



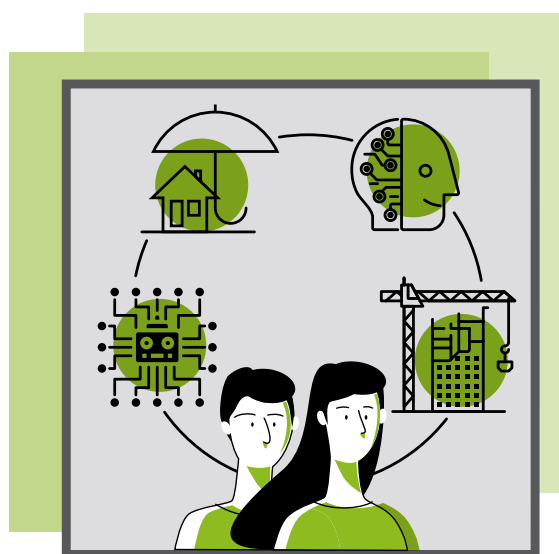
International  
Labour  
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1919-2019

Report IV (1)

# A framework for quality apprenticeships



**International  
Labour  
Conference**

**110th Session, 2021**

## **ATTENTION**

This report contains a questionnaire which, in accordance with Article 39 of the Standing Orders of the International Labour Conference, calls for a reply from Governments, after consultation with the most representative organizations of employers and workers.

**The replies to this questionnaire must reach the Office no later than 30 April 2020.** They will form the basis of the background report for the ILC discussion.

**International Labour Conference, 110th Session, 2021**

**Report IV(1)**

# **A framework for quality apprenticeships**

**Fourth item on the agenda**

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# Introduction

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## Context

1. Skills mismatch and lack of employment opportunities for young people around the world constitute serious challenges. The global youth unemployment rate is nearly three times higher than the adult unemployment rate (ILO, 2018c).
2. In response to these challenges, governments and policymakers at all levels have developed a range of active labour market policies and programmes that focus on enhancing youth employability and on providing incentives to encourage enterprises to hire young people (O’Higgins, 2017). There is increasing recognition of the key role that apprenticeships can play in enabling young people to acquire the relevant competencies<sup>1</sup> to facilitate their transition from the world of education to the world of work. In their modern form, apprenticeships typically combine systematic and long-term workplace training with classroom instruction to enable apprentices to acquire the full range of competencies needed for a particular occupation.
3. At its 103rd Session (2014), the International Labour Conference adopted a resolution and conclusions concerning the second recurrent discussion on employment, inviting the International Labour Office, among other things, to “[b]uild the knowledge base and provide advice on effective systems for lifelong learning and quality apprenticeship systems”.<sup>2</sup> In response, the Office has developed the ILO Toolkit for Quality Apprenticeships, which supports policymakers and practitioners in improving the design and implementation of apprenticeship systems and programmes, organizes capacity development programmes for constituents and provides technical assistance to member States (ILO, 2017a and ILO, forthcoming). More recently, the Global Commission on the Future of Work pointed out that “[t]he private sector has a particular role to play in offering young people quality apprenticeships and their first opportunity to work” (ILO, 2019a, page 32).
4. Apart from providing a solution to youth unemployment, quality apprenticeships can benefit jobseekers and workers of all ages who, due to changes in the labour market or job requirements, find themselves in need of retraining or upskilling. As highlighted by the Global Commission on the Future of Work, the challenge of labour market transitions is compounded by the global transformations under way – technological advances, globalization, demographic shifts, migration and the transition to a low-carbon economy. As quality apprenticeships have the potential to equip people with the relevant competencies to navigate the challenges in the world of work throughout their lives, they are considered to be an important element of the system of lifelong learning. The

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<sup>1</sup> The term “competencies” is defined in Para. 2(b) of the Human Resources Development Recommendation, 2004 (No. 195), as covering “knowledge, skills and know-how applied and mastered in a specific context”.

<sup>2</sup> [Conclusions concerning the second recurrent discussion on employment](#), para. 14(D)(e).

importance of lifelong learning is emphasized in the ILO Centenary Declaration for the Future of Work, adopted by the Conference at its 108th Session (June 2019), which calls for “effective lifelong learning and quality education for all”.<sup>3</sup> Quality apprenticeships also have the potential to improve the productivity and competitiveness of enterprises.<sup>4</sup>

5. A glance around the world shows that an increasing number of countries are focusing on the development or improvement of apprenticeship systems and programmes. These efforts have taken many forms. Countries have, inter alia, amended legislation, carried out reviews, expanded or redesigned existing apprenticeship programmes and introduced new funding mechanisms to ensure their efficient functioning, reorganized administrative structures, reviewed and revised learning outcomes and curricula, and launched promotional campaigns.<sup>5</sup>

6. In parallel with increased interest in apprenticeships there has been an upsurge in other forms of work-based learning, whether as a formal component of educational programmes, as part of active labour market programmes designed to assist the unemployed, or as traineeships or internships established by businesses or not-for-profit organizations. Such schemes are widely considered to enhance employability for those who undertake them. As discussed in section 6.2, however, the extent of this effect may depend on their form, while there are also concerns about the social and economic impacts of unpaid or poorly paid traineeships.

7. It is clearly important that the promotion of apprenticeships and other forms of work-based learning should be consistent with the pursuit of decent work, the core objective of the ILO. In its 2012 conclusions concerning the youth employment crisis: A call for action, discussed in more detail in section 2.1.7, the Conference noted the risk that these arrangements could be used “as a way of obtaining cheap labour”. The conclusions therefore called on governments to regulate and monitor apprenticeships, internships and other work experience schemes, “to ensure they allow for a real learning experience and do not replace regular workers”.<sup>6</sup>

8. The ILO has previously adopted instruments prescribing standards for the regulation of apprenticeships. However, the most recent of those instruments, the Vocational Training Recommendation, 1962 (No. 117), was superseded in 1975 by the Human Resources Development Convention, 1975 (No. 142), and the Human Resources Development Recommendation, 1975 (No. 150). The latter instrument has itself been superseded by the Human Resources Development Recommendation, 2004 (No. 195). Convention No. 142 and Recommendation No. 195 address vocational training in the broader context of human resources development, and recognize the importance of providing for lifelong learning. The instruments, however, do not explicitly address apprenticeships. The ILO’s Standards Review Mechanism Tripartite Working Group, established as part of the Director-General’s Standards Initiative, concluded that the

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<sup>3</sup> [ILO Centenary Declaration for the Future of Work](#), Part III(A)(ii).

<sup>4</sup> For the purposes of the present report, the term “enterprise” is defined as a business, undertaking, economic unit or organization, whether public or private.

<sup>5</sup> This has happened, for example, in Africa (including Algeria, Benin, Burkina Faso, Ghana, Kenya, Morocco, Namibia, South Africa, Tunisia, Uganda, the United Republic of Tanzania and Zambia), the Americas (the Bahamas, Brazil, Chile, Colombia, Costa Rica, Jamaica, Mexico, Peru, the United States, and Trinidad and Tobago), the Arab States (Jordan), Asia and the Pacific (Australia, Bangladesh, Cambodia, India, Indonesia, the Republic of Korea, Myanmar and New Zealand) and Europe (the French-speaking community of Belgium, Denmark, France, Germany, Ireland, Italy, the Netherlands, Norway, Romania, Spain, Switzerland and the United Kingdom).

<sup>6</sup> [Conclusions concerning the youth employment crisis: A call for action](#), paras 24 and 26(e).



absence of any provisions covering apprenticeships in instruments considered to be up-to-date standards constitutes a normative gap that should be addressed (ILO, 2017b).

9. Accordingly, the Governing Body of the ILO discussed a proposal to adopt a new legal instrument or instruments on apprenticeships. At its 334th Session, in October–November 2018, the Governing Body requested the Office to place a standard-setting item related to apprenticeships on the agenda of the 110th Session (2021) of the International Labour Conference (ILO, 2018b, paragraph 42(b)).

## Purpose and structure of this report

10. The objective of the present report is to facilitate the first Conference discussion on apprenticeships, to be held at the 110th Session of the Conference. It compiles, analyses and presents information on the state of law and practice in relation to apprenticeship systems in countries around the world.

11. Following the introduction, **chapter 1** examines the concept of apprenticeship and how it is defined in international, regional and national contexts. It also introduces the concept of quality apprenticeships promoted by the ILO and their potential benefits for different stakeholders. In addition, this chapter discusses the concept of pre-apprenticeships and addresses other forms of work-based learning, including traineeships or internships. **Chapter 2** explains how apprenticeships have been addressed in international labour standards, before briefly summarizing key frameworks, recommendations and initiatives concerning apprenticeships in international or regional organizations. **Chapter 3** provides a detailed overview of national legislation, policies and frameworks for the regulation of apprenticeships. **Chapter 4** explores some of the challenges countries face when implementing apprenticeship systems. **Chapter 5** discusses strategies for promoting quality apprenticeships, including how to make them more attractive, especially to young people and enterprises. **Chapter 6** presents an overview of the regulatory frameworks for traineeships or internships, as well as their benefits and challenges. **Chapter 7** then lays the ground for a new international labour standard or standards for quality apprenticeships. More specifically, it considers the purposes and added value of adopting a new instrument or instruments on apprenticeships, the scope and coverage of such an instrument or instruments and the matters that the instrument or instruments should address.

12. The report concludes by setting out a questionnaire to elicit the opinions of the ILO's tripartite constituents concerning the value, scope and content of any new standard or standards in this area.

## Instructions for the questionnaire

13. In considering a proposed standard or standards on apprenticeships, the Conference will follow the double-discussion procedure set out in paragraph 5.1.4 of the Standing Orders of the Governing Body and article 39 of the Standing Orders of the International Labour Conference. In accordance with article 39, the Office has prepared this report and questionnaire for the purposes of the first Conference discussion in 2021. When filling out the questionnaire, the attention of governments is drawn to article 39(1), in which they are requested “to consult the most representative organizations of employers and workers before finalizing their replies”. The results of these consultations should be reflected in the governments' replies. Governments are requested to indicate in their replies which

organizations have been consulted. The deadline for the receipt by the Office of replies to the questionnaire is 30 April 2020.

14. Governments may also send copies of relevant laws, guidelines, initiatives and other relevant documentation related to apprenticeships, traineeships or internships to the Office together with the questionnaire.

# Chapter 1

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## Understanding apprenticeships and other forms of work-based learning

15. This chapter explains the concept of apprenticeship and the way it is defined and understood at the international, regional and national levels. It introduces the concept of quality apprenticeships promoted by the ILO and their potential benefits for different stakeholders. In addition, this chapter discusses the concept of pre-apprenticeships and addresses other forms of work-based learning, including traineeships or internships, and the difference between apprenticeships and traineeships.

### 1.1. Concept of apprenticeship

16. The notion of an apprentice who learns a craft or occupation while in the service of a skilled practitioner (also referred to traditionally as a “master”) dates back many centuries (Westermann, 1914). In pre-industrial times, apprenticeship was “a system of training in which young men, and much less often young women, entered contracts to work for established craftsmen and merchants for a lengthy period, generally of some years, in exchange for instruction in a craft or trade” (Wallis, 2008, page 834).

17. More recently, apprenticeships have evolved in many countries to become “programmes of learning that combine part-time formal education with training and experience at the workplace, and result in an externally recognised vocational qualification” (Ryan, 2012, page 405). This reflects a “dualist ideal: the synthesis of theory and practice, on the one hand, and of the classroom and the workplace, on the other” (ibid., page 404).

18. Some apprenticeships continue to operate according to old tradition in many countries, particularly those with sizeable informal economies.<sup>7</sup> These systems are a continuation of traditional forms of learning, in which skills are transmitted from parents to their children, or between close family or clan members (ILO, 2011, page 1). Even in these circumstances, such systems may have evolved to be open to apprentices from outside the family or kin group (ibid.). These are usually referred to as traditional or informal apprenticeships.

19. In the ILO’s now superseded Recommendation No. 117, “apprenticeship” was defined as “[s]ystematic long-term training for a recognised occupation taking place substantially within an undertaking or under an independent craftsman [which] should be governed by a written contract of apprenticeship and be subject to established standards”. The Recommendation also alluded to the dual training model, referring to the need for a

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<sup>7</sup> According to Para. 2(a) of the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), the term “informal economy” denotes “all economic activities by workers and economic units that are – in law or in practice – not covered or insufficiently covered by formal arrangements”.

schedule of “the theory and related instruction to be given”, and requiring the granting of time release from work “for attendance at a training institution”.

20. The Council of the European Union (EU) Recommendation of 15 March 2018 on a European Framework for Quality and Effective Apprenticeships<sup>8</sup> defines apprenticeships as formal vocational education and training schemes that:

- ❑ combine learning in education or training institutions with substantial work-based learning in companies and other workplaces;
- ❑ lead to nationally recognized qualifications;
- ❑ are based on an agreement defining the rights and obligations of the apprentice, the employer and, where appropriate, the vocational education and training institution; and
- ❑ with the apprentice being paid or otherwise compensated for the work-based component.

21. ILO review and analysis have shown that there is no single, standardized definition of apprenticeship training used across countries (ILO, 2017a, page 4). Some specific examples of how “apprenticeship” is defined in the legislation of different countries include:

- ❑ **Brazil** – “the special work agreement established in writing and for a fixed term not exceeding two years, in which the employer undertakes to provide the apprentice enrolled in an apprenticeship programme with methodical technical and vocational training compatible with his/her physical, moral and psychological development”;<sup>9</sup>
- ❑ **Canada (Quebec)** – “a method of vocational training, the programme of which is intended to qualify an apprentice and includes a period of practical training with an employer and, generally, courses in relevant technical and vocational subjects”;<sup>10</sup>
- ❑ **Egypt** – “vocational apprenticeship means engaging the apprentice ... with the employers for the purpose of learning a certain vocation during a specific time period according to an agreement to be concluded between the worker or his guardian and the employer for that purpose”;<sup>11</sup>
- ❑ **France** – “The employer undertakes, in addition to the payment of a salary, to provide the apprentice with full vocational training, partly in company and partly in an apprentice training centre or apprenticeship section”;<sup>12</sup>
- ❑ **Germany** – An apprenticeship should, “through a systematic training programme, impart the professional skills, knowledge and qualifications (vocational competency) which are necessary to engage in a form of skilled occupational activity in a changing working world”;<sup>13</sup>

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<sup>8</sup> *Council Recommendation of 15 March 2018 on a European Framework for Quality and Effective Apprenticeships*, 2018/C 153/01.

<sup>9</sup> Consolidation of Labour Laws, art. 428 (definition of “apprenticeship contract”).

<sup>10</sup> Act respecting workforce vocational training and qualification 2007, section 1(c) (definition of “apprenticeship”).

<sup>11</sup> Decree No. 175 of 2003 concerning the rules and procedures regulating vocational apprenticeship, art. 1.

<sup>12</sup> Labour Code, art. L6221-1.

<sup>13</sup> Vocational Training Act of 23 Mar. 2005.

- **India** – “apprenticeship training” means a course of training in any industry or establishment undergone in pursuance of a contract of apprenticeship and under prescribed terms and conditions which may be different for different categories of apprentices”;<sup>14</sup>
- **Indonesia** – “part of a job training system that integrates training at a training institute with working directly under the tutelage and supervision of an instructor or a more experienced worker/labourer in the process of producing goods and/or services in an enterprise in order to master a certain skill or trade”;<sup>15</sup>
- **South Africa** – “Modern apprenticeships are a combination of on-the-job training and related classroom instruction, in which apprentices learn the practical and theoretical aspects of the designated trade. Apprentices need to do a trade test at the end of their training at the Institute for the Development of Learnerships and Learnership Assessment, after which they will be certified, if successful, and be recognized as artisans within the relevant industries in terms of the applicable Bargaining Council agreement”;<sup>16</sup>
- **United Republic of Tanzania** – “a form of vocational education/training, combining on-the-job training and institution-based learning, for specifically defined competencies and work processes”.<sup>17</sup>

## 1.2. Quality apprenticeships

22. Given the markedly different concepts of apprenticeship and huge variation in quality of training around the world, it is proposed that any new international labour standard adopted by the Conference may consider a broad definition of the term “apprenticeship”, together with a more detailed understanding of the elements that make up a “quality apprenticeship”. Adopting the concept of quality apprenticeships is paramount to ensure that the training is effective and relevant to the world of work and provides adequate protection and good working conditions.

23. In view of the increasing importance of quality apprenticeships and the challenges faced by many countries in implementing them, in 2014 the Conference adopted a resolution and conclusions concerning the second recurrent discussion on employment inviting the Office to “[b]uild the knowledge base and provide advice on effective systems for lifelong learning and quality apprenticeship systems”.<sup>18</sup>

24. As a follow-up to the Conference resolution, and in accordance with the principles of Recommendation No. 117, the Office prepared a guide for policymakers (Volume 1 of the ILO Toolkit for Quality Apprenticeships) to strengthen the capacity of constituents to develop quality apprenticeship law and systems. The Toolkit outlines a framework for quality apprenticeships with the following key features (ILO, 2017a, pages 3–7):

- a tripartite system of governance;
- remuneration;

<sup>14</sup> Apprentices Act, 1961, and the Apprentices (Amendment) Act, 2014.

<sup>15</sup> Law No. 13 of 2003 concerning manpower, art. 1(11) (definition of “apprenticeship”).

<sup>16</sup> Department of Labour, Republic of South Africa.

<sup>17</sup> [National Apprenticeship Guidelines](#), Prime Minister’s Office, Sep. 2017, p. v (definition of formal apprenticeship).

<sup>18</sup> [Conclusions concerning the second recurrent discussion on employment](#), op. cit.

- ❑ a written agreement;
  - ❑ social security coverage;
  - ❑ a legal framework;
  - ❑ a programme of learning;
  - ❑ both on-the-job and off-the-job learning;
  - ❑ formal assessment; and
  - ❑ a recognized qualification.
25. The framework also provides guidance on developing quality apprenticeship systems based on the following six building blocks:
- ❑ **robust regulatory framework:** quality apprenticeships require a robust and stable regulatory framework which establishes the overall conditions for designing and implementing systems and secures decent work for apprentices;
  - ❑ **meaningful social dialogue:** quality apprenticeships form a bridge between the world of education and the world of work, based on social dialogue involving the social partners – employers’ and workers’ organizations – who are best placed to identify the current and future skills needs of the labour market and how to provide them;
  - ❑ **clear roles and responsibilities:** quality apprenticeships are built on the support and commitment of numerous stakeholders, who should have a clear understanding of their roles and responsibilities and who also have a common purpose, which ensures the coherence of the entire system;
  - ❑ **equitable funding arrangements:** quality apprenticeships generate both costs and benefits for the public authorities, enterprises and apprentices themselves. There must be a clear overall understanding that costs are shared equitably to ensure that all stakeholders are willing to participate on a long-term basis;
  - ❑ **strong labour market relevance:** quality apprenticeships prepare young people for occupations and their participation in the labour market. This implies that quality apprenticeship systems should have effective mechanisms for assessing current and future skills needs, designing and implementing apprentice programmes, and assessing and certifying competencies acquired by apprentices; and
  - ❑ **inclusiveness:** quality apprenticeships are not just designed for one social group. If they are to offer opportunities for all, there is a need to take positive action to increase diversity, improve reporting and accountability, incorporate a level of flexibility and enhance advice and support.

### 1.3. Benefits of quality apprenticeships

26. Quality apprenticeships can confer a variety of benefits on different stakeholders, particularly apprentices, enterprises and government (ILO, 2017a).

#### 1.3.1. Facilitating transitions to employment

27. Research undertaken by the European Commission has shown that apprenticeships consistently lead to positive employment outcomes. On average, 60–70 per cent (and up to 90 per cent in some cases) of apprentices secure employment immediately upon

completion of their apprenticeship, which has led a number of EU Member States to introduce similar schemes (European Commission, 2013a, page 9).

28. Moreover, apprentices achieve better job matches, shorter periods of unemployment before finding a first job and longer tenure in their first jobs, in comparison with young people with school-based vocational education (Comyn and Brewer, 2018, page 10).

29. In Brazil, an impact assessment of the Apprentice Act has shown that apprentices have a greater chance of finding a non-temporary formal-sector job and of earning higher wages in the short- and medium-term, relative to comparable people who did not benefit from such a programme (Corseuil et al., 2014, quoted in Fazio et al., 2016, page 16).

30. In the Netherlands, the unemployment rate of graduates from the work-based apprenticeship route was much lower (3 per cent) compared to unemployment rates (11–30 per cent) of those from the school-based route (Ministry of Education, Culture and Science, Government of the Netherlands, 2014, p. 76).

### 1.3.2. Matching skills supply to fast-changing labour market needs

31. Technological advances, demographic shifts, globalization, migration and climate change are resulting in unprecedented transformations in the world of work. The concomitant transformations in work organization have created a series of challenges for enterprises and workers in different sectors. In particular, these changes are leading to job creation in some sectors, but at the same time the loss of certain other jobs (ILO, 2019a).

32. Fast-paced technological progress is resulting in accelerated changes in skills needs. In most countries, traditional school-based vocational education and training (VET) systems lack the flexibility and responsiveness to keep up with rapid labour market transformations. Often, by the time VET institutes assess skills needs, update curricula, upgrade facilities and upskill teachers and trainers, skills needs have evolved further, rendering the adjustments obsolete, whereas in the case of apprenticeships, enterprises are more likely to have the latest facilities and qualified trainers, and know most about current and future skills needs. Consequently, apprenticeships can provide training using the latest technologies and require substantially less time to adjust training programmes to changing needs (ILO, 2019c, page 4).

### 1.3.3. Increasing productivity and promoting sustainable enterprises

33. According to an ILO report covering Latin America and the Caribbean, “there is significant evidence to explain how most productivity growth differences among countries do not stem from formal education but rather from the productive knowledge and skills learned on the job (‘know-how’ or ‘learning by doing’)” (ILO, 2017d, page 32), which are the most crucial characteristics of apprenticeships.

34. Employers’ opinions regarding apprenticeships are generally positive. An Inter-American Development Bank report indicated that over 80 per cent of employers expressed satisfaction with their apprenticeship programmes and over 60 per cent have seen improved productivity in their enterprises as a result of such programmes (Fazio et al., 2016, page 16). In the United Kingdom, a study by the Centre for Economics and Business Research (2013) estimated that the productivity of workers who have completed apprenticeships increases by £214 per week on average.

35. A study of small and medium-sized enterprises (SMEs) in India revealed that the benefits of offering apprenticeships surpass the costs if apprentices are retained

(ILO, 2014). Similarly, according to the United States Department of Labor, apprenticeship programmes form part of a workforce strategy enabling enterprises to reduce turnover rates, increase productivity and lower the cost of recruitment when they employ apprentices after the completion of training, which in turn contributes to the promotion of sustainable enterprises.

36. In addition, the United States Department of Labor also found that apprenticeship programmes develop highly-skilled employees trained and certified to produce at the highest skill levels required for the occupation. They provide a stable and reliable pipeline of qualified workers and enhance employee retention. Moreover, they increase knowledge transfer across the generations. Finally, due to the programme's emphasis on occupational safety and health training, they create a safer workplace that may reduce worker compensation costs.<sup>19</sup>

37. Another benefit is the positive impact of apprenticeships on an enterprise's ability to innovate. Well-trained workers are more likely to understand the complexities of an enterprise's production processes and so more likely to identify and implement ways in which technological improvements can be made (Lerman, 2014, page 14).

#### 1.3.4. Enabling a cost-effective form of vocational education and training delivery

38. The net cost of apprenticeships is much lower than the cost of a school-based training programme for VET students. A study on the costs of various modes of VET delivery for hairdressers in Burkina Faso, conducted by the French Development Agency (AFD), clearly showed that dual training apprenticeships were the least costly, compared to centre-based training or centre-based training with industry attachments (see table 1).

**Table 1. Comparison of the annual training costs of the Learning Centre for Crafts (CAMA) – Burkina Faso**

Type of training	Duration	Level of entry	Cost of training (in CFA francs)
Apprenticeship or dual training hairdresser	Two years	Primary level, little or no schooling	35 000 (literate) 50 000 (non-literate)
Residential training hairdresser	Two years	Last year of primary minimum	200 000
Residential training hairdresser with internships	Two years	Fourth year of college	350 000

Source: Richard and Boubakar, 2010, cited in ILO, 2017a.

