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FINAL REPORT BY THE EXPERT

Advice case title: Youth Beyond Borders

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Table of content

Executive summary	3
1. Description of the obstacle with indication of the legal/administrative provisions causing the obstacle.....	4
1.1. Understanding the obstacle	4
1.2. Assessing the obstacle.....	6
2. Description of possible solution(s)	7
2.1. Understanding what possible solutions there are	7
3. Full list of all legal provisions relevant to the case with the correct citation both in original language and in English.....	10
3.1. Austria	10
3.2. Italy	10
3.3. Europe	11
4. Other relevant aspects to this case if relevant	12
4.1. Definitions.....	12
4.1.1. Austria	12
4.1.2. Italy – Regions Friuli Venezia Giulia and Veneto.....	12
4.2. Apprenticeship.....	12
4.2.1. Austria	12
4.2.2. Italy.....	14
4.3. Trainee- and internships	15
4.3.1. Austria	15
4.3.2. Italy.....	17
4.3.3. Europe.....	17
References.....	19
Appendix: Comparative Table AU-ITA [separately].....	20

Executive summary

The comparison between the organisation of internships, traineeships and apprenticeships in Austria and in Italy necessarily involves also the comparison between their school and labour systems. The different school system represents the first obstacle in advising the case, due to the different ages of compulsory educational process in both the States. During the advising we try to describe the different training rules with the necessary conclusion that for the implementation and support to cross border exchanges is necessary:

1. a border coordination point/platform between the three Administrations of Veneto Region, Friuli Venezia Giulia Region and Carinthia Region, agreed by them in the advised EGTC from the previous Interreg Project SCET NET, with the signing of a Memorandum of Understanding and the Guidelines produced in the WP6 of that Project.
2. A framework agreement between the involved institutions (vocational training centres, regional school offices, Chambers of Commerce) and implementing agreements for each area of traineeship's twinning.

In the not ever simply distinction between Internship and Traineeship another difference is that in Austria there is no institution in the background of an internship and parents have to look for useful companies hosting subjects, while in Italy are the educational institutions that search the enterprises available for the execution of the internship.

The competence to sign the agreements proposed sub 2 is of the high schools and vocational training centres with the support of the regional school offices and the Employment offices.

The bilateral agreement should be the solution to solve the obstacles, with the searching of the common NQF and setting out the definition of the traineeship or internship, setting the basic rules.

But also signing those agreements there are some differences:

- in Austria there is just a contract between the pupils and the receiving institutions with a bilateral agreement.
- In Italy there is a trilateral agreement between the school, the hosting institution and the pupil, composed by the contract, the educational/training plan and the test agreement.

The EGTC should be the platform supporting the schools as "service providers" in the area of traineeship, connecting each other regarding to the type of professional or high school education and the qualification obtained at the end of their training course.

For the apprenticeship sector, in Austria you have protected professions in certain economic sectors while in Italy apprenticeship is available for all the sectors. The first step is, consequentially, the individuation of the sectors presents in both the States. Another difference is that in Austria the apprentice is employed by the school directly, while in Italy the apprentice is employed by the enterprise. This difference leads to a necessary agreement between two employers: the Austrian School and the Italian Employer as an exchange of employees.

In Europe the Programme Erasmus+ supports traineeships (work placements, internships) abroad at any workplace for students currently enrolled in higher education institutions in Programme Countries at short-cycle Bachelor and Master level as well as for doctoral candidates. These opportunities are also open to recent graduates.

The [Erasmus Intern Traineeship Portal](#), developed by the Erasmus Student Network, helps students to find Erasmus+ traineeships opportunities from companies. But it is a direct system between trainees and companies and not between traineeships' institutions.

1. Description of the obstacle with indication of the legal/administrative provisions causing the obstacle

The main goal of the previous SCET-NET Project, Without Borders Education and Training Network managed inside the Interreg Programme by the assessed Institution, was to promote ongoing institutional cooperation to coordinate the legal and legislative framework of training for the definition of educational models launching cross-border exchanges for students and interns over 16, with a view to recognising skills and adopting common, replicable and sustainable organisational practices.

Among the various pilot actions of the project, there was the implementation of internships/traineeships/apprenticeships between the Friuli Venezia Giulia, Veneto and Carinthia Regions with workshops organised and dedicated to different economic sectors in which students and companies participated. These were very important as they made it possible to create a first contact between students and businesses available to host trainees. So, the first important condition is the offer of an all-inclusive-info-point for the interested people, enterprises and vocational training centres in the cross-border area.

Those actions were preceded by a feasibility study on a cross-border exchange management structure, carried out by experts who identified some hurdles between Italy and Austria in the application of cross-border training experiences such as, first and foremost, a different structure of the school system and a different implementation of training courses which also lead to the implementation of different forms of training pathways. In Austria apprenticeships are mostly carried out, while in Italy there are more traineeships. In addition, in Austria there is a direct relationship between a trainee and an enterprise, while in Italy the relationship is mainly (or exclusively) between the student and the school and through the school institution with the enterprise.

Another obstacle detected during the SCET-NET experience were certainly the language barriers. Young people who wish to undertake training abroad often do not have an adequate knowledge of the language of the host country. This was detected especially with regard to training courses carried out in the tourism sector. In the last years there was an improvement of regular school courses with the offer of all the three languages used in the area (German, Italian and Slovenian), but limited to the north-east area of the Region Friuli Venezia Giulia and the south-west area of the Region Carinthia.

Finally, there are other problems related to insurance coverage and possible reimbursement of young people's expenses during their training experience.

1.1. Understanding the obstacle

Before getting started it will be necessary to distinguish the three basic modes of education and training related labour situations (see also: Section 4 below)

- **Apprenticeship** – is a labour situation, which “trains on the job” – i.e. it is a form of secondary education starting after completing the primary education level (in most cases in the EU around 14 years of age). In most EU countries it is embedded in a dual education system, providing school education side-by-side with a labour contract with a specific company providing the training on the job and ensuring the acquiring of professional skills and qualifications of a certain standard. The apprenticeship is terminated with a professional qualification and the qualification for a certain profession to be conducted by the apprentice – i.e. it is a prerequisite to perform a certain profession. The sectoral range is broad but concentrates on jobs in crafts and services.
- **Traineeship** – is also a labour situation which trains on the job. It can be found in secondary and tertiary education levels. Unlike an apprenticeship it is short term and strongly connected to a school/university curriculum. It is therefore a short-term (max. 2-3 months in one go) working relationship as part of a school/university curriculum, which should enrich secondary/tertiary education by acquiring practical skills. – Typical examples would be traineeships in tourism (as part of a higher education curriculum in tourism) or health care/nursing (as part of a higher nursing education).
- **Internship** – is a short-term labour relation between an individual (at any stage of his/her educational career) and a company/institution in the sector not necessarily but most likely connected to the educational background of the individual. Internships are not connected to the curriculum but are based on the individuals' motivation to obtain job experiences and obtain a short-term income. Internships are therefore a contractual based short-term labour relationship between an individual and a company/institution with no specific training character. They could be found in any economic sector.

What becomes clear from the definitions provided, is that in the cross-border obstacle case we will primarily concentrate on the cases of apprenticeships and traineeships.

The areas of the obstacles concern three sectors:

1) The school sector – national law:

- taught languages (German, Italian, Slovenian);
- compulsory education period (Austria 14 years, Italy 16 years) – primary education level
- professional qualifications (differences between the NQF, registered professions in Austria are more frequently disciplined by rules with requested qualification's exams as in Italy)

2) The labour sector – national law:

- the apprenticeship in Austria is an employment agreement between the pupil and the school while in Italy it's an employment contract between the pupil-employee and the employer

The specific obstacles which hamper cross-border cooperation in this specific border region concerns these main production sectors where were checked those obstacles:

- Hospitality (knowledge of languages)
- Craftsmen (registered professions)
- Students at technical institutes (electronics, electrics, mechanics)
- Nurses (although due to the Bologna process both in Austria and in Italy a University's degree – the hospital practice for hiring and risk management may still differ)

There are less obstacles in the university degrees, where all the system is covered by the “umbrella” of the Bologna Process of Higher education.

The nature of the obstacle: it is a legal obstacle originated by conflicting national laws, specifically:

A. in Austria apprenticeship is allowed as long as the Youngs finish their compulsory education of 9 years (WKO; 2011; p.3 & p.7) and are at least 14 years old (Website of the Austrian Federal Government; 2022B).

In Italy the compulsory 10 years education is until 16 years old, but the primary school finishes after 8 years of course, with the first 5 years cycle (elementary school – Scuola elementare) and the second 3 years cycle (lower middle school – Scuola media inferiore) (Law 27 December 2006 number 296, article 1, paragraph 622). In Austria the first four years of compulsory education are completed in primary schools (Volksschule or Grundschule); from age ten children can attend either a junior high school or secondary school (Hauptschule, or Kooperative Mittelschule), or in certain provinces, e.g. Vienna, a ‘new middle school’ (Neue Mittelschule) (educational experiment) or the lower grades of a higher general secondary school (allgemeinbildende höhere Schule (AHS) also called Gymnasium). All school types comprise four educational levels. The ninth school year (age 14-15) can be completed at a polytechnical school (Polytechnische Schule) (a school emphasising vocational orientation and preparation for an apprenticeship) or in other types of school.

It is evident that the obstacle is based upon the different school system in both States.

