, private or not-for-profit entity that provides open market traineeships, traineeships in the context of active labour market policies or traineeships that are a mandatory part of professional training.

### *Article 3* *Quality criteria*

1. Member States shall ensure that trainees have the right to:

- (a) a written traineeship agreement setting out at least:
  - (i) the duration of the traineeship and provisions for any renewal of the traineeship;
  - (ii) for traineeship agreements falling within the scope of this Directive, the remuneration to be provided to the trainee in accordance with Directive (EU) 2022/2041 of the European Parliament and of the Council<sup>1</sup>;
  - (iii) the rights and obligations of the trainee and the traineeship provider including the tasks to be carried out by the trainee and where relevant, the traineeship provider's policies on confidentiality and the ownership of intellectual property rights;
  - (iv) arrangements for mentorship and evaluation that is to be carried out by the supervisor guiding the trainee through the assigned tasks;
  - (v) the learning objectives that have been set and jointly discussed by the trainee and traineeship provider, and in the case of Article 2, points (b) and (c), the other parties involved, in order to help the trainee acquire practical experience and relevant skills.

The tasks referred to in point (iii) shall be established with reference to the learning objectives referred to in point (v) and shall facilitate the achievement of those learning objectives;

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<sup>1</sup> Directive (EU) 2022/2041 of the European Parliament and of the Council of 19 October 2022 on adequate minimum wages in the European Union (OJ L 275, 25.10.2022, p. 33).

- (b) the rights set out in Directives 2003/88/EC<sup>1</sup> and (EU) 2019/1152<sup>2</sup> of the European Parliament and of the Council, as implemented by national law and practices;
  - (c) access to social protection by trainees in accordance with national schemes, including health insurance, unemployment benefits and pension contributions.
2. Member States shall ensure support for traineeship providers offering traineeships to people with disabilities.

*Article 4*  
*Traineeship duration, renewal and prolongation*

1. Member States shall ensure that the duration of traineeships is limited in time and no shorter than one month, taking into account national practices.
2. Member States shall ensure that the arrangements relating to the duration, renewal or prolongation of traineeships do not result in the replacement of entry-level jobs, vacancies for full-time jobs or indefinite-term employment contracts by, among other cases, the prolongation of the same traineeship in the same position for the same traineeship provider.
3. Member States shall clarify the circumstances and conditions under which a traineeship may be extended or renewed after the initial traineeship agreement expired.
4. Member States shall ensure that under the traineeship agreement either the trainee or the traineeship provider may terminate it by written communication, providing advance notice of an appropriate duration in view of the length of the traineeship and relevant national practice.

*Article 5*  
*Recognition of traineeships*

1. Member States shall ensure recognition and validation of the knowledge, skills and competences acquired during traineeships and that traineeship providers attest them, on the basis of an assessment, through a certificate.
2. Member States shall ensure that traineeships are recognised as work experience in recruitment processes.

*Article 6*  
*Transparency requirements*

1. Member States shall ensure that traineeship providers include in their gender neutral and inclusive vacancy notices and advertisements information on the terms and conditions of

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<sup>1</sup> Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time (OJ L 299, 18.11.2003, p. 9).

<sup>2</sup> Directive (EU) 2019/1152 of the European Parliament and of the Council of 20 June 2019 on transparent and predictable working conditions in the European Union (OJ L 186, 11.7.2019, p. 105).

the traineeship, including its remuneration, working conditions, expected tasks, and health and accident insurance.

2. Traineeship providers shall provide information on recruitment policies, including the share of trainees recruited by the traineeship provider after their traineeship in recent years.
3. Traineeship providers shall not require previous working experience when issuing or advertising vacancy notices for traineeships.
4. Member States shall ensure that labour inspectors prohibit the substitution of entry-level or permanent posts by means of a traineeship.

#### *Article 7*

##### *Social dialogue and stakeholders' involvement*

1. Without prejudice to the autonomy of the social partners and in accordance with national law and practice, Member States shall ensure the effective involvement of the social partners and other relevant stakeholders, in the design, implementation and monitoring of the rights and obligations laid down in this Directive.
2. Trainees shall have access to workers' representation, including trade unions.

