



**Decision No 25-2023 laying down rules for the employment of trainees
at the European Court of Auditors**

THE SECRETARY-GENERAL OF THE EUROPEAN COURT OF AUDITORS,

HAVING REGARD TO the provisions of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU, and repealing Regulation (EU, Euratom) No 966/2012;

HAVING REGARD TO Decision No 21-2021 laying down the rules for implementing the Rules of Procedure of the Court of Auditors;

HAVING REGARD TO Decision No 59-2022 of the European Court of Auditors laying down the internal rules for the implementation of the budget;

HAVING REGARD TO Decision of the Court of Auditors No 29-2015 relating to the exercise of the powers conferred on the appointing authority by the Staff Regulations of Officials and on the authority empowered to conclude contracts of employment by the Conditions of Employment of Other Servants;

WHEREAS it is necessary to clarify certain rights and obligations pertaining to trainees at the European Court of Auditors;

HAS DECIDED:

Article 1 Purpose

1. The European Court of Auditors (ECA) organises traineeships in areas relating to its work in order to provide interested parties, selected on the broadest possible geographical basis, with an overview of the European integration process by means of day-to-day experience of how a European institution operates.
2. Individuals accepted for a traineeship do not have the status of EU officials or other servants, nor do they benefit from any right to recruitment at the ECA or priority in that regard.

Article 2 Eligibility

1. To be eligible for a traineeship, applicants must:
 - be nationals of one of the member states of the European Union, except where an exception has been granted by the ECA;
 - have completed at least a standard 3-year higher education degree, corresponding to a complete Bachelor's cycle, or equivalent, or have completed at least four semesters of university study in an area of interest to the ECA at a higher-education establishment;
 - have expressed an interest in receiving practical training relating to one of the ECA's areas of activity;
 - not already have benefited from a traineeship (paid or unpaid) at any EU institution, body or agency, including the European Central Bank and the European Investment Bank;
 - have a thorough knowledge of one official EU language and a satisfactory knowledge of at least one other official EU language;
 - never have been employed, and not be employed at the time of application, at an EU institution, body or agency as: a member of the temporary staff, contract staff or employment agency staff; a seconded national expert; or an assistant to a Member of the European Parliament.
2. If selected, applicants will also be required to provide:
 - certification of a criminal record¹ from the national authorities of their home country, such as would allow access to their national civil service; and
 - a medical certificate² confirming that they are physically fit to perform their duties.
3. Candidates with a physical or intellectual disability need not produce the latter certificate. They must however produce a medical certificate containing sufficient information to enable the ECA to assess the reasonable accommodations required to make the traineeship possible.

Article 3 Length of traineeships

1. Traineeship sessions take place as follows:
 - from 1 March to 31 July of the same year;
 - from 1 May to 30 September of the same year;
 - from 1 October to 28 (or 29) February of the following year.
2. During these three sessions, traineeships may last for three to five months.

¹ Less than three months old.

² Less than one month old.

3. In exceptional circumstances, the ECA may waive this rule to allow one additional month, subject to budgetary availability.
4. No one may undertake more than one traineeship at the ECA, regardless of length.

Article 4 Selection

1. The Human Resources department (HR) will, depending on the needs expressed by the ECA's various directorates and budgetary availability, determine the number of traineeships allocated to each directorate. It will then inform the directorates concerned of this number.
2. Applications may only be submitted online as per the procedures laid down by HR and published on the ECA's website.
3. Each directorate is responsible for selecting applicants, taking due account of the current rules, on the basis of merit and the interest of the service.
4. The selection procedure is designed to avoid any form of discrimination and ensure that all applications are treated and processed fairly. If the shortlisted applicants have the same qualifications and skills, the selection decision must ensure geographical and gender balance, where possible.
5. No later than one month before the traineeship start date, HR will email the successful applicants to inform them that they have been selected, provided they have submitted the required supporting documents.
6. Applicants must submit all the necessary supporting documents by the deadline set by HR, failing which their application will be rejected.
7. The ECA and the trainee will both sign a traineeship contract before the traineeship starts. Any extension of the traineeship, as envisaged in Article 3(3), will require an amendment to the contract.
8. Successful applicants may withdraw their application at any time before the contract is signed. They may submit a new application for a subsequent traineeship session, under the conditions set out above.
9. However, applicants who withdraw less than two weeks before their traineeship is due to start will be excluded from applying for a traineeship at the ECA in the subsequent two-year period. The ECA may agree to waive this rule in duly substantiated cases.

Article 5 Traineeship coordinators and traineeship supervisors

1. Each ECA directorate will designate a 'traineeship coordinator' to coordinate the selection of trainees in an administrative capacity and manage their traineeship within the directorate.

