



Plenary sitting

A10-0174/2025

1.10.2025

*****I**

REPORT

on the proposal for a directive of the European Parliament and of the Council improving and enforcing working conditions of trainees and combating regular employment relationships disguised as traineeships ('Traineeships Directive') (COM(2024)0132 – C10-0004/2024 – 2024/0068(COD))

Committee on Employment and Social Affairs

Rapporteur: Alicia Homs Ginel

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ***■*** symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a directive of the European Parliament and of the Council improving and enforcing working conditions of trainees and combating regular employment relationships disguised as traineeships ('Traineeships Directive') (COM(2024)0132 – C10-0004/2024 – 2024/0068(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2024)0132),
 - having regard to Article 294(2) and Article 153(2)(b) in conjunction with Article 153(1)(b) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C10-0004/2024),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the reasoned opinion submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the Swedish Parliament, asserting that the draft legislative act does not comply with the principle of subsidiarity,
 - having regard to the opinion of the European Economic and Social Committee of 11 July 2024¹,
 - having regard to the opinion of the Committee of the Regions of 8 October 2024²,
 - 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 (A10-0174/2025),
 - having regard to Rule 60 of its Rules of Procedure,
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ OJ C, C/2024/7067, 4.12.2024, ELI: <http://data.europa.eu/eli/C/2024/7067/oj>

² OJ C, C/2024/7067, 4.12.2024, ELI: <http://data.europa.eu/eli/C/2024/7067/oj> .

Proposal for a directive
Title

Text proposed by the Commission

Proposal for a
DIRECTIVE OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
on improving and enforcing working
conditions of trainees and combating
***regular employment relationships
disguised as*** traineeships ('Traineeships
Directive')

(Text with EEA relevance)

Amendment

Proposal for a
DIRECTIVE OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
on improving and enforcing working
conditions of trainees and ***detecting and
combating practices that circumvent the
purpose of*** traineeships ***and the use of
disguised standard employment
relationships*** ('Traineeships Directive')

(Text with EEA relevance)]

Amendment 2

Proposal for a directive
Recital 1

Text proposed by the Commission

(1) In March 2014, the Council adopted the Recommendation for a Quality Framework on Traineeships ('2014 Recommendation') to provide Union-wide quality standards for traineeships. It recommends 21 principles ***for traineeships*** to improve the quality of traineeships, in particular to ensure high quality learning and training content and adequate working conditions to support education-to-work transitions and increase the employability of trainees. The 2014 Recommendation covers all traineeships except for those that are part of curricula of formal education and training and those regulated under national law and completion of which is a mandatory requirement to access a specific profession.

Amendment

(1) In March 2014, the Council adopted the Recommendation for a Quality Framework on Traineeships ('2014 Recommendation') to provide Union-wide quality standards for traineeships. It recommends 21 principles to improve the quality, ***accessibility and inclusiveness*** of traineeships, in particular to ensure high quality learning and training content and adequate working conditions to support education-to-work transitions and increase the employability of trainees. The 2014 Recommendation covers all traineeships except for those that are part of curricula of formal education and training and those regulated under national law and completion of which is a mandatory requirement to access a specific profession.

Amendment 3

Proposal for a directive Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) Article 21 of the Charter of Fundamental Rights of the European Union (the ‘Charter’) prohibits any discrimination based on any grounds such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, memberships of a national minority, property, birth, disability, age or sexual orientation; Article 31 of the Charter guarantees the right of every worker to fair and just working conditions for all workers; and Article 32 provides for the protection of young people at work, particularly against economic exploitation.

Amendment 4

Proposal for a directive Recital 1 b (new)

Text proposed by the Commission

Amendment

(1b) Chapters I and II of the European Pillar of Social Rights (the ‘Pillar’), proclaimed at Gothenburg on 17 November 2017, establish a set of principles to guide the Union and its Member States towards equal opportunities on and access to the labour market, fair working conditions and social protection and inclusion. Principle 1 of the Pillar recognises the right to quality and inclusive education, training and life-long learning to maintain and acquire skills for full participation in society and successful management of transitions in the labour market. Principle 3 of the Pillar 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 in employment, education and social protection, with particular attention to under-represented groups. Principle 4 of the Pillar affirms that young people have the right to continued education, apprenticeship, traineeship or a job offer of good standing within four months of becoming unemployed or leaving education. Principle 5 of the Pillar provides that, regardless of the type and duration of the employment relationship, workers have the right to fair and equal treatment regarding working conditions, access to social protection and training, and that employment relationships that lead to precarious working conditions are to be prevented. Principle 6 of the Pillar guarantees the right to fair wages that provide for a decent standard of living, and principle 17 of the Pillar underlines the right of persons with disabilities to inclusion and active participation in society and the labour market.

Amendment 5

Proposal for a directive

Recital 2

Text proposed by the Commission

Amendment

(2) The Council Recommendation on a European Framework for Quality and Effective Apprenticeships⁴⁴ contains 14 criteria for quality and effective apprenticeships aiming to ensure that apprenticeship schemes are responsive to labour market needs and provide benefits to both learners and employers. These include criteria for learning and working conditions and criteria for framework conditions.

deleted

Amendment 6

Proposal for a directive Recital 3

Text proposed by the Commission

(3) The **reinforced** Youth Guarantee⁴ aims at ensuring that young people under the age of 30 receive a good quality offer of employment, continued education, apprenticeship or traineeship within a period of four months of becoming unemployed or leaving education. ***The 2014 Recommendation is an important reference point to measure the quality of traineeships offers under the reinforced Youth Guarantee.***

⁴ 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 2020/C 372/01 (OJ C 372, 4.11.2020, p. 1).

Amendment 7

Proposal for a directive Recital 4

Amendment

(3) ***Youth unemployment remains a persistent challenge in the Union, with rates more than twice the overall unemployment rate. There is therefore a need for measures that genuinely support sustainable labour market integration and skills development, rather than temporary or repetitive traineeships that do not contribute to standard employment. The European Pillar of Social Rights Action Plan aims to reduce NEETs among young people aged between 15 and 29 from 12,6% in 2019 to 9 % by 2030 by improving employment prospects. The Council Recommendation on A Bridge to Jobs – Reinforcing the Youth Guarantee⁴ aims at ensuring that young people under the age of 30 receive a good quality offer of employment, continued education, apprenticeship or traineeship within a period of four months of becoming unemployed or leaving education, mainly supporting young people at risk of exclusion from the labour market.***

⁴ 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 2020/C 372/01 (OJ C 372, 4.11.2020, p. 1).

Text proposed by the Commission

(4) Labour shortages exist in **many** occupations and at all skills levels. They are expected to increase with the projected decline in the working age population and increasing demand for **several** occupations relevant for the green and digital transition. ***The lower labour market participation of young people contributes to these shortages.*** Quality traineeships ***can be*** a useful ***up- and/or reskilling pathway for persons of any age*** to acquire practical skills on the job to enter the labour market ***or take their career in a new direction.***

Amendment

(4) Labour ***and skills*** shortages exist in ***a number of*** occupations and are expected to increase with the projected decline in the working age population and increasing demand for ***numerous sectors and*** occupations relevant for the green and digital transition ***and other emerging sectors. As highlighted by the Draghi and Letta reports, lack of investment in skills will only exacerbate these shortages.*** Quality traineeships ***are*** a useful ***opportunity for people making the transition from education to employment*** to acquire practical skills on the job to enter the labour market.

Amendment 8

Proposal for a directive
Recital 5

Text proposed by the Commission

(5) Traineeships ***can*** help young people gain practical and professional experience, ***improve their employability, and*** facilitate their transition ***into stable*** employment. As such, traineeships constitute an important pathway to the labour market. For ***employers***, traineeships provide opportunities to attract, train and retain young people. ***They can*** reduce the cost of searching for and recruiting skilled staff, when trainees are offered ***a regular position*** after their traineeship. However, this can only be achieved if traineeships are ***of good*** quality ***and offer*** decent working conditions.

Amendment

(5) Traineeships ***aim to*** help young people gain practical and professional experience, ***to*** facilitate their transition ***from education to standard*** employment ***and access to a profession. The purpose of a traineeship is to combine a short period of entry-level work with a significant learning and training component.*** As such, traineeships ***can*** constitute an important pathway to ***enter*** the labour market. For ***traineeships providers***, traineeships provide opportunities to attract, train and retain young people, ***identify emerging talent and*** reduce the cost of searching for and recruiting skilled staff, when trainees are offered ***standard employment*** after their traineeship. However, this can only be achieved if traineeships are ***regulated to ensure*** quality, decent ***and transparent*** working conditions, ***and a significant learning and***

training content.

Amendment 9

Proposal for a directive

Recital 6

Text proposed by the Commission

(6) Challenges persist regarding the problematic use of traineeships, including when ***regular employee positions are disguised as*** traineeships, depriving those workers of their full rights under Union law, national law and collective agreements ***and*** risking to trap them in precarious working conditions. ***Employment relationships disguised as traineeships distort competition between companies by putting compliant employers at a disadvantage, lead to the circumvention of employers' fiscal and social security obligations and to a substitution of permanent posts.*** In other cases, ***employers*** of ‘genuine’ trainees may not comply with all requirements stemming from Union law, national law, collective agreements or practice, depriving them of their full rights.

Amendment 10

Proposal for a directive

Recital 7

Text proposed by the Commission

(7) ***Additionally, trainees are less likely to defend their rights due to their vulnerable positions in the labour market.*** The absence, complexity or diversity of regulatory frameworks for traineeships in various Member States alongside an insufficient enforcement of national legislation and the lack of capacity for controls and inspections, as well as a lack of clarity regarding the authority

Amendment

(6) Challenges persist regarding the problematic use of traineeships, including when traineeships ***are of poor quality with substandard working conditions, including no or low remuneration, indeterminate duration, repeated with the same traineeship provider or require previous work experience or where traineeships are used to disguise standard employment relationships,*** depriving those workers of ***such employment relationships*** ***and*** their full rights under Union law, national law and collective agreements risking to trap them in precarious working conditions. In other cases, ***traineeship providers*** of ‘genuine’ trainees may not comply with all requirements stemming from Union law, national law, collective agreements or practice, depriving them of their full rights.

Amendment

(7) The absence, complexity or diversity of regulatory frameworks for traineeships in various Member States alongside an insufficient enforcement of national legislation and the lack of capacity for controls and inspections, as well as a lack of clarity regarding the authority responsible for control and enforcement, ***risk*** leading to ***practices that circumvent the purpose*** of traineeships. ***The lack of***

responsible for control and enforcement, *are among the main factors* leading to *the problematic use* of traineeships.

official statistics on traineeships also hampers the assessment of their quality and effectiveness. The European Court of Auditors has identified challenges related to the varying definition of traineeships, inconsistent application of the 2014 Council Recommendation on quality traineeships in the Member States, and limited reliable data, which may hinder evidence-based policymaking and create variations in opportunities and accessibility for young people from different social backgrounds. These gaps contribute to the vulnerability of trainees, who often find themselves unable to defend their rights due to their vulnerable position in the labour market.

Amendment 11

Proposal for a directive Recital 7a (new)

Text proposed by the Commission

Amendment

(7a) Complications also arise due to the broad and informal categorisation of traineeships. Traineeships can be understood to include traineeships which are accessible on the open market; traineeships which are regulated under national law and the completion of which is a mandatory requirement to access a specific profession; traineeships in the context of active labour market policies; and traineeships which are part of curricula for formal education. Only some of these are regulated or partly regulated in some Member States. Although the Union has established a policy framework for traineeships since 2013, the 2014 Council Recommendation on a Quality Framework for Traineeships is non-binding, and as a result, not all Member States have aligned their legal frameworks with that recommendation.

Amendment 12

Proposal for a directive Recital 7b (new)

Text proposed by the Commission

Amendment

(7b) Unpaid or poorly paid traineeships are particularly difficult to access by young people from vulnerable backgrounds and this results in direct or indirect discrimination on grounds such as age, sex, race, colour, ethnic and social origin, disability and others. 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 has called for a common legal framework to ensure fair remuneration for traineeships in order to avoid exploitative practices.

Amendment 13

Proposal for a directive Recital 8

Text proposed by the Commission

Amendment

(8) Evidence shows that a significant proportion of trainees are subject to less favourable working conditions compared to **regular** employees, including regarding working hours, leave entitlements, and access to equipment **as well as** pay.

(8) Evidence shows that a significant proportion of trainees are subject to less favourable working conditions compared to **other** employees, including regarding working hours, leave entitlements, access to equipment **and, in particular**, pay. **The lack of opportunities to access quality employment, including quality traineeships, contributes to the emigration of young people in search of better working and living conditions in other Member States, exacerbating the brain drain in certain parts of the Union and regional imbalances. Ensuring decent working conditions, in particular adequate pay, for trainees is therefore essential to retain and develop talent across all territories and to uphold the**

right of young people to build their lives and careers in their region of origin, thereby strengthening social, economic and territorial cohesion in the Union.

Amendment 14

Proposal for a directive

Recital 10

Text proposed by the Commission

(10) The Conference on the Future of Europe put forward a proposal on ensuring that young people's internships and jobs adhere to quality standards, including on pay and banning unpaid internships on the labour market and outside formal education.

Amendment

(10) ***In 2022***, the Conference on the Future of Europe put forward a proposal on ensuring that young people's internships and jobs adhere to quality standards, including on pay and banning unpaid internships on the labour market and outside formal education.

Amendment 15

Proposal for a directive

Recital 11

Text proposed by the Commission

(11) The European Parliament adopted a resolution pursuant to Article 225 TFEU with recommendations to the Commission on quality traineeships ***in June 2023***. In its resolution, it called on the Commission “to update and strengthen the 2014 QFT and to turn it into a stronger legislative instrument”. It further called on the Commission to include additional principles in an updated quality framework for traineeships. Specifically, the European Parliament called for the Commission to “propose a directive on open labour market traineeships, traineeships in the context of active labour market policies 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

Amendment

(11) ***In June 2023***, the European Parliament adopted a resolution pursuant to Article 225 TFEU with recommendations to the Commission on quality traineeships. In its resolution, it called on the Commission “to update and strengthen the 2014 QFT and to turn it into a stronger legislative instrument”. It further called on the Commission to include additional principles in an updated quality framework for traineeships. Specifically, the European Parliament called for the Commission to “propose a directive on open labour market traineeships, traineeships in the context of active labour market policies 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 pay that ensures a decent standard of living in order to avoid exploitative practices”.

national law and practice as well as pay that ensures a decent standard of living in order to avoid exploitative practices”.

Amendment 16

Proposal for a directive Recital 12

Text proposed by the Commission

(12) The Commission carried out a two-stage consultation of social partners at Union level under Article 154 TFEU on the need, objectives and legal avenues for a potential action further improving the quality of traineeships. There was no agreement among the social partners to enter into negotiations with regard to those matters. It is, however, important to take action at Union level in this area by adapting the current framework on traineeships while taking into account the outcomes of the consultation of social partners.

Amendment

(12) The Commission carried out a two-stage consultation of social partners at Union level under Article 154 TFEU on the need, objectives and legal avenues for a potential action further improving the quality **and accessibility** of traineeships. There was no agreement among the social partners to enter into negotiations with regard to those matters. It is, however, important to take action at Union level in this area by adapting the current framework on traineeships while taking into account the outcomes of the consultation of social partners.