39. The main reason for the lower cost is that VET institutes incur huge building and equipment costs in order to provide practical training. Also, such costs are not one-off investments, as labour market needs can change rapidly, resulting in necessary updates to curricula and facilities, whereas under apprenticeships enterprises already have the facilities needed to impart training.

40. Nevertheless, apprenticeships also involve costs that are generally shared by enterprises, apprentices and public authorities. For apprentice training to take place on a sustainable basis, it is important that the cost-sharing be equitable among these stakeholders based on the benefits they receive. The subsections below provide cost-benefit analyses for apprentices, enterprises and public authorities.

<sup>19</sup> <https://www.dol.gov/apprenticeship/toolkit/toolkitfaq.htm#2a> [accessed 28 May 2019].



#### 1.3.4.1. Apprentices

41. The most important benefits for apprentices are to be found in improved employment opportunities and better career prospects, thanks to the competencies acquired as per labour market needs during the apprenticeship. In addition, apprentices generally receive some form of remuneration during the training period. In most cases, they do not pay fees for training, while in some systems the students who receive training through VET institutes and universities may have to pay fees.

42. There is evidence that apprentices go on to earn more than VET students once they start working. The Netherlands provides a clear point of comparison, given that apprentices and VET students obtain the same qualification, but by a different route. In 2015–16, after the successful completion of their apprenticeships/vocational studies the average gross hourly wage for entry-level jobs for apprentices (at level 4) stood at €13.38, but for VET students (at the same level) it was significantly less, at €11.30.<sup>20</sup>

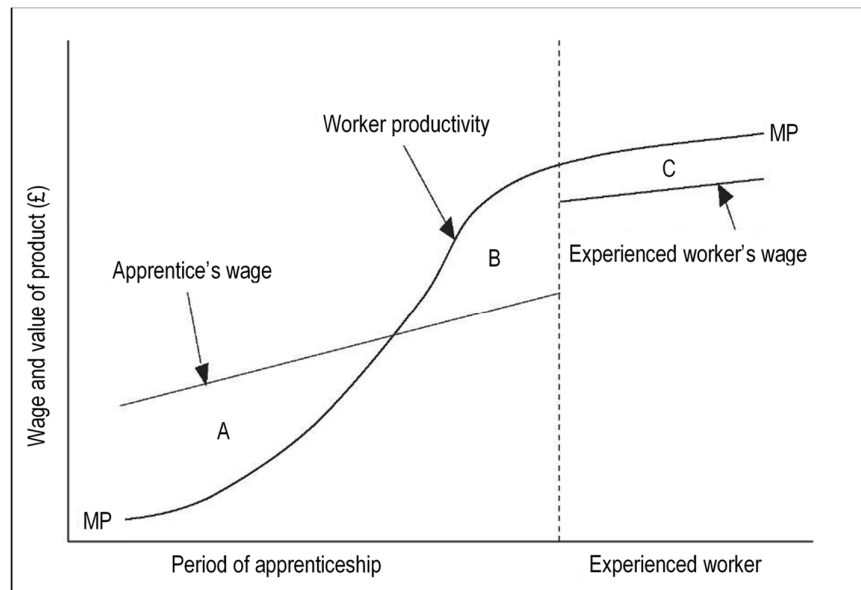
43. These figures on differentials in pay are also reflected in a study undertaken for the United States Department of Labor. In the short term, defined as the sixth year after enrolment, participation in registered apprenticeships was associated with an average gain in annual earnings of US\$6,595 over the earnings of non-participants. In addition, the study estimated that, over the career of an apprentice, the average earnings gain associated with completing the registered apprenticeship programme would be US\$240,037 (US\$301,533 including benefits) (Reed et al., 2012, page xiv).

#### 1.3.4.2. Enterprises

44. In the early stages of an apprenticeship there is a net cost to enterprises (shown as A in figure 1), because the initial costs (such as wages, social security contributions, time for in-company trainers, training materials) outweigh the initial contribution that apprentices make to the production of goods and services. As apprentices acquire skills and become more productive, the costs and benefits start to even out and enterprises recover the initial investment, as can be seen from a stylized cost–benefit analysis referring to the period of the apprenticeship programme (B). In the post-apprenticeship period, when the apprentice has become an experienced worker, there is a clear benefit for the enterprise, even if wage costs are higher (C). The marginal productivity of a person recruited to apprenticeship is represented by the curve MP–MP.

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<sup>20</sup> <https://roastatistics.maastrichtuniversity.nl/sisonline/Onderwerp6.aspx> [accessed 8 Aug. 2019].

**Figure 1. A stylized model of the costs and benefits of apprenticeships for enterprises**

Source: Gambin et al., 2010.

45. A recent comparative study by a consortium representing European employers' organizations came up with the following key message (BusinessEurope et al., 2016, page 3):

In well-functioning apprenticeship systems, enterprises recoup their investments over time in terms of a better skills fit and through the partial productive activation of learners during training. If apprentices are then hired into regular employment, additional payback comes in terms of immediate productivity upon graduation, fostering of enterprise culture, and higher employee loyalty, therefore making apprenticeships an effective means of recruitment.

46. The most extensive studies of the costs and benefits of apprenticeship programmes have focused on German and Swiss enterprises and provide quite divergent results for the two countries.

47. As may be seen from table 2, gross costs in Switzerland are higher, but enterprises on average obtain significantly higher benefits when training apprentices, and this turns into a net benefit of €2,739 per apprentice over a three-year period.

48. In Germany, on the other hand, enterprises have lower gross costs, but significantly lower benefits – and this results in a substantial net cost of €22,584 per apprentice over a three-year period. Moreover, 60 per cent of all training enterprises in Switzerland achieve positive net benefits, while in Germany, 93 per cent of training enterprises incur net costs. This difference can be explained by a combination of three considerations: the relative pay of apprentices, which is higher in Germany than in Switzerland; the differences in the tasks when on the job, as Swiss apprentices do more productive work (83 per cent compared to 57 per cent for German apprentices); and the amount of time apprentices spend on the job, which is higher in Switzerland than in Germany (Wolter and Ryan, 2011, page 543). Over a period of three years, Swiss apprentices are at work for an average of 468 days (compared to 415 in the case of German apprentices), and they spend only 13–21 per cent of their time having no direct value to the company compared with 31–57 per cent of German apprentices (Lerman, 2014, page 12).

**Table 2. Net cost to a firm of training an apprentice (three-year programme) in Germany and Switzerland (in euros for the year 2000)**

	Gross costs	Benefits	Net costs
Germany	46 608	24 024	22 584
Switzerland	54 393	57 132	-2 739

Source: Wolter and Ryan, 2011, page 543.

49. Enterprises in countries with little or no experience of apprenticeships may be reluctant to start apprenticeships because the net costs are unknown or incalculable. In order to inform the debate on the cost-effectiveness of apprenticeships, attempts have been made to take a cost-benefit model of apprenticeships that has been developed in Switzerland, which is recognized as having a successful and cost-effective apprenticeships system, and examine ways in which it could be applied to three other countries – Spain, England (United Kingdom) and Italy (Wolter and Mühlemann, 2015; Wolter and Joho, 2018; Mühlemann et al., 2018).

50. The results from the study in Spain show that training programmes are capable of generating net benefits to enterprises before the end of a training period, and that key variables are the level of the apprentice's wage, the length of the apprenticeship and the size of the enterprise (Wolter and Mühlemann, 2015, pages 74 and 75).

#### 1.3.4.3. Public authorities

51. Apprenticeships involve much less cost for public authorities than school-based VET as the overall public cost of off-the-job learning for apprentices is lower than the cost of a training programme for VET students, for the simple reason that the former spend the majority of their time on the job, the cost of which is borne by enterprises (Kuczera, 2017, page 15).

52. In addition, in some countries, when young or older workers move from unemployment to an apprenticeship, the costs for public authorities are reduced as there is no longer the same potential requirement to pay unemployment or other social benefits. Also, revenues are increased because apprentices pay income tax and contribute to social protection schemes, both in the short term, during the apprenticeship, and, more importantly, in the long term, as skilled and better paid workers. Consequently, the accumulated benefits of apprenticeships over a worker's whole career can be substantial. For example, in the United States, the total state and federal cost of administering the registered apprenticeship programme for five states (Florida, Georgia, Missouri, Pennsylvania and Texas) was estimated at an average of US\$131 per apprentice, while the cost for the VET institutions (community colleges) was estimated at US\$587 per apprentice. This comes to a total average cost of US\$718 per apprentice. Over the course of a skilled worker's career, it is estimated that this investment will result in an average of US\$19,875 in tax benefits, which works out at a return of US\$27.68 for every dollar invested. If other potential costs (unemployment insurance, food stamps and welfare and administration costs) are taken into consideration, the total benefits are just under US\$35.86 per dollar spent (Reed et al., 2012, pages 40 and 41).

53. In addition to off-the-job learning costs, in some countries public authorities incur further costs in the form of both financial incentives (direct subsidies or tax exemptions) and non-financial incentives (measures to support enterprises in their administrative procedures) in their efforts to encourage enterprises to take on apprentices (ibid., page 42). For instance, in Malaysia, under the apprenticeship scheme run by the Human Resources

Development Council, enterprises are eligible for a 100 per cent reimbursement of training costs, consisting of apprentices' monthly allowances, insurance and training materials (UNESCO/UNEVOC, 2019).

54. Table 3 summarizes the costs and benefits of apprenticeships for enterprises, apprentices and public authorities for the duration of the apprenticeship and for the period following it.

**Table 3. Summary of costs and benefits of apprenticeships, by stakeholder**

		<b>Costs</b>	<b>Benefits</b>
<b>Apprentices</b>	<b>During the apprenticeship</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> <i>Opportunity cost in the form of lower wages *</i></li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Remuneration</li> <li><input type="checkbox"/> Social security coverage</li> <li><input type="checkbox"/> No fees and thus no debts, in comparison with university students</li> <li><input type="checkbox"/> <i>Higher employability due to demand-driven training and certification</i></li> </ul>
	<b>After the apprenticeship</b>		<ul style="list-style-type: none"> <li><input type="checkbox"/> Marginally higher wages</li> <li><input type="checkbox"/> Enhanced employability</li> <li><input type="checkbox"/> <i>Enhanced job satisfaction and higher social status</i></li> </ul>
<b>Enterprises</b>	<b>During the apprenticeship</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Staff costs for apprentices</li> <li><input type="checkbox"/> Staff costs for in-company trainers</li> <li><input type="checkbox"/> Costs for training materials, space, equipment</li> <li><input type="checkbox"/> Costs for recruitment and administration</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Apprentices' contribution to the production of goods and services</li> <li><input type="checkbox"/> Incentives from government</li> <li><input type="checkbox"/> Payments from training funds</li> <li><input type="checkbox"/> <i>Improvements in reputation, through participation in apprenticeships</i></li> </ul>
	<b>After the apprenticeship</b>		<ul style="list-style-type: none"> <li><input type="checkbox"/> Marginally higher productivity and quality</li> <li><input type="checkbox"/> Wage stability</li> <li><input type="checkbox"/> <i>More loyal workforce</i></li> <li><input type="checkbox"/> <i>Savings from reduced labour turnover – recruitment and initial training costs</i></li> </ul>
<b>Public authorities</b>	<b>During the apprenticeship</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Incentives</li> <li><input type="checkbox"/> Costs for public VET institutions</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> In the absence of apprenticeships, they may have to incur significant cost in school-based VET</li> <li><input type="checkbox"/> Tax revenue from apprentices</li> <li><input type="checkbox"/> <i>Savings on employment programmes (e.g. active labour market programmes) and benefits for the unemployed</i></li> </ul>
	<b>After the apprenticeship</b>		<ul style="list-style-type: none"> <li><input type="checkbox"/> Tax revenue from skilled workers</li> <li><input type="checkbox"/> <i>Savings on employment programmes (e.g. active labour market programmes) and benefits for the unemployed</i></li> </ul>
<p>* <i>Italicized</i> items represent non-monetary or latent costs or benefits.                      Source: Based on ILO, 2017a.</p>			

### 1.3.5. Promoting coordination between the world of education and the world of work

55. Apprenticeship programmes provide a systematic means of forging collaboration between VET institutions and the labour market. This collaboration allows enterprises to influence the design and delivery of the curriculum and training modules prepared by VET institutions. At the same time, it allows trainers from VET institutions to understand better

what competencies are required in the workplace. This mutually reinforcing collaboration helps to improve the quality and the effectiveness of the overall training experience and to reduce the potential for skills mismatch.

56. In South Africa, for example, close collaboration between the skills council responsible for the manufacturing and engineering sector, and certain higher education institutions, has been particularly significant in leveraging support for improving the skills of lecturers in VET colleges (merSETA, 2016, page 50).

## 1.4. Pre-apprenticeships

57. Some countries have also started pre-apprenticeship programmes, which are designed to offer the adequate preparation for entering a regular apprenticeship. Pre-apprenticeship programmes enhance access to apprenticeship programmes, particularly for vulnerable groups such as young persons, the long-term unemployed, older workers and migrants, by enabling them to acquire the necessary competencies. There is no standardized or one-size-fits-all approach to the way in which pre-apprenticeship is organized. The forms of such programmes are diverse, depending on the actual needs of the target group concerned. Table 4 provides two illustrative examples from Australia and Switzerland.

**Table 4. Pre-apprenticeship programmes**

Country	Programme	Target group	Typical duration	Content
Australia	Pre-apprenticeship	Young people aged 16–24	6–12 months	General employability skills, occupation-specific skills
Switzerland	Pre-apprenticeship for integration (currently being piloted )	Young migrants (with refugee or provisory status) aged 16–35	12 months	Preparation for formal apprenticeship programmes, three days in company, two days in vocational school, general subject and vocational theory, targeted support for language skills

Source: Adapted from OECD (2018) and Kis (2016).

## 1.5. Other forms of work-based learning

58. “Work-based learning” is a term used to denote all forms of learning that take place in a real work environment. Such learning can provide individuals with the skills needed to successfully obtain and keep jobs and to progress in their professional development. Apprenticeships and traineeships/internships are the most common types. These may – but do not always – combine elements of learning both on the job and off the job.<sup>21</sup>

59. Traineeships – or internships, as they are more commonly known in certain parts of the world – generally involve “a limited period of work practice, whether paid or not, which includes a training component, undertaken in order to gain practical and professional experience with a view to improving employability and facilitating transition to regular employment”.<sup>22 23</sup> Originally associated with the training of medical doctors,

<sup>21</sup> See also IAG-TVET, 2015.

<sup>22</sup> *Council Recommendation of 10 March 2014 on a Quality Framework for Traineeships*, 2014/C 88/01, para. 27.

<sup>23</sup> Note that the term “traineeship” can also, in some countries, be used to mean an entire training arrangement, not just the work-based component. In Australia, for example, a traineeship is a structured, employment-based programme that leads to the trainee gaining a nationally recognized qualification. Although such traineeships

in countries such as the United States internships came to describe programmes that gave young people the opportunity to work in government and (later) in political organizations. Today, and especially in higher-income countries, trainees or interns can be found in a wide range of industries and occupations, working for businesses, not-for-profit organizations and government agencies (Perlin, 2012).

60. There are various ways in which traineeships or internships can be categorized. One useful typology distinguishes between three different purposes or functions, which often call for different forms of regulation (Lain et al., 2014). The first purpose is to satisfy the requirements of, or obtain credit towards, an educational programme. A second is to provide an opportunity for a jobseeker to acquire work experience, often as part of an active labour market programme offered or funded by government. The third category covers “open market” traineeships or internships, established by businesses or other organizations to offer trainees a taste of what work is like in a particular job, or to test out applicants.<sup>24</sup>

61. There is, however, no universally accepted definition of the terms “traineeship” or “internship”. In some countries, these arrangements are generally or primarily understood to be forms of work experience undertaken after completion of higher or technical education, as opposed to “placements” that may form part of educational programmes. In others, by contrast, it is common for both students and graduates to be said to undertake traineeships or internships.

62. A number of factors make it difficult to define or distinguish between different forms of work-based learning. One such factor is linguistic. Terms such as “apprenticeship”, “traineeship”, “internship”, “learnership” and “placement” may mean different things in different countries. Another factor is the historical evolution of some of these concepts. In some countries modern apprenticeships have become a type of formal VET, while in others they retain many traditional and less formal characteristics. Likewise, traineeships/internships have over the past few decades become much more common than was previously the case – and they have taken a range of different forms.

63. One factor that arguably distinguishes even the more formal kinds of traineeship/internship from apprenticeships is the scope of the training involved (ILO, 2012a, page 8; Hadjivassiliou et al., 2012, page 52). Apprenticeships are more likely to operate over longer periods and they typically offer training in all of the competencies required to practise a particular trade or occupation. By contrast, most traineeships/internships tend to be for shorter periods and to be less comprehensive. Some traineeships/internships offer general experience, allowing students or jobseekers to experience what it is like to work in a certain type of job or workplace. Others may provide an opportunity to practise particular skills that have been acquired through previous work or study. However, they do not typically involve the same range and depth of training as an apprenticeship.

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typically involve shorter periods of training than trade-based apprenticeships, they can effectively be classified as apprenticeships in the broadest sense of the term. The same may apply to “learnerships” in South Africa and Zambia.

<sup>24</sup> A fourth possible category covers traineeships undertaken as a mandatory part of professional training, as opposed to “educational curricula” – see for example Sienkiewicz, 2018, page 4. But state-regulated examples of such training can usually be equated to other types of educational traineeships or internships, while those which operate without official authorization will generally have the same legal status as open market arrangements.

## Chapter 2

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### International and regional frameworks for apprenticeships

#### 2.1. International labour standards and International Labour Conference resolutions

##### 2.1.1. The Apprenticeship Recommendation, 1939 (No. 60)

64. Two ILO instruments have explicitly addressed the regulation and conduct of apprenticeships. The first of these, Recommendation No. 60, was adopted in 1939. It was one of five Recommendations concerning vocational training and guidance adopted by the Conference between 1939 and 1956.<sup>25</sup>

65. In its Preamble, Recommendation No. 60 recognized the special nature of apprenticeships, “because it is given in undertakings and involves contractual relations between master and apprentice”. The Preamble also recognized that the efficacy of this form of vocational training “largely depends on the satisfactory definition and observance of the conditions governing apprenticeship and, in particular, of those relating to the mutual rights and obligations of master and apprentice”.

66. Paragraph 2.2 proposed the basis for a regulatory framework, while Paragraph 3 set out various proposals to support quality assurance, and Paragraph 4 dealt with remuneration. Paragraph 5 provided, *inter alia*, that it would be desirable for employers’ and workers’ organizations to be associated with the official bodies responsible for the supervision of apprenticeships.

##### 2.1.2. The Vocational Training Recommendation, 1962 (No. 117)

67. In 1962, the Conference resolved to adopt a new instrument, Recommendation No. 117. This replaced Recommendation No. 60, as well as the Vocational Training Recommendation, 1939 (No. 57), and the Vocational Training (Adults) Recommendation, 1950 (No. 88). The Conference noted that they had been “superseded by the march of events” (ILO, 1962, page 376).

68. While Recommendation No. 117 had a broader remit than its predecessors, Part X was specifically devoted to apprenticeships. It called for a regulatory framework established by statutory enactments, decisions of bodies specially entrusted with the

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<sup>25</sup> The relevant instruments in addition to Recommendation No. 60 were: the Vocational Training Recommendation, 1939 (No. 57), relating to general vocational training, with a particular emphasis on industrial and vocational schools; the Vocational Guidance Recommendation, 1949 (No. 87), which dealt specifically with vocational guidance extending beyond schools; the Vocational Training (Adults) Recommendation, 1950 (No. 88), concerning vocational training involving adults, including persons with disabilities; and the Vocational Training (Agriculture) Recommendation, 1956 (No. 101), a sector-specific Recommendation which aimed to address the need to train farmers and farmworkers.

control of apprenticeship, collective agreements, or a combination of these various methods (Paragraph 50).

69. Paragraphs 48 and 49 of Recommendation No. 117 highlighted the importance of the agreement between the apprentice and an individual enterprise, a group of enterprises, or a body such as an apprenticeship committee or service specially entrusted with the control of apprenticeship. Recommendation No. 117 contemplated that the agreement should:

- contain an obligation to train in a particular occupation in return for an obligation of the same nature to serve as an apprentice during the period of apprenticeship;
- incorporate such standards and regulations established for the occupation in question as might be necessary or desirable;
- provide for other mutual rights and obligations as might be relevant and not otherwise covered, including especially the observance of all safety regulations; and
- provide for the settlement of disputes between the parties.

70. The parties responsible for providing the apprenticeship should be properly qualified to give the training or arrange for the training to be given by qualified persons. The facilities available for training the apprentice should be such as would enable them to secure complete training for the occupation being taught (Paragraph 48(3)). The competent authority should remain in regular contact with the undertaking or person providing the training, and should ensure, by means of regular inspection or supervision, that the objectives of the apprenticeship were being achieved.

71. In deciding whether a particular occupation should be recognized as “apprenticeable”, account should be taken of the degree of skill and theoretical technical knowledge required for the occupation in question; the period of training necessary for the acquisition of the required skill and knowledge; the suitability of apprenticeships for imparting the required skill and knowledge; and the current and anticipated employment situation within the occupation in question (Paragraph 47).

72. Paragraph 51 provided that the standards and regulations governing apprenticeship in respect of each recognized apprenticeable occupation should consider:

- (a) the educational qualifications and minimum age governing entry into apprenticeship;
- (b) provision for special cases of workers whose age exceeds the specified maximum age;
- (c) the duration of apprenticeship including the period of probation, having regard to the degree of skill and theoretical technical knowledge required;
- (d) measures for determining the extent to which the normal duration of the apprenticeship might be reduced in the light of any prior training or experience the apprentice may have had or of his progress during the apprenticeship;
- (e) the schedule of work processes, the theory and related instruction to be given, and the time to be spent on each unit;
- (f) the provision of day release, or such other forms of release as may be appropriate, for attendance at a training institution;
- (g) the examinations to be held during or on the expiry of the apprenticeship;
- (h) the qualifications or certificates obtainable on completion of apprenticeship;



- (i) any control of the number of apprentices necessary to ensure adequate training, avoid overcrowding in the occupation, and meet the manpower needs of the particular branch of economic activity concerned;
- (j) the rate of remuneration payable to the apprentice and the scale of increases during the apprenticeship;
- (k) the conditions of remuneration in case of absence through sickness;
- (l) accident insurance;
- (m) holidays with pay;
- (n) the nature and extent of the supervision to be exercised over the apprenticeship, particularly with a view to ensuring that the rules governing the apprenticeship are observed, that the training is in keeping with established standards and that there is reasonable uniformity in the conditions of apprenticeship;
- (o) the registration of apprentices and apprenticeship contracts with appropriate bodies;
- (p) the form and content of the apprenticeship contract.

73. Apprentices should receive comprehensive safety instruction so as to develop safe working habits. Prior to the beginning of their apprenticeship, they should have had access to comprehensive vocational guidance and a medical examination related to the requirements of the occupation for which training was to be given. Where the relevant occupation called for special physical qualities or mental aptitudes, these should be specified and verified by special tests (Paragraph 53).

74. If considered necessary or desirable for the completion of the training, it should be possible by agreement among all parties concerned to transfer an apprentice from one undertaking to another. Likewise, where several types of apprenticeship existed, it should be possible by agreement among all parties concerned for an apprentice to transfer from one type to another (Paragraph 54).

### 2.1.3. The Human Resources Development Convention, 1975 (No. 142), and the Human Resources Development Recommendation, 1975 (No. 150)

75. Convention No. 142 was adopted in 1975, together with Recommendation No. 150. Paragraph 77(1) of the Recommendation stated that it superseded Recommendation No. 117, together with two older instruments on vocational training.<sup>26</sup> Neither Convention No. 142 nor Recommendation No. 150 addressed apprenticeships.

76. The rationale for the development and adoption of Convention No. 142 and Recommendation No. 150 was clarified by the Committee of Experts on the Application of Conventions and Recommendations (CEACR) in its 1991 General Survey on human resources development (CEACR, 1991, page 3):

These instruments marked a move away from the traditional concept of vocational training purely as a means to achieve balance on the employment market and towards a broader and more dynamic concept of “human resources development” as a major factor of economic and social development. This new term embraced training and guidance as part of a continuous lifelong process of expanding the individual’s opportunities for education, both in the individual’s own interest and for the welfare of the community, thus contributing also to the achievement of social justice and equity.

<sup>26</sup> Recommendations Nos 87 and 101.

