19. Traineeships and systemic discrimination against young workers

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19.1 THE NEW SKILLS AGENDA: TRAINING AND COMPETITIVENESS

During the past decade, European Union (EU) employment policy has put a great deal of emphasis on facilitating the path of young people from education into employment. The complex strategy developed by the EU prioritizes a New Skills Agenda for Europe with the goal of ‘working together to strengthen human capital, employability and competitiveness’.¹ A central component of this policy is the 2017 European Pillar of Social Rights,² an initiative launched by the European Commission. In its chapter 1 on equal opportunities, education and training, and access to the labour market, the European Pillar of Social Rights declares: ‘Everyone has the right to quality and inclusive education, training and life-long learning in order to maintain and acquire skills that enable them to participate fully in society and manage successfully transitions in the labour market.’³ The text also stipulates that ‘young people have the right to continued education, apprenticeship, traineeship or a job offer of good standing within 4 months of becoming unemployed or leaving education’.⁴

It is worth noting that in this text and elsewhere apprenticeships and traineeships are considered a means to facilitate labour market entry. Apprenticeships and traineeships appear to be regarded as equally valuable as the traditionally accepted pathways of continued education or receiving a job offer of good standing in the transition into the labour market. This overlooks significant

¹ European Commission, *A New Skills Agenda for Europe: Working Together to Strengthen Human Capital, Employability and Competitiveness*, COM(2016) 381 final.

² European Parliament Resolution of 19 January 2017 on a European Pillar of Social Rights, 2016/2095 (INI).

³ Ibid ch 1, 1.

⁴ Ibid ch 1, 4b.

differences in the consequences of engaging in a traineeship or apprenticeship and working in a job, including the rights that attach to each.

Apprenticeships, traineeships and internships are regulated differently in different member states. There are, however, important references at the EU level. These include the Council Recommendation of 15 March 2018 on a European Framework for Quality and Effective Apprenticeships.⁵ That recommendation recognizes that quality apprenticeships ‘lead to a combination of job related skills, work based experience and learning, and key competences facilitate young people’s entry in the labour market, as well as adults’ career progression and transition into employment’ and calls upon member states to implement ‘criteria for quality and effective apprenticeships’. The EU calls on member states to develop this agenda. The results have varied among countries especially in the regulation of rights.⁶ Here I take up the case of regulation in Spain, framing the issues involved through the lens of systemic discrimination linked to unpaid and precarious work.

My argument is that creating and normalizing legal opportunities for unpaid traineeships and poorly paid apprenticeships creates a dynamic of cheap labour which predominately affects the young in the labour force. For many, this crystallizes in a series of precarious post-traineeship contracts, which has significant and concerning consequences for young people’s professional careers and social security rights. Together, these amount to a pattern of increasingly entrenched systemic age discrimination that affects the growing numbers of young people who are struggling to enter the labour market.

19.2 THE CIRCLE OF SYSTEMIC DISCRIMINATION AND YOUNG WORKERS: INFORMAL EMPLOYMENT AND PRECARIOUS WORK

In recent decades, the development and implementation of policies that are directly or indirectly linked to the pressure to liberalize labour regulation have increased the prevalence of systemic age discrimination.⁷ Systemic discrimi-

⁵ Council Recommendation of 15 March 2018 on a European Framework for Quality and Effective Apprenticeships [2018] OJ C153/1.

⁶ See Andrew Stewart, Rosemary Owens, Anne Hewitt and Irene Nikoloudakis, ‘The Regulation of Internships: A Comparative Study’ (2018) ILO Employment Policy Department Working Paper No 240.

⁷ On age as a factor of discrimination, see Ann Numhauser-Henning, Jenny Julén Votinius and Ania Zbyszewska, ‘Equal Treatment and Age Discrimination: Inside and Outside Working Life’ in Ann Numhauser-Henning (ed), *Elder Law: Evolving European Perspectives* (Edward Elgar 2017); Julia López López, ‘Age as Factor of Discrimination and Collective Dismissals’ in Mia Rönnmar and Jenny Julén Votinius (eds), *Festskrift till Ann-Numhauser Henning* (University of Lund 2017); Julia López

nation is a pattern, practice or policy of discrimination that has a broad impact on a class or category of persons within an industry, profession, company or geographic area. For example, older workers are pushed out of labour markets because of age and younger workers are inserted with unfavourable conditions, such as unpaid or precarious contracts. Both are examples of age-based systemic discrimination.

