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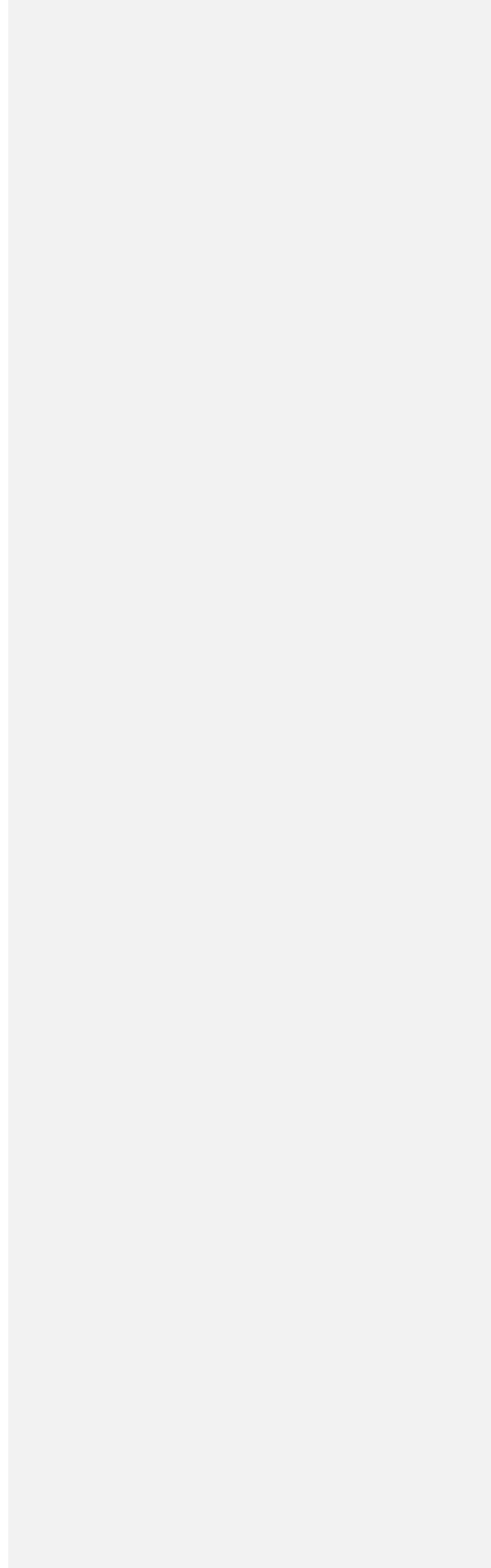
COMPROMISE AMENDMENTS 1 - 16

Draft report
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(PE769.972v01-00)

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')

Proposal for a directive
(COM(2024)0132 – C10-0004/2024 – 2024/0068(COD))

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Amendment 1

Compromise amendment covering Amendments 26-28, 31, 52, 145, 183, 192, 341, 185, 202, 336, 342 (RE), 191, 347 (Left), 196-199, 339, 343, CULT 9, 28 and replacing 181, 204, 350, 351, 182, 201, 344, 346, 184, 186-190, 194, 200, 203, 215, 335, 337, 338, 340, 348, 349, 345

Proposal for a directive

Article 1 – title

Text proposed by the Commission

Amendment

Subject matter

Subject matter *and scope*

Or. en

Amendment 1

Compromise amendment covering same Amendments

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.*

1. This 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:*

(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;

2. *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].

Or. en

Amendment 1

Compromise amendment covering same Amendments

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.*

Or. en

Amendment 1

Compromise amendment covering same Amendments

Proposal for a directive

Recitals 16 a-c (new)

Text proposed by the Commission

Amendment

xx

(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.

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

(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.

Or. en

Amendment 1

Compromise amendment covering same Amendments

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.***

Or. en

Amendment 2

Compromise amendment covering Amendments 53 - 57, 353, 365, 376, 378, 380, 358, 375,

364, 366, 377, 381, CULT 29, 30, 32 and replacing: 352, 354 - 357, 360-363, 368, 369, 371 - 374, 359, 370, 367, 379, CULT 31

Proposal for a directive
Article 2 – paragraph 1 – point a

Text proposed by the Commission

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 ***improving employability and*** facilitating transition ***to a regular*** employment ***relationship*** or accessing a profession;

(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;

