



Campaign to ban unpaid and unfair internships

Background

European Institutions and national leaders declared 2022 the European Year of Youth. (EYY) This has been done after data from all corners of the EU showed that young Europeans are one of the most affected groups by the COVID 19 pandemic. The series of lockdowns caused a collective trauma with no attempt to heal it as the national authorities continue their battle against the new wave of infections. Additionally, the precarious position of the young people in the labour markets forced young people into unemployment, often without any safety net as their previous (often multiannual) working life was composed of short term and non-standard contracts and employers were not obliged to pay a social security contribution.

The EYY is therefore designed to provide an impetus to initiatives that target and improve the situation of young people in the current difficult situation.

Why the campaign

ETUC has long been warning that the austerity measures introduced after the last economic crisis, left the labour market a very hostile place for young workers. The race to the bottom and liberalisation of the market led to an increase in young people who had little choice but to accept unfair working conditions in the form of temporary contracts, 0 hours contracts, bogus self-employment, unpaid or poorly paid internships that often substituted entry-level jobs.

We, therefore, welcome the EYY initiative but **we denounce the lack of concrete proposals and commitments to make the life of young workers better**. For EYY to have the impact we have to have legislative changes that will guarantee improvements in all member states. One of the ways to immediately achieve that is to end the exploitation of young workers and BAN UNPAID INTERNSHIPS.

The goal of the campaign

The legislation regulating internships [is very different in all member states](#). We need to harmonisation and binding action on the EU level. That is why the goal of our advocacy is binding legal tool to:

- Ban unpaid internships that are undertaken outside of secondary or post-secondary education to gain professional experience ahead of taking up regular employment.
- Ensure that internships do not replace entry-level jobs

Why legal binding tool?

ETUC in cooperation with other youth stakeholders already campaigned in 2012 for fair traineeships. This effort resulted in [Council Recommendations on Quality Traineeships Framework](#)¹ in 2014.

The document included some of our recommendations however as the tool is only a soft law (non binding) the implementation was full of flaws, and in some MS largely ignored by the employers and/or governments.

There is therefore no need for repeating the same action that did not deliver a good result for young workers.

What internships do we want to ban?

Our action is targeted to **'free market' internships** - those that take place **outside of the educational framework**.

Free market internship:

- serves to offer a concrete work-based learning experience to individuals who are either **newly entering or re-entering** the labour market.
- is conducted for professional development **during a limited time period** and its goal is to **increase learners' competencies and obtain skills relevant for the labour market**
- consisting of activities that are connected with the area of study or professional development.
- It is organized in advance to provide structured and applied to learn through practical experience and **leads to the recognition of learning outcomes**, under the supervision of a professional(s) with a significant background in the field of the experience

What is a quality internship?

The quality internship has to have several criteria²:

1. Recruitment

The advertising of the internship opportunity, the application phase and vacancies should be open, transparent and outline working conditions to allow every applicant with relevant competences or following a relevant academic program to apply. Host organizations shall provide information on the terms and conditions of the internship, in particular on remuneration, work environment, working conditions, social protection, and insurance. The selection of interns should take place via a fair and transparent procedure, shall be merit-based and avoid all types of discrimination. The internship should be built on the free choice of both parties and be agreed by all parties.

¹ [https://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:32014H0327\(01\)](https://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:32014H0327(01))

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https://www.sprint-erasmusplus.fr/sites/sprint-erasmusplus.fr/files/CWA17541_2020%20final%20version.pdf

2. Written agreement

Before interns start their internship, the rights and obligations of all stakeholders included shall be clearly set out in a written agreement⁶ or contract.

The agreement shall at least include the duration of the internship, expected working hours or presence hours in the host organization, a description of the role and tasks that the intern will have, learning objectives and competencies to be developed, the role of the host organization, remuneration, reimbursement or intern's compensations, the tutor(s) who will guide the intern throughout the experience, and information about applicable Collective Labor Agreements and about any trade union that the intern can join, where applicable.

3. Remuneration

Interns shall receive remuneration for their work whatever the duration of the internship. In order to make internships accessible and inclusive, appropriate and fair remuneration shall be defined.

