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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	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') - Four column table

Delegations will find in Annex the four-column table on the above proposal, including the texts that were circulated during the trilogue on 5 May 2026. **Please note that these texts are not agreed and can be subject to changes.**

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)

2024/0068(COD)

[Version resulting from Trilogue 5 May 2026]

07-05-2026 at 15h12

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		CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement	
	Formula					
G	1	2024/0068 (COD)	2024/0068 (COD)	2024/0068 (COD)	2024/0068 (COD) Text Origin: Commission Proposal	G
	Document Stage					
G	2	Proposal for a	Proposal for a	Proposal for a	Proposal for a Text Origin: Commission Proposal	G
	Document Type					
G	3	DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL Text Origin: Commission Proposal	G
	Document Purpose					
R	4	on improving and enforcing working conditions of trainees and combating regular employment	on improving and enforcing working conditions of trainees and combating ~~regular employment~~	on improving and enforcing working conditions of trainees and ***detecting and*** combating		R

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	relationships disguised as traineeships ('Traineeships Directive')	~~relationships disguised as~~**false** traineeships ('Traineeships Directive')	~~*regular*~~***practices that circumvent the purpose of traineeships and the use of disguised standard*** employment relationships ~~*disguised as traineeships*~~ ('Traineeships Directive')	
EEA Relevance				
G 5	(Text with EEA relevance)	(Text with EEA relevance)	(Text with EEA relevance)	(Text with EEA relevance) Text Origin: Commission Proposal
Formula				
G 6	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, Text Origin: Commission Proposal
Citation 1				
G 7	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 153 (2), point (b), in conjunction with Article 153 (1), point (b) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 153 (2), point (b), in conjunction with Article 153 (1), point (b) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 153 (2), point (b), in conjunction with Article 153 (1), point (b) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 153 (2), point (b), in conjunction with Article 153 (1), point (b) thereof, Text Origin: Commission Proposal
Citation 2				

		CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement	
G	8	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission, Text Origin: Commission Proposal	G
	Citation 3					
G	9	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments, Text Origin: Commission Proposal	G
	Citation 4					
G	10	Having regard to the opinion of the European Economic and Social Committee[1], _____ 1. OJ C , , p. .	Having regard to the opinion of the European Economic and Social Committee[1], _____ 1. OJ C , , p. .	Having regard to the opinion of the European Economic and Social Committee[1], _____ 1. OJ C , , p. .	Having regard to the opinion of the European Economic and Social Committee[1], _____ 1. OJ C , , p. . Text Origin: Commission Proposal	G
	Citation 5					
G	11	Having regard to the opinion of the Committee of the Regions[1], _____ 1. OJ C , , p. .	Having regard to the opinion of the Committee of the Regions[1], _____ 1. OJ C , , p. .	Having regard to the opinion of the Committee of the Regions[1], _____ 1. OJ C , , p. .	Having regard to the opinion of the Committee of the Regions[1], _____ 1. OJ C , , p. . Text Origin: Commission Proposal	G
	Citation 6					

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G	12	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure, Text Origin: Commission Proposal	G
	Formula					
G	13	Whereas:	Whereas:	Whereas:	Whereas: Text Origin: Commission Proposal	G
	Recital 1					
Y	14	(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	(1) ~~In~~**On 10** March 2014, the Council adopted ~~the~~**a** Recommendation for a Quality Framework on Traineeships[1] **(the** ~~(~~'2014 Recommendation') to provide Union-wide quality standards for traineeships. ~~It recommends~~**The 2014 Recommendation includes** 21 principles for traineeships to improve ~~the~~**their** quality ~~of traineeships~~, in particular to ensure ~~high quality~~**high-quality** learning and training content and adequate working conditions to support education-to-work transitions and **to** increase the employability of trainees. The 2014 Recommendation covers all traineeships except for those that are part of curricula of formal	(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***, 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		Y

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	completion of which is a mandatory requirement to access a specific profession.	education and training, and those regulated under national law ~~and~~**the** completion of which is a mandatory requirement to access a specific profession. 1. **OJ C 88, 27.3.2014, p. 1.**	regulated under national law and completion of which is a mandatory requirement to access a specific profession.	
Recital 1a				
R	14a		***(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.***	R
Recital 1b				
R	14b		***(1b) Chapters I and II of the European Pillar of Social Rights***	R

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			(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	

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			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.	
Recital 2				
15	(2) The Council Recommendation on a European Framework for Quality and Effective Apprenticeships[1] 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.	*deleted*	*deleted*	(2) ~~*The Council Recommendation on a European Framework for Quality and Effective Apprenticeships[1] 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*~~

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	These include criteria for learning and working conditions and criteria for framework conditions. _____ 1. Council Recommendation of 15 March 2018 on a European Framework for Quality and Effective Apprenticeships (OJ C 153, 2.5.2018, p. 1).			~~*learners and employers. These include criteria for learning and working conditions and criteria for framework conditions.*~~ ***deleted*** _____ ~~*1. Council Recommendation of 15 March 2018 on a European Framework for Quality and Effective Apprenticeships (OJ C 153, 2.5.2018, p. 1).*~~ Text Origin: Commission Proposal
Recital 3				
16	(3) The reinforced Youth Guarantee[1] 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. _____ 1. Council Recommendation of 30 October 2020 on A Bridge to Jobs – Reinforcing the Youth Guarantee and replacing the Council Recommendation of 22 April 2013 on establishing a Youth Guarantee 2020/C 372/01 (OJ C 372, 4.11.2020, p. 1).	(3) The reinforced Youth Guarantee **set out in the Council Recommendation of 30 October 2020 on A Bridge to Jobs**[1]-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~~**for measuring** the quality of traineeships offers under the reinforced Youth Guarantee. _____ 1. Council Recommendation of 30 October 2020 on A Bridge to Jobs –	(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***	

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		Reinforcing the Youth Guarantee and replacing the Council Recommendation of 22 April 2013 on establishing a Youth Guarantee 2020/C 372/01 (OJ C 372, 4.11.2020, p. 1).	***Jobs – Reinforcing the****~~The reinforced~~* Youth Guarantee[1] 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~~*, **mainly supporting young people at risk of exclusion from the labour market***. 1. Council Recommendation of 30 October 2020 on A Bridge to Jobs – Reinforcing the Youth Guarantee and replacing the Council Recommendation of 22 April 2013 on establishing a Youth Guarantee 2020/C 372/01 (OJ C 372, 4.11.2020, p. 1).	
Recital 4				
R	17 (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 increasing demand for several occupations relevant for the green	(4) **There are** labour shortages ~~exist~~ in many occupations and at all ~~skills~~**skill** levels. They are expected to increase with the projected decline in the working age population and **with** increasing demand for	(4) Labour ***and skills*** shortages exist in ~~*many*~~***a number of*** occupations and ~~*at all skills levels. They*~~ are expected to increase with the projected decline in the working age population and increasing demand for	R

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	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.	several occupations **that are** relevant for the green and digital ~~transition~~**transitions**. The lower labour market participation of young people contributes to ~~these~~**those** shortages. Quality traineeships can be a useful up- and/or ~~reskilling~~**re-skilling** pathway for persons of any age to acquire practical skills on the job **in order** to enter the labour market or **to** take their career in a new direction.	~~several~~***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*** ~~*The lower labour market participation of young people contributes to*~~ these shortages. Quality traineeships ~~*can be*~~***are*** a useful ~~*up- and/or reskilling pathway for persons of any age*~~***opportunity for people making the transition from education to employment*** to acquire practical skills on the job to enter the labour market ~~*or take their career in a new direction*~~.	
Recital 5				
R	18	(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	(5) Traineeships can help ~~young~~ people gain practical and professional experience, improve their employability, and facilitate their transition into stable employment. ~~As such,~~ Traineeships **thus** constitute an important pathway ~~to~~**into** the labour market. For employers, traineeships provide opportunities to attract, train and retain ~~young~~ people. They can reduce the cost	(5) Traineeships ~~*can*~~***aim to*** help young people gain practical and professional experience, ~~*improve their employability, and*~~***to*** facilitate their transition ~~*into stable*~~***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	R

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	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.	of searching for and recruiting skilled staff, when trainees are offered a regular position after their ~~traineeship~~**traineeships**. However, this can only be achieved if traineeships are of good quality and offer decent working conditions.	***can*** constitute an important pathway to ***enter*** the labour market. For ~~*employers*~~***traineeships providers***, traineeships provide opportunities to attract, train and retain young people~~*. They can*~~***, identify emerging talent and*** reduce the cost of searching for and recruiting skilled staff, when trainees are offered ~~*a regular position*~~***standard employment*** after their traineeship. However, this can only be achieved if traineeships are ~~*of good*~~***regulated to ensure*** quality ~~*and offer*~~***,*** decent ***and transparent*** working conditions***, and a significant learning and training content***.	
Recital 6				
R	19	(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	(6) Challenges persist regarding the problematic use of traineeships, including ~~when regular employee positions are disguised as~~**through false** traineeships, ~~depriving those~~**which deprive** workers of their full rights under Union law, national law and collective agreements**, and risk trapping** ~~and risking to trap~~ them in precarious working conditions. ~~Employment relationships~~	(6) Challenges persist regarding the problematic use of traineeships, including when ~~*regular employee positions are disguised as*~~***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	R

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	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.	~~disguised as~~**False** 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~~**might** not comply with all requirements stemming from Union law, national law, collective agreements or practice, depriving ~~them~~**the trainees** of their full rights.	***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 ~~*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*~~***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.	
Recital 7				
20	(7) Additionally, trainees are less likely to defend their rights due to their vulnerable positions in the labour market. The absence, complexity or diversity of regulatory frameworks for	(7) Additionally, trainees are ~~less likely~~**unlikely** to defend their rights due to their vulnerable positions in the labour market. The absence, complexity or diversity of regulatory frameworks for	(7) ~~*Additionally, trainees are less likely to defend their rights due to their vulnerable positions in the labour market.*~~ The absence, complexity or diversity of regulatory frameworks for	

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	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~~**the** insufficient enforcement of national legislation and the lack of capacity for controls and inspections, as well as a lack of clarity regarding the ~~authority~~**authorities** 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, ~~*are among the main factors*~~***risk*** leading to ***practices that circumvent the purpose*** ~~*the problematic use*~~ 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***	

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			rights due to their vulnerable position in the labour market.	
Recital 7a				
R 20a			***(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.***	R
Recital 7b				

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R 20b			***(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.***	R
Recital 8				
R 21	(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.	(8) Evidence shows that a significant proportion of trainees are subject to less favourable working conditions **as** compared to ~~regular~~ employees, including regarding **their pay,** working hours, leave entitlements, and **their** access to equipment ~~as well as pay~~.	(8) Evidence shows that a significant proportion of trainees are subject to less favourable working conditions compared to ~~*regular*~~***other*** employees, including regarding working hours, leave entitlements, ~~*and*~~ access to equipment ~~*as well as pay.*~~***and, in particular, pay. The lack of opportunities to access quality employment, including quality***	R

