

2.3.3.

RULES CONCERNING MEMBERS' TRAINEES
BUREAU DECISION
OF 10 DECEMBER 2018

THE BUREAU OF THE EUROPEAN PARLIAMENT,

- having regard to Rule 25 (2) and (3) of the European Parliament's Rules of procedure¹,

Whereas

(1) Traineeships with Members of the European Parliament contribute to European education and vocational training and promote a better understanding of the way the Institution functions;

(2) The value of traineeships, in particular their attribution to the smooth transition to employment, depends on the quality in terms of learning content and working conditions;

(3) It is appropriate to adopt common rules and guidelines concerning Members' trainees to improve the quality of the traineeships, in particular as regards learning and training content, working conditions, including a decent remuneration and the fixing of a limited duration, with the aim to developing quality guarantees for the trainees;

(4) The Implementing Measures for the Statute for Members of the European Parliament² (hereinafter "the Implementing Measures") provide that expenses incurred in connection with traineeship agreements, established on the basis of conditions laid down by the Bureau, may also be defrayed from the Member's parliamentary allowance.

HAS ADOPTED THE FOLLOWING DECISION:

Article 1
Types of traineeships

1. In order to contribute to EU citizens' European education and vocational training and to provide an insight into the way a European institution functions, Members may offer either

(a) traineeships in the premises of the European Parliament in Brussels based on an agreement with the Parliament. The traineeship may also take place in Strasbourg for those Members using their offices on a permanent basis.

(b) study visits in Brussels or Strasbourg;

¹ The reference to the Rules of Procedure is to the version in force in January 2017.

² Bureau decision of 19 May and 9 July 2008, as last amended by the Bureau decisions of 11 June 2018 and 2 July 2018.

(c) traineeships in their Member State of election.

2. Members freely choose their trainees and the participants in study visits, provided they fulfil the general and specific conditions of admission as laid down in this Decision.

Part 1: General provisions applicable to all types of traineeships

Article 2 General rules

1. Members may have up to three trainees at the same time.

2. If all three trainees are to be based in the same Parliament's workplace, given the imposed safety constraints regarding the use of Parliament's buildings, this number is conditioned to the confirmation by the service duly authorized by the Secretary General of the political group of the Member concerned, that the Member concerned has sufficient office space to comply with these safety standards.

3. Groupings of Members within the meaning of Article 34(2) of the Implementing Measures may offer traineeships.

4. The functions carried out by a trainee may not, under any circumstances, be of such nature as to replace the employment of a parliamentary assistant whether local or accredited, and the allowance granted to a trainee must not be such as to constitute in reality a disguised form of remuneration.

Article 3 General conditions governing admission

1. Trainees must:

(a) be nationals of a Member State of the European Union or an accession/candidate country. However, Members may offer a traineeship to nationals of third countries, provided that they ensure that the trainees comply with visa requirements prior to their entry into the country to which they have been assigned. The visa must be valid for the entire duration of the traineeship and must enable the trainee to travel freely within the country of assignment, as well as Belgium and France.

(b) be at least 18 on the starting date, for traineeships based on an agreement with the European Parliament.

The Quaestors may, in response to a duly substantiated request, grant a derogation from this age limit.

Traineeships in the Member State of election may be offered to students aged at least 14, provided it is in the framework of a work experience to be completed as part of their course of study;

(c) have a thorough knowledge of one of the official languages of the European Union;

(d) not be party to an employment contract or any working contractual relationship during their traineeship. Traineeships may be undertaken during an employment contract only if they form a part of a vocational education course or academic research activities;

(e) not have previously carried out a traineeship with a Member, except for study visits;

(f) not have previously worked as parliamentary assistant to a Member, whether local or accredited.

2. The traineeship must not give rise to a situation of a conflict of interests within the meaning of Articles 43 and 62 of Implementing Measures.

3. Members shall promote equal opportunities and ensure gender balance as far as possible.

Article 4 Expenses

Expenses relating to traineeships offered pursuant to this Decision, including the monthly allowances, travel allowances and mission expenses and the cost of the insurance cover, are defrayable from the individual Parliamentary Assistance Allowance of the MEP concerned, as referred to in Article 33(4) of the Implementing Measures, within the limits of that allowance.

