

Memo

Organisation of internships

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 Law adds a new section to the labour code.

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 Law concerns the remuneration of internships. This applies to internships taking place in Luxembourg. If they take place abroad, the law of the hosting country applies.

Specifically, the Luxembourg 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 or 160 hours 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 obligation of remuneration 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 programmes can use the templates available on the Legal Affairs Office Intranet (later, the creation and signature of internship agreements will be processed in ACME). 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 at legal@uni.lu
2. The internship agreement is signed by (a) the Student, (b) the Partner, and (c) the University. In particular, the study programme directors have a delegation to sign the internship agreements as provided in the Règlement des études.

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

1. In consultation with the Dean, the need for a derogation will be established for each study programme and/or for specific, special cases.
2. Once the need of derogations is confirmed, the study programme can access the latest version of the template on the internship agreement that includes the derogation by asking the Legal Affairs Office at legal@uni.lu (please note that the derogation template is not available on the 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 certify that the conditions for the derogation are met..
5. The student starts the internship after the Ministry of Labour certifies the derogation. Such certification shall be sent by the student to the study programme director.

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