Amendment 17

Proposal for a directive Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) In its case law, the Court of Justice has established criteria for determining the status of a worker. The interpretation by the Court of Justice of those criteria should be taken into account in the implementation of this Directive.

Amendment 18

Proposal for a directive Recital 14 b (new)

Text proposed by the Commission

Amendment

(14b) Direction, personal service, and the pursuit of activities, which are real and genuine, to the exclusion of activities on such a small scale as to be regarded as purely marginal and ancillary, are essential elements of the definition of an employment relationship in the case-law of the Court of Justice.

Amendment 19

Proposal for a directive Recital 14 c (new)

Text proposed by the Commission

Amendment

(14c) The Court of Justice has repeatedly held^{1a} that the concept of worker, within the meaning of Article 45 TFEU ‘extends to a person who serves a traineeship’. The case-law of the Court of Justice has applied the employment nexus to the four types of traineeships: those which are accessible on the open market, those which are mandatory for the purpose of gaining access to a profession, those that are associated with active labour market policies and those that are part of an academic or vocational qualification.

^{1a.} See, for example, the judgment of the Court of Justice of 10 February 2022, XXXX v HR Rail SA, Case C-485/20, ECLI identifier: ECLI:EU:C:2022:85, paragraph 31.

Amendment 20

Proposal for a directive Recital 15

Text proposed by the Commission

(15) Considering the persisting ***challenges regarding the problematic use*** of traineeships in the Union, further action is needed ***to combat regular employment relationships disguised as traineeships*** and to ensure that the relevant Union and national law applicable to workers is fully implemented and enforced in relation to trainees. ***This Directive addresses these challenges by laying down minimum requirements to improve and enforce the working conditions of trainees in the Union and to combat employment relationships disguised as traineeships, by establishing a common framework of principles and measures necessary to ensure equal treatment and to implement and enforce Union and national law applicable to workers more effectively.***

Amendment 21

**Proposal for a directive
Recital 15 a (new)**

Text proposed by the Commission

Amendment

(15) Considering the persisting ***practices that circumvent the purpose*** of traineeships in the Union, further action is needed ***to improve the working conditions of trainees, the quality and accessibility of traineeships, to detect and combat disguised employment relationships,*** and to ensure that the relevant Union and national law applicable to workers is fully implemented and enforced in relation to trainees.

Amendment

(15a) The Union and the Member States are party to the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), Article 27 of which requires ensuring access for persons with disabilities to general technical and vocational training, and promoting their participation in the open labour market. The Strategy for the Rights of Persons with Disabilities 2021–2030 aims to ensure the full participation of persons with disabilities in society, on an equal basis with others, including through access to training and reskilling as a fundamental requisite for employment and independence. Barriers to accessing high-quality traineeships might also arise, from the automatic loss

of disability allowance to lack of reasonable accommodation and financial support, which may also discourage employers. Ensuring equal and non-discriminatory access to traineeships is essential, particularly in light of digitalisation, automation and the development of new technologies, and in view of the fact that approximately 26,8% of Union citizens aged 16 and above report some form of disability.

Amendment 22

Proposal for a directive Recital 16

Text proposed by the Commission

(16) This Directive *should apply to trainees in the Union who have an employment contract or employment relationship as defined by the law, collective agreements or practice in force in the Member States, with consideration to the case-law of the Court of Justice of the European Union. In its case law, the Court of Justice has established criteria for determining the status of a worker, which is to be based on a case-by-case-analysis.*

Amendment

(16) This Directive *lays down a common definition of traineeships and establishes a framework for principles and measures to improve and enforce the working conditions of trainees by providing for quality, transparent and accessible traineeships that facilitate the transition from education to standard employment and measures to detect and combat practices that circumvent the purpose of traineeships and the use of standard employment relationships disguised as traineeships.*

Amendment 23

Proposal for a directive Recitals 16 a (new)

Text proposed by the Commission

Amendment

(16a) This Directive defines traineeships as comprising a limited period of entry-level work aiming to provide practical and professional skills through significant learning and training to facilitate the transition from education to a standard employment relationship or access a

profession, on the basis of a written contract between the trainee and the traineeship provider, which is paid in accordance with national law, collective agreements or practice, and, where applicable with Directive (EU) 2022/2041.

Amendment 24

Proposal for a directive Recitals 16 b (new)

Text proposed by the Commission

Amendment

(16b) Traineeship providers should provide trainees with access to social protection in accordance with national schemes, including health insurance, unemployment benefits and pension contributions.

Amendment 25

Proposal for a directive Recitals 16 c (new)

Text proposed by the Commission

Amendment

(16c) One of the challenges relating to the regulation of traineeships is the absence of common rules or of a shared legal understanding of the concept and purpose of traineeships at Union level, together with a lack of specific legislation in many Member States. This Directive addresses that challenge by providing a common definition of the concept and purpose of a traineeship as a limited period of work, the purpose of which is to facilitate the transition from education to standard employment. To the same end, this Directive provides for measures to detect and combat practices that circumvent the purpose of traineeships and the use of standard employment relationships disguised as traineeships.

Amendment 26

Proposal for a directive Recital 16 d (new)

Text proposed by the Commission

Amendment

(16d) This Directive establishes provisions to ensure the quality and accessibility of traineeships. It sets out the minimum quality criteria to be included in a written traineeship agreement as well as requiring Member States to take effective measures to improve the accessibility and inclusivity of traineeships, in particular for persons who are at risk of being excluded from the labour market, including persons with disabilities, people residing in the outermost regions and other remote, rural, insular, peripheral and mountainous regions, as well as sparsely populated areas, people from disadvantaged socio-economic or migrant backgrounds, people from the Roma community and people with lower levels of educational attainment.

Amendment 27

Proposal for a directive Recital 16 e (new)

Text proposed by the Commission

Amendment

(16e) This Directive ensures that the principle of non-discrimination laid down in Directive 2006/54/EC of the European Parliament and of the Council^{1a}, Directive 2000/78/EC, Council Directive 2000/43/EC^{1b} and Article 21 of the Charter of Fundamental Rights of the European Union, apply to traineeships, in respect of access to traineeships and the working conditions including pay. This Directive addresses concerns relating to the discriminatory implications of

traineeships and promotes the inclusivity of traineeships.

^{1a} Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (OJ L 204, 26.7.2006, p. 23).

^{1b} Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (OJ L 180, 19.7.2000, p. 22).

Amendment 28

Proposal for a directive Recital 16 f (new)

Text proposed by the Commission

Amendment

(16f) Trainees should benefit from the same level of health and safety protection as other workers in the same establishment. Taking into account the level of their professional experience and the nature of the tasks assigned, they should be provided with additional safeguards, including tailored information, appropriate supervision and training measures.

Amendment 29

Proposal for a directive Recital 16 g (new)

Text proposed by the Commission

Amendment

(16g) Traineeship providers should ensure that persons with disabilities have the same traineeship opportunities as others. Member States should take

effective measures to remove the obstacles to participation in traineeships. Trainees with disabilities should receive tailored support, including adaptations to physical and digital work environments to accommodate specific needs, flexible training schedules to account for health-related requirements, and support from trained mentors or designated disability liaison officers to ensure a successful and inclusive experience. Obstacles to participation in traineeships might also arise, for persons with disabilities, from the automatic loss of disability allowance or entitlement to other services upon undertaking a traineeship. Member States should also provide financial subsidies, using State aid, to employers who take on trainees with disabilities to cover any costs linked to reasonable accommodations.

Amendment 30

Proposal for a directive Recital 17

Text proposed by the Commission

(17) Work-based learning programmes falling under the definition of traineeship vary significantly across Member States. *Hence, apprenticeships may fall within the scope of this Directive, insofar as apprentices fall under the notion of ‘worker’ as defined by the law, collective agreements or practices in force in the Member States, with consideration to the case-law of the Court of Justice of the European Union.*

Amendment

(17) Work-based learning programmes falling under the definition of *a* traineeship vary significantly across Member States. *For the purposes of this Directive, traineeships that are integral to and a mandatory part of the curriculum of formal higher education or vocational education and training and that are undertaken solely for the purpose of obtaining academic or professional credits should be excluded. This Directive should cover open-market traineeships, traineeships in the context of active labour market policies, traineeships that are a mandatory part of professional training, as well as traineeships which are a part of formal education or training but are not integral to or a mandatory part of the curriculum and which are not*

undertaken solely for the purpose of obtaining academic or professional credits. Apprenticeships, within the meaning of the Council Recommendation of 15 March 2018 on a European Framework for Quality and Effective Apprenticeships, should be excluded from the scope of this Directive, given that they are based on a different work-based learning model with distinct objectives and regulatory frameworks at Union and national level.

Amendment 31

Proposal for a directive Recital 18

Text proposed by the Commission

(18) *Chapter III of the Directive applies to regular employees who are falsely labelled as trainees, i.e. when employers label a regular employment relationship either as a traineeship which is not an employment relationship, or as a traineeship which does constitute an employment relationship, however with a lower level of pay or other working conditions than those which regular employees would be entitled to under Union or national law, collective agreements or practice.*

Amendment

(18) *This Directive requires Member States to introduce effective measures to detect and combat practices that circumvent the purpose of traineeships and the use of standard employment relationships disguised as traineeships, with the effect of granting lower levels of protection, including working conditions and pay, than the trainee concerned would be entitled to under Union or national law, collective agreements or practice.*

Amendment 32

Proposal for a directive Recital 18 a (new)

Text proposed by the Commission

Amendment

(18a) *Member States should implement targeted actions and structural reforms aimed at supporting traineeships. To that end, Member States should develop and enforce measures to prevent practices that circumvent the purpose of traineeships*

and the use of standard employment relationships disguised as traineeships, protect labour rights, and foster the creation of quality employment opportunities.

Amendment 33

Proposal for a directive Recital 18 b (new)

Text proposed by the Commission

Amendment

(18b) Member States should encourage workers' representatives and other relevant legal entities to allocate a designated person within such organisations to serve as a first point of contact for trainees to seek advice on available remedies and support in cases of suspected malpractice, poor working conditions, infringements of their rights or any similar practices. As such, they can provide additional oversight and play an important role in the monitoring and enforcement of this Directive.

Amendment 34

Proposal for a directive Recital 19

Text proposed by the Commission

Amendment

(19) Traineeships *which are* employment *relationships* can be distinguished from '*regular*' employment relationships in that they are limited in time, they include a significant learning and training component and that they are undertaken in order to gain practical and professional experience with a view to *improving employability and* facilitating transition to employment or accessing a profession.

(19) Traineeships *necessarily entail the establishment of an* employment *relationship between the trainee and the traineeship provider and* can be distinguished from *standard* employment relationships in that they are limited in time, they include a significant learning and training component and that they are undertaken in order to gain practical and professional experience, with a view to facilitating *the* transition *from education to standard* employment or accessing a

profession.

Amendment 35

Proposal for a directive

Recital 20

Text proposed by the Commission

(20) The principle of non-discrimination is suitable to combat ***abuses of*** traineeships, such as granting trainees less favourable working conditions or lower pay compared with ***regular employees*** without appropriate justification, and to ensure the sustainability of traineeships as a pathway to ***stable*** employment opportunities. It can also help make traineeships more accessible to groups of workers in a vulnerable situation.

Amendment

(20) The principle of non-discrimination is suitable to ***detect and*** combat ***practices that circumvent the purpose of traineeships and the use of standard employment relationships disguised as*** traineeships, such as granting trainees less favourable working conditions or lower pay compared with ***other workers*** without appropriate justification, and to ensure the sustainability of traineeships as a pathway to ***standard*** employment opportunities. It can also help make traineeships more accessible to groups of workers in a vulnerable situation or ***who are at risk of being excluded from the labour market.***

Amendment 36

Proposal for a directive

Recital 21

Text proposed by the Commission

(21) It is therefore necessary to lay down the principle of non-discrimination for trainees which should apply in addition to Clause 4 of the Annex to the Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP, which provides that in respect of employment conditions, fixed-term workers are not to be treated in a less favourable manner than comparable permanent workers solely because they have a fixed-term contract or relation unless different treatment is justified on objective grounds. Trainees ***who have an***

Amendment

(21) It is therefore necessary to lay down the principle of non-discrimination for trainees which should apply in addition to Clause 4 of the Annex to the Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP, which provides that in respect of employment conditions, fixed-term workers are not to be treated in a less favourable manner than comparable permanent workers solely because they have a fixed-term contract or relation unless different treatment is justified on objective grounds. Trainees are by

employment relationship are by definition ‘fixed-term workers’ within the meaning of that Directive. Its clause on the principle of non-discrimination, however, does not allow for comparison with other fixed-term workers. Moreover, Clause 2 (2) of the Annex to that Directive allows Member States to exclude certain types of workers from its scope, including initial vocational training relationships and apprenticeship schemes or employment contracts and relationships which have been concluded within the framework of a specific public or publicly supported training, integration and vocational retraining programme. It also fails to recognise the particularly vulnerable position that trainees are in. It is therefore necessary to guarantee that the principle of equal treatment compared to **regular employees** applies to all trainees **who have an employment relationship**.

definition ‘fixed-term workers’ within the meaning of that Directive. Its clause on the principle of non-discrimination, however, does not allow for comparison with other fixed-term workers. Moreover, Clause 2 (2) of the Annex to that Directive allows Member States to exclude certain types of workers from its scope, including initial vocational training relationships and apprenticeship schemes or employment contracts and relationships which have been concluded within the framework of a specific public or publicly supported training, integration and vocational retraining programme. It also fails to recognise the particularly vulnerable position that trainees are in. It is therefore necessary to guarantee that the principle of equal treatment compared to **other workers** applies to all trainees. **Traineeship providers should also inform trainees about vacancies, which become available in their organisation in order to ensure that trainees should have the same access to permanent positions as other workers.**

Amendment 37

Proposal for a directive Recital 22

Text proposed by the Commission

(22) Member States should therefore ensure that, in respect of working conditions including pay, trainees are not treated in a less favourable manner than **comparable regular employees** in the same establishment, **unless different treatment is justified on objective grounds**. The sole fact of being a trainee cannot constitute grounds for less favourable treatment compared to **regular employees** in the same establishment. **At the same time, different tasks, lower responsibilities or work intensity in relation to comparable regular employees may constitute objective grounds for different treatment,**

Amendment

(22) Member States should therefore ensure that, in respect of working conditions including pay **and social protection**, trainees are not treated in a less favourable manner than **other workers** in the same establishment. The sole fact of being a trainee cannot constitute grounds for less favourable treatment compared to **other workers** in the same establishment.

where relevant, with regard to the employment condition at issue. The extent of different treatment should, however, be proportionate to those grounds.