Or. en

Amendment 2

Compromise amendment covering same Amendments

Proposal for a directive
Article 2 – paragraph 1 – point b

Text proposed by the Commission

Amendment

xx

(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;***

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

Or. en

Amendment 2

Compromise amendment covering same Amendments

Proposal for a directive

Article 2 – paragraph 1 – point ba (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;

Or. en

Amendment 2

Compromise amendment covering same Amendments

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*

Or. en

Amendment 2

Compromise amendment covering same Amendments

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*

Or. en

Amendment 3

Compromise amendment covering Amendments 205, 414-418, 511, CULT 45

Proposal for a directive

Chapter II – title

Text proposed by the Commission

Amendment

II ***Equal Treatment***

II ***Traineeship agreements and
decent working conditions***

Or. en

Amendment 3

Compromise amendment covering Amendments 205, 414-418, 511, CULT 45

Proposal for a directive

Article 3 – title (new)

Text proposed by the Commission

Amendment

Traineeship agreements

Or. en

Amendment 3

Compromise amendment covering Amendments 205, 414-418, 511, CULT 45

Proposal for a directive

Article 3 – paragraph 1 – introductory part (new)

Text proposed by the Commission

Amendment

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:

Or. en

Amendment 3

Compromise amendment covering Amendments 205, 414-418, 511, CULT 45

Proposal for a directive

Article 3 – paragraph 1 – points a to f (new)

Text proposed by the Commission

Amendment

- (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.*

Or. en

Amendment 3

Compromise amendment covering Amendments 205, 414-418, 511, CULT 45

Proposal for a directive

Article 3 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

- 1 a. Member States shall ensure that traineeship providers put in place adequate training for staff with*

supervisory functions in their establishments.

Or. en

Amendment 3

Compromise amendment covering Amendments 205, 414-418, 511, CULT 45

Proposal for a directive

Article 3 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 3

Compromise amendment covering Amendments 205, 414-418, 511, CULT 45

Proposal for a directive

Article 3 – paragraph 1 c (new)

Text proposed by the Commission

Amendment

1 c. 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.

Or. en

Amendment 4

Compromise amendment covering Amendments 29, 30, 58 - 62, 179, 193, 195, 385, 399, 402, 404, 406, 205, 388, 412, 419, 420, 422, 395, 400, 401, 403, 405, 413, 628, 397, 407, CULT 14, 33-35, 49 and replacing 316, 382, 384, 386, 387, 390, 391, 392, 396, 408, 410, 411, 383, 389,

409, 393, 394, CULT 36

**Proposal for a directive
Article 4 – 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.***

Or. en

Amendment 4

Compromise amendment covering Amendments 29, 30, 58 - 62, 179, 193, 195, 385, 399, 402, 404, 406, 205, 388, 412, 419, 420, 422, 395, 400, 401, 403, 405, 413, 628, 397, 407, CULT 14, 33-35, 49 and replacing 316, 382, 384, 386, 387, 390, 391, 392, 396, 408, 410, 411, 383, 389, 409, 393, 394, CULT 36

**Proposal for a directive
Article 4 – 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.

Or. en

Amendment 4

Compromise amendment covering Amendments 29, 30, 58 - 62, 179, 193, 195, 385, 399, 402,

404, 406, 205, 388, 412, 419, 420, 422, 395, 400, 401, 403, 405, 413, 628, 397, 407, CULT 14, 33-35, 49 and replacing 316, 382, 384, 386, 387, 390, 391, 392, 396, 408, 410, 411, 383, 389, 409, 393, 394, CULT 36

Proposal for a directive
Article 4 – 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.

Or. en

Amendment 4

Compromise amendment covering Amendments 29, 30, 58 - 62, 179, 193, 195, 385, 399, 402, 404, 406, 205, 388, 412, 419, 420, 422, 395, 400, 401, 403, 405, 413, 628, 397, 407, CULT 14, 33-35, 49 and replacing 316, 382, 384, 386, 387, 390, 391, 392, 396, 408, 410, 411, 383, 389, 409, 393, 394, CULT 36

Proposal for a directive
Article 4 – 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.

Or. en

Amendment 4

Compromise amendment covering Amendments 29, 30, 58 - 62, 179, 193, 195, 385, 399, 402, 404, 406, 205, 388, 412, 419, 420, 422, 395, 400, 401, 403, 405, 413, 628, 397, 407, CULT 14, 33-35, 49 and replacing 316, 382, 384, 386, 387, 390, 391, 392, 396, 408, 410, 411, 383, 389, 409, 393, 394, CULT 36

Proposal for a directive Article 4 – 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.