B. In Austria apprenticeships can only be carried out for certain professions. A list of applicable jobs is published and regularly updated by the Austrian Ministry of Labour and Economy Austrian Ministry of Labour and Economics, 2023). Training for around 250 professions can be obtained in basic vocational training i.e. apprenticeship from age 15.

Consequently, the list of professions is not ever the same in both the States and in Italy the apprenticeship is not limited to some professions (Legislative Decree 15 June 2015 number 81, article 41 and Legislative Decree 16 January 2013 number 13, article 8). For example, there are regulated professions in Austria (florists, funeral services, photographers) where is requested a professional qualification not present in the Italian professional qualifications system (see <https://europa.eu/europass/en/compare-qualifications>). Using the tools on the EU qualifications website is evident that it's impossible to compare the two NQF, because are totally or for the most part different to each other.

- C. Apprenticeships in Austria have no formal maximum age, meanwhile in Italy is defined in 15(18) – 25(29) years old, it depends to the type of apprenticeship used. Since 2016 it is possible to recruit with this contract in Italy also workers over 29 years old, beneficiaries of mobility or unemployment treatment, without age limit, for the purpose of their qualification or professional retraining (art. 47 paragraph 4, Legislative decree n. 81/2015 as modified by the State budget law 2022 – Law 30 December 2021 number 234, article 1, paragraph 248).
- D. In Austria the schools are Provinces' institutions, whereas in Italy they are State's Institutions with its own autonomy under the supervision of the Regional School Offices (articles (articles 114, 116 and 117 of the Italian State's Constitution and Regional constitutions). Obviously, there are also private schools with State's recognition, especially in the sector of professional education, where are the majority.

During the assessment we didn't find administrative obstacles deriving from the practice of the law because the obstacles are in the national laws themselves.

1.2. Assessing the obstacle

The obstacle indirectly results in EU law, because the dispositions of Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications shall apply to all nationals of a Member State wishing to pursue a regulated profession in a Member State, including those belonging to the liberal professions, but not the other professions and crafts, neither the education and training path to become a candidate for those professions. The Directive has also a long list of Annexes with the definition of all the types of professions in the MS, but the problem is represented by the direct connection from one State's profession to the other. It's necessary a fully harmonization of the professional qualifications, but the problem is the ancient history of every craft and profession in the single MS.

Consequentially, the national legislations are different from State to State regarding the National qualifications frameworks and the rules to obtain the qualifications as described in paragraph I of this Report.

The sub-national laws are not the reason and the origin of the obstacles, regarding the limited legislative competence of the Regions in this sector, were the professional qualification and the regulation of the courses is defined by the State authorities, *in primis* by the National Parliament. The Regions have just the role of implementation of the national legislation with implementing regulations.

Furthermore, the following non-legal obstacles play a role and are – in fact – far more determining:

- 1) As for **traineeships** the lack of cooperation between the educational institutions (e.g. tourism schools, etc.) play a crucial role. On the one hand the specific place and function of the traineeships within the single curricula prevents a mutual benefit for students/pupils, schools and receiving enterprises. On the other hand, the way traineeships are institutionally handled by the educational institutions varies across borders: in Italy the traineeship is handled by the schools in cooperation with the receiving enterprises. In Austria it is the responsibility of the student to find and organise the traineeship with minimal support by the school (e.g. the handing out of contract templates to students).
- 2) Another point building a non-legal obstacle for **traineeships** across borders is the tense situation on the labour markets on both sides of the border causing a “fencing-in” phenomenon of trainees by the receiving enterprises. This could be observed in for instance in the health care sector, where trainees are in principle desperately sought for and thus educational institutions like nursing schools do strongly advise students to conduct their traineeships in regional hospitals/health care institutions – effectively discouraging a cross-border exchange.
- 3) As for the **apprenticeships** the most preventive factor for a cross-border exchange is again a non-legal one, but based in the economic interest of the company training the apprentice. As an apprenticeship is basically a labour contract with an educational background the economic interests of the educating company is to make the most of the employee (i.e. apprentice) economically. Thus, there is no economic interest to exchange apprentices or allow apprentices to leave for some time to work for across the border. There may even be a competitive interest not to let go of apprentices risking not only the drain of labour, but also know-how transfer to a competitor across the border.

2. Description of possible solution(s)

2.1. Understanding what possible solutions there are

Apprenticeships vs traineeships – general differences in EU

Apprenticeships are defined as work practices, dividing the working time between learning in school and training in a company. Usually, there is a contract with the company and the apprentice get paid for his work (<https://ec.europa.eu/social/main.jsp?catId=1198&langId=en>).

Traineeships are understood as a limited period of work practice, whether paid or not (in Italy and Austria compulsory paid), which includes a learning and/or a training component. Traineeships are experiences outside the formal education, their duration usually goes from a few weeks to a maximum of six months (in Austria 90/180 days/Italy 3-6 months for 3EQF/plus 6 months up to the 4th EQF, 12 months for 4th EQF, 24 months for disabled persons). Extensions are admitted only for specific conditions, as for example the ones related to disability, social disadvantage, vulnerability. They could be classified as work contracts or not, depending on each national legislation: in Austria and in Italy are not an employment contract. Traineeships are a common way to gain necessary work experience before entering regular jobs, improving employability and facilitating transition into regular employment. There is a contract or a written agreement setting out the working conditions, as weekly working time, insurances, mentoring/tutoring, duration, training objectives and activity description, wage or monthly coverage (<https://ec.europa.eu/social/main.jsp?catId=1045&langId=en>). Traineeships differ from Internships, intended as a formal part of an educational path and have usually a brief duration (few weeks). The curricular experiences satisfy requirements for a qualification.

Based on the information gathered above, it is possible to assess which solutions would be the most helpful given the specific context.

There are few immediately possible solutions regarding the complexity of the case and the interconnection of two national and three regional law systems and several areas of legislation (school, labour, social insurance) and many long-term solutions, regarding for mainly the EU legislation and the national ones. These are:

1) of a **legal nature**:

- At the European level it's necessary a revision of the Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications.
- At the national level or subnational level
 - Making revisions to national law in both member states involved with a harmonization of the compulsory school periods (9/10 years), their steps (primary, secondary, middle, high education) and duration (4/5 years primary etc.)
 - Making revisions to national/subnational law in all member states involved as defined in the previous paragraph
 - Adding exception to national/subnational law in all member states involved: maybe it would be a tool for the border regions, because the described obstacles prevent the development and exchange of students, especially those in vocational schools.
 - Stipulating Bilateral Agreements: in the advised case it was stipulated a Memorandum of Understanding as the final act of the previous Interreg Project SCET NET.

Stipulating supranational solutions (e.g. Benelux): this is surely the optimal option, but it depends on the national Government's will to change the situation of professional exchanges between the border areas of the single State. The interests of the most part of the nation are not the same as the ones of the border areas and the priorities are not the same for both.

2) of an **administrative nature**:

- At the national level or subnational level introducing new or revised joint administrative procedure: the introduction of joint administrative procedures of the three Regions, members of the assessed EGTC, is the mainly proposed solution for the assessed case. Those procedures would be managed by the EGTC on behalf of the three Administrations in the sectors of cross-border internships, traineeships and apprenticeships. They could be foreseen in the following ways (without claiming to be exhaustive) similarly to the system defined between the Friuli Venezia Giulia Region and Slovenia through the Project EURADRIA (see below lett. d):

- ❖ Coordinating platform for curricular exchanges in those sectors where traineeships are compulsory elements of the curricula and where education institutions are to be found in all three regions.(e.g. secondary education in tourism, secondary education in health care or child care)
- ❖ Match-making platform for internships and apprenticeships – bringing companies of certain sectors (e.g. engineering, crafts) willing to accept interns/ apprentices and the interested individuals together. This match-making platform may be working in all three languages in order to provide the service with a low entry barrier.
- ❖ Looking out for internationally operating enterprises with branches in all three regions (e.g. in the transport or IT sector) to initiate a company-internal apprenticeship across borders (very much like a territorial job-rotation system within the single enterprise)

As could be seen the role of the EGTC would therefore be the one of a hinge and facilitator to bring the involved parties together in a low-key way without major legal frameworks to be established.

- creating committees or other coordination structures (including EGTCs, info points, etc)/integrating into an already existing institution: the EGTC was defined still in the MoU as the main actor of cooperation in the assessed sector.
- Establishing a MoU as strategic approach to set-up a new institution (e.g. EGTC) to better coordinate cooperation in a case-by-case approach etc.:
The main and most immediately tool for the obstacles' avoidance is surely a framework agreement and the identification of the assessed EGTC as the info-point and the managing authority for all the internships/traineeships/apprenticeships in the interested area of the three Regions (and two States to extend also to Slovenia as the same labour market). This information sharing could be – e.g.:
 - ❖ Granting access to the legal framework for internships/ apprenticeships and traineeships in all three languages in a comparable format for all involved stakeholders (schools, companies, students, etc.)
 - ❖ Providing a match-making platform for apprentices and interns (as described above)
 - ❖ Providing model contracts for all three country-settings for internships and traineeships and models for the agreements between the hosting employers and the public institutions.