Amendment 38

Proposal for a directive Recital 23

Text proposed by the Commission

Amendment

(23) *The application of the principle of non-discrimination requires the identification of a comparable regular employee engaged in the same or similar type of work or occupation as the trainee, due regard being given to qualifications and skills.* **deleted**

Amendment 39

Proposal for a directive Recital 24

Text proposed by the Commission

Amendment

(24) *Member States should have appropriate measures in place to combat regular employment relationships disguised as traineeships with the effect of granting lower levels of protection, including working conditions and pay, than the worker concerned would be entitled to under Union or national law, collective agreements or practice.* **deleted**

Amendment 40

Proposal for a directive Recital 25

Text proposed by the Commission

Amendment

(25) It is necessary to ensure effective controls and inspections conducted by

(25) It is necessary to ensure **thorough data collection, as well as regular and**

competent authorities as they are essential to protect the rights of trainees and to combat ***regular employment relationships disguised as traineeships***. They should be targeted to avoid the substitution of ***regular*** employment by ***disguised*** traineeships and to protect ***workers'*** rights.

effective controls and inspections conducted by competent authorities as they are essential to protect the rights of trainees and to ***detect and combat practices that circumvent the purpose of traineeships***. They should be targeted to avoid the substitution of ***other*** employment ***relationships, where the elements of a traineeship are not present***, by ***repeated*** traineeships and to protect ***the trainees'*** rights. ***All collected data should be standardised, comparable and shared in line with the principles of the Open Data Directive to identify trends, promote transparency, and support future policy improvements based on evidence.***

Amendment 41

Proposal for a directive Recital 26

Text proposed by the Commission

(26) ***The assessment whether a regular employment relationship is disguised as a traineeship should be based on the factual circumstances and not on the formal designation of the contractual relationship.*** In order to ***determine whether a regular employment relationship is disguised as a traineeship***, competent authorities should perform an overall assessment of all relevant facts. In order to facilitate the assessment for competent authorities, ***key elements that would allow to make the distinction between a regular employment relationship and a disguised traineeship should be set out.*** The assessment of those elements should be performed ***on a case-by-case basis***, taking due account of the circumstances of each specific case. ***Therefore, the elements referred to are indicative and non-exhaustive and without the necessity to meet a specific threshold.***

Amendment

(26) In order to ***detect and combat practices that circumvent the purpose of traineeships and the use of standard employment relationships disguised as traineeships***, competent authorities should perform an overall assessment of all relevant facts. In order to facilitate the assessment for competent authorities, ***this Directive sets out various factual elements that should be relevant in detecting and combatting such practices and the use of such standard employment relationships.*** The assessment of those elements should be performed taking due account of the ***content of the written traineeship agreement and the*** circumstances of each specific case.

Amendment 42

Proposal for a directive Recital 27

Text proposed by the Commission

(27) Requiring previous work experience for a traineeship in the same or similar field of activity ***may not indicate a regular employment relationship disguised as a traineeship if the employer provides justification such as an equivalent period of previous work experiences being an alternative to having a degree in a certain field of activity or expertise.***

Amendment

(27) ***Trainees should not be required to have previous work experience in the same field in order to access a traineeship in the same or a similar field.*** Requiring previous work experience for a traineeship, ***in particular*** in the same or similar field of activity, ***could indicate practices that circumvent the purpose of traineeships.***

Amendment 43

Proposal for a directive Recital 28

Text proposed by the Commission

(28) When competent authorities carry out their analysis of the relevant facts to determine the existence of ***a regular employment relationship disguised as a traineeship***, the information needed to perform this analysis ***might not always be easily accessible to them***. In order to enable competent authorities to perform their tasks, ***employers*** should be obliged to provide them with the necessary information that lies in their control upon request of the competent authorities.

Amendment

(28) When competent authorities carry out their analysis of the relevant facts to determine the existence of ***practices that circumvent the purpose of traineeships***, the information needed to perform this analysis ***can be drawn both from the content of the written traineeship agreement and the facts relating to the actual performance of work irrespective of how the relationship is designated in any contractual arrangement that may have been agreed between the parties involved***. In order to enable competent authorities to perform their tasks, ***traineeship providers*** should be obliged to provide them with the necessary information that lies in their control upon request of the competent authorities. ***Ensuring access to such information is crucial to enabling competent authorities to determine the existence of practices***

that circumvent the purpose of traineeships. Such information should be provided without delay.

Amendment 44

Proposal for a directive

Recital 29

Text proposed by the Commission

(29) Member States should have appropriate measures in place to facilitate the *assessment of whether a purported traineeship genuinely constitutes a traineeship*. This should include a time limit indicating excessive duration of a traineeship *and of repeated, including consecutive, traineeships with the same employer*. A reasonable maximum duration of traineeships should, in principle, not exceed six months, as stipulated in the 2014 Recommendation. However, Member States may provide that a longer duration can be justified if it is based on objective grounds. Examples of such exceptions could be traineeships whose completion is a mandatory requirement to access a specific profession, the trajectory of which to acquire the necessary knowledge, competences and experience warrants a longer traineeship experience. Certain traineeships that are part of active labour market policies aimed at the integration of persons in a vulnerable situation could also benefit from a longer duration. *Some traineeships that are part of curricula of formal education or vocational education and training may have a longer duration for reasons linked to the curricula.*

Amendment

(29) Member States should have appropriate measures in place to facilitate the *detection and combating of practices that circumvent the purpose of traineeships and the use of standard employment relationships disguised as traineeships*. This should include a time limit indicating excessive duration of a traineeship. A reasonable maximum duration of traineeships should, in principle, not exceed six months, as stipulated in the 2014 Recommendation. However, Member States may provide that a longer duration can be justified if it is based on objective grounds *that further the aims of a traineeship*. Examples of such exceptions could be traineeships whose completion is a mandatory requirement to access a specific profession, the trajectory of which to acquire the necessary knowledge, competences and experience warrants a longer traineeship experience. Certain traineeships that are part of active labour market policies aimed at the integration of persons in a vulnerable situation could also benefit from a longer duration.

Amendment 45

Proposal for a directive Recital 30

Text proposed by the Commission

(30) The obligation for **employers** to include information on the expected tasks, working conditions, including pay, social protection, learning and training elements in **the** vacancy notices and advertisements **for traineeships** could be fulfilled by **including** a link to a website containing this information.

Amendment

(30) The obligation for **traineeship providers** to include **comprehensive and accessible** information on the expected tasks, working conditions, including pay, social protection, learning and training elements, **as well as the possibilities of recruitment after the completion of the traineeship** in vacancy notices and advertisements could be fulfilled by **providing** a link to a website containing this information.

Amendment 46

Proposal for a directive Recital 31

Text proposed by the Commission

(31) ***In addition to this Directive, Member States should ensure full implementation and enforcement of the rights enshrined in the Union acquis applicable to trainees who have an employment relationship.***

Amendment

deleted

Amendment 47

Proposal for a directive Recital 31a (new)

Text proposed by the Commission

Amendment

(31a) Member States should promote the recognition of traineeships as relevant work experience in private and public recruitment processes.

Amendment 48

Proposal for a directive Recital 32

Text proposed by the Commission

(32) An extensive system of enforcement provisions for the social acquis in the Union has been developed in recent legal instruments, such as Directive (EU) 2019/1152 and Directive (EU) 2023/970²¹. Such provisions should be included in this Directive to help ensure effective enforcement and defence of rights of trainees stemming from this Directive and from other Union law applicable to workers.

²¹ Directive (EU) 2023/970 of the European Parliament and of the Council of 10 May 2023 to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms, OJ L 132, 17.5.2023, p. 21.

Amendment 49

Proposal for a directive Recital 33

Text proposed by the Commission

(33) Trainees should have access to effective and impartial dispute resolution and a right to redress, including adequate compensation. Trainees should be informed about the redress mechanisms for the purpose of exercising their right to

Amendment

(32) An extensive system of enforcement provisions for the social acquis in the Union has been developed in legal instruments, such as **Directives 89/391/EEC, 2002/14/EC, 2003/88/EC, 2008/104/EC, 2018/957/EU**, Directive (EU) 2019/1152, **2019/1158/EU, 2022/2041/EU** and Directive (EU) 2023/970 **of the European Parliament and of the Council, as well as Council Directives 97/81/EC, 1999/70/EC and 2000/78/EC**. Such provisions should be included in this Directive to help ensure effective enforcement and defence of **the** rights of trainees stemming from this Directive and from other Union law applicable to workers.

²¹ Directive (EU) 2023/970 of the European Parliament and of the Council of 10 May 2023 to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms (OJ L 132, 17.5.2023, p. 21).

redress. Having regard to the fundamental nature of the right to effective legal protection, trainees should continue to enjoy such protection even after the end of the traineeship giving rise to an alleged breach of rights under this Directive and other relevant Union law applicable to workers.

purpose of exercising their right to redress. Having regard to the fundamental nature of the right to effective legal protection, trainees should continue to enjoy such protection even after the end of the traineeship giving rise to an alleged breach of rights under this Directive and other relevant Union law applicable to workers.

Amendment 50

Proposal for a directive Recital 34

Text proposed by the Commission

(34) To provide a more effective level of protection of trainees, representatives **of workers** should be able to engage in proceedings in order to defend any of the rights and obligations arising from this Directive or from other Union law applicable to workers either on behalf or in support of one or several trainees.

Amendment

(34) To provide a more effective level of protection of trainees, **workers'** representatives should be able to engage in proceedings in order to defend any of the rights and obligations arising from this Directive or from other Union law applicable to workers either on behalf or in support of one or several trainees.

Amendment 51

Proposal for a directive Recital 35

Text proposed by the Commission

(35) Trainees should be provided with adequate judicial and administrative protection against any adverse treatment **and** consequences in reaction to any complaint lodged with the **employer** or resulting from any proceedings initiated with the aim of enforcing compliance with the rights provided for in this Directive or in other Union law **applicable to workers**. In particular, trainees should be protected from dismissal or its equivalent and all preparations for dismissal or its equivalent for exercising the rights provided for in this Directive or in other Union law applicable

Amendment

(35) Trainees should be provided with adequate judicial and administrative protection against any adverse treatment **or** consequences in reaction to any complaint lodged with the **traineeship provider** or resulting from any proceedings initiated with the aim of enforcing compliance with the rights provided for in this Directive or in other Union law. In particular, trainees should be protected from dismissal or its equivalent, **such as the withholding of an offer of future employment at the traineeship provider**, and all preparations for dismissal or its equivalent for exercising the rights provided for in this

to workers.

Directive or in other Union law applicable to workers.

Amendment 52

Proposal for a directive Recital 35 a (new)

Text proposed by the Commission

Amendment

(35a) The burden of proof with regard to establishing that there has been no dismissal or equivalent detriment on the grounds that trainees have exercised their rights provided for in this Directive or in other Union law applicable to workers, should fall on traineeship providers when trainees establish, before a court or other competent authority or body, facts from which it may be presumed that they have been dismissed, or have been subject to measures with equivalent effect, such as the withholding of an offer of future employment at the establishment of the traineeship provider, on such grounds. It should be possible for Member States not to apply that rule in proceedings in which the assessment of the facts is entrusted to a court or other competent authority or body, in particular in systems where dismissal has to be approved beforehand by such authority or body.

Amendment 53

Proposal for a directive Recital 36

Text proposed by the Commission

Amendment

(36) Member States should lay down rules on effective, proportionate and dissuasive penalties for cases of infringement of the rights provided for in the scope of this Directive. Penalties can include administrative and financial penalties, such as fines or the payment of

(36) Member States should lay down rules on effective, proportionate and dissuasive penalties for cases of infringement of the rights provided for in the scope of this Directive. Penalties can include administrative and financial penalties, such as fines or the payment of

compensation, as well as other types of penalties.

adequate compensation, as well as other types of penalties.

Amendment 54

Proposal for a directive Recital 36a (new)

Text proposed by the Commission

Amendment

(36a) To ensure the effective monitoring and enforcement of this Directive on Union and national level, Member States should ensure adequate and timely data collection on the quality of traineeships, particularly through establishing effective data collection tools to provide comparative data, while being mindful of unnecessary reporting burden. As such data collection can pose challenges for traineeship providers, in particular micro and small enterprises, financial and practical support should be provided to them in line with the Commission communication of 12 September 2023 on an SME Relief Package.

Amendment 55

Proposal for a directive Recital 36 b (new)

Text proposed by the Commission

Amendment

(36b) In order to ensure uniform conditions for the implementation of this Directive, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council^{1a}

^{1a} Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the

rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13, ELI: <http://data.europa.eu/eli/reg/2011/182/oj>).

Amendment 56

Proposal for a directive Recital 38

Text proposed by the Commission

(38) Since the objectives of this Directive, namely to enforce working conditions of trainees and **combat regular** employment relationships disguised as traineeships, cannot be sufficiently achieved by the Member States, but can, by reason of their scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 TEU. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.

Amendment

(38) Since the objectives of this Directive, namely to **provide a common definition of traineeships, to improve and enforce the** working conditions of trainees and **the quality and accessibility of traineeships, to detect and combat practices that circumvent the purpose of traineeships and the use of standard** employment relationships disguised as traineeships, cannot be sufficiently achieved by the Member States, but can, by reason of their scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 TEU. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.

Amendment 57

Proposal for a directive Recital 39a (new)

Text proposed by the Commission

Amendment

(39a) It is more important than ever to strive for an internal market with a level playing field without social dumping and with respect for social and employment rights. The Union supports Member

States in their striving for collective bargaining and their freedom to maintain, conclude and enforce collective agreements where they are a better tool for implementing and complementing the Union's legislative initiatives, in light of national practices and frameworks. In that respect, it is crucial to acknowledge the importance of the social partners and their right to negotiate and bargain collectively.

Amendment 58

Proposal for a directive Recital 39 b (new)

Text proposed by the Commission

Amendment

(39b) Member States should provide incentives for the establishment of traineeships that lead to potential employment with the same employer, while also establishing clear pathways for transitioning from training to permanent employment, thereby promoting talent retention and career opportunities for young professionals.

Amendment 59

Proposal for a directive Article 1 – title

Text proposed by the Commission

Amendment

Subject matter

Subject matter *and scope*

Amendment 60

Proposal for a directive Article 1 – paragraph 1

Text proposed by the Commission

Amendment

This Directive lays down a common framework of principles and measures to

1. This Directive lays down a common *definition of traineeships and*

improve and enforce the working conditions of trainees ***and to combat regular employment relationships disguised as traineeships.***

establishes a framework of principles and measures to improve and enforce the working conditions of trainees, ***by providing for:***

(a) the promotion of quality, transparent, and accessible traineeships that facilitate the transition from education to standard employment or access to a profession, through a significant learning and training component;

(b) measures to detect and combat:

(i) practices that circumvent the purpose of traineeships;

(ii) the use of standard employment relationships disguised as traineeships;

Amendment 61

Proposal for a directive Article 1 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. This Directive does not apply to:

(a) traineeships that are integral to and a mandatory part of the curriculum of formal higher education or vocational education and training and that are undertaken solely for the purpose of obtaining academic or professional credits; or

(b) apprenticeships [within the meaning of Council Recommendation of 15 March 2018 on a European Framework for Quality and Effective Apprenticeships].

