



**OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET
(TRADE MARKS AND DESIGNS)**

The President

DECISION No ADM-06-26 on paid
traineeships offered by the Office to young
university graduates

The President of the Office for Harmonization in the Internal Market (Trade Marks and Designs),

Having regard to Council Regulation (EC) No 40/94 of 20 December 1993 on the Community trade mark, and in particular Article 119(2)(a) thereof,

Whereas the budget of the Office, and more notably Article 260 thereof, establishes appropriations for the organisation of traineeships in the administrative units of the Office;

Whereas it is in the interests of the construction of the European Union, and more especially of the Office, that the Office should publicise its work amongst young university students;

HAS ADOPTED THIS DECISION:

Article 1

Rationale of the Scheme

1. General

These rules govern the official traineeships scheme of the Office. This scheme is addressed mainly to young university graduates, without excluding those who – in the framework of lifelong learning – have recently obtained a university degree and are at the beginning of a new professional career.

a) Aims

The aims of the official in-service training with the Office are as follows:

- i) To provide young university graduates with a unique and first hand experience of the workings of the European Union in general and the Office in particular. Moreover, it specifically aims to provide an understanding of the objectives and procedures concerning Community trade marks and Designs.
- ii) To enable such trainees to acquire practical experience and knowledge of the day-to-day work of the Office's departments and services. To provide the opportunity to work in a multilingual environment. To promote European integration through active participation to create awareness of true European citizenship.
- iii) To provide the opportunity to young university graduates to put into practice knowledge acquired during their studies, and in particular in their specific areas

of competence. To introduce these graduates to the professional world and the constraints, duties and opportunities therein.

The Office through its official traineeships scheme:

- iv) Benefits from the input of young enthusiastic graduates, who can give a fresh point of view and up-to-date academic knowledge, which will enhance the everyday work of the Office;
- v) Creates a pool of young people with first-hand experience of and trained in the Office's procedures, who will be better prepared to collaborate and co-operate with the Office in the future, specifically as professionals of the Community trade mark and design and, in some way, as ambassadors of the Office.

Article 2

Eligibility

1. Nationality

Trainees are selected from nationals of the Member States of the European Union and candidate countries upon their accession. In addition, a limited number of trainees are selected from third countries.

2. Qualifications

a) University Degree

Candidates must have completed the first cycle of a higher education course (undergraduate university degree) and obtained a full degree certificate or its equivalent by the closing date for applications. For details of the minimum requirements as regards national qualifications provided by virtue of national legislation in the country concerned, see Annex I.

The Office maintains the right to change these minimum qualifications used for the official traineeships programme in line with any possible future changes in civil servants recruitment policies. Any such changes will be published on the Website of the Traineeships Office¹, hereafter called "the Website".

Candidates must provide copies of diplomas (or of relevant official certificates), of all undergraduate or post-graduate studies declared in their on-line application. It is obligatory that these copies accompany their electronic 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 Community languages must provide a translation of these documents into one of the Office's languages (German, Spanish, English, French and Italian).

b) Languages

In order for the trainees to fully profit from the traineeship and to be able to follow meetings and perform their tasks adequately, it would be appropriate for:

- Candidates from Member States to have very good knowledge of at least two Community languages, of which one should be one of the languages of the Office (Spanish, German, English, French and Italian).

¹ <http://oami.eu.int/en/office/admin/stages.htm>

- Candidates from non-Member States to have very good knowledge of at least one language of the Office (Spanish, German, English, French and Italian).

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

3. Prior employment

The Office wishes to offer to as many people as possible the opportunity of in-service training. Therefore applications will not be accepted from candidates who have already benefited or benefit from any kind of in-service training (paid or unpaid) within a European institution or body², including anyone who is or has been an assistant to a member of Parliament, a contracted consultant or *intra-muros* researcher, a temporary staff member, a contract staff member, an auxiliary staff member or an interim staff member of any EU institution, body, delegation or representative office, whatever the duration.

Candidates should inform the Traineeships Office of any change in their situation that might occur at any stage of the application process.

Article 3

The Application Process

1. Submission

Applications should be made in strict accordance with the procedures established by the Traineeships Office. All necessary instructions are published on the Website.

Applications postmarked after the closing date will be automatically rejected. Applicants must provide all of the supporting documents required, electronically scanned together with their application. No additional documents or justifications will be accepted after reception of the application.