The article 6, paragraph 2, number 3) of the EGTC's Statute (<https://euregio-senzaconfini.eu/it/trasparenza/disposizioni-general/atti-general/>) allows and demand to the Institution the cooperation with specific actions in the sector of “3) culture, sport, education and training”. The article 7.2. , in the sectors defined in the previous article 6, allows the members of the EGTC (i.e. the three Regions) to entrust to the EGTC the promotion and implementation of cooperation operations included in projects and programmes for the underused areas financed by Italy and also by funds of other states to which the members belong, in compliance and in the limits of art. 6 of EC Regulation n. 1080/2006 (repealed by the Regulation (EU) No 1301/2013 ERDF, article 3, par. 1, lett. d) and f) and article 5, par. 10 and 11), necessary to contribute to the achievement of the objectives of those programmes. The same applies to funds with similar functions, therefore also those Europeans one.

This goal may be realized:

By a handbook and link on the EGTC website with all the information present in:

- a) the previous SCET-NET Project <https://euregio-senzaconfini.eu/it/search/?query=scet+net>
- b) this Report and Annexes
- c) the EURES [European Job Mobility Portal](https://eures.europa.eu/)
- d) the Italian – Slovenian project Euradria <https://euradria.eu/>: the EURADRIA one-stop-shop portal for the process of attracting, recruiting and employing apprentices and trainees within the cross-border region between Italy and Slovenia, operates publishing an Apprenticeship or a Traineeship job offer. It provides a set of specific information and recommendations for all organisations working and hosting Apprentices and Trainees at cross-border level: it sets a framework of steps and checks to be followed and done before publishing an A&T Cross-Border job vacancy.
 - by a 2nd Memorandum of Understanding as an implementation of the first one signed in the execution of the SCET-NET Project;
 - by the administrative delegation of powers by the three Regions to the EGCT, maybe also through the Partnership for cooperation ruled by the ERASMUS+ EU Programme (ERASMUS+)

A more comprehensive solution may be seen in the suggestion that the EGTC acts in substitution of the regional public authorities for the cross-borders internships/traineeships/apprenticeships. For example, if one part of the traineeship allowance is in the competence of the Regional labour directorate, this part should be managed directly

by the EGTC on behalf of the Regional administrative offices. A catalogue for these circumstances may also be presented in the handbook to be developed.

The administrative delegation by the single Regions to the EGCT is possible in Italy, but just in the sectors defined in the national legislation regarding the competences of the Regions, *in primis* the Constitution (articles 114, 116 and 117) and in the Regional constitutions (i.e Statutes). The State has the exclusive legislative competence for – art. 117 – n) general dispositions about educations o) social insurance. The Regions have parallel competence in the sector of education, with exclusion of the professional education and professions, which are of exclusive competence of the State. The Region Veneto in its Statute acts (art. 4): to make effective the exercise of the right to study, to work and to social security, to promote the full employment of workers, in the protection of the exercise of their rights, and to ensure their vocational training and retraining. The Friuli Venezia Giulia Region has a Special Statute (and this is the difference with the Veneto Region) with the power of the constitutional law, except for the main constitutional principles define in the national Constitution. The parallel legislative competences of the Region FVG are also (art.5) : 15) post-compulsory craft and vocational education; scholastic assistance.

3. Full list of all legal provisions relevant to the case with the correct citation both in original language and in English

3.1. Austria

Original language

1. Angestelltengesetz 1921. BGBl. Nr. 292/1921 idF. BGBl. I Nr. 74/2019
2. Ausländerbeschäftigungsgesetz (AuslBG) 1975. BGBl. Nr. 218/1975 idF. BGBl. I Nr. 168/2022
3. Berufsausbildungsgesetz (BAR) 1969. BGBl. Nr. 142/1969 idF. BGBl. I Nr. 185/2022
4. Dienstnehmerhaftpflichtgesetz 1965. BGBl. Nr. 80/1965 idF. BGBl. I Nr. 61/2021
5. Entgeltfortzahlungsgesetz (EFZG) 1974. BGBl. Nr. 399/1974 idF. BGBl. I Nr. 100/2018
6. Kinder- und Jugendlichen-Beschäftigungsgesetz (KJBG) 1987. BGBl. Nr. 599/1987 idF. BGBl. I Nr. 58/2022
7. Urlaubsgesetz 1976. BGBl. Nr. 390/1976 idF. BGBl. I Nr. 167/2022

In English language

1. Employee Act 1921. BGBl. Nr. 292/1921 as amended BGBl. I Nr. 74/2019
2. Foreigner Employment Act 1975. BGBl. Nr. 218/1975 as amended BGBl. I Nr. 168/2022
3. Vocational Training Act 1969. BGBl. Nr. 142/1969 as amended BGBl. I Nr. 185/2022
4. Employer Liability Act 1965. BGBl. Nr. 80/1965 as amended BGBl. I Nr. 61/2021
5. Continuation of Remuneration Act 1974. BGBl. Nr. 399/1974 as amended BGBl. I Nr. 100/2018
6. Children and Teenager Employment Act 1987. BGBl. Nr. 599/1987 as amended BGBl. I Nr. 58/2022
7. Vacation Act 1976. Nr. 390/1976 as amended BGBl. I Nr. 167/2022

3.2. Italy

A. NATIONAL DISPOSITIONS

1. *Decreto legislativo 15 giugno 2015 numero 81 – Disciplina organica dei contratti di lavoro e revisione della normativa in tema di mansioni, a norma dell'articolo 1, comma 7, della legge 10 dicembre 2014, n. 183.* – Legislative decree dated 15.06.2015 number 81 – Organic dispositions of labour contracts and revision of the dispositions about tasks in application of the article 1, paragraph 7 of the Act 10.12.2014 number 183 <https://www.normattiva.it/eli/id/2015/06/24/15G00095/CONSOLIDATED/20230203>
2. *Decreto legislativo 24 giugno 1997 numero 196 – Norme in materia di promozione dell'occupazione* Legislative decree 24 June 1997, number 196 – Rules on employment's promotion. Art. 18 (*Tirocini formativi e di orientamento*) – practicum traineeships and “stages” <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:1997:196>
3. *Decreto interministeriale D.M. 12 ottobre 2015 – Definizione degli standard formativi dell'apprendistato e criteri generali per la realizzazione dei percorsi di apprendistato, in attuazione dell'articolo 46, comma 1, del decreto legislativo 15 giugno 2015, n. 81.* – Interministerial decree 12.10.2015 – Definition of the training standards of apprenticeship and general criteria for the realization of apprenticeship paths as implementation of the article 46, paragraph 1, of the Legislative decree 15.06.2015 number 81 – https://www.cliclavoro.gov.it/entando-de-app/cmsresources/cms/documents/Decreto_Interministeriale_12_ottobre_2015.pdf
4. *Decreto legislativo 15 aprile 2005, n. 77, Definizione delle norme generali relative all'alternanza scuola-lavoro, a norma dell'articolo 4 della legge 28 marzo 2003, n. 53.* – Legislative decree 15 april 2005, number 77 – Definition of the general dispositions about the exchange school-job applying the article 4 of the Law 28 March 2003 n. 53 <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legislativo:2005-04-15:77>
5. *Bilancio di previsione dello Stato per l'anno finanziario 2019 e bilancio pluriennale per il triennio 2019-2021.* – *Legge 30 dicembre 2018, n. 145* – State budget for the financial year 2019 and multi-annual budget for the three-year period 2019-2021 art. 1, paragraphs 784 and 785
6. *Legge 27 dicembre 2006, n. 296, articolo 1, comma 622* – Law 27 December 2006 number 296, article 1, paragraph 622 – definition of the compulsory school period <https://www.miur.gov.it/obbligo-scolastico>

7. *Decreto legislativo 16 gennaio 2013 numero 13 (Definizione delle norme generali e dei livelli essenziali delle prestazioni per l'individuazione e validazione degli apprendimenti non formali e informali e degli standard minimi di servizio del sistema nazionale di certificazione delle competenze, a norma dell'articolo 4, commi 58 e 68, della legge 28 giugno 2012, n. 92) Art. 8. (Repertorio nazionale dei titoli di istruzione e formazione e delle qualificazioni professionali) – Legislative decree 16 January 2013 number 13 (Definition of the general rules and essential performance levels for identification and validation of non-formal and informal learning and minimum service standards of the national certification of competence in accordance with Article 4, paragraphs 58 and 68 of Law 28 June 2012, n. 92) . Art. 8. (National directory of educational qualifications and vocational training and qualifications) <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legislativo:2013-01-16;13~art8>*

B. REGIONAL DISPOSITIONS – REGION FRIULI VENEZIA GIULIA

1. *Legge regionale 9 agosto 2005, numero 18 – Norme regionali per l'occupazione, la tutela e la qualità del lavoro. – Regional Act 9.8.2005 number 18 – Regional disposition for employment, the protection and the quality of the labour <https://lexview-int.regione.fvg.it/fontinormative/xml/xmlLex.aspx?anno=2005&legge=18&ART=000&AG1=00&AG2=00&fx=lex>*
2. *Decreto del Presidente della Regione D. P. Reg. 19 marzo 2018 n. 57 – Regolamento per l'attivazione di tirocini extracurricolari ai sensi dell'articolo 63 della legge regionale 9 agosto 2005, n. 18 (Norme regionali per l'occupazione, la tutela e la qualità del lavoro). – Decree of the President of the Region 19.03.2018 number 57 – Regulation for the extracurricular traineeships in compliance with the article 63 of the Regional Act 9.08.2005 number 18 – Regional disposition for employment, the protection and the quality of the labour*
3. *Decreto del Presidente della Regione D. P. Reg. 10 febbraio 2020 numero 18 – Regolamento di modifica al Regolamento per l'attivazione di tirocini extracurricolari ai sensi dell'articolo 63 della legge regionale 9 agosto 2005, n. 18 (norme regionali per l'occupazione, la tutela e la qualità del lavoro), emanato con decreto del Presidente della Regione 19 marzo 2018, n. 57. – Decree of the President of the Region 10.02.2020 number 18 – Regulation of modification of the Regulation for the extracurricular traineeships in compliance with the article 63 of the Regional Act 9.08.2005 number 18 – Regional disposition for employment, the protection and the quality of the labour <https://lexview-int.regione.fvg.it/FontiNormative/DettLegge.aspx?ID=4932>*