Amendment 62

Proposal for a directive

Article 2 – paragraph 1 – point a

Text proposed by the Commission

(a) ‘traineeship’ means a limited period of ***work practice which includes a significant learning and training component, undertaken to gain*** practical and professional experience with a view to ***improving employability and*** facilitating transition ***to a regular*** employment ***relationship*** or accessing a profession;

Amendment

(a) ‘traineeship’ means a limited period of ***entry-level work aiming to provide*** practical and professional experience ***and skills through a significant learning and training component***, with a view to facilitating ***the*** transition ***from education to a standard*** employment ***relationship*** or accessing a profession;

Amendment 63

Proposal for a directive

Article 2 – paragraph 1 – point b

Text proposed by the Commission

(b) ‘trainee’ means any person undertaking a traineeship ***who has an employment contract or employment relationship as defined by the law, collective agreements or practice in force in every Member State with consideration to the case law of the Court of Justice;***

Amendment

(b) ‘trainee’ means any person undertaking a traineeship;

Amendment 64

Proposal for a directive

Article 2 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) ‘traineeship provider’ means a private or public undertaking or a not-for-profit entity, which provides traineeships;

Amendment 65

Proposal for a directive

Article 2 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) ‘regular employment relationship’ means any employment relationship that is not a traineeship; **deleted**

Amendment 66

Proposal for a directive

Article 2 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) ‘regular employee’ means any person in a regular employment relationship. **deleted**

Amendment 67

Proposal for a directive

Chapter II – title

Text proposed by the Commission

Amendment

Equal Treatment

Traineeship agreements and decent working conditions

Amendment 68

Proposal for a directive

Article 2 a (new)

Text proposed by the Commission

Amendment

Article 2a

Traineeship agreements

1. In order to ensure the presence of a significant learning and training component and decent working conditions for trainees, Member States shall ensure

that trainees are provided with a written agreement before the start of their traineeship [(‘traineeship agreement’)], which sets out, inter alia:

- (a) the duration of the traineeship;*
- (b) the pay, in accordance with national law, collective agreements or practice and, where applicable, with Directive (EU) 2022/2041;*
- (c) the learning and training objectives agreed between the trainee and the traineeship provider;*
- (d) the rights and obligations of the trainee and the traineeship provider, and the tasks to be carried out by the trainee in order to facilitate the achievement of the learning and training objectives referred to in point (c);*
- (e) the traineeship provider's policies on confidentiality and the ownership of intellectual property rights;*
- (f) the arrangements for regular and consistent mentorship and evaluation to be carried out by the supervisor or mentor assigned for the duration of traineeship while guiding the trainee through the assigned tasks.*

2. Member States shall ensure that traineeship providers put in place adequate training for staff with supervisory functions in their establishments.

3. Traineeship providers shall provide trainees with access to social protection in accordance with national schemes.

4. The requirements relating to traineeship agreements pursuant to this Article shall be without prejudice to the traineeship provider’s obligations pursuant to Directive (EU) 2019/1152.

Amendment 69

Proposal for a directive Article 3 – paragraph 1

Text proposed by the Commission

Member States shall ensure that, in respect of working conditions including pay, trainees are not treated in a less favourable manner than ***comparable regular employees*** in the same establishment, ***unless different treatment is justified on objective grounds, such as different tasks, lower responsibilities, work intensity or the weight of the learning and training component.***

Amendment

Member States shall ensure that, in respect of working conditions including pay, trainees are not treated in a less favourable manner than ***other workers*** in the same establishment ***on the sole ground that they are undertaking a traineeship.***

Amendment 70

Proposal for a directive Article 3 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Member States shall ensure that, in respect of access to traineeships and the working conditions including pay, traineeships comply with the principle of non-discrimination as laid down in Directives 2000/43/EC, 2000/78/EC and 2006/54/EC and Article 21 of the Charter.

Amendment 71

Proposal for a directive Article 3 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

Member States shall take effective measures to increase access to traineeships for persons in vulnerable situations and those at risk of being excluded from the labour market, including people facing structural disadvantages in accessing education or

employment.

Amendment 72

Proposal for a directive

Article 3 – paragraph 1 c (new)

Text proposed by the Commission

Amendment

Member States shall take appropriate measures to ensure that trainees with disabilities are not prevented from participating in traineeships, including by ensuring the accessibility and adaptability of the workplace and by providing reasonable accommodation, where needed.

Amendment 73

Proposal for a directive

Article 3 – paragraph 1 d (new)

Text proposed by the Commission

Amendment

With regard to health and safety at work, Member States shall ensure that trainees benefit from the same level of protection as other workers in the same establishment. The traineeship provider shall provide additional safeguards, including tailored information, appropriate supervision, and training measures, taking into account the level of the trainee's professional experience and the nature of the tasks assigned.

Amendment 74

Proposal for a directive

Article 3 – paragraph 2

Text proposed by the Commission

Amendment

Where there is no comparable regular employee in the same establishment, the

deleted

comparison shall be made by reference to the applicable collective agreement, or where there is no applicable collective agreement, in accordance with national law or practice.

Amendment 75

Proposal for a directive Article 3 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

Traineeship providers shall inform trainees of vacancies which become available in their undertaking or establishment to ensure that trainees have the same access to permanent positions as other workers. Such information may be provided by way of a general announcement at a suitable place in the undertaking or establishment.

Amendment 76

Proposal for a directive Chapter III – title

Text proposed by the Commission

Amendment

Regular employment relationships disguised as traineeships

Measures to detect and combat practices that circumvent the purpose of traineeships and the use of standard employment relationships disguised as traineeships

Amendment 77

Proposal for a directive Article 4 – title

Text proposed by the Commission

Amendment

Measures to combat **regular** employment

Measures to **detect and** combat **practices**

relationships disguised as traineeships

that circumvent the purpose of traineeships and the use of standard employment relationships disguised as traineeships

Amendment 78

Proposal for a directive Article 4 – paragraph 1

Text proposed by the Commission

Member States shall provide for effective controls and inspections conducted by competent authorities to detect and take enforcement measures against practices *where a regular employment relationship is disguised as traineeship with the effect of granting* lower levels of protection, including working conditions and pay, than the worker concerned would be entitled to under Union or national law, collective agreements or practice.

Amendment

Member States shall provide for effective controls and inspections conducted by competent authorities, *including by inspectors with specific expertise or training in assessing the nature and quality of traineeships*, to detect and take enforcement *and corrective* measures against practices *that circumvent the purpose of traineeships and the use of standard employment relationships disguised as traineeships. Practices that circumvent the purpose of traineeships, which is to provide valuable professional experience and skills through a significant learning and training component and to facilitate the transition from education to standard employment, or accessing a profession, and the use of standard employment relationships disguised as traineeships result in* lower levels of protection, including working conditions and pay, than the worker concerned would be entitled to under Union or national law, collective agreements or practice.

Amendment 79

Proposal for a directive Article 4 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Member States shall encourage workers' representatives and other relevant legal

entities to allocate a designated person for trainees to serve as a first point of contact for advice on available remedies and supports in the case of suspected malpractice, poor working conditions, infringements of their rights or any similar practices.

Amendment 80

Proposal for a directive Article 5 – title

Text proposed by the Commission

Assessment of **regular** employment relationships disguised as traineeships

Amendment

Assessment of ***practices that circumvent the purpose of traineeships and the use of standard*** employment relationships disguised as traineeships

Amendment 81

Proposal for a directive Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

1. In order to ***determine whether a purported traineeship constitutes a regular employment relationship***, competent authorities shall make an overall assessment of all relevant factual elements. ***That assessment shall take into account, among others, the following indicative elements:***

Amendment

1. In order to ***detect and combat practices that circumvent the purpose of traineeships***, competent authorities shall make an overall assessment of all relevant factual elements ***and shall consider one or more of the following to indicate such practices:***

Amendment 82

Proposal for a directive Article 5 – paragraph 1 – point b

Text proposed by the Commission

(b) the excessive duration of the purported traineeship or multiple and/or consecutive purported traineeships with

Amendment

deleted

the same employer by the same person;

Amendment 83

Proposal for a directive

Article 5 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the absence of a significant learning and training component, indicated by the absence of one or more of the following:

(i) a clear training programme for the traineeship which sets out the skills, knowledge and competences to be developed over the course of the traineeship, the learning objectives of the traineeship, and the assignment of tasks and training opportunities which is intended to facilitate those skills and objectives;

(ii) the arrangements for regular and consistent mentorship and evaluation to be carried out by the supervisor or mentor assigned for the duration of traineeship while guiding the trainee through the assigned tasks;

(iii) a demonstrable connection between the skills being developed during the traineeship and the tasks set and performed;

Amendment 84

Proposal for a directive

Article 5 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) equivalent levels of tasks, responsibilities and intensity of work for purported trainees and regular employees at comparable positions with the same employer;

deleted

Amendment 85

Proposal for a directive

Article 5 – paragraph 1 – point ca (new)

Text proposed by the Commission

Amendment

(ca) multiple or consecutive traineeships undertaken by the same person with the same employer;

Amendment 86

Proposal for a directive

Article 5 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) the requirement for previous work experience for candidates for traineeships in the same or a similar field of activity without appropriate justification;

deleted

Amendment 87

Proposal for a directive

Article 5 – paragraph 1 – point da (new)

Text proposed by the Commission

Amendment

(da) the absence of pay or pay awarded in violation of national law, collective agreements or practice or, where applicable, with Directive (EU) 2022/2041;

Amendment 88

Proposal for a directive

Article 5 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) a high ratio of purported

deleted

traineeships compared with regular employment relationships with the same employer;

Amendment 89

Proposal for a directive

Article 5 – paragraph 1 – point ea (new)

Text proposed by the Commission

Amendment

(ea) a requirement for candidates to have previous work experience, in particular in the same or a similar field of activity, prior to taking up the traineeship;

Amendment 90

Proposal for a directive

Article 5 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) a significant number of purported trainees with the same employer who had completed two or more traineeships or held regular employment relationships in the same or similar field of activity, prior to taking up the purported traineeship.

deleted

Amendment 91

Proposal for a directive

Article 5 – paragraph 1 – point fa (new)

Text proposed by the Commission

Amendment

(fa) the absence of any information about one or more of the following in the vacancy notice or advertisement for the traineeship:

(i) the expected tasks and level of responsibility required of the trainee;

(ii) the rights and entitlements of the trainee, including pay and social

protection, in accordance with national schemes , and working time;

(iii) details of the significant learning and training component and skills to be gained;

Amendment 92

Proposal for a directive

Article 5 – paragraph 1 – point f b (new)

Text proposed by the Commission

Amendment

(fb) the absence of a transparent recruitment policy for the purpose of facilitating the trainee's transition to a standard employment relationship upon completion of the traineeship.

Amendment 93

Proposal for a directive

Article 5 – paragraph 1a (new)

Text proposed by the Commission

Amendment

1a. In order to determine whether a traineeship comprises a standard employment relationship disguised as traineeship , competent authorities shall make an overall assessment of all relevant factual elements and shall consider in particular:

(a) the ratio of trainees relative to the number of other workers in the same establishment;

(b) the level of recruitment of trainees who have previously completed a traineeship in the same or in a similar field of activity;

(c) the equivalent levels of tasks, responsibilities and intensity of work for trainees and other workers in the same establishment;

Amendment 94

Proposal for a directive

Article 5 – paragraph 2 – introductory part

Text proposed by the Commission

2. To enable competent authorities to carry out the assessment referred to in **paragraph 1, the employer** shall, upon request, **provide** those authorities with the following information:

Amendment

2. To enable competent authorities to carry out the assessment referred to in **paragraphs 1 and 1a, traineeship providers** shall, upon request, **supply without delay** those authorities with the following information:

Amendment 95

Proposal for a directive

Article 5 – paragraph 2 – point a

Text proposed by the Commission

(a) the number of **traineeships** and **regular employment relationships**;

Amendment

(a) the number of **trainees** and **other types of workers**;

Amendment 96

Proposal for a directive

Article 5 – paragraph 2 – point c

Text proposed by the Commission

(c) the working conditions, including pay, tasks and responsibilities of **purported** trainees and of **regular employees at comparable positions**;

Amendment

(c) the working conditions, including pay, tasks and responsibilities of **the** trainees and of **other workers in the same establishment**;

Amendment 97

Proposal for a directive

Article 5 – paragraph 2 – point d

Text proposed by the Commission

(d) the descriptions of the learning and

Amendment

(d) the descriptions of the learning and

training components of traineeships;

training components of traineeships ***as indicated in the written traineeship agreement;***

Amendment 98

Proposal for a directive

Article 5 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

To facilitate the ***assessment*** referred to in ***paragraph 1***, Member States shall:

To facilitate the ***assessments*** referred to in ***paragraphs 1 and 1a***, Member States shall:

Amendment 99

Proposal for a directive

Article 5 – paragraph 3 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) define ***a time limit indicating excessive duration of a traineeship and of repeated, including consecutive, traineeships with the same employer;***

(a) define ***traineeships as being between one and six months' duration, except where a longer duration is justified on objective grounds that further the aims of the traineeship, in particular for traineeships whose completion is mandatory for accessing a specific profession and provided that Member States ensure that the applicable maximum duration is not circumvented by means of the renewal or extension of the traineeship agreement.***

Amendment 100

Proposal for a directive

Article 5 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) require ***employers*** to include information on the expected tasks, working conditions, including pay, social protection, learning and training elements in the vacancy notices and advertisements

(b) require ***traineeship providers*** to include information on the expected tasks, working conditions, including pay, social protection, learning and training elements, ***as well as the possibilities of recruitment***

for traineeships.

after the completion of the traineeship in the vacancy notices and advertisements for traineeships.

Amendment 101

Proposal for a directive

Article 5 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Amendment

Member States may provide for exceptions to the time-limit in point (a) in cases where a longer duration is justified by objective grounds.

deleted

Amendment 102

Proposal for a directive

Article 6 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) ensure that information on the rights of trainees is publicly available in a clear, comprehensive and easily accessible way;

(a) ensure that information on the rights of trainees is publicly available ***free of charge*** in a clear, comprehensive and easily accessible way ***including in accessible formats for persons with disabilities***;

Amendment 103

Proposal for a directive

Article 6 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) develop guidance ***for employers*** of trainees regarding the legal framework for traineeships, including relevant labour law and social protection aspects;

(b) develop guidance ***and support for traineeship providers*** of trainees regarding the legal framework for traineeships, ***in particular SMEs***, including relevant labour law and social protection aspects ***as well as best practices on provision of quality learning and training elements***;

Amendment 104

Proposal for a directive

Article 6 – paragraph 1 – point c

Text proposed by the Commission

(c) provide for effective controls and inspections conducted by competent authorities to enforce relevant labour law in relation to trainees;

Amendment

(c) provide for **regular and** effective controls and inspections **to be** conducted by competent authorities to enforce relevant labour law in relation to trainees;

Amendment 105

Proposal for a directive

Article 6 – paragraph 1 – point d

Text proposed by the Commission

(d) ensure that the competent authorities are provided with the human, technical and financial resources necessary to perform effective controls and inspections and have the competence to impose effective, proportionate and dissuasive penalties;

Amendment

(d) ensure that the competent authorities, **in particular national labour inspectorates**, are provided with the **sufficient** human, technical and financial resources necessary to perform effective controls and inspections and have the competence to impose effective, proportionate and dissuasive penalties;

Amendment 106

Proposal for a directive

Article 6 – paragraph 1 – point e

Text proposed by the Commission

(e) develop the capability of the competent authorities, in particular through training and guidance, to proactively target and pursue non-compliant **employers**;

Amendment

(e) develop the capability of the competent authorities, in particular through training and guidance, to proactively target and pursue non-compliant **traineeship providers**;

Amendment 107

Proposal for a directive

Article 6 – paragraph 1 – point f

Text proposed by the Commission

(f) ensure, in cooperation with the competent authorities, channels for trainees to report malpractice and poor working conditions, and provide information on those channels;

Amendment

(f) ensure, in cooperation with the competent authorities ***and social partners***, channels for trainees to ***anonymously and safely*** report malpractice and poor working conditions, ***alleged infringements of rights and obligations***, and provide information on those channels ***under point (a) in accordance with Regulation (EU) 2016/679, and ensure that such channels are accessible for persons with disabilities in accordance with Directive (EU) 2016/2102;***

Amendment 108

Proposal for a directive

Article 6 – paragraph 1 – point fa (new)

Text proposed by the Commission

Amendment

(fa) ensure the validation, recognition and portability of the skills and competences acquired during the traineeship period through a certificate;

Amendment 109

Proposal for a directive

Article 6 – paragraph 1 – point fb (new)

Text proposed by the Commission

Amendment

(fb) promote the recognition of traineeships as relevant work experience in recruitment processes in the job market;

Amendment 110

Proposal for a directive Article 7 – title

Text proposed by the Commission

Right to redress

Amendment

Dispute resolution and right to redress

Amendment 111

Proposal for a directive Article 7 – paragraph 1

Text proposed by the Commission

Member States shall ensure that trainees, including those whose ***employment relationship*** has ended, have access to effective and impartial dispute resolution and a right to redress, including adequate compensation, in the case of infringements of their rights arising from this Directive or from other Union law applicable to workers.