77. Convention No. 142 has been ratified by 68 countries. It calls on ratifying States to adopt and develop comprehensive and coordinated policies and programmes of vocational guidance and vocational training, closely linked with employment, in particular through public employment services.

78. Recommendation No. 150 applied to “the vocational guidance and vocational training of young persons and adults for all areas of economic, social and cultural life and at all levels of occupational skill and responsibility” (Paragraph 1). Recommendation No. 150 was subsequently replaced by Recommendation No. 195. Recommendation No. 150 was intended to “reflect twenty-first century approaches to lifelong learning, portability of skills and the education and training that are needed for small and medium enterprises” (ILO, 2004, page 8/5). Like its predecessor, Recommendation No. 195 does not address apprenticeships.

#### 2.1.4. Other ILO standards that specifically address apprenticeships

79. A number of up-to-date ILO standards dealing with social or employment policy frameworks either require or encourage member States to adopt apprenticeship systems. For example, Article 15(1) of the Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117), stipulates that:

Adequate provision shall be made to the maximum extent possible under local conditions, for the progressive development of broad systems of education, vocational training and apprenticeship, with a view to the effective preparation of children and young persons of both sexes for a useful occupation.

80. Requirements or exhortations of this kind are sometimes applied to particular types of work or in specified situations. For instance, there are references to apprenticeships (and other forms of training) in:

- the Migration for Employment Convention (Revised), 1949 (No. 97), Article 6(1)(a) – Members should ensure equal treatment of lawful immigrants with nationals, including in relation to apprenticeship and training;
- the Conditions of Employment of Young Persons (Underground Work) Recommendation, 1965 (No. 125), Paragraph 13(a) – young persons employed underground in mines should “receive systematic vocational training, through apprenticeship or other forms of training”;
- the Recruitment and Placement of Seafarers Recommendation, 1996 (No. 186), Paragraph 1(d)(iv) – requirement to collect and analyse information on the maritime labour market, including “the placement of apprentices, cadets and other trainees”;
- the Work in Fishing Recommendation, 2007 (No. 199), Paragraph 2 – “training of persons between the ages of 16 and 18 might be provided through participation in an apprenticeship or approved training programme”; and
- the Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205), Paragraph 19(c) – in preventing and responding to crisis situations, Members should coordinate education, training and retraining services, including apprenticeship.

81. Paragraph 15(f) of the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), provides that:

Members should promote the implementation of a comprehensive employment policy framework, based on tripartite consultations, that may include the following elements: ...

education and skills development policies that support lifelong learning, respond to the evolving needs of the labour market and to new technologies, and recognize prior learning such as through informal apprenticeship systems, thereby broadening options for formal employment ...

82. Other international labour standards address specific issues that may arise in relation to apprenticeships. For example, Paragraph 20(2) of the Annex to the Income Security Recommendation, 1944 (No. 67), provides that “[a]pprentices who receive no remuneration should be insured against employment injuries”, with compensation to be based on “the wages current for workers in that trade”.

### 2.1.5. ILO standards that indirectly address apprenticeships

83. A number of ILO standards are relevant to apprenticeships due to their provisions on the broader subject of VET. The Employment Policy Convention, 1964 (No. 122), one of four ILO instruments classified as priority governance Conventions by the 2008 Declaration on Social Justice for a Fair Globalization, requires Members to declare and pursue “an active policy designed to promote full, productive and freely chosen employment” (Article 1). The accompanying Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169), calls on member States to develop education and training programmes that:

- ❑ eliminate discrimination in access to vocational guidance and training (Paragraph 7);
- ❑ encourage enterprises to train young people, adapt training opportunities to “technical and economic development”, improve the quality of training, ease the transition from school to work, and promote research on employment prospects “as a basis for a rational vocational training policy” (Paragraph 17);
- ❑ promote greater access to training for enterprises in the informal economy (Paragraph 27);
- ❑ assist other countries in developing and maintaining training opportunities, in the context of international cooperation and development (Paragraph 38(b));
- ❑ assist developing countries in developing local vocational training as an alternative to sending their workers overseas to gain employment (Paragraph 40); and
- ❑ promote education and training opportunities for migrant workers (Paragraph 44).

84. Three important instruments that are covered by the ILO Declaration on Fundamental Principles and Rights at Work, 1998, contain specific provisions on training. First, the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), requires member States to pursue a policy of promoting “equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination in respect thereof” (Article 2). Article 1.3 of the Convention provides that this extends to “access to vocational training”, while Article 3(e) states that Members must “ensure observance of the policy in the activities of vocational guidance, vocational training and placement services under the direction of a national authority”.

85. The Worst Forms of Child Labour Convention, 1999 (No. 182), calls for measures that, as far as possible, ensure that children removed from the worst forms of child labour have access to vocational training (Article 7.2(c)).

86. Third, the Minimum Age Convention, 1973 (No. 138), provides that the Convention does not apply to work done in education or training institutions, or to work done by persons aged 14 or above as part of appropriately regulated education or training programmes (Article 6). Article 7(1) of the Convention also permits the employment of

persons aged 13–15 in “light work”, but only if this will not prejudice (inter alia) their participation in vocational training.

87. Other instruments that contain specific provisions on training include:

- the Paid Educational Leave Convention, 1974 (No. 140), which calls on Members to promote the granting of paid educational leave for training in specified areas; and
- the Indigenous and Tribal Peoples Convention, 1989 (No. 169), which requires equality of opportunity for indigenous and tribal peoples in relation to vocational training (Article 21), as well as the creation of special training programmes and facilities for such peoples, if needed (Article 22).

88. The various protections in Part I of the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), include the right of migrant workers to receive equal treatment to nationals in relation to “retraining” (Article 8(2)). Additional protections in Part II are specifically stated not to apply to those who come to a member State “specifically for purposes of training or education” (Article 11(2)(d)).

#### 2.1.6. Other ILO standards and their application to apprenticeships

89. Different ILO instruments use different terminology to define their coverage. Many do not just apply to employees, but to the broader category of “workers”. This is true, for example, of the core Conventions that underpin the ILO Declaration on Fundamental Principles and Rights at Work. In addition to Conventions Nos 111, 138 and 182, which have already been mentioned, these are the Forced Labour Convention, 1930 (No. 29), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), the Equal Remuneration Convention, 1951 (No. 100), and the Abolition of Forced Labour Convention, 1957 (No. 105). The eight core Conventions apply to all “workers” in the broadest sense of the term: that is, they apply irrespective of the kind of contractual agreements (if any) under which individuals are engaged and, with very limited exceptions, irrespective of the sector of the economy in which they work (Creighton and McCrystal, 2016, page 706).

90. The ILO’s supervisory bodies have taken the view that persons hired under training agreements should have the right to organize, regardless of whether they are employed. According to the Committee on Freedom of Association (ILO, 2018a, paragraph 394):

The status under which workers are engaged with the employer, as apprentices or otherwise, should not have any effect on their right to join workers’ organizations and participate in their activities.

91. As the CEACR (2011, page 234) has noted, “full coverage of apprentices has become a standing feature of modern labour and social security law and is ensured in all up-to-date international labour Conventions, where relevant”. So, for example, Paragraph 2(a)(ii) of the HIV and AIDS Recommendation, 2010 (No. 200), expresses an intention to cover “all workers working under all forms or arrangements, and at all workplaces, including ... those in training, including interns and apprentices”. Similarly, the following instruments include references to apprentices:

- The Violence and Harassment Convention, 2019 (No. 190), expressly brings “persons in training, including interns and apprentices” within the coverage of the instrument (Article 2(1)).

- The Labour Inspection (Agriculture) Convention, 1969 (No. 129), requires a labour inspection system for agricultural undertakings “in which work employees or apprentices” (Article 4).
- The Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168), refers to “public employees and apprentices” (Article 11(1)).
- The Employment Injury Benefits Convention, 1964 (No. 121), requires national legislation to extend employment injury benefits to “all employees, including apprentices” (Article 4(1)).

92. Finally, it is important to highlight a point of principle articulated by the CEACR (2014, paragraph 188):

Recalling the overarching principle of equal pay for work of equal value, the Committee considers that persons covered by apprenticeship or traineeship contracts should only be paid at a differentiated rate where they receive actual training during working hours at the workplace. In general, the quantity and quality of the work performed should be the decisive factors in determining the wage paid.

93. Hence, while lower remuneration for apprentices may be justified, as indeed is common in national systems (see section 3.6.2), the lower rate should be linked to the amount and quality of work performed.

### 2.1.7. International Labour Conference resolutions

94. At its 97th Session (2008), the Conference adopted a resolution and conclusions concerning skills for improved productivity, employment growth and development. Paragraph 64 of the conclusions states “Apprenticeships, cadetships, traineeships and internships are effective means of bridging school and the world of work for young people by making it possible for them to acquire work experience along with technical and professional training. This helps overcome their lack of work experience when trying to get a first job.” Paragraph 30 calls on the social partners to promote skills development for sustainable enterprise and employment growth in many critical ways, including, but not limited to:

...

- (e) providing apprenticeships and upgrading the quality of learning and the recognition of skills acquired by apprentices.
- (f) making workplace training accessible to when and where workers are available and making workplace learning and apprenticeship opportunities equally accessible to women.

95. At its 101st Session (2012), the Conference adopted a resolution and conclusions concerning the youth employment crisis: A call for action. In the conclusions, under the heading “Employability – Education, training and skills, and the school-to-work transition”, there are numerous references to apprenticeships.<sup>27</sup> Paragraph 26 calls on governments to give serious consideration to, *inter alia*:

...

- (b) Improving the links between education, training and the world of work through social dialogue on skills mismatch and standardization of qualifications in response to labour market needs, enhanced technical vocational education and training (TVET), including apprenticeships, other work-experience schemes and work-based learning.

<sup>27</sup> The value of apprenticeships had also been stressed in para. 34 of the [conclusions on promoting pathways to decent work for youth](#), adopted by the Conference at its 93rd Session (2005).

...

- (d) Improving the range and types of apprenticeships by: (i) complementing learning at the workplace with more structured institutional learning; (ii) upgrading the training skills of master craftspersons and trainers overseeing the apprenticeships; (iii) including literacy training and livelihood skills; and (iv) strengthening community involvement, especially to open more occupations for young women and other vulnerable groups of young people.
- (e) Regulating and monitoring apprenticeship, internship and other work experience schemes, including through certification, to ensure they allow for a real learning experience and not replace regular workers.

96. At its 103rd Session (2014), the Conference adopted a resolution and conclusions concerning the second recurrent discussion on employment, requesting the Office to “[b]uild the knowledge base and provide advice on effective systems for lifelong learning and quality apprenticeship systems”.

## 2.2. UNESCO Recommendation and initiative

97. In November 2015, the United Nations Educational, Scientific and Cultural Organization (UNESCO) adopted a Recommendation concerning Technical and Vocational Education and Training (TVET).<sup>28</sup> The section on learning processes made a number of references to apprenticeships, as follows:

...

30. Work-based learning in its various forms, including in-service training, attachments, apprenticeships and internships, should be promoted. The quality of work-based learning should be enhanced and when relevant be complemented by institution-based or other forms of learning.

31. Public policies should foster and facilitate quality apprenticeships composed of work and institution-based learning through social dialogue and public-private partnerships to help youth to develop their knowledge, skills and competencies and gain work experience.

32. TVET in the informal economy should be promoted, including through quality traditional apprenticeships in small, micro and household enterprises by engaging stakeholders in rural and urban areas.

98. UNESCO initiated the establishment of an Inter-Agency Group on Technical and Vocational Education and Training (IAG-TVET) to promote knowledge-sharing and effective coordination of activities by international organizations involved in policy advice, programmes and research.<sup>29</sup> The group has set up a working committee on work-based learning that deals with apprenticeships from time to time.

## 2.3. G20 initiative

99. At their 2016 meeting in Beijing, the G20 Labour and Employment Ministers agreed to increase the number, quality and diversity of apprenticeships (G20, 2016) by, inter alia:

- setting national targets to develop, expand and improve apprenticeship programmes;
- raising the quality of apprenticeship by “fully engaging social partners in the design, development and delivery of apprenticeship and ensuring a strong work-based training component”;

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<sup>28</sup> UNESCO: [Recommendation concerning technical and vocational education and training \(TVET\)](#), 2015.

<sup>29</sup> See <https://en.unesco.org/themes/skills-work-and-life/interagency-cooperation> [accessed 16 June 2019].

- ❑ promoting apprenticeship programmes, particularly in emerging sectors and those with skills shortages;
- ❑ making apprenticeship more attractive to enterprises, in particular SMEs, by reflecting their skills needs in apprenticeship programmes, addressing legal and regulatory disincentives, and promoting an adequate/appropriate sharing of costs among enterprises, providers and public authorities;
- ❑ ensuring apprenticeship programmes offer good working and training conditions, including appropriate wages, social security coverage and respect for occupational safety and health;
- ❑ improving “access to quality apprenticeship for disadvantaged groups through income subsidies, training credits, pre-apprenticeship programmes, affordable quality childcare, and family-friendly work opportunities”;
- ❑ strengthening partnerships between businesses and vocational schools;
- ❑ supporting programmes to upgrade informal apprenticeships, including through recognition of prior learning and supplementary training; and
- ❑ expanding “quality apprenticeship globally, including through technical cooperation and regional initiatives”.

## 2.4. L20 and B20 joint statement on key elements of quality apprenticeships

100. The workers’ organizations (Labour 20 – L20) and employers’ organizations (Business 20 – B20) have actively contributed to the work of the G20 Task Force on Employment in respect of apprenticeships and called on the G20 Member States to endorse actions to promote apprenticeships. In cooperation with global workers’ and employers’ organizations, they agreed on the following Key Elements of Quality Apprenticeships in 2013 (ITUC, 2013) and jointly emphasized the following principles in making apprenticeships work:

- ❑ there must be a shared responsibility between governments and employers’ and workers’ organizations adequate to national circumstances;
- ❑ high-quality vocational schools, with highly qualified and motivated teachers and up-to-date equipment, are an indispensable prerequisite for effective learning;
- ❑ effective entries into apprenticeships should be available, not only for young people but also for displaced adults who either need to move into a new industry or need to update their skills for the evolving needs of business;
- ❑ strategies for lifting the status of apprenticeships should be developed, so that they are positively seen as a pathway towards a satisfying career;
- ❑ apprenticeship systems need their own contractual arrangements consistent with national law and practice;
- ❑ apprenticeship systems must be workplace centred;
- ❑ apprenticeship programmes should reflect gender equity objectives; and
- ❑ apprenticeships should encourage entrepreneurship and innovation through the development of skills.

101. Workers' and employers' organizations have been involved in other initiatives in relation to apprenticeships, including the following:

- the Global Apprenticeship Network, established in 2012 under the auspices of the International Organisation of Employers, the ILO and the Organisation for Economic Co-operation and Development (OECD);<sup>30</sup> and
- the Unions4VET project, which is sponsored by the German Federal Ministry of Education and Research, and now includes workers' organizations from Costa Rica, Greece, Italy, Latvia, Portugal, Slovakia and South Africa, as well as from Germany.<sup>31</sup>

## 2.5. Regional frameworks

102. The EU has been particularly active in promoting apprenticeships. Among other initiatives, it has established and supported the European Alliance for Apprenticeships,<sup>32</sup> created in 2017. In March 2018, the Council of the EU adopted a Recommendation on a European Framework for Quality and Effective Apprenticeships,<sup>33</sup> which endorses certain defining features (paragraph 20) and proposes two sets of criteria for quality and effective apprenticeships. The criteria for learning and working conditions cover: written agreement; learning outcomes; pedagogical support; workplace component; pay and/or compensation; social protection; and work, health and safety conditions. The criteria for framework conditions cover: regulatory framework; involvement of the social partners; support for companies; flexible pathways and mobility; career guidance and awareness-raising; transparency; and quality assurance and tracking of apprentices.

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<sup>30</sup> See <http://www.gan-global.org> [accessed 10 June 2019].

<sup>31</sup> See <https://www.unions4vet.de/en/> [accessed 10 June 2019].

<sup>32</sup> See <https://ec.europa.eu/social/main.jsp?catId=1149&langId=en> [accessed 10 June 2019].

<sup>33</sup> *Council Recommendation of 15 March 2018 on a European Framework for Quality and Effective Apprenticeships*, 2018/C 153/01.



## Chapter 3

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### National regulatory frameworks for apprenticeships

103. This chapter examines the various elements of national regulatory frameworks for apprenticeships, namely: the types and levels of regulation; the functions of regulatory bodies; training standards; funding; rights and protections for apprentices at work; conditions for parties or entities to provide or support apprenticeships; and monitoring and evaluation.

104. Each national regulatory framework is unique and reflects local conditions. A delicate balance must be drawn between the need to ensure that the different stakeholders are willing to invest in the process, on the one hand, and the need to ensure that the system is appropriately regulated, on the other.

#### 3.1. Types and levels of regulation

105. National apprenticeship systems are typically underpinned by some form of legal provision. This may be provided by legislation that specifically deals with the subject, such as:<sup>34</sup>

- the Apprenticeship Act (1981) in Algeria;
- the Apprenticeship and Career Guidance Regime Law No. 26.390 (2008) in Argentina;
- the New Law on Apprenticeships No. 10097 (2000) in Brazil;
- the Apprentices Act (1961) in India;
- the Industrial Training Act (1967) in Ireland;
- the Apprenticeship Law (1953) in Israel;
- the Apprenticeship Act (1954) in Jamaica;
- the Apprenticeship Act (1968) in Mauritius;
- the Apprenticeship Act (2000) in Morocco;
- the Industry Training and Apprenticeship Act (1992) in New Zealand;
- the Apprenticeship Act (2017) in Pakistan;
- the Apprenticeship Act (2014) in Samoa;
- the National Apprenticeship Act (1971) in Sri Lanka;

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<sup>34</sup> Some of this legislation has been periodically amended.

- ❑ the Apprenticeship and Vocational Law No. 3308 in Turkey;
- ❑ the National Apprenticeship Act (1937) in the United States; and
- ❑ the Apprenticeship Act (1965) in Zambia.<sup>35</sup>

106. In some countries, apprenticeships may be regulated as part of a broader framework for VET, such as:

- ❑ the Vocational Training Act (2005) in Germany;
- ❑ the Manpower Act (2003) in Indonesia;
- ❑ the Law on the Reform of Vocational Education and Training (2008) in Luxembourg;
- ❑ the Adult and Vocational Education Act (1995) in the Netherlands;
- ❑ the Law relating to Primary and Secondary Education (1998) in Norway;
- ❑ the Law 4.951/13 on Youth Employment in Paraguay; and
- ❑ the Vocational Training Act (2008) in Tunisia;

107. Alternatively, the legal basis may be in a country's Labour Code, as in:

- ❑ the Labour Act (2006) in Bangladesh;
- ❑ the General Labour Law, Supreme Decree (1939) in the Plurinational State of Bolivia; and
- ❑ the Labour Act (2004) in Nigeria.

108. Primary laws on apprenticeships also require the adoption of subordinate regulations. In Germany, for example, many ordinances and framework curricula have been adopted for apprenticeships for specific occupations,<sup>36</sup> while separate instruments deal with matters such as the training of in-company trainers.<sup>37</sup>

109. In a broader context, legal instruments implementing other policy initiatives, such as national quality frameworks, may also have an indirect impact on different aspects of apprenticeships. For example, the South African Qualifications Authority was set up within the context of the National Qualifications Framework Act No. 67 of 2008 and its Occupational Qualifications Sub-framework has a central role in approving qualifications linked to apprenticeships and learnerships.<sup>38</sup>

110. Generally, laws referring to apprenticeships operate at the national level, but in certain countries VET, and by extension apprenticeships, are devolved to the regional or provincial levels. In Canada, for example, the responsibility for apprenticeships lies with

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<sup>35</sup> Much of the legislation referred to in the report can be found on [NATLEX](#), the ILO's database of national labour, social security and related human rights legislation. Unless otherwise indicated, information in this chapter on apprenticeship systems is taken from a combination of ILO, 2017a and ILO, 2019c; Fazio et al., 2016; Smith and Kemmis, 2013; and the [Cedefop European database on apprenticeship schemes](#).

<sup>36</sup> For translations of a selection of ordinances and framework curricula into English and Spanish, see <https://www.bibb.de/govet/de/54899.php> [accessed 10 June 2019].

<sup>37</sup> For the text of the regulation (in German), see [https://www.gesetze-im-internet.de/ausbeignv\\_2009/](https://www.gesetze-im-internet.de/ausbeignv_2009/) [accessed 10 June 2019].

<sup>38</sup> [https://www.fpmseta.org.za/downloads/QCTO\\_OQSF\\_Policy\\_Version\\_25\\_02\\_2013.pdf](https://www.fpmseta.org.za/downloads/QCTO_OQSF_Policy_Version_25_02_2013.pdf) [accessed 4 Aug. 2019].

the 13 territories and provinces, but what is known as the Red Seal Program sets common national standards for apprenticeships for 56 different occupations.<sup>39</sup>

## 3.2. Regulatory bodies

### 3.2.1. National and sectoral authorities

111. In many countries, there are organizations that have a regulatory role with respect to apprenticeships that operate on an inter-sectoral or sectoral basis.

112. In the Philippines, the Technical Education and Skills Development Authority, which was established through the enactment of the Republic Act (No. 7796) in 1994, is required to integrate, coordinate and monitor skills development programmes and is expected to reform the apprenticeship programme, involve industry in skills training and formulate a skills plan at the national level.<sup>40</sup>

113. In France, the National Council for Employment, Vocational Training and Counselling, established by the Law for Vocational Training, Employment and Social Democracy in 2014, is formally responsible for preparing, inter alia:

- ❑ a concerted strategy to promote the coordinated implementation of counselling, vocational training, apprenticeship, integration, employment and job retention;
- ❑ an annual assessment of policies and management of agencies tasked with collecting and disbursing the apprenticeship tax; and
- ❑ a three-year programme of evaluation of the public policies in this area, while ensuring their implementation.

114. Regulatory bodies also operate at the sectoral level. Such bodies, sometimes called sector skills councils, have a central role to play in designing and implementing skills development policies, whether in terms of initial VET, and more specifically apprenticeships, or continuing VET – or both.

115. In South Africa, the Sector Education and Training Authorities, originally established following the adoption of the Skills Development Act in 1998, aim to develop the skills of the South African workforce in order to improve productivity in the workplace and the competitiveness of enterprises.<sup>41</sup> In particular, they provide an institutional framework for the development and implementation of sectoral skills plans, approve workplace skills plans and training reports, establish learning programmes, register agreements and administer sectoral funds to support training provision, and identify work placements (ILO, 2017e, page 141).

116. In Brazil, the National Service for Industrial Training (SENAI) is an example of a sector skills authority. In Denmark, sectoral trade committees lay down the detailed content of training programmes within a general framework provided by the National Council for Adult Education and Continuing Training. More specifically, they regulate the duration and structure of programmes, their objectives and assessment, and the distribution of on-the-job and off-the-job learning. In the light of developments in the labour market, they may propose the launching of new courses or the closure of existing ones. They are

<sup>39</sup> <http://caf-fca.org/apprenticeship-101/apprenticeship-regulatory-systems/> [accessed 10 June 2019].

<sup>40</sup> <http://www.tesda.gov.ph/About/TESDA/10> [accessed 10 June 2019].

<sup>41</sup> <https://nationalgovernment.co.za/units/view/199/agricultural-sector-education-and-training-authority-agriseta> [accessed 10 June 2019].

also responsible for the licensing of training institutions (ETUC/Unionlearn, 2014, page 26).

### 3.2.2. Social partner participation

117. One of the success factors for apprenticeships is social dialogue. Apprenticeships work because they link classroom and workplace training and because they tap into the knowledge of both employers and workers regarding the training that is needed and how to deliver it.

118. Experience shows that in order for social dialogue to take place and to be meaningful, the following conditions, among others, must exist:

- strong, independent workers' and employers' organizations with the technical capacity and the access to relevant information to participate in social dialogue;
- political will and commitment to engage in social dialogue on the part of all the parties;
- respect for the fundamental rights of freedom of association and collective bargaining; and
- appropriate institutional support.<sup>42</sup>

119. An OECD study (Fazekas and Field, 2013) also confirmed that across OECD countries the engagement of the social partners is crucial to improve policy development and implementation and to ensure that vocational programmes meet the needs of business, the economy and students.

120. Social dialogue, within the context of VET and, more specifically, quality apprenticeships, takes place primarily through tripartite and bipartite bodies at the national and sectoral levels, and through collective bargaining.

