



2024/0068(COD)

10.9.2025

COMPROMISE AMENDMENTS

A - T

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 A

Compromise amendment covering Amendments 105, CULT 1, replacing 106

Proposal for a directive

Recital 1

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment B

Compromise amendment covering Amendments 3, 103

Proposal for a directive

Recital 1a (new)

Text proposed by the Commission

Amendment

(1a) Article 21 of the Charter of Fundamental Rights of the European Union (the 'Charter') prohibits any discrimination based on any grounds such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, memberships of a national minority, property, birth, disability, age or

sexual orientation; Article 31 of the Charter guarantees the right of every worker to fair and just working conditions for all workers; and Article 32 provides for the protection of young people at work, particularly against economic exploitation.

Or. en

Amendment C

Compromise amendment covering Amendments 3, 4, 104, 107

Proposal for a directive

Recital 1 b (new)

Text proposed by the Commission

Amendment

(1b) Chapters I and II of the European Pillar of Social Rights (the ‘Pillar’), proclaimed at Gothenburg on 17 November 2017, establish a set of principles to guide the Union and its Member States towards equal opportunities on and access to the labour market, fair working conditions and social protection and inclusion. Principle 1 of the Pillar recognises the right to quality and inclusive education, training and life-long learning to maintain and acquire skills for full participation in society and successful management of transitions in the labour market. Principle 3 of the Pillar underlines that, regardless of gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation, everyone has the right to equal treatment and opportunities in employment, education and social protection, with particular attention to under-represented groups. Principle 4 of the Pillar affirms that young people have the right to continued education, apprenticeship, traineeship or a job offer of good standing within four months of becoming unemployed or leaving education. Principle 5 of the Pillar

provides that, regardless of the type and duration of the employment relationship, workers have the right to fair and equal treatment regarding working conditions, access to social protection and training, and that employment relationships that lead to precarious working conditions are to be prevented. Principle 6 of the Pillar guarantees the right to fair wages that provide for a decent standard of living, and principle 17 of the Pillar underlines the right of persons with disabilities to inclusion and active participation in society and the labour market.

Or. en

Amendment D

Compromise amendment covering amendment 108

Proposal for a directive

Recital 2

Text proposed by the Commission

Amendment

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

deleted

Or. en

Amendment E

Compromise amendment covering Amendments 5, 109, 110, CULT 2

Proposal for a directive
Recital 3

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment F

Compromise amendment covering Amendments 111, 112-115,180, CULT 3; replacing 6, 116, 117

Proposal for a directive
Recital 4

Text proposed by the Commission

(4) Labour shortages exist in **many** occupations and **at all skills levels. They** are expected to increase with the projected decline in the working age population and

Amendment

(4) Labour **and skills** shortages exist in **a number of** occupations and are expected to increase with the projected decline in the working age population and increasing

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

demand for ***numerous sectors and*** occupations relevant for the green and digital transition ***and other emerging sectors.*** ***As highlighted by the Draghi and Letta reports, lack of investment in skills will only exacerbate these shortages.*** Quality traineeships ***are*** a useful ***opportunity for people making the transition from education to employment*** to acquire practical skills on the job to enter the labour market.

Or. en

Amendment G

Compromise amendment covering Amendments 10-11, 120-126, 128, 130, CULT 4

Proposal for a directive

Recital 5

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment H

Compromise amendment covering Amendments 134,
replacing: 12, 132, 135, 133

Proposal for a directive Recital 6

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment I

Compromise amendment covering Amendments 13-17, 127, 131, 139, 140, 143, 142, 161, 144, 146, 145, 149, 154, CULT 7, 8 and replacing: 102, 136, 137, 138, 141, 167

Proposal for a directive Recital 7 and 7a, 7b (new)

Text proposed by the Commission

(7) ***Additionally, trainees are less likely to defend their rights due to their***

Amendment

(7) The absence, complexity or diversity of regulatory frameworks for

vulnerable positions in the labour market.

The absence, complexity or diversity of regulatory frameworks for traineeships in various Member States alongside an insufficient enforcement of national legislation and the lack of capacity for controls and inspections, as well as a lack of clarity regarding the authority responsible for control and enforcement, ***are among the main factors*** leading to ***the problematic*** use of traineeships.

traineeships in various Member States alongside an insufficient enforcement of national legislation and the lack of capacity for controls and inspections, as well as a lack of clarity regarding the authority responsible for control and enforcement, ***risk*** leading to ***practices that circumvent the purpose*** of traineeships. ***The lack of official statistics on traineeships also hampers the assessment of their quality and effectiveness. The European Court of Auditors has identified challenges related to the varying definition of traineeships, inconsistent application of the 2014 Council Recommendation on quality traineeships in the Member States, and limited reliable data, which may hinder evidence-based policymaking and create variations in opportunities and accessibility for young people from different social backgrounds. These gaps contribute to the vulnerability of trainees, who often find themselves unable to defend their rights due to their vulnerable position in the labour market.***

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

(7b) Unpaid or poorly paid traineeships are particularly difficult to access by

young people from vulnerable backgrounds and this results in direct or indirect discrimination on grounds such as age, sex, race, colour, ethnic and social origin, disability and others. The European Parliament has repeatedly condemned the practice of unpaid traineeships as a form of exploitation of young workers and a violation of their rights and has called for a common legal framework to ensure fair remuneration for traineeships in order to avoid exploitative practices.