Amendment

Member States shall ensure that trainees, including those whose ***traineeship*** has ended, have access to effective and impartial dispute resolution and a right to redress, including adequate compensation, in the case of infringements of their rights arising from this Directive or from other Union law applicable to workers.

Amendment 112

Proposal for a directive Article 7 – paragraph 1a (new)

Text proposed by the Commission

Amendment

Member States shall take the necessary measures to ensure that during a traineeship, the trainee can urgently refer the matter to the competent authority and the labour inspectorate in the event of an infringement of the rights provided for in this Directive, with a view to solving the matter swiftly or, where this is not possible, to putting an end to the traineeship with no detriment to the trainee or the proper functioning of their training programme. Member States shall ensure that, in such situations, the trainee is not subject to retaliatory measures,

including the interruption of the traineeship.

Amendment 113

Proposal for a directive Article 8 – paragraph 1

Text proposed by the Commission

Member States shall ensure that representatives *of workers* may engage in any relevant judicial or administrative procedure to enforce the rights and obligations arising from this Directive or from other Union law applicable to workers. They may act on behalf or in support of one or several trainees in the case of an infringement of any right or obligation arising from this Directive or from other Union law applicable to workers, *with that trainee's or those trainees' approval*.

Amendment

Member States shall ensure that *workers'* representatives may engage in any relevant judicial or administrative procedure to enforce the rights and obligations arising from this Directive or from other Union law applicable to workers. They may act on behalf or in support of one or several trainees, *with that trainee's or those trainees' approval, in the case of practices that circumvent the purpose of traineeships or of the use of standard employment relationships disguised as traineeships, or* in the case of an infringement of any *other* right or obligation arising from this Directive or from other Union law applicable to workers, *workers' representatives, or, in the absence of workers' representatives, the employer, shall explicitly inform trainees about their rights of access to administrative and judicial proceedings at the beginning of the traineeship.*

Amendment 114

Proposal for a directive Article 9 – title

Text proposed by the Commission

Protection against adverse treatment and consequences

Amendment

Protection against adverse treatment and consequences *and burden of proof*

Amendment 115

Proposal for a directive Article 9 – paragraph 1

Text proposed by the Commission

1. Member States shall introduce the necessary measures to protect trainees and their representatives from any adverse treatment by the **employer** and from any adverse consequences resulting from a complaint lodged with the **employer** or resulting from any proceedings initiated with the aim of enforcing compliance with the rights provided for in this Directive or in other Union law applicable to workers.

Amendment

1. Member States shall introduce the necessary measures to protect trainees and their representatives from any adverse treatment by the **traineeship provider** and from any adverse consequences resulting from a complaint lodged with the **traineeship provider** or resulting from any proceedings initiated with the aim of enforcing compliance with the rights provided for in this Directive or in other Union law applicable to workers.

Amendment 116

Proposal for a directive Article 9 – paragraph 2

Text proposed by the Commission

2. In particular, Member States shall take the necessary measures to prohibit the dismissal or its equivalent, and all preparations for dismissal or its equivalent, of trainees on the grounds that they have exercised the rights provided for in this Directive or in other Union law applicable to workers.

Amendment

2. In particular, Member States shall take the necessary measures to prohibit the dismissal or its equivalent, **such as the withholding of an offer of future employment at the establishment of the traineeship provider**, and all preparations for dismissal or its equivalent, of trainees on the grounds that they have exercised the rights provided for in this Directive or in other Union law applicable to workers.

Amendment 117

Proposal for a directive Article 9 – paragraph 3

Text proposed by the Commission

3. Trainees who consider that they have been dismissed, or have been subject to measures with equivalent effect, on the

Amendment

3. Trainees who consider that they have been dismissed, or have been subject to measures with equivalent effect, on the

grounds that they have exercised the rights provided for in this Directive, or in other Union law applicable to workers, may request the ***employer to provide*** duly substantiated grounds for the dismissal or the equivalent measures. The ***employer*** shall provide those grounds in writing.

grounds that they have exercised the rights provided for in this Directive, or in other Union law applicable to workers, may request the ***traineeship provider to supply*** duly substantiated grounds for the dismissal or the equivalent measures. The ***traineeship provider*** shall provide those grounds in writing.

Amendment 118

Proposal for a directive Article 9 – paragraph 4

Text proposed by the Commission

4. Member States shall take the necessary measures to ensure that, when trainees referred to in paragraph 3 establish, before a court or other competent authority or body, facts from which it may be presumed that there has been such a dismissal or equivalent measures, it shall be for the ***employer*** to prove that the dismissal or equivalent measures were based on grounds other than those referred to in paragraph 2.

Amendment

4. Member States shall take the necessary measures to ensure that, when trainees referred to in paragraph 3 establish, before a court or other competent authority or body, facts from which it may be presumed that there has been such a dismissal or equivalent measures, it shall be for the ***traineeship provider*** to prove that the dismissal or equivalent measures were based on grounds other than those referred to in paragraph 2.

Amendment 119

Proposal for a directive Article 9 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Paragraph 4 shall not prevent Member States from introducing rules of evidence which are more favourable to trainees.

Amendment 120

Proposal for a directive Article 9 a (new)

Text proposed by the Commission

Amendment

Article 9a

Collection, and monitoring of data

1. Member States shall ensure that effective data is collected for the purpose of monitoring the quality of traineeships, in accordance with the implementing acts adopted by the Commission pursuant to paragraph 3.

Such data shall include the following information:

- (a) the number of traineeships;**
- (b) the number of traineeship providers;**
- (c) the proportion of traineeships leading to standard employment in the same sector;**
- (d) the number of controls and inspections carried out by the competent authorities;**
- (e) the number of practices that circumvent the purpose of traineeships reported;**
- (f) the number of standard employment relationships disguised as traineeships.**

Member States shall promote the active involvement of stakeholders, in particular social partners, student organisations, youth organisations and lifelong career guidance services in collecting and monitoring the quality of traineeships provided at national level.

2. Member States shall submit the data referred to in paragraph 1 to the Commission by ... [OJ to insert date: two years after the date of transposition of this Directive] and every two years thereafter.

They shall ensure that the data is disaggregated by gender, age, disability, size of employer and sector, in so far as possible.

3. The Commission shall adopt implementing acts to ensure the uniformity and comparability of data collection by Member States pursuant to paragraph 1 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article – 9b(2).

Amendment 121

Proposal for a directive Article 9 b (new)

Text proposed by the Commission

Amendment

Article 9b

Committee procedure

1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Amendment 122

Proposal for a directive Article 11 – paragraph 1

Text proposed by the Commission

Amendment

1. No provision in this Directive shall be construed as lowering the protection of workers afforded by other instruments of Union law, national law, collective agreements or practice.

1. No provision in this Directive shall be construed as lowering the protection of workers, ***including trainees***, afforded by other instruments of Union law, national law, collective agreements or practice.

Amendment 123

Proposal for a directive Article 11 – paragraph 3

Text proposed by the Commission

3. This Directive shall not affect Member States' prerogative to apply or to introduce laws, regulations or administrative provisions which are more favourable to **workers** or to encourage or permit the application of collective agreements which are more favourable to **workers**.

Amendment

3. 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**.

Amendment 124

Proposal for a directive Article 11 – paragraph 3a (new)

Text proposed by the Commission

Amendment

3a. Member States may, provided that the national social partners jointly agree, give the social partners, at the appropriate level and subject to the conditions laid down by the Member States, the option of upholding or concluding collective agreements to implement and complement the protection laid down in this Directive.

Amendment 125

Proposal for a directive Article 12 – paragraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to comply with this Directive by [**2 years** after entry into force]. They shall immediately inform the Commission thereof.

Amendment

1. Member States shall take the necessary measures to comply with this Directive by [**18 months** after entry into force]. They shall immediately inform the Commission thereof.

Amendment 126

Proposal for a directive Article 12 – paragraph 4

Text proposed by the Commission

4. Member States shall, in accordance with their national law and practice, take adequate measures to ensure the effective involvement of the social partners and to promote and enhance social dialogue with a view to implementing this Directive.

Amendment

4. Member States shall, in accordance with their national law and practice, take adequate measures to ensure the effective involvement of the social partners and to promote and enhance social dialogue with a view to implementing this Directive. ***The report referred to in paragraph 2 shall include a description of the involvement of the social partners in the implementation of this Directive.***

Amendment 127

Proposal for a directive Article 12 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. Member States shall promote the use of Union and national funds, to ensure sufficient financial and administrative support and incentives to traineeship providers, such as non-governmental organisations, non-profit organisations and micro and small and medium enterprises.

Amendment 128

Proposal for a directive Article 13 – paragraph 1

Text proposed by the Commission

1. By [5 years after the date of transposition], ***Member States shall communicate to the Commission all information concerning the implementation of this Directive that is necessary for the Commission to draw up***

Amendment

1. By [3 years after the date of transposition], the Commission ***shall submit a report to the European Parliament and to the Council, following its assessment of the implementation of***

a report. That information shall include data on traineeships for the purposes of allowing the proper monitoring and assessment of the implementation of this Directive.

this Directive.

The Commission's report shall, if appropriate, be accompanied by proposals for legislative amendments.

Amendment 129

Proposal for a directive

Article 13 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Before submitting the reports referred to in paragraph 1, the Commission shall consult the Member States, the social partners at Union level and key stakeholders, and shall take into account the impact of this Directive on SMEs, including microenterprises. In its reviews of the implementation of this Directive, the Commission shall pay particular attention to the impact of this Directive on facilitating the transition from traineeships to standard employment relationships as well as the design and impact of national measures under Chapter II.

Amendment 130

Proposal for a directive

Article 13 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. By [3 years after the date of transposition] and every two years thereafter, the Commission shall submit a report to the European Parliament and to the Council on the basis of its analysis of the data and information submitted by the Member States pursuant to Article 10a.

When submitting those reports the Commission shall, simultaneously, publish the data and information submitted by the Member States on a dedicated website.

Amendment 131

**Proposal for a directive
Article 13 – paragraph 2**

Text proposed by the Commission

Amendment

2. The Commission shall submit the report referred to in paragraph 1 to the European Parliament and to the Council. The report shall, if appropriate, be accompanied by a legislative proposal.

deleted

EXPLANATORY STATEMENT

BACKGROUND

The number of traineeships offered in the Union is growing rapidly. It is estimated that the majority of 18 to 35-year-olds -up to 78%- currently complete a traineeship, with this figure expected to rise by at least 16% by 2030.

Despite their prevalence, traineeships remain a broad, loosely defined concept. The umbrella term encompasses everything from graduate traineeships advertised in the open labour market (often called ‘internships’) to mandatory training for professions (e.g., doctors or lawyers), traineeships earning university credits, and those part of active labour market policies. These are just examples, not legal categories, and often overlap.

What unites these traineeships is that they aim to provide a short period of entry-level work to help young people gain practical and professional skills to facilitate the transition from education to stable employment, or accessing a profession. To gain these skills in a workplace, it is both expected and inevitable that the trainee will perform work during their traineeship.

Traineeships can be of significant benefit to both the trainee and the traineeship provider. They can constitute an important pathway for young people’s access to the labour market and to certain professions, as well as complementing their academic skills. For traineeship providers, they can provide an opportunity to attract, train and retain young people while reducing recruitment costs. However, these benefits will only materialise if traineeships are adequately regulated.

Without adequate regulation, traineeships can pose risks. The lack of clarity regarding the concept and rights of a trainee has led to cases where young people perform work without protection against potential harm and exploitation.

The concerns are twofold: firstly, traineeships result in discriminatory practices. Unpaid or poorly paid traineeships can exclude young people from vulnerable backgrounds. The European Ombudsman, in 2017, labelled unpaid traineeships as a ‘vicious circle where privilege follows privilege’. Moreover, a lack of pay and reduced rights for young people can lead to age, race, disability, and gender discrimination. For instance, unpaid trainees are often women, with evidence of high rates of sexual harassment, and trainees with disabilities may receive fewer accommodations than workers with disabilities. Discrimination can also arise based on worker status: if a trainee performs the same work as an employee without pay at the same establishment, it is unequal treatment, as is the case when one trainee is unpaid because they are completing a curricular traineeship.

The second concern is the abusive practices arising from traineeships. Rather than facilitating the transition from education to stable employment, or accessing a profession, traineeships can be used to replace entry-level jobs as a form of cheap, unregulated labour without any guarantee of a training opportunity. This can be particularly true of traineeships completed as part of an academic or vocational curricula: the assumption that such traineeships are of better quality has been empirically questioned, especially with the rise of ‘internship intermediaries’ -unregulated agencies used by universities to source internships-.

The current lack of clarity over the rights of a trainee also generates an unequal playfield across Member States and between establishments, with some providers benefiting from unpaid work at the expense of those who pay their trainees.

APPROACH OF THE DRAFT REPORT

The two concerns laid out above -discriminatory implications and abusive practices arising from traineeships- stem directly from the lack of regulatory clarity. The absence, complexity or diversity of regulatory frameworks across Member States, along with weak enforcement, allows these abusive practices to arise.

This is despite the Court of Justice's case-law (the ‘CJEU’), which has consistently held that the concept of "worker" under Article 45 TFEU extends to a person serving a traineeship. According to the CJEU’s case-law, the criteria for an employment relationship are that a person performs services for and under the direction of another for a certain period, receiving remuneration. This includes anyone pursuing real and genuine activities, excluding those deemed purely marginal and ancillary.

Trainees have, under the CJEU’s case-law, consistently met this definition of a worker. That is because there is a fundamental overlap between the concept of a worker and the concept of a trainee (as defined under the 2014 Quality Framework Recommendation). Trainees are under the direction of the traineeship provider and perform ‘real and genuine’ work. The lack of remuneration itself does not prevent unpaid trainees from being classed as workers (otherwise, it would be a circular requirement: all employers could claim their workers are not workers because they are unpaid). Remuneration has also not been an issue in other CJEU decisions on worker status. ‘Real and genuine’ work refers to anything beyond purely marginal or ancillary activities, and the CJEU has held this includes ‘work done to acquire or improve skills or complete vocational training’ within a traineeship.

