

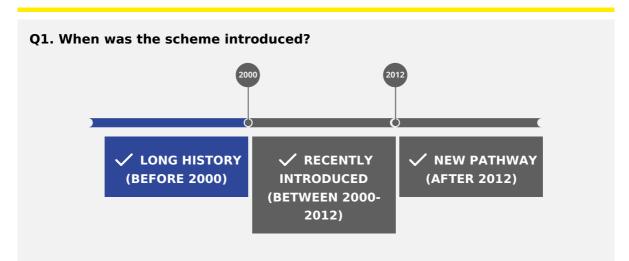
Apprenticeship contract

Contrat d'apprentissage

Luxembourg

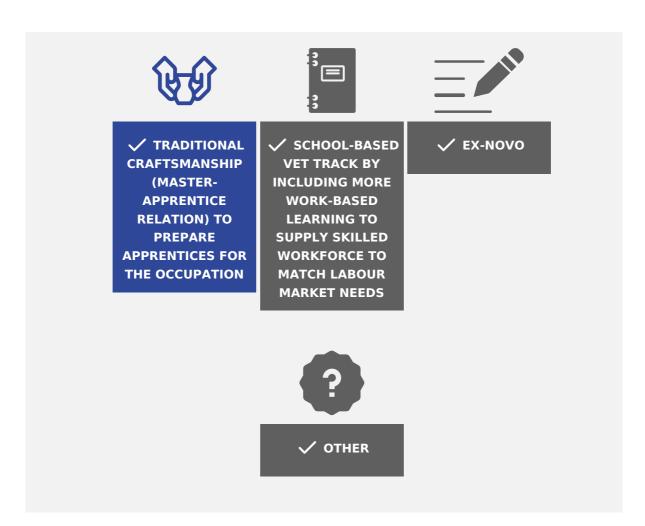
Reference year 2019

(1) SCHEME HISTORY



The apprenticeship scheme in Luxembourg has a long history (1940s). Its current form was regulated in 2008 and amended in 2019.

Q2. How did the apprenticeship scheme originate?



(2) BENEFICIARIES

Q3. Does the legal basis define the minimum and maximum age limits for enrolment of the target group of this scheme?



The Vocational Training Act (2008/19) as well as the Labour Code do not explicitly define a minimum and maximum age for apprenticeship.

Nonetheless, as the dual apprenticeship scheme is part of upper secondary education, learners are required to have completed the 9th grade of lower secondary education in order to enrol in apprenticeship, at minimum age 15 (1).

So, although not legally explicitly defined, the minimum age is defined due to the position of the scheme in the education system.

Adult apprenticeship is available from age 18 minimum, regardless of the VET programme, under condition that candidates have left initial vocational training for at least 12 months. No maximum age limit is legally defined.

https://adem.public.lu/en/jeunes/faire-un-apprentissage/devenir-apprent...

Q4. What is the average age of learners in practice?



Learners from all three age groups can take part in apprenticeships: pupils in secondary education from the age of 15 as well as adults (aged 18 or above) having left school can participate in the apprenticeship programmes (CCP, DAP, DT), regardless of the VET programme.

In 2019, 3477 learners were enrolled in initial vocational training under apprenticeship, as registered by Ministry of Education.

All apprenticeship offers and apprenticeship seekers must be registered at PES (ADEM).

While initial VET apprentices represent almost three thirds of (63.2 %) of placements, adult apprenticeships (CVET) account for 36.8 % of occupied positions.

Q5. How many learners are enrolled in this scheme?

In the school year 2019/2020, 3477 learners were registered in VET programs under the apprenticeship scheme in total.

- 623 learners under apprenticeship leading to a CCP qualification
- 2723 learners in apprenticeships leading to a DAP qualification
- 119 learners in apprenticeships leading to a DT qualification

Source: Ministry of Education, 2020

Q6. What is the share of apprentices enrolled in this scheme in relation to all VET students for the corresponding educational level(s)?