Or. en

Amendment J

Compromise amendment covering Amendments 149, 154, 155, 156, CULT 6 and replacing: 18, 131, 147, 148, 150, 151, 152, 153

Proposal for a directive

Recital 8

Text proposed by the Commission

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

Amendment

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

and territorial cohesion in the Union.

Or. en

Amendment K

Compromise amendment covering Amendments 9, 118 and replacing: 20, 162

Proposal for a directive

Recital 10

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment L

Compromise amendment covering Amendments 21 and replacing: 63

Proposal for a directive

Recital 11

Text proposed by the Commission

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

Amendment

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

labour market policies and traineeships that are a mandatory part of professional training, in order to ensure minimum quality standards, including rules on the duration of the traineeships, access to social protection in accordance with national law and practice as well as pay that ensures a decent standard of living in order to avoid exploitative practices”.

traineeships that are a mandatory part of professional training, in order to ensure minimum quality standards, including rules on the duration of the traineeships, access to social protection in accordance with national law and practice as well as pay that ensures a decent standard of living in order to avoid exploitative practices”.

Or. en

Amendment M

Compromise amendment covering Amendments 165 and replacing 164

Proposal for a directive

Recital 12

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment N

Compromise amendment covering Amendments 22-24, 166

Proposal for a directive
Recital 14 a, 14 b, 14 c (new)

Text proposed by the Commission

Amendment

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

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

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

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

Or. en

Amendment O

Compromise amendment covering Amendments 25, 171, 175 and replacing: 168, 169, 170,

172, 176, 177, 178, 173, 174, CULT 7

Proposal for a directive
Recital 15

Text proposed by the Commission

Amendment

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

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

Or. en

Amendment P

Compromise amendment covering Amendments 8, 119, 244-245, 95, 96, 305

Proposal for a directive
Recital 15 a (new)

Text proposed by the Commission

Amendment

(15a) The Union and the Member States are party to the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), Article 27 of which requires ensuring access for persons with disabilities to general technical and vocational training, and promoting their participation in the open labour market. The Strategy for the

Rights of Persons with Disabilities 2021–2030 aims to ensure the full participation of persons with disabilities in society, on an equal basis with others, including through access to training and reskilling as a fundamental requisite for employment and independence. Barriers to accessing high-quality traineeships might also arise, from the automatic loss of disability allowance to lack of reasonable accommodation and financial support, which may also discourage employers. Ensuring equal and non-discriminatory access to traineeships is essential, particularly in light of digitalisation, automation and the development of new technologies, and in view of the fact that approximately 26,8% of Union citizens aged 16 and above report some form of disability.

Or. en

Amendment Q

Compromise amendment covering Amendments 294

Proposal for a directive

Recital 31 a (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment R

Compromise amendment covering Amendments 317, 318

Proposal for a directive
Recital 37

Text proposed by the Commission

(37) This Directive lays down minimum requirements, thus leaving untouched Member States' prerogative to introduce and maintain more favourable provisions. Rights acquired under the existing legal framework should continue to apply, unless more favourable provisions are introduced by this Directive.

Amendment

(37) This Directive lays down minimum requirements, thus leaving untouched Member States' prerogative to introduce and maintain more favourable provisions. Rights acquired under the existing legal framework should continue to apply, unless more favourable provisions are introduced by this Directive.

Or. en

Amendment S

Compromise amendment covering Amendments 325, 327, CULT 24

Proposal for a directive
Recital

Text proposed by the Commission

(39) In implementing this Directive Member States should avoid imposing unnecessary administrative, financial and legal constraints, in particular if they hold back the creation and development of micro, small and medium-sized enterprises. Member States are therefore encouraged to assess the impact of their transposition measures on those enterprises in order to ensure that they are not disproportionately affected, paying particular attention to microenterprises and to the administrative burden, to publish the results of such assessments, and to provide support to those enterprises as necessary.

Amendment

(39) In implementing this Directive Member States should avoid imposing unnecessary administrative, financial and legal constraints, in particular if they hold back the creation and development of micro, small and medium-sized enterprises. Member States are therefore encouraged to assess the impact of their transposition measures on those enterprises in order to ensure that they are not disproportionately affected, paying particular attention to microenterprises and to the administrative burden, to publish the results of such assessments, and to provide support to those enterprises as necessary.

Or. en

Amendment T

Compromise amendment covering Amendments 328-331

Proposal for a directive
Recital

Text proposed by the Commission

(40) Member States may entrust the social partners with the implementation of this Directive, where the social partners jointly request to do so and provided that the Member States take all the necessary steps to ensure that they can at all times guarantee the results sought under this Directive. They should also, in accordance with 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 the provisions of this Directive.

Amendment

(40) Member States may entrust the social partners with the implementation of this Directive, where the social partners jointly request to do so and provided that the Member States take all the necessary steps to ensure that they can at all times guarantee the results sought under this Directive. They should also, in accordance with 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 the provisions of this Directive.

Or. en