What is most significant is that to carry out ‘solid and meaningful’ learning content rather than ‘menial tasks’ (as required under the 2014 Recommendation), trainees are likely to perform ‘real and genuine’ work. To learn, trainees need to engage in real and genuine work, meaning they will be classified as workers.

This is true of all types of trainees. The CJEU has applied the employment nexus to all four types: open market traineeships, those mandatory for a profession, linked to active labour market policies, and part of an academic or vocational qualification. The CJEU has also treated apprenticeships, recognised as vocational qualifications, as having worker status.

One of the main concern around introducing regulation on traineeships is that it will detract from the fact that trainees are most likely considered workers under the CJEU's criteria. The further concern is that, unless a trainee is defined with clear rights and entitlements, then it is not possible to identify 'fake' trainees without knowing what a 'genuine' trainee is. It is also problematic to depart from the apprenticeship model: this approach is a trade-off, dating back to the medieval period, in which young people receive a reduced wage in return for a recognised qualification. Traineeships, however, receive neither.

It is therefore more consistent with the CJEU's case-law to regard trainees as a type, or subset, of worker. Analogy can be made with part-time, fixed-term, or agency workers under existing EU provisions.

In light of this, Article 153(1)(b) TFEU is the relevant treaty basis for the Directive as it addresses the working conditions of trainees. Under Articles 165(4) and 166(4) TFEU, the Union does not have the competency to adopt a Directive on education or vocational training, respectively. Traineeships which are offered as part of an academic or vocational qualification straddle both competencies as they are designed to provide a period of work during a learning programme.

Where competencies overlap, the CJEU has relied upon the 'centre of gravity test' to determine the appropriate treaty basis, based on an examination of the main purpose of the measure. This Directive primarily regulates the working conditions of traineeships, not education or vocational training. Given that there is no qualification attached to a traineeship, nor formal curricula involved within a traineeship, they do not fall under vocational and education training regimes. Moreover, traineeships undertaken during a university degree are marketed as an experience *outside* of academia. The aim is to complement academic studies with actual experience of work. The centre of gravity is therefore on the work undertaken during the traineeship, not the educational provider.

The draft report is therefore designed to address the two major concerns - discrimination and abusive practices arising from the use of traineeships - through a three-point approach.

STRUCTURE OF THE DRAFT REPORT

The Directive has three approaches to addressing the discriminatory and abusive practices arising from the use of traineeships. It aims to adequately regulate the working conditions of the work undertaken by the trainees during the traineeship, as provided for under Article

153(1)(b) TFEU.

Common Definition and Concept

First, the Directive provides a common understanding of the concept and purpose of a traineeship. Within the Union, a traineeship is understood as a limited period of entry-level work aimed at providing practical and professional skills through significant training to facilitate the transition from education to stable employment, or accessing a profession, based on a written contract between the trainee and the traineeship provider, which is paid in accordance with Directive (EU) 2022/2041.

This shared understanding among trainees, traineeship providers, and Member States will prevent abusive practices arising from a lack of clarity.

Principle of Non-Discrimination

Second, the Directive aims to ensure that the Union's existing anti-discrimination protections under Council Directive 2000/78/EC, Directive 2006/54/EC, and Council Directive 2000/43/EC are applicable to trainees, providing legal clarity and reinforcing trainee's rights.

Measures to Prevent Abusive Practices

Third, the Directive introduces Article 4 and 5 to prevent abusive practices arising from the use of traineeships for purposes other than facilitating the transition from education to stable employment, or accessing a profession.

To achieve this, the Directive sets criteria for identifying abusive practices for competent authorities to rely on, such as the absence of a training component, the lack of a written contract, the excessive duration, and the lack of a public vacancy notice. Traineeship providers who have a high ratio of trainees relative to the size of the establishment, or who replace permanent posts with traineeship adverts, may also indicate abusive practices.

Using this framework, the Directive therefore enables competent authorities to identify and protect against abusive practices arising from the use of traineeships in the Union.

ANNEX: DECLARATION(s)(1) OF INPUT

Pursuant to Article 8 of Annex I to the Rules of Procedure, the rapporteur declares that she included in her report input on matters pertaining to the subject of the file that she received, in the preparation of the report, prior to the adoption thereof in committee, from the following interest representatives falling within the scope of the Interinstitutional Agreement on a mandatory transparency register¹, or from the following representatives of public authorities of third countries, including their diplomatic missions and embassies:

1. Interest representatives falling within the scope of the Interinstitutional Agreement on a mandatory transparency register ⁽²⁾
Trinity College, University of Oxford
European Trade Union Confederation
European Youth Forum
Eurofound
European Economic and Social Committee
Confederación Nacional de Pymes (CONPYMES)
EUROCADRES - The Council of European Professional and Managerial Staff
European Disability Forum
SMEunited
CEC European Managers - Confédération Européenne des Cadres
HOTREC, Hotels, Restaurants & Cafés in Europe
CEOE - Confederación Española de Organizaciones Empresariales;
European Confederation of Independent Trade Unions.
BUSINESSEUROPE
Organización Nacional de Ciegos Españoles (ONCE)
Unión General de Trabajadores de España (UGT)
Council of European Employers of the Metal, Engineering and Technology-based Industries (CEEMET)
Joanna Helme, DPhil Candidate in Law, University of Oxford
Antonio Baylos, Profesor Emérito Derecho del trabajo, UCLM
Francisco J. Trillo, Profesor Titular Derecho del Trabajo, UCLM
Antonio García Muñoz, Profesor Ayudante doctor, UCLM
2. Representatives of public authorities of third countries, including their diplomatic missions and embassies⁽³⁾

The list above is drawn up under the exclusive responsibility of the rapporteur.

Where natural persons are identified in the list by their name, by their function or by both, the rapporteur declares that she has submitted to the concerned natural persons the European Parliament's Data Protection Notice No 484 (<https://www.europarl.europa.eu/data->

¹ Interinstitutional Agreement of 20 May 2021 between the European Parliament, the Council of the European Union and the European Commission on a mandatory transparency register (OJ L 207, 11.6.2021, p. 1, ELI: http://data.europa.eu/eli/agree_interinstit/2021/611/oj).

[protect/index.do](#)), which sets out the conditions applicable to the processing of their personal data and the rights linked to that processing.

OPINION OF THE COMMITTEE ON CULTURE AND EDUCATION

for the Committee on Employment and Social Affairs

on the proposal for a directive of the European Parliament and of the Council on improving and enforcing working conditions of trainees and combating regular employment relationships disguised as traineeships ('Traineeships Directive')
(COM(2024)0132 – C10-0004/2024 – 2024/0068(COD))

Rapporteur for opinion: Nicola Zingaretti

AMENDMENTS

The Committee on Culture and Education submits the following to the Committee on Employment and Social Affairs, as the committee responsible:

Amendment 1

Proposal for a directive Recital 1

Text proposed by the Commission

(1) In March 2014, the Council adopted the Recommendation for a Quality Framework on Traineeships ('2014 Recommendation') to provide Union-wide quality standards for traineeships. It recommends 21 principles for traineeships to improve the quality of traineeships, in particular to ensure high quality learning and training **content** and adequate working conditions to support education-to-work transitions and increase the employability of trainees. The 2014 Recommendation covers all traineeships except for those that are part of curricula of formal education and training and those regulated under national law and completion of which is a mandatory requirement to access a specific

Amendment

(1) In March 2014, the Council adopted the Recommendation for a Quality Framework on Traineeships ('2014 Recommendation') to provide Union-wide quality standards for traineeships. It recommends 21 principles for traineeships to improve the quality, **accessibility and inclusiveness** of traineeships, in particular to ensure high quality learning and training **component** and adequate working conditions to support education-to-work transitions and increase the employability of trainees. The 2014 Recommendation covers all traineeships except for those that are part of curricula of formal education and training and those regulated under national law and completion of which is a mandatory requirement to access a specific

profession.

profession.

Amendment 2

Proposal for a directive

Recital 3

Text proposed by the Commission

(3) The reinforced Youth Guarantee⁴ aims at ensuring that young people under the age of 30 receive a good quality offer of employment, continued education, apprenticeship or traineeship within a period of four months of becoming unemployed or leaving education. The 2014 Recommendation is an important reference point to measure the quality of traineeships offers under the reinforced Youth Guarantee.

⁴ 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 2020/C 372/01 (OJ C 372, 4.11.2020, p. 1).

Amendment

(3) The reinforced Youth Guarantee⁴ aims at ensuring that young people under the age of 30 receive a good quality offer of employment, continued education, apprenticeship or traineeship within a period of four months of becoming unemployed or leaving education, ***mainly supporting young people at risk of exclusion from the labour market.*** The 2014 Recommendation is an important reference point to measure the quality of traineeships offers under the reinforced Youth Guarantee ***and Member States should take that into account in implementing this Directive.***

⁴ 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 2020/C 372/01 (OJ C 372, 4.11.2020, p. 1).

Amendment 3

Proposal for a directive

Recital 4

Text proposed by the Commission

(4) Labour shortages exist in many occupations and at all skills levels. They are expected to increase with the projected decline in the working age population and increasing demand for several occupations relevant for the green and digital transition. The lower labour market participation of

Amendment

(4) Labour shortages exist in many occupations and at all skills levels, ***in particular in Science, Technology, Engineering, Art and Maths (STEAM) careers.*** They are expected to increase with the projected decline in the working age population and increasing demand for

young people contributes to these shortages. Quality traineeships can be a useful up- and/or reskilling pathway for persons of any age to acquire practical skills on the job to enter the labour market or take their career in a new direction.

several occupations relevant for the green and digital transition **and other emerging sectors**. The lower labour market participation of young people contributes to these shortages. Quality traineeships can be a useful up- and/or reskilling pathway for persons of any age to acquire practical skills on the job to enter the labour market or take their career in a new direction.

Amendment 4

Proposal for a directive Recital 5

Text proposed by the Commission

(5) Traineeships **can help** young people gain practical and professional experience, **improve** their employability, and **facilitate** their transition into stable employment. As such, traineeships constitute an important pathway **to** the labour market. For employers, traineeships provide opportunities to attract, train **and retain** young people. They can reduce the cost of searching for and recruiting skilled staff, when trainees are offered a regular position after their traineeship. However, this can only be achieved if traineeships are of good quality and offer decent working conditions.

Amendment

(5) Traineeships **have the purpose of helping** young people gain practical and professional experience, **acquiring new skills, improving** their employability, and **facilitating** their transition into stable employment. As such, traineeships constitute an important **educational experience that contributes to the professional development of young people, preparing them for a pathway for** the labour market. For employers, traineeships provide opportunities to attract **and** train young people. They can reduce the cost of searching for and recruiting skilled staff, **and the cost of hiring new employees**, when trainees are offered a regular position after their traineeship. However, this can only be achieved if traineeships are of good quality, **provide a strong learning component** and offer decent working conditions. **Traineeships should be accessible to all young people, including those Not in Education, Employment or Training (NEETs).**

Amendment 5

Proposal for a directive Recital 5 a (new)

(5a) Traineeships serve as a means of acquiring practical knowledge and experience. Their purpose is to complement formal education with hands-on learning, not to replace regular employment. Facilitating the transition from education to stable employment strengthens the connection between academic qualifications and the needs of the labour market. This approach ensures that graduates enter the workforce with the requisite skills. It is essential to distinguish between regular employment and traineeship relationships. While both should be paid, the role of trainees is focused on learning and training. A traineeship should always be time-limited and clearly separate from a regular employment relationship, ensuring that the nature of the arrangement is understood by both parties.

Amendment 6

Proposal for a directive Recital 8

(8) Evidence shows that a significant proportion of trainees are subject to less favourable working conditions compared to regular employees, including regarding working hours, leave entitlements, and access to equipment as well as pay.

(8) Evidence shows that a significant proportion of trainees are subject to less favourable working conditions compared to regular employees, including regarding working hours, leave entitlements, and access to equipment as well as pay. ***Moreover, the absence of pay for traineeship exacerbates inequalities, lowering the chances of securing a stable job and causing divisiveness among young people, in particular people with fewer opportunities.***

Amendment 7

Proposal for a directive

Recital 15

Text proposed by the Commission

(15) Considering the persisting challenges regarding the problematic use of traineeships in the Union, further action is needed to combat regular employment relationships disguised as traineeships and to **ensure** that the relevant Union and national law applicable to workers is fully implemented and enforced in relation to trainees. This Directive addresses these challenges by laying down minimum requirements to improve and enforce the working conditions of trainees in the Union and to combat employment relationships disguised as traineeships, by establishing a common framework of principles and measures necessary to ensure equal treatment and to implement and enforce Union and national law **applicable to workers** more effectively.

Amendment

(15) Considering the persisting challenges regarding the problematic use of traineeships **and lack of common approach** in the Union, further action is needed to combat regular employment relationships disguised as traineeships and to **guarantee high-quality standards for traineeships, while ensuring** that the relevant Union and national law applicable to workers is fully implemented and enforced in relation to trainees. This Directive addresses these challenges by laying down minimum requirements to improve and enforce the working conditions of trainees in the Union and to combat employment relationships disguised as traineeships, by establishing a common framework of principles and measures necessary to ensure equal treatment and to implement and enforce Union and national law more effectively.

Amendment 8

Proposal for a directive
Recital 15 a (new)

Text proposed by the Commission

Amendment

(15a) Most traineeships across the Union can be divided into the categories comprising: open-market traineeships, traineeships in the context of active labour market policies, traineeships that are part of professional training and traineeships that are part of academic or vocational curricula.

Amendment 9

Proposal for a directive
Recital 16

Text proposed by the Commission

(16) This Directive should apply to trainees in the Union ***who have an employment contract or employment*** relationship as defined by the law, collective agreements or practice in force in the Member States, with consideration to the case-law of the Court of Justice of the European Union. In its case law, the Court of Justice has established criteria for determining the status of a worker, which is to be based on a case-by-case-analysis.

Amendment

(16) This Directive should apply to trainees in the Union ***undertaking a traineeship on the basis of a contractual relationship, irrespective of its nature or its designation by the parties involved,*** as defined by the law, collective agreements or practice in force in the Member States, with consideration to the case-law of the Court of Justice of the European Union. In its case law, the Court of Justice has established criteria for determining the status of a worker, which is to be based on a case-by-case-analysis.

Amendment 10

**Proposal for a directive
Recital 16 a (new)**

Text proposed by the Commission

Amendment

(16a) In order to avoid divergences between Member States and to ensure the mobility of trainees, it is essential to simplify and speed up the validation and recognition of degrees, diplomas, qualifications and skills among Member States. It is therefore necessary to move towards a system of mutual recognition that does not entail an increased administrative burden.

Amendment 11

**Proposal for a directive
Recital 19**

Text proposed by the Commission

Amendment

(19) Traineeships which are employment relationships can be distinguished from ‘regular’ employment relationships in that they are limited in time, they include a significant learning and training component and that they are

(19) Traineeships which are employment relationships can be distinguished from ‘regular’ employment relationships in that, ***even if paid,*** they are limited in time, they include a significant learning and training component ***aligned***

undertaken in order to gain practical and professional experience with a view to improving employability and facilitating transition to employment or accessing a profession.

with the trainee's qualifications as identified according to the European Qualifications Framework and that they are undertaken in order to gain practical and professional experience with a view to improving employability and facilitating transition to employment or accessing a profession.