LEARNERS





✓ BETWEEN 30%-60% OF VET LEARNERS ✓ BETWEEN 10% AND 30% OF VET LEARNERS



In the school year 2019/20, a total of 13,248 pupils enrolled in four different programmes of upper secondary vocational education, distributed as follows:

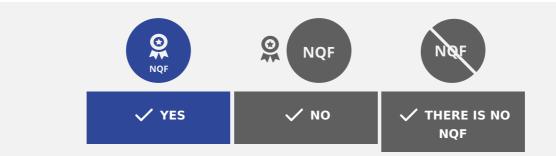
- technical programme (diploma of 'general' school-based VET studies at upper secondary level, DFESG) (EQF level 4): 6,357 learners 47.9% of pupils in upper secondary vocational education (in which apprenticeship is not offered as an option);
- technician programme (DT) (EQF level 4): 3,162 pupils 23.9 %;
- vocational programme (DAP) (EQF level 3): 3,164 pupils 23.9 %;
- vocational programme (CCP) (EQF level 2): 565 pupils 4.3%.

Source: http://www.men.public.lu/catalogue-publications/themes-transversaux/sta...

The total of 3477 apprentices in 2019/20 represent 26.3% of the total number of learners in upper secondary vocational education.

(3) QUALIFICATIONS

Q7. Are the qualifications included in the National Qualification Framework (NQF)?



- CCP diplomas are at level 2 of the CLQ, which corresponds to Level 2 on the EOF.
- DAP diplomas are at level 3 of the CLQ, which corresponds to Level 3 on the EOF.
- DT diplomas are at level 4 of the CLQ, which corresponds to Level 4 on the EQF.

Source: https://www.cedefop.europa.eu/files/luxembourg_-_european_inventory_on_...

Q8. Is the scheme included in the ISCED 2011 mapping?



Luxembourg was not included in the ISCED 2011 mapping.

Vocational programmes (CCP, DP) correspond to ISCED level 353.

Technician programmes (DT) correspond to ISCED level 354.

Q9. Are the qualifications offered only through apprenticeships?



The vecetional connective contificate (CCD) can only be obtained under the appropriately

scheme, whereas certain DAP and most DT qualifications are organised as school-based tracks, including a practical in-company part under internship convention. The type of workplace training (apprenticeship or internship) depends on the profession or trade.

Apart from the regular apprenticeship scheme, the practical part of some CCP and DAP programmes can be attended in public training centres (resulting in the same qualifications). These tracks target young people who were unable to find a regular company-based training place as well as adults who need to undergo retraining.

Q10. Which is the type of qualification obtained through the apprenticeship scheme?



The apprenticeship scheme leads to three different levels of formal qualifications (diplomas):

- Vocational Capacity Certificate (CCP)
- Vocational Aptitude Diploma (DAP) and
- Technician's Diploma (DT).

The certificates / diplomas indicate the specific profession or trade under apprenticeship. As for school year 2018/19 the vocational education system offered:

- 25 different apprenticeship tracks for the vocational capacity certificate (CCP) (no non-apprenticeship tracks exist in this case)
- 62 different apprenticeship tracks for the vocational aptitude diplomas (DAP)
- 5 different apprenticeship tracks for technician's diploma under apprenticeship (DT).

Q11. Does the scheme provide direct access to higher education?



Learners who take part in apprenticeships leading to a DAP or DT qualification can access higher technical education in the specialty corresponding to their qualification (in university or higher technician programmes at EQF 5 (BTS) after successful completion of compulsory preparatory modules. These modules are offered, in general, as one-year tracks in public training centers. The preparatory modules can be followed during or after the apprenticeship for the DAP or DT qualification.

Apart from these modules, the Luxembourgish IVET system enables pathways between vocational qualifications:

After the CCP, learners who wish to continue their education to obtain a vocational aptitude diploma (DAP) in the same profession or trade, can enroll in the last year of the relevant DAP programme (CCP graduates are not entitled to participate in the preparatory modules directly, only after completing a DAP or DT programme).

DAP holders who seek to obtain a technician's diploma are admitted to specific DT tracks defined by Grand-ducal regulation (1) or can prepare a master craftsperson certificate.

Generally, they can enroll in the two last years of the programme. Learners who have obtained an 'excellent' mark can directly enter the last year of the DT programme.

DT graduates may also enrol in the 'general' school-based VET programmes (third year) and in this way get access to higher education without having to complete the preparatory module (2).

