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POSSIBLE EU ACTION TO FURTHER IMPROVE THE QUALITY OF TRAINEESHIPS IN THE EU

CONTRIBUTION TO A FIRST-PHASE CONSULTATION OF SOCIAL PARTNERS

The European Confederation of Independent Trade Unions (CESI) is a confederation of more than 40 national and European trade union organisations from over 20 European countries, with a total of more than 5 million individual members. Founded in 1990, CESI is a recognised European sectoral social partner and advocates improved employment conditions for workers in Europe and a strong social dimension in the EU. This consultation contribution has been developed in close collaboration with CESI Youth, CESI's statutory body representing young workers among its affiliates and members.

I. Do you consider that the European Commission has correctly and sufficiently identified the issues and the possible areas for EU action?

II. Do you consider that EU action is needed to address the identified issues effectively and achieve the objectives set out?

III. Would you consider initiating a dialogue under Article 155 TFEU on any of the issues identified in this consultation?

CESI welcomes the European Commission's consultation of social partners on a possible action further improving the quality of traineeships.

Young people in the EU are far too often victims of low-quality, unpaid or abusive work conditions during their traineeships. 1 in 3 youngsters report working for free during their internships¹. With youth unemployment still high², the cost of living on the rise³ and the effects of the pandemic on youth still being felt⁴, many young people are at risk of poverty.

¹ European Youth Forum report on the costs of internships <https://www.youthforum.org/files/230111-DP-CostUnpaidInternships.pdf>, consulted on August 25 2023

² EUROSTAT, June 2023 youth unemployment at 14.1% [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Unemployment_statistics#:~:text=%3A%20Eurostat%20\(une_rt_m\)-,Youth%20unemployment,regions%20in%20the%20previous%20month](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Unemployment_statistics#:~:text=%3A%20Eurostat%20(une_rt_m)-,Youth%20unemployment,regions%20in%20the%20previous%20month), consulted on August 25 2023

³ <https://ec.europa.eu/eurostat/en/web/products-eurostat-news/w/ddn-20230420-1>, consulted on August 25 2023

⁴ EUROFOUND report 'Impact of the COVID-19 pandemic on young people', <https://www.eurofound.europa.eu/publications/report/2021/impact-of-covid-19-on-young-people-in-the-eu#:~:text=COVID%2D19%20pandemic-,Young%20people%20were%20more%20likely%20than%20older%20groups%20to%20experience,home%20requirements%20and%20school%20closures>, consulted on August 25 2023

Additional protective measures are urgently needed to ensure that young people have access to quality traineeship experiences in which they gain the practical experience needed to later access the labour market and find stable quality jobs. These measures must specifically ensure that these opportunities provide meaningful learning experiences and contribute to the development of employability skills, while providing access to fair and decent pay, social protection and healthcare.

Unless the European cross-sector social partners can agree on an ambitious measure that can effectively address this, CESI considers that a proposal by the European Commission on an EU Directive on Quality Traineeships would be an appropriate measure, as a binding policy tool. Experience has shown that the implementation of non-binding Recommendations by Member States is low.

CESI disagrees with the European Commission's view that while "the existence of a remuneration is an essential feature of the definition of a 'worker'", unpaid trainees cannot be considered 'workers'. Trainees perform services and tasks for public or private employers for a certain time, under their direction, in a position of legal subordination to them. Denying them the status of a "worker" means using malpractices and abuses as identifying features for the definition of workers.

In view of this, a binding EU-level measure should in particular:

1. cover traineeships in the open labour market, those fostered under the Youth Guarantee, and those required as vocational training.
2. set up clear standards and guidelines for traineeships across Europe, promoting access to social protection, healthcare, insurances and pension with clear references and indicators for quality, transparency, and fairness – which must be formalised in a written form of a contract and be well communicated and understood by both parties, the employer and the trainee. The duration and compensation should also be stated clearly, having in mind the benchmarks offered by the Directive on adequate minimum wages in the EU (2022/2041) and ensuring a fair compensation for trainees that avoids their exploitation and covers at least their basic living costs, including housing.
3. specify the significance of appropriate guidance and supervision for trainees and put in place a mechanism to monitor learning outcomes: a career mentor or similar person who ensures that the trainees gain relevant skills and competencies during their placement who and can offer feedback, advice, and support throughout the traineeship.
4. set the frame for an adequate recognition and validation of traineeships as valuable experiences on participants' educational and professional journeys. This recognition can help enhance participants' employability and contribute to a more transparent and equitable job markets.
5. encourage Members States and their labour inspectorates to monitor improvements in the overall quality of traineeships. This ensures that traineeships consistently meet the defined standards and deliver positive outcomes.
6. clarify that trainees have access to trade union and workers' representation rights.
7. require that traineeship vacancy notices must not use biased or discriminatory language of any kind.