Amendment 12

Proposal for a directive Recital 19 a (new)

Text proposed by the Commission

Amendment

(19a) To ensure a quality traineeship, a learning and training component covering skills, such as communication, interpersonal, analytical and organisational, decision-making, ICT, project management and teamwork, should be agreed by the trainee and the traineeship provider by the beginning of the traineeship. Since it is often difficult for the trainees to prove their skills, their acquired competences should be assessed and validated, recognised, and made portable through certificates, micro-credentials, or other forms at the end of the traineeship. Tasks and responsibilities should be aligned with the learning component to foster the trainee's professional development benefiting both the company and the trainee. A supervisor or mentor should be assigned for the full duration and the rights and obligations of both parties, including confidentiality and intellectual property, should be clearly defined. The traineeship agreement should outline the duration and potential for renewal, and include provisions for pay, working conditions and social protection. A written agreement covering all those criteria is essential to constitute a quality traineeship.

Amendment 13

Proposal for a directive Recital 20

Text proposed by the Commission

(20) The principle of non-discrimination is suitable to combat abuses of traineeships, such as granting trainees less favourable working conditions or lower pay compared with regular employees without appropriate justification, and to ensure the sustainability of traineeships as a pathway to stable employment opportunities. It can also help make traineeships more accessible to groups of workers in a vulnerable situation.

Amendment

(20) The principle of non-discrimination is suitable to combat abuses of traineeships, such as granting trainees less favourable working conditions, ***including leave entitlements and the right to disconnect***, or lower pay compared with regular employees without appropriate justification, and to ensure the sustainability of traineeships as a pathway to stable employment opportunities. It can also help make traineeships more accessible to groups of workers in a vulnerable situation.

Amendment 14

Proposal for a directive Recital 20 a (new)

Text proposed by the Commission

Amendment

(20a) Member States should ensure economic, social and educational measures to improve access to traineeships, particularly to people with fewer opportunities for economic, social, cultural, geographical or health reasons, due to their migrant background, or for reasons such as disability or educational difficulties or for any other reason, including a reason that could give rise to discrimination under Article 21 of the Charter of Fundamental Rights of the European Union.

Amendment 15

Proposal for a directive Recital 20 b (new)

(20b) Member States should ensure that, when applicable, the concept of pay includes the possibility to cover a subsistence allowance to support the potential costs incurred by trainees in participating in the traineeship, as well as related living expenses such as travel, food and accommodation.

Amendment 16

Proposal for a directive Recital 22

Text proposed by the Commission

(22) Member States should therefore ensure that, in respect of working conditions including pay, trainees are not treated in a less favourable manner than comparable regular employees in the same establishment, unless different treatment is justified on objective grounds. The sole fact of being a trainee cannot constitute grounds for less favourable treatment compared to regular employees in the same establishment. At the same time, different tasks, lower responsibilities or work intensity in relation to comparable regular employees may constitute objective grounds for different treatment, where relevant, with regard to the employment condition at issue. The extent of different treatment should, however, be proportionate to those grounds.

Amendment

(22) Member States should therefore ensure that, in respect of working conditions, including pay ***and social protection***, trainees are not treated in a less favourable manner than comparable regular employees in the same establishment, unless different treatment is justified on objective grounds. The sole fact of being a trainee cannot constitute grounds for less favourable treatment compared to regular employees in the same establishment. At the same time, different tasks, lower responsibilities, or work intensity in relation to comparable regular employees may constitute objective grounds for different treatment, where relevant, with regard to the employment condition at issue. The extent of different treatment should, however, be proportionate to those grounds. ***Member States should put in place mechanisms to improve wellbeing and safety of trainees and to prevent, address, and report harassment or discrimination during traineeships.***

Amendment 17

Proposal for a directive

Recital 24

Text proposed by the Commission

(24) Member States should have appropriate measures in place to combat regular employment relationships disguised as traineeships with the effect of granting lower levels of protection, including working conditions and pay, than the worker concerned would be entitled to under Union or national law, collective agreements or practice.

Amendment

(24) Member States should have appropriate measures in place to combat regular employment relationships disguised as traineeships with the effect of granting lower levels of protection, including ***learning and training component***, working conditions and pay, than the worker concerned would be entitled to under Union or national law, collective agreements or practice.

Amendment 18

Proposal for a directive

Recital 25

Text proposed by the Commission

(25) It is necessary to ensure effective controls and inspections conducted by competent authorities as they are essential to protect the rights of trainees and to combat regular employment relationships disguised as traineeships. They should be targeted to avoid the substitution of regular employment by disguised traineeships ***and*** to protect workers' rights.

Amendment

(25) It is necessary to ensure ***uniform and comparable data collection as well as*** effective controls and inspections conducted by competent authorities, as they are essential to protect the rights of trainees and to combat regular employment relationships disguised as traineeships. ***Such data collection, controls and inspections*** should be targeted to avoid the substitution of regular employment by disguised traineeships to protect workers' rights ***and ensure the quality of traineeships. All collected data should be shared in accordance with the principles of Directive (EU) 2019/1024 of the European Parliament and of the Council^{1a} to identify trends, ensure transparency and inform future policy improvements.***

^{1a} ***Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (recast) (OJ L 172, 26.6.2019, p. 56, ELI:***

Amendment 19

Proposal for a directive Recital 27

Text proposed by the Commission

(27) **Requiring** previous work experience for a traineeship in the same or similar field of activity may not indicate a regular employment relationship disguised as a traineeship if the employer provides justification such as an equivalent period of previous work experiences being an alternative to having a degree in a certain field of activity or expertise.

Amendment

(27) Previous work experience for a traineeship in the same or similar field of activity ***should not be requested and*** may not indicate a regular employment relationship disguised as a traineeship if the employer provides justification such as an equivalent period of previous work experiences being an alternative to having a degree in a certain field of activity or expertise. ***In order to ensure that traineeships effectively facilitate the transition to regular employment and prevent repeated or consecutive traineeships with the same or different employers, Member States should ensure that traineeships are recognised as valid work experience in recruitment processes including cross-border recognition within the Union.***

Amendment 20

Proposal for a directive Recital 29

Text proposed by the Commission

(29) Member States should have appropriate measures in place to facilitate the assessment of whether a purported traineeship genuinely constitutes a traineeship. This should include a time limit indicating excessive duration of a traineeship and of repeated, including consecutive, traineeships with the same employer. A reasonable maximum duration of traineeships should, in principle, not

Amendment

(29) Member States should have appropriate measures in place to facilitate the assessment of whether a purported traineeship genuinely constitutes a traineeship. This should include a time limit indicating excessive duration of a traineeship and of repeated, including consecutive, traineeships with the same employer, ***and the quality criteria.*** A reasonable maximum duration of

exceed six months, as stipulated in the 2014 Recommendation. However, Member States may provide that a longer duration can be justified if it is based on objective grounds. Examples of such exceptions could be traineeships whose completion is a mandatory requirement to access a specific profession, the trajectory of which to acquire the necessary knowledge, competences and experience warrants a longer traineeship experience. ***Certain traineeships that are part of active labour market policies aimed at the integration of persons in a vulnerable situation could also benefit from a longer duration.*** Some traineeships that are part of curricula of formal education or vocational education and training may have a longer duration for reasons linked to the curricula.

traineeships should, in principle, not exceed six months, as stipulated in the 2014 Recommendation. However, Member States may provide that a longer duration can be justified if it is based on objective grounds. Examples of such exceptions could be traineeships whose completion is a mandatory requirement to access a specific profession, the trajectory of which to acquire the necessary knowledge, competences and experience warrants a longer traineeship experience, the integration of ***people with fewer opportunities into the labour market.*** Some traineeships that are part of curricula of formal education or vocational education and training may have a longer duration for reasons linked to the curricula.

Amendment 21

Proposal for a directive Recital 30

Text proposed by the Commission

(30) The obligation for employers to include information on the expected tasks, working conditions, including pay, social protection, learning and training ***elements in the vacancy notices and advertisements for traineeships*** could be fulfilled by including a link to ***a*** website containing this information.

Amendment

(30) The obligation for employers to include ***comprehensive and accessible*** information ***in the vacancy notices and advertisements for traineeships*** on the expected tasks ***and responsibilities***, working conditions, including pay, social protection, learning and training ***components, further career and recruitment opportunities***, could be fulfilled by including a link to ***an accessible*** website containing this information.

Amendment 22

Proposal for a directive Recital 30 a (new)

Text proposed by the Commission

Amendment

(30a) Employers should be encouraged to assign a supervisor or a mentor to each trainee for the full length of the traineeship, offering support, monitoring the progress, and facilitating access to career development opportunities, ensuring the traineeship is a valuable educational experience.

Amendment 23

Proposal for a directive Recital 33

Text proposed by the Commission

(33) Trainees should have access to effective and impartial dispute resolution and a right to redress, including adequate compensation. Trainees should be informed about the redress mechanisms for the purpose of exercising their right to redress. Having regard to the fundamental nature of the right to effective legal protection, trainees should continue to enjoy such protection even after the end of the traineeship giving rise to an alleged breach of rights under this Directive and other relevant Union law applicable to workers.

Amendment

(33) Trainees should have access to effective and impartial dispute resolution and a right to redress, including adequate compensation. Trainees should be informed ***at the start of the traineeship*** about the redress mechanisms for the purpose of exercising their right to redress. Having regard to the fundamental nature of the right to effective legal protection, trainees should continue to enjoy such protection even after the end of the traineeship giving rise to an alleged breach of rights under this Directive and other relevant Union law applicable to workers.

Amendment 24

Proposal for a directive Recital 39

Text proposed by the Commission

(39) In implementing this Directive Member States should avoid imposing unnecessary administrative, financial and legal constraints, in particular if they hold back the creation and development of micro, small and medium-sized enterprises. Member States are therefore encouraged to assess the impact of their transposition measures on those enterprises in order to

Amendment

(39) In implementing this Directive Member States should avoid imposing unnecessary administrative, financial and legal constraints, in particular if they hold back the creation and development of micro, small and medium-sized enterprises, ***and non-governmental organisations.*** Member States are therefore encouraged to assess the impact of their transposition

ensure that they are not disproportionately affected, paying particular attention to microenterprises and to the administrative burden, to publish the results of such assessments, and to provide support to those *enterprises* as necessary.

measures on those enterprises *and organisations*, in order to ensure that they are not disproportionately affected, paying particular attention to microenterprises and to the administrative burden, to publish the results of such assessments, and to provide *financial and administrative* support to those *traineeship providers* as necessary *to meet the quality standards. Member States are encouraged to use European funds, such as the European Social Fund Plus, the Regional Development Fund and other relevant resources for this purpose.*

Amendment 25

Proposal for a directive Recital 39 a (new)

Text proposed by the Commission

Amendment

(39a) Member States should take into account the specific needs and frameworks regarding liberal and regulated professions, as well as existing protection mechanisms at national level in implementing this Directive.

Amendment 26

Proposal for a directive Recital 39 b (new)

Text proposed by the Commission

Amendment

(39b) Member States should provide incentives for the establishment of traineeships that lead to potential employment with the same employer, while also establishing clear pathways for transitioning from training to permanent employment, thereby promoting talent retention and career opportunities for young professionals.

Amendment 27

Proposal for a directive
Recital 39 c (new)

Text proposed by the Commission

Amendment

(39c) In implementing this Directive, Member States are encouraged to assess the impact of their transposition measures on the liberal professions and regulated professions provided for in Directives 2005/36/EC^{1a} and 2006/123/EC^{1b} of the European Parliament and of the Council, which require traineeships as a mandatory part of professional training.

^{1a} **Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications (OJ L 255 30.9.2005, p. 22, ELI: <http://data.europa.eu/eli/dir/2005/36/2024-06-20>).**

^{1b} **Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market (OJ L 376, 27.12.2006, p. 36, ELI: <http://data.europa.eu/eli/dir/2006/123/oj>).**

Amendment 28

Proposal for a directive
Article 1 – paragraph 1

Text proposed by the Commission

Amendment

This Directive lays down a common framework of principles and measures to improve **and enforce** the working conditions of trainees **and** to combat regular employment relationships disguised as traineeships

This Directive lays down a common framework of principles and measures to improve **the quality and accessibility of traineeships, as well as** the working conditions of trainees, **ensuring that traineeships are structured and conducive to their professional development, and in order** to combat regular employment relationships disguised as traineeships.

Amendment 29

Proposal for a directive

Article 2 – paragraph 1 – point a

Text proposed by the Commission

(a) ‘traineeship’ means a limited period of work practice which includes a significant learning and training component, undertaken to gain practical and professional experience with a view to improving employability and facilitating transition to a regular employment relationship or accessing a profession;

Amendment

(a) ‘traineeship’ means a limited period of work practice which includes a significant learning and training component, undertaken to gain practical and professional experience with a view to ***expanding the educational experience, as well as vocational skills***, improving employability and facilitating transition to a regular employment relationship or accessing a profession;

Amendment 30

Proposal for a directive

Article 2 – paragraph 1 – point b

Text proposed by the Commission

(b) ‘trainee’ means any person undertaking a traineeship ***who has an employment contract or employment relationship as defined by the law, collective agreements or practice in force in every Member State with consideration to the case law of the Court of Justice;***

Amendment

(b) ‘trainee’ means any person undertaking a traineeship ***on the basis of a contractual relationship, irrespective of its nature or its designation*** by the ***parties involved;***

Amendment 31

Proposal for a directive

Article 2 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) ***‘learning and training component’ means the learning outcomes that will be acquired by the end of the traineeship with the aim to obtain skills, knowledge and competences, leading to their***

validation, recognition, portability and certification;

Amendment 32

Proposal for a directive

Article 2 – paragraph 1 – point d b (new)

Text proposed by the Commission

Amendment

(db) ‘traineeship provider’ means an undertaking, public employment service or other public, private or not-for-profit entity that provides traineeships.

Amendment 33

Proposal for a directive

Article 3 – paragraph 1

Text proposed by the Commission

Amendment

Member States shall ensure that, in respect of working conditions including pay, trainees are not treated in a less favourable manner than comparable regular employees in the same establishment, unless different treatment is justified on objective grounds, such as different tasks, lower responsibilities, work intensity or the weight of the learning and training component.

Member States shall ensure that, in respect of working conditions, including pay **and social protection**, trainees are not treated in a less favourable manner than comparable regular employees in the same establishment, **solely because they are undertaking a traineeship**, unless different treatment is justified on objective grounds, such as different tasks, lower responsibilities, work intensity or the weight of the learning and training component, **without prejudice to the quality criteria set out in Article 5a.**

Amendment 34

Proposal for a directive

Article 3 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Member States shall ensure that measures are put in place to combat traineeship discrimination, ensure equal access to

traineeships, particularly to people with fewer opportunities.

Amendment 35

Proposal for a directive

Article 3 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

Member States shall ensure that workplaces are adapted and accessible to trainees with disabilities.

Amendment 36

Proposal for a directive

Article 3 – paragraph 2

Text proposed by the Commission

Amendment

Where there is no comparable regular employee in the same establishment, the comparison shall be made by reference to the applicable collective agreement, or where there is no applicable collective agreement, in accordance with national law or practice.