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			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.	
Recital 9				
G 22	(9) At Union level, existing legal instruments provide a framework for the protection of workers, including the directives on transparent and predictable working conditions[1], adequate minimum wages[2], working time[3], health and safety at work[4], equality and non-discrimination[5], work-life balance for parents and carers[6], information and consultation of employees[7], fixed-	(9) At Union level, existing legal instruments provide a framework for the protection of workers, including the directives on transparent and predictable working conditions[1], adequate minimum wages[2], working time[3], health and safety at work[4], equality and non-discrimination[5], work-life balance for parents and carers[6], information and consultation of employees[7], fixed-	(9) At Union level, existing legal instruments provide a framework for the protection of workers, including the directives on transparent and predictable working conditions[1], adequate minimum wages[2], working time[3], health and safety at work[4], equality and non-discrimination[5], work-life balance for parents and carers[6], information and consultation of employees[7], fixed-	(9) At Union level, existing legal instruments provide a framework for the protection of workers, including the directives on transparent and predictable working conditions[1], adequate minimum wages[2], working time[3], health and safety at work[4], equality and non-discrimination[5], work-life balance for parents and carers[6], information and consultation of employees[7], fixed- G

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	term work[8], part-time work[9], posting of workers[10] and on temporary agency work.[11]. This legal framework fully applies to trainees who have an employment contract or employment relationship as defined by law, collective agreements or practice in force in each Member State, with consideration to the case-law of the Court of Justice of the European Union. The Union legal framework also encompasses recommendations on the quality of traineeships[12] and apprenticeships[13] and on access to social protection for workers and self-employed[14]. _____ 1. Directive (EU) 2019/1152 of the European Parliament and of the Council of 20 June 2019 on transparent and predictable working conditions in the European Union (OJ L 186, 11.7.2019, p. 105). 2. Directive (EU) 2022/2041 of the European Parliament and of the Council of 19 October 2022 on adequate minimum wages in the European Union (OJ L 275, 25.10.2022, p. 33). 3. Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time (OJ L 299, 18.11.2003, p. 9).	term work[8], part-time work[9], posting of workers[10]**,** and on temporary agency work.[11]. This legal framework fully applies to trainees who have an employment contract or **who are in an** employment relationship as defined by law, collective agreements or practice in force in each Member State, with consideration to the case-law of the Court of Justice of the European Union. The Union legal framework also encompasses recommendations on the quality of traineeships[12] and **of** apprenticeships[13]**,** and on access to social protection for workers and **the** self-employed[14]. _____ 1. Directive (EU) 2019/1152 of the European Parliament and of the Council of 20 June 2019 on transparent and predictable working conditions in the European Union (OJ L 186, 11.7.2019, p. 105~~)~~**, ELI: http://data.europa.eu/eli/dir/2019/1152/oj).** 2. Directive (EU) 2022/2041 of the European Parliament and of the Council of 19 October 2022 on adequate minimum wages in the European Union (OJ L 275, 25.10.2022, p. 33). 3. Directive 2003/88/EC of the European Parliament and of the Council of 4	term work[8], part-time work[9], posting of workers[10] and on temporary agency work.[11]. This legal framework fully applies to trainees who have an employment contract or employment relationship as defined by law, collective agreements or practice in force in each Member State, with consideration to the case-law of the Court of Justice of the European Union. The Union legal framework also encompasses recommendations on the quality of traineeships[12] and apprenticeships[13] and on access to social protection for workers and self-employed[14]. _____ 1. Directive (EU) 2019/1152 of the European Parliament and of the Council of 20 June 2019 on transparent and predictable working conditions in the European Union (OJ L 186, 11.7.2019, p. 105). 2. Directive (EU) 2022/2041 of the European Parliament and of the Council of 19 October 2022 on adequate minimum wages in the European Union (OJ L 275, 25.10.2022, p. 33). 3. Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time (OJ L 299, 18.11.2003, p. 9).	term work[8], part-time work[9], posting of workers[10]**,** and on temporary agency work~~.~~[11]. This legal framework fully applies to trainees who have an employment contract or ***who are in an*** employment relationship as defined by law, collective agreements or practice in force in each Member State, with consideration to the case-law of the Court of Justice of the European Union. The Union legal framework also encompasses recommendations on the quality of traineeships[12] and ***of*** apprenticeships[13]**,** and on access to social protection for workers and self-employed ***persons***[14]***.*** ~~14~~~~.~~ _____ 1. Directive (EU) 2019/1152 of the European Parliament and of the Council of 20 June 2019 on transparent and predictable working conditions in the European Union (OJ L 186, 11.7.2019, p. 105~~)~~**, *ELI: http://data.europa.eu/eli/dir/2019/1152/oj).*** 2. Directive (EU) 2022/2041 of the European Parliament and of the Council of 19 October 2022 on adequate minimum wages in the European Union (OJ L 275, 25.10.2022, p. 33). 3. Directive 2003/88/EC of the European Parliament and of the Council of 4

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	4. Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (OJ L 183, 29.06.1989, p. 1). 5. Among others: Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (OJ L 303, 2.12.2000, p. 16). 6. Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance (OJ L 188, 12.7.2019, p. 79). 7. Directive 2002/14/EC of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community - Joint declaration of the European Parliament, the Council and the Commission on employee representation (OJ L 80, 23.3.2002, p. 29). 8. Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP (OJ L 175, 10.7.1999, p. 43). 9. Council Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time working concluded by UNICE, CEEP and the ETUC – Annex: Framework agreement on part-time work (OJ L 14, 20.1.1998, p. 9). 10. Directive (EU) 2018/957 of the European Parliament and of the Council of 28 June 2018 amending Directive 96/71/EC concerning the posting of	November 2003 concerning certain aspects of the organisation of working time (OJ L 299, 18.11.2003, p. 9). 4. Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (OJ L 183, 29.06.1989, p. 1). 5. Among others: Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (OJ L 303, 2.12.2000, p. 16). 6. Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance **for parents and carers** (OJ L 188, 12.7.2019, p. 79). 7. Directive 2002/14/EC of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community - Joint declaration of the European Parliament, the Council and the Commission on employee representation (OJ L 80, 23.3.2002, p. 29). 8. Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP (OJ L 175, 10.7.1999, p. 43). 9. Council Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time working concluded by UNICE, CEEP and the ETUC – Annex: Framework agreement on part-time work (OJ L 14, 20.1.1998, p. 9).	4. Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (OJ L 183, 29.06.1989, p. 1). 5. Among others: Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (OJ L 303, 2.12.2000, p. 16). 6. Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance (OJ L 188, 12.7.2019, p. 79). 7. Directive 2002/14/EC of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community - Joint declaration of the European Parliament, the Council and the Commission on employee representation (OJ L 80, 23.3.2002, p. 29). 8. Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP (OJ L 175, 10.7.1999, p. 43). 9. Council Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time working concluded by UNICE, CEEP and the ETUC – Annex: Framework agreement on part-time work (OJ L 14, 20.1.1998, p. 9). 10. Directive (EU) 2018/957 of the European Parliament and of the Council of 28 June 2018 amending Directive 96/71/EC concerning the posting of	November 2003 concerning certain aspects of the organisation of working time (OJ L 299, 18.11.2003, p. 9). 4. Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (OJ L 183, 29.06.1989, p. 1). 5. Among others: Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (OJ L 303, 2.12.2000, p. 16). 6. Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance ***for parents and carers*** (OJ L 188, 12.7.2019, p. 79). 7. Directive 2002/14/EC of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community - Joint declaration of the European Parliament, the Council and the Commission on employee representation (OJ L 80, 23.3.2002, p. 29). 8. Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP (OJ L 175, 10.7.1999, p. 43). 9. Council Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time working concluded by UNICE, CEEP and the ETUC – Annex: Framework agreement on part-time work (OJ L 14, 20.1.1998, p. 9).

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	workers in the framework of the provision of services (OJ L 173, 9.7.2018, p. 16). 11. Directive 2008/104/EC of the European Parliament and of the Council of 19 November 2008 on temporary agency work (OJ L 327, 5.12.2008, p. 9). 12. Council Recommendation of 10 March 2014 on a Quality Framework for Traineeships (OJ C 88, 27.3.2014, p. 1). 13. Council Recommendation of 15 March 2018 on a European Framework for Quality and Effective Apprenticeships (OJ C 153, 2.5.2018, p. 1). 14. Council Recommendation of 8 November 2019 on access to social protection for workers and the self-employed (OJ C 387, 15.11.2019, p. 1).	10. Directive (EU) 2018/957 of the European Parliament and of the Council of 28 June 2018 amending Directive 96/71/EC concerning the posting of workers in the framework of the provision of services (OJ L 173, 9.7.2018, p. 16). 11. Directive 2008/104/EC of the European Parliament and of the Council of 19 November 2008 on temporary agency work (OJ L 327, 5.12.2008, p. 9). 12. Council Recommendation of 10 March 2014 on a Quality Framework for Traineeships (OJ C 88, 27.3.2014, p. ~~1)~~ **1)**. 13. Council Recommendation of 15 March 2018 on a European Framework for Quality and Effective Apprenticeships (OJ C 153, 2.5.2018, p. 1). 14. Council Recommendation of 8 November 2019 on access to social protection for workers and the self-employed (OJ C 387, 15.11.2019, p. 1).	workers in the framework of the provision of services (OJ L 173, 9.7.2018, p. 16). 11. Directive 2008/104/EC of the European Parliament and of the Council of 19 November 2008 on temporary agency work (OJ L 327, 5.12.2008, p. 9). 12. Council Recommendation of 10 March 2014 on a Quality Framework for Traineeships (OJ C 88, 27.3.2014, p. 1). 13. Council Recommendation of 15 March 2018 on a European Framework for Quality and Effective Apprenticeships (OJ C 153, 2.5.2018, p. 1). 14. Council Recommendation of 8 November 2019 on access to social protection for workers and the self-employed (OJ C 387, 15.11.2019, p. 1).	10. Directive (EU) 2018/957 of the European Parliament and of the Council of 28 June 2018 amending Directive 96/71/EC concerning the posting of workers in the framework of the provision of services (OJ L 173, 9.7.2018, p. 16). 11. Directive 2008/104/EC of the European Parliament and of the Council of 19 November 2008 on temporary agency work (OJ L 327, 5.12.2008, p. 9). 12. Council Recommendation of 10 March 2014 on a Quality Framework for Traineeships (OJ C 88, 27.3.2014, p. ~~1)~~ ***1)***. 13. Council Recommendation of 15 March 2018 on a European Framework for Quality and Effective Apprenticeships (OJ C 153, 2.5.2018, p. 1). 14. Council Recommendation of 8 November 2019 on access to social protection for workers and the self-employed (OJ C 387, 15.11.2019, p. 1).
Recital 10				
G 23	(10) The Conference on the Future of Europe[1] 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. _____ 1. Report on the final outcome – May 2022.	(10) **The May 2022 Report on the final outcome of** the Conference on the Future of Europe[1] put forward a proposal on ensuring that young people's internships and jobs adhere to quality standards, including on ~~pay and~~**remuneration, as well as** banning **through a legal instrument** unpaid internships on the labour market and outside formal education.	(10) ***In 2022,*** the Conference on the Future of Europe[1] 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. _____ ~~1. Report on the final outcome – May 2022.~~	(10) ***The Report on the final outcome of*** the Conference on the Future of Europe[1] ***of May 2022*** put forward a proposal on ensuring that young people's internships and jobs adhere to quality standards, including on ~~pay and~~***remuneration, as well as*** banning ***through a legal instrument*** unpaid internships on the labour market and outside formal education. G