2. Eligibility

At the end of the application period the Traineeships Office will confirm the application numbers assigned to each applicant electronically before commencing the eligibility screening process which will be based on the following criteria:

- Nationality;
- degree(s)/ diploma(s);
- language skills;
- previous experience.

The Traineeships Office reserves the right to amend the eligibility criteria as and when necessary. Any such changes will be published on the Website before the start of the opening of the application period.

² See Annex 2

3. Pre-selection procedure

a) Objective

The main objective of the pre-selection procedure is to provide all of the Office's departments with the best possible choice of traineeship candidates.

The Office accepts applications without discrimination on the grounds of sex, race, colour, ethnic or social origin, genetic characteristics, language, religious, political or other convictions or opinions, membership of a national minority, financial situation, birth, disability, age, sexual orientation, marital status or family situation.

b) The pre-selection Committee

Pre-selection is carried out by Committees made up of Office officials, or other servants. The work of the Committee is confidential, final and binding.

c) Pre-selection results

Pre-selected candidates appear on a reserve list that is available to all Office departments and services for the final selection process. The reserve list contains at least three times as many applicants as there are training places available.

4. Final selection procedure

The number of traineeships available is limited to ten per training period. However, depending on existing conditions (absorption capacity) and budget availability, the President of the Office reserves the right to increase the number of traineeships available for a given period.

The reserve list, that specifies the candidates that satisfy the specific criteria and a pre-established "profile", is published on the Website. The list will be subject to the President's approval before the Traineeships Office notifies candidates electronically.

The Office's services and departments select the trainees who they deem the most appropriate from those that appear on the reserve list.

5. Rejection of application

If an application is unsuccessful, a candidate may submit a new application for a subsequent training period.

6. Withdrawal

At any stage of the application process, applicants may withdraw their application by informing the Traineeships Office in writing. In such case, they are excluded from any further stage of the process.

7. Deferred applications

A candidate who has withdrawn his/her application within the procedural provisions in paragraph 6 may apply for a deferred traineeship. Should this be the case, the candidate must submit a new application within the application period stated on the Website. This new application must comprise a new, duly filled in application form along with the applicable supporting documents (certificates,

degrees) which were submitted with the previous application. The application number for the previous application must be provided by the candidate.

8. Keeping of Files

Traineeships Office keeps candidate's files in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data, whether the applications gave rise to recruitment or were rejected or withdrawn.

The Traineeships Office does not keep applicants' files for more than three years.

9. Recruitment Procedure

Applicants can only be offered a single contract for a given training period.

Recruited trainees are obliged to provide any forms and certificates required by the Traineeships Office at the time of their recruitment. Trainees are responsible for making sure that they have the correct visa, where applicable, and that they obtain all the documentation required by the authorities of the country in which they are employed.

Trainees may not be recruited by the Office where a conflict of interest might arise, owing to the candidate's professional or other ongoing commitments, or nationality. To that end, the trainee will sign a Conflict of Interest and Confidentiality agreement at the time of recruitment and before commencing his/her duties.

Article 4

Particulars

1. Duration of Traineeship

a) Traineeship periods

There are two training periods per year:

- from 1 February to end June;
- from 1 September to end of January of the following year.

Within these two periods, the duration of the traineeship is a minimum of five and a maximum of seven months, in the case of an extension, in accordance with point c).

Training contracts start on either the 1st February or on the 1st September. However, in exceptional and duly justified cases, after agreement with the applicable service or department, the date of commencement may be deferred. Nevertheless, all deferred traineeships will end on 31 January or 30 June according to the relative training period..

The Traineeships Office may, if necessary, fix another date of commencement and length of the training period in the case of specific trainee groups (unpaid traineeships, national office traineeships etc.).

b) The Traineeship itself

Training periods begin with a series of general introductory conferences which will last for approximately one week and be devoted to introducing the Office and its working tools. Attendance at these conferences is obligatory for those trainees whose contract starts at the beginning of the session.

Trainees are then attached to their department or service.