#### 3.2.2.1. *Tripartite and bipartite bodies at the national and sectoral levels*

121. In many countries, the social partners are formal members of tripartite VET committees operating at the national level and dealing with the various aspects of the design and implementation of apprenticeships.

122. In Kenya, the social partners are represented on the tripartite National Industrial Training Board, which is responsible, inter alia, for administering training levy funds, reviewing and maintaining systems for the holding of assessments in respect of trades and occupations, and granting certificates of proficiency and competency to each person who enrolls for these assessments.<sup>43</sup>

123. In South Africa, workers' and employers' organizations are represented on a number of tripartite bodies dealing with different aspects of VET policy, namely: the National Skills Authority, which advises the Ministry of Labour on skills policy and strategy and implementation; the South African Qualifications Authority, which oversees the development and implementation of the National Qualifications Framework; and the Quality Council on Trades and Occupations, which is responsible for overseeing the design, implementation, assessment and certification of occupational qualifications (ILO, 2017e, page 20).

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<sup>42</sup> [%20%20a](https://www.ilo.org/ifpdial/areas-of-work/social-dialogue/lang--en/index.htm) [accessed 8 Aug. 2019].

<sup>43</sup> Industrial Training Act, 2012, sections 4A(e), 5(d) (Kenya).

124. In many European countries, the social partners are represented on tripartite VET committees dealing with the different aspects of policy design and implementation of apprenticeships, for example, the National Agency for Vocational Education and Training in Bulgaria; the Apprenticeship Board in Cyprus; the National Council for Adult Education and Continuing Training in Denmark; the National Council for Employment, Vocational Training and Guidance in France; the Federal Institute for Vocational Education and Training in Germany; the Apprenticeship Council in Ireland; and the General Council for Vocational Training in Spain (ETUC/Unionlearn, 2016).

125. At the sectoral level, bodies sometimes called sector skills councils have a central role to play in designing and implementing apprenticeships. The examples given in section 3.2.1 from South Africa and Denmark both involve significant social partner representation.

### 3.2.2.2. *Collective agreements at the national level – inter-sectoral agreements*

126. In some cases, the social partners may negotiate national-level VET agreements, which have significant ramifications for apprenticeships. One such case is the French National Inter-sectoral Agreement on Vocational Training (December 2013) which determined, inter alia, the type of activities that could be funded by the state-recognized joint funding bodies and, more specifically, the ways in which some forms of apprenticeships could be funded.<sup>44</sup> This agreement was particularly significant, as it became the basis for the law relating to vocational training, employment and social democracy, adopted the following year.<sup>45</sup>

### 3.2.2.3. *Collective agreements at the sectoral level*

127. In France, there are sectoral agreements dealing specifically with apprenticeships. In 2015, 67 such agreements were signed relating to a series of different issues,<sup>46</sup> including:

- the nature of the apprenticeship agreement;
- the obligations of the apprentice and the enterprise;
- the choice, role and tasks of the in-company trainer, the number of apprentices they can supervise, and their training – some agreements provide, in this respect, an appropriate workload and an allowance for the in-company trainer;
- prospects for collecting qualitative and quantitative data on apprentice numbers, early termination, successful completion and transition to permanent agreements;
- financing apprenticeships, and, more specifically, ways of ensuring that enterprises pay their apprenticeship tax;
- the possibility of sharing learning pathways between two enterprises; and
- the responsibilities of the apprenticeships centres and, where appropriate, their accreditation by the sector.

<sup>44</sup> [http://www.journal-officiel.gouv.fr/publications/bocc/pdf/2014/0013/boc\\_20140013\\_0000\\_0011.pdf](http://www.journal-officiel.gouv.fr/publications/bocc/pdf/2014/0013/boc_20140013_0000_0011.pdf) [accessed 10 June 2019].

<sup>45</sup> <https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000028683576&categorieLien=id> [accessed 10 June 2019].

<sup>46</sup> Ministry of Labour, Employment, Vocational Training and Social Dialogue of France, 2016, pp. 464 and 465.

#### 3.2.2.4. *Collective agreements at the enterprise level*

128. In 2014, ENEL, the Italian multinational energy company, and three workers' organizations signed an agreement to establish an experimental apprenticeship programme combining on-the-job and off-the-job learning and leading to a technical diploma with theoretical contents more in line with industrial needs and a practical technical training characterized by a better correspondence to the needs of the world of work. The agreement covered a series of issues, including the duration of the apprenticeship, remuneration, holidays, sick leave, termination, the role of in-company trainers, and health and safety. This agreement, the ensuing training programme and the commitment to apprenticeships was recognized by the European Commission with the European Alliance for Apprenticeships Award for big enterprises in 2017.<sup>47</sup>

### 3.3. The apprenticeship agreement

129. A written apprenticeship agreement between an apprentice and an enterprise or concluded through an intermediary clarifies rights and obligations as well as the training and working conditions for apprenticeships (ILO, 2019c). If permitted by national laws and regulations, it is also signed by a third party, such as an educational or training institution. Where the apprentice is a minor, a parent, guardian or legal representative usually signs the agreement on the apprentice's behalf.

130. In many countries, including Argentina, Australia, Austria, Bangladesh, Belgium (both the French- and the Flemish-speaking communities), Benin, Brazil, Chile, Colombia, Costa Rica, Côte d'Ivoire, Denmark, France, Germany, India, Indonesia, Ireland, Jamaica, Kenya, the Republic of Korea, Luxembourg, Malawi, Mali, Morocco, Namibia, Niger, Nigeria, Pakistan, the Philippines, the United Republic of Tanzania, Togo and the United Kingdom, an agreement for an apprenticeship must be concluded in writing. This is generally also the case in the Netherlands and South Africa, where the agreement is also signed by the training provider.<sup>48</sup>

131. Many countries prescribe a template for apprenticeship agreements (such as Kenya, South Africa, Switzerland and the United Republic of Tanzania). In Morocco, for example, the agreement covers:

- the identity, age and address of the parties entering into an agreement;
- the field of activity of the host enterprise;
- the number of employees in the enterprise;
- the number of apprentices in the enterprise;
- the trade or qualification for which the apprentice will be trained;
- the duration of the apprenticeship;
- the trial period;

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<sup>47</sup> First introduced in 2016, the European Alliance for Apprenticeships Awards aim to recognize companies and apprentices for their outstanding achievements in promoting apprenticeships and, as of 2017, a new award has been introduced for practitioners (teachers and trainers).

<sup>48</sup> <http://www.bridge.org.za/knowledge-hub/psam/wiol/apprenticeship/> [accessed 13 June 2019].

- the period during which the apprentice undertakes to remain with the enterprise after the apprenticeship; and
- the identity of the in-company trainer.<sup>49</sup>

132. The agreement may need to be registered with sector councils, where they exist, or local chambers, for example in Austria, Germany and Luxembourg. In Australia, all formal training agreements, including for apprenticeships, must be registered with a government agency in the relevant state or territory.<sup>50</sup> Registration with a government agency is also required in Kenya, while government approval is needed in Indonesia.<sup>51</sup> In Switzerland, the cantonal vocational education and training office verifies and approves the agreement. By contrast, registration is not required in countries such as the United States (Eurofound/European Commission, 2018a, page 8).

133. In Switzerland, apprenticeship agreements include a trial period of one to three months, which enables the enterprise and the apprentice to ensure that they made the right choice. During the trial period, both the host enterprise and the apprentice can terminate the agreement by giving seven days' notice (Swiss Conference of Vocational Education and Training Offices, 2012).

### 3.4. Occupation-specific standards

#### 3.4.1. Recognition of occupations as suitable for apprenticeships

134. One of the defining features of an apprenticeship is that it prepares the individual for an occupation. In some countries, such as Germany, by law the initial training regulation must specify the relevant occupation.<sup>52</sup> On this basis the public authorities compile a list of occupations that have been officially recognized as apprenticeable, that is, suitable for apprenticeships.<sup>53</sup> In Austria, it is compulsory for the appropriate competent authority, the Ministry of Economy, Family and Youth, to establish a list of apprenticeable occupations.<sup>54</sup>

135. Each country has its own lists and procedures for defining occupational profiles and apprenticeships in order to establish the standards required for the occupation. In the United States, there are approximately 1,300 apprenticeable occupations,<sup>55</sup> whereas Germany has a much lower number of apprenticeable occupations, which is in gradual decline, falling from 348 in 2000 to 326 in 2018.<sup>56</sup> In Canada, where each province has

<sup>49</sup> *Loi No. 12.00 portant institution et organisation de l'apprentissage*, art. 13.

<sup>50</sup> For example, in Western Australia the Department of Training and Workforce Development Apprenticeship Office: <https://www.dtwd.wa.gov.au/apprenticeship-office> [accessed 15 June 2019].

<sup>51</sup> Industrial Training Act, 2012, sections 6 and 11 (Kenya).

<sup>52</sup> Vocational Training Act, art 5.1.1.

<sup>53</sup> Paragraph 47 of Recommendation No. 117 suggested that in deciding whether a particular occupation should be recognized as "apprenticeable", account should be taken of the degree of skill and theoretical technical knowledge required for the occupation in question; the period of training necessary for the acquisition of the required skill and knowledge; the suitability of apprenticeships for imparting the required skill and knowledge; and the current and anticipated employment situation within the occupation in question.

<sup>54</sup> Vocational Training Act, art. 7.

<sup>55</sup> [https://www.doleta.gov/OA/bul16/Bulletin\\_2016-28\\_Attachment1.pdf](https://www.doleta.gov/OA/bul16/Bulletin_2016-28_Attachment1.pdf) [accessed 10 June 2019].

<sup>56</sup> <https://de.statista.com/statistik/daten/studie/156901/umfrage/ausbildungsberufe-in-deutschland/> [accessed 10 June 2019].



its own laws regarding the trades designated for apprenticeships and certification, there are more than 400 recognized trades.<sup>57</sup> In India, there are 261 designated trades notified by the central Government, and 230 optional trades that are determined by industry for apprenticeships.

136. Traditionally, an apprentice programme focuses on a trade or an occupation within a sector. Increasingly, however, there is demand for broad-based qualifications that include competencies required to perform occupations from various sectors (for example, apprenticeship programmes are available for mechatronics and polymechanics). Some apprenticeship programmes also address the needs of a sector rather than of a specific occupation, such as the hotel operations programme in the United Republic of Tanzania, which combines competencies required for four occupations (housekeeping, front desk, food and beverage service and cook). The same approach can be seen in the hospitality sector in Australia.<sup>58</sup>

### 3.4.2. Assessing skills needs and developing apprenticeship programmes

137. Many countries face the challenge of matching the skills needed by enterprises with those offered by graduates of VET institutions or universities or by young workers. As indicated by the International Organisation of Employers, skills mismatches are one of the reasons for weak employment trends (IOE, 2015, page 5). Education and training systems sometimes struggle to keep up with the fast-changing skills needs of the world of work, resulting in the skills required by employers not always being available.

138. In order to address skills gaps and ensure that education and training systems are responsive to labour market needs, it is necessary to understand how current and future skills needs can be assessed, how labour market information can be used to inform the planning of apprenticeship programmes, and how the competencies gained by apprentices can be assessed, certified and recognized in the form of qualifications.

#### 3.4.2.1. Skills needs anticipation and assessment

139. Skills needs anticipation refers to activities to assess future skills needs in the labour market in a strategic way, using consistent and systematic methods. As a component of a broader labour market information system, it can be broken down into a number of key elements, namely: data, methods, tools, analytical capacity and institutions (ILO, 2015, page 3).

140. More specifically, such activities typically include identifying relevant data and tools; translating the data into indicators, trends and scenarios; analysing these outputs; preparing strategies directly with the social partners; and establishing arrangements that are conducive to matching needs for, and supply of, skills, through systematic dialogue. Various methods are used to collect and analyse data on skills needs, including:

- quantitative employment projections by sector and occupation, based on macroeconomic modelling, referred to as “forecasts”;
- qualitative methods, including focus groups, round tables, expert interviews, foresight and scenario development;

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<sup>57</sup> [http://www.red-seal.ca/trades/tr.1d.2s\\_c.1n.1d.1-eng.html](http://www.red-seal.ca/trades/tr.1d.2s_c.1n.1d.1-eng.html) [accessed 10 June 2019].

<sup>58</sup> <http://www.apprenticeshipcareers.com.au/Job-Seekers/Career-Profiles/Career-Profiles-Hospitality-Apprenticeship> [accessed 5 Aug. 2019.]



- surveys of enterprises; and
- tracer studies of school/training graduates and school-to-work transition surveys.<sup>59</sup>

141. At the national level, a variety of organizations may be involved in skills needs anticipation, for example, ministries of labour and education, national skills/VET agencies, sectoral bodies, national statistical offices, national employment services, education and training institutions, and the social partners. Each of these institutions brings different resources and expertise and can thus complement the roles of the others.

142. According to a survey of 61 countries carried out by the ILO, the European Centre for the Development of Vocational Training (Cedefop), the European Training Foundation and the OECD, ministries of labour mainly use skills assessment and anticipation information to update occupational standards, which is generally the starting point for many VET and apprenticeship initiatives, and to define apprenticeship programmes. In terms of informing education policy, it is ministries of education that typically use these results to develop qualifications, curricula and career guidance (ILO, 2017c, pages 50–53). These processes will be examined further below.

#### 3.4.2.2. *Development of apprenticeship programmes and certification*

143. The pathway that leads from determining skills needs to designing and implementing apprenticeships, and to certifying the competencies of apprentices, ensures that training is in line with enterprises' needs and provides young workers with better prospects for finding employment. Moreover, this inclusive process, with involvement by the social partners, confers a seal of approval, which is important for quality assurance. The award of a qualification also provides the apprentice with the potential for mobility, horizontally or vertically, either within the labour market or towards further or higher education and training.

144. In practice, the development of apprenticeship programmes can involve four stages: labour market skills needs analysis; occupational analysis; development of occupational standards; and apprenticeship programmes.

145. In Germany, the linchpin for the entire process of translating the skills needs information into apprenticeship programmes and then into certification is the vocational training regulation, which by law defines:

- the designation of the training occupation;
- the duration of the apprenticeship (between two and three years);
- the profile of the training occupation – the typical skills, knowledge and capabilities of the occupation in a concise form;
- the general training plan – an outline of the syllabus structure and time allocations for teaching the required skills, knowledge and capabilities; and
- the examination requirements.

146. In Germany, the process for developing a vocational training regulation is divided into three stages, as follows: defining its parameters; drafting and coordinating; and issuing the training regulation. The parameters are generally developed by the social partners when they observe the need for the creation of a new occupation or the revision of an existing one. They then submit a proposal to the ministry responsible for issuing the

<sup>59</sup> For a series of tools for skills analysis, developed by the ILO, Cedefop and the European Training Foundation, see <https://www.ilo.org/skills/areas/skills-training-for-poverty-reduction/lang--en/index.htm> [accessed 14 June 2019].

training regulation. The drafting of the new training regulation is entrusted to a public authority agency, the German Federal Institute for Vocational Education and Training (BIBB), supported by experts nominated by the main social partner organizations. The training regulation and the accompanying framework curriculum are approved by the Coordinating Committee for Training Regulations and Framework Curricula in vocational training (in which the Federation and the *Länder* collaborate) and are valid for the entire country (BIBB, 2011, pages 24–35).

### 3.4.3. Age, educational qualifications and prior learning needed for admission

147. It is common for a minimum age to be fixed for entry into an apprenticeship. The minimum age is 14 in Benin<sup>60</sup> and the United Republic of Tanzania (but for work “in a hazardous condition” it is 18).<sup>61</sup> In Ghana and Morocco the minimum age is 15,<sup>62</sup> while in South Africa it is 16.<sup>63</sup> In Austria, Belgium (the French-speaking community) and Luxembourg, the minimum age is also 15, while in England (United Kingdom), France, Ireland and Scotland it is 16.

148. Some countries have no age specification, such as Colombia and Mexico (Fazio et al., 2016, page 35), but entry requirements, and more specifically the completion of compulsory schooling, may impose a de facto age limitation as, for example, in Germany. In South Africa, the minimum entry requirements relate to age as well as to language proficiency and subjects completed at school.<sup>64</sup> In Ghana, people can enrol as apprentices only if they have completed the compulsory education required by law.<sup>65</sup>

149. Sometimes, but less often, a maximum age is stipulated. In Latin America, apprenticeship programmes have an upper age limit of 24, 25 and 29 in Brazil, Chile and Peru, respectively (Fazio et al., 2016, page 35). In the fast-changing world of work, older workers require reskilling and upskilling, so a maximum age limit is a barrier to the participation of older workers in apprenticeships, an issue that is under active consideration in some countries. There is evidence to suggest that, in some countries, an increased number of older workers are taking up apprenticeships.<sup>66</sup>

150. In many countries, including Brazil, Germany and Switzerland, the recruitment of apprentices is the responsibility of the enterprise offering the apprenticeships.

### 3.4.4. Ratio of apprentices to workers

151. In some countries, national regulations provide guidance regarding the proportion of apprentices to workers as a measure to ensure the effective supervision and mentorship of

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<sup>60</sup> *Décret portant conditions de fond, effets et mesures de contrôle de l'exécution du contrat d'apprentissage*, art. 13.

<sup>61</sup> *National Apprenticeship Guidelines*, Prime Minister's Office, Sep. 2017, p. v.

<sup>62</sup> *Loi No. 12.00 portant institution et organisation de l'apprentissage*, art. 6.

<sup>63</sup> <http://www.bridge.org.za/knowledge-hub/psam/wiol/apprenticeship/> [accessed 13 June 2019].

<sup>64</sup> <http://www.bridge.org.za/knowledge-hub/psam/wiol/apprenticeship/> [accessed 13 June 2019].

<sup>65</sup> National Vocational Training Board (Apprentice Training) Legislative Instrument Apprentice Regulation LI 1151 of 1978, art. 8 (Ghana).

<sup>66</sup> In England, the growth in the number of apprenticeships starts between 2009–10 and 2012–13 was largely driven by people aged 25 and over (Powell, 2019, p. 10).

apprentices. For example, Brazil has set a limit of between 5 and 15 per cent. India has moved from a fixed to a flexible proportion of 2.5–10 per cent.

### 3.4.5. Minimum and maximum duration

152. The permissible duration of apprenticeships varies and is sometimes established by legislation, such as in Austria, where an apprenticeship should normally last three years,<sup>67</sup> and in South Africa, where most apprenticeships take three to four years.<sup>68</sup>

153. The duration of an apprenticeship may depend on the occupation. In Mexico, apprenticeships may last two years in the manufacturing industry, compared to one to one-and-a-half years in the service sector (Fazio et al., 2016, page 36). The duration may also depend on the level of the qualification, like in England (United Kingdom), where an intermediate level 2 apprenticeship usually takes one to one-and-a-half years, and an advanced level 3 apprenticeship, two years.<sup>69</sup> In France, an apprenticeship agreement may last from one to three years, while in the Netherlands it may last anywhere from one to four years.

154. Sometimes the limits established in legislation may refer to a minimum period. There is no mandatory minimum duration in Brazil and Colombia, but in Chile, a minimum of six months is stipulated (*ibid.*, page 36).

155. Often the limits refer to maximum periods. In Morocco, apprenticeships may not exceed three years,<sup>70</sup> and in Nigeria five years.<sup>71</sup>

156. Some countries have a provision to reduce or increase the duration of apprenticeships based on the previously acquired competencies or the progress made during the training. In Switzerland, the duration can be reduced if the apprentice has acquired specific preliminary occupational skills or has successfully completed an apprenticeship programme in another occupation. The duration can also be increased if it is assessed that the apprentice will not reach the learning objectives during the standard period. In such cases, the host enterprise and the apprentice must request written approval from the competent cantonal authority (Swiss Conference of Vocational Education and Training Offices, 2012).

### 3.4.6. Ratio of on-the-job to off-the-job learning

157. A defining feature of apprenticeships is that there is a substantial amount of on-the-job learning compared to off-the-job learning. The proportion is normally more than 50 per cent, though it can vary substantially.

158. In Latin America, both on-the-job and off-the-job learning are required in Brazil, Colombia, Costa Rica, Mexico and Peru, but not in Chile. Of these countries, Costa Rica (66 per cent) and Peru (80 per cent) specify the proportion of on-the-job learning depending on the length of the apprenticeship programme (Fazio et al., 2016, pages 9 and 121).

<sup>67</sup> Vocational Training Act, art. 6.1.

<sup>68</sup> <http://www.bridge.org.za/knowledge-hub/psam/wiol/apprenticeship/> [accessed 9 June 2019].

<sup>69</sup> <https://www.allaboutschoolleavers.co.uk/articles/article/174/how-long-is-an-apprenticeship> [accessed 4 Aug. 2019].

<sup>70</sup> *Loi No. 12.00 portant institution et organisation de l'apprentissage*, art. 4.

<sup>71</sup> Nigerian Labour Act, 2004, section 49(1).

159. Regarding the proportion of on-the-job learning, there is a minimum of 80 per cent in Morocco and 75 per cent in Indonesia.<sup>72</sup> In Europe, it is 80 per cent in Austria; 70 per cent in Denmark; and 60–80 per cent in Germany.

160. In most countries, off-the-job learning is provided by the education and training institutes, usually public institutes. In some countries, however, some big enterprises also offer it. Some countries have now started to offer off-the-job learning through distance learning. In Brazil, off-the-job learning can be completed by distance education in places where the number of apprentices does not justify the creation of a physical class or where its immediate implementation is unfeasible due to the lack of an educational structure suitable for apprenticeship.<sup>73</sup> In New Zealand, an off-the-job learning component can be completed through online learning.

161. There are several ways in which on-the-job and off-the-job learning can be scheduled. In Luxembourg, dual VET programmes usually include training for one to four days per week at school and the remaining days in an enterprise. The amount of off-the-job learning is usually higher in the first year and decreases in the following years. It is also possible to have blocks of several weeks of full-time training at a technical secondary school (usually three to nine weeks) that alternate with blocks of several weeks of full-time training in an enterprise. Enterprises, education and training providers and apprentices should agree to the scheduling of the on-the-job and off-the-job learning, to allow apprentices to complete both parts of the programme.<sup>74</sup>

162. In some countries, training also takes place at a separate location from the host enterprise and the education or training institute. In Switzerland, professional organizations (trade associations, the social partners and other competent organizations) conduct branch courses that complement training at the host company and classroom instruction at the vocational school (Swiss Conference of Vocational Education and Training Offices, 2012).

#### 3.4.7. Vocational guidance and career counselling

163. Vocational guidance is assistance given to individuals to solve problems related to occupational choice and progress, with due regard for the individual's characteristics and their occupational opportunities.<sup>75</sup> It helps people make the right choices about apprenticeship programmes and careers.

164. In Switzerland, vocational guidance and career counselling is an integral part of compulsory schooling, with special lessons dedicated to it. Through “pre-vocational traineeships”, students can spend a few days in an enterprise to familiarize themselves with an occupation they are interested in. Schools cooperate closely with specialized local career guidance and counselling services staffed by professional counsellors. National online platforms provide information on various occupations and career paths (ILO, forthcoming).

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<sup>72</sup> <https://www.allaboutschooleavers.co.uk/articles/article/174/how-long-is-an-apprenticeship> [accessed 13 June 2019].

<sup>73</sup> *Apprenticeship Manual: What you need to know to hire an apprentice*, 2014 (Brazil).

<sup>74</sup> *Linking Learning Venues in Luxembourg*, 2016 (Luxembourg).

<sup>75</sup> Recommendation No. 87.

### 3.4.8. Mentoring and supervision of apprentices

165. Teachers and trainers in VET institutions and mentors/trainers in enterprises provide training to apprentices. Many countries require a tertiary education qualification for teachers, and it is often necessary for them to hold a pedagogical qualification. Trainers of practical subjects require relevant occupational qualifications and professional experience. The challenge for teachers and trainers working in VET institutions is to ensure that their skills and competencies are up to date.

166. As to the on-the-job learning, in-company trainers are mandatory in many countries with established apprenticeship systems – indeed the presence of a trainer is often a condition of the eligibility process for enterprises. Attention is increasingly being paid to the competencies that trainers need to supervise apprentices successfully (Cedefop, 2016, pages 1–4).

167. Countries of the Association of Southeast Asian Nations (ASEAN) have developed a training programme for in-company trainers, which consists of four modules corresponding to four main fields of activities: analysing work tasks and defining learning requirements; planning and preparing training; conducting training; and evaluating and further developing training (ILO, forthcoming).