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		~~1. Report on the final outcome – May 2022.~~		~~*1. Report on the final outcome – May 2022.*~~
Recital 11				
24	(11) The European Parliament adopted a resolution pursuant to Article 225 TFEU with recommendations to the Commission on quality traineeships in June 2023[1]. 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 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	(11) **On 14 June 2023,** the European Parliament adopted a resolution pursuant to Article 225 **of the Treaty on the Functioning of the European Union (TFEU)**~~TFEU~~ with recommendations to the Commission on quality traineeships~~ in June 2023[1]. In its~~[1]**. In the** resolution, it called on the Commission "to update and strengthen the 2014 ~~QFT~~**Council Recommendation** 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 traineeships that are a mandatory part of professional training, in order to ensure minimum quality standards,	(11) ***In June 2023,*** the European Parliament adopted a resolution pursuant to Article 225 TFEU with recommendations to the Commission on quality traineeships~~ *in June 2023*[1]~~. 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 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	(11) ***On 14 June 2023,*** the European Parliament adopted a resolution pursuant to Article 225 ***of the Treaty on the Functioning of the European Union (TFEU)***~~*TFEU*~~ with recommendations to the Commission on quality traineeships in ~~*June 2023*[1]*. In its*~~***the Union*[1]*. In the*** resolution, it called on the Commission "to update and strengthen the 2014 ~~*QFT*~~***Council Recommendation*** 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 traineeships that are a mandatory part of professional training, in order to ensure minimum quality standards,

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	as pay that ensures a decent standard of living in order to avoid exploitative practices". _____ 1. European Parliament resolution of 14 June 2023 with recommendations to the Commission on quality traineeships in the Union (2020/2005(INL)).	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". _____ 1. European Parliament resolution of 14 June 2023 with recommendations to the Commission on quality traineeships in the Union (~~2020/2005(INL)~~)**OJ C, C/2024/484, 23.1.2024, ELI: http://data.europa.eu/eli/C/2024/484/oj).**	as pay that ensures a decent standard of living in order to avoid exploitative practices". _____ ~~1. European Parliament resolution of 14 June 2023 with recommendations to the Commission on quality traineeships in the Union (2020/2005(INL)).~~	including rules on the duration of the traineeships, access to social protection in accordance with national law and practice as well as ~~pay~~***remuneration*** that ensures a decent standard of living in order to avoid exploitative practices". _____ 1. European Parliament resolution of 14 June 2023 with recommendations to the Commission on quality traineeships in the Union (~~2020/2005(INL)~~***OJ C, C/2024/484, 23.1.2024, ELI: http://data.europa.eu/eli/C/2024/484/oj).***
Recital 12				
25	(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.	(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~~**outcome** of the consultation of social partners.	(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	

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			of the consultation of social partners.		
Recital 13					
Y 26	(13) The Commission has extensively consulted with stakeholders, including trainees and youth organisations, traineeship providers, national public authorities, educational institutions, and experts from academia.	*deleted*	*(13)* The Commission has extensively consulted with stakeholders, including trainees and youth organisations, traineeship providers, national public authorities, educational institutions, and experts from academia.		Y
Recital 14					
G 27	(14) Article 153(2) in conjunction with (1)(b) TFEU empowers the European Parliament and the Council to adopt Directives setting minimum requirements on working conditions with a view to achieving the objectives set out in Article 151 TFEU, namely the promotion of employment and improved living and working conditions.	(14) Article 153(2) **TFEU,** in conjunction with **Article 153** (1)(b) TFEU**,** empowers the European Parliament and the Council to adopt Directives setting minimum requirements on working conditions with a view to achieving the objectives set out in Article 151 TFEU, namely the promotion of employment and improved living and working conditions.	(14) Article 153(2) in conjunction with (1)(b) TFEU empowers the European Parliament and the Council to adopt Directives setting minimum requirements on working conditions with a view to achieving the objectives set out in Article 151 TFEU, namely the promotion of employment and improved living and working conditions.	(14) Article 153(2) ***TFEU,*** in conjunction with ***Article 153*** (1)(b) TFEU**,** empowers the European Parliament and the Council to adopt Directives setting minimum requirements on working conditions with a view to achieving the objectives set out in Article 151 TFEU, namely the promotion of employment and improved living and working conditions.	G
Recital 14a					
R 27a			***(14a) In its case law, the Court of Justice has established criteria for determining the status of a worker. The interpretation by the***		R

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			Court of Justice of those criteria should be taken into account in the implementation of this Directive.	
Recital 14b				
R	27b		***(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.***	R
Recital 14c				
R	27c		***(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***	R

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				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.***	
Recital 15					
R	28	(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	(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~~**false** 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~~**false** traineeships, by establishing a common framework of principles and measures necessary to ensure equal	(15) Considering the persisting ~~*challenges regarding the problematic use*~~***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 ~~*regular*~~***disguised*** 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~~	R

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	treatment and to implement and enforce Union and national law applicable to workers more effectively.	treatment and to implement and enforce Union and national law applicable to workers more effectively.	~~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.~~	
Recital 15a				
R 28a			***(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***	R

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			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.	
Recital 16				
R 29	(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.	(16) **Chapter II and IV of** this Directive should apply to trainees ~~in the Union~~ who have an employment contract or **who are in an** 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~~**The** case law~~,~~ **of** the Court of Justice **of the European Union** has established criteria for determining the status of a worker, **a matter** which is to	*deleted*	R

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				be based on a case-by-case-analysis. **Furthermore, Chapter III of this Directive should apply to any person engaged in a false traineeship.**				
Recital 16a								
R	*29a*			**(16a) The classification of a traineeship as part of formal education is determined within national education and training systems, taking into account their specific structures and regulations. Due to their specific regulatory frameworks and the specific public interests they pursue, traineeships that are carried out within the national framework of education or training should not be covered by this Directive, such as vocational education and training relationships, apprenticeships, traineeships which are carried out within the framework of formal education, including those that are a prerequisite to start formal education or vocational education and training, as well as traineeships that are obligatory in order to achieve a**				R

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		specific degree or qualification, professional traineeships as defined in Directive 2005/36/EC of the European Parliament and of the Council on the recognition of professional qualifications[1]. **1. Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications (OJ L 255, 30.9.2005, p. 22, ELI: http://data.europa.eu/eli/dir/2005/36/oj).**		
Recital 16b				
R 29b		**(16b) Traineeships carried out as part of active labour market policies should be excluded from the scope of this Directive, due to their specific regulatory frameworks designed to achieve certain social and labour market objectives and because they are subject to public oversight within these frameworks.**		R
Recital 16c				
R 29c			***(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***	R

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						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.		
Recital 16d								
R	29d					***(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.***		R
Recital 16e								

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R	29e			***(16b) Traineeship providers should provide trainees with access to social protection in accordance with national schemes, including health insurance, unemployment benefits and pension contributions.***		R
	Recital 16f					
R	29f			***(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***		R

	CLEAN	Commission Proposal	VS.EC	Council Mandate	VS.EC	EP Mandate	VS.EC	Draft Agreement
						relationships disguised as traineeships.		
Recital 16g								
R	29g					***(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.***		R
Recital 16h								
R	29h					***(16e) This Directive ensures that the principle of non-discrimination laid down in***		R

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	CLEAN	Commission Proposal	VS.EC	Council Mandate	VS.EC	EP Mandate	VS.EC	Draft Agreement
						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).***		
Recital 16a								

		CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement	
R	29i			***(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.***	***(16f) [Trainees benefit from the same level of health and safety protection as other workers in the same establishment as provided for by Council Directive 89/391/EEC. Taking into account the level of their professional experience and the nature of the tasks assigned, they should be provided with the necessary preventive and protective measures, which may include tailored information, appropriate supervision and training measures.]*** Trilogue 5 May 2026	R
	Recital 16j					
R	29j			***(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***		R

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			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.	
Recital 17				
R	30 (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	*deleted*	(17) Work-based learning programmes falling under the definition of ***a*** traineeship vary significantly across Member States. ~~Hence~~***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***	R

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	the Court of Justice of the European Union.		***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 ~~*may fall*~~***,*** 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, ~~*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*~~***given that they are based on a different work-based learning model with distinct***	

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			objectives and regulatory frameworks at Union ***and national level***.	
Recital 18				
R 31	(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.	*deleted*	(18) ~~*Chapter III of the*~~***This*** Directive ~~*applies to regular employees who are falsely labelled as trainees, i.e. when employers label a regular*~~***requires Member States to introduce effective measures to detect and combat practices that circumvent the purpose of traineeships and the use of standard*** employment ~~*relationship either as a traineeship which is not an employment relationship*~~***relationships disguised as traineeships*** ~~*, or as a traineeship which does constitute an employment relationship, however with a*~~ ***with the effect of granting*** lower ~~*level of pay or other*~~***levels of protection, including*** working conditions ***and pay, than the trainee concerned***~~*than those which regular employees*~~ would be entitled to under Union or national law, collective agreements or practice.	R
Recital 18a				

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		CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement	
R	31a			***(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.***		R
Recital 18b						
R	31b			***(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.***		R
Recital 19						

		CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
R	32	(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 ~~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**. The learning and training component of traineeships is understood as being significant when trainees acquire or improve a skill set, practical experience, or industrial and professional insights,** with a view to improving employability and ~~facilitating transition to~~**preparing them for future career opportunities and challenges. In the light of these elements, persons having to undergo a probationary period aimed at assessing their performance in the framework of a lasting** employment ~~or accessing a profession~~**relationship (e.g. open-ended contract in the private sector, statutory civil service, etc.) should not be understood as trainees under this Directive.**	(19) Traineeships ~~*which are*~~***necessarily entail the establishment of an*** employment ~~*relationships*~~***relationship between the trainee and the traineeship provider and*** can be distinguished from ~~*'regular'*~~***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 ~~*improving employability and*~~ facilitating ***the*** transition ***from education to standard***~~*to*~~ employment or accessing a profession.	R

