



▶ Quality apprenticeships

International Labour Conference
111th Session, 2023

Report IV(2)

▶ **Quality apprenticeships**

Fourth item on the agenda

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► Abbreviations

Employers' and workers' organizations

	IOE	International Organisation of Employers
	ITUC	International Trade Union Confederation
Argentina	CGT-RA	General Confederation of Labour of the Argentine Republic
Australia	ACCI	Australian Chamber of Commerce and Industry
	ACTU	Australian Council of Trade Unions
Austria	BAK	Federal Chamber of Labour
Brazil	CNI	National Confederation of Industry
Bulgaria	BIA	Bulgarian Industrial Association
	CITUB	Confederation of Independent Trade Unions of Bulgaria
	UPEE	Union for Private Economic Enterprise
Canada	CEC	Canadian Employers Council
	CLC	Canadian Labour Congress
Costa Rica	UCCAEP	Costa Rican Union of Chambers and Associations of the Private Business Sector
Denmark	DA	Confederation of Danish Employers
Finland	Akava	Confederation of Unions for Professional and Managerial Staff in Finland
	EK	Confederation of Finnish Industries
	SAK	Central Organization of Finnish Trade Unions
	STTK	Finnish Confederation of Professionals
	SY	Federation of Finnish Enterprises
France	CGT	General Confederation of Labour
	MEDEF	Movement of Enterprises of France
Germany	BDA	Confederation of German Employers' Associations
	DGB	German Trade Union Confederation
Guatemala	CACIF	Coordinating Committee of Agricultural, Commercial, Industrial and Financial Associations
Japan	JTUC-RENGO	Japanese Trade Union Confederation
	Keidanren	Japan Business Federation
Kuwait	KCCI	Kuwait Chamber of Commerce and Industry

Latvia	LBAS	Free Trade Union Confederation of Latvia
Mexico	CAT	Authentic Confederation of Workers
	CONCAMIN	Confederation of Chambers of Industry of Mexico
New Zealand	BusinessNZ	BusinessNZ
	NZCTU	New Zealand Council of Trade Unions
Panama	CONATO	National Council of Organized Workers
Portugal	CAP	Confederation of Farmers of Portugal
	CIP	Confederation of Portuguese Business
	CCP	Confederation of Trade and Services of Portugal
Spain	CCOO	Trade Union Confederation of Workers' Commissions
	CEOE	Spanish Confederation of Employers' Organizations
Sweden	LO	Swedish Trade Union Confederation
	SACO	Swedish Confederation of Professional Associations
	TCO	Swedish Confederation of Professional Employees
	SAF	Swedish Employers' Confederation
Switzerland	SGB	Swiss Trade Union Federation
	SGV-USAM	Swiss Union of Crafts and Small and Medium-sized Enterprises
Türkiye	DISK	Confederation of Progressive Trade Unions of Türkiye
	TISK	Turkish Confederation of Employers' Associations
	TÜRK-IS	Confederation of Turkish Trade Unions
Uruguay	CCSU	Chamber of Commerce and Services of Uruguay
	CIU	Chamber of Industries of Uruguay
	PIT-CNT	Inter-Union Assembly of Workers – Workers' National Convention

► List of reports

1. *A Framework for Quality Apprenticeships*, ILC.110/IV/1, published in November 2019.
First report (previously known as the “white report”): sets out the law and practice on apprenticeships in different countries and includes a questionnaire.
2. *A Framework for Quality Apprenticeships*, ILC.110/IV/2(Rev.), published in January 2022.
Second report (previously known as the “yellow report”): based on the replies to the questionnaire and includes proposed Conclusions.
3. *Quality Apprenticeships*, ILC.111/Report IV(1), published in August 2022.
Third report (previously known as the “brown report”): contains the text of a proposed Recommendation concerning quality apprenticeships, which was formulated on the basis of the first discussion by the Conference, and takes into account the replies to the questionnaire in the law and practice report.
4. *Quality Apprenticeships*, ILC.111/Report IV(2), published in March 2023.
The present (fourth) report (previously known as the “blue report”): based on the replies to the third report and also contains the text of the proposed Recommendation with proposed changes.

► Introduction

1. At its 334th Session (October–November 2018), the Governing Body of the International Labour Office decided to place on the agenda of the 110th Session (2022) of the International Labour Conference an item related to apprenticeships (standard-setting).¹
2. In accordance with article 46(1) of the Standing Orders of the Conference, the Office prepared a preliminary report setting out the law and practice on apprenticeships in different countries, which included a questionnaire.² The report was transmitted to Member States in December 2019. Governments were invited to give their views by March 2021, after consultation with the most representative organizations of employers and workers. Based on the replies received, the Office prepared a second report on the item,³ which was thereafter communicated to Member States. These two reports formed the basis for the first discussion of the item by the Conference, at its 110th Session, in 2022.
3. On 11 June 2022, the International Labour Conference, meeting in Geneva at its 110th Session, adopted the following resolution:⁴

The General Conference of the International Labour Organization,
Having adopted the report of the Committee appointed to consider the fourth item on the agenda,
Having in particular approved as general conclusions, with a view to the consultation of Governments, a proposal for a Recommendation concerning a framework for quality apprenticeships,
Decides that an item entitled “Apprenticeships” shall be included in the agenda of its next ordinary session for a second discussion with a view to the adoption of a Recommendation.
4. In the light of this resolution and in conformity with article 46(6) of the Standing Orders of the Conference, the Office prepared the text of a proposed Recommendation concerning quality apprenticeships, which was formulated on the basis of the first discussion by the Conference, and takes into account the replies to the questionnaire in the law and practice report. The proposed Recommendation was transmitted to governments in a third report, which was issued two months after the closing of the 110th Session of the Conference, in accordance with the Standing Orders of the Conference.⁵
5. In line with the practice established in 1988, the reports of the Standard-Setting Committee on Apprenticeships were made available to Member States in their entirety, together with the record of the discussion held in the plenary sitting of the Conference.⁶

¹ ILO, *Minutes of the 334th Session of the Governing Body of the International Labour Office*, GB.334/PV, 2018, para. 42.

² ILO, *A Framework for Quality Apprenticeships*, ILC.110/IV/1, Geneva, November 2019.

³ ILO, *A Framework for Quality Apprenticeships*, ILC.110/IV/2(Rev.), Geneva, January 2022.

⁴ ILO, *Resolution to place on the agenda of the next ordinary session of the Conference an item entitled “Apprenticeships”*, International Labour Conference, 110th Session, 2022.

⁵ ILO, *Quality Apprenticeships*, ILC.111/Report IV(1), Geneva, August 2022.

⁶ ILO, *Reports of the Standard-Setting Committee: Apprenticeships: Proposed resolution and Conclusions submitted to the Conference for adoption*, ILC.110/Record No. 5A; *Summary of Proceedings*, ILC.110/Record No. 5B(Rev.1); *Plenary sitting: Outcomes of the work of the Standard-Setting Committee: Apprenticeships*, ILC.110/Record No. 5C, Geneva, 2022.

6. In the third report (ILC.111/Report IV(1)), and pursuant to article 46(6) of the Standing Orders, governments were invited to send their suggested amendments or comments by 14 November 2022 at the latest, after consulting the most representative organizations of employers and workers. Governments were asked to indicate which organizations they had consulted and to reflect the results of such consultations in their replies. It should be noted that these consultations are obligatory for countries that have ratified the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144). Finally, governments were also requested to communicate to the Office, by the same date, whether they considered that the proposed text provides a satisfactory basis for the second discussion by the Conference at its 111th Session (June 2023).
7. At the time this fourth Office report was prepared, the Office had received replies from constituents from 47 Member States, including the Governments of the following 46 Member States: Argentina, Australia, Austria, Azerbaijan, Belgium, Brazil, Bulgaria, Burkina Faso, Canada, Costa Rica, Croatia, Cuba, Czechia, Denmark, Egypt, Finland, Germany, Guatemala, Ireland, Israel, Japan, Kuwait, Latvia, Malta, Mexico, Namibia, New Zealand, Norway, Oman, Pakistan, Panama, Peru, Poland, Portugal, South Africa, Spain, Sudan, Sweden, Switzerland, Thailand, Togo, Trinidad and Tobago, Tunisia, Türkiye, the United States of America and Uruguay.
8. The vast majority of governments indicated that their replies had been drawn up after consultations with organizations of employers and workers. Some of those governments incorporated in their replies the opinions expressed by these organizations on certain points. In addition, 24 employers' organizations and 22 workers' organizations also transmitted their observations separately. The International Organisation of Employers (IOE) and the International Trade Union Confederation (ITUC) also sent replies.
9. The present report has been prepared on the basis of the replies received from governments and employers' and workers' organizations and contains the essential points of their observations. It is divided into three sections: the first comprises comments of a general nature, the second contains the observations of the constituents on specific provisions of the proposed Recommendation, and the third contains the text of the proposed Recommendation. Some observations provided interesting and useful information on specific national contexts; while this information is most useful for the work of the Office, it has not been reproduced in this report, but has inspired guidance contained in the proposed Recommendation.
10. In view of the restrictions on the length of Conference reports, replies have not been reproduced in full; similar suggestions have been grouped together. When none of the constituents had any comments on specific Paragraphs, the Paragraphs have been omitted. Most comments closely followed the structure of the text of the proposed Recommendation and specified the parts of the text to which they referred. In instances where that was not the case, the Office has, to the best of its ability, linked observations to the relevant sections of the report.
11. Additional replies were received from a provincial government of a Member State and a private sector company. Their replies were noted but are not represented in the analysis in this report.
12. The proposed text of the Recommendation has been amended in the light of the observations made by governments and employers' and workers' organizations and for the reasons set out in the Office commentaries. Some minor drafting changes have also been made, in particular to ensure full concordance between the language versions of the proposed instrument. If the Conference so decides, these texts will serve as a basis for the second discussion, at the 111th Session (June 2023).
13. The Office recalls that the double discussion for standard-setting is a cumulative process including the preparation by the Office of four reports over a two-and-half-year period. In view of the strict

limitations on the length of Conference reports, it has not been possible to repeat in this fourth and final report the explanations provided in each of the previous reports. However, all of these reports, together with the record of the discussion at the 110th Session (2022), represent a whole and contain useful material for understanding the progression in the construction and the rationale behind the proposed Recommendation. They can be accessed on the Conference website. Governments and employers' and workers' organizations are encouraged to make full use of all reports in preparing for the second and final discussion.

- 14.** A large majority of the governments and employers' and workers' organizations that replied welcomed the changes to the proposed Recommendation and expressed their satisfaction with the efforts made by the Office to integrate the issues raised during the first discussion at the 110th Session of the Conference. They consider that the revised text provides the foundation for broad consensus and a satisfactory basis for further discussion at the 111th Session of the Conference (June 2023).

► Replies received and commentaries

General observations

Governments

Australia: Broadly supports the proposed instrument and acknowledges the importance of ensuring decent work for all apprentices.

Belgium, Burkina Faso, Egypt, Kuwait, Latvia, Mexico, Namibia, Pakistan, Panama, Poland, Spain, South Africa, Switzerland, United States: Agree that the proposed Recommendation constitutes a satisfactory basis for the second discussion to be held at the 111th Session of the Conference.

Brazil: Highlights the recognition of the importance of quality apprenticeships by the ILO and its efforts to build with Member States a Recommendation on quality apprenticeships. The proposed text includes valuable ideas.

Bulgaria: Expresses concern that certain elements of the proposed instrument could potentially create greater administrative burdens and hinder the implementation of existing procedures and practices for apprenticeships.

Canada: Welcomes the Office's efforts to provide further clarifications and proposals. While in agreement with the current draft, offers some observations on the proposed Recommendation.

