

Memo

Organisation of internships as of the academic year 2020-2021

Framework

A new Law came into force on 4 June 2020 (hereafter the Law) that regulates the format and functioning of internship periods in Luxembourg.

The University is a partner in all internship agreements that are made as part of an educational programme or leading to the acquisition of ECTS, as defined in section 1 of the Law.

Please refer to the information available on the [Legal Affairs Office intranet](#) for additional details.

In case of doubt, please contact the Legal Affairs Office, Benedetta Marsicola will be your reference contact.

One important aspect of the new Law concerns the remuneration of internships.

Specifically, the Law requires that all internships with a duration of four (4) weeks or more in a full-time format, or part-time agreements comprising 160 aggregate hours or more, have to be remunerated at a rate of at least 30 per cent of the minimum social wage for non-qualified workers.

Internship periods of less than four (4) weeks are not attached to this obligation of remuneration, but the interns can be paid if the partners hosting them are willing to do so.

The derogation to the paid obligation of an internship is regulated by art. 152(4) of the Law. It stipulates that: *“Il est dérogé à l’obligation d’indemnisation visée à l’alinéa 1^{er} si l’établissement d’enseignement prévoit expressément une interdiction d’indemnisation dans la convention de stage qu’il établit et qu’il fait du respect de cette interdiction une condition de reconnaissance du stage.”*

Please note the exceptional nature for the use of derogations, which can be accepted by the University only for legitimate reasons. Study programmes are encouraged to find alternative ways if a paid internship is difficult to secure: for instance, to find new partnerships, have shorter internship periods, eventually spread across different semesters, find alternative ways to acquire ECTS if the internship is not a compulsory part of the study curriculum, etc).

Process

To ensure a smooth process of participation in internship programmes for our students, there are several steps to follow.

The process leading to an internship covered by section 1 of the Law of 4 June 2020:

1. Study programme can use the templates available on the Legal Affairs Office Intranet (later in 2021, internship templates will be available in ACME as well). The templates allow to indicate whether the internships will be paid or not. This has to be done in accordance with the Law. Students cannot agree to waive their right to remuneration. In case of doubt, or if the partner does not accept some of the clauses of the Internship agreement, please contact the Legal Affairs Office.
2. The internship agreement is signed by (a) the Student, (b) the Partner, and (c) the University. For the time being, the Dean signs for (c) by delegation, but with the amended version of the Study Regulation scheduled for May-June 2021, the study programme directors will be able to sign the internship agreements as well.

The process for obtaining a derogation to the obligation of remuneration of an internship is the following:

1. In consultation with the VRA Office (i.e., contact point is Victor Cebotari), the need for a derogation will be established for each study programme.
2. Once the need of derogations is confirmed, the study programme can access the template on the internship agreement that includes the derogation to the obligation of remuneration on the [Legal Affairs Office Intranet](#).
3. The Student, the Partner, and the University sign the internship agreement.
4. Each student sends the signed agreement to the [Ministry of Labour](#) (Departement du travail et relations professionnelles) who will acknowledge the derogation.
5. A student starts the internship after the Ministry of Labour acknowledges the derogation.

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