C. REGIONAL DISPOSITIONS – REGION VENETO

1. *Legge Regionale 13 marzo 2009, n. 3 DISPOSIZIONI IN MATERIA DI OCCUPAZIONE E MERCATO DEL LAVORO – Regional Act 13.03.2009 number 3 – Dispositions about employment and labour market <https://www.venetolavoro.it/legge-3-2009#:~:text=La%20Regione%20del%20Veneto%20promuove,di%20sviluppo%20della%20comunit%C3%A0%20e>*
2. *Decreto della Giunta Regionale DGR numero 1816 del 7 novembre 2017 – Nuove disposizioni in materia di tirocini – Decree of the Regional Government Number 1816 dated 07.11.2017 – New dispositions about traineeships <https://bur.regione.veneto.it/BurvServices/pubblica/DettaglioDgr.aspx?id=356742>*

3.3. **Europe**

Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications

Regulation (EU) 2021/817 of the European Parliament and of the Council of 20 May 2021 establishing Erasmus+ the Union Programme for education and training, youth and sport and repealing Regulation (EU) No 1288/2013

REGULATION (EC) No 883/2004 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 29 April 2004 on the coordination of social security systems

Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC

4. Other relevant aspects to this case if relevant

4.1. Definitions

Internship: Mostly unpaid; often part of study curriculum; focus on gaining new experiences. Shorter than a traineeship

Traineeship: Paid and usually full time; most of the time after a degree; a development program, possibility to get offered a permanent position after finishing the trainee-period (Ormit Talent; 2022)

Apprenticeship: Form of employment with certain legal requirements for employer and employee; after a successful apprenticeship the employee has a standardised qualification for a certain job

4.1.1. Austria

The German language does not differentiate between an internship and a traineeship. For both forms of employment, the word “Praktikum” is used. For apprenticeships (Lehre) however, a clear definition of the word exists as well as a strict legal framework surrounding the concept of apprenticeship.

4.1.2. Italy – Regions Friuli Venezia Giulia and Veneto¹

In Italy the Internship is mostly defined as “stage”, as the position of a student or trainee who works in an organization, sometimes without pay and for a short time (from one week until some months), in order to gain work experience or satisfy requirements for a qualification. It's also defined as Traineeship: the difference between an internship and a traineeship is minimal and consists in the fact that the first is an optional training course, the second is mandatory in order to obtain some professional diplomas or complete specific specialization courses.

The apprenticeship is a contract for the training and permanent employment of young people.

4.2. Apprenticeship

4.2.1. Austria

Apprenticeships can only be carried out for certain professions. A list of applicable jobs is published and regularly updated by the Austrian Ministry of Labour and Economy Austrian Ministry of Labor and Economics, 2023).

The legal framework of apprenticeships in Austria can be found in the “**Berufsausbildungsgesetz**” (Vocational Training Act), which is a national legislation. It acts as a form of quality control during the process of being educated in a new profession. Apprenticeships in Austria are a standardised form of education and the qualification-certificate is earned after a final test in front of boards of examiners (§22; BAR; 1969). Furthermore, the Vocational Training Act defines certain qualifications as requirement for the company, in which the apprenticeship should take place (§2; BAR; 1969) and the instructor(s) (§3; BAR; 1969). The duration of an apprenticeship ought to be three years (§6; BAR; 1969), with the possibility to vary between 2-4 years, depending on prior education of the apprentice or being in a second apprenticeship simultaneously. After finishing their apprenticeship, one is ranked in the stage 4th out of 8 stages of the Austrian NQR (national qualifications framework) (Austrian National Qualifications Register; 2023).

There are no complementing legislations on state level in Austria. However, varying financial support schemes do exist in all nine Austrian states. For example, the state of Carinthia supports companies that employ apprentices that simultaneously work on getting their high school certificate (Matura) with 500-1000€ a year (State of Carinthia; 2023). Apprentices in Carinthia are able to apply for subsidies for a temporary dormitory or apartment, if their vocational school is located too far from home (Carinthian Chamber of Labour; 2023). Tyrol on the other hand pays 200€ a month for the living expenses of an apprentice, if he or she lives in a financially precarious household. The money goes either to the apprentice directly or their legal representative (Tyrolian Society and Labour Department; 2022). A complete list of state initiatives regarding apprenticeships can be found on the Website of the Austrian government. While those financial support schemes are managed by the state governments, informational services are often offered by either the Austrian Economic Chamber or the Austrian

¹ hereinafter FVG and VE

Chamber of Labour. The first focuses on services for employers, the second on apprentices and their parents if they are underage (Website of the Austrian Federal Government; 2022A).

The law requires the company and the apprentice to sign an apprenticeship-contract at the beginning of their work-relation. The contract must include the duration of the apprenticeship and the name of the job the apprentice is taught. All EEA citizens (+Switzerland) are eligible to sign an apprenticeship-contract in Austria as long as they finished their compulsory education of 9 years (WKO; 2011; p.3 & p.7) and are at least 14 years old (Website of the Austrian Federal Government; 2022B). Apprenticeships in Austria have no formal maximum age. Non-EEA foreigners are only allowed to start an apprenticeship if the employer successfully applied for a work permit for them. Apprentices are legally seen as regularly employees, meaning that **workforce-protection laws** must be applied (e.g., Vacation Act or the Employer Liability Act) (WKO; 2011; p.3).

Apprentices are eligible for regular health insurance and are furthermore insured against accidents and unemployment. Health and unemployment insurance are paid evenly by the apprentice and their employer, while for the accident insurance of apprentices no contribution is necessary. Apprentices and their company also contribute monthly to the pension insurance (10,25% of the salary by the apprentice and 12,55% by employer). The percentage numbers for insurance contribution differ between apprentices and other forms of employment (Austrian Health Insurance Fund; 2023). Apprentices are not exempt from the income tax. In practice however, the payment is (especially in the first two years of the apprenticeship) often low enough to be relieved of a tax-payments. For 2023 the yearly income has to be at least 11.693€ to trigger the lowest tax rate which is currently 20% (Austrian Ministry of Finance; 2023 & Salzburger Nachrichten; 2020).

EU-citizens (and Swiss nationals) are allowed to extend their stay for more than 3 months in Austria, if they are employed (apprenticeships count as employment). For stays longer than 3 months a registration certificate is required. The subject must personally apply at the district authority (municipal authority for bigger cities) for their certification (Website of the Austrian Federal Government; 2023). Due to the de-centralisation of the reporting procedures, experiences of foreign apprentices with regards to barrier free buildings, English-knowledge of the staff and possibility to apply online might vary noticeable.

Right now, Austrian apprentices that want to participate in an exchange programme usually do so over IFA, an association for international young worker exchanges. There exist several state initiatives, but IFA is the only initiative on a federal level. The exchanges are funded by “Erasmus +” and include travel costs as well as costs for language courses. The offered jobs cannot be compared to Austrian apprenticeships, but rather fit the definition of an internship. Even though these internships are unpaid, the apprentice continues to get paid by his/her employer. The employer in return can apply for financial compensation (WKO; 2022 & IFA; 2022).

IFA also offers internships for foreigners that want to gain some work experience in Austria. Due to the complexity of the Austrian apprenticeship-model (including the duration of 3 years) those jobs are not apprenticeships, but rather trainee- or internships (IFA; 2023)

Currently about 1.000 Austrian apprentices take part in foreign internships per year. A foreign apprentice-internship can only last 6 months at maximum. An ibw-study from 2021 names as hindering aspects for more foreign apprentice internships the following points:

- The young age of most Austrian apprentices. The average apprentice is in his/her teenage years and has never stayed away from home for an extended period of time. Moreover, spending time with one’s peers is often valued more than a work exchange.
- The requirements and structure of an Austrian apprenticeship is quite unique and it is sometimes difficult to find an internship that fits the skillset of the apprentice. Employers are worried that the time abroad is “wasted” and that they will struggle to convey all their knowledge to their apprentice in the required time-period.
- Especially in smaller companies the apprentices are already an integral part of the work staff and cannot leave for multiple months without seriously disrupting the company’s operation.
- For underage apprentices not only the employer has to agree to a foreign internship, but also the parents.
- Existing financial and informational support are not widely known, quite complex and sometimes seen as not very transparent (ibw; 2021; p.1-2).

4.2.2. Italy

The Apprenticeship is regulated primary by the national rules, the Legislative Decree n. 81 dated 15.06.2015 ([D.Lgs. n. 81 del 15 giugno 2015](#)) where the articles 41-47 define the apprenticeship as a permanent employment agreement with the goal of education and employment of the youth.

The rules of the apprenticeship contract are delegated to the inter-federal trade union's agreements and national collective agreements. Art. 42 of Legislative Decree no. 81/2015 requests the compliance with some general principles:

Form: 1. The contract, 2. the test agreement and 3. the individual training plan must be in writing.