- 1. http://legilux.public.lu/eli/etat/leg/rgd/2019/08/22/a578/jo
- 2. https://cumulus.cedefop.europa.eu/files/vetelib/2019/Vocational Educati...
- 3. Chapter 4, Art.33 septies. http://www.legilux.public.lu/eli/etat/leg/code/education_nationale/2020...

Q12. What is the typical duration of the apprenticeship programme?

The duration of the programme depends on the level of qualification, as well as the specific track.

- CCP programmes last 3 years in general (with one exception of a two-year track for cobblers)
- DAP programmes generally last 3 years. Depending on the occupation, the duration can vary between 1 and 4 years (Vocational Training Act 2019, art. 21)
- DT qualifications generally last 4 years. Depending on the occupation, the duration can vary between 1 and 4 years (Vocational Training Act, art. 21)

The duration of an adult apprenticeship is generally the same as for an initial apprenticeship. Nevertheless, it is possible for an adult apprentice to access advanced training directly (by means of validation of prior working or learning experience).

(4) GOVERNANCE

Q13. Is there any organization at the national level with roles in co-ordinating the scheme?



The Ministry of National Education, Children and Youth is the responsible body for the coordination of initial vocational training and the apprenticeship scheme.

By law, the vocational education and training system is based on a partnership between the State, the professional employers' chambers and the professional employees' chambers. The Chambers are involved in the following levels:

- 1. Analysis and definition of skill and training needs
- 2. Guidance and information on training offer
- 3. Definition of professions and trades covered by initial vocational education and training
- 4. Deployment of training offer
- 5. Organisation of training
- 6. Development of training framework programs
- 7. Monitoring of training and of the training system
- 8. Certification
- 9. Validation of prior professional experience.

(Vocational Training Act 2008 Art. 3 (not modified in 2019))

Q14. What is the role of chambers, employers' and employees' representatives, sectoral councils (if existent), in shaping apprenticeship content, as per regulation?





The Vocational Education and Training system is based on a partnership between the State, the professional employers' chambers and the professional employees' chambers. The partnership takes place at the level of:

- Analysis and definition of skill and training needs
- Guidance and information on training offer
- Definition of professions and trades covered by initial vocational education and training
- Deployment of training offer
- Organisation of training
- Development of training framework programs
- Monitoring of training and of the training system
- Certification
- Validation of prior professional experience.

(Vocational Training Act 2008 Art.3 (not modified in 2019)

The Professional Chambers are also involved, by regulation in both the design of training framework programmes as in the design of training curricula (see Q20).

(Vocational Training Act 2019, Art. 23)

Q15. What is the role of chambers, employers' and employees' representatives in implementing the apprenticeship scheme, as per regulation?











✓ ROLE IN MONITORING OF THE IN-COMPANY TRAINING



As defined by the Labour Code (L.111-1), the professional chambers are in charge of accreditation of training companies.

Furthermore, the competent professional chambers are responsible of the monitoring of practical training under apprenticeship contract. Under authority of the Minister of Education and the professional chambers, the "apprenticeship counsellors" have the mission to:

- Ensure that practical training modules are applied during the in-company training periods.
- Ensure a close follow-up on the evolution of the apprentice at the training company.
- They have the right to visit the training enterprises, and serve as an intermediary contact person for both parties in the event of questions or problems.

(Vocational training Act 2019, Art. 40(1); Vocational training act 2008, Art.2 (26) not modified)

The social partners are also involved on the level of final assessment of the practical part of vocational training.

Since 2019, the assessment of the final integrated projects, at the end of the apprenticeship, is incumbent upon the evaluation committees ("équipes d'évaluation"). By appointment of the Minister, they are composed of:

one representative of the professional employers' chamber or a representative of the Ministry of education for apprenticeships that are not dependent on a professional chamber,

one representative of the employees' chamber one teacher

(Grand-Ducal Regulation of 15th of August 2019, Art. 13)

http://legilux.public.lu/eli/etat/leg/rgd/2019/08/15/a571/jo)

(5) TRAINING AT THE WORKPLACE

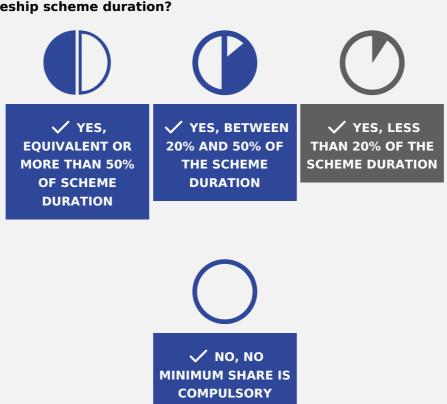
Q17. Is it compulsory to alternate training between two learning venues (school and company)?