Costa Rica: Stresses the importance of having an instrument on quality apprenticeships, including with a view to improving employability, facilitating the transition towards formality, and promoting decent work.

Czechia: Considers that the proposed Recommendation addresses appropriate details. Highlights the importance of involving all relevant stakeholders, and of ensuring adequate funding and close cooperation with other relevant agencies and institutions.

Finland: Considers the Office's proposals to be broadly acceptable, although the position of apprenticeships in the informal economy needs further discussion at the next session of the Conference.

Japan: Agrees on the importance of an international labour standard for apprenticeships based on the recommendations of the Standards Review Mechanism Tripartite Working Group and the ILO Centenary Declaration for the Future of Work. A new instrument should be sufficiently flexible for each Member State to adopt measures in accordance with its national conditions.

Malta: Welcomes the Recommendation, which will support citizens in mapping out their career paths while, at the same time, promoting a culture of lifelong learning.

Mexico: Considers it particularly relevant to include a new Paragraph on public policies seeking to incorporate "quality apprenticeships" into the informal sector with incentives to improve them and formalize them, and to reiterate the importance of social dialogue. In the national context, Mexico understands quality apprenticeships as the acquisition of knowledge and skills through study, practice or experience, especially the knowledge necessary to learn a specific craft or trade. Suggests that quality apprenticeships can be classified in four levels: (1) those derived from the acquisition of knowledge and skills to obtain a job; (2) those seeking to increase the skills and productivity of individuals who are already working, taking advantage of their experience; (3) those responding to a training strategy to incorporate people from the informal economy in the formal economy; and (4) those for young people

seeking employment in various industries. Likewise, quality apprenticeships can be conducted face-to-face, remotely or in a blended format, and also externally and internally, as well as within or outside working hours (subject to local regulations and agreements).

Norway: Notes that reporting procedures should be efficient, useful and relevant for the Member States.

Sweden: Welcomes the focus on apprenticeships. Efficient apprenticeship systems can contribute to good training and facilitate the transition from training to work, benefiting both young people and adults. It is important to prevent people from being exploited within apprenticeship systems. Since apprenticeship systems differ, the Recommendation should make room for Member States to shape these systems based on their national circumstances, including responding to the needs of different sectors and industries. Too detailed a Recommendation would risk making an apprenticeship system inflexible and difficult to adapt to societal and labour market changes. It is also important that the social partners can agree on apprenticeship training and that the Recommendation should promote gender equality, diversity and social inclusion, and include provisions on occupational safety and health.

Employers

IOE; CEC (Canada): Do not recommend a massive change to the existing, consensus-based text, structurally or substantively. There should be more emphasis on incentives, especially for micro, small and medium-sized enterprises; public-private partnerships; and the role of intermediaries.

IOE; ACCI (Australia), CEC (Canada), CNI (Brazil): Support the form of the instrument as a Recommendation, along with the original title, the coverage of apprenticeships rather than traineeships and internships, and the proposed definition of “apprenticeship”.

ACCI (Australia); CCP, CIP (Portugal); CCSU, CIU (Uruguay): Stress the level of agreement on the form of the instrument, as a Recommendation, which can allow for a diverse range of national circumstances to be addressed.

CCP (Portugal): Emphasizes the focus on quality and the extremely important role of the social partners, which should be recognized throughout the Recommendation.

CCSU, CIU (Uruguay): Stress the need to defer to national law and practice, to provide flexibility to Member States; to continue to strengthen the promotional approach; and to promote a culture of quality apprenticeships.

CONCAMIN (Mexico): Broadly supports the proposed Recommendation and emphasizes the need to create competent special authorities with well-defined mandates that are coordinated with other relevant bodies; to elaborate guidelines on equity and diversity; to prevent workplace violence; and to promote formal employment.

EK (Finland): Considers that there is no need for an ILO Recommendation on apprenticeships. Apprenticeships are specific to each country's training system and it is impossible to find a single, universally applicable model. The Recommendation should not create obligations, costs or administrative burdens for employers that could be obstacles to the creation of apprenticeships.

Keidanren (Japan): Notes that styles of human resource development, including apprenticeship, vary by country and therefore supports the Japanese Government's opinion that the document should include flexible expressions so that Member States can make education and training programmes which are adaptable to each employment situation.

MEDEF (France): Notes that there is a need to strengthen financial incentives, especially for small and medium-sized enterprises.

SGV-USAM (Switzerland): Considers that the Recommendation should emphasize employability, in line with labour market requirements.

TISK (Türkiye): Broadly supports the proposed Recommendation.

UCCAEP (Costa Rica): Notes that training is valuable not only for labour market entrants, but also for workers who wish to retrain and reinforce their skills and abilities, including where jobs are lost to technology. Apprenticeships must be developed in accordance with the needs of business, and international cooperation has significant benefits for employers' and workers' organizations.

SY (Finland): Broadly supports the instrument and emphasizes the importance of small and medium-sized enterprises in developing apprenticeship systems; the increasing importance of apprenticeships in both training new entrants and upskilling existing workers, including helping immigrants and those outside of the labour force; and the need for improved and more flexible international mobility, while taking into account national differences.

Workers

ITUC: Noted that it had commented on points with which it disagreed; it did not comment on points with which it agreed other than to underline the importance of the proposed change.

Akava (Finland): Welcomes the Recommendation and considers it of utmost importance to ensure quality apprenticeships. Emphasizes the importance of quality factors, including clearly defined objectives, assessment criteria, guidance for operators, and clear responsibilities, obligations and rights for all parties. Education and training – rather than contracting out work or earning an income – should remain the main objective of apprenticeships. Warmly supports the objective of involving both employers and employees in providing guidance and quality assurance.

BAK (Austria): Considers that apprenticeships should be made as attractive as possible and certain groups, such the over-25s, should not be excluded. Older apprentices' professional experience and other competencies should be assessed and credited towards apprenticeships, as should the qualifications, educational degrees and work experience of migrant workers. There is a need for appropriate support throughout the apprenticeship; targeted measures for pregnant women and mothers and adaptation of course structures; and equality and diversity, especially to protect young workers. The importance of the fundamental principles and rights at work should also be emphasized.

CAT (Mexico): Considers that quality education and the transition from the informal to the formal economy are essential to quality apprenticeships.

CCOO (Spain): Broadly supports the proposed instrument but expresses doubts about the proposals on the informal economy, which should be discussed further at the 111th Session of the Conference.

CGT-RA (Argentina): Notes a need to strengthen employers' and workers' organizations to fulfil their functions and for the recognition of professional profiles between different institutions and countries so that migrant workers can access quality apprenticeships. For apprenticeship contracts, it would be important to emphasize the minimum age for admission so as not to violate the regulations on child labour.

CITUB (Bulgaria): Expresses broad satisfaction with the proposed instrument. In a period of expected global recession, a deepening mismatch between skills demand and supply, as well as a shortage of vocational skills, requires workers of all ages to continuously improve their skills and competences. The development of quality apprenticeships and traineeships can create additional opportunities for decent work; contribute to effective and efficient responses to current employment challenges; and improve productivity, resilience, labour market transitions and the employability of school and higher education leavers. A quality apprenticeship framework would be well-regulated, sustainable and sufficiently well-

funded to be inclusive, non-discriminatory and non-exploitative, provide adequate remuneration and social protection, lead to recognized qualifications and improve employment outcomes.

DGB (Germany): Welcomes the proposed standard.

DISK (Türkiye): Considers that a Recommendation on quality apprenticeships is important and should be accompanied by a Convention. Apprenticeships, which should be devoted to vocational education, can be used as a cheap and insecure mode of employment. The proposed Recommendation does not recognize apprentices' right to association, whereas the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), and various decisions of the Committee on Freedom of Association recognize that apprentices have the right to become union members, defend their rights and enjoy collective agreements. There is a need to develop mechanisms to monitor and supervise the working conditions of apprentices and more comprehensive regulations in relation to apprentices in the informal economy. The Recommendation should also include provisions that will prevent apprenticeships from becoming a form of child labour.

PIT-CNT (Uruguay): Considers that the Recommendation is of great importance. Apprenticeship processes should be coordinated with public education. The Recommendation appears to mix concepts of training for work with vocational training. Stresses the importance of strengthening the promotional approach rather than a mere regulatory approach.

TÜRK-IS (Türkiye): Broadly supports the proposed instrument. Quality apprenticeships are one of the most important agenda items in the world of work. Youth labour force participation rates are continuing to decline globally, including in the wake of the COVID-19 pandemic, and a significant proportion of young workers are engaged in informal employment, generally in low-skilled or unskilled jobs, while the demand for a skilled labour force is increasing. As technologies advance, production modes are transforming; jobs, occupations and tasks are changing; and new jobs, occupations and forms of employment are emerging. Countries must enhance their vocational education/training capacities in line with these developments. The greatest problem faced by apprentices in practice is that they work as if they are full-time workers, not students, and receive low wages. The Recommendation should underline that regulations on apprenticeships should, as a minimum, provide rights and entitlements equal to those of full-time workers.

Office commentary

The overwhelming majority of governments and employers' and workers' organizations supported the objective of promoting quality apprenticeships in an international labour standard and considered that the proposed text of the Recommendation provides a satisfactory basis for the second discussion. The constituents emphasized the vital role of quality apprenticeships in supporting people of all ages, serving the interests of both labour market entrants and those who wish to retrain and upgrade their skills, and in promoting equality, diversity and social inclusion. The responses also underscored the lead role to be played by the International Labour Organization, supported by the Office, in promoting quality apprenticeships.

The constituents offered very valuable comments and proposals on specific issues, which are included below in relation to the relevant Paragraphs of the proposed Recommendation. The majority of the comments expressed appreciation for the Office's efforts in proposing adjustments to certain elements of the text. In particular, there was overwhelming support for the Office's proposal to simplify the Recommendation's title and to use the term "occupation" (Paragraph 9).

In the light of the responses, some matters would appear to benefit from further consideration at the discussion at the 111th Session of the Conference.

One such issue is apprenticeships in the informal economy, including in relation both to the definition of “apprenticeship” (Paragraph 1(a)) and to facilitating transitions from the informal to the formal economy (Paragraph 27). To aid this discussion, the Office has proposed a new clause, 27(d).

Another issue that was prominent in the responses of governments and employers’ and workers’ organizations was how to recognize the flexibility of Member States in implementing the Recommendation. The Office notes that the text has been adjusted to refer to “having regard to national circumstances” (as opposed to “in accordance with national laws” or “in accordance with national law and practice”) in the chapeaus of Paragraphs 10 and 13 and in Paragraph 22 (now Paragraph 20). In accordance with the preference indicated by the respondents, however, a reference to national laws in Paragraph 18(b) has been retained.

Other potential matters for discussion at the Conference include the concept and definition of “intermediary” (Paragraph 1(b)); the characterization of the participation of intermediaries in the provision, coordination and support of apprenticeships (Paragraph 25(h)); and the precise content of measures to promote international, regional and national cooperation for quality apprenticeships (Paragraph 28).

Observations on the proposed Recommendation concerning quality apprenticeships

References to national laws, practices and circumstances

In paragraph 54 of the third report (ILC.111/IV(1)), the Office expressed concern over the use of the qualifying expression “in accordance with national laws” in draft Paragraphs 10, 13, 18 and 22 of the proposed Recommendation. The Office invited comments on the advisability of instead using the phrase “having regard to national circumstances”.

Governments

Argentina: A reference to “laws” may exclude countries that have not enacted specific legislation. Suggests instead including “context”, which is broader than “circumstances”.