Or. en

Amendment 4

Compromise amendment covering Amendments 29, 30, 58 - 62, 179, 193, 195, 385, 399, 402, 404, 406, 205, 388, 412, 419, 420, 422, 395, 400, 401, 403, 405, 413, 628, 397, 407, CULT 14, 33-35, 49 and replacing 316, 382, 384, 386, 387, 390, 391, 392, 396, 408, 410, 411, 383, 389, 409, 393, 394, CULT 36

Proposal for a directive Article 4 – 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.

deleted

Or. en

Amendment 4

Compromise amendment covering Amendments 29, 30, 58 - 62, 179, 193, 195, 385, 399, 402, 404, 406, 205, 388, 412, 419, 420, 422, 395, 400, 401, 403, 405, 413, 628, 397, 407, CULT 14, 33-35, 49 and replacing 316, 382, 384, 386, 387, 390, 391, 392, 396, 408, 410, 411, 383, 389, 409, 393, 394, CULT 36

Proposal for a directive Article 4 – 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.

Or. en

Amendment 4

Compromise amendment covering Amendments 29, 30, 58 - 62, 179, 193, 195, 385, 399, 402, 404, 406, 205, 388, 412, 419, 420, 422, 395, 400, 401, 403, 405, 413, 628, 397, 407, CULT 14, 33-35, 49 and replacing 316, 382, 384, 386, 387, 390, 391, 392, 396, 408, 410, 411, 383, 389, 409, 393, 394, CULT 36

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.

Or. en

Amendment 4

Compromise amendment covering Amendments 29, 30, 58 - 62, 179, 193, 195, 385, 399, 402, 404, 406, 205, 388, 412, 419, 420, 422, 395, 400, 401, 403, 405, 413, 628, 397, 407, CULT 14, 33-35, 49 and replacing 316, 382, 384, 386, 387, 390, 391, 392, 396, 408, 410, 411, 383, 389, 409, 393, 394, CULT 36

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).

Or. en

Amendment 4

Compromise amendment covering Amendments 29, 30, 58 - 62, 179, 193, 195, 385, 399, 402, 404, 406, 205, 388, 412, 419, 420, 422, 395, 400, 401, 403, 405, 413, 628, 397, 407, CULT 14, 33-35, 49 and replacing 316, 382, 384, 386, 387, 390, 391, 392, 396, 408, 410, 411, 383, 389, 409, 393, 394, CULT 36

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.

Or. en

Amendment 4

Compromise amendment covering Amendments 29, 30, 58 - 62, 179, 193, 195, 385, 399, 402, 404, 406, 205, 388, 412, 419, 420, 422, 395, 400, 401, 403, 405, 413, 628, 397, 407, CULT 14, 33-35, 49 and replacing 316, 382, 384, 386, 387, 390, 391, 392, 396, 408, 410, 411, 383, 389,

409, 393, 394, CULT 36

**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.

Or. en

Amendment 5

Compromise amendment covering Amendments 32, 63 - 65, 206, 423, 425, 432, 429, 433, 435, 439, 208, 251, 436, 440, 431 and replacing: 209, 210, 424, 426, 428, 430, 434, 437, 438, 441, 427, 207

**Proposal for a directive
Chapter III – title**

Text proposed by the Commission

Amendment

III **Regular** employment relationships disguised as traineeships

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

Or. en

Amendment 5

Compromise amendment covering Amendments 32, 63 - 65, 206, 423, 425, 432, 429, 433, 435, 439, 208, 251, 436, 440, 431 and replacing: 209, 210, 424, 426, 428, 430, 434, 437, 438, 441, 427, 207

Proposal for a directive

Article 5 – title

Text proposed by the Commission

Amendment

Measures to combat **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

Or. en

Amendment 5

Compromise amendment covering Amendments 32, 63 - 65, 206, 423, 425, 432, 429, 433, 435, 439, 208, 251, 436, 440, 431 and replacing: 209, 210, 424, 426, 428, 430, 434, 437, 438, 441, 427, 207

Proposal for a directive

Article 5 – paragraph 1

Text proposed by the Commission

Amendment

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,

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

including working conditions and pay, than the worker concerned would be entitled to under Union or national law, collective agreements or practice.

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.

