

Financing adult learning database

Name of the instrument - Local language	Congé sans solde pour formation
Name of the instrument - English translation	Unpaid training leave
Scheme ID	353
Country	 Luxembourg
Reporting year	2020
Type of instrument	Training leave
Sub-type of instrument	Unpaid leave - only employer and employee are involved
Type of entry	Single instrument

Short description	<p>Employees with two or more years of tenure (irrespective of the type of employment contract) can formally request an unpaid leave for participating in formal education or CVET programmes from their employer. The duration of the unpaid leave needs to be longer than four consecutive weeks and can last for up to six consecutive months. The required period of notice is two months for leaves up to three months and four months for leaves longer than three months. Over the employment history with one employer, unpaid leave is available for a total of up to two years. Employers cannot deny unpaid leave but can postpone it for up to two years due to important organisational reasons. For employees in micro enterprises and for members of the top management, employers may refuse to grant the unpaid leave.</p>
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Level of operation	National
Name of a part of the country	Not applicable
Name of the region (for regional instruments)	Not applicable
Name of the sector (for sectoral instruments)	Not applicable
Relevance	Further instrument

Legal basis	Labour Code
Objective(s) and target(s)	Unpaid leave for training purposes is aimed at private-sector employees, enabling them to be discharged from their professional obligations temporarily in order to take part in professional training over a specific period of time.
Year of implementation	2006
Operation/management	For the duration of leave, the employment contract is suspended, constituting a temporary suspension of the contract's effects without the contract being broken. The employer must retain the job of the employee on leave, the latter recovering on his/her return all of the accrued benefits prior to the start of the leave or, where this is not possible, a similar job matching his/her qualifications, with an equivalent or higher salary and the same accrued benefits. The request may be refused by the employer if the applicant is a senior manager or when the company regularly employs less than 15 employees. This scheme has been adopted after an agreement of social partners (The inter-professional social dialogue agreement on 2 May 2003, relating to individual access to continuing vocational training, declared of general obligation by the Grand-Ducal regulation of 30 March 2006, established a system of unpaid leave for training) has been introduced in the legislation in 2006 (http://legilux.public.lu/eli/etat/leg/rgd/2006/03/30/n2/jo). There is no data about the scope of its use or evaluations about it.
Eligible group(s)	Employees from the private sector with at least 2 years of service with their employer, regardless of the type of employment contract
Group(s) with preferential treatment	No preferential treatment
Education and training eligible	Not applicable
Source of financing and collection mechanism	The employers allow unpaid leave
Financing formula and allocation mechanisms	The cumulative period of unpaid leave for training purposes is set at 2 years maximum per employer: the minimum period of leave is 4 consecutive weeks; the maximum period of leave is 6 consecutive months. The period of leave is always given in whole weeks or months and must correspond to the duration of the training.
Eligible costs	Not applicable
Beneficiaries/take up	Not available
Organisation responsible for monitoring/evaluation	Not applicable
Most relevant webpage -	http://legilux.public.lu/eli/etat/leg/rgd/2006/03/30/n2/jo

in English	
Most relevant webpage - local language	https://guichet.public.lu/en/entreprises/ressources-humaines/conges/for...
Recent changes	<p>No recent amendment</p> <p>Recent changes in response to COVID-19</p> <p>No changes</p>
Sources	<p>https://guichet.public.lu/en/entreprises/ressources-humaines/conges/for...</p> <p>https://www.lifelong-learning.lu/Detail/Article/aides/conges-sans-solde-...</p> <p>https://www.lllc.lu/fr/aides-financieres-conges/le-conge-sans-solde</p>