Duration: the minimum duration is 6 months.

Remuneration: determined by collective negotiation between the system of under-grading and that of percentage.

Business Tutor: in the apprenticeship report must be identified the figure of the tutor or company contact person.

Withdrawal: the parties cannot withdraw from the contract during the training period in the absence of a just cause or a justified reason; if neither party exercises the right of withdrawal at the end of the training period, the relationship continues as a normal employment relationship with indefinite duration.

Social contributions& insurances: For enterprises with less than 9 employees is fixed a 100 % reduction of contributions due pursuant to Article 1, paragraph 773, fifth period, of the Law No. 296 of 27 December 2006, for the contribution periods completed in the first three years of the contract of apprenticeship and a 10% rate level for contributory periods completed in the contract years following the third; if there are more than 9 employees, the contribution is of 17,45% for all the period; a 5,84% contribution is fixed for the apprentice-employee for all the period of apprenticeship. The employer has other contribution's reliefs (no payment of unemployment and withdrawal's fees and so on) for the first two types of apprenticeship as described below.

National legislation entrusts the regulation and duration of the apprenticeship period to the regions and autonomous provinces of Trento and Bolzano, only for profiles that pertain to training. There are three types of apprenticeship in Italy:

1. "Apprendistato per la qualifica ed il diploma professionale"/Apprenticeship of I level for the professional qualification and diploma (in FVG <https://www.regione.fvg.it/rafvfg/cms/RAFVG/formazione-lavoro/tirocini-apprendistato/FOGLIA1/> in VE <https://www.cliclavoroveneto.it/a-qualifica>)

The apprenticeship is a contract for the training and employment of young people.

The apprenticeship for the qualification and the professional diploma (apprenticeship of I level) is aimed at young people aged 15 and up to the age of 25, potentially active in all sectors of employment.

Young people recruited under this type of contract continue to attend school to obtain a regional certificate of professional qualification or a professional diploma corresponding to Level 3 and 4 EQF.

The duration is from 6 months up to 4 years in case of a course to obtain a professional diploma. They start the apprenticeship from the 2nd year of studies of Professional Education and Trainee with the necessary skills to proceed the 3rd and the 4th year. In the Apprenticeship of I level is defined a training outside the enterprise of 633 hours (2nd year) and 528 hours (3rd and 4th year). The Inside training in the enterprise is fixed in 423 hours (2nd year) and 528 hours (3rd and 4th year) for a total of 1,056 hours. It must be summed the other necessary hours of working to the total amount requested in accordance with the signed employment contract compliance with the subscribed labour contract.

It's necessary to verify the territorial disponibility of regional educational courses for the necessary hours (and consequently the learning offer is payed by the Region annually to the professional training schools with regional accreditation).

2. “Apprendistato professionalizzante”/Professionalizing apprenticeship (in FVG <https://www.regione.fvg.it/rafvfg/cms/RAFVG/formazione-lavoro/tirocini-apprendistato/FOGLIA2/> in VE <https://www.cliclavoroveneto.it/professionalizzante>)

Apprenticeship is a permanent employment contract for the training and employment of young people.

The vocational apprenticeship is aimed at young people aged between 18 and 29 (or from 17 years of age if they have a vocational qualification).

The professional qualification for which the contract is aimed is determined by the parties to the contract on the basis of what is provided for the sector of reference by the staff management systems referred to the collective agreements concluded by the most representative associations of employees and employers at national level.

The apprenticeship contract shall have a minimum duration of not less than 6 months. The inter federal agreements and the national collective labour agreements concluded by the most representative trade union associations at national level lay down, by reason of the type of professional qualification to be obtained for contractual purposes, the duration and arrangements for the provision of training for the acquisition of the relevant technical-professional and specialist skills, as well as the minimum duration of the apprenticeship period, which may not exceed 3 years or 5 for the professional profiles characterizing the figure of the craftsman identified by the collective reference classification.

For the purposes of their qualification or vocational retraining, it is possible to recruit workers who are recipients of mobility or unemployment benefits without any age limit on an apprenticeship.

3. “Apprendistato di alta formazione e ricerca”/Apprenticeship for high education and research (in FVG <https://www.regione.fvg.it/rafvfg/cms/RAFVG/formazione-lavoro/tirocini-apprendistato/FOGLIA3/> in VE <https://www.cliclavoroveneto.it/alto-apprendistato>).

In order to promote and support actions that enhance the higher education and research apprenticeship contract:

- the Region FVG has signed a Memorandum of Understanding with the regional universities and the social partners which regulates, only for the profiles pertaining to training, the implementation methods;
- The Veneto Region has signed with all the Social Partners, the Regional School Office and with the Universities of the Region an Agreement for the training of apprentices hired under contract of higher education and research, establishing that higher education courses in apprenticeship lead to the award of Master’s and Master’s degrees, as well as PhD degrees. As a result of this Agreement, the Veneto Region has committed itself to funding the public training offer for apprentices hired under a contract for higher education and research, a commitment that has been realized with the approval of two public Notices: Master’s and PhD Research.

4.3. Trainee- and internships

4.3.1. Austria

In Austria traineeships and internships are differentiated by the main goal of the employment. Internships for example include the practice of some secondary schools, colleges and universities to require their students to gain some work experience during their education. In those cases, the educational aspect of the employment is defined as the main goal, while in traineeships the labour services are the most important aspect. A clear distinction is not always possible, because of the number of different forms of employment under the Austrian umbrella term “Praktikum” (e.g., also summer jobs, voluntary work) and the mixing of labour and educational aspects in practice, sometimes leading to the requirement of a case-by-case analysis if legal questions occur (Austrian Ministry of Labour, Social Affairs and Consumer Protection; 2015; p.5-7).

Generally speaking, internships include all work with a main focus on education. Many internships are mandatory during one’s education. In those cases, the work activities must be in alignment with the curriculum of the school/university. Even though the internship is often required by one’s educational institution, the contract is only entered by the internee and their employer. The school or university is usually no contract partner.

Employees are not required to pay internees. The law does not regard them as employees and therefore interns are not protected by the Employee Act, Vacation Act or the Continuation of Remuneration Act and collective wages

do not apply. If the main focus of the employment is educational and therefore the internee is exempt from employee rights, is to be determined by the content of the contract and daily labour and not by the definition of the form of employment in the contract. Special ruling applies to internships in the hospitality industry and agricultural sector. In those sectors internees are always supposed to be paid. Their wage follows those of apprentices in similar jobs (WKO; 2023 & Austrian Ministry of Labour, Social Affairs and Consumer Protection; 2015; p.9-11).

If the employer wants to pay the internee some pocket money, they are required to register the internee at the Austrian Health Insurance Fund (ÖGK) because this form of employment is subject to registration. Registration can be completed online via the service ELDA. The Austrian Federal Economic Chamber (WKO) recommends the pocket money to be lower than 485,85€ per month to stay below the Austrian minimum threshold, leading to less wage related costs for the employer (Harmtodt; 2022). Should the pocket money exceed the minimum threshold the internee would theoretically be also have health and pension insurance.

Traineeships are usually entered after finishing a tertiary education and have a stronger focus on the labour service of the trainee. However, as it is the case with internships, lines are often blurred and the question if employee laws must be respected needs to be answered on a case-by-case basis (Austrian Ministry of Labour, Social Affairs and Consumer Protection; 2015; p.17-18).

If the labour aspect is the main focus, the trainee is bound by the company's working hours and they are organizationally integrated in the company he or she ought to be seen as employees. As such they must be paid accordingly to the collective wage of their specific sector. Furthermore, in difference to internships the Employee Act, Vacation Act and the Continuation of Remuneration Act do apply (WKO; 2023). Trainees, if they stay below the Austrian minimum threshold the employer the insurance payments (only injury insurance) are made only by the employer; above the threshold a co-payment system applies and insurance covers health, pension, injuries and unemployment.

(Source: https://www.oesterreich.gv.at/themen/arbeit_und_pension/pension/1/Seite.270110.html).

Regardless of the definition of a job as internship or traineeship the employer has to respect laws regarding youth and worker-protection (e.g., providing proper safety gear if necessary). This includes the **Kinder- und Jugendlichen-Beschäftigungsgesetz** (Children and Teenager Employment Act) which also has to be applied for the employment of apprentices under the age of 18. The Children and Teenager Employment Act states that adolescences are permitted to work if they are at least 15 years old (§2; KJBG; 1987). Exceptions exist for apprentices, internees that finished their compulsory education (both min. 14 years) and children that help out in a family business (min. 13 years) (§5a; KJBG; 1987). People under the age of 18 are not allowed to work longer than 40 hours a week and no longer than eight hours a day, meaning overtime work is not permitted (§ 11; KJBG; 1987). Furthermore, teenagers are required to be given rest after a maximum of 4,5 hours of work (§15; KJBG; 1987) and they are not allowed to work between 8 pm and 6 am (§17; KJBG; 1987) even though this timeframe can be softened in gastronomy and companies that work in shift-operation.

