

# DECISION No 166/23 A

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

# THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE,

HAVING REGARD TO the Treaty on the Functioning of the European Union,

**HAVING REGARD TO** the Rules of Procedure of the European Economic and Social Committee, and in particular Rule 104(1) thereof;

AFTER having consulted the Legal Service and the Staff Committee;

WHEREAS (1) 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 recent university graduates and students through a traineeship programme.

(2) It is necessary to update and align the regulatory framework on traineeships at the EESC with practices at other institutions,

#### HAS DECIDED AS FOLLOWS:



#### 1. **GENERAL PROVISIONS**

### 1.1. Scope, objectives and organisation of traineeships

#### 1.1.1. <u>Scope</u>

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 the EU Member States and non-Member States;
- acquire practical knowledge about how the EESC's various services operate;
- supplement and apply knowledge and skills acquired during their studies and/or work;
- gain experience in a multicultural, multilingual and multi-ethnic professional environment, helping people develop understanding, confidence and mutual tolerance; and
- take part in a network of former trainees.

# 1.1.3. <u>Trainee status</u>

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 EESC service. 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 services, as an individual or as an employee of a company winning the tender.

Only the provisions stipulated in the contract signed 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. Traineeship contract

The unit in charge of managing traineeships is responsible for contacting the applicants and for drawing up traineeship contracts. At the start of the traineeship, the contract shall be signed by the head of the unit responsible for managing traineeships and the trainee.

Where a trainee is completing a traineeship as part of their studies, they are solely responsible for liaising with their educational institution and ensuring that all obligations are fulfilled concerning a possible validation of the traineeship towards the degree. The EESC assumes no responsibility as regards decisions taken in this respect by the competent educational institution.

### 1.1.5. <u>Trainee supervision</u>

The unit responsible for managing traineeships shall supervise the whole programme, including both administrative and educational aspects. A trainee's activities within the service to which they have been assigned shall be guided by a traineeship adviser, appointed by the head of the service to which the trainee is assigned. The traineeship adviser shall be responsible for the trainee's work plan and induction, and for providing advice as to how to approach the work they are assigned.

# 1.1.6. <u>Trainee participation</u>

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

## 1.1.7. <u>Study visits and training courses</u>

Study visits and training courses relating to the EESC's activities may be organised for trainees, subject to availability of budgetary resources. Long-term trainees shall participate in these visits and training courses, unless reasons are given to the contrary. Short-term trainees may attend non-paid training activities organised during their traineeship. They may also take part in study visits organised for long-term trainees subject to the availability of transport. Trainees shall keep to the hours and programmes stipulated.

# 1.2. Eligibility criteria

- Trainees are selected from nationals of the Member States of the European Union.
  However, a limited number of nationals of non-Member States may also be accepted on condition that the relevant legal framework in Belgium is compatible with the EESC's rules and procedures and the applicant fulfils all legal requirements concerning work and/or residence permits in Belgium.
- 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 for operational reasons.
- Applicants who have received a letter of offer confirming their traineeship must provide proof of their medical fitness for undertaking a traineeship and an extract from police records to provide proof they have the good character necessary to carry out the tasks assigned to them.

To give as many people as possible a chance to familiarise themselves with the EU institutions, applications shall not be accepted from candidates who have already completed a traineeship with an EU institution, agency or representation office. The same also applies to applicants who are serving or have served as an assistant to a member of the European Parliament or who 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, body, agency or representation office.

A long-term traineeship can also not be followed by a short-term traineeship and vice versa.

Should the requirements under national immigration law for residing and working legally in Belgium not have been complied with by the beginning of the traineeship period, the EESC reserves the right to revoke the letter of offer and select another applicant for the position in question.

# 1.3. <u>Trainees' rights and obligations</u>

#### 1.3.1. <u>Service requirements</u>

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. Each trainee will be asked to sign a declaration on the absence of conflicts of interest prior to commencing their traineeship.

Trainees are also bound to the same principles regarding ethics and integrity as officials and other agents serving in the EESC.

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

# 1.3.2. Working hours

Trainees shall be required to abide by the working arrangements in place for EESC staff, which are applied by analogy<sup>1</sup>. The head of the unit responsible for managing traineeships may allow a limited number of days to work remotely from an address other than their official residence in Belgium (teleworking from abroad). The total number of days a trainee can work remotely is proportionate to the length of the traineeship.

Trainees who take part in official activities organised for them by the Traineeships Office must respect the published timetables and programmes.

### 1.3.3. <u>Authorised absence</u>

Trainees are entitled to two days' leave per month of traineeship completed, to be authorised in the time management system by the trainee's line manager, subject to the interests of the service. No payments are made for leave not taken. Days of leave taken in excess shall be deducted from the last grant.