	CLEAN	Commission Proposal	VS.EC	Council Mandate	VS.EC	EP Mandate	VS.EC	Draft Agreement	
Recital 19a									
R	32a			**(19a) False traineeships should be understood as disguised employment relationships that are claimed by the employer to be a traineeship but in fact are employment relationships which do not meet the elements of a traineeship as defined in this Directive. As a result, individuals concerned may not be in a position to enjoy the appropriate level of rights and protections granted to workers under Union or national law, collective agreements or practice, which may lead to legal uncertainty and less favourable working conditions.**					R
Recital 20									
R	33	(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		(20) The principle of non-discrimination is suitable to combat **the** abuses of traineeships, such as granting trainees less favourable working conditions or lower pay compared with ~~regular~~**comparable** employees without appropriate justification~~, and to ensure the sustainability of traineeships as a pathway to stable employment opportunities~~. It can		(20) The principle of non-discrimination is suitable to ***detect and*** combat ~~*abuses of*~~***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 ~~*regular employees*~~***other***		(20) ***[***The principle of non-discrimination is suitable to combat ***the*** abuses of traineeships, such as granting trainees less favourable working conditions or lower pay compared with ~~*regular*~~***comparable*** employees without appropriate justification~~*, and to ensure*~~***. It can improve*** the sustainability of	R

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	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
	make traineeships more accessible to groups of workers in a vulnerable situation.	also help make traineeships more accessible to groups of workers in a vulnerable situation **and improve the sustainability of traineeships as a pathway to stable employment opportunities**.	***workers*** without appropriate justification, and to ensure the sustainability of traineeships as a pathway to ~~*stable*~~***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***.	traineeships as a pathway to stable employment opportunities~~. *It can also help*~~ ***and help to*** make traineeships more accessible to groups of workers in a vulnerable situation.***]*** Trilogue 5 May 2026 It could be considered to add a reformulated version of EP recital 7b (row 20b) here, reflecting the problem of substandard working conditions, including pay, as financial barrier for young persons in vulnerable situations to access traineeships (issue of indirect discriminatory effect).
Recital 21				
R 34	(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	(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~~[1], which provides that in respect of employment conditions, fixed-term workers are not to be treated in a less favourable manner	(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	(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 R

	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
	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	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~~**qualify as** 'fixed-term workers' within the meaning of that Directive. Its clause on the principle of non-discrimination, however, does not ~~allow~~**provide** 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~~**of** trainees~~ are in~~. It is therefore necessary to ~~guarantee~~**ensure** that the principle of equal treatment ~~compared to~~	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~~***other workers*** applies to	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~~***qualify as*** 'fixed-term workers' within the meaning of that Directive. Its clause on the principle of non-discrimination, however, does not ~~allow~~***provide*** 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~~***of*** trainees~~ are in~~. It is therefore necessary to ~~guarantee~~***ensure*** that the principle of equal treatment ~~compared to~~

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	applies to all trainees who have an employment relationship.	~~regular~~**with comparable** employees applies to ~~all~~ trainees who have an employment relationship. **1. Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work conducted by ETUC, UNICE and CEEP (OJ L 175, 10.7.1999, p. 43, ELI: http://data.europa.eu/eli/dir/1999/70/oj).**	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*** ~~*who have an employment relationship*~~.	~~*regular*~~***with comparable*** employees applies to all trainees who have an employment relationship.***]*** Trilogue 5 May 2026. Placeholder (...) depending on scope. Depending on decision on the scope,a signalling sentence on the applicability of clause 6 of the FTWD (information about vacancies / permanent positions) could be added here. (rows 67b, 34 EP mandate) Clause 6 of the FTWD by default applies to trainees who are workers, but the FTWD (clause 2(2)) allows MS not to apply that Directive to certain types of fixed-term workers (including trainees). Depending on the decision on the scope of the Traineeships Directive, there may or may not be an added value of an operative provision and/or recital replicating clause 6 FTWD.
Recital 22				
R 35	(22) Member States should therefore ensure that, in respect of working conditions including pay, trainees are not treated in a less favourable manner than	(22) Member States should therefore ensure that, in respect of working conditions**,** including pay, trainees are not treated in a less favourable manner than	(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	(22) ***[***Member States should therefore ensure that, in respect of working conditions including pay, trainees are not treated in a less favourable manner than R

	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
	comparable regular employees in the same establishment, unless different treatment 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.	comparable ~~regular~~ employees in the same establishment, unless different treatment is justified on objective grounds**. For the purpose of this Directive, "pay" should be understood in accordance with national law, collective agreements and practice in each Member State and can include compensation whether pecuniary or in kind**. 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~~**can be** objective grounds for different treatment, where relevant, with regard to the ~~employment~~**working** condition**(s), including pay,** at issue**. Member States may, where admissible pursuant to national law or practice and where social partners jointly agree, give social partners the option to establish via collective agreements the objective grounds that could justify a**	manner than ~~*comparable regular employees*~~***other workers*** in the same establishment~~*, unless different treatment is justified on objective grounds*~~. The sole fact of being a trainee cannot constitute grounds for less favourable treatment compared to ~~*regular employees*~~***other workers*** 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.*~~	comparable ~~*regular*~~ ***_*** employees ~~*in the same establishment*~~, unless different treatment is justified on objective grounds***. For the purpose of this Directive, "pay" should be understood in accordance with national law, collective agreements and practice in each Member State and can include compensation whether pecuniary or in kind***. The sole fact of being a trainee cannot constitute grounds for less favourable treatment compared to ~~*regular*~~***comparable*** employees ~~*in the same establishment*~~. At the same time, different tasks, lower responsibilities or work intensity in relation to comparable ~~*regular*~~ employees ~~*may constitute*~~***can be*** objective grounds for different treatment, where relevant, with regard to the ~~*employment*~~***working*** condition***(s), including pay,*** at issue. The extent of different treatment should~~*, however,*~~ ***in any case*** be proportionate to those ***objective*** grounds. ***Member States may, where admissible pursuant to national law or practice and where social partners jointly agree, give social partners the***

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		different treatment of trainees. The extent of different treatment should~~, however,~~ **in any case** be proportionate to those **objective** grounds **and remain consistent with the objectives of this Directive**.		***option to establish via collective agreements the objective grounds that could justify a different treatment of trainees in a manner consistent with the level of protection established by this Directive.]*** Trilogue 5 May 2026
Recital 23				
R 36	(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.	(23) The application of the principle of non-discrimination requires the identification of a comparable ~~regular~~ employee engaged in the same**, or a** ~~or~~ similar**,** type of work or occupation as the trainee, due regard being given to **circumstances such as professional experience,** qualifications and skills**, as defined in national law or collective agreements**.	*deleted*	(23) ***[***The application of the principle of non-discrimination requires the identification of a comparable ~~*regular*~~ employee engaged in the same***, or a*** ~~*or*~~ similar***,*** type of work or occupation as the trainee, due regard being given to ***factors such as*** qualifications ~~*and*~~***,*** skills***, and the nature of the work.]*** Trilogue 5 May 2026
Recital 24				
R 37	(24) Member States should have appropriate measures in place to combat regular employment relationships disguised as traineeships with the effect of granting lower levels of protection, including working	*deleted*	*deleted*	

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	conditions and pay, than the worker concerned would be entitled to under Union or national law, collective agreements or practice.			
Recital 25				
R *38*	*(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.	(25) ~~It is necessary to ensure~~**Member States should provide for** effective **measures in accordance with national law and practice, including, where appropriate,** controls and inspections conducted by **the** competent authorities ~~as they are essential to protect the rights of trainees and to~~**, to identify and** combat ~~regular employment relationships disguised as~~**false** traineeships. ~~They should be targeted to avoid the substitution of regular employment by disguised~~**Where appropriate, and in accordance with national law or practice, Member States could also entrust social partners with tasks related to identifying and combating false** traineeships~~ and to protect workers' rights.~~**.**	(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 ~~*regular employment relationships disguised as*~~***practices that circumvent the purpose of*** traineeships. They should be targeted to avoid the substitution of ~~*regular*~~***other*** employment ***relationships, where the elements of a traineeship are not present, by repeated***~~*by disguised*~~ traineeships and to protect ~~*workers*~~***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***	R

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			policy improvements based on evidence.	
Recital 26				
R 39	(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.	(26) The assessment ~~whether a regular employment relationship is disguised as a traineeship~~**to identify and combat false traineeships** 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~~**factual** 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~~	(26) ***In order to detect and combat practices that circumvent the purpose of traineeships and the use of standard*** ~~*The assessment whether a regular*~~ employment ~~*relationship is*~~***relationships*** 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*~~***traineeships***, competent authorities should perform an overall assessment of all relevant facts. In order to facilitate the assessment for competent authorities, ~~*key*~~***this Directive sets out various factual*** elements that ~~*would allow to make the distinction between a regular*~~***should be relevant in detecting and combatting such practices and the use of such standard*** employment ~~*relationship and a disguised traineeship should*~~	R

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		~~the necessity to meet a specific threshold.~~	~~be set out~~**relationships**. The assessment of those elements should be performed ~~on a case-by-case basis,~~ taking due account of ***the content of the written traineeship agreement and*** 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.~~	
Recital 26a				
R 39a		**(26a) While the appropriate duration of a traineeship may vary depending on its purpose and sector, in accordance with national law or practice, a duration of up to six months is generally considered sufficient to achieve its intended objectives. A significantly longer duration, particularly where multiple consecutive traineeships are conducted with the same provider, may raise concerns about the genuine nature of the traineeship and should be carefully assessed. However, in certain cases, a longer duration may be**		R

	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
		appropriate if it supports the purpose of the traineeship.		
Recital 26b				
R 39b		**(26b) For carrying out the assessment of all relevant factual elements, the competent authorities may take into account among others the following elements: the absence of a significant learning or training component; the excessive duration or multiple consecutive traineeships with the same employer by the same person; and the levels of tasks, responsibilities and intensity of work. The competent authorities may take into account additional elements as a matter of national law or practice.**		R
Recital 27				
R 40	(27) Requiring previous work experience for a traineeship in the same or similar field of activity may not indicate a 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	*deleted*	(27) ***Trainees should not be required to have previous work experience in the same field in order to access a traineeship in the same or a similar field.*** Requiring previous work experience for a traineeship***, in particular*** in the same or similar field of activity ~~*may not*~~***, could*** indicate ~~*a regular employment*~~	R

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	having a degree in a certain field of activity or expertise.		~~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~~***practices that circumvent the purpose of traineeships***.	
Recital 28				
R	41	(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.	(28) When competent authorities carry out their analysis of ~~the~~**all** relevant ~~facts to determine the existence of a regular employment relationship disguised as a traineeship~~**factual elements to identify and combat false traineeships**, the information needed to perform ~~this~~**that** 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~~**. Ensuring access to such information is crucial to enable** competent authorities **to determine whether a traineeship is used in accordance with its**	(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~~***practices that circumvent the purpose of traineeships***, the information needed to perform this analysis ~~might not always be easily accessible to them~~***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	R

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			intended purpose or whether it may constitute a false traineeship.	perform their tasks, ~~*employers*~~***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.***	
Recital 28a					
R	41a		**(28a) Such information may include details on the number of trainees hosted by the employer and their employment status in relation to the total number of employees. It may also cover the duration of traineeships, as well as the nature of tasks and responsibilities assigned to trainees compared to those performed by comparable employees.**		R
Recital 29					
R	42	(29) Member States should have appropriate measures in place to facilitate the assessment of	*deleted*	(29) Member States should have appropriate measures in place to facilitate the ~~*assessment of*~~	R