Rulings for foreign internees/trainees depend on their country of origin (EU and EFTA vs third country), the form of employment (voluntary work, traineeship, internship, joint venture etc.) and if they are already staying in Austria for educational purposes. Usually, the employer does not need a permit for these forms of employment, but the Austrian labour market service (AMS) must be informed about the employment beforehand (usually at least 3 weeks). Voluntary work is limited to 3 months, while internships, traineeships and joint ventures are allowed to last up to 6 months. An exception is made for internationally operating companies with their headquarters in Austria. Employees of foreign branch offices can stay at the headquarter for educational purposes for up to 50 weeks without the need of a work permit (Unternehmensservice Portal; 2022). The permit-free employment of internees and trainees is regulated by the Foreigner Employment Act or **Ausländerbeschäftigungsgesetz** (§ 3; AuslBG; 1975).

Organisations for international internships/traineeships are far spread and often focus on one specific sector. IASTE for example specialises in traineeships in the tech-sector. Moreover, many universities offer their students the possibility for intern- and traineeships in the fields of research. For interested people, who want to search for an intern- or traineeship on their own, the European Union offers an EU-wide job-platform names EURES (EURES; 2023 & IAESTE; 2023).

4.3.2. Italy

The traineeships (in Italian “tirocini”) are distinguished in curricular and extracurricular traineeships. The “non-curricular” traineeships (I.e. “tirocini non curricolari”) are active employment policy measures aimed to facilitate the professional choices of young people accompanying them in the transition between study and work, or facilitating the integration or reintegration into employment of unemployed people. They differ from the “curricular” traineeships (I.e. “tirocini curricolari”) which are included in a formal learning process carried out within the study plans of universities, schools or professional training centers operating under an agreement with the Region. “Curricular” traineeships are excluded from the regional legislation reported here because they are ruled by the national legislation. (<https://www.politichedelavoro.it/differenza-tra-stage-e-tirocinio-extracurriculare/>).

The regional legislation, which transposes the “Guidelines on traineeships” agreed upon at the Permanent Conference for relations between the State, Regions and autonomous provinces, provides for two main forms of traineeship:

- “tirocinio formativo e di orientamento” – learning & orienteering traineeship (for FVG <https://www.regione.fvg.it/rafvfg/cms/RAFVG/formazione-lavoro/tirocini-apprendistato/FOGLIA101/> for VE <https://www.regione.veneto.it/web/lavoro/tirocini>)
- “tirocinio di inserimento e reinserimento lavorativo” – introduction & reintroduction in the labor market traineeship ((for FVG <https://www.regione.fvg.it/rafvfg/cms/RAFVG/formazione-lavoro/tirocini-apprendistato/FOGLIA101/> for VE <https://www.regione.veneto.it/web/lavoro/tirocini>)
- There is also defined the “Tirocinio estivo” (in FVG) and Tirocini estivi di orientamento destinato a studenti – summer traineeship, similar to the aforementioned Internships.

Special forms of traineeship are offered to the interested people, but not even:

- “Tirocini all'estero GO+LEARN FVG” – Traineeship in other States – but the Project is actually closed (in FVG [https://www.regione.fvg.it/rafvfg/cms/RAFVG/formazione-lavoro/formazione/fondo-sociale-europeo/mobilita_formativa/in_VE https://www.regione.veneto.it/web/lavoro/tirocini](https://www.regione.fvg.it/rafvfg/cms/RAFVG/formazione-lavoro/formazione/fondo-sociale-europeo/mobilita_formativa/in_VE_https://www.regione.veneto.it/web/lavoro/tirocini))
- “Misure integrate di politiche attive per il lavoro nell'ambito dei beni culturali, artistici e del turismo: Programma specifico 64/18 – Percorsi formativi e tirocini umanistici extracurricolari” – Integrated special policies in the field of culture, art and tourism – Special programme 64/18 – Education and extracurricular traineeship in humanistic matters (in FVG <https://www.regione.fvg.it/rafvfg/cms/RAFVG/formazione-lavoro/tirocini-apprendistato/FOGLIA5/>)

4.3.3. Europe

For Trainees the EU Programme Erasmus+ helps to gain valuable experience in the workplace by supporting traineeships abroad. Erasmus+ support for traineeships is available for higher education students and recent graduates, as well as vocational education and training students, apprentices and recent graduates.

<https://erasmus-plus.ec.europa.eu/opportunities/opportunities-for-individuals/trainees>

Higher education students and recent graduates

Erasmus+ supports traineeships (work placements, internships, etc.) abroad in Programme or Partner countries for students enrolled in higher education institutions in Programme countries. These opportunities are also open to recent graduates.

[Traineeships for university students and recent graduates](#)

Vocational education and training students, apprentices and recent graduates

Erasmus+ supports traineeships (work placements) for students enrolled in vocational education and training (VET). These opportunities are also open to company-based apprentices and to recent VET graduates.

[Traineeships for VET students and recent graduates](#)

Networking and training for youth workers

Erasmus+ supports the professional development of youth workers through training or networking periods abroad. Periods abroad can consist of training courses, study visits, job shadowing or observation periods at relevant organisations and more.

Duration

Youth workers' mobility must last a between 2 days and 2 months . This excludes travelling time.

Conditions

To go abroad with Erasmus+ as a youth worker, his organisation must be part of a youth mobility project with another institution or organisation.

Financial support

The EU grant supports travel as well as practical and activity related costs.

How to apply

It's no allowed to apply for a grant as an individual. Applications must be made by organisations who in turn involve youth workers in the project.

<https://erasmus-plus.ec.europa.eu/opportunities/opportunities-for-individuals/trainees/networking-and-training>

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For Italy see the legal sources and links to the government websites indicated above in the Report.

Appendix: Comparative Table AU-ITA [separately]

FIELD	AUSTRIA	ITALY	AUSTRIA	ITALY
TYPE OF LEARNING (INTERNSHIP / TRAINEESHIP / APPRENTICESHIP)	Internship (Praktikanten ohne Dienstverhältnis bzw. in Ausbildungsverhältnis + Volontäre)	Internship – i.e stage : the position of a student or trainee who works in an organization, sometimes without pay, in order to gain work experience or satisfy requirements for a qualification.	Traineeship (Praktikanten im Rahmen eines Dienstverhältnisses)	Traineeship 1
SUBTYPE				Tirocini PIPOL – Piano Integrato di Politiche per l'Occupazione e il Lavoro / Traineeship PIPOL included in the Integrated Plan of Employment and Labor Policies
SHORT DESCRIPTION				
RULES & DISPOSITIONS (insert the link for each)				
- NATIONAL	Depending on the type of employment. In general, interns who are there for education and knowledge do not fall under employment rules. Only exception: in accomodation and hospitality, rules for employed trainees apply	In Italy is also defined as Traineeship: the difference between an internship and an apprenticeship is minimal and consists in the fact that the first is an optional training course, the second is mandatory in order to obtain some professional diplomas or complete specific specialization courses.	Depending on the type of employment. In general, rules for employees (Arbeiter und Angestellte) apply as for any employment. Specific rules for trainees ("Praktikanten") who are employed are laid down in the relevant collective agreements: https://www.wko.at/service/kollektivvertraege.html For foreign workers, rules of the Law on employment of foreign workers (Ausländerbeschäftigungsgesetz) apply. https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10008365 . For persons under 18 years, the youth employment law ("Kinder- und Jugendbeschäftigungsgesetz") applies https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10008632	D. lgs./ Government's decree with law's force 15.06.2015 n. 81 – Organic dispositions about labour contracts and mansions http://www.normattiva.it/eli/id/2015/06/24/15G00095/CONSOLIDATED/20230203
- REGIONAL				Regional law 9.8.2005 n. 18 / Regulation for the activation of the traineeships DPRReg 19.3.2018 n. 57 modified by th DPRReg 10.2.2020 n. 18 https://lexview-int.regione.fvg.it/FontiNormative/DettLegge.aspx?ID=4932
- OTHER EQF LEVEL*	-		-	
NQF LEVEL*	-		-	
TYPE OF AGREEMENT (employed / not employed / student)	student/not employed ("Praktikumsvertrag") only if salary is above 500€/month (BMS recommends contacting insurance company for foreign interns in all cases)		Employed, in some cases special collective labour agreement rules per sector	As hosting subject is the public or private employer – the traineeship is based on a training project:
HEALTH INSURANCE	only if salary is above 500€/month (BMS recommends contacting insurance company for foreign interns in all cases)		Yes (BMS recommends contacting insurance company for foreign interns in all cases)	
PENSION CONTRIBUTION	only if salary is above 500€/month		Yes	
INJURIES CONTRIBUTION	yes		Yes	
COSTS OF CONTRIBUTION/INSURANCE (student/employer/employee/other)	no income or low income ("geringfügig" = below 500€/month) all payments are made only by employer. Above 500€ general co-payment system as for all regular jobs applies. No special rules for interns.		low income ("geringfügig" = below 460€/month) all payments are made only by employer. Above 460€ general co-payment system as for all regular jobs applies. No special rules for trainees.	
TAX-CONTRIBUTION DEDUCTIONS	Regular income tax applies -> usually not paid out because of low income rates		Regular income tax applies -> usually not paid out because of low income rates	
TWINNING PROGRAMMES AND SIMILARS				
MIN & MAX PERIOD (days/month/hours and distribution between school&work)	Foreign interns who are not studying in Austria are only allowed for up to 180 days (studying in a 3rd country) or 90 days (not studying at all)		Foreign interns who are not studying in Austria are only allowed for up to 180 days (studying in a 3rd country) or 90 days (not studying at all)	
MIN & MAX AGE	Depending on the type of internship. In general, working age is required. Separate rules for		Minimum working age	
REQUESTED STATUS TO ACCESS (employed/unemployed/student/resident...)	student		Student. EEA citizen or regular employment permit for 3rd country nationals is necessary.	
* use https://europa.eu/europass/en/compare-qualifications				
Receiving			curriculum	
Sending			Curriculum depending	