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

The head of the unit responsible for managing traineeships may, in duly substantiated cases, grant special leave in alignment with the rules in place 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 and also the Traineeships Office. As of the fourth consecutive day of absence, they must submit a medical certificate indicating the probable duration of the absence to the EESC's Health Service. If required in the interests of the service, trainees absent because of sickness may be required to undergo a medical examination.

<sup>&</sup>lt;sup>1</sup> By derogation to the encoding of a personalised timetable, the reference working hours shall always be encoded for trainees, which excludes recuperations, but trainees shall be granted adequate flexibility in their working time in agreement with their supervisor.

#### 1.3.5. Unauthorised absence

Should a trainee be absent without prior authorisation and without providing a medical certificate, the traineeship advisor shall immediately inform the head of the unit responsible for managing traineeships. They shall request a written explanation for such absence. The number of days of unauthorised absence shall be deducted from the trainee's leave entitlement. In any event, throughout the traineeship, the maximum number of days without a medical certificate shall not exceed the total number of months of traineeship.

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 managing traineeships may initiate termination of the traineeship contract under Article 3.6.

### 1.3.6. <u>Confidentiality and publications</u>

Trainees shall be required to show the utmost discretion with regard to all facts and information they are made party to 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 prior and written authorisation from the Director for Human Resources and Finance. 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.

# 2. <u>TYPES OF TRAINEESHIP: LONG-TERM TRAINEESHIPS, TRAINEESHIPS FOR HOLDERS OF</u> <u>GRANTS AWARDED BY OUTSIDE PUBLIC BODIES AND SHORT-TERM TRAINEESHIPS</u>

# 2.1. Long-term traineeships

#### 2.1.1. <u>General points</u>

A long-term traineeship consists of a five-month traineeship with a monthly grant provided by the EESC.

Long-term traineeships are primarily intended for recent university graduates.

These traineeships can only take place during one of the two following periods: from 16 February to 15 July (spring session) or from 16 September to 15 February of the following year (autumn session).

#### 2.1.2. Conditions

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

- respecting the eligibility criteria set out under Article 1.2;
- having a level of education corresponding to at least three years' of completed university studies attested by a diploma or certificate issued by the higher education establishment concerned by the closing date of applications;
- submitting an application in accordance with the procedures laid down by the EESC.
  Instructions are published on the EESC's website.

### 2.1.3. <u>Pre-selection of preferred applicants and compilation of a reserve list</u>

Heads of service interested in taking on a trainee in their service shall make a pre-selection and draw up a list of applicants in order of preference. Candidates will be selected on the basis of this list of preferences.

#### 2.1.4. Number of trainees

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

#### 2.1.5. Units to which trainees are assigned

Trainees shall be assigned according to the priorities indicated in the requests by the EESC services as well as availability, subject to any limit imposed on the number of trainees by the provisions of Article 2.1.4.

#### 2.1.6. <u>Traineeship grants</u>

The amount of the monthly grant shall be set by the Director for Human Resources and Finance 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.

# 2.1.7. Disability allowance

Upon request and subject to appropriate supporting documents being produced, a supplement amounting to up to 100% of the grant may be awarded to trainees with disabilities. The Director for Human Resources and Finance will take the decision based on the mandatory prior opinion of the EESC's medical department, which will determine the amount of the supplement. Where appropriate, other reasonable accommodating measures may be provided.

### 2.1.8. <u>Travel allowance</u>

Long-term trainees shall be entitled to a travel allowance based on the distance between their place of residence and Brussels, under certain conditions. These conditions are laid down in decision 167/23 A published on the EESC website.

### 2.1.9. Mobility allowance

Long-term trainees shall be entitled to a mobility allowance as a contribution to the cost of local transport in Brussels. These conditions are laid down in decision 167/23 A published on the EESC website.

# 2.1.10. <u>Tax arrangements</u>

Traineeship grants and other allowances 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 country concerned.

#### 2.1.11. <u>Trainee coordinator</u>

One trainee coordinator shall be selected from amongst the trainees on each session of longterm traineeships.

They shall be responsible for relations between EESC trainees and, where necessary, the administration, and with trainees in other institutions. They shall help organise the activities planned by and for trainees.

# 2.1.12. 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 managing traineeships.

### 2.1.13. Traineeship duration

Long-term traineeships are strictly limited to a total duration of five months within one of the sessions mentioned under Article 2.1.1 of the present decision.

Traineeships cannot be extended beyond the end date of these sessions.

### 2.2. Traineeships for holders of grants awarded by outside public bodies

### 2.2.1. <u>General points</u>

The EESC may offer traineeships to holders of grants awarded by outside public bodies.

### 2.2.2. Conditions

Traineeships may be granted to applicants meeting the conditions set out in Article 2.1.2, 1st and 2nd indent, who receive a grant from an outside public body, provided that office space is available.

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

# 2.2.3. Selection

The outside public body shall select the holder(s) of grants it proposes for a traineeship at the EESC. The head of the unit responsible for managing traineeships shall be responsible for approving trainees meeting the criteria set out in the previous paragraph.