Part 2: Traineeships based on an agreement with the European Parliament

Article 5 Specific conditions governing admission

Members may offer a traineeship to candidates who, before the starting date of the traineeship, have either:

- obtained a secondary-school leaving certificate corresponding to the level required for entry to university, or
- followed a higher or technical course of study to an equivalent level, or
- obtained a university level diploma.

Article 6 Duration of the traineeship

1. Traineeships are awarded for a period of six weeks to five consecutive months.

2. Traineeships may be extended once by the competent service of the Parliament for a maximum period of up to four consecutive months in response to a reasoned request submitted by the Member at least two weeks before the end of the initial traineeship. The extension period of a traineeship may be carried out with a Member other than the Member with whom the initial

period was carried out. There can be no interruption or suspension between the end date mentioned in the traineeship agreement and the given extension. The total length of the traineeship period cannot in any case exceed nine months.

3. The traineeships may not be renewed.

Article 7 *Documents to be submitted*

1. The candidates must submit all the documents listed below to the competent service of the Parliament:

(a) an application form signed by the Member with all necessary information to establish the traineeship agreement;

(b) a signed declaration by the trainee, concerning the duty of professional secrecy and discretion;

(c) the copy of a valid identity document of the trainee;

(d) *a curriculum vitae*;

(e) documentary proof of the academic qualifications;

f) a document issued by a financial institution clearly stating the name of the bank and the account holder, the IBAN and BIC/SWIFT code for the payment of the monthly allowance. The bank account should be opened in an EU Member State and be held by the trainee;

(g) a copy of a valid visa for the entire duration of the traineeship in cases of nationals of other countries, where required;

2. All the above documents must be submitted to the competent service of the Parliament no later than one month before the requested start date of traineeship. In the event of failure to comply with this time limit, the start date shall be postponed. The competent service will verify that the requirements mentioned in the general conditions for admission set out in Article 3 and the specific conditions governing admission set out in Article 5 are met.

Article 8 *Trainees with disabilities: request for reasonable accommodation*

1. Members may offer a traineeship in Brussels to trainees with disabilities.

2. According to Article 1d(4) of the Staff Regulations of Officials of the European Union, “reasonable accommodation”, in relation to the essential functions of the job, shall mean appropriate measures, where needed, to enable a person with a disability to have access to, participate in, or advance in employment, or to undergo training, unless such measures would impose a disproportionate burden on the employer.

3. The internal rules of 1 April 2015 implementing Article 1d(4) of the Staff Regulations and the Guidelines adopted pursuant to Article 9 of those internal rules shall apply to traineeships.

4. Nonetheless, Members' trainees who have stated in their application that they are in need of reasonable accommodation, shall not be required to undergo the medical examination provided for in Article 2(1) of the internal rules of 1 April 2015 and points 8.1. and 10.1 of the Guidelines, but shall, instead, be called to an interview with one of Parliament's medical officers.

Article 9
Traineeship agreement

1. At the beginning of the traineeship, a traineeship agreement is signed by the Competent Authority within the meaning of the Internal Rules governing traineeships in the Secretariat of the European Parliament and the trainee. That agreement shall be the only one applicable.
2. The agreement shall specify the name of the Member to whom the trainee is assigned.
3. The award of a traineeship shall not under any circumstances give recipients the status of official or other servant of the European Union, nor shall it entitle them in any way to subsequent recruitment.

Article 10
Monthly Allowance

1. Trainees within the meaning of Article 5 shall receive a monthly allowance.
2. The amount of the monthly allowance is to be decided freely by the Member, ranging between 800 EUR and 1 313 EUR for full-time contracts. These amounts may be adapted by the Bureau annually and shall be published on the European Parliament's website.
3. In case of part-time contracts, the amount of the monthly allowance shall be adapted accordingly on a pro-rata basis.
4. The amount of the monthly allowance shall be the same throughout the traineeship. Where the traineeship is extended pursuant to Article 6, the amount of the monthly allowance may be increased once for the duration of the extension period.
5. In case the trainee already receive an allowance or a scholarship from another source, an amount equivalent to this external income shall be deducted from the amount provided for under paragraph 2 of this Article.
6. Trainees shall have sole responsibility for meeting their tax obligations. The allowance is not subject to Community tax.
7. If the traineeship starts or ends during the course of a month, the monthly allowance shall be paid on a pro rata basis.