By law, initial vocational training programmes under apprenticeship (leading to CCP, DAP or DT qualifications) require alternation between work-based learning within a training enterprise.

Art. 29 of the Vocational Training Act of 2008 states that "the initial vocational training which prepares learners for work life, takes place in alternance, whether under apprenticeship contract or internship convention (see Q5 and Q18/ old Q22)".

Q18. Is the in-company training defined as minimum share of the apprenticeship scheme duration?



Different alternation options apply according to the qualification and the programme, as defined by Grand-Ducal regulation. Individual tracks can be organised under a day-based alternation scheme, weekly alternation or alternation periods, depending on the occupation.

A minimum share of in-company training is not defined per regulation. For every occupation, an individual scheme is defined and annually updated. In short, most tracks comprise more than 50% of practical training. This is, however, not representative across qualification levels and ranges, for some occupations, from 20% to 75%.

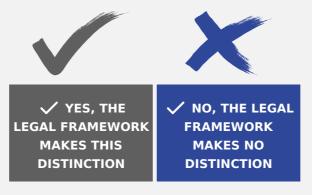
In practice, in 2019, all CCP tracks consist of 3 years combining school and in-company

training. Practical training has a duration of more than 50%: The alternation ratio of school-based to practical training ranges from 2 / 3 days, 1,5/3,5 days or 1/4 days; in the restauration sector, training is organised by period.

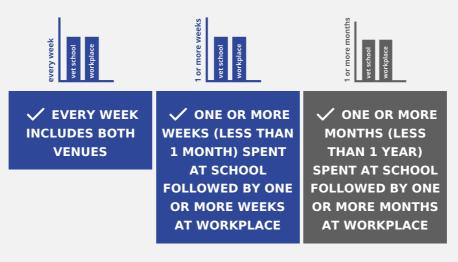
DAP tracks are whether organised as mixed tracks (i.e. one year of full school-based training, and 2 years of alternating school in company training of different alternation ratios, e.g. per period, 1/4, 2/3, 3/2 etc.) or as concomitant tracks, consisting generally of three years of alternation, with different day-release schemes. Most tracks, but not all, comprise 50% or more of in-company training.

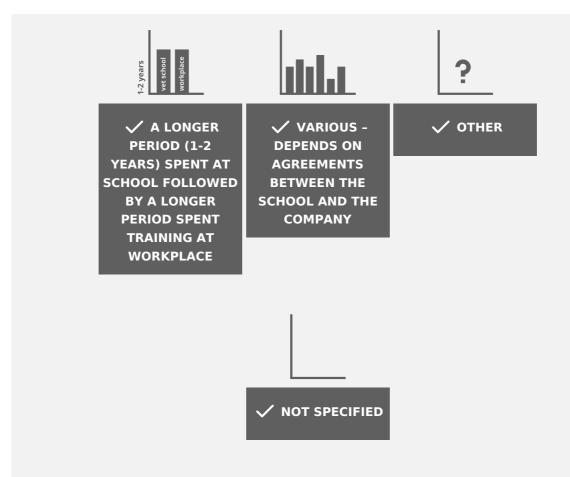
In DT tracks, the duration of in-company differs strongly, and averages are not representative. Generally, the school-based duration is longer than in CCP and DAP programmes: e.g. for DT administration and commerce, the alternation scheme consists of 3 years full-school track plus one year of mainly school-based training with alternation with 2 days practical in-company training per week.

Q19. Is there a distinction between the training time and working time for the period spent at workplace, as per regulation?



Q20. What is the form of alternation of training between workplace (company) and school?