Systemic discrimination has been explored in Canada and the USA in response to the pervasive issue of race discrimination. However, this analysis can potentially be useful in identifying and responding to cases of age discrimination in Spain.

The Equal Employment Opportunity Commission (EEOC), a federal agency charged with enforcing laws that prohibit job discrimination in the USA, defines systemic discrimination as particular patterns of practices or policies that offer a wide spectrum of discrimination in a sector or in a type of work. The EEOC encourages employers to prevent discrimination by taking a careful look at the practices they use to recruit, hire, promote, train and retain employees. The EEOC is expanding its efforts to collaborate with advocacy groups, state and federal agencies, employer groups and other organizations to identify and address discriminatory practice.

The Ontario Human Rights Code defines systemic discrimination as policies or practices that appear to be neutral on their surface but that may have discriminatory effects on individuals based on one or more code grounds.⁸ Systemic discrimination can overlap with other types of discrimination, such as harassment, and may arise from stereotypes and biases. The definition of systemic discrimination used by the Ontario Human Rights Commission includes the following three elements: patterns of behaviour, policies or practices; part of the social or administrative structures of an organization; and a position of relative disadvantage created for persons identified by the code. This highlights policies or practices that create or perpetuate racial inequality.

Establishing the existence of systemic discrimination requires the use of data that quantify inequality, policies, practices and decision-making processes. Systemic discrimination may not explicitly or consciously take into account the factor of discrimination but instead may be conditioned by widespread general patterns that involve, among other factors, the cultures of organizations and institutions. The identification and analysis of systemic discrimination allows us to formulate a more accurate diagnosis of systemic inequalities and to specify actors and institutions that may contribute to over-

López, 'Systemic discrimination y políticas de igualdad efectiva de género' [2019] *Revista del Ministerio de Empleo y Seguridad Social* 133.

⁸ Human Rights Code, RSO 1990, ch H-19.

coming such outcomes. These actors and institutions include the state, other public institutions, representatives of workers and employers, and a number of sources, standards, collective agreements and equality plans.

The national labour reforms in the member states applying the recent EU flexisecurity model have had a significant negative impact on social rights and, crucially, they have increased the level of fragmentation within the labour force. This fragmentation has generated inequalities based on several types of differentiation: between formal and informal work, stable work and precarious work, in wage levels and working conditions (both fair and unfair), in employee rights that allow work–life balance or the absence of them, and in rights of social protection or lack of protection in this field. In this long list of types of differentiation in labour market conditions, age discrimination is relevant.

It is in this context that traineeships assume special importance. Traineeships or internships have helped to constitute a pattern of systemic discrimination against young workers. Employment relations that are presented as training or internships have become, in many instances, new forms of precarious work in which young people enter the labour force with a training contract that leads to long-term conditions of precarious work or informality. In these instances, traineeships or internships can be seen as the formalization of precarious work in a specific contract type, with important consequences for young workers.

This growth in precarity for young workers highlights a significant limitation in the prohibition of age discrimination in some jurisdictions. For example, in the USA, prohibitions on age discrimination are directed exclusively to older workers. The federal Age Discrimination in Employment Act (ADEA)⁹ forbids age discrimination against people who are aged 40 or older. However, it does not protect workers under the age of 40, although some states have enacted additional laws that protect younger workers from age discrimination. The limited protections of the ADEA also mean it is legal for an employer to favour an older worker over a younger one, even if both workers are aged 40 or older.

Similarly, in the Charter of Fundamental Rights of the European Union,¹⁰ article 21 prohibits discrimination based on age, among other factors. However, this prohibition only protects elderly people: ‘The Union recognizes and respects the rights of the elderly to lead a life of dignity and independence and participate in social and cultural life.’ The limitation of this protection is problematic, as age is not a factor of discrimination only for senior workers,

⁹ Age Discrimination in Employment Act 29 USC ss 621–634.

¹⁰ Charter of Fundamental Rights of the European Union [2000] OJ C364/1.

for example in collective dismissals.¹¹ Age is also a factor of discrimination for young people since unpaid work and precarious forms of employment disproportionately expose young people to the termination of employment.

In the Spanish context, the various levels of regulation – including the International Labour Organization (ILO), the EU and the national level – recognize the principle of equality and non-discrimination, and explicitly include age as one type of prohibited discrimination.¹² However, the prohibition has typically been seen as protecting older workers only. As emphasized here, in reality, age discrimination exists not only for the oldest workers but also for the youngest workers. I argue that in Spain the growth and legal recognition of internships and apprenticeships is entrenching this problem by creating patterns of systemic age discrimination.