Article 11

Role of the Member in the traineeship

1. The Member will act as the liaison between the trainee and the competent service in all administrative matters.
2. The Member shall notify the competent service of the Parliament forthwith of any significant incidents occurring during the traineeship (in particular, absences, sickness or accidents) which have come to their attention or about which the trainee has informed them.
3. Throughout their traineeship, trainees shall be under the responsibility of the Member to whom they are assigned.

Article 12

General obligations of trainees

1. Trainees shall be required to comply with the present Bureau Decision governing traineeships with Members.
2. Trainees are required to comply with the instructions given by the Member they are assigned to.
3. By accepting a traineeship in the premises of the European Parliament, trainees shall undertake to observe Parliament's internal rules, in particular those concerning security.
4. Throughout their traineeship, trainees shall be required to conduct themselves with the utmost discretion with regards to the daily work in the European Parliament. They may not communicate to any person who is not a Member or staff of the European Parliament any documents or information which come to their knowledge and have not been made public, without the prior consent of the European Parliament.
5. Trainees must respect the same rules for contacts with the press as those for all statutory members of staff of the European Parliament and must follow the instructions provided.
6. Trainees shall remain bound by these obligations after the completion of their traineeship.
7. Trainees should comply with the laws of the country in which their traineeship will take place, in particular with regard to registration on municipal population registers or visa obligations, where applicable.

Article 13

Accident and sickness insurance

1. Trainees shall be insured for the duration of their traineeship against the risks of sickness and accident. The European Parliament shall provide sickness and accident insurance cover for trainees in addition to any cover that they may have under national or other insurance schemes.

2. At the request of trainees, the European Parliament may also insure their spouses or registered partners and children. In that event, the trainees must pay the insurance premiums themselves.

3. In the event of sickness or accident, the trainee should refer directly to the insurance company. The European Parliament cannot act as a mediator between the trainee and the insurance company.

Article 14
Working time

1. Trainees are engaged on a full-time or part-time (50%) basis.
2. The hours of work shall be those applicable for European Parliament staff. Overtime shall carry no right to compensation or remuneration in the allowance.

Article 15
Early termination of the traineeship

The Internal Rules governing traineeships in the Secretariat of the European Parliament on early termination shall apply to traineeships based on an agreement with the European Parliament granted pursuant to Part 2 of this Decision, it being understood that the Member acts as the training supervisor.

Article 16
End of the traineeship

1. Traineeships shall end when the period for which they were awarded expires.
2. Traineeships shall end at the end of the month in which the Member's term of office ends, whether by death or resignation or for any other reason.
3. Subject to the trainees fulfilling all their obligations, the competent service of the Parliament shall issue them with a traineeship certificate, using the appropriate form, recording the duration of the traineeship and the Member to whom the trainee was attached. Members may, if they wish so, also issue an additional certificate detailing the tasks accomplished during the traineeships.

Article 17
Travel allowance

Upon request of the Member, the Internal Rules governing traineeships in the Secretariat of the European Parliament on travel allowance shall apply to traineeships based on an agreement with the European Parliament granted pursuant to this Part 2 of this Decision.

Article 18
Missions

1. During the traineeship, upon request of the Member to the competent service of the Parliament, trainees may be sent on mission to one of the other places of work of the Parliament.
2. In respect of such missions, the trainees shall be entitled to the same reimbursement of expenses as accredited assistants pursuant to the Implementing Measures for Title II of the Conditions of Employment of other servants of the European Union.

Article 19
Household Allowance

The Internal Rules governing traineeship in the Secretariat of the European Parliament on household allowances shall apply to traineeships based on an agreement with the European Parliament granted pursuant to Part 2 of this Decision.

Article 20
Leaves and absences

The Internal Rules governing traineeship in the Secretariat of the European Parliament on leaves and absences shall apply to traineeships based on an agreement with the European Parliament granted pursuant to this Part 2 of this Decision, it being understood that the Member acts as the training supervisor.