Australia, Canada, Costa Rica, Namibia, New Zealand, Oman, Poland, Spain, Türkiye: Support the Office proposal.

Austria: In Paragraphs 10, 13 and 22, “in accordance with national laws” may be replaced by “having regard to national circumstances”. However, in Paragraph 18(b), “in accordance with national laws” should remain in the text.

Belgium, Burkina Faso, Cuba, Egypt, Kuwait, Switzerland, Trinidad and Tobago, United States: In favour of retaining “in accordance with national laws”.

Denmark, Sweden: Replace “in accordance with national laws” with “having regard to national circumstances” in Paragraphs 10, 13, and 22, but retain the former expression in Paragraph 18(b).

Finland: “In accordance with national laws” should be replaced with “in accordance with national circumstances” in Paragraphs 10, 13 and 18(b).

Germany: Supports the Office proposal in relation to Paragraphs 10, 13 and 22. In Paragraph 18(b), use “unless otherwise regulated by law”.

Ireland: Agree with replacing “in accordance with national laws” with “having regard to national circumstances” in Paragraphs 10 and 13.

Portugal: Supports the deletion of “in accordance with national laws” in Paragraphs 10, 13 and 22, but suggests that the wording “having regard to national circumstances (and practices)” as initially used should be restored. Considers that in the particular case of Paragraph 18(b) the reference to national laws should be maintained, since this Paragraph sets out the provisions to be included in the apprenticeship agreement – some of which deal with matters that are generally governed by national laws.

Employers

IOE; CEC (Canada): Do not support watering down “in accordance with national laws”. As each country has different levels of development, circumstances and priorities, the original wording should be kept to ensure flexibility for countries, and to help encourage governments to use this Recommendation as guidance.

BDA (Germany): The argument that the restrictive wording “in accordance with national laws” should be used as little as possible when dealing with the substance of a provision rather than its implementation is not convincing. All the Paragraphs deal with implementation by Member States, and therefore “in accordance with national laws” should be retained.

BusinessNZ (New Zealand), CAP (Portugal), SAF (Sweden), TISK (Türkiye): Support the Office proposal.

CACIF (Guatemala), MEDEF (France): Prefer to retain “in accordance with national laws”.

CIP (Portugal): In Paragraphs 10, 13 and 18(b) and 22, “in accordance with national laws and practices” should be used.

Workers

ITUC; ACTU (Australia); CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); SGB (Switzerland): Support the Office proposal. References to national law could be used at the national level to argue that ILO instruments are applicable only when they are in line with existing law. By maintaining the reference to national laws, the Committee would undermine the legislative and institutional change required to achieve better apprenticeships. The reference to “national circumstances” is also redundant. It is, however, preferable to “national laws”.

NZCTU (New Zealand); SAK, STTK (Finland): Support the Office proposal.

Office commentary

In line with these responses, and the more specific comments noted below in relation to Paragraphs 10, 13 and 22 (now Paragraph 20), the language of “having regard to national circumstances” has been adopted. However, in Paragraph 18(b), a reference to national laws has been retained in accordance with the preference indicated by the respondents. The Office notes that there will be an opportunity at the 111th Session of the Conference to discuss this wording further.

Title of the instrument

In paragraph 18 of the third report, the Office proposed to simplify the title of the proposed Recommendation, from “a framework for quality apprenticeships” to “quality apprenticeships”.

Governments

Argentina, Austria, Denmark, Mexico, New Zealand, Pakistan, Portugal, Togo, Trinidad and Tobago: Agree with the change in the title.

Ireland: Suggests discussing the change at the 111th Session of the Conference.

Employers

BusinessNZ (New Zealand), CACIF (Guatemala), CAP (Portugal), TISK (Türkiye): Agree with the change in the title.

IOE; CNI (Brazil), DA (Denmark): Do not agree with the change in the title.

MEDEF (France): Simplification of the title may create a further and lengthy discussion on the definition of “apprenticeship”.

Workers

CCOO (Spain): Does not agree with the change in the title.

DGB (Germany): Does not agree with the change in the title. Omitting a reference to a “framework” in the title of a Recommendation suggests a process not of simplification, but deregulation.

ITUC; NZCTU (New Zealand): Agree with the change in the title.

Office commentary

In view of the support for simplifying the title of the instrument, the Office has maintained the title “Proposed Recommendation concerning quality apprenticeships”, as in the third background report.

Preamble

Governments

New Zealand: Lengthy declaratory preambular statements are of questionable value, particularly in a non-binding Recommendation.

Employers

BusinessNZ (New Zealand): Agrees with the Government that there is little need for a lengthy preambular statement.

Office commentary

There was broad satisfaction with the preambular text proposed by the Office on the basis of the text of the Conclusions agreed in the first discussion at the 110th Session of the Conference. Most of the comments received related to specific preambular paragraphs and accordingly are summarized below. As shown below, most respondents endorsed two changes to the wording of the Preamble suggested by the Office in the third report: adding “for all” after “decent work” to reflect the wording used in recent ILO instruments; and merging the fourth and eighth preambular paragraphs to avoid duplication.

Third [now third and fourth] preambular paragraph

In paragraph 19 of the third report, the Office noted that the separate sentence from point 3(a) of the Conclusions had been merged with the preceding text to improve readability, and invited comments on whether the words “for all” should be inserted after “decent work” to reflect the language used in the ILO Centenary Declaration for the Future of Work.

Governments

Argentina, Australia, Austria, Belgium, Burkina Faso, Costa Rica, Denmark, Ireland, Namibia, New Zealand, Poland, Portugal, Spain, Sweden, Switzerland, Trinidad and Tobago, Türkiye: Agree with the proposal to change “decent work” to “decent work for all”.

Belgium, Burkina Faso, Costa Rica, Ireland, Oman, Poland, Portugal: Agree with the Office’s changes to improve readability.

Oman: Considers that there is no need to add “for all”, given the preceding reference to “people of all ages”.

Peru: Suggests adding statistical information in a footnote to support the global unemployment and underemployment rates.

Togo: Opposes the addition of “for all”.

Employers

BusinessNZ (New Zealand): Notes the wordiness of this third statement and its lack of any particular relevance to the creation of quality apprenticeships

CAP (Portugal), TISK (Türkiye): Agree with the addition of “for all”.

SAF (Sweden): The term “for all” is too broad when referring to apprentices.

Workers

ITUC; ACTU (Australia), NZCTU (New Zealand): Agree with the addition of “for all”.

CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); SGB (Switzerland): Agree with both the editorial changes and the addition of “for all”.

Office commentary

In the light of the replies received, “decent work” has been changed to “decent work for all”. Furthermore, the Office has split this preambular paragraph in two to address comments concerning lengthy preambular statements, and has also replaced “in the interest of” with “contribute to” in order to better reflect the overall effect of reskilling and upskilling of individuals on full, productive and freely chosen employment and decent work for all.

Fourth and eighth [now merged fifth] preambular paragraphs

In paragraph 21 of the third report, the Office noted some duplication in the fourth and eighth preambular paragraphs regarding the importance of quality education, and invited comments on whether the two paragraphs should be merged. Furthermore, in paragraph 19 it noted that “Emphasizing” had been changed to “Underlining” to avoid repetition.

Governments

Argentina, Burkina Faso, Ireland, Portugal: Agree with the editorial change in the eighth paragraph.

Australia, Belgium, Costa Rica, Oman, Pakistan, Poland: Agree with both proposals.

Austria: Agrees with the merge, provided the term “importance” is retained.

Burkina Faso: The merged paragraph should read: “Noting that Members recognize the importance of effective lifelong learning and quality education for all”.

Denmark: Does not agree to merge the fourth and eighth paragraphs.

Ireland: The proposed merge should be discussed at the 111th Session of the Conference.

Namibia, Sweden, Switzerland, Trinidad and Tobago, Türkiye: Agree with the merge of the fourth and eighth preambular paragraphs.

New Zealand, Spain: Delete the eighth preambular paragraph to avoid repetition.

Portugal: Agrees with the merge, provided the words “for all” and “openness” are retained.

United States: Delete the eighth preambular paragraph, and amend the fourth preambular paragraph to read: “Underlining the importance of effective lifelong learning, and quality education for all”.

Employers

BusinessNZ (New Zealand): Delete the eighth preambular paragraph, and insert “for all” at the end of the fourth paragraph.

CIP (Portugal): Agrees with the merge, provided “for all” and “openness” are retained.

DA (Denmark): Retain the existing text, since one paragraph is directed at Members and the other focuses on the importance of education and lifelong learning.

SAF (Sweden): Agrees with the merge of the fourth and eighth paragraphs.

TISK (Türkiye): Agrees with the editorial change in the eighth paragraph.

UPEE (Bulgaria): Recommends deleting the eighth paragraph, and amending the fourth paragraph to read: “Noting that Members recognize and underline the importance of effective lifelong learning and its promotion, and quality education for all”.

Workers

ACTU (Australia): Agrees with the proposed merge of the fourth and eighth preambular paragraphs.

CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); SGB (Switzerland): Agree with the proposed merge and the editorial change in the eighth paragraph.

CITUB (Bulgaria): Given the importance of competitiveness in a world of new technologies and changing industries, recommends inserting that term in the eighth preambular paragraph so that it would read: “Recognizing that quality apprenticeships can support entrepreneurship, self-employment, employability and competitiveness, the transition to the formal economy, job creation and the growth and sustainability of enterprises”.

NZCTU (New Zealand): Prefers to delete the fourth paragraph.

Office commentary

In the light of the replies received, the Office has deleted the eighth preambular paragraph and amended the fourth (now fifth) preambular paragraph to read: “Underlining the importance of quality education for all, effective lifelong learning and openness to lifelong learning”. The reformulation preserves all elements of the original two paragraphs.

Fifth [now sixth] preambular paragraph

In paragraph 19 of the third report, the Office noted that the expression “can lead to decent work” had been changed to “can lead to further opportunities for decent work” to avoid any unintended suggestion that apprenticeships are necessarily a precursor to decent work and may not themselves involve decent work.

Governments

Argentina: The paragraph should be reworded to read: “Recognizing that the promotion and development of quality apprenticeships can generate new decent work opportunities, improve employability, stimulate entrepreneurship and self-employment, increase productivity, resilience and transitions to the formal economy, to meet the current and future needs of apprentices and the growth and sustainability of enterprises and the labour market as a whole”.

Austria: The reference to “further opportunities” for decent work is not necessary.

Belgium: Agrees with the change from “can lead to decent work” to “can lead to further opportunities for decent work”, if it means recognizing that on-the-job training meets the characteristics of decent work.

Burkina Faso, Costa Rica, New Zealand, Oman, Pakistan, Sweden: Agree with the change.

Denmark, Ireland, Portugal, Spain: Revert to the initial text, “can lead to decent work”.

Employers

BusinessNZ (New Zealand): Does not object to the change, but would also replace “needs of apprentices, employers and the labour market” with “labour market needs”.

DA (Denmark): Opposes the change.

SAF (Sweden), TISK (Türkiye): Agree with the change to “can lead to further opportunities for decent work”.

Workers

ITUC; ACTU (Australia); CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); NZCTU (New Zealand); SGB (Switzerland): Agree with the change to “can lead to further opportunities for decent work”.

Office commentary

The Office notes that the majority of respondents support the phrase “can lead to further opportunities for decent work”. Accordingly, the wording has been retained.

Sixth [now eighth] preambular paragraph

Governments

United States: Proposes to add a reference to “social inclusion” before “and diversity”.

Employers

IOE; CEC (Canada): Consider that the negative language of “exploitation” will deter businesses from offering and embracing apprenticeship systems. Suggest not to keep it in the text, as the regulatory framework section should be enough to ensure the protection and rights of apprentices.