	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
	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		~~whether a purported traineeship genuinely constitutes a traineeship~~***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~~ 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 ***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	

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	may have a longer duration for reasons linked to the curricula.		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.*~~	
Recital 30				
R 43	(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.	*deleted*	(30) The obligation for ~~*employers*~~***trainee ship 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*** ~~*in the*~~ vacancy notices and advertisements ~~*for traineeships*~~ could be fulfilled by ~~*including*~~***providing*** a link to a website containing this information.	R
Recital 31				
R 44	(31) In addition to this Directive, Member States should ensure full implementation and enforcement of the rights	(31) In addition to this Directive, Member States should ensure full implementation and enforcement of the rights	*deleted*	(31) /In addition to this Directive, Member States should ensure full implementation and enforcement of the rights R

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	enshrined in the Union acquis applicable to trainees who have an employment relationship.	enshrined in the Union acquis applicable to trainees ~~who have~~**in** an employment relationship. **In particular, Member States should develop the capability of the competent authorities, where appropriate following a risk-based approach.**		enshrined in the Union acquis applicable to trainees ~~*who have*~~***in*** an employment relationship. ***In particular, Member States should develop the capability of the competent authorities, where appropriate following a risk-based approach.]*** Trilogue 5 May 2026
Recital 31a				
R 44a			***(31a) Member States should promote the recognition of traineeships as relevant work experience in private and public recruitment processes.***	
Recital 32				
R 45	(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) 2023/970[1]. 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. _____	(32) **This Directive includes** 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) 2023/970[1]. Such provisions should be included in this Directive~~ to help ensure effective enforcement and **the** defence of **the** rights of trainees **in an employment relationship, whether** stemming from this	(32) An extensive system of enforcement provisions for the social acquis in the Union has been developed in recent 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[1]***of the European Parliament and of the Council, as well as Council Directives 97/81/EC, 1999/70/EC and***	(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) 2023/970[1]. Such provisions should be included in [*~~This Directive ***includes provisions*** to help ensure effective enforcement and ***the*** defence of ***the*** rights of trainees ***in an employment relationship, including persons with diabilities, whether*** stemming

	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
	1. 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.	Directive ~~and~~**or** from other Union law applicable to workers. **Channels to report alleged infringements arising from the application of this Directive can support trainees in enforcing their labour rights. Existing channels can also be used for that purpose.** ~~1. 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.~~	***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. 1. 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***)***.	from this Directive ~~and~~***or*** from other Union law applicable to workers. ***This includes the principle of non-discrimination in respect of working conditions as laid down in Directives 2000/43/EC, 2000/78/EC and 2006/54/EC. Channels to report alleged infringements should support trainees in enforcing their labour rights. Existing channels could also be used for that purpose. Member States should consider appropriate measures to facilitate the participation of trainees who face structural disadvantages, including persons in vulnerable situations and persons with disabilities, including through the provision of guidance.]*** ~~*1. 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.*~~ Trilogue 5 May 2026
Recital 33				

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		CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement	
R	46	(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.	(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~~**a** traineeship giving rise to an alleged breach of rights under this Directive ~~and other relevant Union law applicable to workers~~.	(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.		R
Recital 34						
R	47	(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.	(34) To provide ~~a more~~ effective ~~level of~~ protection of trainees, **Member States should ensure that workers'** representatives ~~of workers should be~~**are** able to engage**, in accordance with national law or practice, in any relevant judicial or administrative** ~~in~~ proceedings in order to defend **or enforce** any of the rights and obligations arising from this Directive ~~or from~~	(34) To provide a more effective level of protection of trainees, ***workers'*** 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.		R

	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
		~~other Union law applicable to~~. **Where such action is admissible pursuant to national law or practice, Member States should ensure that** workers' **representatives are able to act** ~~either~~ on behalf or in support of ~~one or several trainees~~**a trainee. Member States which do not allow workers' representatives to act on behalf or in support of a trainee should not be required to do so**.		
Recital 35				
Y 48	(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	(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 obligations and claiming** the rights provided for in this Directive~~ or in other Union law applicable to workers~~. In particular, trainees **in an employment relationship** should be protected from dismissal or its equivalent and **from** all	(35) Trainees should be provided with adequate judicial and administrative protection against any adverse treatment ~~and~~***or*** consequences in reaction to any complaint lodged with the ~~employer~~***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~~. In particular, trainees should be protected from dismissal or its equivalent***, such as the withholding of an offer of future employment at the traineeship***	(35) ***[***Trainees should be provided with adequate judicial and administrative protection against any adverse treatment ~~and~~***or*** 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***]. Such adverse consequences may include the unjustified exclusion of the trainee from consideration for other employment offers with the same employer***. In particular, Y

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	in this Directive or in other Union law applicable to workers.	preparations for dismissal or its equivalent for exercising the rights provided for in this Directive ~~or in other Union law applicable to workers~~.	***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.	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***].*** Trilogue 5 May 2026
Recital 35a				
Y 48a			***(35a) 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***	***(35a) [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 employers 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, on such grounds. It should be possible for Member States not to apply that rule in proceedings, in which it would be for a court or other competent authority or body to investigate the facts, in particular in systems where*** Y

	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement	
			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.	***dismissal has to be approved beforehand by such authority or body.]*** Trilogue 5 May 2026	
Recital 36					
Y	49	(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.	(36) Member States should lay down rules on effective, proportionate and dissuasive penalties for ~~cases of infringement~~**infringements** 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.	(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.		Y
Recital 36a					
R	49a		***(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***	***(36a) [In order to allow the Commission to properly monitor and assess the implementation of this Directive, Member States should communicate all relevant information, including data on the prevalence of trainees. To evaluate the effectiveness of enforcement measures, such information should include the number of controls and***	R

	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
			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.	***inspections carried out by national competent authorities, as well as the number of [regular employment relationships disguised as traineeships] detected by those authorities.]*** Trilogue 5 May 2026 New recital corresponding to Article 13. Exact place to be decided.
Recital 36b				
R 49b			***(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[1a]*** _____ ***[1a] 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,***	R

		CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement	
				28.2.2011, p. 13, ELI: http://data.europa.eu/eli/reg/2011/182/oj).		
	Recital 37					
Y	50	(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.	(37) This Directive lays down minimum requirements, thus leaving untouched Member States' prerogative to **maintain or** 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.	(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.		Y
	Recital 38					
R	51	(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 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	(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 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 **of the Treaty on European Union (TEU)** ~~TEU~~. In accordance with the principle of	(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 ~~*regular*~~***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		R

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	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
	Article, this Directive does not go beyond what is necessary in order to achieve those objectives.	proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.	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.	
Recital 39				
G 52	(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.	(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.	(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.	(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. G

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	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
				Text Origin: Commission Proposal
Recital 39a				
R 52a			***(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.***	R
Recital 39b				
R 52b			***(39b) Member States should provide incentives for the establishment of traineeships that lead to potential employment with the same employer, while also establishing clear pathways for transitioning from training to***	R

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	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
			permanent employment, thereby promoting talent retention and career opportunities for young professionals.	
Recital 40				
53	(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.	(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~~.~~**,**	(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.	(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. Text Origin: Commission Proposal
Formula				
54	HAVE ADOPTED THIS DIRECTIVE:	HAVE ADOPTED THIS DIRECTIVE:	HAVE ADOPTED THIS DIRECTIVE:	HAVE ADOPTED THIS DIRECTIVE: Text Origin: Commission Proposal
Chapter I				

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		CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement	
G	55	Chapter I General provisions	Chapter I General provisions	Chapter I General provisions	Chapter I General provisions Text Origin: Commission Proposal	G
	Article 1					
G	56	Article 1 Subject matter	Article 1 Subject matter	Article 1 Subject matter ***and scope***	Article 1 Subject matter ***and scope*** Text Origin: EP mandate	G
	Article 1, first paragraph					
R	57	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	This Directive lays down a common framework of principles and measures to~~-~~**:** **a)** improve and enforce the working conditions of trainees **covered by this Directive; and** **b)** ~~and to~~ combat ~~regular employment relationships disguised as~~**false** 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 ~~*and to combat regular employment relationships disguised as traineeships*~~***, by providing for:***		R
	Article 1, 1., point (a)					
R	57a			***(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;***		R
	Article 1, 1., point (b)					

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		CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement	
R	57b			***(b) measures to detect and combat:*** ***(i) practices that circumvent the purpose of traineeships;*** ***(ii) the use of standard employment relationships disguised as traineeships;***		R
	Article 1, 1. a					
R	57c			***1a. This Directive does not apply to:***		R
	Article 1, 1. a, point (a)					
R	57d			***(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***		R
	Article 1, 1. a, point (b)					
R	57e			***(b) apprenticeships [within the meaning of Council Recommendation of 15 March 2018 on a European Framework for Quality and Effective Apprenticeships].***		R
	Article 1a					
R	57f		**Article 1a Scope**			R

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	CLEAN	Commission Proposal	VS.EC	Council Mandate	VS.EC	EP Mandate	VS.EC	Draft Agreement	
Article 1a (1)									
R	57g			**1. For the purposes of Chapters II and IV, this Directive applies to trainees who have an employment contract or who are in an employment relationship as defined by the law, collective agreements or practice in force in the Member State, with consideration to the case law of the Court of Justice, and whose traineeship is not mandatory.**					R
Article 1a (2)									
R	57h			**2. For the purposes of Chapter III, this Directive applies to any person engaged in a false traineeship.**					R
Article 1a (3)									
R	57i			**3. This Directive shall not apply to traineeships that are carried out within the national framework of education or training nor to traineeships carried out as part of active labour market policies.**					R
Article 2									
G	58	Article 2 Definitions		Article 2 Definitions		Article 2 Definitions		Article 2 Definitions	G

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		CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
					Text Origin: Commission Proposal
Article 2, first paragraph					
G	59	For the purposes of this Directive, the following definitions apply:	For the purposes of this Directive, the following definitions apply:	For the purposes of this Directive, the following definitions apply:	For the purposes of this Directive, the following definitions apply: Text Origin: Commission Proposal
Article 2, first paragraph, point (a)					
R	60	(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 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 **professional** 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*** ~~*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 ***the*** transition ***from education to a standard*** ~~*to a regular*~~ employment relationship or accessing a profession;	
Article 2, first paragraph, point (b)					
Y	61	(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	(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~~	(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*~~	