Or. en

Amendment 5

Compromise amendment covering Amendments 32, 63 - 65, 206, 423, 425, 432, 429, 433, 435, 439, 208, 251, 436, 440, 431 and replacing: 209, 210, 424, 426, 428, 430, 434, 437, 438, 441, 427, 207

Proposal for a directive Article 5 – 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.

Or. en

Amendment 5

Compromise amendment covering Amendments 32, 63 - 65, 206, 423, 425, 432, 429, 433, 435, 439, 208, 251, 436, 440, 431 and replacing: 209, 210, 424, 426, 428, 430, 434, 437, 438, 441, 427, 207

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.*

Or. en

Amendment 5

Compromise amendment covering Amendments 32, 63 - 65, 206, 423, 425, 432, 429, 433, 435, 439, 208, 251, 436, 440, 431 and replacing: 209, 210, 424, 426, 428, 430, 434, 437, 438, 441, 427, 207

Proposal for a directive

Recital 18 a (new)

Text proposed by the Commission

(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.

Or. en

Amendment 5

Compromise amendment covering Amendments 32, 63 - 65, 206, 423, 425, 432, 429, 433, 435, 439, 208, 251, 436, 440, 431 and replacing: 209, 210, 424, 426, 428, 430, 434, 437, 438, 441, 427, 207

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.

Or. en

Amendment 6

Compromise amendment covering Amendments 33-44, 66-83, 257, 489, 526, 212, 221, 229, 232, 241, 258, 260, 266, 270, 277, 288, 442, 446, 456, 460, 465, 471, 474, 480, 486, 488, 498, 504, 512, 520, 533, 539, 264, 272, 278, 447, 452, 453, 457, 461, 464, 487, 494, 495, 525, 537, 538, 458, 463, 481, 507, 521, 475, 532, 213, 220, 227, 262, 265, 271, 280, 289, 476, 496, 522, 534, 540, 524, 531, CULT 11, 12, 13, 15, 16, 18, 21, 22, 41-44 and replacing: 223, 236, 281, 443, 491, 214, 216, 218, 219, 224-226, 228, 231, 233, 234, 235, 237, 239, 240, 242, 243, 246, 247, 248, 253-256, 259, 261, 263, 267-269, 273-276, 279, 282- 287, 290, 444, 445, 448, 450, 451, 454, 459, 462, 466, 467, 468, 469, 470, 472, 473, 477, 478, 479, 482, 484, 485, 492, 493, 497, 499, 500, 501, 502, 503, 505, 506, 508, 509, 510, 514, 515, 523, 527-530, 535, 250, 449,

211, 217, 222, 230, 238, 333, 455, 483, 516-519, 513, 249, 252, 536, CULT 17, 19, 20, 37-40

Proposal for a directive
Article 6 – title

Text proposed by the Commission

Amendment

Or. en

Amendment 6

Compromise amendment covering the same Amendments

Proposal for a directive
Article 6 – paragraph

Text proposed by the Commission

Amendment

Assessment of *regular* employment relationships disguised as traineeships

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

Or. en

Amendment 6

Compromise amendment covering the same Amendments

Proposal for a directive
Article 6 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

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:*

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:*

Or. en

Amendment 6

Compromise amendment covering the same Amendments

Proposal for a directive

Article 6 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) the excessive duration of the purported traineeship or multiple and/or consecutive purported traineeships with the same employer by the same person;

deleted

Or. en

Amendment 6

Compromise amendment covering the same Amendments

Proposal for a directive

Article 6 – 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;*

Or. en

Amendment 6

Compromise amendment covering the same Amendments

Proposal for a directive Article 6 – 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

Or. en

Amendment 6

Compromise amendment covering the same Amendments

Proposal for a directive Article 6 – 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;*

Or. en

Amendment 6

Compromise amendment covering the same Amendments

Proposal for a directive

Article 6 – 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***

Or. en

Amendment 6

Compromise amendment covering the same Amendments

Proposal for a directive

Article 6 – 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;

Or. en

Amendment 6

Compromise amendment covering the same Amendments

Proposal for a directive

Article 6 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) a high ratio of purported traineeships compared with regular employment relationships with the same ***deleted***

employer;

Or. en

Amendment 6

Compromise amendment covering the same Amendments

Proposal for a directive

Article 6 – 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;

Or. en

Amendment 6

Compromise amendment covering the same Amendments

Proposal for a directive

Article 6 – 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*

Or. en

Amendment 6

Compromise amendment covering the same Amendments

Proposal for a directive

Article 6 – 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;

Or. en

Amendment 6

Compromise amendment covering the same Amendments

Proposal for a directive

Article 6 – 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.