BDA (Germany): Violations of workers' rights must be addressed, but this is not a primary objective of an ILO Recommendation on quality apprenticeships.

KCCI (Kuwait), MEDEF (France): Propose to delete "exploitation".

Office commentary

The concerns raised by employers were not reflected in responses from other groups. Similarly, the suggestion of one Government was not made by others. The Office therefore does not propose any changes to the proposed text.

Seventh [now ninth] preambular paragraph

Employers

BusinessNZ (New Zealand): Proposes to insert "enabling their employment by" between "including" and "micro".

Office commentary

As only one constituent made this proposal, the text has not been changed.

Ninth [now seventh] preambular paragraph

In paragraph 22 of the third report, the Office invited the comments of Member States on whether the word "job" should be replaced with "employment", in line with the Employment Policy Convention, 1964 (No. 122).

Governments

Argentina, Australia, Belgium, Costa Rica, Namibia, Poland, Trinidad and Tobago: Agree with the proposed change.

Austria, Denmark, Ireland, New Zealand, Oman, Portugal, Sweden, Türkiye: The word "job" should be retained.

Peru: The paragraph should refer to the creation of "new" jobs.

United States: Suggests reordering the paragraph to read "support employability, the transition to the formal economy, job creation, the growth and sustainability of enterprises, entrepreneurship, and self-employment".

Employers

BusinessNZ (New Zealand), CIP (Portugal), SAF (Sweden), TISK (Türkiye): Prefer to retain the reference to job creation.

UPEE (Bulgaria): Proposes to include both job and employment creation.

Workers

ACTU (Australia): Agree with the proposed change.

CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); SGB (Switzerland): Agree with the change.

NZCTU (New Zealand): Retain the reference to job creation.

Office commentary

In the light of the mixed views on the proposed change from “job” to “employment”, the text remains unchanged. The Office has moved this paragraph to become the seventh preambular paragraph, so that it follows the paragraphs dealing with other benefits of apprenticeships.

I. Definitions, scope and means of implementation

Title

Office commentary

The Office has added “means of” before “implementation” in line with standard drafting practice.

Paragraph 1

Governments

Thailand: Proposes that the term “apprentice” and its definition be added as a new clause to Paragraph 1.

Workers

SAK, STTK (Finland): Stress the need for more clarity on the word “enterprise”, as in the proposed Recommendation the term “enterprise” is used to refer to the person or organization for which the apprentice engages in on-the-job training. However, apprenticeships may be undertaken in both the public and private sectors (including not-for-profit).

Office commentary

The proposal to add a new definition was not made by other respondents, so no additional definitions have been included. Given the broad support for the concept of “enterprise” in the Recommendation, the Office has left the text unchanged.

Paragraph 1(a)

In paragraph 24 of the third report, the Office proposed a broadening of the definition of “apprenticeship” in Paragraph 1(a) to capture all apprenticeship systems, including apprenticeships in the informal economy, given that the scope of the proposed Recommendation in Paragraph 2 applies to “apprenticeships in all enterprises and sectors of economic activity”.

Governments

Austria, Denmark, Spain: Do not support the extension of the apprenticeship definition to encompass the informal economy.

Argentina: It is not possible to conclude an apprenticeship contract in a working environment in the informal economy. Including apprenticeships in the informal economy in the definition would contradict the proposed text, in which formality (contract, structured learning and a recognized qualification) is a requirement. Provisions should be made for systems that allow for the recognition of knowledge and skills gained through experience, whether in the formal or informal economy or in other spheres of life.

Belgium: The definition of apprenticeship in Paragraph 1 goes in the right direction by recalling the essential elements (training for apprenticeship in a trade by alternating theoretical training and practical training in a company) and by providing that it is “remunerated or otherwise financially

compensated". Reference to the informal economy could be made by specifying "where appropriate, according to the current situation of training within a country".

Costa Rica, Oman, Pakistan: Support broadening the definition as proposed.

Finland: The Office proposal to broaden the definition to include apprenticeships in the informal economy should be discussed further at the next session of the Conference. In general, Finland believes that the arrangements, procedures and requirements for apprenticeships should apply to all work, whether in the formal or the informal economy.

Germany, Ireland: Do not agree with the Office proposal to broaden the definition of apprenticeships. Access to vocational education and training institutions cannot be regulated by the "apprenticeship" definition. Members should take measures to promote access to vocational training institutions. Dual vocational training, which is highly formalized to ensure quality, and the "informal economy" are mutually exclusive. According to the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), the term "informal economy" refers to "all economic activities by workers and economic units that are – in law or in practice – not covered or insufficiently covered by formal arrangements". However, without formal arrangements, quality apprenticeship training cannot be ensured.

Ireland: States that the Office's proposal to broaden the definition could be problematic. An apprenticeship should have a "school" element, otherwise it is not an apprenticeship, but work experience (for example a traineeship or internship). Also, without off-the-job learning, how would the programme lead to a recognized qualification?

Latvia: An apprenticeship by definition should have an off-the-job learning element in order to lead to a recognized qualification. The definition should not be linked to acquiring skills in the informal economy.

Namibia: The current definition will exclude those apprentices who cannot access vocational training institutions. The definition should therefore be broadened to encompass all apprenticeship systems, including apprenticeships in the informal economy.

New Zealand: Queries how this might be applied to the informal economy, given that the Recommendation is meant to be used by Governments to guide the regulation of apprenticeship systems. The Office proposal would also have flow-on effects throughout the rest of the text, yet no specific wording proposals have been made.

Portugal: Does not support the Office proposal. Off-the-job training is an essential component of an apprenticeship, otherwise the training is like an internship. It is important to value and to integrate competencies acquired in the informal economy. However, this is not a matter for the definition of an apprenticeship or its scope, but of methodology and organization. The issue is resolved through the recognition and certification of prior learning and by exempting apprentices from attending components of the curriculum aimed at the acquisition of competencies they have already acquired.

Sweden: Opposes the broadening the definition of apprenticeship. Without the off-the job element, the training is work experience, or an internship, rather than an apprenticeship. Without the off-the-work element, an apprenticeship cannot lead to a recognized qualification. Should the definition be reopened, however, it should be during the discussion at the 111th Session of the Conference, in order for constituents to be able to explain their arguments and present potential alternative compromise wording.

Switzerland: Is prepared to show flexibility, although care should be taken not to dilute the concept of apprenticeship. In Switzerland, an apprenticeship cannot be recognized without a component of off-

the-job training. The proposal emphasizes that the Recommendation applies to “apprenticeships in all enterprises and sectors of economic activity”, thus including the informal economy.

Thailand: The term “apprenticeship” should be defined to include internships of students and trainees who are enrolled in government/private educational and training institutions and who are required to intern at industrial/service enterprises to complete their education or training.

Türkiye: Favours retaining the current definition of “apprenticeship”, but notes that a new and broader definition to be proposed by the Office can be discussed at the next Committee meeting.

Employers

IOE: Suggests retaining the current definition. It is broad and sufficiently flexible to encourage Member States in different national circumstances to use it as guidance in their domestic legislation on apprenticeships and support those who are yet to enact legislation. Including a reference to informality in the definition would not be useful and would generate additional contentious issues in the discussion at the 111th Session of the Conference. Any action taken on recognizing informal apprenticeships should not result in an increase in informality.

BDA (Germany): Does not support a change to the definition of apprenticeship. The proposed Recommendation takes into account informal apprenticeships sufficiently, as its scope applies to apprenticeships in all enterprises and sectors of economic activities (paragraph 15 of the third report).

BusinessNZ (New Zealand): Supports the proposal to amend the definition of apprenticeship to encompass situations where the majority of learning occurs on the job. The involvement of learning institutions is, for most forms of apprenticeship, a quite recent development and practical experience gained from learning in “real” situations can be just as, if not more, valuable than anything that off-job learning can teach. Further, smaller learning institutions will often be unable to keep pace with more recent developments in particular areas of work. There will therefore be situations in which some employers – even smaller employers – will be using equipment that is much more up to date than anything a learning institution can provide.

CACIF (Guatemala): Agrees that the proposed definition might exclude apprentices who cannot access vocational education and training institutions. Yet informality should not be included in the definition of apprenticeship, but rather approached as a transition to formality and/or quality apprenticeships. The Recommendation should envisage apprenticeships as a bridge to formality, rather than promote informal apprenticeships.

CAP, CIP (Portugal): Are not opposed to expanding the definition to cover all systems of apprenticeships.

CNI (Brazil): Suggests retaining the current definition. The proposed change would confuse “quality apprenticeships” with “pre-apprenticeships” or with other types of vocational training.

TISK (Türkiye): The current formulation of the definition of apprenticeship is sufficiently broad to encompass arrangements in the informal economy. Therefore, the definition should not be broadened and should remain as adopted at the Conference.

Workers

ITUC; ACTU (Australia), CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); SGB (Switzerland): Believe that the provision of off-the-job training was the differentiating factor between the initial definitions of apprenticeships and traineeships, as proposed by the Office. The Office now suggests the removal of “off-the-job training” from the definition of apprenticeships. Off-the-job training was understood to be essential by the Workers’ and Employers’

groups and several Governments in the first discussion. As this is a complicated issue, there should be no change in the definition at this stage. The constituents should be given an opportunity to explain their arguments and potential alternative wordings during the second discussion.

ITUC: Mentions that informal apprenticeships are the practice in large parts of the world where vocational education institutions are inexistent. National practices may differ, but the Recommendation should set a high standard.

ACTU (Australia): Emphasizes that deleting the off-the-job training requirement could lead to the flourishing of a second-rate system.

BAK (Austria): Apprenticeships, as defined in Paragraph 1(a), involve formal training. The informal economy, by definition, lacks formal training standards. It would also be unclear how quality of training could be assured or how qualifications could be tested and documented. All measures aimed at improving the recognition of informally acquired qualifications are worthy of support. Nevertheless, it is important that apprenticeships are defined as formalized training.

CCOO (Spain); SAK, STTK (Finland): Do not support the proposal to extend the definition of “apprenticeship” to capture apprenticeships in the informal economy.

LBAS (Latvia): Supports broadening the definition of “apprenticeship” to capture all apprenticeship systems, including apprenticeships in the informal economy, which is in line with Paragraphs 7(j) and 15 of Recommendation No. 204, but notes that there should be no change to the definition at this stage, as constituents should discuss it further at the second discussion.

NZCTU (New Zealand): Supports the extension of the definition to include apprenticeships in the informal economy. However, this would have flow-on effects for the rest of the text, such as the recommendation to establish regulatory frameworks for apprenticeships, which may not be possible in the informal economy.

PIT-CNT (Uruguay): Supports a broader definition.

Office commentary

A large majority of respondents expressed the view that the definition of apprenticeships should remain unchanged. Some of them, however, mentioned that they are open to discussing the definition at the next session of the Conference. The Office has therefore left the text unchanged except for minor editorial changes.

Paragraph 1(b)

Governments

Argentina: The definition of “intermediary” is not sufficiently clear. It is not possible to identify whether the intermediary is a person or an institution.

Peru, Tunisia: The term “intermediary” is ambiguous.

Thailand: Considers that the role of an intermediary may also include matching apprentices to suitable apprenticeship positions, determining competencies for various jobs, providing career guidance services and promoting apprenticeship-matching platforms.

United States: The reference to “or educational institution” should be deleted. In some countries, educational institutions can function as an intermediary.

Workers

DISK (Türkiye): The inclusion of intermediaries in the Recommendation may lead to significant problems in the practice of apprenticeships in countries in which intermediaries do not exist.

Office commentary

The Office notes a degree of uncertainty about the concept of “intermediary”; however, as there were very few comments on this clause, the text has been left unchanged.