### 3.4.9. Learning outcomes, curricula, assessment and certification

168. The introduction of competency based training and assessment demands that greater attention be paid to the ability to perform tasks and achieve the competencies required by industry to perform a specific job or occupation. Learning outcomes are a central feature of competency-based qualification systems and frameworks, which have been or are being introduced in many countries.<sup>76</sup> There are now approximately 100 regional and national qualifications frameworks throughout the world (Cedefop et al, 2017). Jordan has a guide for developing curricula based on occupational standards that informs the process of using the competencies and performance criteria established in the occupational standards to specify the learning outcomes and assessment criteria of the curriculum (ILO, forthcoming).

169. Skills assessment and certification are part of a quality assurance system with two aims. One is to ensure that apprentices have acquired the relevant competencies at the end of an apprenticeship and are then qualified to work in a specific occupation. The other is to demonstrate that apprentices have successfully gone through an assessment process, which has been validated by an accredited awarding body and are thus entitled to receive a recognized qualification – a certificate or a diploma – or qualifications.

170. Given the dual nature of apprenticeships, assessment is normally required for both theoretical elements generally learned off the job and for more practical elements normally acquired on the job (such as in India, Malawi and the United Republic of Tanzania). In some countries, for example Luxembourg, there may also be a dual assessment, where the theoretical and practical assessment exercises are replaced by an integrated project designed and implemented by an assessment team made up of experts proposed by professional chambers and VET teachers proposed by technical secondary schools.<sup>77</sup>

<sup>76</sup> A learning outcome is a clear statement of what an apprentice will be able to perform once qualified.

<sup>77</sup> <https://www.apprenticeship-toolbox.eu/standards-matching/examination-certification/91-examination-certification-in-luxembourg> [accessed 15 June 2019].

171. In some countries, separate assessment centres are in place to test the competencies of apprentices (trade testing centres in Malawi and South Africa). In South Africa, apprentices are required to take a trade test, which is a final external practical and summative assessment that is administered by an accredited trade test centre. The trade certificate is issued by the Quality Council for Trades and Occupations.<sup>78</sup>

172. In Mexico, assessment is a continuous process for on-the-job and off-the-job learning, in line with a rotation plan – a learning plan that involves rotation between the various workstations in different units of the enterprise, all of which form part of the curriculum. The apprentice submits a weekly report, which is validated by the in-company trainer and reviewed by the trainer responsible for the apprentice’s progress in the VET institution. Once the apprentice has met all the requirements, an upper-secondary technical qualification is awarded (Fazio et al., 2016, pages 70 and 71).

#### 3.4.10. Recognition of qualifications and access to further education and training

173. Countries use various methods to provide apprentices with access to further vocational and higher education, including by integrating apprenticeship programmes into the qualification system, introducing bridging courses and prescribing examinations and tests (for example, recognition of prior learning) to assess eligibility for admission.

174. In Lebanon, following the completion of apprenticeships and vocational education, graduates can pursue further technical education in the Baccalaureate technique after sitting an additional examination for general subjects, or enrol in “Meister” programmes at the post-secondary non-tertiary education level.<sup>79</sup> Education systems in Germany and Switzerland allow permeability for apprentice graduates to access higher education and training. Similarly, in France, depending on the type of qualification obtained, some apprentices can gain access to tertiary education. In Denmark, apprentices do not have direct access to tertiary education; however, a new type of apprenticeship has been introduced, the EUX apprenticeship which confers a general upper-secondary qualification following supplementary study.

175. A few countries, including Australia, Germany, Luxembourg, Switzerland and the United Kingdom, have also started apprenticeships at higher education level. A “Meister” qualification is considered the equivalent of level 6 in Germany and level 5 in Luxembourg.

### 3.5. Funding and incentives

176. In order to ensure the sustainability and effectiveness of apprenticeships, it is important to harness support from enterprises, apprentices and public authorities by enhancing their awareness of the benefits. For details about the costs and benefits of apprenticeships, please refer to section 1.3.4.

177. Cost-sharing arrangements for apprenticeships vary around the world, but the most commonly observed pattern of cost distribution is the following:

- Enterprises bear the costs of on-the-job training, trainers, equipment, remuneration/allowances and social security contributions.

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<sup>78</sup> <https://www.qcto.org.za/index.php/services/certification-and-verification/certification>.

<sup>79</sup> [https://unevoc.unesco.org/wtdb/worldtvtdatabase\\_lbn\\_en.pdf](https://unevoc.unesco.org/wtdb/worldtvtdatabase_lbn_en.pdf).

- Apprentices do not pay fees for training but receive lower remuneration than skilled workers.
- Public authorities finance off-the-job training in VET institutions and the administration of apprenticeship schemes and programmes. They may also provide incentives for enterprises, in the form of direct subsidies and grants or exemptions from tax payments and/or social security contributions.

178. Many countries offer incentives to apprentices and enterprises to promote participation in apprenticeship programmes. Those offered to apprentices typically cover learning materials and allowances for food and transportation, and also provide additional support to vulnerable groups, women and disabled persons. Those offered to enterprises contribute to a reduction in their tax burden and a reduction in on-the-job training and social protection costs to encourage enterprises to comply with national apprenticeship regulations (Fazio et al., 2016).

179. Some incentive schemes are funded by a levy on enterprises, for example in Brazil, Denmark, the United Kingdom and the United Republic of Tanzania. Canadian enterprises who take on apprentices can benefit from a tax credit.

180. Incentives might be conditional, for example the Apprenticeship Completion Grant given to apprentices in Canada upon the successful completion of their training programme.

181. In a number of countries in Latin America, the main public incentives for apprentices are subsidies to cover the cost of participating in the programme, while the main incentives for firms include tax breaks, reduced dismissal costs, and training and wage subsidies. Beneficiaries of the out-of-school apprenticeship programmes – particularly those with limited resources – can receive stipends or scholarships from the government to meet their costs, including transportation, food and learning materials. National training institutes provide off-the-job training for young people who are out of school. In Mexico, in the case of apprenticeships of in-school students, the Government meets the costs of off-the-job training and provides a monthly stipend to students (Fazio et al., 2016).

## 3.6. Rights and protections for apprentices at work

### 3.6.1. Legal status of apprentices

182. There is no uniformity when it comes to the legal status of apprentices (Jeannot-Milanovic et al., 2017, pages 131–133; ILO, 2017a, pages 36 and 37). Countries where apprentices are treated as employees include Australia, Denmark, Estonia, France (for those on a “professionalization contract”), Kenya, Namibia, the Philippines, Slovakia, Turkey, the United Kingdom and the United States. Countries where they have a status of apprentice include Austria, Benin, China, Côte d’Ivoire, Egypt, France (for those on an “apprenticeship contract”), Germany, Ghana, India, Indonesia, Malawi, Mali, Mexico, Myanmar, the Netherlands, Niger, Pakistan, the United Republic of Tanzania, Togo, and Viet Nam. Even when the legal status of apprentice is not of an employee, they may have some of the entitlements of employees, for example those concerning working hours, leave, occupational safety and health, and insurance.

### 3.6.2. Remuneration

183. Apprentices generally receive remuneration in the form of a salary, an allowance or some other form of compensation, though in some instances it may be limited to the



reimbursement of expenses for items such as transport or accommodation costs. Remuneration is generally paid by the enterprise.

184. It is common for remuneration to be determined in terms of a percentage of the minimum wage, as in France.

185. Remuneration or allowances may be based on national regulations (for example, the Republic of Korea) or a collective agreement negotiated between the social partners, and therefore will vary according to the sector, as for example in Austria, Denmark, Germany and Ireland. A sectoral approach is also taken in Australia for apprentices covered by industrial awards. Similarly, in Ghana the National Apprenticeship Council is responsible for determining the minimum rate of remuneration payable by the enterprise to an apprentice in the different trades, in consultation with the Commissioner and the Prices and Income Board.<sup>80</sup>

186. In a number of countries in Latin America, the level of apprentices' remuneration varies considerably. Brazil and Peru provide apprentices with the minimum wage; in Colombia, apprentices receive a stipend that varies and is inversely proportional to unemployment rates (about 50 per cent of the minimum wage during the classroom training phase, 75 per cent of the minimum wage if the national unemployment rate is above 10 per cent, and 100 per cent of the minimum wage if the unemployment rate is below 10 per cent during the on-the-job learning phase (Fazio et al., 2016, page 44)).

187. Apprentices in Indonesia are entitled to a stipend or pocket money (*uang saku*) that covers allowances for transportation and food. As apprenticeship regulations do not stipulate the minimum amount of stipend or the ratio of stipend to the minimum wage, the amount is decided at the discretion of the company. In India, trade apprentices are paid a monthly stipend as a proportion (70–90 per cent) of the minimum wage of semi-skilled workers. The stipend does not vary with age, but with progression through the apprenticeship. The cost of the stipend for trade apprentices is borne by the enterprise. However, as of 2016, with the introduction of the National Apprenticeship Promotion Scheme, the Government may pay 25 per cent of the stipend up to a maximum of INR1,500 per month per apprentice.<sup>81</sup>

188. An OECD study also provides some examples of the ways in which apprentice wages and social security contributions differ across selected countries – Australia, Austria, Denmark, England (United Kingdom), Germany, the Netherlands, Norway and Switzerland. In all these countries, enterprises pay a wage during the on-the-job period, and, with the exception of Australia and Norway, a wage for the off-the-job period. The apprentice wage is on average 50 per cent of that of a skilled worker in Austria; 30–70 per cent in Denmark, depending on progress through the apprenticeship programme; 63 per cent in England (United Kingdom) on average, on the basis of the metalworking industry; 25–33 per cent in Germany, depending on the year of the programme; 30–80 per cent in Norway, depending on the year of the programme; and 20 per cent in Switzerland, depending on the year of the programme. Enterprises also cover the social security costs of apprentices in Austria, Germany, the Netherlands, Norway and Switzerland (Kuczera, 2017, pages 27 and 28).

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<sup>80</sup> National Vocational Training Board (Apprentice Training) Legislative Instrument Apprentice Regulation LI 1151 of 1978, art. 5(c) (Ghana).

<sup>81</sup> [www.mescindia.org/naps.php](http://www.mescindia.org/naps.php) [accessed 22 June 2019].



### 3.6.3. Working hours

189. In some countries, the same limitations on working hours for all workers apply also to apprentices, while in others there are specific regulations for apprentices.

190. In countries such as China<sup>82</sup> and the United Kingdom,<sup>83</sup> apprentices have the same limitations on working hours as apply to other workers doing similar tasks. In Kenya, apprentices follow normal working hours applicable to the industry. During the first year, they are not allowed to work overtime, while in the subsequent years, they may work overtime when required, provided that it does not interfere with their attendance of off-the-job learning.<sup>84</sup> In Ghana, apprentices' hours and other conditions of work in the various trades are determined by the National Apprenticeship Council.<sup>85</sup> Apprentices should not work overtime except with the approval of the controller and when it is in the interest of the apprentice's training. In France, the Labour Code stipulates that time spent by the apprentice on off-the-job learning should be included in the work schedule. There are special provisions for apprentices under 18, and they should not exceed eight hours' work a day or 40 hours per week. In addition, apprentices under the age of 16 may not work from 8 p.m. to 6 a.m. the following morning, and for 16–18 year olds, the prohibited period is 10 p.m. to 6 a.m.<sup>86</sup>

### 3.6.4. Holidays and leave

191. It is common for apprentices to be accorded the same leave entitlements as other workers.

192. In France, an apprentice has the right to the same amount of annual leave as any other employee – five weeks per year, as well as 11 public holidays. Apprentices under the age of 18 are prohibited from working on public holidays, unless working in sectors such as hospitality and certain food shops. Apprentices are also entitled to an additional five days to prepare their final apprenticeship assessment, and other days for a series of family events: four days for the apprentice's marriage; three days for the birth of a child (and maternity/paternity leave separately); two days for the death of a spouse or of a child, and one day for the death of a father or mother.<sup>87</sup>

193. In Egypt, apprentices are likewise covered by the same regulations on leave as other workers.<sup>88</sup>

194. The Industrial Training Act of Kenya stipulates that apprentices should be granted leave with pay for all gazetted public holidays, as well as leave with pay for 14 consecutive days after six months of training.

195. In Germany, apprentices over 18 are entitled to 24 working days' leave per year according to the Federal Holiday Act and, if appropriate, a higher holiday entitlement may be the subject of a collective agreement. In line with the provisions of the Youth

<sup>82</sup> Labour Standards Act, art. 69.

<sup>83</sup> <https://www.gov.uk/take-on-an-apprentice/pay-and-conditions-for-apprentices> [accessed 14 June 2019].

<sup>84</sup> Industrial Training Act, 2012 (Kenya).

<sup>85</sup> National Vocational Training Board (Apprentice Training) Legislative Instrument Apprentice Regulation LI 1151 of 1978, art. 5(d) (Ghana).

<sup>86</sup> <https://www.lapprenti.com/html/apprenti/tempsentreprise.asp> [accessed 14 June 2019].

<sup>87</sup> <https://www.lapprenti.com/html/apprenti/conges.asp> [accessed 14 June 2019].

<sup>88</sup> Labour Code, art. 144.

Employment Act, apprentices under the age of 16 are entitled to at least 30 working days' leave, those under the age of 17 at least 27 working days, and under 18s are entitled to at least 25 working days.<sup>89</sup>

### 3.6.5. Discrimination and violence and harassment

196. Apprentices are generally covered by laws dealing with discrimination and violence and harassment at work, enabling them to access legal remedies in the event of being discriminated against or victimized on various grounds, including gender, race or ethnic background. Apprentices may come within the scope of these laws either because they are treated as employees or because the relevant protections are extended to workers of all types.

197. In Ireland, the Employment Equality Acts 1998–2015 place an obligation on all enterprises to prevent discrimination and violence and harassment in the workplace, on the basis of gender, civil status, family status, sexual orientation, age, disability, race, religious belief or membership of the Traveller Community. Under this legislation, an employee (including for this purpose an apprentice) is entitled to bring a claim to the Workplace Relations Commission. Employers are also required under health and safety laws to set up procedures for dealing with complaints of bullying in the workplace. An employee who considers that they are the victim of bullying can also refer the matter to the Workplace Relations Commission.<sup>90</sup>

### 3.6.6. Occupational safety and health

198. Apprentices are generally covered by occupational safety and health legislation. In Indonesia, apprentices are entitled to occupational safety and health facilities.<sup>91</sup> In Kenya, the Occupational Safety and Health Act, 2007, applies to all persons at work. Similarly, in Ghana, the provisions of the Factories, Office and Shop Act, 1970 (Act 328), relating to the health and safety of workers, apply to all apprentices undergoing training in factories.<sup>92</sup> In France, the enterprise is responsible for the safety and health of apprentices, as well as of other staff. The enterprise must write and update the single risk assessment document and a prevention action plan, and ensure that premises and equipment comply with detailed safety requirements, including in respect of such matters as electrical and fire inspections, maintenance of work equipment and storage conditions for chemicals. In addition, “given the relative inexperience of apprentices in the world of work, it is necessary to make specific provisions”. These may include appointing an in-company trainer to ensure that the apprentice has completed a medical check-up.<sup>93</sup>

### 3.6.7. Compensation for work-related injuries

199. In Germany, if an apprentice can no longer work due to illness or accident, they receive a monthly pension from the disability insurance company. The contributions to the

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<sup>89</sup> <https://www.azubiyo.de/azubi-wissen/urlaub/> [accessed 14 June 2019].

<sup>90</sup> [https://www.citizensinformation.ie/en/employment/employment\\_rights\\_and\\_conditions/health\\_and\\_safety/health\\_safety\\_work.html](https://www.citizensinformation.ie/en/employment/employment_rights_and_conditions/health_and_safety/health_safety_work.html) [accessed 14 June 2019].

<sup>91</sup> Apprenticeship Regulations (Indonesia), art. 12.

<sup>92</sup> National Vocational Training Board (Apprentice Training) Legislative Instrument Apprentice Regulation LI 1151 of 1978, art. 27 (Ghana).

<sup>93</sup> <http://stcs.sante-travail.net/documents/Fiche%20technique%20Culture%20Prev%27%20n%2023%20-%20Apprenti%20-%20Un%20salarie%20a%20former%20et%20a%20accompagner%20-%20STCS%20-%2005-2018%20-%20Version%20finale.pdf> [accessed 13 June 2019].

enterprise for the apprentice depend on age, gender, health status, occupational risks and insurance company benefits. The younger and healthier the apprentice, the lower the contribution. Similarly, in Kenya, the Industrial Training Act stipulates that in the event of illness certified by an approved medical practitioner, the apprentice may be entitled to a stipend for a period of one month.<sup>94</sup>

200. In India, if personal injury is caused to an apprentice by an accident arising out of, and in the course of, his or her training as an apprentice, the enterprise shall pay to the apprentice compensation in accordance with the provisions of the Workmen Compensation Act, 1923.

201. In France, apprentices enjoy the same social protection as other employees in the enterprise. In the event of sickness or accident, the apprentice receives daily allowances and compensation from the social security system. In addition, the apprentice is covered for occupational diseases and accidents at work, whether the accident occurs at the VET institution, at work or when travelling from home to different training venues.<sup>95</sup>

202. In Ghana, as per the Social Security Decree, 1972, and the Factories, Office and Shop Act, 1970 (Act 328), provisions related to compensation to be paid to workers on account of injury or death by accident are applicable to all apprentices.<sup>96</sup>

### 3.6.8. Other forms of social protection

203. In Brazil, apprentices are ensured labour and social security rights (article 65 of the Child and Adolescent Rights Act). In the event of the early termination of the agreement due to cessation of the company's activities, death of the employer who is the sole owner of a business incorporated as an individual company, and bankruptcy of the company, apprentices will be entitled to unemployment insurance subject to meeting certain conditions.

204. The apprenticeship regulations in Indonesia stipulate that apprentices are entitled to protection against work accidents and to death insurance. In Germany, apprentices have compulsory statutory health insurance. If apprentices are covered by a family insurance policy, this entitlement ceases when the apprenticeship programme starts. Apprentices also have to take out their own health insurance. The health insurance scheme covers costs in the event of illness. Apprentices also pay into a social security scheme, which funds pensions, long-term care provision and unemployment benefits.<sup>97</sup>

205. Not all apprentices are covered by every form of social protection, even in Europe (Sienkiewicz, 2018).

### 3.6.9. Termination of apprenticeships

206. Apprenticeship agreements may be required to be terminated early in particular circumstances. In some countries, such as Kenya, this may be done either by mutual consent between the apprentice and the host enterprise, or by one of the parties successfully requesting termination by a regulatory body.<sup>98</sup> In others, the grounds for

<sup>94</sup> Industrial Training Act, 2012 (Kenya).

<sup>95</sup> <https://www.lapprenti.com/html/apprenti/couv sociale.asp> [accessed 13 June 2019].

<sup>96</sup> National Vocational Training Board (Apprentice Training) Legislative Instrument Apprentice Regulation LI 1151 of 1978, art. 27 (Ghana).

<sup>97</sup> <https://www.azubiyo.de/azubi-wissen/versicherungen/> [accessed 13 June 2019].

<sup>98</sup> Industrial Training Act, 2012, section 13 (Kenya); Apprentices Act 1961, section 7 (India).

early termination are specified by law. In Brazil, an apprenticeship may be terminated by the enterprise for poor performance, serious misconduct or unjustified absence by the apprentice, or at the apprentice's request. An apprenticeship will also come to an end if the enterprise ceases trading, in which case the apprentice must receive redundancy pay.<sup>99</sup> In France, termination by either party is also possible during a two-month trial period at the beginning of the apprenticeship (Jeannet-Milanovic et al., 2017, page 134).

### 3.6.10. Dispute resolution

207. In the event that a dispute arises in relation to the application or interpretation of the provisions of an apprenticeship agreement, certain countries have provided for a process of dispute resolution. For instance, the National Vocational Training Board (Apprentice Training) Legislative Instrument Apprentice Regulation LI 1151 of 1978 of Ghana stipulates that any dispute or other matter arising out of an apprenticeship agreement should be investigated by the National Apprenticeship Council, and every endeavour shall be made to settle such dispute amicably.<sup>100</sup> In South Africa, the dispute will be referred to a Commission for Conciliation, Mediation and Arbitration.<sup>101</sup> In Australia, some government agencies exercise a similar role; in Queensland, disputes can be referred to a Training Ombudsman.<sup>102</sup> It is also possible in some instances to refer a complaint to an industrial tribunal.<sup>103</sup> In each case, there will generally be an attempt to conciliate or mediate the dispute before making any formal orders. This is also the case in France, where an apprenticeship mediator may set up a meeting between the apprentice and the enterprise to seek to resolve the conflict between the two parties. If the mediator is unable to resolve the conflict, the next step is to bring the matter to an industrial tribunal.<sup>104</sup>

### 3.6.11. Transfer and mobility of apprenticeships

208. In some systems, provision is made for apprentices to be transferred from one enterprise to another when it is considered necessary or desirable for the completion of the apprentice's training. This may occur, for instance, when an enterprise that is training an apprentice is sold to, or taken over by, another. In Australia, this will generally result in the apprenticeship being transferred to the new enterprise owner, either automatically,<sup>105</sup> or at least with the consent of the new owner.<sup>106</sup> Such transfers can also be arranged by mutual consent between the enterprise and the apprentice, for instance because the enterprise is no longer in a position to train the apprentice, or because of differences that have emerged between the parties.

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<sup>99</sup> Consolidation of Labour Laws, arts. 433, 479.

<sup>100</sup> National Vocational Training Board (Apprentice Training) Legislative Instrument Apprentice Regulation LI 1151 of 1978, art. 5(b) (Ghana).

<sup>101</sup> Skills Development Act 97 of 1998, section 19.

<sup>102</sup> See <https://trainingombudsman.qld.gov.au/> [accessed 15 June 2019]. For a guide to dispute resolution processes in Victoria, see <https://www.education.vic.gov.au/Documents/training/employers/apprentices/disputeresolut.pdf> [accessed 12 June 2019].

<sup>103</sup> For example, the South Australian Employment Tribunal: <https://www.saet.sa.gov.au/industrial-and-employment/apprentices-and-trainees/> [accessed 15 June 2019].

<sup>104</sup> [https://www.lapprenti.com/html/apprenti/mediateur\\_apprentissage.asp](https://www.lapprenti.com/html/apprenti/mediateur_apprentissage.asp) [accessed 13 June 2019].

<sup>105</sup> As in South Australia: see Training and Skills Development Act 2008, section 52.

<sup>106</sup> As in Queensland: see Further Education and Training Act 2014, section 29.

209. In countries with federal systems, special provision may be made to allow apprenticeships commenced in one region or province to be completed in another, or for a portion of the relevant training to be undertaken in a different location, as well as for mutual recognition of qualifications. In Canada, a Provincial–Territorial Apprentice Mobility Protocol signed in 2015 by the premiers of the different provinces and territories established a framework to make it easier for apprentices to pursue jobs anywhere in the country without undue interruption to their training.<sup>107</sup>

210. There have also been moves towards the facilitation of transnational mobility for apprentices. For example, a framework agreement on transfrontier vocational training was signed by members of the *Grande Région/Grossregion*, which is made up of two German regions, Luxembourg, Belgium (the French- and German-speaking communities), France and one of its regions.<sup>108</sup> International cooperation is discussed further in section 5.8.

### 3.7. Conditions for providing or supporting apprenticeships

#### 3.7.1. Enterprises providing on-the-job training

211. To offer apprenticeships, enterprises are typically required to meet a number of criteria. They may be asked to demonstrate that they have the appropriate working environment and equipment, that they are able to provide training for the required competencies stipulated in the training regulation, and that they can provide suitable in-company trainers or mentors. This accreditation may be carried out by an industry association – as is planned under the new apprenticeship system regulations in Uganda, by a local labour office in Bangladesh, or by an organization like the Foundation for Cooperation on Vocational Education, Training and the Labour Market (SBB) in the Netherlands.

212. The SBB is required by law, on the basis of the Dutch Act on Adult and Vocational Education, to carry out the following tasks:

- ❑ advising, accrediting and coaching the host organizations;
- ❑ developing and maintaining the qualification structure; and
- ❑ providing research and information on the labour market, apprenticeship places and the efficiency of the VET programmes.