Trainees are placed under the responsibility of an adviser. Each adviser may be responsible for only one trainee per training period. The adviser must guide and closely follow the trainee during his/her traineeship, acting as his/her mentor. The adviser must immediately notify the Traineeship Office of any significant incidents occurring during the traineeship (in particular professional incompetence, absences, sicknesses, accidents, inappropriate 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 the instructions given by their advisers, by their superiors in the department or service to which they are assigned and with the instructions issued by the Traineeships Office. They must also comply with the rules governing the in-service training programme and the internal rules governing the functioning of the Office.

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 department to which they are attached at a level corresponding to their educational and working background.

Subject to the approval of their adviser and providing it does not conflict with the accomplishment of the tasks assigned to them, and with a view to gain an understanding of Office politics, trainees are entitled to attend meetings in a department other than the one to which they are attached or in another institution (provided they are allowed access by that institution), unless these meetings are restricted or confidential.

In each department (or service), an official is designated to co-ordinate the management of the trainees attached to the department or service. The co-ordinator assists the trainees administratively, acting as a contact point/interface between his/her department or service and the Traineeships Office.

Visits and trips of relevant interest may be organised for trainees by the Traineeships Office subject to budget availability. Trainees may participate, subject to the conditions of organisation.

c) Extensions

Subject to budget availability and office space available, the President of the Office, for every training period, may grant a one or two month traineeship extension to an unspecified number of trainees.

Requests for extensions must be initiated by the traineeship adviser in close consultation with the Traineeships Office at least one month before the date that the contract is due to expire. This is essentially due to the needs of the service and to specify and agree the length of the desired extension period with the trainee.

Those trainees who benefit from an extension to their traineeship will sign an amendment to their initial contract supporting the length of the extension. During this time trainees may be required to liaise with the next intake of trainees.

d) Interruption

Under exceptional circumstances, at the written request of the trainee stating the relevant reasons and with proper justification, the President of the Office may, after consultation with the director of the department or the head of service to which the trainee is assigned, authorise an interruption of training for a given period.

Requests for interruption must be submitted fifteen working days prior to the desired date for commencing such period of interruption.

Interruption periods cannot exceed one month. This period may be split into smaller periods of a minimum of one week which will be calculated in calendar days.

Grant instalments, health and accident insurance shall be suspended during such period of interruption. The trainee is not eligible to claim travel expenses during this period.

Should this be the case the trainee is entitled to complete the unfinished part of the training i.e. for the same period of time as his/her interruption period.

e) Early Termination of contract

The trainee may terminate his/her traineeship earlier than the date specified in the contract. A written request must be submitted by his/her traineeship adviser to the Traineeships Office by means of advance notice at least four weeks in advance of the requested termination date.

f) Future Employment

Admission to a traineeship does not confer on trainees the status of officials or that of other Office agents, nor does it entail any right or priority with regard to an appointment in the services of the Office or any other European Union Agency or Institution. .

Trainees can be recruited after completing their in-service training, provided that this takes place within the provisions of a competitive examination or a selection procedure open to all European Union citizens. The same applies for ex-trainees who are selected through a call for tender procedure or through a call for expression of interest organised by the Office or one of its services, whether as an individual or as an employee of a selected company.

2. Rights and Obligations of Trainees

a) Confidentiality

Trainees must exercise the greatest discretion regarding facts and information that come to their knowledge during the course of their training. 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 training. The Office reserves its legal right to

terminate the traineeship and to pursue 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 (i.e. must not work for lobbyists, legal attachés, industrial property firms etc.), and they are not permitted to exercise any other gainful employment during the period of the traineeship which may adversely affect the work assigned during the traineeship. If a conflict of interest should arise during their assignment, trainees should immediately report this to their adviser, to their traineeship co-ordinator and to the Traineeships Office in writing.

b) Contacts with the Press

Trainees must respect the same rules for contacts with the Press as other Office staff and follow the instructions provided. The Office reserves the right to terminate the traineeship and to pursue any person who does not respect this obligation.

c) Publications

Trainees must not, either alone or with others, publish or cause any matter dealing with the work of the Office to be published without the written permission of the relevant services (the Traineeships Office will provide specific instructions on how to obtain such permission and will 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 Office staff. All rights, for any articles or other work done for the Office, are the property of the Office.

3. Sanctions and disciplinary measures

a) Social behaviour and conduct

Trainees must, under all circumstances, exercise their duties and behave with integrity, courtesy and consideration both in and out of the Office. If the conduct of the trainee does not prove satisfactory, the President of the Office, in response to a reasonable request by the adviser and approved, after hearing the trainee, by the Traineeships Office, may at any moment decide to terminate the traineeship.