2. In particular, the traineeship coordinator will:
 - identify their directorate’s traineeship needs for a given budget year;
 - consult the database of applicants for each session;
 - collect applications for their directorate;
 - send HR the applications that have been selected, as well as a description of the tasks and activities the trainees are expected to perform;
 - monitor their directorate’s use of the budget, together with HR;
 - be responsible for providing notification of and managing all types of activities and/or events organised for trainees by HR and/or their directorate;
 - manage, together with the relevant departments, any significant incidents that occur during the traineeship, and help trainees in their directorate to resolve any significant problems.
3. The ‘traineeship supervisor’ is an ECA official or other servant who works in the directorate to which the trainee has been assigned, and who:
 - guides and closely supervises the trainee throughout their traineeship;
 - assigns tasks to the trainee, and oversees their performance and integration into the team;
 - notifies the traineeship coordinator of any significant incidents during the traineeship;
 - drafts a letter of recommendation for the trainee, where required.

Article 6 General obligations

1. Trainees must observe the utmost discretion as regards any facts and information that come to their attention during their traineeship. They are bound by the same confidentiality and personal-data protection rules as ECA staff.
2. They must comply with the instructions given by their traineeship supervisor and/or line manager.
3. At any time during their traineeship and in the interest of the service, trainees may be placed at the disposal of another team in the directorate to which they have been assigned, or in another directorate.
4. Trainees must adhere to the ECA’s ethical guidelines. They must carry out their duties with integrity, courtesy and consideration. They are subject, in particular, to the decision on the ECA’s policy for ensuring a respectful and harassment-free workplace.
5. During their traineeship, trainees must consult their traineeship supervisor or, in the latter’s absence, their traineeship coordinator about any initiative they propose to take in connection with their work or that of the ECA.

6. Trainees must not deal with matters in which they have a direct or indirect personal interest. They may not enter into professional commitments with third parties that would be incompatible with their traineeship at the ECA, or engage in paid employment during their traineeship.
7. Trainees who find themselves in an existing or potential conflict of interest, as described in the previous paragraph, must immediately notify their traineeship supervisor and traineeship coordinator in writing.
8. Trainees must adhere to the same rules as the ECA staff in their dealings with the media. They must comply with the instructions they are given in this respect, even once their traineeship is over.
9. Trainees may not, either in a personal capacity or in collaboration with third parties, publish, or have others publish, information about the ECA's work through any medium whatsoever, without the prior authorisation of the ECA departments concerned. This obligation will continue to apply once their traineeship is over.
10. The ECA will irrevocably acquire worldwide ownership of the results of work done by trainees during their traineeship, together with all related intellectual or industrial property rights, including any rights relating to copyright, reproduction, communication to the public, and distribution.
11. Trainees will be employed on a full-time basis and must abide by the ECA's working hours. Overtime will give no right to compensation or additional remuneration, or to an increase in the monthly allowance.
12. Trainees will be subject to the hybrid working arrangements, including teleworking from the place of employment, as described in the note issued by the Director of Human Resources, Finance and General Services.

Article 7 Emoluments

1. Trainees will receive a monthly allowance of 1 500 euros.
2. Trainees with a recognised physical or intellectual disability, will receive a monthly allowance of 2 000 euros, provided they have submitted the appropriate supporting documents.
3. The ECA may accept trainees paid by other institutions or organisations. Such trainees will also be subject to the rules set out in this decision.

Article 8 Tax arrangements

1. Traineeship allowances are not subject to the special tax arrangements that apply to EU officials and other servants. Trainees in receipt of an allowance are solely responsible for ensuring that they comply with their national tax obligations.

Article 9 Health and accident insurance

1. Trainees must have health and accident insurance.
2. If trainees cannot make provision for their own health insurance, the ECA will offer them insurance. Where this is the case, trainees must pay a third of the insurance premium.
3. If the European Health Insurance Card issued by national authorities or insurance companies does not cover the entire traineeship, the arrangements in the previous paragraph will apply for the period that is not covered.
4. The ECA will provide trainees with accident insurance.

Article 10 Missions

1. In exceptional cases, trainees may take part in official ECA missions, subject to a duly justified request from their traineeship supervisor approved by the line manager. Where authorisation is given, the trainees concerned must be accompanied by a member of the ECA's staff.
2. The general rules applicable to all ECA staff will apply *mutatis mutandis* to missions carried out by trainees.

Article 11 Travel expenses incurred at the beginning and end of the traineeship

1. Trainees will be entitled to reimbursement of the travel expenses they incur at the beginning and end of their traineeship, within the geographical limits of the EU member states or their recognised territories.
2. Expenses will be reimbursed for one return journey to the place of the traineeship starting from the location that was the trainee's usual place of residence before the traineeship started. Trainees whose usual place of residence is less than 50 km from the place of the traineeship will not be entitled to this allowance.
3. Reimbursements will be based on the costs actually incurred, on presentation of supporting documents for:
 - a second-class rail journey, including a couchette or sleeping car, if necessary, for distances between 51 and 500 km; or
 - an economy-class flight, if this is cheaper than rail travel, or if the route by rail is more than 500 km or involves a sea crossing.
4. Journeys undertaken by any other means of transport than those listed above will be reimbursed on a fixed-rate basis and solely upon presentation of supporting documents. The fixed rate will be calculated as follows:
 - €0.12 per km for the first 1 000 kilometres;
 - €0.08 per km for each kilometre thereafter;
 - €0.00 per km for the portion of the journey exceeding 5 000 kilometres.