Article 21
ACP Trainees in the European Parliament

The rules on traineeships based on an agreement with the European Parliament in this Decision apply to traineeships falling within the scope of the initiative “ACP trainees in the European Parliament”.

Part 3: Study visits

Article 22
General provisions

1. Members may offer opportunities for detailed study of subjects relating to the European Union by spending a period in the Member’s Parliament office in Brussels or in Strasbourg.

2. The maximum duration of study visits is six weeks. Only two study visits can be granted to the same person over one legislative term. There shall be a period of at least twelve consecutive months between two visits granted to the same participant.
3. Members wishing to accept study visits should inform the competent service of the Parliament at least one month in advance of the envisaged date of the visit.
4. Members shall provide the competent service of the Parliament with the following documents at least one month in advance of the envisaged date of the visit:
 - a personal statement by the applicant indicating the Member with whom they desire to gain a work experience, the objective of the visit and the desired period;
 - a *curriculum vitae*;
 - a copy of the applicant's passport or national ID;
 - in the case of nationals of third countries, where required, a copy of a valid visa for the entire duration of the traineeship
5. Participants in study visits shall not receive any allowance of any kind. Upon request of the Member concerned, participants in study visits may be granted a compensation proportional to the duration of the visit, in a form of a one-off payment. The total amount of the compensation for the maximum period shall not exceed the maximum allowance granted pursuant to Article 10(2). In such a case, the participant shall provide the document issued by a financial institution clearly stating the name of the bank and the account holder, the IBAN and BIC/SWIFT code for the payment. The bank account should be opened in an EU Member State and be held by the participant.
6. When Members decide to grant participants to study-visits the opportunity to travel to another place of work of Parliament, Brussels or Strasbourg, they shall reimburse the expenses incurred.

Part 4: Traineeships in the Member State of Election

Article 23 *General rules*

Within the limits specified in Article 2(1), Members may offer traineeships in their Member States of election. The law applicable to these traineeships shall be the national law of that Member State.

Article 24 *Conditions of eligibility*

1. Traineeships in the Member State of election may only be defrayed from the parliamentary assistance allowance if the conditions below are respected.

2. In addition to the general conditions governing admission provided in Article 3, trainees must fulfil specific admission conditions for traineeships provided by the applicable law in the Member State in which the traineeship is to take place.

3. By way of derogation to paragraph 2, general admission conditions that are in breach of the applicable law of the Member State in which the traineeship is to be completed shall be waived.

4. Members shall forward all the documents listed below to the competent service of the Parliament, so that the fulfilment of the general conditions for admission set out in Article 3 and the specific admission conditions provided for by the applicable national law can be verified.

In particular, each Member shall supply:

(a) a request for defrayal signed by the Member with all information requested to validate the application, including a copy of the traineeship agreement duly signed and the name of the paying-agent which will be in charge of managing the agreement;

(b) a signed declaration by the trainee concerning the duty of professional secrecy and discretion;

(c) the copy of a valid identity document of the trainee;

(d) a *curriculum vitae*;

(e) proof that the trainee holds an accident and sickness insurance cover either by the national health service or by a private insurance;

(f) documentary proof in relation to the specific admission conditions as provided by the applicable national law;

(g) where required in the case of nationals of third countries, a copy of a valid visa for the entire duration of the traineeship;

5. All the documents listed above shall be forwarded to the competent service of the Parliament no later than one month before the traineeship agreement starting date requested by the Member. In the event of failure to comply with this time limit, the starting date shall be deferred.

Article 25

Traineeship agreement

1. All trainees must sign a traineeship agreement with the Member to whom the trainee is assigned.

2. Throughout their traineeship, trainees shall be under the responsibility of the Member. The agreement shall also specify the name of the local assistant responsible for the trainee when the Member is not present in the Member State of election.

3. Traineeship agreements shall be administered by the Member's paying agent, as referred to in Article 35 of the Implementing Measures who shall ensure that national and European Union law, in particular as regards social security and tax obligations, is properly complied with.
4. The Traineeship agreement shall specify the place of work of the trainee.
5. Traineeship agreement must comply with the applicable national law regarding leaves, special leaves, sick leaves and unjustified absences.
6. The Traineeship agreement shall include a clause stating explicitly that the European Parliament may not be deemed to be a party to the agreement and that it may not be held responsible for any action or omission by any of the parties to the agreement which may lead to a claim for breach of the agreement or any other claim in law or otherwise.
7. Where the Member ends their term of office, whether by death or resignation or for any other reason, the traineeship agreement shall cease in accordance with the applicable national legislation. In absence of specific national provisions, the traineeship shall cease at the end of the month in which the Member's term of office ends.