In principle, some forms of internships and traineeships are understood as a point of transition between education and work. However, in practice, trainee or intern status poses significant questions and creates tensions about the difference between paid and unpaid work and, related to that, about the concept of the worker. A relevant trend here is the formalization of systemic discrimination against young workers, in part because the regulation of traineeships has contributed to practices that forge a chain of precarious work arrangements for individuals, combining training and work. The framing of informal work as a traineeship inserted into the academic curriculum, and the evolution of other forms of informality that are combined with precarious training contracts, have placed young people in a systemic network of discrimination. The point of departure for understanding this phenomenon is the extremely high level of unemployment for young people in several member

¹¹ On collective dismissal in Spain and decisions of the Constitutional Court, see Julia López López and Chelo Chacartegui, 'Age Discrimination and Labour Law in Spain: The Vision from the South' in Ann Numhauser-Henning and Mia Rönnmar (eds), *Age Discrimination and Labour Law: Comparative and Conceptual Perspectives in the EU and Beyond* (Wolters Kluwer 2015).

¹² See the ILO Discrimination (Employment and Occupation) Convention, 1958 (No 111); Council Directive 2000/78/EC of 27 November 2000 establishing a general framework on equal employment and occupation [2000] OJ L303/16; Spanish Constitution arts 9, 14. Art 9.2 of the Spanish Constitution states:

It is incumbent upon the public authorities to promote conditions which ensure that the freedom and equality of individuals and of the groups to which they belong may be real and effective, to remove the obstacles which prevent or hinder their full enjoyment, and to facilitate the participation of all citizens in political, economic, cultural and social life.

Art 14 of the Spanish Constitution states:

Spaniards are equal before the law and may not in any way be discriminated against on account of birth, race, sex, religion, opinion or any other personal or social condition or circumstance'.

states. High unemployment has been one of the major challenges for a number of European economies in recent decades, with differing intensity by country, but with the common point that young workers have suffered the most negative consequences.

In the EU, despite some reduction in the youth unemployment rate after the end of the Great Recession, the problem continues to exist. In Spain, where youth unemployment is among the highest in the EU, measures that were ostensibly introduced to reduce youth unemployment have created a chain of systemic age discrimination in which young workers move from one precarious position or status to another. The integrated employment guidelines¹³ for member states encouraged them to work with renewed vigour to build employment pathways for young people. These guidelines stressed the strategy of adapting education and training systems in order to raise quality, broaden supply, diversify access, ensure flexibility, and respond to new occupational needs and skills requirements. The guidelines also called for action to increase female participation and reduce gender gaps in employment and pay, through better reconciliation of work and private life and the provision of accessible and affordable childcare facilities and care for other dependents, to ensure that by 2020 every unemployed person would be offered a job, apprenticeship, additional training or another employability measure. The strategy specified the goal of working towards 25 per cent of the long-term unemployed participating in training, retraining, work experience or other employability measures by 2020. As part of these flagship initiatives, the EU presented 'A New Skills Agenda for Europe',¹⁴ which proposed a range of policies intended to lower youth unemployment, including measures aimed at education and training institutions.

Figure 19.1 shows there are countries, such as Spain, that have failed to achieve the objective of a maximum of 10 per cent youth unemployment. Indeed, Spain has the highest youth unemployment in the EU.

Another important point to underline is that the number of persons employed on a temporary basis varies greatly among EU member states. The highest percentages of persons with a temporary contract in 2017 were in Spain (26.4 per cent), Poland (25.8 per cent) and Portugal (21.5 per cent). In contrast, the lowest shares of temporary contracts can be found in Romania (1.2 per cent), Lithuania (1.6 per cent) and Estonia (2.8 per cent). In 2017, 2.2 per cent of men and 2.1 per cent of women aged 20–64 years in the EU28 had a precarious employment situation (having a work contract of only up to three months).

¹³ European Commission, *Europe 2020: A Strategy for Smart, Sustainable and Inclusive Growth*, COM(2010) 2020 final.

¹⁴ European Commission, *A New Skills Agenda* (n 1).

Source: Own elaboration from Eurostat 2018.