Alternation options depend on the qualification level as well as on the occupation. Under apprenticeship, two types of alternation types exist:

- (a) the concomitant track (*filière concomitante*): Depending on the profession, the two parts can be organised as day-release (such as two days per week in school and three days in enterprise) or block-release scheme (for example, nine weeks at school and nine weeks in enterprise); the allocated time may also vary depending on the profession;
- (b) the mixed track (*filière mixte*) which is suitable for some professions. This programme offers theoretical and practical training in school in the first year. After successful completion of the school-based part, training is continued in line with the concomitant track (see a).

See also Q25 on the type of alternation per track.

Source: https://cumulus.cedefop.europa.eu/files/vetelib/2019/Vocational Educati..., p. 22

Q21. What is the basis for the training offered?



✓ THE SCHEME IS IMPLEMENTED VIA A SPECIFIC APPRENTICESHIP PROGRAMME



✓ THE SCHEME IS IMPLEMENTED ON THE BASIS OF THE SCHOOL-BASED VET PROGRAMME



✓ THE SCHEME IS
IMPLEMENTED
BASED ON THE VET
STANDARDS (VALID
GENERALLY FOR
ALL VET SCHEMES)



The Luxembourgish IVET system offers, in 2019, three vocational programmes, divided into a total of 92 dual apprenticeship tracks:

- 25 different apprenticeship tracks for the vocational capacity certificate (CCP)
- 62 different apprenticeship tracks for the vocational aptitude diplomas (DAP)
- 5 different apprenticeship tracks for technician's diploma under apprenticeship (DT).

For each (group of) occupation, the minister appoints a curriculum committee (équipe curriculaire), composed of an equal number of representatives of the school system and practical training bodies, who are proposed by the professional chambers.

The curriculum committees are in charge to define the training framework programme, consisting of

- The professional profile, which determines the tasks and activities executed in the framework of a certain profession or trade
- The training profile, which determines, for each domain of learning, the set of competences to be acquired
- The executive programme of each trade and profession, which determines the schedule, the accountable units and the description of the modules
- The apprenticeship assessment booklet (or the internship assessment booklet)

The curriculum committees are responsible to synchronise the school-based and practical training.

In practice, every apprenticeship programme has its own curriculum, defined and regularly updated by the curriculum committee. The apprenticeship curriculum is clearly different from school-based and internship tracks.

(Règlement grand-ducal du 30 juillet 2011 portant institution et organisation des équipes curriculaires, des commissions nationales de formation et des commissions nationales de l'enseignement général pour la formation professionnelle de l'enseignement secondaire technique.)

http://legilux.public.lu/eli/etat/leg/rgd/2011/07/30/n3/jo)

Q22. Is the company hosting apprentices required by regulation to follow a training plan at the workplace?



The training company "ensures the education and professional training in the framework of the official training programme" (Labour Code, Art. L.111-3 (5)).

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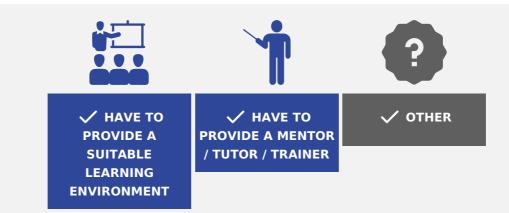
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http://legilux.public.lu/eli/etat/leg/rgd/2011/07/30/n3/jo)

Q23. What are the requirements on companies to provide placements, as per regulation?



The professional chambers accredit employers to train apprentices.

The employer has to fulfil the conditions of:

- 'Respectability' ("respectabilité") which refers to lawfulness and reputation, and not have shown any infringements of the law
- Professional competence

The conditions of the 'professional competence' to train apprentices are defined, for the different sectors, by agreement of the relevant employers' chamber (or the Minister in the case of occupations that do not depend on any professional chamber) with the relevant employees' chamber.

The training body is obliged to appoint one or more tutors. Tutors are responsible for practical training, educational support and mentoring of the apprentices.

Tutors must be authorised by agreement between the professional employers' chamber (or the minister in case of occupations which do not depend of any professional Chamber) and the employees' chamber and must fulfil the same criteria of 'respectability'.

