

Lisbon, 21 NOV 2016

## **Decision No. 2016/036 of the Executive Director relating to the Rules Governing the Traineeship Scheme of EMSA**

The Executive Director of the European Maritime Safety Agency (EMSA),

Having regard to the Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002, setting up a European Maritime Safety Agency (hereafter EMSA or the Agency), as amended;

Having regard to the rules governing the official traineeship scheme of the European Commission of 02.03.2005 – C(2005)458;

Whereas:

It is necessary to draw up rules to govern in-service traineeships organised by EMSA,

Has adopted the following rules:

### **Article 1**

#### **General scope**

These rules govern the official traineeship scheme of EMSA. This scheme is addressed to university graduates who have completed their studies no longer than three years prior to the deadline for applications.

The aims of the official in-service traineeship with the Agency are:

- (1) To provide recent university graduates with a unique and first-hand experience of the workings of EMSA.
- (2) To provide an understanding of European maritime safety legislation, response to pollution at sea and cooperation among member states in safety at sea matters or in the administrative areas of legal and financial affairs, human resources, events and missions or ICT.
- (3) To enable such trainees to acquire practical experience and knowledge of the day-to-day work of the Agency.
- (4) To provide the opportunity to work in a multi-cultural and multi-linguistic environment, contributing to the development of mutual understanding, trust and tolerance.
- (5) To promote European integration through active participation to create awareness of true European citizenship.
- (6) To provide the opportunity to recent university graduates to put into practice knowledge acquired during their studies, and in particular in their specific areas of competence.
- (7) To introduce these graduates to a new professional world and its constraints, duties and opportunities.

EMSA, through its official traineeship scheme:

- (1) Benefits from the input of recent graduates, who can give a fresh point of view and bring up-to-date academic knowledge, which will enhance the everyday work of the Agency.
- (2) Creates a pool of people with first-hand experience of, and who are trained in European procedures, who would be better prepared to collaborate and cooperate with EMSA or other EU Institutions and Bodies in the future.
- (3) Creates long-term 'good-will ambassadors' for European ideas and values both within the European Union and outside.

Every year the Executive Director shall decide the number of traineeships to be offered in each unit, depending on the budgetary resources available and on the capacity of each unit to welcome and accommodate trainees.

Applicants are selected on the basis of qualifications; an appropriate geographical distribution and gender balance is sought.

## **Article 2**

### **Eligibility criteria**

#### **2.1. Nationality**

Trainees are selected from amongst nationals of the Member States, of Iceland and Norway, and of the candidate countries benefiting from a pre-accession strategy. Exceptionally, the Executive Director shall authorise traineeships from non EU nationals. Non EU citizens will be solely responsible for their visa permits and no assistance will be provided by EMSA.

#### **2.2. University Diploma**

Candidates must have completed the first cycle of a higher education course (university education) and obtained a full degree or its equivalent by the closing date for applications.

Candidates must provide copies of diplomas or the relevant official certificates (self-certifications will not be accepted), of all university or post-university studies declared in their application. For declared on-going studies, an official declaration from the relevant university must be provided. Applicants whose university or post-graduate diplomas are not issued in one of the official EU languages must provide a translation of these documents into English.

If recruited for a traineeship, certified copies of all diplomas declared and, if applicable, official certified translations will be required.

#### **2.3. Languages**

In order to fully benefit from the traineeship and to be able to follow meetings and perform adequately, candidates must have knowledge of English at B.2 level.

Knowledge of languages declared on the application form, other than the mother tongue, must be supported by the appropriate justification (i.e. diplomas, certificates, proof of having studied in the language in question, etc.).

### **Article 3**

#### **Submission of applications**

Applications should be submitted following the procedures established by the Agency on its website. Instructions on how to apply are available on EMSA's website in the Traineeship.

### **Article 4**

#### **Selection Procedure**

For each traineeship period a Selection Committee (SC) is created.

The work of the SC is confidential and applicants must refrain from contacting the members of the SC.

The SC will set up a list of eligible candidates, and send the list to the different EMSA entities for selection. Once candidates have been selected by the relevant EMSA entities, the trainees' nomination is confirmed by the Executive Director.

There is no appeal procedure.

Upon receipt of the application, the SC will examine all the applications on the basis of the criteria established, as published on the Agency's website.

Candidates can be contacted over the phone by the recruiting Units to check availability and to discuss mutual expectations prior to the final selection decision.

Candidates can also be invited for an interview or to take part in a written test.

All candidates will be informed of the outcome of their application.

If an application is unsuccessful, candidates may re-apply for another traineeship period. It is, however, necessary to submit a new application together with all the supporting documents within the new deadline.