Figure 19.1 Youth unemployment ratio (percentage)

The overall proportion of persons in precarious employment was the highest in Croatia, Spain, Slovenia and France, as well as the candidate countries Serbia, Montenegro and Turkey. The differences between men and women are lower than 1 per cent in all countries except in Croatia (1.2 per cent), Serbia (1.3 per cent) and Turkey (2 per cent). Women are slightly more likely than men to have a precarious employment situation in eight EU member states (Belgium, Czech Republic, Spain, Malta, the Netherlands, Sweden, Slovenia and Finland).¹⁵ High unemployment and precarious contracts affect young workers more than others in all EU countries, but in some countries, such as Spain, the gap is especially great (see Figure 19.2).

Another important issue when considering precarious employment is involuntary part-time employment. The highest proportions of involuntary part-time work across the EU were recorded in Greece (70.2 per cent of persons employed part-time) and Cyprus (67.4 per cent), followed by Italy (62.5 per cent), Spain (61.1 per cent), Bulgaria (58.7 per cent), Romania (55.8 per cent), Portugal (47.5 per cent) and France (43.1 per cent). In contrast, involuntary part-time work represented less than 10 per cent of total part-time

¹⁵ European Commission, 'Temporary and Part-Time Jobs on the Rise' (*Eurostat*, 13 August 2018), <https://ec.europa.eu/eurostat/web/products-eurostat-news/-/WDN-20180813-1>, accessed 30 March 2021.

Source: Own elaboration from Eurostat 2018.

Figure 19.2 Proportion of temporary workers

employment in Estonia (7.5 per cent), Belgium (7.8 per cent), the Netherlands (8.2 per cent), the Czech Republic (9.1 per cent) and Malta (9.6 per cent).¹⁶

It is critical to consider how pervasive unemployment, involuntary part-time work and precarious work are, as precarious work is linked to poverty.¹⁷ The risk of poverty is connected with the type of contract.¹⁸ Data such as these permit us to conclude that precarious work situations – for example, part-time work or temporary contracts – are not the choice of the workers. Precarious work status is involuntary. Spain has suffered greatly from precarious work, as reflected, for example, in the very high level of involuntary part-time young workers. An especially negative consequence of this fragile status of the young in the labour market is, as suggested above, the impact of precarious work status on poverty.

¹⁶ European Commission, 'Involuntary Part-Time Employment as Percentage of the Total Part-Time Employment, by Sex and Age (%)' (*Eurostat*, 31 January 2020), https://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=lfsa_cpptgai&lang=en, accessed 30 March 2021.

¹⁷ See the analysis of the connection between precarious contracts and poverty in Sergio Canalda Criado, 'Precarización de la contratación atípica y pobreza laboral' (2018) 8 *Revista de Información Laboral* 41.

¹⁸ European Commission, 'In-Work Poverty in the EU' (*Eurostat*, 16 March 2018), <https://ec.europa.eu/eurostat/web/products-eurostat-news/-/DDN-20180316-1>, accessed 30 March 2021.

19.3 TRAINEESHIPS IN SPAIN: THE EMPLOYABILITY MODEL AND THE COMMODITIZATION OF YOUNG WORKERS

The strategies proposed in *Europe 2020*¹⁹ signified an important change in EU labour market policy, from a focus on employment to an emphasis on employability. This has promoted the goal of converting soft-law regulation into hard law at the national level. Moreover, this shift in the European model from employment to employability implies a transposition of responsibilities from the state to employees and the proliferation of new requirements for gaining a job. The new approach shifts the emphasis in gaining a job from hard skills to soft skills (including communication skills, the ability to work in a team, leadership, creativity, self-motivation, the ability to make decisions, time management and problem-solving), which are more related to personality than traditional qualifications. The European Employment Strategy has installed the model of ‘flexisecurity’ within national market reforms, but in practice in Spain the system has developed into one characterized by flexiprecarity.²⁰

The analysis of training contracts in Spain should be framed within this context. Starting with the Green Paper on the modernization of labour law²¹ the segmentation of employment status has imposed a wide range of employment contract types. At the same time, the division between unpaid and paid transitions has increased. One of the characteristics of Spanish labour market regulation is segmentation of labour status and decreasing labour rights.²² The EU employment model reduces the role of labour contracts and creates a dynamic of segmentation of the labour market and labour regulation. The promotion of self-employment is an important axis of this strategy. All these goals create a cluster of policies in which education and training are inserted within the notion of employability.