FIELD	ITALY	ITALY	ITALY	ITALY	ITALY
TYPE OF LEARNING (INTERNSHIP / TRAINEESHIP / APPRENTICESHIP)	Traineeship 1.1.	Traineeship 1.2.	Traineeship 2	Traineeship 2.1	Traineeship 2.2
SUBTYPE			Tirocini „Non curricolari“ / Uncurricular traineeships		
SHORT DESCRIPTION	Tirocinio in Regione Garanzia giovani FVG / Traineeship in the Region Youth guarantee	Tirocinio in regione Occupabilità FVG / Traineeship in the Region Employment FVG	The "non-curricular" traineeships are active employment policy measures aimed to facilitate the professional choices of young people accompanying them in the transition between study and work, or facilitating the integration or reintegration into employment of unemployed people.	- il tirocinio formativo e di orientamento / learning & orienteering traineeship	- il tirocinio di inserimento e reinserimento lavorativo / introduction & reintroduction in the labor market traineeship
RULES & DISPOSITIONS (insert the link for each)	Promoted by the Central Regional Labour Directorate using the Employment Centers / for the university's students – the Universities of Udine and Trieste	Promoted by Learning Centers in FVG (5 territorial areas)	They differ from the "curriculars" traineeship which are included in a formal learning process carried out within the study plans of universities, schools or a professional training center operating under an agreement with the Region. "Curricular" internships are excluded from the regional legislation reported here: https://www.politichedelavoro.it/differenza-trastage-e-tirocinio-extracurriculare/	https://www.regione.fvg.it/rafv/cms/RAFGV/formazione-lavoro/tirocini-apprendistato/FOGLIA101/	https://www.regione.fvg.it/rafv/cms/RAFGV/formazione-lavoro/tirocini-apprendistato/FOGLIA101/
	https://www.regione.fvg.it/rafv/cms/RAFGV/formazione-lavoro/tirocini-apprendistato/FOGLIA6/	https://www.regione.fvg.it/rafv/cms/RAFGV/formazione-lavoro/tirocini-apprendistato/FOGLIA7/	The regional legislation, which transposes the "Guidelines on traineeships" agreed upon at the Permanent Conference for relations between the State, Regions and autonomous provinces, provides for two main forms of traineeship: (see next column)		
			For curricular traineeships , legislation with national validity is in force, which is based on article 18 of law no. 196/1997 and the subsequent implementing decree (Ministerial Decree n. 142 of 25 March 1998)		
- NATIONAL	D. lgs./ Government's decree with law's force 15.06.2015 n. 81 – Organic dispositions about labour contracts and mansions (Law 10.12.2014 n. 183 art. 1.7)	D. lgs./ Government's decree with law's force 15.06.2015 n. 81 – Organic dispositions about labour contracts and mansions (Law 10.12.2014 n. 183 art. 1.7)		D. lgs. -Law 24 June 1997, n. 196 Rules on employment promotion. Art. 18 practic traineeships and „stages“ https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:1997;196 Government's decree with law's force 15.06.2015 n. 81 – Organic dispositions about labour contracts and mansions (Law 10.12.2014 n. 183 art. 1.7)	
- REGIONAL	Regional law 9.8.2005 n. 18 / articles 5, 7, 9 and 10 of the Regulation for the activation of the traineeships DPRReg 19.3.2018 n. 57 modified by th DPRReg 10.2.2020 n. 18	Regional law 9.8.2005 n. 18 / Regulation for the activation of the traineeships DPRReg 19.3.2018 n. 57 modified by th DPRReg 10.2.2020 n. 18 – dispositions about extracurricular traineeships			
- OTHER EQF LEVEL*					
NQF LEVEL*	final attestation (min 70% of presence) art. 12 Reg. DPRReg. n. 57/Pres/2018				
TYPE OF AGREEMENT (employed / not employed / student)	private sector, enterprises located in the Region FVG (established or with local unit)	private sector, enterprises located in the Region FVG (established or with local unit)	NO employment		
HEALTH INSURANCE	Yes	Yes	It's not an employment – no public insurance – private insurance on behalf on the hosting subject (i.e. An enterprise)	the hosting enterprise shall cover all the risks by a private insurance company for liabilities and INAIL public insurance for injuries and shall pay an allowance to the trainee	the hosting enterprise shall cover all the risks by a private insurance company for liabilities and INAIL public insurance for injuries and shall pay an allowance to the trainee
PENSION CONTRIBUTION	Yes	Yes		Compulsory	Compulsory
INJURIES CONTRIBUTION	Yes	Yes			
COSTS OF CONTRIBUTION/INSURANCE (student/employer/employee/other)	traineeship allowance on the basis of the weekly training hours: payed partially by the Region trough the public social insurance institute INPS (with previous verification of the min 70% presence of the trainee) and part by the hosting subject (enterprise) who can decide to pay a higher amount as the one defined by law	traineeship allowance on the basis of the weekly training hours: payed partially by the Region trough the public social insurance institute INPS (with previous verification of the min 70% presence of the trainee) and part by the hosting subject (enterprise) who can decide to pay a higher amount as the one defined by law	SANCTIONS FOR THE hosting subject: 1. for failure to pay the IDEMNITY (paragraph 722 Law 234/2021 art. 1) min 1000 max 6000 € of adm. sanction 2.in the event of ascertained fraudulent use of the traineeship, when it is carried out in lieu of an employment relationship (paragraph 723). 50 € / trainee / day of crime sanction	In the case of the curricular internship, the salary is not compulsory but at the discretion of the host company, what is recognized to the intern is the number of University Educational Credits (CFU) for the activity carried out or credits in order to complete the school career .	
TAX-CONTRIBUTION DEDUCTIONS				Instead, as regards the extra-curricular internship, an economic compensation or as it is defined as "an allowance" is foreseen.	
TWINNING PROGRAMMES AND SIMILARS				The amount of the remuneration is regulated by the legislation which establishes: minimum €350 for a part-time internship / minimum €500 for a full-time internship	
MIN & MAX PERIOD (days/month/hours and distribution between school/work)	Min 3 to max 6 months for all the levels – not allowed modifications during the traineeship (if for 4 months, it's not possible to postpone to 5 or 6 months)	Min 3 to max 6 months for all the levels – 30-40 hours/week - not allowed modifications during the traineeship (if for 4 months, it's not possible to postpone to 5 or 6 months)		Curricular internships: The duration of the internship is established by the educational plan of the study programme	Extracurricular internships: must have a minimum duration of 60 days 6 months for extra-curricular internships whose PFI (individual training project) provides for the acquisition of skills referenced with EQF level 3, extendable up to a maximum of a further 6 months if the acquisition of skills referenced with EQF level 4 is expected or higher; 12 months for extra-curricular internships whose PFI provides for the acquisition of skills referenced with EQF of at least level 4; 12 months for internships stipulated in favor of disadvantaged people, regardless of the EQF classification 24 months for disabled persons, pursuant to article 1, paragraph 1, of law no. 68 of 1999, without prejudice to compliance with the rules on hiring the so-called protected categories.
MIN & MAX AGE					
REQUESTED STATUS TO ACCESS (employed/unemployed/student/resident...)	the trainee shall be registered in the PIPOL system, levels 2, 3 or 4 (Youth guarantee) and at the starting time has the NEET (not in education, employed or training) status: www.youth-guarantee.eu	The trainee at the time of registration of the programme and subscription of the project:		Support to the people who obtain a diploma no more than 12 months ago (high school diploma, technical qualification, professional qualification, graduation diploma, university master, high specialization school or PhD) to enter in the labor market	To facilitate the introduction or the reintroduction of unemployed people in the labor market
	- shall not be employed with the consequence to loose the right to the unemployment allowance (d.lgs. 150/2015)	- shall be unemployed (with or without social allowances) or in CIGS (temporal unemployed status attending the reintroduction in the enterprise) with 0 hours			
* use https://europa.eu/europass/en/compare-qualifications	- shall not be student of a regular high school or university course or a professional training course shall be resident on the Italian territory included in the PON IOG – National operative plan for the employment of youngs – part of the EU strategy against young unemployment EU Strategy 2020 - Youth guarantee for Italy – its implementation is demanded to the Regional governments	- shall have the residence in FVG (also temporary)			
		- not allowed to Young Garanty			
Receiving					
Sending					