#### *Article 8*

##### *Penalties*

Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Directive or the relevant provisions already in force concerning the rights, which are within the scope of this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall, by ... [three years after the date of entry into force of this Directive], notify the Commission of those rules and of those measures and shall notify it, without delay, of any subsequent amendment affecting them.

#### *Article 9*

##### *Non-regression and more favourable provisions*

1. This Directive shall not be used to reduce existing rights for trainees, nor can it constitute valid grounds for reducing the general level of protection afforded to trainees in the field covered by this Directive.
2. This Directive shall not affect Member States' prerogative to apply or to introduce laws, regulations or administrative provisions, which are more favourable to trainees or to encourage or permit the application of collective agreements which are more favourable to trainees.

#### *Article 10*

##### *Collection of data, monitoring and evaluation*

1. The Commission shall publish guidelines to ensure the uniformity of data collection. The Commission shall monitor the application of those guidelines.



2. Member States shall ensure that the data collection of traineeships at national level is carried out in line with the Commission's guidelines referred to in paragraph 1. They shall submit the data collected to the Commission on a yearly basis.

*Article 11*  
*Reporting and review*

By ... [three years after the date of entry into force of this Directive], the Commission shall assess the implementation of this Directive and its impact in practice and submit a report to the European Parliament and to the Council.

*Article 12*  
*Transposition*

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by ... [two years after the date of entry into force of this Directive]. They shall immediately inform the Commission thereof.

2. When Member States adopt those measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

*Article 13*  
*Entry into force*

This Directive shall enter into force on the day following that of its publication in the Official Journal of the European Union.

*Article 14*  
*Addressees*

This Directive is addressed to the Member States.

Done at ...,

*For the European Parliament*  
*The President*

*For the Council*  
*The President*

## **ANNEX II TO THE RESOLUTION**

### **Proposal for a Decision of the European Parliament and the Council on a quality framework for traineeships**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 166(4) thereof,

Having regard to the proposal from the European Commission,

Having regard to the opinion of the European Economic and Social Committee,

Having regard to the opinion of the Committee of the Regions,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) Principle 1 of the European Pillar of Social Rights states that everyone has the right to quality and inclusive education, training and lifelong learning in order to maintain and acquire skills that enable them to participate fully in society and successfully manage transitions in the labour market. Principle 3 of the European Pillar of Social Rights underlines that regardless of gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation, everyone has the right to equal treatment and opportunities regarding, inter alia, employment and education.
- (2) Article 14(1) of the Charter of Fundamental Rights of the European Union states that everyone has the right to education and to have access to vocational and continuing training.
- (3) The Strategy for the Rights of Persons with Disabilities 2021-2030 aims to ensure full participation of persons with disabilities in society, on an equal basis with others in the Union and beyond. Within that strategy, the Commission commits to ensuring that persons with disabilities can take part in training and learning new skills as a fundamental requisite for employment and independence.
- (4) Traineeships undertaken with the aim of obtaining educational qualifications intend to offer a concrete work-based learning experience to students by integrating academic knowledge with practical experience, giving them the opportunity of finding their professional fields of interests and enhancing their employability.
- (5) Socio-economic costs arise if traineeships, particularly repeated ones, replace regular employment, notably entry-level positions usually offered to trainees. Moreover, low-quality traineeships, especially those with little learning content, do not lead to employability of the trainee and do not benefit any party. Social costs can also arise in connection with unpaid traineeships that limit the career opportunities of those from disadvantaged backgrounds.

(6) There is evidence of the link between the quality of the traineeship and the employment outcome. The value of traineeships in easing the transition to employment depends on their quality in terms of learning content and training conditions. Quality traineeships motivate young people to enter the labour market, improve future prospects and mental stability, improve labour market matching, bring direct productivity benefits and promote mobility notably by decreasing search and matching costs both for enterprises and for trainees.

(7) Evidence shows that a significant number of traineeships lack the connection between tasks and learning objectives. A quality traineeship must offer a solid and meaningful learning content. This means that the identification of the specific skills to be acquired, supervision and mentoring of the trainee, and monitoring of their progress throughout the traineeship are needed.