Where there is no comparable regular employee in the same establishment, the comparison shall be made by reference to the applicable collective agreement, or where there is no applicable collective agreement, in accordance with national law or practice ***and relevant Union law.***

Amendment 37

Proposal for a directive

Article 5 – title

Text proposed by the Commission

Amendment

Assessment of regular employment relationships disguised as traineeships

Assessment of regular employment relationships disguised as traineeships ***and quality of traineeships***

Amendment 38

Proposal for a directive

Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

1. In order to determine whether a purported traineeship constitutes a regular employment relationship, competent authorities shall make an overall assessment of all relevant factual elements. That assessment shall take into account, among others, the following indicative elements:

Amendment

1. In order to determine whether a purported traineeship constitutes a regular employment relationship ***and in line with the quality criteria set out in Article 5a***, competent authorities shall make an overall assessment of all relevant factual elements. That assessment shall take into account, among others, the following indicative elements:

Amendment 39

**Proposal for a directive
Article 5 – paragraph 1 – point a**

Text proposed by the Commission

(a) the absence of a significant learning ***or*** training component in the purported traineeship;

Amendment

(a) the absence of a significant learning ***and*** training component in the purported traineeship;

Amendment 40

**Proposal for a directive
Article 5 – paragraph 1 – point f a (new)**

Text proposed by the Commission

Amendment

(fa) the presence of the quality criteria listed in Article 5a.

Amendment 41

**Proposal for a directive
Article 5 – paragraph 2 – point c**

Text proposed by the Commission

Amendment

(c) the working conditions, including pay, tasks and responsibilities of purported trainees and of regular employees at comparable positions;

(c) the working conditions, including pay, ***social protection***, tasks and responsibilities of purported trainees and of regular employees at comparable positions;

Amendment 42

Proposal for a directive

Article 5 – paragraph 3 – subparagraph 1 – point a

Text proposed by the Commission

(a) define a time limit ***indicating excessive*** duration of a traineeship ***and of repeated, including consecutive, traineeships with the same employer;***

Amendment

(a) define a time limit, ***except where a longer*** duration of a traineeship ***is duly justified on objective grounds;***

Amendment 43

Proposal for a directive

Article 5 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

(b) require employers to include information on the expected tasks, working conditions, including pay, ***social protection***, learning and training ***elements*** in the vacancy notices and advertisements for traineeships.

Amendment

(b) require employers to include ***comprehensive and accessible*** information in the vacancy notices and advertisements for traineeships on the expected tasks, ***responsibilities***, working conditions, including pay, ***the*** learning and training ***components and further career and recruitment opportunities, where applicable;***

Amendment 44

Proposal for a directive

Article 5 – paragraph 3 – subparagraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) ensure equal access to traineeships by not requiring previous work experience and by acknowledging the recognition of traineeships as work experience;

Amendment 45

Proposal for a directive

Chapter III a (new)

Chapter IIIa

Quality Criteria

Article 5a

Quality criteria

Member States shall use the following criteria to assess the quality of a traineeship:

- (a) the assignment of a supervisor or a mentor to each trainee for the full length of the traineeship;***
- (b) a learning and training component jointly agreed between the trainee and traineeship provider (and any other parties involved);***
- (c) the regular evaluation of the learning and training component provided both by the trainee and the traineeship provider;***
- (d) the validation, recognition and portability of the learning and training component acquired during the traineeship by means of a certificate, micro-credentials or other forms;***
- (e) the alignment of the tasks and responsibilities of the trainee with the learning and training component aiming to enhance the trainee's professional development;***
- (f) the agreement and clear communication of the rights and obligations of the trainee and the traineeship provider, including with regard to the confidentiality and the ownership of intellectual property rights' policies, if applicable;***
- (g) an agreement on the duration of the traineeship and any provisions for renewal of the traineeship;***
- (h) the pay, working conditions and social protection provided to the trainee;***
- (i) the presence of a written***

agreement including all the relevant criteria listed in this paragraph.

Amendment 46

Proposal for a directive

Article 6 – paragraph 1 – point b

Text proposed by the Commission

(b) develop guidance for employers of trainees regarding the legal framework **for traineeships**, including relevant labour law and social protection aspects;

Amendment

(b) develop guidance for employers of trainees regarding the legal framework, including relevant labour law and social protection aspects, **as well as best practices on quality traineeships and skills certification**;

Amendment 47

Proposal for a directive

Article 6 – paragraph 1 – point f a (new)

Text proposed by the Commission

Amendment

(fa) ensure, in collaboration with the competent authorities, the collection and sharing of uniform and comparable data, including the ratio of traineeships having led to regular employment relationships in the field related to the traineeship over a relevant reference period, in accordance with the principles of Directive (EU) 2019/1024.

Amendment 48

Proposal for a directive

Article 7 – paragraph 1

Text proposed by the Commission

Member States shall ensure that trainees, including those whose **employment relationship** has ended, have access to effective and impartial dispute resolution

Amendment

Member States shall ensure that trainees, including those whose **traineeship** has ended, have access to effective and impartial dispute resolution and a right to

and a right to redress, including adequate compensation, in the case of infringements of their rights arising from this Directive or from other Union law applicable to workers.

redress, including adequate compensation in the case of infringements of their rights arising from this Directive or from other Union law applicable to workers.

Amendment 49

Proposal for a directive Article 7 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Members States shall put in place mechanisms to improve the wellbeing and safety of trainees, including to prevent psychological or sexual harassment.

Amendment 50

Proposal for a directive Article 8 – paragraph 1

Text proposed by the Commission

Amendment

Member States shall ensure that representatives of workers may engage in any relevant judicial or administrative procedure to enforce the rights and obligations arising from this Directive or from other Union law applicable to workers. They may act on behalf or in support of one or several trainees in the case of an infringement of any right or obligation arising from this Directive or from other Union law applicable to workers, with that trainee's or those trainees' approval.

Member States shall ensure that representatives of workers may engage in any relevant judicial or administrative procedure to enforce the rights and obligations ***of trainees*** arising from this Directive or from other Union law applicable to workers They may act on behalf or in support of one or several trainees in the case of an infringement of any right or obligation arising from this Directive or from other Union law applicable to workers with that trainee's or those trainees' approval.

Amendment 51

Proposal for a directive Article 9 – paragraph 4

Text proposed by the Commission

Amendment

4. Member States shall take the necessary measures to ensure that, when trainees referred to in paragraph 3 establish, before a court or other competent authority or body, facts from which it may be presumed that there **has** been **such** a dismissal or equivalent measures, it shall be for the employer to prove that the dismissal or equivalent measures were based on grounds other than those referred to in paragraph 2.

4. Member States shall take the necessary measures to ensure that, when trainees referred to in paragraph 3 establish, before a court or other competent authority or body, facts from which it may be presumed that there **have** been **reprisals as a result of trainees' exercise of their rights as provided for in this Directive or other provisions of Union law, in particular an interruption of the traineeship**, dismissal or equivalent measures, it shall be for the employer to prove that the dismissal or equivalent measures were based on grounds other than those referred to in paragraph 2.

Amendment 52

Proposal for a directive Article 12 – paragraph 4

Text proposed by the Commission

4. Member States shall, in accordance with their national law and practice, take adequate measures to ensure the effective involvement of the social partners and to promote and enhance social dialogue with a view to implementing this Directive.

Amendment

4. Member States shall, in accordance with their national law and practice, take adequate measures to ensure the effective involvement of the social partners and **other relevant stakeholders and** to promote and enhance social dialogue with a view to implementing this Directive.

Amendment 53

Proposal for a directive Article 12 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. Member States shall promote the use of European funds and other relevant resources and incentives to provide support for small and medium enterprises and non-governmental organisations to offer traineeships.

Amendment 54

Proposal for a directive
Article 13 – paragraph 1

Text proposed by the Commission

1. By [5 years after the date of transposition], Member States shall communicate to the Commission all information concerning the implementation of this Directive that is necessary for the Commission to draw up a report. That information shall include data on traineeships for the purposes of allowing the proper monitoring and assessment of the implementation of this Directive.

Amendment

1. By [3 years after the date of transposition], Member States shall communicate to the Commission all information concerning the implementation of this Directive that is necessary for the Commission to draw up a report. That information shall include ***uniform, comparable and comprehensive*** data on traineeships for the purposes of allowing the proper monitoring and assessment of the implementation of this Directive.

ANNEX: ENTITIES OR PERSONS FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT

Pursuant to Article 8 of Annex I to the Rules of Procedure, the rapporteur for the opinion received input from the following entities or persons in the preparation of the opinion, prior to the adoption thereof in committee:

Entity and/or person
Organising Bureau of European School Student Unions OBESSU CISL CGIL UIL

The list above is drawn up under the exclusive responsibility of the rapporteur for the opinion.

Where natural persons are identified in the list by their name, by their function or by both, the rapporteur for the opinion declares that he has submitted to the concerned natural persons the European Parliament's Data Protection Notice No 484 (<https://www.europarl.europa.eu/data-protect/index.do>), which sets out the conditions applicable to the processing of their personal data and the rights linked to that processing.

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Improving and enforcing working conditions of trainees and combating regular employment relationships disguised as traineeships ('Traineeships Directive')
References	COM(2024)0132 – C10-0004/2024 – 2024/0068(COD)
Committee(s) responsible	EMPL
Opinion by Date announced in plenary	CULT 13.11.2024
Rapporteur for the opinion Date appointed	Nicola Zingaretti 18.12.2024
Discussed in committee	30.1.2025
Date adopted	8.4.2025
Result of final vote	+: 25 –: 3 0: 2
Members present for the final vote	Nikolaos Anadiotis, Zsuzsanna Borvendég, Laurence Farreng, Gabriela Firea, Sunčana Glavak, Catherine Griset, Hannes Heide, Lara Magoni, Eleonora Meleti, Hristo Petrov, Giusi Princi, Sabrina Repp, Diana Riba i Giner, Nela Riehl, Manuela Ripa, Joanna Scheuring-Wielgus, Malika Sorel, Marco Squarta, Zala Tomašič, Ivaylo Valchev, Annamária Vicsek, Bogdan Andrzej Zdrojewski
Substitutes present for the final vote	Carolina Morace, Marcos Ros Sempere, Anthony Smith, Hélder Sousa Silva, Brigitte van den Berg, Nicola Zingaretti
Members under Rule 216(7) present for the final vote	Maravillas Abadía Jover, Mathilde Androuët

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Improving and enforcing working conditions of trainees and combating regular employment relationships disguised as traineeships ('Traineeships Directive')	
References	COM(2024)0132 – C10-0004/2024 – 2024/0068(COD)	
Date submitted to Parliament	21.3.2024	
Committee(s) responsible Date announced in plenary	EMPL 13.11.2024	
Committees asked for opinions Date announced in plenary	CULT 13.11.2024	JURI 13.11.2024
Not delivering opinions Date of decision	JURI 18.11.2024	
Rapporteurs Date appointed	Alicia Homs Ginel 3.10.2024	
Discussed in committee	13.1.2025	18.3.2025
Date adopted	23.9.2025	
Result of final vote	+: 42 -: 9 0: 6	
Members present for the final vote	Grégory Allione, Li Andersson, Marc Angel, Pascal Arimont, Nikola Bartušek, Gabriele Bischoff, Vilija Blinkevičiūtė, Rachel Blom, David Casa, Estelle Ceulemans, Per Clausen, Henrik Dahl, Mélanie Disdier, Elena Donazzan, Gheorghe Falcă, Chiara Gemma, Niels Geuking, Isilda Gomes, Alicia Homs Ginel, Sérgio Humberto, Irena Joveva, Martine Kemp, Katrin Langensiepen, Marit Maij, Jagna Marczułajtis-Walczak, Idoia Mendia, Branislav Ondruš, Aodhán Ó Ríordáin, Hristo Petrov, Dennis Radtke, Nela Riehl, Liesbet Sommen, Villy Søvndal, Pál Szekeres, Georgiana Teodorescu, Romana Tomc, Jana Toom, Brigitte van den Berg, Marianne Vind, Mariateresa Vivaldini, Petar Volgin, Jan-Peter Warnke, Séverine Werbrouck	
Substitutes present for the final vote	Vivien Costanzo, Rudi Kennes, Jaroslav Knot, Pierfrancesco Maran, Catarina Martins, Giusi Princi	
Members under Rule 216(7) present for the final vote	Georgios Aftias, Jaume Asens Llodrà, Valérie Deloge, Alberico Gambino, Krzysztof Hetman, Reinhold Lopatka, Gaetano Pedulla', Paulius Saudargas	
Date tabled	1.10.2025	

FINAL VOTE BY ROLL CALL BY THE COMMITTEE ASKED FOR OPINION

25	+
ECR	Lara Magoni, Marco Squarta, Ivaylo Valchev
NI	Nikolaos Anadiotis
PPE	Maravillas Abadía Jover, Sunčana Glavak, Eleonora Meleti, Giusi Princi, Manuela Ripa, Helder Sousa Silva, Zala Tomašič, Bogdan Andrzej Zdrojewski
PfE	Malika Sorel
Renew	Laurence Farreng, Hristo Petrov, Brigitte van den Berg
S&D	Gabriela Firea, Hannes Heide, Sabrina Repp, Marcos Ros Sempere, Joanna Scheuring-Wielgus, Nicola Zingaretti
The Left	Carolina Morace
Verts/ALE	Diana Riba i Giner, Nela Riehl

3	-
PfE	Mathilde Androuët, Catherine Griset, Annamária Vicsek

2	0
ESN	Zsuzsanna Borvendég
The Left	Anthony Smith

Key to symbols:

+ : in favour

- : against

0 : abstention

FINAL VOTE BY ROLL CALL BY THE COMMITTEE RESPONSIBLE

42	+
ECR	Georgiana Teodorescu
NI	Branislav Ondruš, Jan-Peter Warnke
PPE	Georgios Aftias, David Casa, Gheorghe Falcă, Niels Geuking, Krzysztof Hetman, Sérgio Humberto, Martine Kemp, Jagna Marczułajtis-Walczak, Giusi Princi, Dennis Radtke, Paulius Saudargas, Liesbet Sommen, Romana Tomc
Renew	Grégory Allione, Irena Joveva, Hristo Petrov, Jana Toom, Brigitte van den Berg
S&D	Marc Angel, Gabriele Bischoff, Vilija Blinkevičiūtė, Estelle Ceulemans, Vivien Costanzo, Isilda Gomes, Alicia Homs Ginel, Marit Majj, Pierfrancesco Maran, Idoia Mendia, Aodhán Ó Riordáin, Marianne Vind
The Left	Li Andersson, Per Clausen, Rudi Kennes, Catarina Martins, Gaetano Pedulla'
Verts/ALE	Jaume Asens Llodrà, Katrin Langensiepen, Nela Riehl, Villy Søvnald

9	-
PPE	Henrik Dahl, Reinhold Lopatka
PfE	Nikola Bartůšek, Rachel Blom, Valérie Deloge, Mélanie Disdier, Jaroslav Knot, Pál Szekeres, Séverine Werbrouck

6	0
ECR	Elena Donazzan, Alberico Gambino, Chiara Gemma, Mariateresa Vivaldini
ESN	Petar Volgin
PPE	Pascal Arimont

Key to symbols:

+ : in favour

- : against

0 : abstention