



DECISION NO 201/16 A

laying down provisions regarding traineeships at the European Economic and Social Committee

THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE

HAVING REGARD TO Rule 72 of the Rules of Procedure of the European Economic and Social Committee (henceforth "the EESC");

HAVING REGARD TO paragraph X of the appendix to EESC Decision No 97/16 A of 27 April 2016 concerning the exercise of the powers conferred by the Staff Regulations of Officials of the European Union on the appointing authority and by the Conditions of Employment of Other Servants of the European Union on the authority empowered to conclude contracts of employment;

HAVING REGARD TO Decision No 115/14 A of 27 May 2014 holding provisions regarding traineeships at the European Economic and Social Committee;

HAVING REGARD TO the opinion of the European Data Protection Supervisor (EDPS) of 7 September 2016 on the notification for prior checking regarding the decision laying down provisions regarding traineeships at the European Economic and Social Committee;

HAVING REGARD TO the budget of the EESC, and in particular Chapter 14 thereof, which makes provision for funds for traineeships in administrative units at the EESC;

Whereas it is in the interests of European integration, and more particularly of the EESC, to make the latter's activities – especially the scope of its consultative role – better known to young university graduates and students through a traineeship programme;

Whereas the regulatory framework on traineeships at the EESC needs to be updated and clarified;

HAS DECIDED AS FOLLOWS:

1. **GENERAL PROVISIONS**

1.1 **Scope, objectives and organisation of traineeships**

1.1.1 Scope

Subject to the availability of budgetary resources and space, the present provisions shall apply to traineeships organised by the EESC.

1.1.2 Objectives

In offering traineeships, the EESC's main objectives are to give trainees the opportunity to:

- learn about the EESC's role and activities at interinstitutional level, as well as its relations with EU Member States and with non-Member States;
- acquire practical knowledge about how the EESC's various departments operate;
- supplement and apply knowledge and skills acquired during their studies and/or work; and
- gain experience in a multicultural, multilingual and multi-ethnic professional environment, helping people develop understanding, confidence and mutual tolerance.

1.1.3 Trainee status

Admission to traineeships shall not confer upon trainees the status of official or other servant of the European Union, nor shall it entail any right or priority with regard to an appointment in any department of the EESC. Trainees may be recruited at the end of their traineeship, provided that the conditions and rules on recruitment to the staff category for which they are applying are strictly complied with and applied. The same holds true for any former trainee selected after a competitive procedure in a call for tenders or call for expressions of interest launched by the EESC or one of its departments, as an individual or as an employee of a company winning the tender.

Only the signed contract between the trainee and the EESC shall apply. The Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Union are not applicable to trainees.

1.1.4 Trainee supervision

The unit responsible for the management of traineeships shall supervise the whole programme (both administrative and educational aspects). A trainee's activities within the department to which he or she has been assigned shall be guided by a traineeship adviser ("conseiller de stage") (see Article 2.2.6). The latter shall be responsible for the trainee's job description, his or her training and providing advice as to how to approach the work they are allocated.

1.1.5 Trainee participation

In the departments to which they are assigned, under the supervision of their traineeship advisers, trainees shall carry out the tasks allocated to them and participate in the departments' activities at a level in keeping with their studies and/or qualifications. Trainees shall receive all the documentation and information needed for carrying out their tasks and shall participate in meetings on subjects that are relevant to the traineeship, as long as these meetings are not confidential.

1.1.6 Study visits and trips

Study visits and trips in connection with the EESC's activities may be organised for trainees, subject to availability of budgetary resources. Long-term trainees shall participate in these visits and trips, unless reasons are given for the contrary. Trainees shall keep to the hours and programmes stipulated.

1.2 General conditions

1.2.1 Languages

Applicants must have a thorough command of one EU language and a satisfactory command of another EU language, one of which must be English or French.

Applicants from non-Member States shall be required to have a good command of English or French.

1.2.2 Medical certificate

Trainees must provide proof of their medical fitness for undertaking a traineeship.

1.2.3 Police record

As is the case for anyone working at the EESC, trainees must provide an extract from police records to provide proof they have the moral standards necessary for carrying out the tasks assigned to them.

1.2.4 Exclusion criteria

To give as many people as possible a chance to familiarise themselves with the EU institutions, applications shall not be accepted from people who have already completed a period of paid traineeship of six weeks or longer with an EU institution, agency or representation office. The same applies to applications from people who a) are serving or have served as an assistant to a member of the European Parliament or b) are working or have worked as a consultant on a research assignment, or as a temporary, contract or agency staff member at an EU institution, agency or representation office.