(8) Problems have also been identified as regards training conditions, such as long working hours, lack of social security coverage, lack of health and accident insurance coverage as well as sick leave, the protection against health and safety or occupational risks, little or no compensation and a lack of clarity in the terms and conditions set out in the traineeship agreements.

(9) Traineeships undertaken with the aim of obtaining educational qualifications remain unregulated in some Member States. In the absence of a regulatory framework or instrument, or because there is a lack of transparency regarding training conditions for traineeships and their learning content, many traineeship providers are able to use trainees as cheap or even unpaid labour.

(10) A strengthened and updated quality framework for traineeships will support the improvement of training conditions and the learning content of traineeships. The main elements of the quality framework for traineeships are the written traineeship agreement that indicates the educational objectives, decent training conditions including the amount of the compensation in line with the costs of living, rights and obligations, and a requirement to limit traineeships to a reasonable duration.

(11) A lack of information is one of the causes of low quality traineeships and is a much more widespread problem for traineeships than it is for regular employment. Increased transparency requirements for gender-neutral and inclusive notices or announcements advertising traineeship positions improve the accessibility of traineeships.

(12) Key stakeholders, such as the social partners, student unions, student representatives, youth organisations and lifelong career guidance services, play a key role in the design, implementation and monitoring of training policies and programmes. Cooperation between them could provide trainees with targeted information on available career opportunities and skills needs on labour markets, as well as on trainees' rights and responsibilities.

(13) One of the opportunities is to increase the cross-border mobility of trainees in the Union. The lack of a decent compensation constitutes an obstacle to the development of cross-border trainee mobility, especially for students coming from disadvantaged groups. Moreover, in some cases, administrative and legal obstacles to cross-border mobility of trainees have been found to affect several of the receiving Member States. In this context,

information on the right to cross border mobility of trainees is important. By providing principles and guidelines to serve as a reference, the quality framework for traineeships would also facilitate access to transnational traineeships.

(14) Traineeship providers who respect the quality framework for traineeships can be financially supported by the Union and national funds. This involves a possible contribution to the cost of the traineeships for the providers.

(15) The European Parliament has repeatedly condemned the practice of unpaid traineeships as a form of exploitation of young workers and a violation of their rights and called for a common legal framework to ensure fair remuneration for traineeships in order to avoid exploitative practices.

(16) The quality framework for traineeships is an important reference point for determining what constitutes a high-quality traineeship.

(17) This Decision should cover trainees carrying out traineeships with the aim of obtaining educational qualifications.

(18) Trainees covered by this Decision should have access to adequate compensation determined by each Member State in view of the national socio-economic conditions and the cost of living. It should cover at least basic living necessities such as food, accommodation and transport. It should be financial or otherwise complemented by in kind benefits.

(19) Considering the nature and objective of this Decision, it should not be interpreted as hindering Member States from maintaining or establishing more favourable provisions for trainees,

HAVE ADOPTED THIS DECISION:

*Article 1*  
*Objectives*

The objectives of the quality framework for traineeships shall be to improve:

(a) the quality of traineeships undertaken with the aim of obtaining educational qualifications, in particular as regards to learning and training content and training conditions with the aim of easing transition to work;

(b) the accessibility of such traineeships, in particular for the purpose of increasing the participation of young people from disadvantaged groups and persons with disabilities by implementing Articles 2 to 13.

*Article 2*  
*Conclusion of a written traineeship agreement*

1. Member States shall require that traineeships are based on a written agreement concluded at the beginning of the traineeship between the trainee and the traineeship provider.

2. Member States shall require that traineeship agreements indicate the educational objectives, the training conditions, adequate compensation provided to the trainee by the traineeship provider, and the rights and obligations of the parties under applicable Union and national law, as well as the duration of the traineeship.

*Article 3*  
*Learning and training objectives*

1. Member States shall promote best practices as regards learning and training objectives established jointly by the trainee, traineeship provider and the educational institution in order to help trainees acquire practical experience and relevant skills. The tasks assigned to the trainee should enable these objectives to be attained.

2. Member States shall encourage traineeship providers to designate a mentor for trainees guiding the trainees through the assigned tasks, monitoring and assessing their progress while ensuring intergenerational transfer of skills.