For Full-Time employment the wage shall not be lower than either the salary established by a collective agreement, or the median income or the national or sectoral minimum wage or the EU poverty line, whichever is more favourable³.

For part-time internships, the obligation to remuneration shall be defined in line with the standard's principle and adapted according to the working hours.

When overtime is allowed according to the national legislation or collective agreements, it shall be additionally remunerated at the same level as regular employees.

4. Skills development

At the beginning of an internship, clear learning outcomes shall be set jointly by the employer, the intern.

These learning outcomes should include the acquisition of specific knowledge, skills, or experience by the interns. Learning outcomes can be an integral part of the legal agreement or another document agreed between the intern and the tutor(s), but should always be put into writing. If needed, the tutor(s) and the intern can jointly agree to amend or revise the learning outcome at any point. Skills acquisition shall be monitored regularly and evaluated at the end and interns should be supported by a consistent tutor in case the acquisition of skills is identified.

At the termination of the internship, the host organization and the intern, with the educational organization, when applicable, should organize a dedicated time to discuss and exchange on the internship, identify skillsets gained and/or learning outcomes achieved, in line, notably with the learning outcomes specified in the legal agreement or other document established at the start of the internship. Furthermore, the interns shall receive a written statement validating and recognizing their learning outcomes, or a recommendation letter describing gained and developed skills during the internship.

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5. Tutoring

The host organization shall always ensure a tutor with the relevant competences and experience needed to include the interns in the regular working process. The tutor may hold primary responsibility for daily management of the interns, including for assigning tasks and responsibilities and for enabling them to achieve their learning outcome. The tutor shall be based at the same part of the work area in order to include the interns in the work process and help them to achieve their learning objectives. They should have the necessary language skills to communicate with the interns. The employer shall ensure that the tutors have enough time in their daily schedule to provide a good quality tutoring. The aim is to ensure regular interactions with the tutors to foster an efficient knowledge transfer. In the regard, the employer should ensure a reasonable ratio of interns per tutor.

6. Career development and employment

The host organization supports the interns in career orientation and development during and upon the completion of the internships. This could include conversations on the interns' ambitions, a reference letter, assessment tools, or more formal performance review tools. Many host organizations offer continuing employment to some or all of their interns and this is highly encouraged. The host organization shall organize one or more meetings between the interns and the management of the organization to discuss the

7. Work environment and working conditions

The employer shall ensure decent working conditions, including a designated and accessible working space with all tools and materials. If the activities performed by the worker require it, the host organization shall provide Personal Protective Equipment. The workplace shall meet the prescribed standards of health and safety at work, as defined in national legislation, collective and/or sectoral agreements, or other binding documents.

Workers shall benefit at least from the resting time established by the national legislation or the sectoral collective agreement. Limits to weekly working hours, rest break, minimum daily rest period, and minimum weekly rest period shall meet the provisions of principle 10 of the European Pillar of Social Rights (Healthy, safe and well-adapted work environment and data protection), articles 2 (on the right to just conditions of work) and 31 (on fair and just working conditions) from the European Charter of Fundamental Rights of the European Union and the EU's Working Time Directive (2003/88/EC).

In the case of parental leave, accident or long-lasting illness, workers shall have the right to return to their job at the host organization, either in the original position or a suitable alternative.

Workers shall have access to a complaint channel to report abuses. This complaint channel can be at either the host organization, or a trade union presence in the company, or at a third party.

8. Social protection and insurance

Interns shall be included in the social security system, especially those of health, unemployment, and pension systems. The host organization, shall ensure that the intern is covered for social security services, civil liability, medical treatment, sick leave, accidents including the accidents at the workplace resulting in disabilities.

Unfortunately, gaps in the national law allow for the use of non-quality/poor internships, often unpaid or underpaid, without proper tutoring or learning content, with job descriptions and tasks corresponding to the regular permanent working position.

How does this internship differs for Apprenticeships?

Apprenticeship is a work based training within Vocational Education and Training (VET). As this training is integral part of the VET curricula, **this campaign will not target apprenticeship**. However, Council Recommendation of 15 March 2018 on a European Framework for Quality and Effective Apprenticeships⁴ that were prepared with ETUC input clearly call for fair remuneration of apprenticeship.