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		CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement	
		consideration to the case law of the Court of Justice;	~~consideration to the case law of the Court of Justice;~~**.**	~~*consideration to the case law of the Court of Justice*~~;		
Article 2, first paragraph, point (ba)						
Y	61a			***(ba) 'traineeship provider' means a private or public undertaking or a not-for-profit entity, which provides traineeships;***		Y
Article 2, first paragraph, point (c)						
Y	62	(c) 'regular employment relationship' means any employment relationship that is not a traineeship;	*deleted*	*deleted*		Y
Article 2, first paragraph, point (d)						
Y	*63*	*(d)* 'regular employee' means any person in a regular employment relationship.	*deleted*	*deleted*		Y
Article 2, first paragraph, point (e)						
R	*63a*		**(e) "comparable employee" means a person with an employment contract or employment relationship in the same establishment, who is not undertaking a traineeship and is engaged in the same or similar work or occupation, due regard being given to circumstances such as professional experience, qualifications and skills.**		***(e) ['comparable employee' means a person with an employment contract or employment relationship in the same establishment, who is not undertaking a traineeship and is engaged in the same or similar work or occupation, due regard being given to factors such as qualifications, skills, and the nature of the work.]***	R

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		CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement	
					Trilogue 5 May 2026	
Article 2, first paragraph, point (f)						
R	63b		**(f) "false traineeship" means a disguised employment relationship that is claimed by the employer to be a traineeship but in fact is not a traineeship in the meaning of this Directive.**			R
Chapter II						
R	64	Chapter II Equal treatment	Chapter II Equal treatment	Chapter II ~~*Equal treatment*~~***Traineeship agreements and decent working conditions***		R
Article 2a						
R	64a			***Article 2a*** ***Traineeship agreements***	***[Article 2a]*** ***[Deleted]*** Trilogue 5 May 2026 See Article 3a, rows 67c-h	R
Article 2a(1)						
R	64b			***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***	***1. [Deleted]***	R

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	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement	
			[('traineeship agreement')], which sets out, inter alia:		
Article 2a(1), point (a)					
R 64c			***(a) the duration of the traineeship;***	***(a) [Deleted]***	R
Article 2a(1), point (b)					
R 64d			***(b) the pay, in accordance with national law, collective agreements or practice and, where applicable, with Directive (EU) 2022/2041;***	***(b) [Deleted]***	R
Article 2a(1), point (c)					
R 64e			***(c) the learning and training objectives agreed between the trainee and the traineeship provider;***	***(c) [Deleted]***	R
Article 2a(1), point (d)					
R 64f			***(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);***	***(d) [Deleted]***	R
Article 2a(1), point (e)					
R 64g			***(e) the traineeship provider's policies on confidentiality and the***	***(e) [Deleted]***	R

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	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement	
			ownership of intellectual property rights;		
Article 2a(1), point (f)					
R 64h			***(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.***	***(f) [Deleted]***	R
Article 2a(2)					
R 64i			***2. Member States shall ensure that traineeship providers put in place adequate training for staff with supervisory functions in their establishments.***	***2. [Deleted]***	R
Article 2a(3)					
R 64j			***3. Traineeship providers shall provide trainees with access to social protection in accordance with national schemes.***	***3. [Deleted]***	R
Article 2a(4)					
R 64k			***4. The requirements relating to traineeship agreements pursuant to this Article shall be without prejudice to the traineeship provider's obligations***	***4. [Deleted]***	R

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	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement	
			pursuant to Directive (EU) 2019/1152.		
Article 3					
G 65	Article 3 Principle of non-discrimination	Article 3 Principle of non-discrimination	Article 3 Principle of non-discrimination	Article 3 Principle of non-discrimination Trilogue 5 May 2026	G
Article 3, first paragraph					
R 66	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.	**1.** 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 **higher** weight of the learning and training component.	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*~~***other workers*** 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*~~ ***on the sole ground that they are undertaking a traineeship***.	***1.*** ***[***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*~~ ***and is proportionate to those grounds, with due regard to the working condition at issue.]***	R
Article 3, first paragraph a					
R 66a			***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***	***[Deleted]***	R

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	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
			as laid down in Directives 2000/43/EC, 2000/78/EC and 2006/54/EC and Article 21 of the Charter.	
Article 3, first paragraph b				
R 66b			***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.***	***[Deleted]*** R
Article 3, first paragraph c				
R 66c			***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.***	***[Deleted]*** R
Article 3, first paragraph d				
R 66d			***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***	***[Deleted]*** R

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	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
			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.	
Article 3, second paragraph				
R 67	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.	**2.** 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*	***2. [***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.***]*** R
Article 3, third paragraph				
R 67a		**3. Member States may, if the national social partners jointly agree, give the social partners, at the appropriate level and subject to the conditions laid down by Member States, the option of upholding or concluding collective agreements establishing the objective grounds that are considered to**		***3. [Member States may, if the national social partners jointly agree, give the social partners, at the appropriate level and subject to the conditions laid down by Member States, the option of upholding or concluding collective agreements establishing objective grounds for different treatment, in accordance with paragraph 1, without*** R

	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
		justify a different treatment, in accordance with paragraph 1.		***prejudice to judicial and administrative review [under national and Union law], and provided that such action remains consistent with the objectives of this Directive and guarantees the results sought under it.]*** Trilogue 5 May 2026
Article 3, seventh paragraph				
R 67b			***2 a. 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.***	R
Article 3, second paragraph b				
67c				***[Article 3a Information on learning and training objectives, related tasks and arrangements]*** Trilogue 5 May 2026 Consider moving to Article 2a
Article 3, second paragraph c				

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	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
67d				***1. [Without prejudice to the information obligations laid down in Article 4 and 5 of Directive (EU) 2019/1152, Member States shall ensure that employers provide trainees with the following written information:]***
Article 3, second paragraph d				
67e				***(a) [the specific learning and training objectives of the traineeship;]***
Article 3, second paragraph e				
67f				***(b) [a brief specification or description of the work to be carried out by the trainee to achieve the objectives referred to in point (a) without prejudice to Article 6 of Directive (EU) 2019/1152;]***
Article 3, second paragraph f				
67g				***(c) [the arrangements for supervision, evaluation and, where applicable, mentorship.]***
Article 3, second paragraph g				
67h				***2. [The information referred to in paragraph 1 shall be provided individually to the trainee in the form of one or more documents during a period***

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	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
				starting on the first working day and ending no later than the seventh calendar day.]
Chapter III				
68	Chapter III Regular employment relationships disguised as traineeships	Chapter III ~~Regular employment relationships disguised as~~**False** traineeships	Chapter III ~~*Regular*~~***Measures to detect and combat practices that circumvent the purpose of traineeships and the use of standard*** employment relationships disguised as traineeships	
Article 4				
69	Article 4 Measures to combat regular employment relationships disguised as traineeships	Article 4 Measures to combat ~~regular employment relationships disguised as~~**false** traineeships	Article 4 Measures to ***detect and*** combat ~~*regular*~~***practices that circumvent the purpose of traineeships and the use of standard*** employment relationships disguised as traineeships	
Article 4, first paragraph				
70	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, including working	Member States shall provide for effective **measures in accordance with national law or practice, including, where appropriate,** controls and inspections conducted by **the** competent authorities to ~~detect and take enforcement measures against practices where a regular employment relationship is disguised as traineeship with the~~	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 against practices ~~*where a*~~	

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	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
	conditions and pay, than the worker concerned would be entitled to under Union or national law, collective agreements or practice.	~~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.~~**identify and combat false traineeships.**	~~regular~~***that circumvent the purpose of traineeships and the use of standard*** employment ~~*relationship is*~~***relationships*** disguised as ~~*traineeship with the effect of granting*~~***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.	
Article 4, first paragraph a				
R 70a			***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***	R

	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
			remedies and supports in the case of suspected malpractice, poor working conditions, infringements of their rights or any similar practices.	
Article 5				
R 71	Article 5 Assessment of regular employment relationships disguised as traineeships	Article 5 Assessment of ~~regular employment relationships disguised as~~**false** traineeships	Article 5 Assessment of ~~*regular*~~***practices that circumvent the purpose of traineeships and the use of standard*** employment relationships disguised as traineeships	R
Article 5(1)				
R 72	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 ~~determine whether a purported~~**identify a false** traineeship~~ constitutes a regular employment relationship~~, competent authorities shall make an overall assessment of ~~all~~ relevant factual elements**, in accordance with national law or practice**. That assessment ~~shall~~**may** take into account, among others, the following ~~indicative~~ elements:	1. In order to ~~*determine whether a purported traineeship constitutes a regular employment relationship*~~***detect and combat practices that circumvent the purpose of traineeships***, competent authorities shall make an overall assessment of all relevant factual elements~~*. That assessment*~~ ***and*** shall ~~*take into account, among others,*~~***consider one or more of*** the following ~~*indicative elements*~~***to indicate such practices***:	R
Article 5(1), point (a)				

	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement	
R 73	(a) the absence of a significant learning or training component in the purported traineeship;	(a) the absence of a significant learning or training component ~~in the purported traineeship~~;	(a) the absence of a significant learning or training component in the purported traineeship;		R
Article 5(1), point (b)					
R 74	(b) the excessive duration of the purported traineeship or multiple and/or consecutive purported traineeships with the same employer by the same person;	(b) the excessive duration ~~of the purported traineeship~~ or multiple and/or consecutive purported traineeships with the same employer by the same person;	*deleted*		R
Article 5(1), point (ba)					
R *74a*			***(ba) the absence of a significant learning and training component, indicated by the absence of one or more of the following:***		R
Article 5(1), point (ba)(i)					
R 74b			***(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;***		R

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	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement	
Article 5(1), point (ba)(ii)					
R	74c		***(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;***		R
Article 5(1), point (ba)(iii)					
R	74d		***(iii) a demonstrable connection between the skills being developed during the traineeship and the tasks set and performed;***		R
Article 5(1), point (c)					
R	75	(c) equivalent levels of tasks, responsibilities and intensity of work for purported trainees and regular employees at comparable positions with the same employer;	(c) **the** equivalent levels of tasks, responsibilities and intensity of work ~~for purported trainees and regular employees at~~**compared to** comparable ~~positions with the same employer~~**employees**;	*deleted*	R
Article 5(1), point (ca)					
R	*75a*		***(ca) multiple or consecutive traineeships undertaken by the same person with the same employer;***		R
Article 5(1), point (d)					

	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement	
R	76 (d) the requirement for previous work experience for candidates for traineeships in the same or a similar field of activity without appropriate justification;	*deleted*	*deleted*		R
	Article 5(1), point (da)				
R	*76a*		***(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;***		R
	Article 5(1), point (e)				
R	77 (e) a high ratio of purported traineeships compared with regular employment relationships with the same employer;	*deleted*	*deleted*		R
	Article 5(1), point (ea)				
R	*77a*		***(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;***		R
	Article 5(1), point (f)				
R	78 (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	*deleted*	*deleted*		R

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	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement	
	activity, prior to taking up the purported traineeship.				
Article 5(1), point (fa)					
R	*78a*		***(fa) the absence of any information about one or more of the following in the vacancy notice or advertisement for the traineeship:***		R
Article 5(1), point (fa)(i)					
R	78b		***(i) the expected tasks and level of responsibility required of the trainee;***		R
Article 5(1), point (fa)(ii)					
R	78c		***(ii) the rights and entitlements of the trainee, including pay and social protection, in accordance with national schemes , and working time;***		R
Article 5(1), point (fa)(iii)					
R	78d		***(iii) details of the significant learning and training component and skills to be gained;***		R
Article 5(1), point (fb)					
R	78e		***(fb) the absence of a transparent recruitment policy for the purpose of facilitating the trainee's transition to a standard***		R