In order to identify the chain of discrimination and exclusion of the young in formal labour market regulation, the first crucial point is that traineeships are permitted without being formalized as labour contracts.²³ Those eligible

¹⁹ European Commission, *Europe 2020* (n 13).

²⁰ See Julia López López, Alexandre de le Court and Sergio Canalda, ‘Breaking the Nexus between Flexibility and Security: Flexiprecarity as the Spanish Version of the Model’ (2014) 5 *Eur Lab LJ* 18.

²¹ European Commission, *Green Paper: Modernising Labour Law to Meet the Challenges of the 21st Century*, COM(2006) 708 final.

²² Julia López López, ‘Formalizing the Segmentation of Workers’ Rights: Tensions among Regulatory Levels’ (2015) 36 *Comp Lab L & Policy J* 281.

²³ Royal Regulation 1543/2011, 31 October. The Spanish regulations on curricular and extracurricular training arrangements are found in RD 592/14, 11 July and RD

for traineeships are unemployed persons between 18 and 25 years old or until 29 years old if the young worker is part of the Youth Guarantee programme.²⁴ The young workers have to demonstrate that they are unemployed, have a university degree or professional title, and have professional experience. The ostensible goal of traineeships for those who qualify is to provide experience and develop employability. The firm signs an agreement with the worker under the supervision of the regional service of employment. The duration is between three and nine months without the possibility to extend it. The trainees will receive at least 80 per cent of the *El Indicador Público de Renta de Efectos Múltiples* (IPREM, Multiple Effects Public Income Indicator) and they are entitled to social security rights. The IPREM 2020 monthly pay is €537.84, which is below the minimum wage.

The second step in systemic discrimination against youth operates through training contracts, which are also not understood as creating an employment relationship. These arrangements are founded on a Spanish labour regulation²⁵ that stipulates that, within a period of seven years after graduation from university, graduates can be hired on a training contract with a duration of six months to two years. The training contract salary is 60 per cent of the collective bargaining salary during its first year and 75 per cent in the second year.

A complementary labour contract, defined by age, is the apprenticeship contract.²⁶ An apprenticeship contract is ostensibly aimed at combining training and work, and requires that the worker be between 16 and 25 years of age and not have a university degree. The duration of the apprenticeship contract is between one and three years. Apprenticeships usually contain 25 per cent training during the first year, for which apprentices are unpaid, and they continue to include 15 per cent unpaid training time in the second and third years of the apprenticeship.

Both traineeships and apprenticeships engage young people in extended periods of precarious work. For example, a recent university graduate who obtained their undergraduate degree at the age of 21 can be hired until the age of 28 under a series of training contracts with a maximum duration of two years each. This means that the graduate will potentially be engaged in

1493/2011. Since 31 August 2018 it has not been necessary for foreign students who are not EU citizens to have a training agreement with a university to engage in extracurricular internships which are not formalized through a labour contract. The idea of this Royal Decree is to attract talent to Spain, which helps companies to hire foreign nationals who have studied at a university or for a master's degree.

²⁴ Council Recommendation of 22 April 2013 on Establishing a Youth Guarantee [2013] OJ C120/1.

²⁵ RD 2/2015, 23 October, Code of Labour, art 11.1.

²⁶ Ibid art 11.2.

precarious work until they reach the age of 30. For those lacking a university degree, this precarious status under a series of apprenticeship contracts may extend until they are 28 years old. Age has been enacted in the law as a limit on the use of these precarious forms of employment, but in a way that creates systematic discrimination because it fosters a circle of evolving precarious status for young workers. The first part of the professional career of those young workers holding this status is invisible because the legislation calls this stage ‘training’ rather than work.

19.4 THE CONCEPT OF THE WORKER AND THE ILO: DECONSTRUCTING SYSTEMIC DISCRIMINATION IN THE EMPLOYMENT OF YOUNG PEOPLE

With the erosion of a common platform of labour rights, the segmentation of labour markets and of regulation in employment status is a fundamental feature of the current regulation of employment. In some instances this segmentation nourishes systemic discrimination, and very evidently so for young people.²⁷

The ILO regulations could be very important in deconstructing the invisibility and precarity of traineeships and apprenticeships. The process of formalization of the notion of the worker as an employee is a fundamental feature of the ILO regulatory system. There are extensive examples of this in the ILO regulations that unambiguously define the concept of the worker or employee in the application of norms. For example in ILO Convention No. 172²⁸ the term ‘the workers concerned’ means workers employed within establishments to which the Convention applies pursuant to the provisions of article 1, irrespective of the nature and duration of their employment relationship. However, each member may, in the light of national law, conditions and practice and after consulting the employers’ and workers’ organizations concerned, exclude certain categories of workers from the application of all or some of the provisions of the Convention. The Social Security (Minimum Standards)

²⁷ See Mark Freedland and Lucy Vickers, ‘Age Discrimination and EU Labour Rights Law’ in Alan Bogg, Cathryn Costello and ACL Davis (eds), *Research Handbook on EU Labour Law* (Edward Elgar 2016).