Momentum for the campaign

Several developments on the national and EU level contribute to the good momentum to conduct the campaign and advocacy action.

- Failure of the policymakers to introduce binding quality criteria for the Reinforced Youth Guarantee. (October 2020)
- Italy (one of the strongest EU economies) calling for a ban on unpaid internships in the proposed budgetary law (December 2021)⁵
- Adoption of the European Parliament resolution on Empowering Youth that - *“Calls for paid, quality and inclusive traineeships and apprenticeships. Condemns the practise of unpaid internships and calls on the Commission and the Member States to propose a legal framework to ensure fair remuneration for traineeships and apprenticeships”*. (Feb 2022)
- Publication of the result of the collective complaints of YFJ against Belgium acknowledging the bad practice of replacing entry-level jobs with internships⁶ (February 2022).

⁴ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32018H0502%2801%29>

⁵ <https://twitter.com/AndreaOrlandosp/status/1475499697183899650>

⁶ <https://www.youthforum.org/news/belgium-must-do-more-to-stop-unpaid-internships-rules-international-human-rights-body>

Main messages

- Unpaid internships must be illegal. - Unpaid is illegal!
- If the EU is serious about improving the lives of young people they have to take serious steps and they must move together. The time for the end of exploitation is now!
- EU can not fund precarity! The huge sum of the money used for the recovery and investment into business can not create more precarious jobs. Banning unpaid internships will make sure dishonest employers stop exploiting young people. On the other hand, honest employers will not be affected by the legislation.
- Young people do not need more skills! Young people need quality jobs.... The generation of young workers can not be exploited as cheap labour in the name of upskilling and increased employability.
- Unpaid internships are for the privileged ones who have family resources to support them during their unpaid job... EU should protect all young people by a directive that will improve the lives of all young workers regardless of their financial background.
- Do you want to impact? Make legislation... The life of young people, and of all of us, will improve in the short term once the lockdown ends. We are also anxious to see the re-start of the cultural and world discovering activities near us and globally. But if we want to see the long term impact, the EYY has to bring legislative proposals.
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Links to other initiatives on EU level

- *Union of equality*⁷: how is it equal if the path to a stable job leads through unpaid internships and therefore the support of your family?
- *Discover EU*⁸: running away from the devastating consequences of the pandemic in the train is a great but only short term solution. Lifting spirits is not the main task of the EU, their main task is to provide fair and safe working conditions: **Young people need quality jobs and quality wages, anything else won't solve the problem.**
- *The Youth Guarantee*: Scheme often offering poor quality internshipshas only recommended quality criteria. Additionally there is a lack of engagement from the side of the member states to implement the reinforced version⁹

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https://ec.europa.eu/commission/commissioners/2019-2024/dalli/announcements/union-equality-first-year-actions-and-achievements_en

⁸ https://europa.eu/youth/sites/default/files/0319_youth_2021-12_discovereu_factsheet_v10.pdf

⁹<https://www.etuc.org/en/document/resolution-reinforced-youth-guarantee-revisited-fight-against-youth-unemployment>

Actions

Combination of online and offline advocacy activities will depend on the development of the file and will include

1. Meetings with policymakers on national and European level
2. Raising awareness activities online
3. Policy monitoring and data gathering on existing good and bad practice
4. Interactive workshops for activists and stakeholders
5. Regular exchanges between stakeholders of the campaign

Visual identity and materials

The campaign visuals explore the absurdity of young people who are asked to work for free.

[All visuals for the campaign can be accessed via the Google Drive Folder.](#)

The folder will be regularly updated by materials in different languages as well as the materials in modifiable format.

More info

Members of the Youth Committee will be asked to join the steering group of the campaign, which will provide feedback on the plans prepared by the secretariat and identify online and offline actions that could be part of the campaign.

Regular updates and invitations to take action will be sent via email.

To become a member of the Steering Group or if you have any questions, you can always reach out to Lucie, the Youth Committee Coordinator. (lsusova@etuc.org)