1.3 **Trainees' rights and obligations**

1.3.1 Service requirements

During their traineeship, trainees must comply with the instructions given by their traineeship adviser and with internal instructions and decisions, so as to avoid any conflicts of interest and/or anything detrimental to the EESC's image.

Trainees shall participate in the activities of the department to which they are assigned and in the activities organised for their benefit, and shall in so doing keep to the hours and programmes stipulated in that connection.

During their traineeship, trainees shall be obliged to consult with their traineeship adviser on any action they propose taking with regard to the EESC's activities.

1.3.2 Hours

Trainees shall be required to keep to the official hours stipulated for EESC staff. Flexitime or teleworking arrangements do not apply to trainees.

1.3.3 Authorised absence

Trainees are entitled to two days' leave per month of traineeship completed. No payments are made for leave not taken.

Trainees are also entitled to the same non-working and office closure days as EESC staff.

The head of the unit responsible for the management of traineeships may, in exceptional, duly substantiated cases, grant special leave as provided for EESC staff.

1.3.4 Absence due to sickness

Should they fall sick, trainees must notify their traineeship adviser and/or superior at once. As of the fourth day of absence, they must submit a medical certificate indicating the probable duration of the absence. If so required in the interests of the department, trainees concerned may be required to undergo a medical examination.

1.3.5 Absence without leave

Should a trainee be absent without prior authorisation and without providing a medical certificate, the head of the unit responsible for the management of traineeships shall request a written explanation for such absence.

Should the explanation provided not be satisfactory, or in the absence of any grounds being provided for such absence, the head of the unit responsible for the management of traineeships may initiate termination of the traineeship contract under Article 3.6. The number of days of absence without leave shall be deducted from the trainee's leave entitlement.

1.3.6 Confidentiality and publications

Trainees shall be required to show the utmost discretion with regard to all facts and information coming to their knowledge in the course of their traineeship.

They may not, in any manner whatsoever, disclose to any unauthorised person any document or information not already in the public domain. They shall continue to be bound by this obligation after their traineeship has finished.

Trainees may not, whether alone or together with others, publish or cause to be published any subject matter relating to the work of the EESC, without authorisation from the Director for Human Resources and Internal Services. Any such authorisation shall be subject to the conditions laid down by the aforementioned director. The EESC shall retain all rights relating to any work carried out for it during the traineeship.

1.3.7 Traineeship report

At the end of their traineeship, long-term trainees shall provide their traineeship adviser with a report on their activities and experience during the traineeship; this report is also to be submitted to the unit responsible for the management of traineeships.

2. **TYPES OF TRAINEESHIP: LONG TRAINEESHIPS, TRAINEESHIPS FOR HOLDERS OF GRANTS AWARDED BY OUTSIDE PUBLIC BODIES AND SHORT TRAINEESHIPS**

2.1 **The different types of traineeship offered by the EESC**

- long (five months) traineeships with a monthly grant provided by the EESC;
- traineeships for holders of grants awarded by outside bodies; and
- short traineeships (maximum three months) with no grant for young university students or graduates obliged to undertake a traineeship for their degree.

2.2 **Long traineeships**

2.2.1 General points

Long traineeships are intended for young graduates of universities.

These traineeships are organised twice a year, from 16 February to 15 July (spring session) and from 16 September to 15 February the following year (autumn session).

2.2.2 Conditions

Long traineeships may be offered to applicants fulfilling the following conditions:

- holding a recognised university-level degree, demonstrating completion of at least three years of study, or a certificate attesting that the applicant has attained a level of education corresponding to a three-year university course;
- submitting an application in accordance with the procedures laid down by the EESC. Instructions are published on the EESC's website.

2.2.3 Selection of preferred applicants and compilation of reserve list

Heads of unit who might be interested in taking on a trainee in their department shall make an initial selection, draw up a list of applicants in order of preference and then forward this to the unit responsible for the management of traineeships. Candidates will be selected on the basis of this list of preferences.

2.2.4 Number of trainees

The number of trainees for each traineeship period is set by the unit responsible for the management of traineeships according to the availability of both budgetary resources and office space available in departments which might be interested in taking on a trainee.