Trainees who take part in official activities organised for them by the Traineeships Office must respect the timetables and programmes laid down. The Traineeships Office may demand the reimbursement of costs incurred for the organisation of such activities from trainees who absent themselves without due and proper justification.

During their training, trainees must consult their advisers or, if unavailable, their co-ordinator, on any action they propose to take on their own initiative relating to the activities of the Office.

b) Incapacity of Performance

The Traineeships Office, following a justified request by the adviser and approved by the Director of the department concerned, 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.

c) Wrongful declaration of facts

The President of the Office, upon the proposal of the Traineeships Office, 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 papers at the moment of application or during the traineeship period.

4. Absences

a) Holidays

Trainees should keep the same hours of work as Office officials.

Trainees are entitled to 1 days' leave per month. This entitlement is acquired pro rata to the months worked counted from the first day of the month. Days of leave not taken are not paid in lieu.

With the exception of days for trips and visits organised by the Traineeships Office, any days taken for participation in any competition, exam or university work, etc. are deducted from any overtime worked to a maximum of two days per month (in accordance with Article 6 decision No ADM 02/06).

The adviser or coordinator of the department or service concerned shall oversee that the above rules are respected. Leave requests must respect the needs of the Service. They must first be approved by the adviser and then checked and approved by the person responsible for holidays within the corresponding department or service. Nonetheless the adviser has a duty to inform the Traineeships Office of such leave requests.

b) Absence in case of sickness

In event of sickness, the trainee shall notify his/her adviser immediately. Should this period of absence last for more than three days the trainee, must provide the Office with a medical certificate which indicates the probable length of absence. This certificate must be forwarded to the Traineeships Office.

A trainee who is absent because of illness may be subject to medical checks in the interest of the service.

c) Absence without Leave

In the event of absence without leave, days of absence shall be deducted automatically from the trainee's leave entitlement. Should this occur when the trainee has no remaining leave entitlement, absence will be subject to a reduction in the monthly grant at a rate of one thirtieth per day of absence.

Following a recommendation from the Traineeships Office and after considering the reason given for the absence, or where no reason is given, the President of the Office may immediately terminate any traineeship without prior warning.

Financial Matters

1. Basic Grant

a) Basic amount

Trainees will be awarded a monthly grant. The amount of the grant is decided by the Traineeships Office on a yearly basis and is dependent on budgetary constraints. The amount of the basic grant will be published annually on the Website.

b) Early Termination of Contract

If the trainee terminates his/her contract early, he/she will be required to reimburse that part of the grant, which he/she has received relating to the period which has not been worked.

2. Insurance

a) Health Insurance

Health insurance is compulsory. Where the trainee is not covered by any other health insurance scheme, he/she will be insured against sickness under the conditions laid down in the health insurance policy that the Office holds with an insurance company.

Trainees are to bear all possible medical costs which they may incur. Trainees must forward all original receipts for all medical services to the Traineeships Office who will take the necessary measures to directly reimburse such costs via the insurance company.

Where a trainee has other sickness insurance, proof of this insurance must be presented to the Traineeships Office before the start of the training period at the time of compiling the trainee's personal file.

b) Accident Insurance

All trainees are insured against the risk of accidents at work by the Office. Trainees are to bear the cost of any other personal insurance cover with a view to covering the trainees' out-of-work activities (i.e. those not covered by the insurance policy taken out by the Office).

3. Disability Allowance

Upon presentation of supporting documents, disabled trainees may receive a supplement to their grant equal to a maximum of 50% of the amount of the grant. The Traineeships Office may consult the medical service of the Office if necessary.

4. Travel Allowances

a) Travel Allowance

Recruited trainees may receive a travel allowance, subject to budget availability. The Traineeships Office establishes the method of calculation of this travel allowance, the rules, and the procedure to be followed. All relevant information is published on the Website.

b) Minimum qualifying period – distance

The trainee must complete a minimum of 3 months of the training period to qualify for any travel allowance. Trainees whose place of recruitment is less than 50 km from the place of employment are not entitled to a travel allowance.

c) Individual missions

In exceptional cases only, the Director of the Department 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 and that no other Office agent is able to attend.