Or. en

Amendment 6

Compromise amendment covering the same Amendments

Proposal for a directive

Article 6 – 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;

Or. en

Amendment 6

Compromise amendment covering the same Amendments

Proposal for a directive

Article 6 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

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:

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:

Or. en

Amendment 6

Compromise amendment covering the same Amendments

Proposal for a directive

Article 6 – paragraph 2 – point a

Text proposed by the Commission

Amendment

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

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

Or. en

Amendment 6

Compromise amendment covering the same Amendments

Proposal for a directive

Article 6 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) the duration of traineeships

(b) the duration of traineeships;

Or. en

Amendment 6

Compromise amendment covering the same Amendments

Proposal for a directive

Article 6 – 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, tasks and responsibilities of *the* trainees and of *other workers in the same establishment*;

Or. en

Amendment 6

Compromise amendment covering the same Amendments

Proposal for a directive

Article 6 – paragraph 2 – point d

Text proposed by the Commission

Amendment

(d) the descriptions of the learning and training components of traineeships;

(d) the descriptions of the learning and training components of traineeships **as indicated in the written traineeship agreement;**

Or. en

Amendment 6

Compromise amendment covering the same Amendments

Proposal for a directive

Article 6 – paragraph 2 – point e

Text proposed by the Commission

Amendment

(e) the vacancy notices for traineeships.

(e) the vacancy notices for traineeships.

Or. en

Amendment 6

Compromise amendment covering the same Amendments

Proposal for a directive

Article 6 – 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:

Or. en

Amendment 6

Compromise amendment covering the same Amendments

Proposal for a directive

Article 6 – 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 *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.*

Or. en

Amendment 6

Compromise amendment covering the same Amendments

Proposal for a directive

Article 6 – 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 *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 after the completion of the traineeship* in the vacancy notices and advertisements for traineeships.

Or. en

Amendment 6

Compromise amendment covering the same Amendments

Proposal for a directive

Article 6 – 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

Or. en

Amendment 6

Compromise amendment covering the same Amendments

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.

Or. en

Amendment 6

Compromise amendment covering the same Amendments

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.**

Or. en

Amendment 6

Compromise amendment covering the same Amendments

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

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 *who have an 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*.

permanent workers solely because they have a fixed-term contract or relation unless different treatment is justified on objective grounds. Trainees 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 *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.*

Or. en

Amendment 6

Compromise amendment covering the same Amendments

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*

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

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.*

being a trainee cannot constitute grounds for less favourable treatment compared to *other workers* in the same establishment.

Or. en

Amendment 6

Compromise amendment covering the same Amendments

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**

Or. en

Amendment 6

Compromise amendment covering the same Amendments

Proposal for a directive Recital 24

Text proposed by the Commission

Amendment

(24) Member States should have **deleted**

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.

Or. en

Amendment 6

Compromise amendment covering the same Amendments

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 **thorough data collection, as well as regular and** 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.**

Or. en

Amendment 6

Compromise amendment covering the same Amendments

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.

Or. en

Amendment 6

Compromise amendment covering the same Amendments

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

Amendment

(27) *Trainees should not be required to have previous work experience in the same field in order to access a traineeship*

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 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.*

Or. en

Amendment 6

Compromise amendment covering the same Amendments

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.*

Or. en

Amendment 6

Compromise amendment covering the same Amendments

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.

Or. en

Amendment 6

Compromise amendment covering the same Amendments

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.

Or. en

Amendment 7

Compromise amendment covering the Amendments 7, 45, 46, 84-85, 555, 560, 158, 291, 550, 553, 566, 570, 575, 632, 564, 565, 574, 612, 159, 576-578, CULT 10, 46, 47 and replacing 19, 541, 567, 157, 292, 542, 544-549, 552, 556-559, 561-563, 568, 569, 571-573, 579, 160, 332, 543, 551, 554, 293

Proposal for a directive

Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

Member States shall take effective measures to ensure that all relevant Union law applicable to workers is fully implemented and enforced in relation to trainees. In particular they shall:

Amendment

Member States shall take effective measures to ensure that all relevant Union law applicable to workers is fully implemented and enforced in relation to trainees. In particular they shall:

Or. en

Amendment 7

Compromise amendment covering the same Amendments

Proposal for a directive

Article 7 – paragraph 1 – point a

Text proposed by the Commission

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

Amendment

(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**;