2.2.5 Units to which trainees are assigned

Trainees shall be assigned according to the priorities indicated in the requests by the EESC departments as well as availability, subject to any limit imposed on the number of trainees by the provisions of Article 2.2.4.

2.2.6 Traineeship advisers

Traineeship advisers ("conseillers de stage") shall be appointed by the heads of the units taking on the trainees; the unit responsible for the management of traineeships shall be informed of this appointment.

2.2.7 Traineeship contracts

The unit responsible for the management of traineeships is responsible for contacting the applicants and for drawing up traineeship contracts on the basis of the arrangements set out in this decision.

2.2.8 Traineeship grants

Trainees granted a long traineeship shall be entitled to a monthly grant.

The amount of the grant shall be decided by the unit responsible for the management of traineeships and published each year on the EESC website. This amount shall apply for the duration of the two traineeship sessions that begin in the year in question, and shall remain unchanged throughout the traineeship session.

Trainees who continue to receive remuneration from their employers, or who receive a grant from another body or any other maintenance allowance, may not claim any financial contribution from the EESC unless such income is less than the amount of the traineeship grant. In that event, they shall receive the difference up to the amount of that grant.

2.2.9 Disability allowance

Upon presentation of appropriate supporting documents, a supplement amounting to up to 50% of their grant may be granted to trainees with disabilities. If necessary, the unit responsible for the management of traineeships may seek the opinion of the EESC's medical department.

2.2.10 Reimbursement of travel expenses at the beginning and end of traineeships

Long-term trainees shall be entitled to a contribution to travel expenses incurred at the beginning and end of their traineeship under certain conditions. These conditions are laid down in a decision adopted by the Director for Human Resources and Internal Services and published on the EESC website.

2.2.11 Tax arrangements

Traineeship grants are not subject to the special tax regulations applying to officials and servants of the European Union.

Trainees shall be solely responsible for fulfilling their tax obligations in accordance with the legal provisions of the State concerned.

2.2.12 Traineeship coordinator

One traineeship coordinator shall be selected from amongst the trainees on long traineeships.

He or she shall be responsible for relations between EESC trainees and, where necessary, the administration, and with trainees in other institutions. The same person shall help organise the activities planned by and for trainees.

2.2.13 Traineeship duration

Traineeships cannot be extended and are strictly limited to a total duration of maximum five months.

2.3 **Traineeships for holders of grants awarded by outside bodies**

2.3.1 Conditions

Long traineeships may be granted to applicants meeting the conditions set out in Article 2.2.2, 1st indent, who receive a grant from an outside body, provided that office space is available.

Under no circumstance may the EESC provide any financial contribution in such cases.

2.3.2 Selection

The head of the unit responsible for the management of traineeships shall be responsible for selecting trainees meeting the criteria set out in the previous paragraph.

2.3.3 Traineeship periods

This type of traineeship runs for the same periods in the year as long traineeships financed by the EESC. By way of exception, traineeships covered by the present Article may take place on different dates.

2.4 **Short traineeships**

2.4.1 Conditions

Short traineeships of one to three months shall be awarded to applicants who:

- hold a recognised university-level degree, demonstrating completion of at least three years of study, or a certificate attesting that the applicant has attained a level of education corresponding to a three-year university course;

or

- are required to do a traineeship in an international institution in order to complete their studies.

In all cases, priority shall be given to applicants for whom such a traineeship is compulsory for completion of their studies.

2.4.2 Selection

Trainees on a short traineeship may be taken on at any moment of the year.

Once the eligibility conditions set out in Article 2.4.1 have been checked, applications shall be sent to heads of unit having expressed their interest on request.

2.4.3 Application processing time

There shall be a minimum of four weeks between the submission of an application and the start of a short traineeship.

2.4.4 Number of traineeships granted

There is no set number of short traineeships. The number of trainees on short traineeships at the EESC may not be higher than the number on long traineeships. Every trainee must have suitable office space.

2.4.5 Grants, travelling expenses and extensions

Short traineeships shall not entitle trainees to any grant, or to a contribution to travel expenses. The initial length of such traineeships may be extended, but may not exceed a total of three months.

2.4.6 Participation in activities

As far as is possible, trainees on short traineeships shall be allowed to participate in activities organised for long-term trainees, but without any financial support from the EESC.