For the reimbursement of these mission expenses, the general procedure of reimbursement provided in the Staff Regulations for officials of the European Communities will apply. The expenses will be taken on by the department which requests the mission.

The Traineeships Office should always receive a copy of the mission order, signed by the Director of the department.

5. Taxation

Grants awarded to trainees are not subject to the special tax regulations which apply to officials and other servants of the European Communities. Trainees are solely responsible for the payment of any taxes corresponding to their monthly grant paid by the Office by virtue of the laws in force in the State in which the trainee pays tax.

At the end of the training period, the Traineeships Office will issue a certificate declaring the total grant received by trainee and confirming the trainee's affiliation to the Office's health and accident insurance policy.

Article 6

Reports and Certificates

1. Training reports

Trainees must complete the evaluation report requested by the Traineeships Office at the end of their traineeship. In addition, the advisers must also complete the relevant evaluation report at the end of the traineeship and forward this on to the Traineeships Office.

2. Certificates and References

Trainees who have completed the minimum required traineeship period will receive, after their training period, a certificate specifying the dates of their training period and the department or service to which they were attached. The aforementioned certificates and references will be enclosed with the training report.

Article 7

Final Provisions

This decision revokes and replaces decision No ADM-02-07-REV (2).

The Traineeships Office acts under the direct authority of the Director of the Human Resources department. The Director of the Human Resources department shall be responsible for the implementation of these rules.

This decision will enter into force on the date that it is published.

Done at Alicante, on 28/06/2006

Wubbo De Boer
President

Annex I

Examples of diplomas for which the level of education corresponds to that required for access to the traineeship³

Country	University level education – at least 3 years in length
Belgium FR	Actuellement : Licence ou équivalent - A l'avenir: Bachelor
Belgium NL	Heden: Licentiaat, Meester, industrieel ingenieur, Gegradueerde In de toekomst: Bachelor (volgens decreet van 4 april 2003 betreffende de herstructurering van het hoger onderwijs)
Česká Republika	Diplom o ukončení Bakalářského studia
Danmark	Bachelorgrad
Deutschland	Fachhochschulabschluss (6-7 Semester)
Eesti	Bakalaureusekraad (<160 ainepunkti)
España	Diplomado/Ingeniero Técnico
France	Licence
Greece/Ελλάδα	Δίπλωμα Α.Ε.Ι. (πανεπιστημίου, πολυτεχνείου, Τ.Ε.Ι. υποχρεωτικής τετραετούς φοίτησης)
Ireland/Eire	Bachelor's degree
Italia	Laurea –L (breve)
Κύπρος/Kypros	Πανεπιστημιακό δίπλωμα
Latvija	Bakalaura diploms (<160 kredīti)
Lietuva	Bakalauras (<160 kreditas)
Luxembourg	Diplôme d'Ingénieur Technicien
Magyarország	Főiskolai Oklevél
Malta	Bachelor's degree
Nederland	Bachelor
Österreich	Fachhochschuldiplom (6-7 Semester)
Polska	Licencjat – Inżynier
Portugal	Bacharelato
Slovenija	Diploma o Pridobljeni Visoki Strokovni Izobrazbi
Slovenská Republika	Diplom o ukončení Bakalářského štúdia
Suomi/Finland	Kandidaatti / Kandidat examen Ammattikorkeakoulututkinto/Yrkeshögskoleexamen (min. 120 opintoviikkoa / studieveckor)
Sverige	Kandidatexamen (Akademisk examen omfattande minst 120 poäng, varav 60 poäng av fördjupade studier i ett ämne)
United Kingdom	Bachelor's degree / Diploma of Higher Education (DipHE)

³ Situation as of 1 August 2004

Annex II

European Institutions and Bodies

EU institutions:

- European Parliament
- Council of the European Union
- European Commission (including Delegations and Representation offices and executive agencies)
- Court of Justice of the European Communities
- European Court of Auditors
- European Ombudsman
- European Data Protection Supervisor

Financial bodies:

- European Central Bank
- European Investment Bank
- European Investment Fund

Advisory bodies:

- European Economic and Social Committee
- Committee of the Regions

Interinstitutional bodies:

- Office for Official Publications of the European Communities
- European Communities Personnel Selection Office

Decentralised bodies of the European Union (agencies)

- Agencies of the European Community
- Common Foreign and Security Policy
- Police and Judicial Cooperation in Criminal Matters