FIELD	ITALY	ITALY	ITALY
TYPE OF LEARNING (INTERNSHIP / TRAINEESHIP / APPRENTICESHIP)	Traineeship 2.3	Traineeship 3	Traineeship 4
SUBTYPE		Tirocini all'estero GO+LEARN FVG Traineeship in other States	Misure integrate di politiche attive per il lavoro nell'ambito dei beni culturali, artistici e del turismo: Programma specifico 64/18 – Percorsi formativi e tirocini umanistici extracurricolari
SHORT DESCRIPTION	- Il Tirocinio estivo / summer traineeship	Through ENAIP FVG as an Intermediate Body, the Region seeks to encourage contact between young residents or domiciled in FVG with European schools, universities and companies, aiming to improve their professional and linguistic knowledge and skills through study and work in another EU country. PROJECT CLOSED	https://www.regione.fvg.it/rafvfg/cms/RAFGV/formazioni-lavoro/tirocini-apprendistato/FOGLIA5/
	https://www.regione.fvg.it/rafvfg/cms/RAFGV/formazioni-lavoro/formazione/fondo-sociale-europeo/mobilita_formativa/	4 paths: Training internships in companies in the European destination countries. / Linguistic refresher courses at language schools in the European destination countries. / Postgraduate Masters at foreign universities in Europe / Guided tours and economic discovery circuits in companies in the FVG Region and in Europe.	
RULES & DISPOSITIONS (insert the link for each)		https://www.regione.fvg.it/rafvfg/cms/RAFGV/formazioni-lavoro/formazione/fondo-sociale-europeo/mobilita_formativa/	
- NATIONAL			
- REGIONAL			
- OTHER EQF LEVEL*			
NQF LEVEL*	final attestation of traineeship		
TYPE OF AGREEMENT (employed / not employed / student)	agreement between the enterprise and the promoting subject (University, High School, Professional learning centers etc for their students / Orienteering regional offices for the other students of high schools or out of study young population .) / individual learning project		
HEALTH INSURANCE	the hosting enterprise shall cover all the risks by a private insurance company for liabilities and INAIL public insurance for injuries and shall pay an allowance to the trainee		
PENSION CONTRIBUTION		Compulsory	Compulsory
INJURIES CONTRIBUTION	Compulsory	Compulsory	Compulsory
COSTS OF CONTRIBUTION/INSURANCE (student/employer/employee/other)			
TAX-CONTRIBUTION DEDUCTIONS			
TWINNING PROGRAMMES AND SIMILARS			
MIN & MAX PERIOD (days/month/hours and distribution between school&work)	Max 3 months		
MIN & MAX AGE	Min 15 years old		Min 18 years old
REQUESTED STATUS TO ACCESS (employed/unemployed/student/resident...)	for high school students, professional or university students during the summer holidays	young residents or domiciled in Friuli Venezia Giulia	resident or domiciled in the Region, state of unemployment, in possession of one of the qualifications indicated in the document "Required qualifications" in the documentation section of this page.
* use https://europa.eu/europass/en/compare-qualifications			
Receiving			
Sending			

FIELD	AUSTRIA	ITALY	ITALY	ITALY
TYPE OF LEARNING (INTERNSHIP / TRAINEESHIP / APPRENTICESHIP)	Apprenticeship	Apprenticeship 1	Apprenticeship 2	Apprenticeship 3
SUBTYPE		Apprendistato per la qualifica ed il diploma professionale / Apprenticeship of I level for the professional qualification and diploma	Apprendistato professionalizzante / Professionalizing apprenticeship	Apprendistato di alta formazione e ricerca / Apprenticeship for high education and research
SHORT DESCRIPTION		https://www.regione.fvg.it/rafvfg/cms/RAFVG/formazione-lavoro/tirocini-apprendistato/FOGLIA1/	https://www.regione.fvg.it/rafvfg/cms/RAFVG/formazione-lavoro/tirocini-apprendistato/FOGLIA2/	https://www.regione.fvg.it/rafvfg/cms/RAFVG/formazione-lavoro/tirocini-apprendistato/FOGLIA3/
RULES & DISPOSITIONS (insert the link for each)				
- NATIONAL	"Berufsausbildungsgesetz" https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10006276	D. lgs./ Government's decree with law's force 15.06.2015 n. 81 – Organic dispositions about labour contracts and mansions (Law 10.12.2014 n. 183 art. 1.7) / draft form by Interministerial Decree 12.10.2015 (Annex 1)	D. lgs./ Government's decree with law's force 15.06.2015 n. 81 – Organic dispositions about labour contracts and mansions (Law 10.12.2014 n. 183 art. 1.7)	D. lgs./ Government's decree with law's force 15.06.2015 n. 81 – Organic dispositions about labour contracts and mansions (Law 10.12.2014 n. 183 art. 1.7)
- REGIONAL	Different support schemes and structures per "Land", but legal framework only applies to the federal level	Regional law 9.8.2005 n. 18 / Regulation for the activation of the traineeships DPRReg 19.3.2018 n. 57 modified by th DPRReg 10.2.2020 n. 18	Regional law 9.8.2005 n. 18 / Regulation for the activation of the traineeships DPRReg 19.3.2018 n. 57 modified by th DPRReg 10.2.2020 n. 18	Regional law 9.8.2005 n. 18 / Regulation for the activation of the traineeships DPRReg 19.3.2018 n. 57 modified by th DPRReg 10.2.2020 n. 18 / National legislation entrusts the regulation and duration of the apprenticeship period to the regions and autonomous provinces of Trento and Bolzano, only for profiles that pertain to training. In order to promote and test support actions that enhance the higher education and research apprenticeship contract, the Region has signed a Memorandum of Understanding with the regional universities and the social partners which regulates, only for the profiles pertaining to training, the implementation methods.
- OTHER				
EQF LEVEL*	4	3 and 4	3 and 4	5-8
NQF LEVEL*	4 - Lehrabschluss, AHS Matura, BRP	Professional qualification or professional diploma during the working experience in the enterprise	professional qualification	university and high educations diplomas: laurea triennale - laurea magistrale e laurea magistrale a ciclo unico - master universitario - titolo di dottorato di ricerca (three-year degree - master's degree and single-cycle master's degree - university master - PhD title)
TYPE OF AGREEMENT (employed / not employed / student)	Employed, special collective labour agreement rules per sector	apprenticeship agreement for training and employment in all the sectors – the apprentice continues to attempt school during the apprenticeship = apprenticeship+work (dual system) / employer shall subscribe an agreement with the training institution of the student/apprentice with definition of duration and modalities of the apprenticeship / Individual learning plan – form annex 1a Interministerial Decree 12.10.2015	permanent employment contract for the training and employment of the youth / professional qualification complying with the collective labor agreements / public learning scheme, in or outside the enterprise for apprentices with min 12 months labor agreement (120 hours of lessons in the first contractual year or 40 in the 1 st year and 80 hours in the 2 nd year – 80 hours if with high school diploma or professional qualification, 40 hours if university's graduate – 0 hours if 2 nd apprenticeship / also the enterprise is allowed to offer the training on his own costs inside if it has a teachingroom and workers with experience / Individual learning plan	permanent employment contract for the training and employment of the youth / PhD, researching activities, practicership for ordinistic professions / the employer shall subscribe an agreement with the training institution of the student/apprentice with definition of duration and modalities of the apprenticeship- see form annex 1 Interministerial Decree 12.10.2015 / learning scheme in and outside the enterprise / Individual learning plan – form annex 1a Interministerial Decree 12.10.2015
HEALTH INSURANCE	Yes	Yes	Yes	Yes
PENSION CONTRIBUTION	Yes	Yes	Yes	Yes
INJURIES CONTRIBUTION	Yes	Yes	Yes	Yes
COSTS OF CONTRIBUTION/INSURANCE (student/employer/employee/other)	employer/employee co-payment system, special rules for apprentices (different rates than for regular employees apply). No injuries contribution has to be paid, but injuries are insured.	Employer / employee co-payment system 2/3-1/3	Employer / employee co-payment system 2/3-1/3	Employer / employee co-payment system 2/3-1/3
TAX-CONTRIBUTION DEDUCTIONS	Regular income tax applies -> usually not paid about because of low income rates	Regular taxation (under 5000 € / year is not due)	Regular taxation (under 5000 € / year is not due)	Regular taxation (under 5000 € / year is not due)
TWINNING PROGRAMMES AND SIMILARS				
MIN & MAX PERIOD (days/month/hours and distribution between school&work)	Maximum 4 years (regular period 3 years), Maximum 8 hours/day, 40 hours/week (under special circumstances 9/45). School hours can change from 0 to 40 hours a week -> depending on state of the apprenticeship, type of apprenticeship, sector. On average about 8 hours/week, but different "blocks" are possible	From 6 months up to 4 years in case of a course to obtain a professional diploma. Starting the apprenticeship form the 2 nd year of studies of Professional Education and Trainee with the necessary skills to proceed the 3 rd and the 4 th year. Apprenticeship of I level: training outside the enterprise 633 hours (2 nd year) / 528 hours (3 rd and 4 th year) // Inside training in the enterprise 423 hours (2 nd year) / 528 hours (3 rd and 4 th year) // TOTAL 1,056 hours + other necessary hours of working to the total amount requested in accordance with the signed employment contract compliance with the subscribed laboru contract	Min 6 months up to 3 years (5 years for craftsmen) – duration and modalities of training defined by the collective labor agreements	Min 6 months / max: high education = duration of the course / researching activities = researching project durations for max 3 years +1 for special purposes or necessities / ordinistic professions = necessary apprenticeship duration for the State exam
MIN & MAX AGE	min 14. years, formal education (9 years) has to be finished. No maximum age	Youths 15-25 years old,	Youths 18-29 years old (also 17 if with professional qualification) / no age limits for workers with mobility allowance or unemployment allowance	Youths18-29
REQUESTED STATUS TO ACCESS (employed/unemployed/student/resident...)	EEA citizen. Non-EEA citizens need to apply for work permit -> apprenticeship is a formal form of employment	To verify territorial disponibility lePF course for the necessary hours / to verify learning offer payed by the Region annually to the temporary enterprises's association Effe.Pi 2020 with 12 professional training centers with accreditation		
* use https://europa.eu/europass/en/compare-qualifications				
Receiving	qualification & employer!			
Sending				