5. If the usual place of residence is located outside the EU, travel expenses will be reimbursed only from the capital of the EU member state that is nearest to the place in question.
6. In order for travel expenses to be reimbursed, the journey must take place no earlier than the month before the traineeship starts, and the return journey must be completed no later than the month after the traineeship ends. Where this is not the case, the ECA may refuse to reimburse the expenses in question.

Article 12 Leave

1. During their traineeship, trainees will be entitled to the same official and public holidays as the ECA staff.
2. Trainees will be entitled to two days' leave for each month of their traineeship. They must submit leave requests via the HR portal for approval by their line manager and HR.
3. Days used to sit competitions or examinations, for university study, etc. will be deducted from this entitlement.
4. The directorate to which the trainee has been assigned, together with HR, will be responsible for registering and managing the trainee's leave requests.
5. There will be no financial compensation for unused leave. If a trainee is absent for longer than their stipulated leave entitlement, financial compensation equivalent to the extra number of days will be deducted from their monthly allowance.
6. If a trainee is absent without justification or exceeds the limit for sick leave without a medical certificate, the length of the absence will be deducted from the leave allocation. If the trainee has used up their leave allocation, equivalent financial compensation will be deducted from their monthly allowance.

Article 13 Sick leave

1. In case of illness, trainees must immediately inform their traineeship supervisor, the traineeship coordinator of the directorate to which they have been assigned, and the Medical Service.
2. A medical certificate must be provided for absences of more than three calendar days.
3. Total sick leave without a medical certificate may not exceed six days over the entire traineeship.
4. Trainees partially insured against illness by the ECA, as set out in Article 9 of this decision, will not be entitled to reimbursement for the medical expenses borne by the institution.

Article 14 Termination and end of traineeships

1. Traineeships will end when the period for which they have been awarded expires.
2. However, the ECA may terminate a traineeship before the end of this period in the three situations set out below.
 1. In response to a reasoned written request by the trainee, giving at least three weeks' notice. In this case:
 - the request must be submitted to the traineeship supervisor, who will inform the line manager and the directorate's traineeship coordinator without delay;
 - the traineeship coordinator must inform HR at least five working days before the requested termination date;
 - HR will then issue a decision confirming the termination of the traineeship and send it immediately to the person concerned, to their directorate and to other relevant departments;
 - the trainee concerned may only leave the ECA on the 1st or the 16th of the month, and must reimburse any allowance received for the period they have not worked.
 2. In response to a reasoned opinion from the trainee's line manager, if the trainee seriously fails to comply with their obligations under these rules. In this case:
 - the traineeship coordinator for the department concerned must send this opinion to HR without delay;
 - having interviewed the trainee, HR will then issue a decision confirming the termination of the traineeship and send it immediately to the person concerned, to their directorate and to other relevant departments;
 - the trainee concerned may only leave the ECA on the 1st or 16th of the month, and must reimburse any allowance received for the period they have not worked.
 3. In cases of force majeure, such as a health crisis, war, or natural/other disaster, or as a result of substantial structural changes at the ECA, or any other event that corresponds to the legal definition of force majeure. In these cases:
 - HR will issue a decision confirming the termination of the traineeship and send it immediately to the person concerned, to their directorate and to other relevant departments;
 - the trainee concerned may leave the ECA as soon as they have received notification of the decision to terminate the traineeship, and is not required to reimburse any allowance received for the period they have not worked.
3. Where the ECA terminates a traineeship, it is not required to provide any notice, and there will be no entitlement to compensation.

4. The ECA may decide to refuse a trainee access to its buildings and IT systems.
5. Furthermore, in the event of serious misconduct by a trainee, the ECA reserves the right to launch legal proceedings against them.

Article 15 Protection of personal data

1. All personal data collected when selecting and employing trainees will be processed in line with Regulation (EU) 2018/1725 of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the EU institutions, bodies, offices and agencies and on the free movement of such data.

Article 16 Appeals

1. Internal formal appeals against decisions relating to traineeships are not possible under any circumstances.
2. However, HR may offer to mediate or ask the intervention of the internal mediators in order to resolve specific problems that would not cause a traineeship to end, or that trainees or their traineeship coordinator have brought to its attention.
3. Decisions taken in application of these rules may be challenged before the General Court of the European Union in accordance with Article 263 of the Treaty on the Functioning of the European Union (TFEU).

Article 17 Final provisions

1. This decision will enter into force on the day of its signature.
2. It cancels and replaces Decision No 47-2022 laying down rules for the employment of trainees at the European Court of Auditors.

Done at Luxembourg, 28 September 2023

Zacharias Kalias
Secretary-General