

Improving and enforcing working conditions of trainees and combating regular employment relationships disguised as traineeships ('Traineeships Directive')

2024/0068(COD) - 01/10/2025 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Employment and Social Affairs adopted a report by Alicia HOMES GINEL (S&D, ES) 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').

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Subject matter and scope

The proposed directive lays down a **common definition** of traineeships and establishes a framework of principles and measures to improve and enforce the working conditions of trainees, by providing for:

- 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;
- measures to detect and combat: (i) practices that circumvent the purpose of traineeships; (ii) the use of standard employment relationships disguised as traineeships.

The directive will not apply to:

- 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 apprenticeships.

Traineeship agreements

To ensure the presence of a significant learning and training component and decent working conditions for trainees, the report stressed that Member States should ensure that trainees are provided with a **written agreement** before the start of their traineeship, which sets out, *inter alia*:

- the **duration** of the traineeship;
- the **pay**, in accordance with national law, collective agreements or practice;
- the learning and training objectives agreed between the trainee and the traineeship provider;
- 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.

Principle of non-discrimination

Member States should ensure that, in respect of access to traineeships and the working conditions including pay, traineeships comply with the principle of non-discrimination. Appropriate measures should be taken 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.

Access to social protection

Regarding **health and safety at work**, Member States should ensure that trainees benefit from the same level of protection as other workers in the same establishment. The traineeship provider should 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.

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

The report stated that in order to determine whether a traineeship comprises a standard employment relationship disguised as traineeship, competent authorities should make an overall assessment of all relevant factual elements and should consider in particular the **ratio of trainees** relative to the number of other workers in the same establishment.