In case the apprenticeship takes place under the system of multiple training places, each training body must hold an accreditation to train apprentices.

(Labour Code L.111-5 (3))

Q25. Are there any sanctions on companies that do not provide training to apprentices at the workplace?



(6) CONTRACT AND COMPENSATION

Q26. What is the status of the learner? ONLY STUDENT ONLY EMPLOYEE A SPECIFIC STATUS (STUDENT AND EMPLOYEE COMBINED) OTHER

The apprenticeship contract grants a specific status to the apprentice, as defined by the Labour Code.

Q27. Is there any written arrangement between the learner and company, required as per regulation?



Apprenticeship contracts between the learner and the company are mandatory. (Labour Code 2019, L. 111-2)

By law, the apprenticeship contract must include the following details:

- The objectives and training modalities in the specific profession or trade,
- The date of signature, the beginning and the duration of training;
- A detailed description of obligations and rights of signatory parties
- The amount of apprenticeship remuneration ('allowance' in the national context, although taxable after a certain threshold)
- The duration of the trial period (3 months)
- The provisions concerning annual leave
- The working hours and schedule
- The workplace. If applicable, in case of multiple training sites, the principal and secondary workplaces on the Luxemburgish territory or abroad.
- If the system of multiple training sites (lieux pluriels de formation) applies, the

contact details of each training entity (title, adress and contact details)

The name and contact details of the apprenticeship tutor.

(Labour Code 2019, L.111-3)

Q28. What is the nature of the written arrangement?



The apprenticeship contract is not considered equivalent to an employment contract. It is a special form of contract subject to specific rules under the Labour Code, Art.L.111-1 to L111-9)

Certain general provisions of the Labour Code are applicable to apprenticeship contracts:

- the protection of young workers;
- health and safety at work;
- occupational health;
- the protection of employees who are pregnant, breastfeeding or who have recently given birth;
- the protection against dismissal in the event of sick leave;
- Legal leave.

Q29. Where is the contract or the formal agreement registered?





Apprenticeship contracts must be registered at the latest one month after their conclusion with the relevant professional chamber or with the Ministry of Education, Children and Youth, in case the occupation does not depend on any professional chamber.

Q30. Do apprentices receive a wage or allowance?



✓ YES, ALL
APPRENTICES
RECEIVE A WAGE
(TAXABLE INCOME)



✓ YES, ALL
APPRENTICES
RECEIVE AN
ALLOWANCE (NOT
A FORM OF
TAXABLE INCOME)



✓ APPRENTICES
RECEIVE A
REIMBURSEMENT
OF EXPENSES



Apprentices are entitled to receive a remuneration, determined annually by a Grand-ducal regulation. In the national context, the term used for remuneration is 'allowance' ("indemnité"), although it can be taxed if it exceeds, to date, 1040 euros per month.

For initial vocational training programmes, remuneration varies according to occupation / trade and the qualification programme:

- For tracks leading to technician diplomas (DT) and vocational aptitude diplomas (DAP) remuneration increases upon successful completion of the intermediate integrated project
- For tracks leading to vocational capacity certificates (CCP), remuneration

increases with each completed school year.

In 2019/2020, the amount of the remuneration for apprentices seeking a CCP qualification varies from \in 452,56 to \in 769,36 for the first year; from \in 509,08 to \in 995,60 for the second year; and from \in 622,28 to \in 1.131,36 for the third year of apprenticeship.

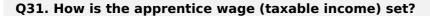
For apprentices preparing for a vocational aptitude diploma (DAP), the remuneration varies from \in 339,44 to \in 1.131,36 before successfully completing the intermediate integrated project; and from \in 565,68 to \in 1.866,77 after successful completion.

For apprentices preparing for a DT qualification, the amount varies from € 347,91 to € 848,44 before successfully completing the intermediate integrated project; and from € 1.043,65 to €1.260,77 after successful completion.

Learners in adult apprenticeships are entitled to remuneration that correspond to at least the minimum social income for unqualified workers. In this case, conditions of Art. L. 223-1 of the Labour Code apply. In 2020, the minimum social income is set to € 2.141 per month.