Paragraph 1(c)

Governments

Costa Rica: The content and implementation of pre-apprenticeship programmes should be clarified.

Employers

CACIF (Guatemala): A pre-apprenticeship programme helps to fulfil requirements towards formality.

Office commentary

As these were the only comments received on this definition, no changes have been made to the text.

Paragraph 1(d)

In paragraph 25 of the third report, the Office noted that some of the processes involved in the recognition of prior learning are performed by personnel other than assessors, such as counsellors or administrative staff. It therefore invited comments on whether a different term, such as “qualified professionals”, should be used instead of “qualified assessors”.

Governments

Argentina: The term “qualified assessors” should be retained. Counsellors or administrative staff have different functions than assessors. Training is required to become an assessor, and being a qualified professional does not give the status of an assessor.

Australia, Burkina Faso, Costa Rica, Germany, Poland, Oman, Switzerland, Türkiye: Support replacing “assessors” with “qualified professionals”.

Austria: Agrees that procedures or processes related to the recognition of prior learning can also be undertaken by certified counsellors or administrators. Suggests using the term “qualified personnel” instead of “qualified assessors”.

Belgium: Proposes “qualified assessors and/or qualified professionals”.

Canada: Does not object to the term “qualified professionals”, but notes that it remains unclear who deems the person qualified.

Denmark, Portugal, Sweden, United States: Propose replacing “qualified assessors” with “qualified personnel”.

Ireland: Supports “qualified assessors” but, in the interests of consensus, could accept “qualified personnel”.

Namibia, New Zealand, Togo, Trinidad and Tobago: Oppose replacing the current text.

Thailand: Supports maintaining “qualified assessors”. Furthermore, proposes to rephrase the definition of “recognition of prior learning” as “a process, undertaken by qualified assessors, of identifying, documenting, assessing and certifying a person’s competencies, knowledge and experiences, acquired through formal, non-formal or informal learning and work experiences, based on established qualification standards”.

Uruguay: “Recognition of prior learning” should be replaced with “recognition of prior learning, skills, attitudes and abilities”, to reflect the dimensions and areas of competence.

Employers

BDA (Germany), CACIF (Guatemala), UPEE (Bulgaria): Prefer “qualified professionals”.

BusinessNZ (New Zealand), TISK (Türkiye): The term “qualified assessors” should be retained, as a sufficiently broad term.

CACIF (Guatemala): “Non-formal” should be removed and, at the end, it should be specified that qualification standards are set “by each country, or according to the national situation”.

Workers

ITUC; ACTU (Australia); CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); SGB (Switzerland): Prefer to retain the term “qualified assessors”. Qualified assessors are certainly qualified professionals, but not all professionals are qualified assessors.

NZCTU (New Zealand): Supports “qualified professionals”.

Office commentary

A large majority of governments and a number of employers’ organizations support the term “qualified professionals” or “qualified personnel” instead of “qualified assessors” in the definition of “recognition of prior learning”, but most workers’ organizations prefer the term “qualified assessors”. The Office notes that the term “professionals” covers assessors and other staff involved in the process of recognition of prior learning, and that each of them (and not only assessors) should be qualified to perform their tasks competently. In the light of the replies, the Office proposes to change the term “qualified assessors” to “qualified professionals”.

Paragraph 2

Governments

Australia: Broadly supports the inclusion of a reference to the informal economy in Paragraph 2, subject to the clarification that the Recommendation’s guidance on apprenticeships in the informal economy applies only to those Member States in which such apprenticeships are recognized.

Norway, Switzerland: Public institutions should be explicitly mentioned, including to ensure consistency with Paragraph 17.

Switzerland: This Paragraph emphasizes that the Recommendation applies to “apprenticeships in all enterprises and sectors of economic activity”, thus including the informal economy.

Employers

CACIF (Guatemala): Public institutions should also be included.

Workers

PIT-CNT (Uruguay): Considers it important to include apprenticeships in the public sector.

Office commentary

The Office considers that the current text of Paragraph 2 already encompasses public institutions and arrangements in the informal economy and has therefore not made any changes to the text.

Paragraph 4

Workers

DISK (Türkiye): The draft refers to “representative employers’ and workers’ organizations”, but it is not clear what criteria apply in selecting/determining these representative organizations.

Office commentary

The Office notes that the language is standard in ILO instruments and has therefore not made any changes.

II. Regulatory framework for quality apprenticeships

Paragraph 5

In paragraph 27 of the third report, the Office noted the importance of referring to the elements involved in progressively achieving higher standards in apprenticeships, including those in the informal economy, and invited comments on adding the words “and take measures to support the upgrading of all apprenticeships, including those in the informal economy” at the end of Paragraph 5.

Governments

Argentina: The word “all” includes the informal economy; singling it out implies, in some countries, recognizing irregularity in employment registration as valid. Suggests replacing with: “including experiences of work placements in workplaces in the informal economy”.

Australia: Supports the Office’s proposal, but considers that further clarification is needed to address the fact that in some jurisdictions, apprenticeships in the informal economy are not recognized.

Austria, Denmark, Ireland, New Zealand, Türkiye: Do not agree with the proposed addition.

Belgium: Proposes to add after “and take measures to promote the upgrading of all apprenticeships, including in the informal economy”, the words “where appropriate according to the current situation of training within the country”.

Burkina Faso, Costa Rica, Namibia, Oman, Switzerland, Trinidad and Tobago: Agree with the addition proposed by the Office.

Canada: Given that, typically, apprenticeships are “evergreen” or continually changing to meet industry needs, instead proposes the wording “and take measures to support the continual improvement of all apprenticeships, including those in the informal economy”.

Costa Rica: Proposes inserting, after “and take measures to support the upgrading of all apprenticeships, including those in the informal economy”, the words “through qualification standards that allow, through the certification of competencies, to redirect informal work into the formal economy and promote continuing education”.

Finland: The Office's proposal needs further explanation and discussion together with Paragraphs 24 and 27, which also cover issues of the informal economy. As a rule, arrangements, procedures and requirements for apprenticeships should apply to all work, whether carried out in the formal or informal economy.

Germany: Does not agree to the Office's proposal, since the concept of "apprenticeship" as understood in the Recommendation cannot be extended to the informal economy and high-quality dual vocational training can only be ensured in a regulated framework.

Latvia: Does not support the proposed additional words. While it is important to achieve higher standards in apprenticeships, links with the informal economy have not been investigated sufficiently.

Portugal, Sweden: Do not agree with the addition. The aim is not to improve the acquisition of skills in the informal economy, but to make a successful transition from the informal to the formal economy.

Spain: Does not agree with the Office's suggestion. The informal economy operates outside the economic, budgetary and fiscal controls of the State. Proposes instead: "Members should incorporate and promote quality apprenticeships in relevant education, vocational training and employment policies, especially to facilitate the recognition of non-formal and/or informal learning".

Employers

IOE: Need to ensure that "upgrading" informal apprenticeships does not have counterproductive effects. Any action taken on recognizing informal apprenticeships should not result in an increase in informality.

BusinessNZ (New Zealand): Supports the Office's proposal.

DA (Denmark), TISK (Türkiye): The text should remain as adopted by the Conference.

CACIF (Guatemala): The aim should not be to improve informal apprenticeships, but to support a transition to formality.

CIP (Portugal): Not opposed to the addition, but the wording should be included in Paragraph 27 rather than Paragraph 5.

UPEE (Bulgaria): Agrees with the proposal, because supporting apprenticeships in businesses operating in the informal economy can help transition their activities into the formal economy.

Workers

ACTU (Australia), CGT (France); CLC (Canada); CONATO (Panama); DGB (Germany); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); NZCTU (New Zealand); SGB (Switzerland): Agree with the addition.

Office commentary

In the light of the replies, the Office has not added to Paragraph 5 the wording that it proposed in the third report. However, it has added the term "lifelong learning" to align with Paragraph 25(b).

Paragraph 6

Governments

Uruguay: Civil society organizations with expertise in work-related training should also be involved in the design (and so on) of regulatory frameworks, along with employers' and workers' organizations.

Office commentary

As no other constituents made a similar proposal, no change has been made to the text. The Office, however, made a minor editorial change of replacing “regulatory frameworks” with “a regulatory framework” to align with the title, and moved the word “frameworks” to come before “systems” in the second sentence.

Paragraph 7

Governments

Norway: Notes that regulatory authority cannot be shared with employers’ and workers’ organizations and proposes changing “authorities” to “advisory councils”.

Thailand: Regulatory authorities should include representatives of educational and training institutions.

Employers

EK (Finland): No additional regulation that increases administration should be created for apprenticeship training, meaning that parallel additional systems should not be created alongside the existing committees.

Office commentary

As no other constituents made similar proposals, no changes have been made to the text.

Paragraph 9

In paragraph 29 of the third report, the Office noted that the concept of an occupation, as used in international labour standards, is broad enough to encompass any form of skilled trade, and invited comments from Member States on changing the references to “a skilled trade or occupation” to read simply “an occupation”.

Governments

Argentina, Australia, Burkina Faso, Germany, Namibia, New Zealand, Oman, Pakistan, Poland, Switzerland, Togo, Trinidad and Tobago, Türkiye: Agree with the proposal.

Austria, Portugal, Sweden: Agreed that the broader term should be used, but noted that further clarification and discussion were required.

Azerbaijan, Belgium, Canada, Denmark, Finland, Ireland: Retain the current reference to “skilled trade or occupation”.

Employers

BusinessNZ (New Zealand), CAP, CIP (Portugal), CNI (Brazil), UPEE (Bulgaria), TISK (Türkiye): Agree with referring simply to “occupation”.

DA (Denmark): Retain the current reference to “skilled trade or occupation”.

Workers

ACTU (Australia); CITUB (Bulgaria); CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); NZCTU (New Zealand); SGB (Switzerland): Agree with the proposed change of wording.

CITUB (Bulgaria): In the chapeau of Paragraph 9, replace “process” with “rules”. Also, add a new clause (g): “The availability of a qualified teacher to support the apprentice”.

Office commentary

Given the support from employers’ and workers’ organizations and a majority of governments for changing the phrase “a skilled trade or occupation” to “an occupation”, the text of the Paragraph has been amended accordingly.

The Office has replaced “are represented” by the word “participate” to reflect the role of employers’ and workers’ organizations in the process. The Office has also made editorial changes in the second part of the statement to improve readability. The chapeau now reads: “Members should adopt a process, in which representative employers’ and workers’ organizations participate, for determining whether an occupation is suitable for quality apprenticeships, taking into account:”

Paragraph 9(e)

Governments

Uruguay: The expertise of civil society organizations should also be considered, along with that of employers’ and workers’ organizations.

Office commentary

As no other changes similar to that suggested by the above respondent were proposed by other respondents it has not been incorporated in the text.

Paragraph 9(f)

Governments

Uruguay: Reference should also be made to the range of occupational fields that are at risk of disappearing or being replaced by automated technologies and/or transformations in the organization of the production processes of goods and services (given the repetitive nature of the tasks, whether manual or cognitive).

Office commentary

As no other similar proposals were made, no change has been made to the text.

Paragraph 10

In paragraph 54 of the third report, the Office invited comments from Member States on the advisability of retaining the qualifying expression “in accordance with national laws” in Paragraphs 10, 13, 18 and 22. It recalled that the expression that had been put forward in the proposed Conclusions was “having regard to national circumstances”, which it considered would be more appropriate given the non-binding nature of the instrument, while affording the necessary flexibility.

Governments

Argentina: Refer to “context”, which is broader than “circumstances”.

