



DECISION No 201/19 A
laying down provisions regarding traineeships
at the European Economic and Social Committee

THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE,

HAVING REGARD TO Rule 79, paragraph 4 of the Rules of Procedure of the European Economic and Social Committee (henceforth "the EESC"), as last amended on 15 March 2019;

HAVING REGARD TO Decision No 201/16 A of 16 September 2016 laying down provisions regarding traineeships at the European Economic and Social Committee;

HAVING REGARD TO Regulation (EC) No 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data;

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

WHEREAS (1) it is in the interests of European integration, and more particularly of the EESC, to make the latter's activities – especially the scope of its consultative role – better known to recent university graduates and students through a traineeship programme;

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

HAS DECIDED AS FOLLOWS:

1. GENERAL PROVISIONS

1.1. Scope, objectives and organisation of traineeships

1.1.1. Scope

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

1.1.2. Objectives

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

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

1.1.3. Trainee status

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

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

1.1.4. Trainee supervision

The unit responsible for managing traineeships shall supervise the whole programme, including both administrative and educational aspects. A trainee's activities within the department to which he or she has been assigned shall be guided by a traineeship adviser ("conseiller de stage"), appointed by the head of the unit to which the trainee is assigned. The traineeship adviser shall be responsible for the trainee's job description and training, and for providing advice as to how to approach the work he or she is assigned.

1.1.5. Trainee participation

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

1.1.6. Study visits and training courses

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

1.2. Eligibility criteria

- Trainees are selected from nationals of the Member States of the European Union. However, a limited number of nationals of non-Member States can also be accepted on condition that the applicant fulfils all legal requirements concerning work and/or residence permits in Belgium.
- Applicants must have a thorough command of one EU language and a satisfactory command of another EU language, one of which must be English or French.
- Applicants who have received a letter of offer confirming their traineeship must provide proof of their medical fitness for undertaking a traineeship and an extract from police records to provide proof they have the good character necessary to carry out the tasks assigned to them.

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

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

1.3. **Trainees' rights and obligations**

1.3.1. **Service requirements**

During their traineeship, trainees must comply with the instructions given by their traineeship adviser and with internal instructions and decisions, so as to avoid any conflicts of interest and/or anything detrimental to the EESC's image. They are also bound to the same principles regarding ethics and integrity as officials and other agents serving in the EESC.

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

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

1.3.2. **Traineeship contract**

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

Where a trainee is completing a traineeship as part of his or her studies, the provisions of the present decision and the contract drawn up by the EESC shall prevail over those of the university or the higher education institution in question. The applicable law shall remain European Union law and the competent jurisdiction shall remain the European Court of Justice of the European Union. Trainees are solely responsible for liaising with their

educational institution and ensuring that all obligations are fulfilled concerning the validation of the traineeship towards the degree.

1.3.3. Working hours

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

1.3.4. Authorised absence

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

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

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

1.3.5. Absence due to sickness

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

1.3.6. Unauthorised absence

Should a trainee be absent without prior authorisation and without providing a medical certificate, the traineeship advisor shall immediately inform the head of the unit responsible for managing traineeships. He or she shall request a written explanation for such absence. The number of days of unauthorised absence shall be deducted from the trainee's leave entitlement.

Should the explanation provided not be satisfactory, or in the absence of any grounds being provided for such absence, the head of the unit responsible for managing traineeships may initiate termination of the traineeship contract under Article 3.6.

1.3.7. Confidentiality and publications

Trainees shall be required to show the utmost discretion with regard to all facts and information they are made party to in the course of their traineeship.

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

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

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

2.1. **Long-term traineeships**

2.1.1. General points

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

Long-term traineeships are intended for recent university graduates.

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

2.1.2. Conditions

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

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

2.1.3. Pre-selection of preferred applicants and compilation of a reserve list

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

2.1.4. Number of trainees

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

2.1.5. Units to which trainees are assigned

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

2.1.6. Traineeship grants

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

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

2.1.7. Disability allowance

Upon request and subject to appropriate supporting documents being produced, a supplement amounting to up to 50% of the grant may be awarded to trainees with disabilities. If necessary, the unit responsible for managing traineeships may seek the opinion of the EESC's medical department.

2.1.8. Travel allowance

Long-term trainees shall be entitled to a travel allowance based on the distance between their place of residence and Brussels, under certain conditions. These conditions are laid down in a separate decision adopted by the Director for Human Resources and Finance and published on the EESC website.

2.1.9. Tax arrangements

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

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

2.1.10. Traineeship coordinator

One traineeship coordinator shall be selected from amongst the trainees on each session of long-term traineeships.

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

2.1.11. Traineeship report

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

2.1.12. Traineeship duration

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

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

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

2.2.1. General points

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

2.2.2. Conditions

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

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

2.2.3. Selection

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

2.2.4. Traineeship period

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

2.3. Short-term traineeships

2.3.1. General points

A short-term traineeship consists in a traineeship of at least one and a maximum of three months, with no grant paid by the EESC.

2.3.2. Conditions

Short-term traineeships may be offered to applicants meeting the eligibility criteria set out in Article 1.2 who:

- are studying at university or a higher education establishment
or
- have obtained a level of education corresponding to at least three years' completed university studies attested by a diploma.

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

2.3.3. Selection

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

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

2.3.4. Traineeship period

Short-term traineeships may start at any moment of the year. There shall be a minimum of four weeks between the submission of an application and the start of a short-term traineeship. The initial length of such traineeships may be extended, but may not exceed a total of three months.

2.3.5. Number of traineeships granted

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

2.3.6. Grants and allowances

Trainees on short-term traineeships shall not be entitled to any grant or other allowances, nor to any contribution to travel expenses.

3. **PRACTICAL ARRANGEMENTS**

3.1. **Missions**

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

3.2. Sickness insurance

Health insurance shall be compulsory for all trainees.

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

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

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

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

3.3. Accident insurance

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

The premium is paid for entirely by the EESC.

3.4. Suspension of traineeship

The head of the unit responsible for managing traineeships may authorise a trainee to suspend his or her traineeship for a limited period on the basis of a written and substantiated request by the trainee concerned, after having obtained the agreement from his or her traineeship adviser. In this case, payment of any grant awarded by the EESC shall be suspended and any overpaid monies reimbursed.

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

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

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

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

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

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

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

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

4. MISCELLANEOUS PROVISIONS

4.1. Data protection

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

4.2. Equal opportunities

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

4.3. Appeal procedures

Trainees wishing to appeal a decision taken by the EESC pursuant to this decision shall send a reasoned request to the Director for Human Resources and Finance. Such appeals must be submitted within a period of two months from the date of notification of the decision to the trainee, and in any case no later than two months from the date on which the latter received such notification.

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

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

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

4.4. Final and transitional provisions

This decision shall enter into force on the date of its publication. It shall apply to all traineeships starting after that date.

This decision supersedes Decision No 201/16 A of 16 September 2016 laying down provisions regarding traineeships at the European Economic and Social Committee.

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

Done at Brussels, on 22 July 2019

[signed]

Gianluca Brunetti
Secretary-general