Or. en

Amendment 7

Compromise amendment covering the same Amendments

Proposal for a directive

Article 7 – 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 **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**;

Or. en

Amendment 7

Compromise amendment covering the same Amendments

Proposal for a directive

Article 7 – 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;

Or. en

Amendment 7

Compromise amendment covering the same Amendments

Proposal for a directive

Article 7 – 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;

Or. en

Amendment 7

Compromise amendment covering the same Amendments

Proposal for a directive

Article 7 – paragraph 1 – point e

Text proposed by the Commission

(e) develop the capability of the

Amendment

(e) develop the capability of the

competent authorities, in particular through training and guidance, to proactively target and pursue non-compliant **employers**;

competent authorities, in particular through training and guidance, to proactively target and pursue non-compliant **traineeship providers**;

Or. en

Amendment 7

Compromise amendment covering the same Amendments

Proposal for a directive

Article 7 – 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**;

Or. en

Amendment 7

Compromise amendment covering the same Amendments

Proposal for a directive

Article 7 – 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;

Or. en

Amendment 7

Compromise amendment covering the same Amendments

Proposal for a directive

Article 7 – 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;

Or. en

Amendment 7

Compromise amendment covering the same Amendments

Proposal for a directive

Recital 31

Text proposed by the Commission

Amendment

(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.

deleted

Or. en

Amendment 7

Compromise amendment covering the same Amendments

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

(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).

Or. en

Amendment 8

Compromise amendment covering the same Amendments 47, 86, 580, 586, 587, 588, 589, 627,

CULT 23, 48, 49 and replacing 581, 295-298, 582, 584, 585, 583

Proposal for a directive
Article 8 – title

Text proposed by the Commission

Amendment

Right to redress

Dispute resolution and right to redress

Or. en

Amendment 8

Compromise amendment covering the same Amendments 47, 86, 580, 586, 587, 588, 589, 627, CULT 23, 48 and replacing 581, 295-298, 582, 584, 585, 583

Proposal for a directive
Article 8 – paragraph 1

Text proposed by the Commission

Amendment

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.

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.

Or. en

Amendment 8

Compromise amendment covering the same Amendments 47, 86, 580, 586, 587, 588, 589, 627, CULT 23, 48 and replacing 581, 295-298, 582, 584, 585, 583

Proposal for a directive
Article 8 – 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.

Or. en

Amendment 8

Compromise amendment covering the same Amendments 47, 86, 580, 586, 587, 588, 589, 627, CULT 23, 48 and replacing 581, 295-298, 582, 584, 585, 583

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.

Or. en

Amendment 9

Compromise amendment covering the same Amendments 48, 49, 87, 594, 304, 596, 303, 310, 598, 302, 309, 599, CULT 50 and replacing: 590, 299-301, 306-308, 311, 591, 593, 595, 597, 592

Proposal for a directive

Article 1 – 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.**

Or. en

Amendment 9

Compromise amendment covering the same Amendments 48, 49, 87, 594, 304, 596, 303, 310, 598, 302, 309, 599, CULT 50 and replacing: 590, 299-301, 306-308, 311, 591, 593, 595, 597,

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.

Or. en

Amendment 9

Compromise amendment covering the same Amendments 48, 49, 87, 594, 304, 596, 303, 310, 598, 302, 309, 599, CULT 50 and replacing: 590, 299-301, 306-308, 311, 591, 593, 595, 597, 592

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 to workers.

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 Directive or in other Union law applicable to workers.

Or. en

Amendment 10

Compromise amendment covering the same Amendments 88-91, 312, 600, 601, 616, 621, 622, 602, 611, 610, 620 and replacing: 603-606, 608, 609, 613, 615, 618, 619, 624, 626, 607, 614, 617, 623, 625, CULT 51

Proposal for a directive Article 10 – title

Text proposed by the Commission

Amendment

Protection against adverse treatment and consequences

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

Or. en

Amendment 10

Compromise amendment covering the same Amendments 88-91, 312, 600, 601, 616, 621, 622, 602, 611, 610, 620 and replacing: 603-606, 608, 609, 613, 615, 618, 619, 624, 626, 607, 614, 617, 623, 625, CULT 51

Proposal for a directive Article 10 – paragraph 1

Text proposed by the Commission

Amendment

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.

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.