*Article 4*  
*Training conditions applicable to trainees*

1. Member States shall ensure that the rights, training conditions and access to social protection of trainees, under applicable Union and national law, including limits to maximum weekly working time, minimum daily and weekly rest periods, minimum holiday entitlements, sick leave, teleworking rights, and access to representation, are respected and that the training hours and duration are compatible with the studying plan concerned, in the event that the training and education are to be carried out simultaneously.

2. Member States shall ensure that trainees are covered in terms of health and accident insurance as well as sick leave in accordance with national law and practice.

3. Member States shall ensure that trainees covered by this Decision have access to adequate compensation, determined by each Member State in view of the national socio-economic conditions and the cost of living.

4. Member States shall ensure that any part of a traineeship conducted remotely meets the training conditions, is properly monitored by the mentor and implements the quality framework for traineeships in full.

5. Member States shall ensure that national labour inspectorates and relevant authorities have channels to report malpractice and poor conditions for trainees.

*Article 5*  
*Rights and obligations*

Member States shall encourage the concerned parties to ensure that the traineeship agreement lays down the rights and obligations of the trainee and the traineeship provider, including, where relevant, the traineeship provider's policies on confidentiality and the ownership of intellectual property rights.

*Article 6*  
*Traineeship duration*

1. Member States shall ensure a limited duration of traineeships that, in principle, does not exceed six months, except in cases where a longer duration is justified, taking into account national practices.
2. Member States shall encourage the practice of specifying in the traineeship agreement that either the trainee or the traineeship provider may terminate it by written communication to all parties, providing advance notice of an appropriate duration in view of the length of the traineeship and relevant national practice.

*Article 7*  
*Recognition of traineeships*

Member States shall ensure the recognition, validation and certification of the knowledge, skills and competences acquired during traineeships by both the traineeship provider and the educational institution.

*Article 8*  
*Accessibility of traineeships*

1. Member States shall promote increased access to traineeships for trainees from vulnerable backgrounds including trainees with disabilities.
2. Member States shall ensure that workplaces are adapted to be accessible to trainees with disabilities.

*Article 9*  
*Transparency requirements*

Member States shall encourage traineeship providers to include in their gender neutral and inclusive vacancy notices and advertisements information on the terms and conditions of the traineeship, in particular with regard to compensation, health and accident insurance and expected tasks and to provide information on recruitment policies, including the share of trainees recruited in recent years.

*Article 10*  
*Cross-border traineeships*

1. Member States shall facilitate the cross-border mobility of trainees in the Union, inter alia by clarifying the national legal framework for traineeships and establishing clear rules on hosting trainees from, and the sending of trainees to, other Member States and by reducing administrative formalities.
2. In the case of third-country nationals carrying out traineeships within the Union, Member States shall facilitate the application of the quality framework for traineeships to them.

3. In the case of mobility outside the Union, Member States shall promote respect for the quality framework for traineeships in agreements between educational institutions and traineeship providers.

*Article 11*  
*Financial support*

Member States shall promote the use of national and/or Union funds, such as from the European Social Fund Plus, the European Regional Development Fund and the Recovery and Resilience Facility to traineeship providers who respect the quality framework for traineeships.

*Article 12*  
*Collection of data, monitoring and evaluation*

1. The Commission shall publish guidelines for adequate monitoring schemes to ensure the uniformity of data collection to ensure better and comparative data collection of traineeships at national level.
2. On the basis of the guidelines published pursuant to paragraph 1, the Commission shall monitor, in cooperation with the Member States and in particular through EMCO, the progress in implementing the quality framework for traineeships pursuant to this Decision and analyse the impact of the policies in place.

*Article 13*  
*Implementing the quality framework for traineeships*

1. Member States shall take appropriate measures to implement the quality framework for traineeships as soon as possible.
2. Member States shall provide information to the Commission by ... [three years after the date of adoption of this Decision] on the measures taken in accordance with this Decision.
3. Member States shall promote the active involvement of stakeholders, in particular, the social partners, student unions, student representatives, youth organisations and lifelong career guidance services, in implementing the quality framework for traineeships.

*Article 14*  
*Entry into force*

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

*Article 15*  
*Addressees*

This Decision is addressed to the Member States

Done at ...,

*For the European Parliament*

*The President*

*For the Council*

*The President*