3. **PRACTICAL ARRANGEMENTS**

3.1 **Missions**

Authorisation for sending trainees on missions (work trips) shall only be granted by the Director for Human Resources and Internal Services in exceptional cases, on the basis of a reasoned request by the traineeship adviser concerned. Such authorisation shall mean the trainee concerned shall be entitled to the reimbursement of travel and subsistence expenses under the "missions" budget, under the same conditions as those stipulated for EESC staff.

3.2 **Sickness insurance**

Health insurance shall be compulsory for all trainees.

Long-term trainees not covered by any other sickness insurance scheme shall be covered by sickness insurance under the conditions set out in the EESC's insurance contract.

Long-term trainees shall contribute one third of the relevant premium.

Long-term trainees who do not take out the sickness insurance proposed by the EESC must prove that they are covered by another equivalent insurance for the full duration of the traineeship.

Trainees on short traineeships and trainees receiving grants awarded by outside bodies must prove that they are covered by a sickness insurance scheme for the full duration of the traineeship.

3.3 **Accident insurance**

All trainees must take out the accident insurance proposed by the EESC.

The premium shall be paid for entirely by the EESC.

3.4 **Suspension of traineeship**

The head of the unit responsible for the management of traineeships may authorise a trainee to suspend his or her traineeship for a limited period on a written and substantiated request by the trainee concerned, who needs to obtain the go-ahead from the traineeship adviser. In this case, payment of any grant awarded by the EESC shall be suspended, and any overpaid monies reimbursed.

For all types of traineeship, trainees may only restart within the period initially scheduled in their contract and may only continue their traineeship for the time between that moment and the end date stipulated in their contract with the EESC.

In the case of long traineeships funded by the EESC, there shall be no contribution from the EESC to travel expenses in connection with the suspension or resumption of a traineeship.

3.5 **Termination of a traineeship contract at the request of a trainee**

Should a trainee wish to terminate his or her traineeship before the end date stipulated in the contract, he or she may submit a reasoned request in writing, through the traineeship adviser, to the head of the unit responsible for the management of traineeships, giving at least three weeks' notice. Except where duly justified, trainees may only leave the EESC on the 1st or 16th of the month.

3.6 **Termination of a traineeship contract at the request of the EESC**

The EESC Director for Human Resources and Internal Services may, at any time, decide to terminate a traineeship on the grounds of a trainee's inappropriate behaviour, lack of involvement and/or failure to fulfil his or her obligations, and after hearing the trainee concerned and the traineeship adviser.

3.7 **Financial consequences of the termination of the traineeship contract by either party**

Any monies from the traineeship grant that have been overpaid must be reimbursed.

4. **MISCELLANEOUS PROVISIONS**

4.1 **Data protection**

The trainees' and applicants' personal data shall be processed in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.

4.2 **Equal opportunities**

When selecting trainees, the EESC applies a policy of equal opportunities between women and men, and accepts applications without any discrimination or distinction on any grounds such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age, or sexual orientation.

4.3 **Appeal procedures**

Trainees wishing to appeal a decision taken by the EESC pursuant to this decision shall send a reasoned request to the Director for Human Resources and Internal Services. Such appeals must be submitted within a period of two months from the date of notification of

the decision to the trainee, and in any case no later than within two months from the date on which the latter received such notification.

The Director for Human Resources and Internal Services shall provide a reasoned reply to the trainee within three months of the date of submission of the appeal. If at the end of that period no reply has been received, this shall be deemed to constitute an implied decision rejecting it.

If the trainee considers that the decision referred to in the previous paragraph constitutes a breach of the principle of sound administration, he/she can make a complaint to the European Ombudsman within two years and under the conditions laid down in Article 228 of the Treaty on the Functioning of the European Union.

A decision taken pursuant to this decision may also be appealed to the General Court of the European Union under Article 263 of the Treaty on the Functioning of the European Union.

4.4 **Final and transitional provisions**

This decision shall enter into force on the date of its publication. It shall apply to all traineeships underway on that date and to all traineeships starting at a later date.

This decision supersedes Decision No 115/14 A of 27 May 2014 holding provisions regarding traineeships at the European Economic and Social Committee.

By way of derogation from the preceding paragraphs, Article 2(2)(8) of Decision No 115/14 A of 27 May 2014 holding provisions regarding traineeships at the European Economic and Social Committee shall continue to apply with regard to traineeships for which the offer letter was sent out before the entry into force of this decision.

The Director for Human Resources and Internal Services shall be responsible for implementation of the above provisions.

Done at Brussels, on 16 September 2016

[signed]

Luis Planas
Secretary-general