Or. en

Amendment 10

Compromise amendment covering the same Amendments 88-91, 312, 600, 601, 616, 621, 622, 602, 611, 610, 620 and replacing: 603-606, 608, 609, 613, 615, 618, 619, 624, 626, 607, 614, 617, 623, 625, CULT 51

Proposal for a directive Article 10 – 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.

Or. en

Amendment 10

Compromise amendment covering the same Amendments 88-91, 312, 600, 601, 616, 621, 622, 602, 611, 610, 620 and replacing: 603-606, 608, 609, 613, 615, 618, 619, 624, 626, 607, 614, 617, 623, 625, CULT 51

Proposal for a directive Article 10 – 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 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.

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 ***traineeship provider to supply*** duly substantiated grounds for the dismissal or the equivalent measures. The ***traineeship provider*** shall provide those grounds in writing.

Or. en

Amendment 10

Compromise amendment covering the same Amendments 88-91, 312, 600, 601, 616, 621, 622, 602, 611, 610, 620 and replacing: 603-606, 608, 609, 613, 615, 618, 619, 624, 626, 607, 614, 617, 623, 625, CULT 51

Proposal for a directive Article 10 – 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.

Or. en

Amendment 10

Compromise amendment covering the same Amendments 88-91, 312, 600, 601, 616, 621, 622, 602, 611, 610, 620 and replacing: 603-606, 608, 609, 613, 615, 618, 619, 624, 626, 607, 614, 617, 623, 625, CULT 51

Proposal for a directive Article 10 – 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.

Or. en

Amendment 10

Compromise amendment covering the same Amendments 88-91, 312, 600, 601, 616, 621, 622, 602, 611, 610, 620 and replacing: 603-606, 608, 609, 613, 615, 618, 619, 624, 626, 607, 614, 617, 623, 625, CULT 51

Proposal for a directive Article 10 – paragraph 5

Text proposed by the Commission

5. Member States shall not be required to apply paragraph 4 to proceedings in which it is for the court or other competent authority or body to investigate the facts of the case.

Amendment

5. Member States shall not be required to apply paragraph 4 to proceedings in which it is for the court or other competent authority or body to investigate the facts of the case.

Or. en

Amendment 10

Compromise amendment covering the same Amendments 88-91, 312, 600, 601, 616, 621, 622, 602, 611, 610, 620 and replacing: 603-606, 608, 609, 613, 615, 618, 619, 624, 626, 607, 614, 617, 623, 625, CULT 51

Proposal for a directive Article 10 – paragraph 6

Text proposed by the Commission

6. Paragraph 4 shall not apply to criminal proceedings, unless otherwise provided by the Member State.

Amendment

6. Paragraph 4 shall not apply to criminal proceedings, unless otherwise provided by the Member State.

Or. en

Amendment 10

Compromise amendment covering the same Amendments 88-91, 312, 600, 601, 616, 621, 622, 602, 611, 610, 620 and replacing: 603-606, 608, 609, 613, 615, 618, 619, 624, 626, 607, 614,

617, 623, 625, CULT 51

**Proposal for a directive
Recital 35 a (new)**

Text proposed by the Commission

Amendment

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.

Or. en

Amendment 15

Compromise amendment covering Amendments 315, 632

**Proposal for a directive
Article 10 a (new)**

Text proposed by the Commission

Amendment

Article 10a

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 -11(2).

Or. en

Amendment 15

Compromise amendment covering Amendments 315, 632

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.

Or. en

Amendment 15

Compromise amendment covering Amendments 315, 632

Proposal for a directive Article -11 (new)

Text proposed by the Commission

Amendment

Article -11

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.

Or. en

Amendment 15

Compromise amendment covering Amendments 315, 632

Proposal for a directive Recital 36b (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*

*** 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>).**

Or. en

Amendment 11

Compromise amendment covering Amendments 314, 630 and replacing: 313, 629, 631

Proposal for a directive Article 11 – paragraph 1

Text proposed by the Commission

Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Directive or the relevant provisions already in force concerning the rights which are within the scope of this Directive. The penalties provided for shall be effective, proportionate and dissuasive.

Amendment

Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Directive or the relevant provisions already in force concerning the rights which are within the scope of this Directive. The penalties provided for shall be effective, proportionate and dissuasive.

Or. en

Amendment 11

Compromise amendment covering Amendments 314, 630 and replacing: 313, 629, 631

Proposal for a directive Recital 36

Text proposed by the Commission

(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.

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 *adequate* compensation, as well as other types of penalties.