²⁸ For more examples, see the definition of workers in dock work or protection of port workers in ILO Convention No 32, art 1(2): the term ‘worker’ means any person employed in the processes of loading and unloading boats. ILO Convention No 152, art 3(a): the term ‘worker’ means any person engaged in dock work. ILO Recommendation 178, para 1(b): the term ‘night worker’ means an employed person whose work requires the performance of a substantial number of hours of night work which exceeds a specified limit. This limit shall be fixed by the competent authority after consulting the most representative organizations of employers and workers or by collective agreements.

Convention, 1952 (No 102) stipulates that protection must be provided for prescribed classes of ‘employees’, the ‘[economically] active population’ or ‘residents’. Similarly, the Holidays with Pay Convention (Revised), 1970 (No 132) refers to ‘employed persons’ in order to emphasize that only dependent workers are covered. However, the minimum age instruments tend to make use of the dual terminology ‘employed or work’ to ensure that all forms of economic activity are covered. The process of formalization of employment relations is critical to break the process of systemic discrimination, which starts with traineeship or apprenticeship relations.

Another important ILO reference to traineeships is Convention No 189 on domestic workers.²⁹ This Convention removes the informality of an important group of workers. The preamble sets out the ILO’s commitment to promoting decent work for all, through the achievement of the goals of the ILO Declaration on Fundamental Principles and Rights at Work³⁰ and the ILO Declaration on Social Justice for a Fair Globalization.³¹ The Convention also considers that

domestic work continues to be undervalued and invisible and is mainly carried out by women and girls, many of whom are migrants or members of disadvantaged communities and who are particularly vulnerable to discrimination in respect of conditions of employment and of work, and to other abuses of human rights.³²

This is a powerful idea, underlining the effort of the ILO to formalize sectors of activity in order to recognize social rights. This ILO recognition of work as productive, with a concern for vulnerable workers, could also be applied to traineeships. This idea is further explored in the ILO White Paper *A Framework for Quality Apprenticeships*.³³

There are also relevant references in the Charter of Fundamental Rights in the European Union. For example, article 24 considers the rights of the child. It is also important to mention the Chapter of Solidarity’s article 31 on fair and just working conditions for every worker, and article 32 on the prohibition of child labour and protection of young people at work, which sets out that ‘young people admitted must have working conditions appropriate to their age

²⁹ See Adelle Blackett, ‘Regulatory Innovation on Decent Work for Domestic Workers in the Light of International Labour Organization Convention No. 189’ (2018) 34 *Int J Comp Lab L & Indust Rel* 141.

³⁰ Adopted by the International Labour Conference at its 86th Session, Geneva, 18 June 1998 (Annex revised 15 June 2010).

³¹ Adopted by the International Labour Conference at its 97th Session, Geneva, 10 June 2008.

³² ILO Domestic Workers Convention, 2011 (No 189), preamble.

³³ ILO, *A Framework for Quality Apprenticeships* (Report IV(1), ILO 2019).

and be protected against economic exploitation and any work likely to harm their safety, health or physical, mental, moral or social development or to interfere with their education’.

Traineeships as a form of informal work violate these rules and promote the devaluation of the youngest workers’ status. Fair globalization entails the recognition of fundamental rights including both collective rights and the right to be protected against discrimination.

All forms of employment that are combined with training should be recognized as part of the employment market, with implications for the development of a decent agenda for young workers. The existence of poorly paid work with limited rights has negative consequences for sustainable welfare state systems. Age discrimination is prohibited but labour market regulation has trapped young people in a dynamic of systemic age discrimination through a circle of precarious work. The invisibility, for many, of their work and precarious labour conditions has limited the responses to this problem. It is important to break this vicious circle and apply a decent agenda for young workers, recognizing not only their status in the labour market, but also their citizenship rights and the importance of guaranteeing fair working conditions.