Australia, Austria, Canada, Costa Rica, Denmark, Finland, Germany, Ireland, Namibia, New Zealand, Poland, Oman, Sweden, Spain, Türkiye: Prefer to replace the words “in accordance with national laws” with “having regard to national circumstances”.

Belgium, Burkina Faso, Cuba, Egypt, Kuwait, Switzerland, Trinidad and Tobago, United States: Favour retaining “in accordance with national laws” in the chapeau.

Portugal: Supports the deletion of “in accordance with national laws” and suggests that the wording “having regard to national circumstances (and practices)” as initially used should be restored.

Employers

IOE; CEC (Canada): Do not support watering down “in accordance with national laws”, as each country has different levels of development, circumstances and priorities. Urge retaining this wording to ensure flexibility for countries, and to encourage governments to use the Recommendation as guidance.

BusinessNZ (New Zealand), CAP (Portugal), SAF (Sweden), TISK (Türkiye): Prefer to replace the words “in accordance with national laws” with “having regard to national circumstances”.

BDA (Germany), CACIF (Guatemala), MEDEF (France): Prefer to retain “in accordance with national laws”.

CIP (Portugal): Use “in accordance with national laws and practices”. The context implies that the measures to be taken by countries fit with existing national legislation: for example, the reference in Paragraph 13(h) to compensation for accidents or occupational diseases.

Workers

ITUC; ACTU (Australia); CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); NZCTU (New Zealand); SAK, STTK (Finland); SGB (Switzerland): The reference to “national circumstances” is redundant; however, it is preferable to “national laws”.

CITUB (Bulgaria): Insert a new clause after (a): “proper remuneration or financial compensation of the apprentice by applying at least the national minimum wage”.

DISK (Türkiye): Paragraph 10 imposes obligations on Member States on a wide range but gives rather broad leeway to Member States in setting the limits of obligations and standards.

Office commentary

In line with these responses, and the more general comments noted above in relation to paragraph 54 of the third report, the chapeau of Paragraph 10 has been amended to read “having regard to national circumstances”.

Paragraph 10(a)

Governments

United States: The words “in accordance with” should be changed to “taking into account”.

Office commentary

In the absence of similar proposals from other Members, the existing wording has been retained.

Paragraph 10(b)

Governments

United States: The words “in accordance with” should be changed to “taking into account”, to allow Member States flexibility for their occupation-specific or general standards for apprenticeship programmes.

Office commentary

As no other changes similar to that suggested by one respondent were proposed, it has not been incorporated in the text. However, the Office has deleted the word “measures” after “occupational safety and health”, as the word is included in the chapeau.

Paragraph 10(c)

Governments

Costa Rica: The terminology used in this clause should be reviewed, including to clarify the meaning of “educational qualifications” and avoid contradictions in relation to concepts such as occupational skills, competencies and knowledge. Reference should also be made to the inclusion of people with disabilities in the labour market.

Thailand: Should be changed to “any educational qualifications, attainments, prior learning, competencies or experience obtained through work”.

Office commentary

As no other changes similar to those suggested by respondents were proposed, they have not been incorporated in the text. However, the Office has made a minor editorial change replacing “if needed” by “required”.

Paragraph 10(d)

Governments

Belgium: Retain the term “qualified staff”.

Cuba: Use the term “qualified professionals”.

Denmark, Ireland, Portugal, Sweden, Switzerland, Trinidad and Tobago: Support the change from “qualified staff” to “qualified personnel”.

Tunisia: In addition to supervisory measures, it is necessary for Members to recommend sanctions against apprentices who violate these provisions, in accordance with national law.

Employers

DA (Denmark): Retain the term “qualified staff”.

TISK (Türkiye): “Qualified personnel” is acceptable.

Workers

ACTU (Australia); CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); NZCTU (New Zealand); SGB (Switzerland): Agree with “qualified personnel”.

Office commentary

In the light of the support for “qualified personnel”, the term has been retained in the text. The Office has also made editorial changes to this clause, to read: “the supervision of apprentices by qualified personnel and the nature of such supervision”.

Paragraph 10(e)

Governments

Tunisia: There is a need to seek a good balance between work performance and apprenticeship, especially in small and medium-sized enterprises, in order to better promote apprenticeship and not hinder work in such enterprises, which dominate the economic fabric in many countries.

Office commentary

The Office has made an editorial change to this clause to make it clearer. It now reads: “the appropriate balance between apprentices and workers in the workplace, while taking into account the need to promote apprenticeships in micro, small and medium-sized enterprises”.

Paragraph 10(g)

Office commentary

The Office has made an editorial change replacing “may” with “should”.

Paragraph 10(j)

In paragraph 30 of the third report, the Office notes that in clause (j), the term “supportive services” had been changed to the more commonly used term “support services”. It explained that, consistent with the Committee’s discussion, such services could include mentoring, childcare, transportation and funds for equipment, and that the term “support” is intentionally broad, to take account of a range of national circumstances.

Governments

Austria, Burkina Faso, Denmark, Ireland, Namibia, Portugal, Sweden, Switzerland, Trinidad and Tobago: Agree with using the term “support services”, rather than “supportive services”.

Belgium: There is sufficient difference between “supportive services” and “support services” for both terms to be used.

Thailand: Allowances should be made for apprentices with different educational backgrounds. For example, apprentices with vocational education and apprentices with general education may require different support systems.

Employers

TISK (Türkiye): The term “support services” is acceptable.

Workers

ACTU (Australia); CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); SGB (Switzerland): Agree with the reference to “support services”.

NZCTU (New Zealand): Agrees with the change, and suggests the examples listed in the third report (“mentoring, childcare, transportation and funds for equipment”) be included as examples of support services.

Office commentary

In the light of the replies received, the term “support services” has been retained in the text.

Paragraph 10(n)

Governments

United States: Suggests adding the words “including any nationally or industry recognized occupational credentials”, to emphasize that any qualifications conferred on the completing apprentice should carry labour market value by being recognized by employers across the relevant industry or sector.

Office commentary

As no other similar proposals were made, no changes have been made to the text.

Paragraph 12

In paragraph 55 of the third report, the Office invited comments on the relevance and appropriateness of addressing the respect, promotion and realization of fundamental principles and rights at work in a hortatory provision of a non-binding instrument, given that “the relevance of the ILO Declaration on Fundamental Principles and Rights at Work (1998), as amended in 2022, for the promotion of quality apprenticeships and the effective protection of all apprentices” is already contained in the Preamble.

Governments

Argentina: The rights of apprentices should not be inferior to the rights of workers in the area where the apprenticeship activity takes place.

Australia, Kuwait, Namibia, Oman, Sweden, Türkiye, United States: Given the reference in the Preamble, the Paragraph should be removed.

Austria, Denmark, Ireland: The discussion at the 111th Session of the Conference should consider whether the Paragraph is unnecessary.

Belgium, Burkina Faso, Costa Rica, Egypt, New Zealand, Switzerland, Togo: Support the inclusion of the Paragraph.

Portugal: It may not be appropriate to retain the reference to the Declaration. However, taking into account the importance and sensitivity of the matter, this topic should be further considered during the discussion at the 111th Session of the Conference.

Employers

CAP, CIP (Portugal), CNI (Brazil), TISK (Türkiye): Support retaining the Paragraph as adopted and therefore do not support the proposed changes by the Office.

BusinessNZ (New Zealand): Can support either approach.

SAF (Sweden), UPEE (Bulgaria): Support the proposal to delete the Paragraph.

Workers

ITUC; ACTU (Australia); CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); NZCTU (New Zealand); SGB (Switzerland): Paragraph 13, which specifies the protections for apprentices, should be preceded by a Paragraph recalling that those protections are provided as an extension of the obligation to respect, promote and fulfil the fundamental principles and rights at work of the ILO.

ACTU (Australia); CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); NZCTU (New Zealand); SGB (Switzerland): Agree with moving the words “in relation to apprenticeships” to the end of the sentence to improve readability.

Office commentary

Given the broad support for including a reference to the Declaration in this provision of the instrument, no changes have been made to the text.

Paragraph 13

As noted under Paragraph 10 above, the Office invited comments on the advisability of retaining the qualifying expression “in accordance with national laws” in Paragraphs 10, 13, 18 and 22, recalling that the expression that had been put forward in the proposed Conclusions was “having regard to national circumstances”.

Governments

Argentina: Refer to “context”, which is broader than “circumstances”.

Australia, Austria, Canada, Costa Rica, Denmark, Finland, Germany, Ireland, Namibia, New Zealand, Poland, Oman, Sweden, Spain, Türkiye: Support the Office proposal to replace the words “in accordance with national laws” with “having regard to national circumstances”.

Belgium, Burkina Faso, Cuba, Egypt, Kuwait, Switzerland, Trinidad and Tobago, United States: Favour retaining “in accordance with national laws” in the chapeau.

Portugal: Supports the deletion of “in accordance with national laws” and suggests that the wording “having regard to national circumstances (and practices)” as initially used should be restored.

Tunisia: Members should ensure that apprentices are properly housed and cared for throughout the apprenticeship period, especially those in vulnerable situations living far from the apprenticeship site, taking the capacities of each Member State into consideration.

Employers

IOE; CEC (Canada): Do not support watering down “in accordance with national laws”, as each country has different levels of development, circumstances and priorities. Urge retaining this wording to ensure flexibility for countries, and to encourage governments to use the Recommendation as guidance.

BusinessNZ (New Zealand), CAP (Portugal), SAF (Sweden), TISK (Türkiye): Prefer to replace the words “in accordance with national laws” in the chapeau with “having regard to national circumstances”.

BDA (Germany), CACIF (Guatemala), CIP (Portugal), MEDEF (France): Prefer to retain “in accordance with national laws”.

CIP (Portugal): Use “in accordance with national laws and practices”. The context implies that the measures to be taken by countries fit with existing national legislation: for example, the reference in Paragraph 13(h) to compensation for accidents or occupational diseases.

Workers

ITUC; ACTU (Australia); CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); SGB (Switzerland); NZCTU (New Zealand); SAK, STTK (Finland): The reference to “national circumstances” is redundant; however, it is preferable to “national laws”.

CITUB (Bulgaria): To guarantee the fundamental rights of workers, a new clause should be added to Paragraph 13 to guarantee the freedom of association for apprentices and the right to join trade unions. Also proposes to include: “Members should take measures to ensure that apprenticeship systems and programmes are regularly monitored and evaluated by the competent authorities and the representative employers’ and workers’ organizations”.

DISK (Türkiye): Apprentices should have entitlements under social security legislation. The Paragraph should also mention collective union rights.

Office commentary

In line with these responses, and the more general comments noted above in relation to paragraph 54 of the third report, the chapeau of Paragraph 13 has been amended to read “having regard to national circumstances”.

Paragraph 13(a)

Governments

Azerbaijan: Proposes to clarify the minimum amount of “adequate remuneration or other financial compensation” by linking it with the minimum wage in each country.

Employers

CAP, CCP (Portugal): The text should refer only to “financial compensation”.

UCCAEP (Costa Rica): This provision needs to be corrected, as it refers to adequate payment (remuneration or financial compensation) for apprentices; however, under Costa Rican law, students receive a monthly stipend, which does not give rise to labour rights, and a whole system of scholarships is in place.

Office commentary

As no other similar proposals were made, no changes have been made to the text agreed at the 110th Session of the Conference.

Paragraph 13(c)

In paragraph 33 of the third report, the Office noted that the use of the term “holidays” in clause (c) refers to annual holidays pursuant to the Holidays with Pay Convention (Revised), 1970 (No. 132), as opposed to public or customary holidays.

Governments

New Zealand: Asks why holiday entitlements would not also include public holidays recognized by a Member State.