213. The rules on the accreditation of host enterprises in the Netherlands require enterprises to:

- ❑ offer a good work placement and activities within their own organization that relate to the work processes of the occupation for which the apprentice is being trained. For each apprentice, a relevant work placement must be available in socially safe circumstances;
- ❑ offer the apprentice sufficient and expert supervision. The host enterprise must appoint and provide an expert in-company mentor. The profile for the in-company mentor may be used as the benchmark;

<sup>107</sup> A Transfer Guide explaining the framework and outlining each province or territory's requirements is available at [https://www.gov.nu.ca/sites/default/files/p-t\\_apprentice\\_mobility\\_transfer\\_guide.pdf](https://www.gov.nu.ca/sites/default/files/p-t_apprentice_mobility_transfer_guide.pdf).

<sup>108</sup> *Accord-cadre relatif à la formation professionnelle transfrontalière dans la Grande Région*.

- be willing to cooperate with the VET institution and the SBB, and to provide all necessary information; and
- agree with the inclusion of company details in the website that apprentices use to find an apprenticeship place.

214. Accreditation may be withdrawn if the conditions are no longer met or if the apprentice is put at risk.<sup>109</sup>

### 3.7.2. In-company trainers

215. Enterprises are generally required to demonstrate that they can provide a suitable in-company trainer in order to obtain accreditation. Suitability, in some countries, may be defined in terms of their qualifications and experience.

216. In the first instance, it may be expected that an in-company trainer would, inter alia:

- provide opportunities to enable the apprentice to achieve the minimum intended programme learning outcomes, as documented in the validated programme documentation;
- support the apprentice in the workplace by ensuring that the apprentice is conversant with the normal work practices and rules pertaining to the occupation, including its history, staffing structure, customer base and competitive position, and, as far as is possible, include the apprentice in the community of practice within the workplace;
- attend a mandatory briefing day and effective mentoring skills workshop prior to the apprentice commencing; and
- guide the apprentice in completing their programme workbook and, when the standard for each task has been reached, sign the assessment sheet.<sup>110</sup>

217. In terms of training, a trainer in Turkey is required to have a “master–trainer certificate” that is obtained after following a 40-hour programme that includes subjects such as job security, educational psychology, occupational analysis, programme development and evaluation (Smith and Kemmis, 2013, pages 134 and 135). In Germany, an in-company trainer needs to have the occupational skills and sufficient work experience to accompany the apprentice, in addition to the pedagogical expertise. This pedagogical expertise may be gained by taking a course of approximately 115 hours and successfully passing an assessment, in line with the Ordinance on Trainer Aptitude. The aim of the course is to train in-company trainers to be able to plan independently, carry out, monitor and assess initial vocational training.<sup>111</sup>

### 3.7.3. Intermediaries providing apprenticeship support services

218. One of the ways that public authorities have tried to address the challenge of insufficient apprenticeship places, while also supporting the participation of SMEs in apprenticeships, has been to set up intermediaries. Generally speaking, an intermediary in an apprenticeship system is an individual or an entity, other than the host enterprise or educational institution, which assists in the provision, coordination or support of an apprenticeship.

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<sup>109</sup> <https://www.s-bb.nl/en/companies/certification/conditions-certification> [accessed 12 June 2019].

<sup>110</sup> <https://www.rai.ie/wp-content/uploads/2018/02/Commis-Chef-Apprenticeship-Employer-Information-26072017-002-002.pdf> [accessed 12 June 2019].

<sup>111</sup> [https://www.gesetze-im-internet.de/ausbeignv\\_2009/index.html](https://www.gesetze-im-internet.de/ausbeignv_2009/index.html) [accessed 12 June 2019].



219. In Australia, intermediaries known as group training organizations focus on both enterprises and apprentices. Group training organizations act as employers of apprentices, assisting them with difficulties during their apprenticeship as well as providing those who need it with pre-placement training. They educate employers, not only about apprenticeships, but about such matters as workplace health and safety (Smith, forthcoming).

220. Intermediaries in India are referred to as third party aggregators. A third party aggregator can be an entity that has been in existence for five years and has a pool of infrastructure and resource persons with adequate experience in carrying out the proposed activities. It must get letters of support from at least 20 establishments interested in engaging apprentices through it. The Ministry of Skills Development and Entrepreneurship is responsible for the selection of third party aggregators.<sup>112</sup>

### 3.8. Monitoring and evaluation

221. In order to assure the quality of apprenticeships, it is necessary to monitor and evaluate the performance of the various stakeholders. To this end, apprenticeship regulations in Indonesia stipulate that the implementation of apprenticeships should be supervised by labour inspectors at the Ministry of Manpower.

222. The United Kingdom's Department for Education has produced an Apprenticeship Accountability Statement for England, which sets out the responsibilities of each organization with a role in the apprenticeship system. The Institute for Apprenticeships is accountable for designing and operating approvals and review processes for standards and assessment plans, and for advising enterprises on the policy and process for developing standards and end-point assessments. The Office for Standards in Education, Children's Services and Skills (Ofsted) is responsible for inspecting the quality of apprenticeships provision for levels 2 to 5, which is equivalent to European Qualifications Framework levels 3 to 5. The Office of Qualifications and Examinations Regulation (Ofqual) is accountable for the regulation of qualifications, examinations and assessments (Department for Education, 2018).

223. In the Republic of Korea, the monitoring of apprenticeships starts with the selection of the participating company and proceeds until the completion of the training. It covers all work processes, such as preparation of workplace as per training standards, apprentice recruitment, the treatment of and working conditions for apprentices, teaching methods, management, assessment, certification and the use of the Vocational Training Information Network (HRD-Net) (ILO, 2019c).

224. In Kenya, the training institution prepares a progress report on the apprentice's performance during in-centre training, whereas enterprises prepare monthly progress reports for on-the-job training. The enterprise's training masters are in charge of day-to-day guidance and supervision during on-the-job training, while inspectors are responsible for ensuring the implementation of apprenticeship programmes as per the regulations and guidelines.<sup>113</sup>

<sup>112</sup> [Operational Framework for Apprenticeships in India](#).

<sup>113</sup> Industrial Training Act, 2012 (Kenya).

## Chapter 4

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### Challenges in implementing quality apprenticeships

225. Apprenticeships bring many benefits, as mentioned in chapter 1. However, many countries face challenges in successfully implementing them. This chapter examines the key challenges faced by countries in this regard.

#### 4.1. Poor social perception and limited pathways to higher learning

226. For many young people, an apprenticeship is not an attractive option. Young people may have an incomplete understanding of what an apprenticeship is. The standard of career guidance in schools may be poor, and so they may have little understanding of what the labour market has to offer and how to gain access to the different occupations within it. They may believe that apprenticeships are available only for a limited number of trades and occupations, and be unaware that they are increasingly available in a variety of different sectors.

227. Young people may choose not to embark on an apprenticeship if it is seen as a second choice option or a dead end where the opportunity to progress beyond an initial qualification is difficult. Moreover, as young people stay in formal education longer, their career aspirations – and perhaps more importantly, those of their parents on their behalf – tend to rise (OECD, 2018, pages 124 and 125).

228. Given the general lack of permeability between apprenticeships and tertiary education, onward academic progression may be difficult for those who embark on an apprenticeship. Mindful of this, policymakers in Denmark introduced in 2010 the EUX apprenticeship programme. On the basis of supplementary study, a EUX apprenticeship confers a qualification from upper-secondary general education and thus facilitates access to higher education. The number of apprentices opting for this pathway has increased, and an evaluation study points to “the rich potential of EUX to attract a new type of learners” (Eurofound/European Commission, 2018b, page 7).

229. In countries where apprenticeships predominantly take place in the informal economy, apprenticeships may not have a good reputation because they often do not lead to formal qualification and may even be exploitative, as they are usually not regulated (see section 4.4.1).

#### 4.2. Inequalities of access

230. There is considerable evidence to show that persons from certain groups face barriers in accessing apprenticeships in many countries. This is especially true for women; persons



with disabilities; religious and ethnic minorities; migrants; and refugees and forcibly displaced persons (ILO, 2017a, pages 93–103). The type and level of discrimination varies depending upon national circumstances.

#### 4.2.1. Gender

231. In some countries, cultural and gender roles have a significant impact on women's occupational choices and limit their participation in apprenticeships. Women represented 33 per cent of apprentices in France (2013); 14 per cent in Canada (2014); and 20 per cent in New Zealand (2014) (ILO, 2017a).

232. It is not only a question of numbers, however. A study has shown that, in England (United Kingdom), while there appears to be a gender balance in apprenticeships overall, in reality men and women train in markedly different sectors, reflecting and emphasizing occupational segregation in the workforce generally. Women are significantly under-represented in high-quality sectors such as engineering (less than 4 per cent), while men are under-represented in low-pay sectors such as the children's and young people's workforce (6.9 per cent) (Newton and Williams, 2013, p. 3).

233. This imbalance is mirrored in other countries and has significant economic consequences. For example, in Germany, third-year apprentices in male-dominated occupations receive an average salary of €843 per month gross, whereas those in female-dominated occupations receive €736 (DGB-Jugend, 2018, page 46).

#### 4.2.2. Persons with disabilities

234. Persons with disabilities represent 15 per cent of the world's population and are not a homogenous group. Disability includes a range of impairments – including those of physical, sensory, intellectual or psychosocial nature – which, in interaction with attitudinal and environmental barriers, may limit full participation in society (ILO, 2018d). Persons with disabilities may encounter barriers due to discrimination, social exclusion, low levels of basic schooling or difficulties of accessibility.

235. The number of persons with disabilities taking up apprenticeships is generally low. In Germany, in 2016, 8,679 new apprenticeship contracts were formally concluded by persons with a disability (German Federal Ministry of Education and Research, 2017, page 78).<sup>114</sup> However, in England (United Kingdom), some 42,000 apprentices starting in 2017–18 (11.2 per cent of new apprentices) considered themselves to have a learning difficulty, disability or health problem, a proportion that has steadily increased since 2011–12 (National Audit Office, 2019, page 22).

236. The public authorities in many countries, for example Australia, provide support for apprentices with disabilities, either in the form of financial incentives for enterprises, or mentoring services for apprentices themselves.<sup>115</sup>

#### 4.2.3. Migrants, refugees and internally and forcibly displaced persons

237. Migrants may suffer discrimination on the basis of their religion, the colour of their skin or their cultural identity. In addition, they may face difficulties in accessing apprenticeships if they lack the appropriate linguistic skills or cannot meet, or obtain the proof that they can meet, the entry requirements.

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<sup>114</sup> These figures do not, however, reflect all the apprenticeship contracts concluded by people with a disability.

<sup>115</sup> See: <https://www.australianapprenticeships.gov.au/programs> [accessed 25 Sep. 2019].

238. Integrating refugees, displaced persons and people from migrant backgrounds into the labour market poses numerous challenges to public authorities in host countries, and extensive support and counselling is required in this regard.

239. In South Africa, migrants may apply for a South African Qualifications Authority Certificate of Evaluation, which aligns foreign qualifications with the qualifications in its national qualifications framework and thus may be used by migrants to demonstrate that they meet apprenticeship entry requirements.<sup>116</sup>

#### 4.2.4. Older persons

240. Historically, apprenticeships have been considered primarily as a way to facilitate the school-to-work transition for young people. Indeed, a maximum age for starting an apprenticeship is stipulated in some countries. However, the concept of having one job for life is no longer valid for people in many occupations today. Rapid transformations in the world of work place new demands on older persons to acquire new skills and update existing skills throughout their working lives. Reorienting apprenticeships to address the paradigm shift that is occurring in the world of work is a major challenge.

#### 4.2.5. Other groups

241. Persons from ethnic or religious minority groups and indigenous people are generally under-represented in apprenticeships and may suffer overt or covert forms of discrimination. Moreover, barriers can be objective (language proficiency), cultural (poor reputation of an occupation in the originating country) or social (lack of first-hand contacts with enterprises that take on apprentices) (OECD, 2018, page 132).

242. In South Africa, apprenticeships were historically white-dominated, but by 2012, the majority of apprentices were black (just over 70 per cent). However, as a proportion of the population, black South Africans are still under-represented (Chankseliani et al., 2017, page 42).

243. To ensure proportionate representation, the Apprenticeship Rules of India specify that apprenticeship places must be reserved for disadvantaged groups (including Scheduled Castes and Scheduled Tribes).

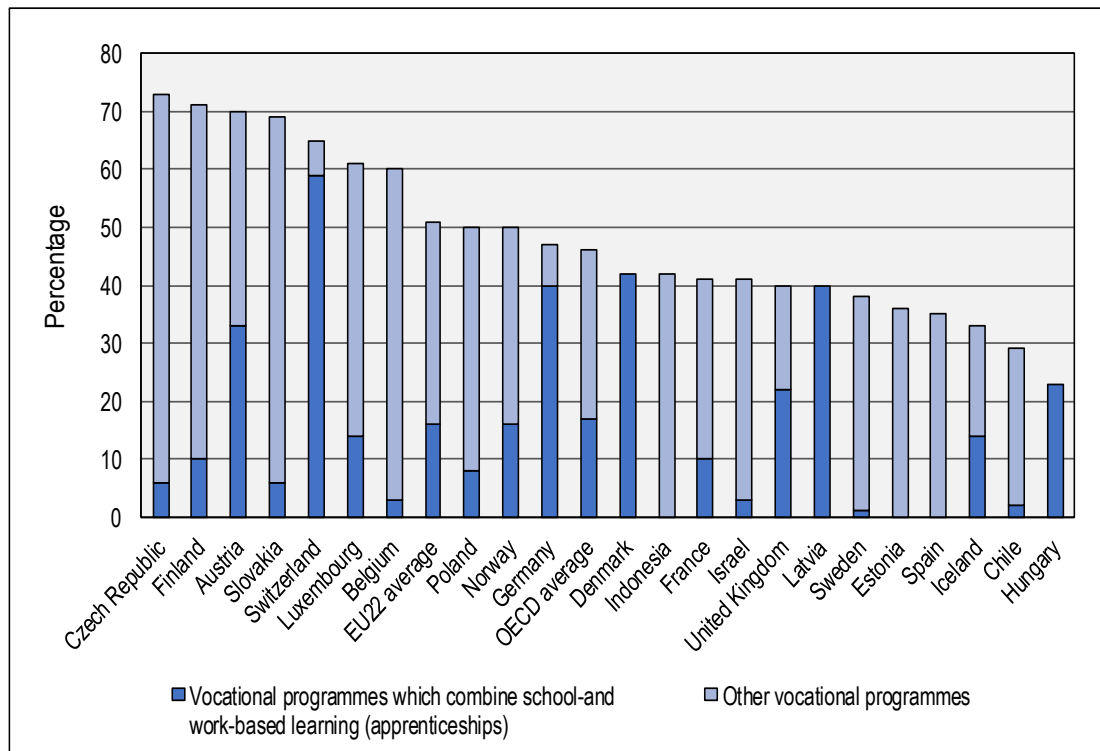
### 4.3. Low prevalence of apprenticeships

244. While apprenticeships are more efficient and effective than school-based VET, the ratio of apprentices to students in VET and the ratio of apprentices to employed persons remain quite low in most countries.

245. According to data from the OECD, 46 per cent of students in upper-secondary education across the different OECD countries enrol in VET programmes and, of those, 37 per cent enrol in apprenticeship programmes (OECD, 2017). As shown in figure 2, apprenticeships are the preponderant form of VET in Denmark, Germany, Hungary, Latvia and Switzerland. However, in Belgium, Chile, the Czech Republic, Estonia, Finland, Indonesia, Israel, Slovakia, Spain and Sweden, there is little or no opportunity for upper-secondary students enrolled in VET programmes to opt for apprenticeships.

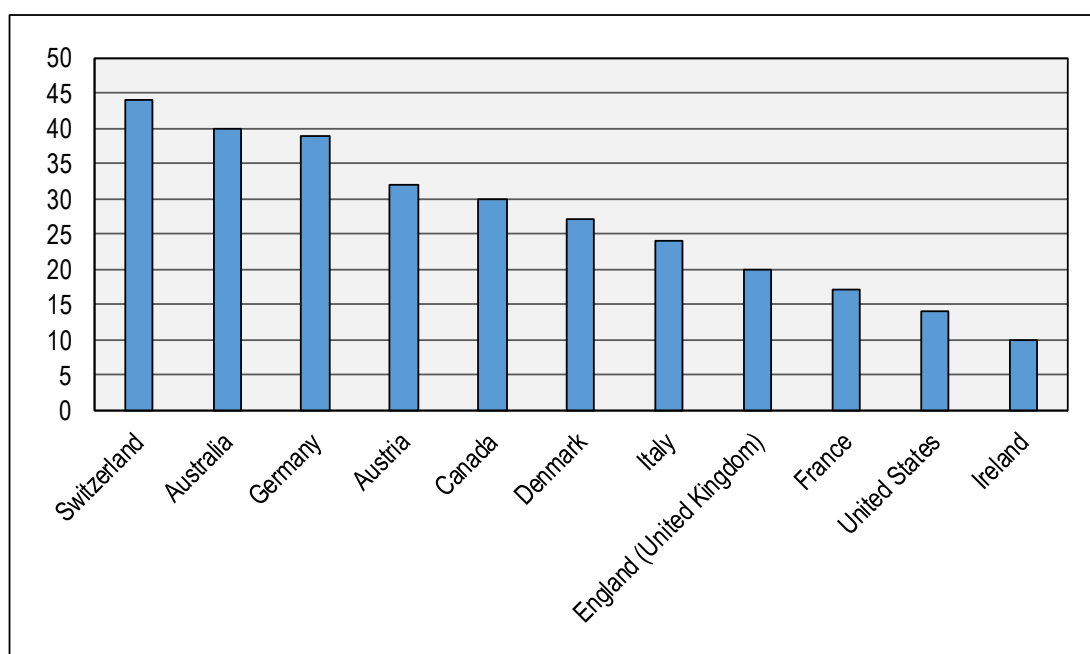
<sup>116</sup> <http://www.saqqa.org.za/show.php?id=5741> [accessed 7 Aug. 2019].

**Figure 2. Percentage of students in upper-secondary education enrolled in apprenticeships and other VET programmes, 2015**



Source: Adapted from OECD, 2017, and reproduced in ILO, 2019c, page 4.

246. The results of a study estimating the number of apprentices per 1,000 employed persons for 2011 or the most recent year are reflected in figure 3. The study found that, for every 1,000 employed persons, the number of apprentices was as follows: 44 in Switzerland; 40 in Australia; 39 in Germany; 32 in Austria; 30 in Canada; 27 in Denmark; 24 in Italy; 20 in England (United Kingdom); 17 in France; 14 in the United States; and 10 in Ireland (ILO, 2012b).

**Figure 3. Apprentices per 1,000 employed persons, 2011 or recent year**

Source: ILO, 2012b.

247. Data from Latin America for 2016 or the most recent year, as set out in table 5, show that, with the exception of Colombia, the number of apprentices per 1,000 employed persons in the member institutions of the ILO Inter-American Centre for Knowledge Development in Vocational Training (ILO–Cinterfor) is very low (ILO, 2017d, page 35). It is less than 10 per 1,000 for all institutions except the National Training Service (SENA) in Colombia. Even the number of apprentices to vocational training students is very low.

**Table 5. Participants in vocational training and in apprenticeship programmes in ILO–Cinterfor member institutions, 2016 or most recent year**

Country	Institution(s)	Vocational training participants	No. of apprentices	No. of apprentices as a percentage of vocational training participants	No. of apprentices per 1,000 employed persons
Argentina	INET	450 638	N/A	N/A	N/A
Bolivia, Plurinational State of	INFOCAL	61 395	1 706	2.78	<1
Brazil	SENAI	3 415 058	213 126	6.24	<1
Chile	SENCE	880 315	1 283	0.15	<1
Colombia	SENA	4 069 644	345 206	8.48	17
Costa Rica	INA	132 850	289	0.22	<1
Cuba	MTSS	119 486	N/A	N/A	<1
Ecuador	SETEC–SECAP	85 414	N/A	N/A	<1
El Salvador	INSAFORP	322 534	1 908	0.59	1
Guatemala	INTECAP	351 292	975	0.28	<1

Country	Institution(s)	Vocational training participants	No. of apprentices	No. of apprentices as a percentage of vocational training participants	No. of apprentices per 1,000 employed persons
Honduras	INFOP	205 744	189	0.09	<1
Mexico	CONALEP, DGCFE	758 348	N/A	N/A	N/A
Panama	INADEH	63 074	2 124	3.37	1
Paraguay	SNPP	177 173	1 020	0.58	<1
Peru	SENATI	510 852	5 328	1.04	<1
Dominican Republic	INFOTEP	694 388	433	0.06	<1
Uruguay	INEFOP, CETP/UTU	121 760	N/A	N/A	<1

Note: The statistical data reflected in the table above refer to apprenticeships, which are undertaken in the formal economy and constitute part of formal educational programmes. They do not give an indication of the numbers of places on offer, or indeed of the number of potential apprentices looking for an apprenticeship place.

N/A: Data not available.

Source: ILO, 2017d.

248. The supply of apprenticeship places is central to the success of an apprenticeship programme and may be affected by a number of different factors, including the overall business environment, the legal and regulatory system in place, the availability of financial incentives and cultural factors. If enterprises do not anticipate an increased demand for skilled workers, and if the benefits of participating in apprenticeships are not clear, then they will be less prepared to offer apprenticeship places.

249. The size of the enterprise is also a factor. Large enterprises generally have a human resources department or a training department that employs specialists who are experienced in dealing with apprenticeship matters, ranging from the administrative to the pedagogical. This may not be the case, however, in medium-sized enterprises, and will definitely not be the case for small or microenterprises.

250. The administrative aspect typically covers, inter alia: the recruitment of apprentices; legal obligations as regards agreements; conditions of employment; and tax exemptions and other incentives. The pedagogical aspect typically covers: the activities of in-company mentors; links to local VET institutions; the provisions of training standards; and curriculum requirements and the accompanying assessments.

251. In some countries, there has been a decline in the number of enterprises that offer apprenticeships. For example, in Germany, the number of enterprises offering apprenticeships fell from 489,890 in 2007 to 427,496 in 2015, and that decline was most noticeable in the smallest enterprises (with less than ten employees). The German Federal Institute for Vocational Education and Training carried out a survey of enterprises not participating in training programmes. The reasons most often provided for their lack of participation were the current lack of demand for new young workers, a low level or lack of applications and unsuitable applicants. In addition, there were other reasons, such as doubts about the cost–benefit equation or changing conditions in the enterprise (German Federal Ministry of Education and Research, 2017, pages 67–69).

#### 4.4. Challenges in the informal economy

252. In the informal economy, apprenticeships (usually referred to as informal apprenticeships) are the main means of learning and acquiring competencies for

employment as described in section 1.1. They usually involve an informal system of skills transfer from a skilled craftsperson to a young apprentice, who acquires skills by way of observation, imitation and repetition while working with the skilled craftsperson. However, studies undertaken by the ILO in Southern and Eastern Africa (Aggarwal, 2013) have shown that this form of training has a number of shortcomings, as follows:

- ❑ training is neither systematic nor structured and the quality of training provided by skilled craftspersons varies significantly;
- ❑ there are usually no training standards or effective quality assurance mechanisms;
- ❑ working conditions are usually poor and occupational safety and health provisions are usually lacking;
- ❑ the underpinning knowledge is not adequately provided;
- ❑ the agreement between the skilled craftsperson and the apprentice is typically verbal and so difficult to enforce, which may lead to the exploitation of the apprentice;
- ❑ the apprentice may have to work for long hours, without paid holidays or compensation for work-related injuries;
- ❑ the duration of training could be excessive;
- ❑ some skilled craftspersons charge fees for training;
- ❑ the skills acquired are neither certified nor recognized nationally, thus making it difficult for the apprentice to be mobile in the labour market; and
- ❑ occupational segregation along gender lines is very prominent.

#### 4.5. Adapting apprenticeships for the digital economy

253. The introduction of advanced manufacturing and digital technologies, such as additive manufacturing, artificial intelligence, collaborative robotics and industrial automation, has led to the adjustment of occupational profiles and a demand for the incorporation of new, higher skill sets and transversal competencies into apprenticeship programmes and practices. However, acquiring these skills may require education and training programmes at a higher education level than apprenticeships typically offer.

254. In Germany, for example, the Vocational Training 4.0 initiative, which was launched in 2016, includes company-based research on new occupational profiles in the automotive industry and measures to improve the digital competencies of apprentices and teaching and training personnel (Eurofound/European Commission, 2018c, pages 23 and 24).