Or. en

Amendment 12

Compromise amendment covering Amendments 50, 51, 92-94, 324, 634, 323, 637, 640, 641,

642 and replacing: 633, 326, 635, 638, 639, 643, 319-322, 636, 644

Proposal for a directive
Article 12 – paragraph 1

Text proposed by the Commission

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.

Amendment

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.

Or. en

Amendment 12

Compromise amendment covering Amendments 50, 51, 92-94, 324, 634, 323, 637, 640, 641, 642 and replacing: 633, 326, 635, 638, 639, 643, 319-322, 636, 644

Proposal for a directive
Article 12 – paragraph 2

Text proposed by the Commission

2. This Directive shall not constitute valid grounds for reducing the general level of protection already afforded to workers, including trainees, within Member States.

Amendment

2. This Directive shall not constitute valid grounds for reducing the general level of protection already afforded to workers, including trainees, within Member States.

Or. en

Amendment 12

Compromise amendment covering Amendments 50, 51, 92-94, 324, 634, 323, 637, 640, 641, 642 and replacing: 633, 326, 635, 638, 639, 643, 319-322, 636, 644

Proposal for a directive
Article 12 – paragraph 3

Text proposed by the Commission

3. This Directive shall not affect Member States' prerogative to apply or to introduce laws, regulations or

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 **workers** or to encourage or permit the application of collective agreements which are more favourable to **workers**.

administrative provisions which are more favourable to **trainees** or to encourage or permit the application of collective agreements which are more favourable to **trainees**.

Or. en

Amendment 12

Compromise amendment covering Amendments 50, 51, 92-94, 324, 634, 323, 637, 640, 641, 642 and replacing: 633, 326, 635, 638, 639, 643, 319-322, 636, 644

Proposal for a directive

Article 12 – 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.

Or. en

Amendment 12

Compromise amendment covering Amendments 50, 51, 92-94, 324, 634, 323, 637, 640, 641, 642 and replacing: 633, 326, 635, 638, 639, 643, 319-322, 636, 644

Proposal for a directive

Recital 38

Text proposed by the Commission

Amendment

(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

(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**

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.

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.

Or. en

Amendment 12

Compromise amendment covering Amendments 50, 51, 92-94, 324, 634, 323, 637, 640, 641, 642 and replacing: 633, 326, 635, 638, 639, 643, 319-322, 636, 644

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.

Or. en

Amendment 13

Compromise amendment covering Amendments 645, 421, 647, 648, 649, 398, 441, 52, 53 (CULT) and replacing: 334, 646, 490

Proposal for a directive Article 13 – 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.

Or. en

Amendment 13

Compromise amendment covering Amendments 645, 421, 647, 648, 649, 398, 441, 52, 53 (CULT) and replacing: 334, 646, 490

Proposal for a directive Article 13 – paragraph 3

Text proposed by the Commission

3. Member States shall communicate to the Commission the text of the measures of national law which they adopt in the field covered by this Directive.

Amendment

3. Member States shall communicate to the Commission the text of the measures of national law which they adopt in the field covered by this Directive.

Or. en

Amendment 13

Compromise amendment covering Amendments 645, 421, 647, 648, 649, 398, 441, 52, 53 (CULT) and replacing: 334, 646, 490

Proposal for a directive Article 13 – paragraph 4

Text proposed by the Commission

4. Member States shall, in accordance

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.

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.***

Or. en

Amendment 13

Compromise amendment covering Amendments 645, 421, 647, 648, 649, 398, 441, 52, 53 (CULT) and replacing: 334, 646, 490

Proposal for a directive Article 13 – paragraph 5a (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.

Or. en

Amendment 14

Compromise amendment covering Amendments 651, 652, 654, 653, 54 (CULT) and replacing: 650

Proposal for a directive Article 14 – paragraph 1

Text proposed by the Commission

Amendment

1. By [5 years after the date of transposition], ***Member States shall***

1. By [3 years after the date of transposition], the Commission ***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.

submit a report to the European Parliament and to the Council, following its assessment of the implementation of this Directive.

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

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.

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.

Commenté [VPC1]: Previously 14.2

Or. en

Amendment 14

Compromise amendment covering Amendments 651, 652, 654, 653, 54 (CULT) and replacing: 650

Proposal for a directive Article 14 – 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

Or. en

Amendment 16

Compromise amendment covering Amendments 1 and replacing 98, 99, 101, 100

Proposal for a directive Title

Text proposed by the Commission

Amendment

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)

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)]

Or. en