Some apprenticeship tracks are only available under adult apprenticeship, due to legal age (e.g. driving instructor) or because the access is limited to DAP diploma holders in the same specialty (e.g. technician diploma (DT) 'horticulture entrepreneur').

As an incentive by the state, apprentices who successfully complete the school year are retroactively awarded an apprenticeship bonus of $\[\in \]$ 130 per month for apprenticeship leading to a CCP qualification and $\[\in \]$ 150 per month for apprenticeships leading to DAP or DT qualifications.





✓ BY LAW (APPLYING FOR ALL)



✓ BY CROSSSECTORAL
COLLECTIVE
AGREEMENTS AT
NATIONAL OR
LOCAL LEVEL



✓ BY SECTORAL
COLLECTIVE
AGREEMENTS AT
NATIONAL OR
LOCAL LEVEL



Apprentice remuneration is set annually by Grand-ducal regulation, on advice of the professional chambers. It is adapted to variations in the cost of living index. (Vocational Training Act, 2008 (2019), Art.38)

Remuneration may vary per apprentice year, or by occupation within a sector.

(7) FINANCING AND INCENTIVES

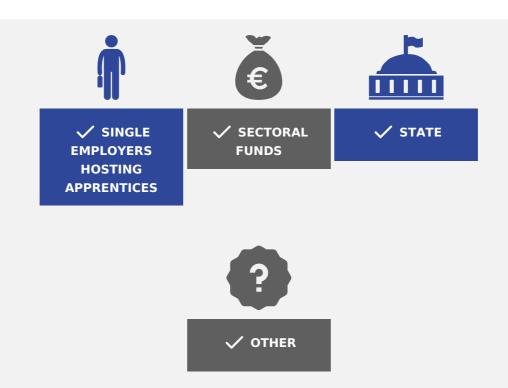
Q32. Who covers the cost of the wage or allowance of the apprentice?



The employer pays the remuneration to the apprentice.

Employers can request the reimbursement of the employer's share of social security contributions with regard to the apprenticeship remuneration paid (see Q 14).

Q33. What are the sources of financing of the direct costs for the in-company training part of the apprenticeship scheme?



Apprenticeship remuneration is paid by the apprentices' employer.

In the national context, the term used for remuneration is 'allowance' ("indemnité"), although it can be taxed if it exceeds, to date, 1040 euros per month.

Remuneration is set annually by Grand-Ducal regulation and depend on the occupation and the progress of the VET learners:

- DT and DAP learners receive higher remuneration upon successful completion of the intermediary integrated project.
- For CCP learners, remuneration increase after progression to the following school-year.

The state contributes by financial incentives for training companies (see below).



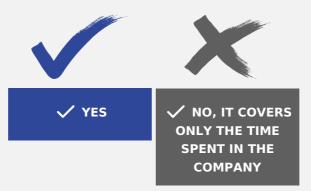


All employers are entitled to the following state-funded financial incentives:

- financial aid for the promotion of apprenticeships (aide de promotion de l'apprentissage) which covers a share of the apprenticeship remuneration paid to the apprentice. The share varies from 27% in the case of apprenticeships preparing apprentices for a DAP or DT qualifications, to 40% in the case of the apprenticeships leading to a CCP qualification
- a reimbursement of the employer's share of the social security contributions for the apprenticeship remuneration paid.
- for adult apprenticeships, a reimbursement of the difference between initial apprenticeship allowance and the social minimum wage (complément d'indemnité).

These incentives are commonly used by almost all employers and are promoted to foster in-company training offer.

Q35. Does the wage or allowance of the apprentice cover both the time spent at school and in the company?



The remuneration is provided to the apprentice under contract for the whole duration of the contract, for both school-based and in-company training.

Q36. Are there any incentives for learners?



✓ YES, GRANTS
PAID TO LEARNERS
TO TOP UP THEIR
REMUNERATION



✓ YES, GRANTS
PAID TO LEARNERS
RELATED TO OTHER
COSTS (TRAVEL,
FOOD ETC.)



✓ YES,
RECOGNITION OF
PRIOR LEARNING /
FAST-TRACK
OPPORTUNITIES



✓ YES, OTHER

TYPES OF

INCENTIVES



✓ NO