255. Case studies from Australia, Denmark, France, Germany, Ireland, Italy and the United States – in companies such as ABB, Airbus, Bosch, Festo, Oberg, Siemens and Varley, and other regional and sectoral configurations – have demonstrated the following: adjustments to apprenticeship programmes are made on a continuous basis; there is a need for an integrated vision for change; there is collaboration with the social partners, particularly in Denmark and Germany; there is a mismatch of supply and demand, with a surplus of demand; there is a balance to be drawn between specific versus transversal skills and competencies; and significant resources and investments in hardware and software are required, for on-the-job and off-the-job training. However, there is a need to ensure that decisions on apprenticeship strategies and programmes are taken promptly, as the time taken to define or redefine the occupational profile and the training programme, to develop curricula and assessment methods and to validate the qualification, may mean that the training lags far behind the developments in the labour market. Moreover, these decisions

will only be taken promptly if there is a dynamic institutional coordinating presence (Eurofound, 2019, pages 35 and 36).

#### 4.6. New forms of work

256. There has been considerable growth in the number of persons involved in new and non-standard forms of work, such as platform work (that is, on-demand work arranged through digital platforms in the gig economy).<sup>117</sup> These workers are often assumed to be self-employed “freelancers”, and accordingly not entitled to the same rights, benefits and protections afforded to employees. As the ILO has observed, workers in non-standard employment are “less likely to receive on-the-job training, which can have negative repercussions on career development, especially for young workers” (ILO, 2016, page xxiv).

257. According to the OECD (2019, page 61), while “employers can play a significant role in providing training opportunities, they may see a greater return on investment for training on employees on full-time, open-ended contracts compared to workers on fixed-term, part-time or casual contracts”. The same report notes that some countries, such as France, are beginning to address the issue, with the introduction of individualized learning accounts, an initiative that was set up in 2015 (*ibid.*, page 64).<sup>118</sup> However, the emphasis is on continuing VET and flexible training arrangements for the likes of platform workers, rather than initial VET for apprentices.

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<sup>117</sup> With regard to platform work, see Eurofound, 2018. With regard to non-standard work more generally, see ILO, 2016.

<sup>118</sup> In France, see Act No. 2018–771 of 5 Sep. 2018 on the freedom to choose one’s professional future.

## Chapter 5

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### Strategies for promoting quality apprenticeships

258. This chapter outlines a number of strategies for overcoming the challenges faced by countries in implementing quality apprenticeships, in other words for promoting quality apprenticeships.

#### 5.1. Creating an enabling environment for quality apprenticeships

259. In order to promote quality apprenticeships, it is necessary to create an enabling environment by:

- developing and implementing strategies, setting national goals and allocating adequate resources for quality apprenticeships;
- mainstreaming quality apprenticeships in national development strategies and in employment, education and lifelong learning policies;
- encouraging the social partners to support quality apprenticeships by formally involving them in the work of entities responsible for the design and implementation of quality apprenticeships;
- developing the capacity of and providing support services to the social partners so that they are in a better position to participate effectively in the work of the regulatory and consultative bodies concerned or within a broader social dialogue mechanism;
- providing incentives, such as cost-sharing, tax exemptions or subsidies for social security contributions, to enterprises, especially SMEs;
- encouraging intermediaries, including through financial support, to participate in the provision, coordination and support of quality apprenticeship programmes;
- undertaking awareness-raising activities and promotional campaigns at regular intervals to improve the image and attractiveness of quality apprenticeships;
- establishing pre-apprenticeship programmes to enable young people to acquire the competencies required to become eligible for a quality apprenticeship programme;
- facilitating access to further technical and higher education opportunities for apprentices;
- using new technologies and innovative methods to improve effectiveness and efficiency in delivering and managing quality apprenticeships; and



- giving stakeholders at the sectoral level the opportunity to make recommendations regarding training duration, remuneration and the proportion of on-the-job to off-the-job learning required based on the complexity of the work.

## 5.2. Developing a robust regulatory framework

260. Quality apprenticeships require an overarching regulatory framework that establishes the overall conditions for the design, implementation, monitoring and evaluation of apprenticeship systems and programmes and ensures decent working conditions at the workplace. Governments should develop these frameworks in collaboration with the social partners and other stakeholders (ILO, 2017a), giving consideration to:

- defining apprenticeships;
- specifying the status of apprentices, as well as the terms and conditions for apprenticeships – including working conditions, remuneration, social protection and grievance mechanisms;
- setting out the institutional mechanisms for governing and managing apprenticeships and how social dialogue will play a role;
- clarifying the rights, roles and responsibilities of all relevant stakeholders, including the nature of agreements between the host enterprise, the apprentice and other institutions;
- specifying the trades and qualifications covered by apprenticeships;
- stating the duration of the apprenticeship, the proportion of on-the-job and off-the-job training involved, the processes for assessment and certification of learning, and the qualification or licence to be issued at the end of the apprenticeship;
- outlining mechanisms for ensuring the quality and relevance of apprenticeships, including eligibility requirements for training institutions and enterprises;
- ensuring sustainable, equitable funding arrangements for apprenticeships, including cost-sharing between the government, enterprises and apprentices;
- recommending measures for promoting social inclusion and gender equality; and
- specifying monitoring and evaluation arrangements for apprenticeships.

## 5.3. Making apprenticeships more attractive for enterprises, in particular small and medium-sized enterprises

261. Enterprises of all sizes are key stakeholders in apprenticeship systems and programmes. Public authorities may launch ambitious apprenticeship strategies, but these strategies cannot be achieved without the support of businesses or other organizations.

262. It is recommended that a number of specific measures be taken to encourage enterprises, and in particular SMEs, to become involved in apprenticeships. These measures involve:

- organizing campaigns and events to promote the benefits of quality apprenticeships for enterprises;

- ❑ providing some form of financial incentive to enterprises that offer apprenticeships (such as a recruitment grant, a tax exemption or subsidies for social security payments);
- ❑ setting up a national, sectoral, regional or local service to match enterprises with potential apprentices;
- ❑ encouraging the establishment of sectoral bodies that can conduct skills anticipation exercises or aggregate the training needs of SMEs;
- ❑ encouraging the establishment or appointment of intermediaries, such as chambers of commerce or group training organizations (see section 3.7.3), that can advise and support SMEs and develop partnerships for them with local VET institutions;
- ❑ providing flexible training programmes for in-company persons responsible for mentoring apprentices;
- ❑ developing an information service for disseminating ideas and experiences of what works in making quality apprenticeships more attractive for enterprises and, in particular, SMEs; and
- ❑ providing flexibility to adjust a part of the national training standard to the requirements of an enterprise.

#### 5.4. Making apprenticeships more attractive to young people

263. As described in chapter 4, there are numerous reasons why young people may not be attracted to the idea of undertaking an apprenticeship. It is recommended that a number of specific measures be taken to encourage young people to enrol in apprenticeships. These measures involve:

- ❑ organizing information days in schools and campaigns in the wider community, with the assistance of apprenticeship ambassadors, to promote the benefits of quality apprenticeships for young people;
- ❑ providing a comprehensive advice and guidance service – before and during the apprenticeship – to help young people make informed training and career choices;
- ❑ ensuring that apprentices are adequately remunerated during the entirety of the apprenticeship, on the basis of a collective agreement or minimum wage, and are covered by a social protection scheme and by occupational safety and health regulations so as to avoid occupational accidents and diseases;
- ❑ setting up a national, sectoral, regional or local service to match apprentices with enterprises that are prepared to take on apprentices;
- ❑ ensuring that apprenticeship qualifications are recognized nationally and provide access to further technical and higher education opportunities;
- ❑ ensuring that the working conditions and the working environment in the enterprise are safe;
- ❑ developing an information service for disseminating ideas and experiences of what works to improve the image of apprenticeships; and
- ❑ encouraging workers' organizations to represent and protect the labour rights of apprentices and developing a strategy for the inclusion of labour rights in apprenticeship programmes.

## 5.5. Promoting inclusiveness in apprenticeships

264. The following measures can promote inclusiveness in apprenticeships:

- ❑ organizing information days in schools and campaigns in the wider community to promote the benefits of quality apprenticeships for all;
- ❑ setting targets for increasing the participation of people with particular backgrounds or attributes in quality apprenticeships, and reserving places for them;
- ❑ providing specific diversity training to all staff with recruitment and mentoring responsibilities;
- ❑ informing enterprises about the range of agencies that exist to support members of under-represented groups in relation to quality apprenticeships;
- ❑ providing a specially targeted advice and guidance service, with the cooperation of organizations representing or supporting under-represented groups, both before and during quality apprenticeships;
- ❑ providing some form of financial incentive (such as a recruitment grant, a tax exemption or subsidies for social security payments) for enterprises taking on apprentices from under-represented groups;
- ❑ improving reporting, accountability and transparency, by publishing the number of apprentices employed by enterprises, completion rates and transition-to-work rates, with the figures disaggregated by gender, ethnicity and disability;
- ❑ ensuring that apprentices are adequately remunerated during the entirety of the apprenticeship, on the basis of a collective agreement or minimum wage, are covered by a social protection scheme and are provided with supplementary support to defray expenditure specifically related to their situation, such as childcare costs and mobility costs;
- ❑ making quality apprenticeships more flexible to accommodate different needs, such as those of women and those of persons with disabilities;
- ❑ making physical adaptations to classrooms and workplaces to make sure that persons with disabilities can participate productively;
- ❑ developing an information service for disseminating ideas and experiences with regard to what works in achieving equality and diversity in quality apprenticeships; and
- ❑ encouraging workers' organizations to represent and protect the labour rights of apprentices from under-represented groups and developing a strategy for the inclusion of labour rights in apprenticeship programmes.

## 5.6. Promoting quality apprenticeships in the informal economy

265. As mentioned in chapter 4, the implementation of apprenticeships in the informal economy poses many challenges. It is recommended that specific measures be taken to promote quality apprenticeships in the informal economy (Aggarwal, 2013, pages 113–116). These measures involve:

- ❑ as core principles, customizing the nature of interventions by building on local practice and promoting a self-regulating mechanism through small business associations instead of public authorities;

- ❑ strengthening micro and small economic units by providing training to skilled craftspersons to improve their technical, pedagogical and business skills; ensuring access to business development services and microfinance; and improving occupational safety and health at work;
- ❑ improving the skills of apprentices by supplementing on-the-job learning with off-the-job learning covering related theory, technical and business skills and core work skills; and rotating apprentices among various small businesses;
- ❑ promoting the use of written apprenticeship agreements;
- ❑ providing vocational and career counselling;
- ❑ providing post-training support for wage employment and self-employment;
- ❑ providing incentives for micro and small economic units to offer quality apprenticeships;
- ❑ strengthening the capacity of small business associations to function as regulators of apprenticeships, register agreements, assess skills and award certificates; and
- ❑ facilitating the acquisition of national qualifications through the recognition of prior learning.

266. There have been a number of positive examples of such strategies, such as a training programme that was introduced in Kenya to upgrade the skills of skilled craftspersons, which resulted in increased sales and profits for the businesses concerned, as well as an increase in the number of apprentices they engaged (ILO, 2012a, page 48). Benin, Burkino Faso and Zimbabwe have also implemented strategies to promote quality apprenticeships in the informal economy. The recognition of skills acquired through informal training is another way to connect formal and informal systems, and Bangladesh (ILO, 2019b, page 30) and the United Republic of Tanzania are examples of countries that are seeking to establish or improve their certification processes, as they move to increase apprentice numbers in both the formal and informal economies.

## 5.7. Recognition of prior learning

267. The recognition of prior learning can be defined as a process of identifying, documenting, assessing and certifying a person's competencies, acquired through formal, non-formal or informal learning, based on established qualification standards.<sup>119</sup> It provides a cost-effective, alternative pathway to formal education and training and allows credit to be given for work experience and competencies with a view to reducing the duration of apprenticeship training.

268. Due to a lack of appropriate formal qualifications, a large proportion of people around the world face severe disadvantages in getting decent jobs, migrating to other regions and accessing further education, even though they have the required competencies. The recognition of prior learning can therefore help an individual acquire a formal qualification that matches their competencies, thereby improving their employability, mobility, lifelong learning, social inclusion and self-esteem.

<sup>119</sup> According to Rosas and Corbanese (2006), "non-formal training" refers to "organized and systematic training in an informal setting that can be adapted to individual needs", while "informal education/training" is defined as "unstructured education/training that takes place outside the formal education/training system".

269. In order to design an effective process for the recognition of prior learning, it is recommended that countries take into account a number of key success factors or building blocks, which include:

- ❑ raising awareness of the process of the recognition of prior learning and providing effective vocational guidance and counselling services to potential candidates;
- ❑ integrating policy on the recognition of prior learning into legal, regulatory and policy frameworks for education and training systems;
- ❑ ensuring the active participation of all stakeholders, particularly the social partners, in the development, implementation and evaluation of recognition of prior learning processes;
- ❑ having an effective institutional framework for the recognition of prior learning;
- ❑ ensuring the availability of sufficient numbers of competent recognition of prior learning professionals;
- ❑ ensuring the close matching of occupational standards and qualification standards;
- ❑ developing effective and efficient assessment tools and methodologies appropriate to the context of target groups;
- ❑ promoting cost-sharing and a sustainable, equitable funding mechanism for the recognition of prior learning;
- ❑ ensuring a quality assured process for the recognition of prior learning;
- ❑ establishing an effective monitoring and evaluation system, and collecting and disseminating information on the impact of the process for the recognition of prior learning; and
- ❑ promoting knowledge management and sharing.

## 5.8. Strengthening international cooperation

270. There are a range of ways in which countries can work together to improve the quality of their own or each other's apprenticeship systems. Mention has already been made (in section 3.6.11) of the possibility of apprentices based in one country completing some part of their training in another. Other forms of cooperation may include:

- ❑ the recognition of qualifications or competencies obtained in other countries;
- ❑ the sharing of data;
- ❑ the sharing of information on best practice;
- ❑ the joint development of training standards or curricula;
- ❑ the harmonization of rules or processes; and
- ❑ capacity-building in countries with less developed systems, through the exchange of personnel, the training of teachers or supervisors, the supply of teaching materials or equipment, and other forms of assistance.

## Chapter 6

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### Traineeships

271. An important issue concerning the scope of any new instrument or instruments is whether to restrict it to apprenticeships only or to also include traineeships. There are two main arguments for taking a broader approach. First, in addition to apprenticeships, traineeships or internships are increasingly common ways for jobseekers and workers to acquire work experience and improve employability, but in many countries there is often a lack of regulatory framework for ensuring appropriate working conditions and protection at the workplace. Second, in some countries, the line between an apprenticeship and other types of work-based learning can be very difficult to draw. Therefore, any new instrument or instruments may benefit from addressing traineeships as well as apprenticeships.

272. Accordingly, this chapter reviews what is known about traineeships or internships, the regulatory frameworks, benefits and challenges.<sup>120</sup> The terms “traineeship” and “internship” are treated for this purpose as synonyms when referring to any form of on-the-job learning which enables a person (the “trainee”) to acquire work experience with a view to enhancing their employability.<sup>121</sup>

#### 6.1. Regulatory frameworks

##### 6.1.1. International and regional standards

273. The ILO has not adopted an international labour standard to guide the regulation of traineeships or internships, in contrast to the detailed rules that once applied to apprenticeships under the now superseded Recommendations Nos 60 and 117. Indeed, few ILO instruments even mention this type of work. One recent exception is Article 2(1) of Convention No. 190, which expresses an intention for the instrument to apply to “persons in training, including interns and apprentices”. There is a similar reference in Paragraph 2(a)(ii) of Recommendation No. 200.

274. One regional initiative that has sought to address the regulation of traineeships is the Quality Framework for Traineeships adopted by the Council of the EU in 2014.<sup>122</sup> Its key elements include requiring a written agreement that clarifies the objectives of the

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<sup>120</sup> Note that the material on internships and traineeships in this chapter is largely taken from Stewart, Owens et al., 2018.

<sup>121</sup> As discussed in section 1.5, the more formal and substantial types of traineeship (or learnership) found in countries such as Australia and South Africa are treated for the purposes of this report as effectively being apprenticeships.

<sup>122</sup> *Council Recommendation of 10 March 2014 on a Quality Framework for Traineeships*, 2014/C 88/01. See also Rosas and Corbanese, 2017, a guide to quality traineeships prepared jointly by the ILO and the European Commission.

arrangement and the trainee's entitlements (including any right to remuneration or insurance cover), encouraging the designation of a supervisor, respecting limits set by laws on working time, ensuring a reasonable duration, and promoting the recognition, assessment and certification of any competencies acquired. However, it does not cover placements that are part of the curricula of formal education or VET, nor traineeships whose content is regulated under national law and which must be completed to enter a particular occupation.<sup>123</sup>

### 6.1.2. National regulation

275. In practice, the regulation of the quality of traineeships or internships is often left to the organizations hosting or administering them, although there has been an increase in the use of externally developed codes of practice, including by groups representing interns.<sup>124</sup> Collective bargaining over the pay and conditions of trainees is said to be common in Europe (Hadjivassiliou et al., 2012, pages 62, 95–98; European Commission, 2016, page 6), but this appears to relate to those undertaking placements as part of VET programmes. In some countries, it is unclear whether the laws and processes governing collective bargaining can apply to trainees who are not regarded as employees (Rosin, 2016, pages 147–151).

276. As far as state regulation is concerned, at least five different approaches may be discerned (Owens and Stewart, 2016). These are:

- specific regulation of the use or content of traineeships or internships;
- regulation by inclusion – that is, expressly bringing traineeships or internships within the operation of labour or social laws, either by defining them as employment or extending employment rights to certain training arrangements;
- regulation by exclusion – that is, expressly exempting traineeships or internships from the operation of labour or social laws;
- strategic enforcement of labour or social laws by the state, even in the absence of any specific extension or exclusion; and
- systematic use by the state of soft law, such as codes of practice, to influence the use and content of traineeships or internships in both government and non-government organizations.

277. An ILO study of law and practice in 13 countries revealed examples of each of these approaches (Stewart, Owens et al., 2018). The most comprehensive laws found were those in Argentina, Brazil, France and Romania. But in most of the other countries studied (Australia, Canada, China, Germany, Japan, South Africa, United Kingdom, United States and Zimbabwe), it remains an open question whether traineeships or internships are covered by general labour laws that make no explicit reference to such arrangements. The answer generally depends on a court, tribunal or government agency determining whether a trainee or intern falls into the (often undefined) category of employee or subordinate worker. Australia appears to be the only country in which a government agency (the Office of the Fair Work Ombudsman) has systematically and publicly pursued sanctions against

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<sup>123</sup> As to the extent to which EU Members have implemented the Quality Framework for Traineeships, see European Commission, 2016; Sienkiewicz, 2018.

<sup>124</sup> As, for example, with the [European Youth Forum's European Quality Charter on Internships and Apprenticeships](#).

businesses or other organizations involved in the use of potentially unlawful traineeships or internships.<sup>125</sup>

278. In relation specifically to open market traineeships or internships, Argentina, Brazil and France have each effectively outlawed them, by requiring a tripartite agreement involving the trainee or intern, the host organization and an educational institution.<sup>126</sup> In China, it also appears to be assumed that they are not permitted, on the basis that traineeships or internships are part of education rather than employment.<sup>127</sup> Elsewhere, there are countries, such as Germany and Romania, where labour laws have been expressly extended to cover trainees or interns.<sup>128</sup> The same applies in some Canadian provinces.<sup>129</sup>

279. Open market traineeships or internships in the 13 countries studied are generally covered by health and safety laws, but the relevant systems for compensating work-related injuries have a more mixed or uncertain coverage. In some countries, such as Germany, laws prohibiting workplace discrimination and violence and harassment are broad enough to cover trainees or interns, even if they are not otherwise regarded as employees. However, in others, including Japan, the position remains unclear.<sup>130</sup>

280. Educational traineeships or internships can be regulated in different ways.<sup>131</sup> One approach, found in Argentina, France and Romania, and to a lesser extent in Brazil, is to focus on ensuring their educational content, although jurisdictions in this category may also make provision for specific workplace rights. In France there are limits on the daily and weekly working hours of student trainees or interns, there are specifically extended protections against harassment, and they are entitled to compensation if the traineeship or internship exceeds two months in duration.

281. A second approach is for students to be either included in or excluded from specific workplace protections and rights as a group, and for the educational quality of their traineeships or internships to be left largely to voluntary charters. In the United Kingdom, for example, the minimum wage legislation specifically excludes student interns, but they are covered by regulations governing working time and the health and safety regime. The quality assurance of placements is managed through a voluntary code of practice. Germany and Canada also fall into this category.

282. Another approach is typified by jurisdictions such as the United States and Zimbabwe. With limited exceptions, student trainees or interns are not regarded as employees, and are therefore excluded from the laws that provide rights and protections to workers. Nor is much regulatory attention paid to the educational quality of placements.

283. Traineeships or internships as part of active labour market programmes are generally aimed at unemployed young people with few professional skills or at recent graduates, in order to assist their transition into the labour market. Typically, they involve a tripartite

<sup>125</sup> See, for example, the cases summarized in Stewart, Oliver, et al., 2018, pp. 166 and 167. The authors estimate that at least 10 per cent of unpaid work experience arrangements undertaken in Australia may be unlawful.

<sup>126</sup> See *Creación del Sistema de Pasantías Educativas en el Marco del Sistema Educativo Nacional Ley No. 26427* (Argentina); *Lei do Estágio* (Law No. 11788 of 2008) (Brazil); *Code de l'éducation*, art. L124-1 (France).

<sup>127</sup> See, for example, China National Textile and Apparel Council/ILO Country Office for China and Mongolia, 2014, p. 21.

<sup>128</sup> See, for example, the Vocational Training Act, arts 10(2) and 26 (Germany); Law No. 335/2013 (Romania).

<sup>129</sup> See, for example, Employment Standards Act, section 1 (definition of "employee") (British Columbia).

<sup>130</sup> For details, see Stewart, Owens et al., 2018, paras 47–49.

<sup>131</sup> As to the detail of what follows, see *ibid.*, Part 8.



relationship between the trainee or intern, the host organization and an employment services provider. The provider is generally presumed (whether rightly or wrongly) to have a supervisory and quality assurance role. Whether or not active labour market programme trainees or interns fall within the ambit of labour laws is often far from clear. Some countries, like Argentina, require trainees or interns to have an employment agreement, while other jurisdictions, such as Australia and Germany, exclude such trainees or interns from their labour laws. By contrast, occupational safety and health, anti-discrimination and workers' compensation laws generally apply to active labour market programme trainees or interns.<sup>132</sup>

284. Official statistics are not kept on traineeships or internships. The clearest data on their prevalence come from Europe and Australia. In 2013, a survey conducted in EU countries found that 46 per cent of people aged between 18 and 35 had undertaken at least one (and often more than one) traineeship. Some 59 per cent of those who had done so reported that their most recent arrangement was unpaid, while of those receiving some form of compensation, less than half considered that the amount was sufficient to live on (DGESAI, 2013).

285. In the United Kingdom, longer internships are more likely to be paid than short ones. A 2018 report found that 53 per cent of unpaid (or underpaid) internships were over four weeks in length, while 11 per cent of such internships lasted longer than six months (Cullinane and Montacute, 2018).

286. In Australia, a 2016 survey found that 34 per cent of working-age adults had undertaken at least one form of unpaid work experience in the previous five years, with the proportion rising to 58 per cent for those aged under 30. Of the most recent experiences, half were associated with some form of formal education or training, including VET. A majority of work experience lasted for less than a month, although one in ten exceeded six months (Oliver et al., 2016).

## 6.2. Benefits and challenges

287. There is a great deal of supportive literature about traineeships or internships, especially from an educational perspective. They are seen to offer a “win-win situation” for students, enterprises and higher education institutions, in terms of enhancing employment opportunities, improving competencies, and creating a better understanding of career paths (Sanahuja Vélez and Ribes Giner, 2015). Those who undertake them tend to be fairly satisfied with their experiences, with a majority perceiving an improvement in their job prospects, although only around one quarter may have found employment at the conclusion of their most recent traineeship or work experience (DGESAI, 2013; Oliver et al., 2016).

288. However, there is also a substantial body of research that identifies potential problems with internships – especially (although not exclusively) those in the open market. The concerns can be grouped into four main categories.

289. First, some arrangements may not deliver on the promise of useful training and skills development. The European Commission (2013b) has estimated that at least 30 per cent of traineeships in the European Union are deficient in terms of either learning content or working conditions.

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<sup>132</sup> See *ibid.*, Part 9.