United States: Replace “are entitled to” with “have access to”, in order to take account of the range of arrangements. Also, include a specific reference to the Holidays with Pay Convention (Revised), 1970 (No. 132), to clarify that the term “holiday” refers to annual holidays, rather than public or customary holidays.

Employers

BusinessNZ (New Zealand): Clarify that the Recommendation covers public holidays as well as annual holidays.

Workers

NZCTU (New Zealand): Clarify that holiday entitlements include public holidays recognized by a Member State.

Office commentary

In view of the replies, no changes have been made to the text.

Paragraph 13(e)

In paragraph 33 of the third report, the Office noted that an apprentice would be eligible for either maternity or paternity leave, not both, and that the wording was therefore changed to read “have access to paid maternity or paternity leave and parental leave”.

Governments

Argentina, Burkina Faso, Latvia: Support the wording proposed by the Office.

Austria: Proposes “have access to paid maternity, paternity or parental leave”.

Azerbaijan: Delete this clause.

Denmark, Ireland: Prefer “have access to paid maternity, paternity and parental leave”.

Finland: The term “paid” encompasses remuneration in the form of both wages and benefits.

Ireland, Portugal, Sweden: The text proposed by the Office may be interpreted as safeguarding, in the alternative, the right to maternity leave or the right to paternity leave. It should be clarified that the aim of this clause is to promote both rights similarly.

Namibia: Agrees to use “maternity or paternity leave” and proposes to change “parental leave” to “compassionate leave”.

Employers

BusinessNZ (New Zealand): Supports the text.

EK (Finland): The term “paid” needs clarification. Does it mean a salary, or a benefit?

Workers

ITUC; ACTU (Australia); CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); SGB (Switzerland): Agree with the proposed change.

NZCTU (New Zealand): Supports the use of the gender-neutral term “parental leave” only and would remove the reference to maternity leave and paternity leave.

Office commentary

The Office would like to clarify that an apprentice would be eligible for either paid maternity or paternity leave, and to paid parental leave. In view of the broad support for the current wording, no changes have been made.

Paragraph 13(i)

Employers

CAT (Mexico): Whether complaints and dispute resolution mechanisms are internal or hosted by labour authorities should be more clearly specified.

Office commentary

As no other similar proposals were made, no changes have been made to the text.

Paragraph 14

Governments

Mexico: Besides education and training institutions, and enterprises, reference should be made to other bodies that may offer apprenticeships, such as non-governmental organizations, public institutions and supranational organizations.

Employers

CACIF (Guatemala): Add that the conditions should be prescribed through legislation and/or regulation.

CAT (Mexico): With regard to educational and training institutions that provide off-the-job training, it should be specified whether additional compensation is required for training beyond standard working hours.

Office commentary

As no other similar proposals were made, the existing wording has been retained.

III. Apprenticeship agreement

Paragraph 17

In paragraph 35 of the third report, the Office noted that it had changed the term “public authority” to “public institution” to account for apprenticeships in public bodies such as government departments.

Governments

Argentina, Australia, Austria, Azerbaijan, Belgium, Costa Rica, Denmark, Finland, Namibia, New Zealand, Oman, Pakistan, Portugal, Sweden, Switzerland, United States: Support the Paragraph, including replacing “public authority” with “public institution”, a broader term.

Burkina Faso: Prefers “public entity” to “public institution”.

Ireland: Full clarity would be achieved if the text mentioned “public authority or institution”.

New Zealand: Prefers “public authority”.

Mexico: The requirement that apprentices are “governed by a written agreement that is concluded between an apprentice and an enterprise or public institution” may limit the actions of governments in regulating and supervising compliance.

Togo: It is important to include the term “craftsperson” in the apprenticeship contract, that is to recognize that “the apprenticeship contract is concluded between an apprentice and a craftsperson, an

enterprise or public institution...". In Togo, and in most African countries, apprenticeships are mainly carried out with a master craftsperson or business owner.

Employers

BusinessNZ (New Zealand), CACIF (Guatemala), CAP (Portugal), TISK (Türkiye): Support the current text, including the change to "public institution".

CAP (Portugal): Suggests adding "or entity of a private nature" after "enterprise", since the concept of "enterprise" does not cover all organizations of private nature, such as associations that promote vocational training.

Workers

ITUC: Prefers "public authority or institution".

ACTU (Australia); CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); SGB (Switzerland): Total clarity would be achieved if the text referred to "public authority or institution".

Office commentary

Given the broad support for the term "public institution", the term has been retained. As some responses suggest using the wording "public authority or institution", the Office notes that the term "public institution" would be more appropriate than "public authority" in this context, as an agreement is signed by the provider of apprenticeship training.

Paragraph 18

Governments

Portugal: This Paragraph sets out the provisions to be included in the apprenticeship contract. Some of these provisions deal with matters that are generally governed by national laws, which, by their very nature, are binding (for example, matters relating to safety and the labour and social protection of apprentices) and provide apprentices with a higher level of guarantees than the apprenticeship contract. Thus, taking into account what the Office itself says about the wording of ILO instruments, we consider that in this particular case a reference to national laws should be included.

Thailand: Proposes that a new clause, 18(f), be added that reads: "contains provisions on intellectual property-related rights, in order for apprentices to receive proper credit or benefit for their creations during the period of an apprenticeship".

Office commentary

As no other similar proposals were made, no changes have been made.

Paragraph 18(b)

As noted under Paragraph 10 above, the Office invited comments from Member States on the advisability of retaining the qualifying expression "in accordance with national laws" in Paragraphs 10, 13, 18 and 22.

In paragraph 36 of the third report, the Office noted that the term "work hours" had been changed to "hours of work".

Governments

Argentina: Refer instead to “context”, which is broader than “circumstances”.

Australia, Canada, Costa Rica, Finland, Namibia, New Zealand, Poland, Oman, Spain, Türkiye: Support the Office proposal to replace “in accordance with national laws” with “having regard to national circumstances”.

Belgium, Burkina Faso, Cuba, Egypt, Kuwait, Switzerland, Trinidad and Tobago, United States: In favour of retaining “in accordance with national laws”.

Denmark: Supports replacing “in accordance with national laws” with “having regard to national circumstances” in Paragraphs 10, 13, and 22, but prefers to retain “in accordance with national laws” in Paragraph 18(b).

Germany: Legally guaranteed rights such as public holidays, statutory rest periods, breaks, occupational safety and health, social security, dispute resolution mechanisms, and so on apply automatically and cannot be adjusted to the detriment of the employee. In order to ensure legal clarity, these aspects should not be listed as elements of the apprenticeship agreement, since legal guarantees cannot be agreed or negotiated by the parties. A declaratory mention would make the text of the contract confusing and, in case of doubt, incomplete. Therefore, the wording “unless otherwise regulated by law” should be used in this clause, as proposed by the European Union at the first discussion, instead of “having regard to national circumstances”.

Portugal: Considers that in the particular case of Paragraph 18(b) the reference to national laws should be maintained, since this Paragraph sets out the provisions to be included in the apprenticeship agreement – some of which deal with matters that are generally governed by national laws.

Sweden: Is generally of the view that “in accordance with national law and practice” is not suitable for a non-binding Recommendation; however, in this paragraph including this wording would ensure a higher level of protection for the apprentice.

Austria, Belgium, Denmark, Ireland, Namibia, Oman, Portugal: Support the inclusion of “hours of work” rather than “work hours”.

Employers

IOE; CEC (Canada): Do not support watering down “in accordance with national laws”, as each country has different levels of development, circumstances and priorities. Urge retaining this wording to ensure flexibility for countries, and to encourage governments to use the Recommendation as guidance.

BusinessNZ (New Zealand), CAP (Portugal), SAF (Sweden), TISK (Türkiye): Support the inclusion of “having regard to national circumstances”.

BDA (Germany), CACIF (Guatemala), CIP (Portugal), MEDEF (France): Prefer to retain “in accordance with national laws”.

CIP (Portugal): Use “in accordance with national laws and practices”.

CAP, CCP (Portugal): The text should refer only to “financial compensation”.

TISK (Türkiye): Supports the change from “work hours” to “hours of work”.

Workers

ITUC; ACTU (Australia); CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); NZCTU (New Zealand); SAK, STTK (Finland); SGB (Switzerland): Prefer the phrase “having regard to national circumstances” instead of “in accordance with national law”.

ITUC; ACTU (Australia); CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); SGB (Switzerland): Support the change from “work hours” to “hours of work”.

Office commentary

In line with these responses, and the more general comments noted above in relation to paragraph 54 of the third report, no changes have been made to the text, except for the addition of “and regulations” after “in accordance with national laws” in line with standard drafting practice.

IV. Equality and diversity in quality apprenticeships

Paragraph 20 [now Paragraph 22]

Governments

Australia: The Paragraph should be amended to read “Members should take effective measures to prevent and eliminate discrimination, violence and harassment of any kind against apprentices and provide avenues for redress”, to align the wording with the Violence and Harassment Convention, 2019 (No. 190), and to underscore that discrimination, violence and harassment can take many forms and that Members should provide opportunities for restitution.

Office commentary

As no other similar proposals were made, the existing text has been retained. However, this Paragraph has been moved to become Paragraph 22 in the proposed Recommendation so that the Paragraphs flow from general to specific provisions concerning equality and diversity.

Paragraph 21

In paragraph 39 of the third report, the Office noted that it had changed “and” to “including” before “in access to apprenticeships”, to emphasize that the objective of gender equality and balance should apply to all aspects of apprenticeships, and that access to apprenticeships is merely one of those aspects.

Governments

Argentina, Belgium, Namibia, New Zealand, Oman, Sweden, United States: Agree with the text proposed by the Office, “including in access to apprenticeships”.

Austria, Denmark, Germany, Ireland, Portugal: Prefer the original text “and in access to apprenticeships”. In addition, Germany suggests that Members should promote measures for gender-equitable, stereotype-free vocational guidance.

Costa Rica: Revise the wording to reflect the notions of gender equality and equity established by the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the United Nations Children’s Fund (UNICEF).

United States: Add: “Examples include: ensuring adequate recruitment strategies, the same level of quality assignments and number of hours on the job, and access to appropriate support services to improve retention (i.e. child care, transportation, funds for equipment/gear, tuition assistance, etc.)”.

Employers

BusinessNZ (New Zealand), TISK (Türkiye): Agree with the text proposed by the Office.

Workers

ITUC; ACTU (Australia); CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); NZCTU (New Zealand); SGB (Switzerland): Agree with the text proposed by the Office.

Office commentary

In the light of the replies, no further changes have been made to the text.

Paragraph 22 [now Paragraph 20]

As noted under Paragraph 10 above, the Office invited comments from Member States on the advisability of retaining the qualifying expression “in accordance with national laws” in Paragraphs 10, 13, 18 and 22.

Governments

Argentina: Refer instead to “national context”.

Australia, Austria, Canada, Costa Rica, Denmark, Germany, Namibia, New Zealand, Poland, Oman, Spain, Sweden, Türkiye: Support the proposal to replace “in accordance with national laws” with “having regard to national circumstances”.

Belgium, Burkina Faso, Cuba, Egypt, Kuwait, Switzerland, Trinidad and Tobago, United States: In favour of retaining “in accordance with national laws”.

Portugal: Support the deletion of “in accordance with national laws” but suggest that the wording “having regard to national circumstances (and practices)” as initially used should be restored.

United States: Add “and those persons and populations underrepresented in apprenticeship or the general labour force”.

Employers

IOE; CEC (Canada): Do not support watering down “in accordance with national laws” as each country has different levels of development, circumstances and priorities. Urge retaining this wording to ensure flexibility for countries, and to encourage governments to use the Recommendation as guidance.