At any stage of the application process, applicants may withdraw their application by informing the Agency by mail to the address stated on the website.

EMSA respects Regulation (EC) 45/2001 of 18 December 2000 regarding personal data, therefore the keeping of files will be done accordingly.



## **Article 5**

### **Rights and duties of the trainees**

#### **5.1. Duration of in-service traineeship**

A traineeship lasts a minimum of three and a maximum of six months (no extension or second traineeship for an applicant will be possible).

The normal start dates are 1<sup>st</sup> March and 1<sup>st</sup> September each year.

**By way of exception (in any case entry dates should be the 1<sup>st</sup> or the 16<sup>th</sup> of the month) starting dates may vary from the above, provided that the duration of the traineeship is respected.**

#### **5.2. The traineeship itself**

Trainees are placed under the responsibility of an adviser. The adviser must guide and closely follow the trainee during his/her traineeship, acting as his/her mentor. The adviser must notify immediately the Human Resources (HR) Unit of any significant incidents occurring during the traineeship (in particular professional incompetence, absences, sickness, accidents, bad behaviour or interruption of the traineeship) which come to his/her attention or of which the trainee has informed him/her.

Trainees shall be required to comply with EMSA rules and regulations, with the instructions given by their adviser or by their superiors in the unit to which they are assigned and with the instructions issued by HR.

Trainees are allowed to attend meetings on subjects of interest to their work (unless these meetings are restricted or confidential), receive documentation and participate in the work of the entity to which they are attached, at a level corresponding to their educational and working background. Prior to attending a meeting, the trainee shall have the authorisation from his/her adviser; in case of meetings in other entities, the authorisation of the relevant line manager is also needed.

#### **5.3. Interruption**

By way of exception, upon duly justified request of the trainee and after consulting the relevant Head of Unit, the HR Unit may authorise an interruption of the traineeship for a given period. The traineeship grant is then suspended and the trainee is not entitled to the reimbursement of any travel expenses incurred during that period.

The trainee may return to complete the unfinished part of the traineeship, but only up to the end of the same traineeship period. No extension is possible.

#### **5.4. Early termination of traineeship**

In case a trainee wishes to terminate his/her traineeship earlier than the date specified in the contract, s/he must submit a written request to the HR Unit for approval. Such a request, stating the relevant reasons, must be submitted at least two weeks in advance of the envisaged termination date, via his/her Head of Unit. Trainees may only terminate their contract on the 1st and 16th of the month. Where appropriate the equivalent part of the grant must be reimbursed to EMSA.

## **5.5. Future employment**

Admission to a traineeship does not confer on trainees the status of officials or that of other servants of EMSA, nor does it entail any right or priority with regard to an appointment in the services of EMSA.

Trainees can be recruited for Official posts, Temporary Agent or Contract Agent positions published by EMSA, after completing their in-service traineeship period, as long as the conditions and rules established for employment in the category of staff which he/she would be recruited for have been fully respected. The same applies for ex-trainees who would be selected through a call for tender procedure or through a call for expression of interest organised by EMSA, whether as an individual or as an employee of a selected company.

## **5.6 Absences**

Trainees should keep the same hours of work and have the same official public holidays as EMSA staff.

Trainees are entitled to 2 days of leave per month. This entitlement is acquired pro rata to the months worked counted as from the first day of the month. Days of leave not taken will not be paid at the end of the traineeship. Days taken for participation to any competition, exam or university work, etc. are to be deducted from this entitlement.

HR monitors that the above rules are respected. Leave requests should respect the needs of the service. They must first be approved by the adviser and then checked and approved by the HR leave manager.

In case of sickness, trainees must notify their advisers immediately and, if absent for longer than two days, must produce a medical certificate indicating the probable length of their absence. A trainee who is absent because of illness may be subject to medical checks in the interest of the service.

When trainees are absent without justification or without notifying their adviser and unit, HR shall instruct the trainee in writing to report within a maximum of a week upon reception of the communication to HR providing a proper justification for his/her unauthorised absence. These days of absence are automatically deducted from the trainee's leave entitlement. HR may decide, following examination of the justification given, or if no justification is received after this deadline, to immediately terminate the traineeship without further notice. Any overpayment of the grant is to be reimbursed to EMSA. The trainee will also not be entitled to receive the travel allowance.

## **5.7 Confidentiality**

Trainees must exercise the greatest discretion regarding facts and information that come to their knowledge during the course of their traineeship. They must not, in any manner whatsoever, disclose to any unauthorised person any document or information not already made public. They will continue to be bound by this obligation after the end of their traineeship. EMSA reserves its legal right to terminate the traineeship and to take any further measures necessary in relation to any person who does not respect this obligation.