290. Second, they may not in fact provide a bridge from education to paid work. There is a strongly entrenched perception that work experience enhances employability, on the basis that it “improves skills, knowledge and experience, assists an individual to match their human capital profile to labour market demands and enhances their long-term marketability” (Grant-Smith and McDonald, 2018, page 566). Research has also shown that having traineeship or internship experience improves a job applicant’s chances of getting an interview (Baert et al., 2018). Yet there are few econometric studies of the outcomes from work experience. Evidence suggests that paid internships are associated with better labour market outcomes than unpaid ones, and that there may be advantages to undertaking more formally structured programmes (O’Higgins and Pinedo, 2018; Hunt and Scott, 2018). A study in the United Kingdom has also suggested that graduates undertaking open market internships earn less three-and-a-half years after graduation than those going straight into paid work or further study (Holford, 2017).<sup>133</sup>

291. Third, the practice of expecting or requiring unpaid or low-paid traineeships or internships may impede social mobility. The cost of participation is likely to be harder to bear for those from less advantaged backgrounds. For example, graduates from a middle-class background in the United Kingdom are more likely to have taken an internship, compared to those with a working-class background, while the latter are more likely to have worked in a paid job to subsidize their work experience, as opposed to relying on savings or parental support (Cullinane and Montacute, 2018). Similarly, in Australia the likelihood of undertaking unpaid work experience increases according to socio-economic status, while participation is higher for those living in capital cities, compared to smaller towns or rural areas (Oliver et al., 2016).

292. Fourth, the use of unpaid or low-paid traineeships or internships may displace paid employment and undermine labour standards. Interns run the risk of being treated as cheap labour, as the Conference has highlighted (in paragraphs 24 and 26(e) of the conclusions concerning the youth employment crisis: A call for action). As the CEACR (2014, paragraph 187) notes, “problems have been raised in several countries relating to unpaid internship programmes and other similar arrangements, when they are used to evade the payment of applicable minimum wages and to curtail employment opportunities”. Even some government-backed active labour market policy schemes may be open to criticism on this basis (Eurofound, 2017).

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<sup>133</sup> Compare the more positive wage outcomes from educational internships identified by Saniter and Siedler (2014). See also the studies noted in Sienkiewicz, 2018, p. 8.

## Chapter 7

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### Towards a new international labour standard or standards on apprenticeships

#### 7.1. The need for a new international labour standard or standards

293. There are two principal reasons for adopting a new international labour standard or standards to fill what the ILO's Standards Review Mechanism Tripartite Working Group has, as noted in the introduction, described as a key gap in international labour standards.

294. The first concerns the important role that quality apprenticeships can play in facilitating school-to-work transitions and transitions between jobs, providing persons of all ages with lifelong learning opportunities to enhance their employability, improving the quality and efficiency of training systems and their relevance to labour market needs, and contributing to improving productivity. Quality apprenticeship systems, when constructed on the basis outlined in chapter 5, have demonstrable benefits for apprentices, enterprises and communities in general. Yet there are also many important and complex elements involved in the design, implementation and oversight of an apprenticeship system. There would be value in the ILO providing a comprehensive normative framework to member States regarding how best to address those matters and unlock the potential benefits of an effective and well-functioning apprenticeship system.

295. The second is to ensure appropriate working conditions and protection for apprentices and trainees at the workplace. There may be legitimate reasons for apprentices and trainees to be treated differently from employees in certain respects, for example in relation to their level of remuneration.<sup>134</sup> It is important to reaffirm that apprentices should be entitled to certain fundamental protections and working conditions, including fair remuneration, working hours, holidays and leave with pay, and protection against unsafe work environments, work-related injury, discrimination, and violence and harassment. There has, however, been no detailed guidance or standards on the regulation of apprenticeships since Recommendation No. 117 was superseded in 1975. As far as other forms of work-based learning are concerned, including traineeships or internships, international labour standards are almost completely lacking (see section 6.1).

#### 7.2. Coverage and definitions

296. As section 1.1 explains, there is no uniformly accepted international definition of an apprenticeship. Many recent definitions, including those adopted in ILO and EU policy documents, effectively adopt a normative approach by listing elements that are desirable features of a quality apprenticeship system. However, to take a similar approach in any

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<sup>134</sup> Note the views expressed by the CEACR as to the limits of such differentiation. See section 2.1.6.

new instrument or instruments might unduly narrow its scope by potentially precluding its application to any system that lacks just one of those elements.

297. To address that point, the questionnaire appended to this report proposes a basic definition of “apprenticeship” that requires the systematic provision of both on-the-job and off-the-job learning for the competencies required to work in a formally recognized occupation. Many of the questions, and by extension the provisions they envisage in any new instrument or instruments, are directed to apprenticeships in this broad sense. However, to the extent that the instrument or instruments may also highlight the benefits of “quality apprenticeships”, and seek to promote their use, the questionnaire identifies a number of elements that are considered essential to a well-functioning apprenticeship system.

298. An important issue concerning the coverage of any new instrument or instruments is whether to restrict it to apprenticeships only. One argument for taking a broader approach is that in some countries, the line between an apprenticeship and other types of traineeship can be very difficult to draw. There are also reasons to be concerned about the proliferation of certain types of internship or traineeship, especially in the open market. Those concerns, outlined in section 6.2, have been aptly summarized by the Council of the EU:

...

- (4) Socio-economic costs arise if traineeships, particularly repeated ones, replace regular employment, notably entry-level positions usually offered to trainees. Moreover, low-quality traineeships, especially those with little learning content, do not lead to significant productivity gains nor do they entail positive signalling effects. Social costs can also arise in connection with unpaid traineeships that may limit the career opportunities of those from disadvantaged backgrounds.<sup>135</sup>

299. Accordingly, the questionnaire envisages that any new instrument or instruments may address at least certain aspects of traineeships or internships. In order to capture them, it proposes a fairly broad definition that would capture any form of on-the-job training that is intended to provide work experience, regardless of whether it leads to a formal qualification. The term “traineeship” has been chosen for this category, although the proposed definition makes it clear that internships and work placements, however described, are also included.

300. The questionnaire also contains questions about the possible definitions of two further terms. One is “recognition of prior learning” and the other is “intermediary”.

### 7.3. Matters to be addressed and level of prescription

301. In framing the questionnaire, a deliberate decision has been made to avoid asking questions about every possible item that might be included in a national law on apprenticeships. The questions in Part IV are directed to what might be regarded as the core aspects of an effective regulatory framework, including:

- ❑ a regulatory framework based on social dialogue;
- ❑ the establishment of a competent authority to regulate apprenticeships;
- ❑ a process for recognizing an occupation as suitable for apprenticeships;
- ❑ the establishment of occupational and training standards;
- ❑ the need for a written apprenticeship agreement;

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<sup>135</sup> *Council Recommendation of 10 March 2014 on a Quality Framework for Traineeships*, 2014/C 88/01, preamble.

- ❑ processes for terminating or transferring apprenticeships and resolving disputes;
- ❑ the entitlement of apprentices to remuneration and certain other basic labour and social rights;
- ❑ the eligibility criteria that enterprises, education and training institutions and intermediaries should meet to be allowed to provide apprenticeships;
- ❑ the monitoring and evaluation of such training;
- ❑ the promotion of quality apprenticeships;
- ❑ equality of access to quality apprenticeships;
- ❑ the recognition of competencies acquired through prior learning; and
- ❑ international cooperation.

302. The questionnaire assumes the adoption of an international labour standard or standards, which would provide an appropriate normative framework to member States on these issues. The standard or standards could take the form of a Convention or a Recommendation, or a Convention supplemented by a Recommendation. Regarding this last option, an alternative to a Convention supplemented by a Recommendation as two separate instruments could be a single instrument, which would comprise both binding and non-binding provisions. Such a single instrument would differ only in format and structure, but not in substance, from a Convention and a Recommendation adopted separately. In a single legal instrument, the non-binding provisions – offering guidance as to the implementation of binding provisions – would appear immediately after those provisions. This would help understand more readily the relationship and complementarities between these two different sets of legal provisions. This new format would follow, in a simplified manner, the innovative structure of the Maritime Labour Convention, 2006, as amended, and could mark a fresh approach to setting integrated, better articulated and more coherent international labour standards. Should the tripartite constituents be prepared to consider this option favourably, the Office could provide, ahead of the first Conference discussion, more detailed explanations on the practical modalities of incorporating binding and non-binding provisions into a single consolidated instrument.

## Questionnaire concerning a framework for quality apprenticeships

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At its 334th Session (October–November 2018), the ILO Governing Body decided to place on the agenda of the 110th Session of the International Labour Conference (2021) an item related to apprenticeships (standard-setting).<sup>136</sup>

The Governing Body noted a regulatory gap in relation to the topic of apprenticeships as a result of the juridical replacement of a range of ILO instruments, including the Apprenticeship Recommendation, 1939 (No. 60), and the Vocational Training Recommendation, 1962 (No. 117), which has not been addressed in later Recommendations. Furthermore, since the onset of the 2008 global economic and financial crisis, and more recently in public debates on the future of work, apprenticeships have become increasingly important for facilitating school-to-work transitions and improving the quality of training systems and their relevance to labour market needs. A new standard on apprenticeships would provide a comprehensive normative framework with respect to the design and implementation of apprenticeship systems.

The purpose of this questionnaire is to request the views of member States on the scope and content of the possible future instrument or instruments, after consultation with the most representative organizations of employers and workers. Replies received should enable the International Labour Office to prepare a report for the Conference. Replies should reach the Office by 30 April 2020. Respondents are encouraged, where possible, to complete the questionnaire in electronic format and to submit their replies electronically to the following email address: [apprenticeships@ilo.org](mailto:apprenticeships@ilo.org). Respondents may also submit their replies in hard copy to the Skills and Employability Branch, Employment Policy Department, International Labour Office, Route des Morillons 4, 1202 Geneva, Switzerland.

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<sup>136</sup> [GB.334/PV](#), para. 42(b).

## I. Form of the international instrument or instruments

1. *Should the International Labour Conference adopt an instrument or instruments concerning a framework for quality apprenticeships?*

Yes                       No

*Comments:*

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2. *If so, should the instrument or instruments take the form of:*

(a) *a Convention?*

(b) *a Recommendation?*

(c) *a Convention supplemented by a Recommendation, as two separate instruments, or as a single instrument comprising binding and non-binding provisions?*

*Comments:*

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## II. Preamble

3. *Should the Preamble of the instrument or instruments note that global youth unemployment rates continue to be high and that rapid transformations in the world of work are resulting in skills mismatches, requiring people of all ages to reskill and upskill continuously to access and remain in employment?*

Yes                       No

*Comments:*

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4. *Should the Preamble of the instrument or instruments recognize that apprenticeships vary widely in different contexts and face significant challenges in many countries, perpetuating gender inequality, offering low-quality training and inadequate protection to apprentices, and deterring participation of enterprises, in particular small and medium-sized enterprises?*

Yes             No

*Comments:*

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5. *Should the Preamble of the instrument or instruments acknowledge that quality apprenticeships can constitute effective and efficient responses to current challenges and provide lifelong learning opportunities to enhance productivity, resilience, transitions and employability and meet current and future labour market needs?*

Yes             No

*Comments:*

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6. *Should the Preamble of the instrument or instruments underline that an effective and successful framework for quality apprenticeships requires apprenticeships to be well regulated, sufficiently funded, socially inclusive and free from discrimination, provides adequate remuneration and social protection coverage, recognizes qualifications and enhances employment outcomes?*

Yes             No

*Comments:*

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7. *Should the Preamble of the instrument or instruments recognize the particular relevance of the ILO Declaration on Fundamental Principles and Rights at Work, 1998, and the ILO Centenary Declaration for the Future of Work, 2019, for the promotion of quality apprenticeships and the effective protection of all apprentices and trainees, particularly in the light of the profound transformations in the world of work?*

Yes                       No

Comments:

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8. *Should the Preamble of the instrument or instruments recall the provisions of other relevant ILO instruments, particularly the Employment Policy Convention (No. 122) and Recommendation (No. 122), 1964, the Human Resources Development Convention, 1975 (No. 142), the Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169), and the Human Resources Development Recommendation, 2004 (No. 195)?*

Yes                       No

Comments:

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### **III. Definitions and scope**

9. *Should the instrument or instruments include a definition of “apprenticeship”?*  
*If so, should the term “apprenticeship” be defined as any form of education and training, which is governed by an apprenticeship agreement, and enables a person (the “apprentice”) to acquire the competencies required to work in an occupation through structured training consisting of on-the-job learning and supplemented by off-the-job learning and leading to a recognized qualification?*

Yes                       No

Comments:

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10. *Should the instrument or instruments include a definition of “enterprise”?*

*If so, should the term “enterprise” be defined as a business, undertaking, economic unit or organization, whether public or private?*

Yes             No

*Comments:*

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11. *Should the instrument or instruments include a definition of “intermediary”?*

*If so, should the term “intermediary” mean an individual or an entity, other than the host enterprise or educational institution, which assists in the provision, coordination or support of an apprenticeship?*

Yes             No

*Comments:*

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12. *Should the instrument or instruments include a definition of “recognition of prior learning”?*

*If so, should the term “recognition of prior learning” be defined as a process of identifying, documenting, assessing and certifying a person’s competencies, acquired through formal, non-formal or informal learning, based on established qualification standards?*

Yes             No

*Comments:*

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13. *Should the instrument or instruments include a definition of “traineeship”?*

*If so, should the term “traineeship”, which includes internship, be defined as any form of on-the-job learning, which enables a person (the “trainee”) to acquire work experience with a view to enhancing their employability?*

Yes             No

*Comments:*

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14. *Should any other terms be defined by the instrument or instruments? If so, please specify.*

Yes             No

*Comments:*

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15. *Should the instrument or instruments apply to all apprenticeships and traineeships in all enterprises and sectors of economic activity?*

Yes             No

*Comments:*

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16. *Should the instrument, if it takes the form of a Convention, provide that Members could, after consulting with the most representative organizations of employers and workers, limit its scope of application where special problems of a substantial nature arise?*

Yes             No

*Comments:*

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#### IV. Regulatory framework for quality apprenticeships

17. *Should the instrument or instruments provide that Members should establish regulatory frameworks for quality apprenticeships through social dialogue and that the social partners should be involved in the design, implementation, monitoring and evaluation of quality apprenticeship programmes?*

Yes                       No

*Comments:*

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18. *Should the instrument or instruments provide that Members should establish or designate one or more authorities to regulate apprenticeships and that the social partners should be represented in these bodies?*

Yes                       No

*Comments:*

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19. *Should the instrument or instruments provide that Members should ensure that the competent regulatory authorities have clearly defined responsibilities and work in close cooperation with other authorities or institutions responsible for regulating or delivering education and training, labour inspection, social protection, occupational safety and health, and public and private employment services?*

Yes                       No

*Comments:*

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20. *Should the instrument or instruments provide that Members should adopt a process for recognizing an occupation as being suitable for quality apprenticeships, taking into account:*

(a) *the competencies needed to work in that occupation?*

Yes     No

*Comments:*

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(b) *the appropriateness of an apprenticeship as a means of acquiring such competencies?*

Yes     No

*Comments:*

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(c) *the duration of the apprenticeship required to acquire such competencies?*

Yes     No

*Comments:*

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(d) *the current and future demand for skills and employment potential in that occupation?*

Yes     No

*Comments:*

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(e) *any other factors? If so, please specify.*

*Yes*     *No*

*Comments:*

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21. *Should the instrument or instruments provide that Members should establish occupation-specific standards for quality apprenticeships, which provide, among others things, for:*

(a) *the minimum age for admission?*

*Yes*     *No*

*Comments:*

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(b) *the educational qualifications or prior learning needed for admission?*

*Yes*     *No*

*Comments:*

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(c) *the ratio of apprentices to workers in the workplace?*

*Yes*     *No*

*Comments:*

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(d) *the minimum and maximum duration of the apprenticeship?*

*Yes*     *No*

*Comments:*

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(e) *the extent to which the normal duration of the apprenticeship could be reduced on the basis of any prior learning or progress made during the apprenticeship?*

Yes  No

Comments:

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(f) *learning outcomes and curricula?*

Yes  No

Comments:

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(g) *the ratio of off-the-job learning to on-the-job learning?*

Yes  No

Comments:

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(h) *the conditions under which apprentices should be released from on-the-job learning to undertake off-the-job learning?*

Yes  No

Comments:

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(i) *vocational guidance and career counselling?*

Yes  No

Comments:

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(j) *the mentoring and supervision of apprentices?*

Yes  No

*Comments:*

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(k) *the procedures for assessing and certifying the competencies acquired?*

Yes  No

*Comments:*

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(l) *the qualification(s) acquired on successful completion of the apprenticeship?*

Yes  No

*Comments:*

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(m) *any other elements? If so, please specify.*

Yes  No

*Comments:*

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22. *Should the instrument or instruments provide that Members may establish standards for quality apprenticeships through national laws and regulations, collective agreements, decisions of competent regulatory bodies or in any other manner consistent with national practice?*

Yes             No

*Comments:*

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23. *Should the instrument or instruments provide that Members should take measures to ensure that there is a fair and transparent process for transferring an apprentice from one enterprise to another when this is considered necessary or desirable for the completion of the apprentice's training?*

Yes             No

*Comments:*

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24. *Should the instrument or instruments provide that Members should take appropriate measures to ensure that apprentices:*

*(a) are adequately remunerated?*

Yes     No

*Comments:*

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*(b) are not required to work hours that exceed specified limits?*

Yes     No

*Comments:*

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(c) *are entitled to holidays with pay?*

Yes     No

*Comments:*

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(d) *are entitled to paid leave for absence due to illness or accident?*

Yes     No

*Comments:*

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(e) *are afforded the same protection and receive the same training as others in the workplace in respect of discrimination and violence and harassment?*

Yes     No

*Comments:*

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(f) *are afforded the same protection and receive the same training as others in the workplace in respect of occupational safety and health?*

Yes     No

*Comments:*

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(g) *are entitled to compensation for work-related injuries?*

Yes     No

*Comments:*

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(h) *are eligible for any other benefits? If so, please specify.*

Yes     No

*Comments:*

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25. *Should the instrument or instruments provide that Members should prescribe conditions under which:*

(a) *enterprises may offer apprenticeships?*

Yes     No

(b) *educational and training institutions may provide off-the-job training?*

Yes     No

(c) *intermediaries may assist in the provision, coordination or support of apprenticeships?*

Yes     No

*Comments:*

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26. *Should the instrument or instruments provide that Members should take measures to continuously develop and strengthen the capacity of government agencies and the social partners to respond to challenges affecting quality apprenticeships, such as technological changes and the emergence of new forms of work arrangements?*

Yes             No

*Comments:*

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27. *Should the instrument or instruments provide that Members should take measures to ensure that apprenticeship systems and programmes are regularly monitored and evaluated?*

Yes                       No

*Comments:*

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## **V. Apprenticeship agreement**

28. *Should the instrument or instruments provide that Members should ensure that all apprenticeships are governed by a written agreement which is concluded between an apprentice and an enterprise or an intermediary, and which, if so permitted by national laws and regulations, may also be signed by a third party, such as an educational or training institution?*

Yes                       No

*Comments:*

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29. *Should the instrument or instruments provide that Members should ensure that an apprenticeship agreement:*

(a) *clearly identifies the parties' respective roles, rights and obligations, with reference to the relevant occupation-specific standards?*

Yes                       No

*Comments:*

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(b) *contains provisions governing matters such as apprenticeship duration, remuneration, working hours, leave entitlements, occupational safety and health, social security, dispute resolution and the termination of the apprenticeship agreement?*

Yes     No

*Comments:*

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(c) *is registered under conditions established by the competent authority?*

Yes     No

*Comments:*

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(d) *is signed on the apprentice's behalf by a parent, guardian or legal representative, where the apprentice is a minor, as may be required by national laws and regulations?*

Yes     No

*Comments:*

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(e) *contains any other elements? If so, please specify.*

Yes     No

*Comments:*

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30. *Should the instrument or instruments provide that Members should develop a model apprenticeship agreement to facilitate consistency, uniformity and compliance?*

- Yes             No

*Comments:*

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## **VI. Equality and diversity in quality apprenticeships**

31. *Should the instrument or instruments provide that Members should take measures to promote gender equality in apprenticeships?*

- Yes             No

*Comments:*

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32. *Should the instrument or instruments provide that Members should take measures to promote equality, diversity and social inclusion in apprenticeships, special account being taken of the situation and needs of:*

(a) *persons with disabilities?*

- Yes     No

*Comments:*

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(b) *persons in the informal economy?*

- Yes     No

*Comments:*

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(c) *older persons?*

Yes  No

Comments:

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(d) *long-term unemployed persons?*

Yes  No

Comments:

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(e) *persons belonging to disadvantaged minorities?*

Yes  No

Comments:

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(f) *migrants, refugees, internally and forcibly displaced persons, and other persons in vulnerable situations?*

Yes  No

Comments:

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(g) *any other persons? If so, please specify.*

Yes  No

Comments:

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33. *Should the instrument or instruments provide that Members should take measures to promote access to formal education and training, including quality apprenticeships, especially for persons in the informal economy, through recognition of prior learning?*

Yes             No

*Comments:*

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## **VII. Promotion of quality apprenticeships and international cooperation**

34. *Should the instrument or instruments provide that Members should take measures to create an enabling environment for promoting quality apprenticeships, including by:*

(a) *developing and implementing strategies, setting national goals and allocating adequate resources for quality apprenticeships?*

Yes     No

*Comments:*

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(b) *mainstreaming quality apprenticeships in national development strategies and in employment, education and lifelong learning policies?*

Yes     No

*Comments:*

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(c) *providing incentives, such as cost-sharing, tax exemptions or subsidies for social security contributions, to enterprises, especially small and medium-sized enterprises?*

Yes     No

*Comments:*

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(d) *encouraging intermediaries, including through financial support, to participate in the provision, coordination and support of apprenticeships?*

Yes     No

*Comments:*

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(e) *undertaking awareness-raising activities and promotional campaigns at regular intervals to improve the image and attractiveness of apprenticeships?*

Yes     No

*Comments:*

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(f) *establishing pre-apprenticeship programmes?*

Yes     No

*Comments:*

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(g) *facilitating access to further vocational and higher education opportunities for apprentices?*

Yes     No

Comments:

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(h) *using new technologies and innovative methods to improve effectiveness and efficiency in delivering and managing quality apprenticeships?*

Yes     No

Comments:

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(i) *adopting any other measures? If so, please specify.*

Yes     No

Comments:

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35. *Should the instrument or instruments provide that Members should take measures to enhance international cooperation and exchange of good practices, in all aspects of quality apprenticeships, including through offering expanded learning opportunities to apprentices and recognizing competencies acquired through apprenticeship programmes or prior learning?*

Yes             No

Comments:

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36. *Should the instrument or instruments provide that, with a view to promoting quality apprenticeships in the informal economy, Members should:*

(a) *strengthen the capacity of micro and small economic units by facilitating access to business development and financial services, improving occupational safety and health conditions, and enhancing the technical, pedagogical and entrepreneurial competencies of master craftspersons?*

Yes     No

*Comments:*

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(b) *ensure that apprentices have access to off-the-job learning and may complement their on-the-job learning through intermediaries or in other enterprises?*

Yes     No

*Comments:*

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(c) *strengthen the capacity of associations of micro and small economic units, including through financial support, to perform the role of regulators and quality assurance bodies?*

Yes     No

*Comments:*

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## VIII. Traineeships

37. *Should the instrument or instruments provide that Members should take measures, in accordance with national laws and regulations, to ensure that trainees:*

(a) *have a written traineeship agreement concluded between themselves and a host enterprise?*

Yes     No

*Comments:*

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(b) *are adequately remunerated?*

Yes     No

*Comments:*

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(c) *are not required to work hours that exceed specified limits?*

Yes     No

*Comments:*

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(d) *are entitled to holidays with pay?*

Yes     No

*Comments:*

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(e) *are entitled to paid leave of absence for illness or accident?*

Yes  No

*Comments:*

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(f) *are afforded the same protection and receive the same training as others in the workplace in respect of discrimination and violence and harassment?*

Yes  No

*Comments:*

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(g) *are afforded the same protection and receive the same training as others in the workplace in respect of occupational safety and health?*

Yes  No

*Comments:*

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(h) *are entitled to compensation for work-related injuries?*

Yes  No

*Comments:*

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(i) *are eligible for any other benefits? If so, please specify.*

Yes  No

*Comments:*

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