#### 2.2.4. Traineeship period

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

#### 2.3. Short-term traineeships

#### 2.3.1. <u>General points</u>

A short-term traineeship consists in a traineeship of respectively one, two or three months.

#### 2.3.2. Conditions

Short-term traineeships may be offered to applicants meeting the eligibility criteria set out in Article 1.2 who are studying at university or a higher education establishment for whom such a traineeship is compulsory for the completion of their studies.

### 2.3.3. <u>Selection</u>

Trainees on a short-term traineeship are selected on the basis of an application made by the candidate.

Once the conditions set out in Article 2.3.2 have been checked and based on the profile of the candidate, applications shall be sent to heads of unit having expressed an interest in receiving short-term trainees.

#### 2.3.4. <u>Traineeship period</u>

Short-term traineeships may start on the 1<sup>st</sup> or 16<sup>th</sup> of a given month excepting July and August. There shall be a minimum of two months between the submission of an application and the start of a short-term traineeship. The initial length of such traineeships may not be extended.

#### 2.3.5. <u>Number of traineeships granted</u>

The number of short-term traineeships at the EESC may not exceed 20% of the number of long-term traineeships of a given year, subject to the availability of both budgetary resources and office space.

#### 2.3.6. <u>Traineeship grants</u>

The amount of the monthly grant shall be set by the Director for Human Resources and Finance and be 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. It corresponds to 50% of the monthly amount granted to long-term trainees.

When the higher education establishment does not accept that a traineeship which is compulsory for the completion of the studies in question be remunerated, the trainee in question must provide a declaration by the higher education establishment to this end. In such exceptional case, the trainee must renounce formally to the above-mentioned grant at the time of signature of the contract, without prejudice to their entitlement to the allowances foreseen under articles 2.3.7, 2.3.8 and 2.3.9.

#### 2.3.7. Disability allowance

Upon request and subject to appropriate supporting documents being produced, a supplement amounting to up to 100% of the grant may be awarded to short-term trainees with disabilities. The Director for Human Resources and Finance will take the decision based on the mandatory opinion of the EESC's medical department, which will determine the amount of the supplement. Where appropriate, other reasonable accommodating measures may be provided.

### 2.3.8. <u>Travel allowance</u>

Short--term trainees shall be entitled to a travel allowance based on the distance between their place of residence and Brussels, under certain conditions. These conditions are laid down in decision 167/23 A published on the EESC website.

#### 2.3.9. Mobility allowance

Short-term trainees shall be entitled to a mobility allowance as a contribution to the cost of local transport in Brussels. These conditions are laid down in decision 167/23 A published on the EESC website.

#### 2.3.10. <u>Tax arrangements</u>

Traineeship grants and other allowances 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 country concerned.

#### 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 Finance 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 of the service to which the trainee has been assigned, under the same conditions as those stipulated for EESC staff.

### 3.2. Health insurance

Health insurance shall be compulsory for all trainees.

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

Long-term trainees shall contribute one third of the relevant premium. The EESC shall provide the standard cover; the premium corresponding to any complementary cover which the trainee may choose to subscribe to under the terms of the insurance contract (if applicable) shall be borne by the trainee concerned.

Long-term trainees who do not take out the health insurance proposed by the EESC must provide proof that they are covered by other equivalent insurance for the full duration of the traineeship.

Trainees on short-term traineeships and trainees receiving grants awarded by outside public bodies must provide proof, before confirmation of their traineeship, that they are covered by a health insurance scheme for the full duration of the traineeship.

#### 3.3. Accident insurance

All trainees are covered by the accident insurance proposed by the EESC.

The premium is paid for entirely by the EESC.

#### 3.4. Suspension of traineeship

The head of the unit responsible for managing traineeships may authorise a trainee to suspend their traineeship for a limited period on the basis of a written and substantiated

request by the trainee concerned, after having obtained the agreement from their 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 traineeships, 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.

For 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. <u>Termination of a traineeship contract at the request of a trainee</u>

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

### 3.6. <u>Termination of a traineeship contract at the request of the EESC</u>

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

#### 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. OTHER PROVISIONS

#### 4.1. Data protection

Trainees' and applicants' personal data shall be processed in accordance with Regulation (EC) No 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data.

### 4.2. Equal opportunities and non-discrimination

When selecting trainees, the EESC applies a policy of equal opportunities and accepts applications without discrimination or distinction based on any grounds such as sex, gender, 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 Finance. 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 two months from the date on which the latter received such notification.

The Director for Human Resources and Finance 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, they 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 before 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 day following that of its publication. It shall apply to all traineeships starting after that date.

This decision supersedes Decision No 201/19 A of 22 July 2019 laying down provisions regarding traineeships at the European Economic and Social Committee.

The Director for Human Resources and Finance shall be responsible for implementing the provisions set out above.

Done at Brussels, on 18.07.2023

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Gianluca BRUNETTI Secretary General