Trainees must not have any professional connections with third parties which might be incompatible with their traineeship, and they are not permitted to exercise any other gainful employment during the period of the traineeship which may adversely affect work assigned during the traineeship. Should a conflict of interest



arise during their traineeship, trainees should immediately report this to their adviser, to their unit and to HR in writing.

Trainees must respect the same rules for contacts with the Press as all EMSA staff, and follow the instructions provided. EMSA reserves the right to terminate the traineeship and to take any further measures necessary in relation to any person who does not respect this obligation.

Trainees must not, either alone or with others, publish or cause to be published any matter dealing with the work of EMSA without the written permission of the EMSA Appointing Authority (HR will provide specific instructions on how to obtain such permission and should receive a copy of those permissions together with a copy of any publication or article published). Such permission is subject to the conditions in force for all EMSA staff. All intellectual property rights for any articles published or other work done for EMSA, are the property of the Agency.

### **5.8 Sanctions and disciplinary measures**

Trainees must exercise their duties and behave with integrity, courtesy and consideration. If the conduct of the trainee does not prove satisfactory, the Appointing Authority, following a discussion with the adviser and the trainee, may at any moment decide to terminate the traineeship.

The Appointing Authority, following a justified request by the adviser and approved by HR, reserves the right to terminate the traineeship if the level of the trainee's professional performance or knowledge of the working language is insufficient for the proper execution of his/her duties.

The Appointing Authority reserves the right to terminate the traineeship if at any moment it becomes apparent that the trainee knowingly made wrongful declarations, or provided false statements or documents at the moment of application or during the traineeship period.

## **Article 6**

### **Financial matters**

#### **6.1 Grant**

Trainees will be awarded a monthly grant. The amount of the grant is decided by the Appointing Authority on a yearly basis and is dependent on EMSA budget. The amount of the basic grant will be published on the website.

If the trainee terminates his/her contract early, s/he will be required to reimburse the relevant part of the grant.

#### **6.2 Insurance**

Sickness insurance is compulsory. In case the trainee is not covered by any sickness insurance scheme, s/he will be insured against sickness under the conditions laid down in the sickness insurance policy that EMSA has in place with an external contractor. In this case, the trainee's contribution amounts to one third of the premium, and it is deducted from their grant.

Where a trainee has another sickness insurance coverage, proof of this insurance must be presented to EMSA within one week of the start of the traineeship period. If this is not done within the deadline, the relevant

share of the premium for EMSA insurance scheme will be deducted from the trainee's grant by default and the trainee will be automatically insured.

All trainees must be insured against the risk of accident under the conditions set out in the insurance policy in place with an external contractor. The trainee's contribution is one tenth of the premium, the remainder being borne by EMSA. The trainee's contribution will be deducted from the trainee's grant.

### 6.3 Disability Allowance

Upon presentation of the proper justification, disabled trainees may receive a supplement to their grant equal to a maximum of 50% of the amount of the grant. HR should consult the medical service before any decision on granting this supplement is taken.

### 6.4 Travel Allowances

Recruited trainees may receive a travel allowance, subject to budget availability. Travel allowances are paid at the end of the traineeship period.

Distance between place of recruitment and Lisbon (km)	Amount in €
0 – 150	0,00
> 150	75,68
> 300	134,54
> 500	218,65
> 800	353,20
> 1300	555,03
> 2000	664,37

The trainee must complete a minimum of 3 months of the traineeship period to qualify for the travel allowance. Trainees whose place of recruitment is less than 150 km from the place of employment are not entitled to a travel allowance.

## **6.5 Trainee's missions**

In exceptional cases only, the Head of Unit in which a trainee has been placed may grant authorisation for a trainee to be sent on mission, on the condition that the mission is of a technical nature and not of a representative one.

For the reimbursement of these mission expenses, the general procedure of reimbursement provided for in the EMSA Mission Guide will apply.

## **6.6 Tax obligations**

Grants awarded to trainees are not subject to the Protocol of Privileges and Immunities applying to officials and other servants of the European Union. Trainees are solely responsible for the payment of any taxes due on the grant they receive from EMSA by virtue of the laws in force in the State concerned.

## **Article 7**

### **Reports and Certificates**

#### **7.1 Traineeship reports**

Trainees must complete the evaluation reports requested by HR at the end of their traineeship. In addition at the end of the traineeship, the trainee's adviser must also complete the relevant evaluation report prepared by HR.

#### **7.2 Certificates**

Trainees who have completed the minimum required traineeship period will receive, after their traineeship period, a certificate specifying the dates of their training period and the unit in which they were employed.

Done at Lisbon,



Markku Mylly  
Executive Director