Article 26
Monthly allowance

1. Without prejudice to the applicable national law, the monthly allowance shall not exceed the maximum amount set out in Article 10(2) of this Decision.
2. The defrayal of the allowance and any other related costs under the Parliamentary Assistance Allowance will be made through the paying agent.

Article 27
Duration of the traineeship

1. Unless provided differently by the applicable national law, traineeships shall be awarded for a period of one to five consecutive months and may be extended once for a period of up to four months.
2. The traineeship may not be renewed.

Article 28
Working time

The weekly hours of work are those provided for a full time work by the applicable national law, between Monday and Friday.

Article 29
Mission/Travel expenses

1. The Trainee may receive additional compensation to cover travel costs to take up their post and back to their place of usual residence at the end of the traineeship.
2. In relation with the parliamentary duties and at the request of the Member, trainees may be sent on mission to one of the three places of work of the Parliament or to a place in the Member State of election, for up to 2 days per full month of traineeship. Missions to Strasbourg are awarded for the duration of the parliamentary session (3,5 days). Maximum duration of individual missions is limited to 5 consecutive working days for the entire traineeship.
3. Under the conditions laid down by the national law applicable, the trainee shall be entitled to reimbursement of travelling expenses, including the cost of meals and accommodation incurred during mission undertaken at the request of the Member:
 - (a) Travel expenses shall be reimbursed on presentation of the original copies of supporting documents such as rail tickets and airline tickets with boarding cards. Travel by car shall be reimbursed on the basis of the cost of a second-class rail ticket for the journey or a scale of flat-rate distance related allowances in accordance with national rules or practices approved by the tax authorities. Supporting documentation must be provided, including receipts for payment of fuel and/or accommodation at the place of mission, in evidence that the journey has been made.
 - (b) The trainee shall be entitled to reasonable reimbursement of actual expenses or to a scale of daily flat-rate allowances in accordance with national rules or practices accepted by the tax authorities, to cover accommodation, meals and sundry expenses, payable after the mission on production of the documents mentioned in the preceding paragraph.
4. The reimbursement is limited to the minimum provided for by the applicable national law.
5. During the mission travel, the trainee shall opt for the most economical and functional forms of transport and accommodation. Travel by air or train inside Europe shall be economy class or second class respectively. The trainee shall select appropriate and economic hotel accommodation, subject to the availability and accessibility thereof at the time. Accommodation shall be in standard rooms. Taxis shall be used exceptionally and for short distances only, where no public transport is available. A receipt shall be produced indicating the actual price and the points of departure and arrival.
6. All supporting documents shall be handed to the paying agent managing the traineeship agreement.

Part 5: Final provisions

Article 30
Disputes

A trainee under an agreement with the European Parliament wishing to challenge a decision taken in application of this Decision shall make a reasoned submission to that effect to the

competent service of the Parliament or, where the disputed decision was taken by the competent service of the Parliament, to the Secretary-General. The competent service of the Parliament or, where applicable, the Secretary- General, shall make a reasoned reply to the trainee within three months.

Article 31
Processing of personal data

Any personal data generated in connection with the traineeships shall be processed pursuant to Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by Union institutions and bodies, offices and agencies, and on the free movement of such data. Any personal data shall be processed only for the purpose and in the framework of the present Decision. The trainee should acknowledge that their name will be published on the website of the European Parliament for the duration of the traineeship agreement.

Article 32
Monitoring and evaluation report

The competent services of Parliament shall monitor the implementation of this Decision and draw up an evaluation report by 31 December 2020 at the latest.

Article 33
Repeal of earlier rules

The Bureau Decision of 19 April 2010 regarding the rules on Members' trainees is herewith repealed.

Article 34
Entry into force

This Decision shall enter into force on the 2nd July 2019.