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	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
			employment relationship upon completion of the traineeship.	
Article 5(1a)				
R 78f			***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:***	R
Article 5(1a), point (a)				
R 78g			***(a) the ratio of trainees relative to the number of other workers in the same establishment;***	R
Article 5(1a), point (b)				
R 78h			***(b) the level of recruitment of trainees who have previously completed a traineeship in the same or in a similar field of activity;***	R
Article 5(1a), point (c)				
R 78i			***(c) the equivalent levels of tasks, responsibilities and intensity of work for trainees and other workers in the same establishment;***	R
Article 5(2)				

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		CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement	
R	79	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~~**For the purpose of** the assessment referred to in paragraph 1, ~~the employer~~**Member States** shall **ensure that employers provide**, upon request, ~~provide those~~**the competent** authorities with ~~the following~~**any necessary** information~~:~~**.**	2. To enable competent authorities to carry out the assessment referred to in ~~*paragraph 1, the employer*~~***paragraphs 1 and 1a, traineeship providers*** shall, upon request, ~~*provide*~~***supply without delay*** those authorities with the following information:		R
Article 5(2), point (a)						
R	80	(a) the number of traineeships and regular employment relationships	*deleted*	(a) the number of ~~*traineeships and regular employment relationships*~~***trainees and other types of workers;***		R
Article 5(2), point (b)						
R	81	(b) the duration of traineeships;	*deleted*	*(b)* the duration of traineeships;		R
Article 5(2), point (c)						
R	82	(c) the working conditions, including pay, tasks and responsibilities of purported trainees and of regular employees at comparable positions;	*deleted*	(c) the working conditions, including pay, tasks and responsibilities of ~~*purported*~~***the*** trainees and of ~~*regular employees at comparable positions*~~***other workers in the same establishment***;		R
Article 5(2), point (d)						

		CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement	
R	83	(d) the descriptions of the learning and training components of traineeships;	*deleted*	(d) the descriptions of the learning and training components of traineeships ***as indicated in the written traineeship agreement***;		R
	Article 5(2), point (e)					
R	84	(e) the vacancy notices for traineeships.	*deleted*	*(e)* the vacancy notices for traineeships.		R
	Article 5(3), first subparagraph					
R	85	3. To facilitate the assessment referred to in paragraph 1, Member States shall:	*deleted*	3. To facilitate the ~~*assessment*~~***assessments*** referred to in ~~*paragraph 1*~~***paragraphs 1 and 1a***, Member States shall:		R
	Article 5(3), first subparagraph, point (a)					
R	86	(a) define a time limit indicating excessive duration of a traineeship and of repeated, including consecutive, traineeships with the same employer;	*deleted*	(a) define ~~*a time limit indicating excessive duration of a traineeship and of repeated, including consecutive,*~~ traineeships ~~*with the same employer;*~~***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***		R

	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement	
			the renewal or extension of the traineeship agreement.		
Article 5(3), first subparagraph, point (b)					
R	87	(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.	*deleted*	(b) require ~~*employers*~~***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.	R
Article 5(3), second subparagraph					
R	88	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*	*deleted*	R
Chapter IV					
G	*89*	Chapter IV Enforcement and supporting measures	Chapter IV Enforcement and supporting measures	Chapter IV Enforcement and supporting measures	Chapter IV Enforcement and supporting measures Text Origin: Commission Proposal	G
Article 6						
G	90	Article 6	Article 6	Article 6	Article 6	G

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	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
	Implementation and enforcement of relevant Union law	Implementation and enforcement of relevant Union law	Implementation and enforcement of relevant Union law	Implementation and enforcement of relevant Union law Trilogue 5 May 2026
Article 6, first paragraph				
91	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:	Member States shall take effective measures **in accordance with national law or practice** to ensure that all relevant Union law applicable to workers is **also** fully implemented and enforced in relation to trainees. In particular they shall:	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:	***[***Member States shall take effective measures ***in accordance with national law or practice*** to ensure that all relevant Union law applicable to workers is fully implemented and enforced in relation to trainees. In particular they shall:***]*** Trilogue 5 May 2026
Article 6, first paragraph, point (a)				
92	(a) ensure that information on the rights of trainees is publicly available in a clear, comprehensive and easily accessible way;	(a) ensure that information on the rights of trainees is publicly available in a clear, comprehensive and easily accessible way;	(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***;	(a) ***[***ensure that information on the rights of trainees is publicly available in a clear, comprehensive and ~~*easily*~~ accessible way ***including for persons with disabilities***;***]*** Trilogue 5 May 2026
Article 6, first paragraph, point (b)				
93	(b) develop guidance for employers of trainees regarding the legal framework for traineeships, including relevant	(b) develop guidance for **the** employers of trainees regarding the legal framework for traineeships, including **an adequate level of information on**	(b) develop guidance ***and support for traineeship providers*** ~~*for employers*~~ of trainees regarding the legal framework for traineeships, ***in particular SMEs,***	(b) ***[***develop guidance for ***[***employers of trainees***]*** regarding the legal framework for traineeships, including ***on*** relevant labour law***, on*** ~~*and*~~ social

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		CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement	
		labour law and social protection aspects;	**the** relevant labour law and social protection aspects;	including relevant labour law and social protection aspects ***as well as best practices on provision of quality learning and training elements***;	protection aspects***, on anti-discrimination and on reasonable accommodation for persons with disabilities***;***]*** Trilogue 5 May 2026	
Article 6, first paragraph, point (c)						
R	94	(c) provide for effective controls and inspections conducted by competent authorities to enforce relevant labour law in relation to trainees;	(c) provide for effective **measures including, where appropriate,** controls and inspections conducted by **the** competent authorities**,** to enforce **the** relevant labour law in relation to trainees;	(c) provide for ***regular and*** effective controls and inspections ***to be*** conducted by competent authorities to enforce relevant labour law in relation to trainees;	(c) ***[***provide for effective ***measures including, where appropriate,*** controls and inspections conducted by ***the*** competent authorities***,*** to enforce ***the*** relevant labour law in relation to trainees;***]*** Trilogue 5 May 2026	R
Article 6, first paragraph, point (d)						
R	95	(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;	*deleted*	(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;	(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;*~~***[deleted]*** Trilogue 5 May 2026	R
Article 6, first paragraph, point (e)						
Y	96	(e) develop the capability of the competent authorities, in	(e) develop the ~~capability~~**capabilities** of the	(e) develop the capability of the competent authorities, in	(e) ***[***develop the capability of the competent authorities, in	Y

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	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
	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 employers;	particular through training and guidance, to proactively target and pursue non-compliant ~~employers~~***traineeship providers***;	particular through training and guidance, to proactively target and pursue non-compliant ***[***employers***/ traineeship providers];]*** Trilogue 5 May 2026
Article 6, first paragraph, point (f)				
Y 97	(f) ensure, in cooperation with the competent authorities, channels for trainees to report malpractice and poor working conditions, and provide information on those channels	(f) ensure, in cooperation with the competent authorities **or, where appropriate, social partners, that** channels **are in place** for trainees to report ~~malpractice and poor working conditions~~**alleged infringements of rights and obligations under this Directive**, and provide information on those channels**.**	(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;***	(f) ***[***ensure, in cooperation with the competent authorities ***or***, ***where applicable, social partners, that*** channels ***are in place*** for trainees to report ~~*malpractice and poor working conditions*~~***alleged infringements of rights and obligations in accordance with Regulation (EU) 2016/679, and ensure that such channels are accessible for persons with disabilities*** and provide information on those channels ***in accordance with point (a);]*** Trilogue 5 May 2026
Article 6, first paragraph, point (fa)				
R 97a			***(fa) ensure the validation, recognition and portability of the skills and competences acquired during the traineeship period through a certificate;***	
Article 6, first paragraph, point (fb)				

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		CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement	
R	97b			***(fb) promote the recognition of traineeships as relevant work experience in recruitment processes in the job market;***		R
Article 6, first paragraph, point (fa)						
	97c				***(fx) [ensure, with regard to health and safety at work, that trainees enjoy the same level of protection as other workers in the same establishment, in accordance with Council Directive 89/391/EEC, taking into account the level of the trainee's professional experience and the nature of the tasks assigned.]*** Trilogue 5 May 2026	
Article 7						
R	98	Article 7 Right to redress	Article 7 Right to redress	Article 7 ***Dispute resolution and*** right to redress		R
Article 7, first paragraph						
R	99	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	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 **for the damage sustained**, in the case of	Member States shall ensure that trainees, including those whose ~~*employment relationship*~~***traineeship*** has ended, have access to effective and impartial dispute resolution and a right to redress, including adequate compensation, in the		R

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	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
	rights arising from this Directive or from other Union law applicable to workers.	infringements of their rights arising from this Directive ~~or from other Union law applicable to workers~~.	case of infringements of their rights arising from this Directive or from other Union law applicable to workers.	
Article 7, first paragraph a				
R 99a			***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.***	R
Article 8				
R 100	Article 8 Procedures on behalf or in support of trainees	Article 8 Procedures ~~on behalf or in support of trainees~~**by workers' representatives**	Article 8 Procedures on behalf or in support of trainees	R

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	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
Article 8, first paragraph				
R 101	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.	Member States shall ensure that **workers'** representatives ~~of workers may~~**are able to** engage**, in accordance with national law or practice,** 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~~**and are able to act, where admissible pursuant to national law or practice,** on behalf or in support of ~~one or several trainees in the~~**a trainee in** case of an infringement of any right or obligation arising from this Directive~~ or from other Union law applicable to workers, with that~~**, with the** trainee's ~~or those trainees'~~ approval.	Member States shall ensure that ***workers'*** 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***, 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, ~~*with that trainee's or those*~~***workers' representatives, or, in the absence of workers' representatives, the employer, shall explicitly inform*** trainees~~*' approval*~~ ***about their rights of access to administrative and judicial proceedings at the beginning of the traineeship***.	R
Article 9				

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	CLEAN Commission Proposal	VS.EC Council Mandate	VS.EC EP Mandate	VS.EC Draft Agreement
102	Article 9 Protection against adverse treatment and consequences	Article 9 Protection against adverse treatment and consequences	Article 9 Protection against adverse treatment and consequences ***and burden of proof***	***[***Article 9 Protection against adverse treatment and consequences ***and burden of proof]*** Trilogue 5 May 2026
Article 9(1)				
103	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~~**or** 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 **and obligations** 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 ~~*employer*~~***traineeship provider*** and from any adverse consequences resulting from a complaint lodged with the ~~*employer*~~***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.	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***.]*** Trilogue 5 May 2026
Article 9(2)				
104	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	2. In particular, Member States shall take the necessary measures to prohibit the dismissal or its equivalent, and all preparations for **the** dismissal or its equivalent, of trainees on the grounds that they have exercised	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	2. ***[***In particular, Member States shall take the necessary measures to prohibit the dismissal or its equivalent, and all preparations for ***the*** dismissal or its equivalent, of trainees on the grounds that they have exercised

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	the rights provided for in this Directive or in other Union law applicable to workers.	the rights provided for in this Directive ~~or in other Union law applicable to workers~~.	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.	the rights provided for in this Directive ***[***or in other Union law applicable to workers***]***. Trilogue 5 May 2026
Article 9(3)				
105	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.	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.	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*~~***traineeship provider to supply*** duly substantiated grounds for the dismissal or the equivalent measures. The ~~*employer*~~***traineeship provider*** shall provide those grounds in writing.	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.***]*** Trilogue 5 May 2026
Article 9(4)				
106	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	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	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	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

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		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.	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.	such a dismissal or equivalent measures, it shall be for the ~~employer~~ ***traineeship provider*** to prove that the dismissal or equivalent measures were based on grounds other than those referred to in paragraph 2.	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.***]*** Trilogue 5 May 2026	
Article 9(4a)						
Y	106a			***4a. Paragraph 4 shall not prevent Member States from introducing rules of evidence which are more favourable to trainees.***	***4a. [deleted]*** Trilogue 5 May 2026	Y
Article 9(5)						
G	107	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.	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.	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.	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. Text Origin: Commission Proposal	G
Article 9(6)						
G	108	6. Paragraph 4 shall not apply to criminal proceedings, unless otherwise provided by the Member State.	6. Paragraph 4 shall not apply to criminal proceedings, unless otherwise provided by the Member State.	6. Paragraph 4 shall not apply to criminal proceedings, unless otherwise provided by the Member State.	6. Paragraph 4 shall not apply to criminal proceedings, unless otherwise provided by the Member State.	G

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				Text Origin: Commission Proposal	
Article 9a					
R 108a			***Article 9a*** ***Collection, and monitoring of data***	***Article 9a*** ***[Deleted]*** Trilogue 5 May 2026 See row 123 and new Recital 36a (row 49a)	R
Article 9a(1), first subparagraph					
R 108b			***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.***	***1. [Deleted]***	R
Article 9a(1), second subparagraph					
R 108c			***Such data shall include the following information:***	***[Deleted]***	R
Article 9a(1), second subparagraph, point (a)					
R 108d			***(a) the number of traineeships;***	***(a) [Deleted]***	R
Article 9a(1), second subparagraph, point (b)					
R 108e			***(b) the number of traineeship providers;***	***(b) [Deleted]***	R
Article 9a(1), second subparagraph, point (c)					

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R 108f			***(c) the proportion of traineeships leading to standard employment in the same sector;***	***(c) [Deleted]***	R
Article 9a(1), second subparagraph, point (d)					
R 108g			***(d) the number of controls and inspections carried out by the competent authorities;***	***(d) [Deleted]***	R
Article 9a(1), second subparagraph, point (e)					
R 108h			***(e) the number of practices that circumvent the purpose of traineeships reported;***	***(e) [Deleted]***	R
Article 9a(1), second subparagraph, point (f)					
R 108i			***(f) the number of standard employment relationships disguised as traineeships.***	***(f) [Deleted]***	R
Article 9a(1), third subparagraph					
R 108j			***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.***	***[Deleted]***	R
Article 9a(2)					
R 108k			***2. Member States shall submit the data referred to in***	***2. [Deleted]***	R

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			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.		
Article 9a(3)					
R	108l		***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 – 9b(2).***	***3. [Deleted]***	R
Article 9b					
R	108m		***Article 9b Committee procedure***	***Article 9b [Deleted]*** Trilogue 5 May 2026 See row 123 and new Recital 36a (row 49a)	R
Article 9b, first paragraph					
R	108n		***1. The Commission shall be assisted by a committee. That***	***[Deleted]***	R

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			committee shall be a committee within the meaning of Regulation (EU) No 182/2011.		
Article 9b, second paragraph					
R 108o			***2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.***	***[Deleted]***	R
Article 10					
G 109	Article 10 Penalties	Article 10 Penalties	Article 10 Penalties	Article 10 Penalties Text Origin: Commission Proposal	G
Article 10, first paragraph					
G 110	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.	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.	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.	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. Text Origin: Commission Proposal	G
Chapter V					

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G	111	Chapter V Final provisions	Chapter V Final provisions	Chapter V Final provisions	Chapter V Final provisions Text Origin: Commission Proposal	G
	Article 11					
G	112	Article 11 Non-regression and more favourable provisions	Article 11 Non-regression and more favourable provisions	Article 11 Non-regression and more favourable provisions	Article 11 Non-regression and more favourable provisions Text Origin: Commission Proposal	G
	Article 11(1)					
Y	113	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.	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.	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.		Y
	Article 11(2)					
G	114	2. This Directive shall not constitute valid grounds for reducing the general level of protection already afforded to workers, including trainees, within Member States.	2. This Directive shall not constitute valid grounds for reducing the general level of protection already afforded to workers, including trainees, within Member States.	2. This Directive shall not constitute valid grounds for reducing the general level of protection already afforded to workers, including trainees, within Member States.	2. This Directive shall not constitute valid grounds for reducing the general level of protection already afforded to workers, including trainees, within Member States. Text Origin: Commission Proposal	G
	Article 11(3)					

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R 115	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.	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. **At the same time, nothing in this Directive shall be construed as imposing an obligation on Member States to introduce a specific employment relationship for trainees in their national law.**	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~~*trainees* or to encourage or permit the application of collective agreements which are more favourable to ~~workers~~*trainees*.	R
Article 11(3a)				
R 115a		**3a. This Directive is without prejudice to other rights conferred on workers by other legal acts of the Union.**		R
Article 11(3a)				
R 115b			*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*	R

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			protection laid down in this Directive.		
Article 12					
G 116	Article 12 Transposition and implementation	Article 12 Transposition and implementation	Article 12 Transposition and implementation	Article 12 Transposition and implementation Text Origin: Commission Proposal	G
Article 12(1)					
R 117	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.	1. Member States shall take the necessary measures to comply with this Directive by [2 years after entry into force **of this Directive**]. They shall immediately inform the Commission thereof.	1. Member States shall take the necessary measures to comply with this Directive by [~~*2 years*~~***18 months*** after entry into force]. They shall immediately inform the Commission thereof.		R
Article 12(2)					
G 118	2. When Member States adopt the measures referred to in paragraph 1, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.	2. When Member States adopt the measures referred to in paragraph 1, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.	2. When Member States adopt the measures referred to in paragraph 1, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.	2. When Member States adopt the measures referred to in paragraph 1, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States. Text Origin: Commission Proposal	G
Article 12(3)					

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Y	119	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.	3. Member States shall communicate to the Commission the text of the **main** measures of national law which they adopt in the field covered by this Directive.	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.		Y
Article 12(4)						
Y	120	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.	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.	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. ***The report referred to in paragraph 2 shall include a description of the involvement of the social partners in the implementation of this Directive.***		Y
Article 12(5)						
G	121	5. 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 Member States take all necessary steps to ensure that they can at all times guarantee the results sought under this Directive.	5. 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 Member States take all necessary steps to ensure that they can at all times guarantee the results sought under this Directive.	5. 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 Member States take all necessary steps to ensure that they can at all times guarantee the results sought under this Directive.	5. 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 Member States take all necessary steps to ensure that they can at all times guarantee the results sought under this Directive.	G

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				Text Origin: Commission Proposal
Article 12(5a)				
121a			***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.***	
Article 13				
122	Article 13 Reporting and review	Article 13 Reporting and review	Article 13 Reporting and review	Article 13 Reporting and review Text Origin: Commission Proposal
Article 13(1)				
123	1. By [5 years after the date of transposition], Member States 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	1. By [~~5~~**7** years after the date of ~~transposition~~**entry into force of this Directive**], Member States shall communicate to the Commission ~~all~~**relevant** information concerning the implementation of this Directive that is necessary for the Commission to draw up ~~a~~**the** report **referred to in paragraph**	1. By [~~5~~***3*** years after the date of transposition], ~~*Member States shall communicate to*~~ the Commission ~~*all information concerning the implementation of this Directive that is necessary for the Commission to draw up*~~***shall submit*** a report~~*. That information shall include data on traineeships for the purposes of allowing the*~~	1. ***[***By [5 years after the date of transposition], Member States 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 ***relevant*** data ~~*on traineeships*~~ for the purposes of

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	monitoring and assessment of the implementation of this Directive.	**2**. That information shall include **relevant** data on traineeships for the purposes of allowing the proper monitoring and assessment of the implementation of this Directive.	~~*proper monitoring and*~~ ***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.***	allowing the proper monitoring and assessment of the implementation of this Directive.***1*** Trilogue 5 May 2026 See new Recital 36a (row 49a)
Article 13(1a)				
123a			***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.***	
Article 13(1b)				

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R	123b			***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.***		R
	Article 13(2)					
Y	124	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.	2. **By [8 years after the date of entry into force of this Directive],** the Commission shall**, after consulting the Member States and the social partners at Union level and taking into account the impact on micro-, small and medium-sized enterprises,** submit ~~the~~**a** report ~~referred to in paragraph 1~~**on the implementation of this Directive** to the European Parliament and to the Council**. The report shall**	*deleted*		Y

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		evaluate the way in which this Directive has been implemented and assess the need for additional measures, with a view to improving the protection of trainees. The report shall, if appropriate, be accompanied by a legislative proposal.		
Article 14				
G *125*	Article 14 Entry into force	Article 14 Entry into force	Article 14 Entry into force	Article 14 Entry into force Text Origin: Commission Proposal G
Article 14, first paragraph				
Y 126	The Directive shall enter into force on the twentieth day following its publication in the Official Journal of the European Union.	The Directive shall enter into force on the twentieth day following **that of** its publication in the Official Journal of the European Union.	The Directive shall enter into force on the twentieth day following its publication in the Official Journal of the European Union.	Y
Article 15				
G 127	Article 15 Addressees	Article 15 Addressees	Article 15 Addressees	Article 15 Addressees Text Origin: Commission Proposal G
Article 15, first paragraph				
G 128	This Directive is addressed to the Member States.	This Directive is addressed to the Member States.	This Directive is addressed to the Member States.	This Directive is addressed to the Member States. G

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					Text Origin: Commission Proposal	
Formula						
Y	129	Done at Brussels,	Done at ~~Brussels~~…,	Done at Brussels,		Y
Formula						
G	130	For the European Parliament	For the European Parliament	For the European Parliament	For the European Parliament Text Origin: Commission Proposal	G
Formula						
G	131	The President	The President	The President	The President Text Origin: Commission Proposal	G
Formula						
G	132	For the Council	For the Council	For the Council	For the Council Text Origin: Commission Proposal	G
Formula						
G	133	The President	The President	The President	The President Text Origin: Commission Proposal	G

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