BDA (Germany), CACIF (Guatemala), MEDEF (France): Prefer to retain “in accordance with national laws”.

BusinessNZ (New Zealand), CAP (Portugal), SAF (Sweden), TISK (Türkiye): Support the inclusion of “having regard to national circumstances.”

Workers

ITUC; CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); NZCTU (New Zealand), SAK, STTK (Finland); SGB (Switzerland): Prefer “having regard to national circumstances” to “in accordance with national laws”.

PIT-CNT (Uruguay): Place greater emphasis on promotion of access to quality apprenticeships for people in situations of vulnerability or belonging to disadvantaged groups.

Office commentary

In line with these responses, and the more general comments noted above in relation to paragraph 54 of the third report, the chapeau to Paragraph 22 has been amended to read “having regard to national

circumstances” instead of “in accordance with national laws”. The Office has also moved this Paragraph to become Paragraph 20 in the proposed Recommendation so that the Paragraphs flow from general to specific provisions concerning equality and diversity.

Paragraph 23

In paragraph 41 of the third report, the Office noted that it had made an editorial change replacing the word “wanting” with “seeking”.

Governments

Austria, Belgium, Denmark, Ireland, Namibia, New Zealand, Oman, Portugal, Sweden, United States: Support the editorial change made by the Office.

Employers

BusinessNZ (New Zealand), TISK (Türkiye): Support the editorial change.

Workers

ACTU (Australia); CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); NZCTU (New Zealand); SGB (Switzerland): Support the editorial change.

Office commentary

In the light of the replies, no further changes have been made to the text.

Paragraph 24

Employers

IOE; CEC (Canada), KCCI (Kuwait), MEDEF (France): Suggest deleting the reference to “insecure work”.

Office commentary

As no similar proposals were made by governments or workers’ organizations, no changes have been made.

V. Promotion of quality apprenticeships

Title and restructuring

In paragraph 43 of the third report, the Office noted that it had divided Part V of the Conclusions into two Parts: V, Promotion of quality apprenticeships, and VI, International, regional and national cooperation for quality apprenticeships, to improve the structure of the proposed Recommendation.

Governments

Austria, Belgium, Burkina Faso, Ireland, Namibia, New Zealand, Oman, Pakistan, Portugal, Türkiye, United States: Agree with the creation of separate Parts V and VI.

Denmark: Does not support the division into two Parts.

Employers

BusinessNZ (New Zealand), TISK (Türkiye): Support the creation of separate Parts for promotion and cooperation.

DA (Denmark): Does not support the division into two Parts and would prefer to revert to a single Part, “Promotion of quality apprenticeships”.

Workers

NZCTU (New Zealand): Agrees with the Office proposal.

Office commentary

In the light of the replies received, the division into Parts V and VI on promotion and cooperation has been retained.

Paragraph 25

In paragraph 44 of the third report, the Office noted that, following standard ILO drafting practice, the references to “the social partners” in the chapeau and clause (d) of Paragraph 25 had been replaced with “representative employers’ and workers’ organizations”.

Governments

Argentina, Austria, Belgium, Denmark, Ireland, Namibia, Portugal: Agree with the proposed text.

Thailand: The Paragraph should include consultation with representatives of educational and training institutions.

Tunisia: The proposals should be rearranged into themes such as strategy, mechanisms, funding models, training pathways, quality of apprenticeships, and so on

Employers

BDA (Germany): Prefers “social partners”.

BusinessNZ (New Zealand), TISK (Türkiye): Agree with the proposed text.

Workers

CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); SGB (Switzerland): Agree with the proposed text.

DGB (Germany): Rejects the proposal to replace “social partners” with “representative employers’ and workers’ organizations”.

Office commentary

In view of the replies, the amended wording has been retained.

Paragraph 25(b)

Governments

Costa Rica: The language should be revised to clarify the reference to concepts such as “lifelong learning”.

Office commentary

As no other similar comments were made, the suggestion has not been incorporated. However, the Office has added the term “vocational training” to align with Paragraph 5.

Paragraph 25(d)

Governments

Austria, Denmark: Agree with replacing “social partners” with “representative employers’ and workers’ organizations”.

Ireland: Supports the text.

Employers

BDA (Germany): Prefer “social partners”.

Workers

ACTU (Australia); CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); SGB (Switzerland): Agree with the change.

Office commentary

In the light of the replies and as this is the standard terminology in ILO instruments, the amended wording has been retained.

Paragraph 25(e)

Governments

Tunisia: Extend the reference to “effective and sustainable financing models” to include “and developing techniques for evaluating the impact of the apprenticeship financing instrument”.

Office commentary

As no other similar proposals were made, no change has been made to the text.

Paragraph 25(f)

Governments

Australia: Proposes that the text should be amended to read “providing targeted incentives and support services to support the uptake and retention of apprentices in occupations assessed to be of critical need or experiencing a shortage of skilled workers, to support apprentices at risk of non-completion”.

Employers

BIA (Bulgaria): It is necessary to implement information and counselling policies in relation to apprenticeships for persons who have reached the age of 16 and have dropped out of formal education.

Office commentary

As no other similar proposals were made, the text remains unchanged.

Paragraph 25(h)

In paragraph 45 of the third report, the Office notes that it had replaced “encouraging intermediaries to participate” with “facilitating the participation of intermediaries”, to respond to the concerns expressed by some members of the Committee on the role of intermediaries. In addition, “when appropriate” was changed to “where appropriate” for consistency.

Governments

Austria: Prefers the original wording of “encouraging intermediaries to participate”, as “facilitating” is a broader term than “encouraging”.

Denmark, Ireland, Portugal: Opposed to the inclusion of “facilitating” and prefer “encouraging”.

Sweden, Türkiye: Support the inclusion of “facilitating”.

Austria, Denmark, Ireland, Portugal, Türkiye: Support the inclusion of “where appropriate”.

Employers

CACIF (Guatemala), TISK (Türkiye): Support the current text.

Workers

ITUC; ACTU (Australia); CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); SGB (Switzerland): Replace “encouraging” with “allowing”, rather than “facilitating”. Agree with the change of “when” to “where”.

LBAS (Latvia): The word “encouraging” should be replaced by “allowing” rather than “facilitating”.

Office commentary

As there is insufficient support to replace the term “encouraging” with “facilitating”, the former word agreed in the 110th Session of the Conference has been reinstated. However, as there is broad support for the term “where appropriate” instead of “when appropriate”, it has been retained.

Paragraph 25(i)

Office commentary

The Office has replaced “promoting” with “highlighting”, as the former is included in the chapeau.

Paragraph 25(k)

In paragraph 46 of the third report, the Office noted that it had added “the” between “increasing” and “participation”.

Governments

Portugal: Supports the text.

Tunisia: Proposes that the text should be amended to read: “establishing needs-based pre-apprenticeships programmes, using a unified terminology of the member countries for the concept of pre-apprenticeships, with a focus on increasing the participation of disadvantaged groups”.

Employers

TISK (Türkiye): Supports the text.

Office commentary

As no other proposals similar to that made by an individual Member were received, the suggestion has not been incorporated. However, the Office has added “persons belonging to” before “disadvantaged groups” in line with standard drafting practice.

Paragraph 25(l)

Governments

Tunisia: Proposes to add at the end: “including through bridges between the different levels of vocational training”.

Office commentary

As no other similar proposals were made, the suggestion has not been incorporated. However, the Office has added “training” after “vocational” to make it clearer.

Paragraph 26

Governments

Costa Rica: The language should be revised to clarify the reference to concepts such as “reskilling”.

Office commentary

As no other similar comments were made, the suggestion has not been incorporated. However, the Office has moved “reskilling” to come before “upskilling” to align with the third preambular paragraph.

Paragraph 27

The Office noted in paragraph 50 of the third report that the Conclusions adopted during the first discussion did not propose any specific measures to recognize the competencies of apprentices in the informal economy, and invited comments on the inclusion of measures such as recognition of prior learning and bridging courses. In paragraph 51, it invited comments on the addition of a new clause: “support the upgrading of apprenticeships in the informal economy so that they may converge towards quality apprenticeships”.

Governments

Argentina: Referred to a need to establish a system of recognition of prior learning acquired in the informal economy in its comments on Paragraph 1. It is a sign of the support given to workers who have developed their skills in the informal economy in order to gain access to quality apprenticeships. Agrees with the proposed change to replace the term “social partners” with “representative organizations of employers and workers”.

Australia: Supports the Office’s proposal, but considers that further clarification is needed to address the fact that, in some jurisdictions, informal economy apprenticeships are not recognized.

Austria: Supports the Office proposal to include a reference to the recognition of prior learning and bridging courses, but not the inclusion of “support the upgrading of apprenticeships in the informal economy so that they may converge towards quality apprenticeships”.

Belgium: Add “promote the improvement of apprenticeships in the informal economy where appropriate according to the current situation of training within the country, so that they can meet the requirements of quality apprenticeships”.

Burkina Faso: The recognition of prior learning and bridging courses is essential. Instead of the proposed Office text, add “promote the improvement of apprenticeships in the informal economy so that they can meet the requirements of quality apprenticeships”.

Costa Rica: Recommends including the wording: “promote employability of persons with certification of competences acquired in non-formal education systems and prior knowledge acquired in the informal economy, with a view to encouraging their entry or transition to the formal economy and thereby promote continuing education and opportunities for improvement in employment.” Agrees with the inclusion of the proposed clause.

Denmark, Namibia, Poland, United States: Support the proposal to include measures such as recognition of prior learning and bridging courses.

Denmark, Ireland: Do not support the addition of the proposed new clause.

Finland: More information and discussion at the 111th Session of the Conference are needed on the Office’s proposal to include a new clause on upgrading of apprenticeships in the informal economy. The arrangements, procedures and requirements for apprenticeships should apply to all work, whether carried out in the formal or informal economy.

Germany: Does not object to the Office’s proposal to mention the recognition of prior learning and bridging courses to facilitate the transition from the “informal economy”. A further specification of the recognition/validation procedure, on the other hand, should not be the subject of a Recommendation on (formal) vocational training. Does not support the Office’s proposed addition of “to support the upgrading of apprenticeships in the informal economy”. The concept of “apprenticeship” is defined in Paragraph 1(a) and cannot be used in a context in which the defined requirements are not met (informal economy). Moreover, the content of “upgrading” remains undefined.

Ireland: Agrees with the proposal to include “recognition of prior learning and bridging courses” as a further objective, while noting that the recognition of competencies from the informal economy can be challenging. Also proposes an additional clause (d): “encourage the recognition of prior knowledge and skills acquired in non-formal or informal ways”.

Kuwait: Add a clause (d) to read: “establish an organized mechanism to evaluate past experiences gained through the informal economy to be recognized as acquired experiences and skills”.

Latvia: Does not object to the proposal to include recognition of prior learning and bridging courses as a further objective. Recognition of competencies from the informal economy can still be challenging and requires further specification. It is still unclear how to upgrade internships/work experience in the informal economy.

Namibia: Supports the proposal to include measures such as recognition of prior learning, bridging programmes and pre-apprenticeship programmes, to support the transition process from the informal to the formal economy.

New Zealand: Recognition of previous on-the-job experience might be suitable in assessing the competencies of workers entering the formal economy but we query the feasibility of measures to formally recognize specific competencies of those operating in the informal economy, given that, by definition, the informal economy would not be subject to specific regulation or frameworks for qualifications. The point is already captured in Paragraph 28(b).

Oman: Add a new clause: “promote access to quality apprenticeship through recognition of prior learning and bridge courses, where appropriate”. The inclusion of the new clause proposed by the Office may not be required, as the components are already incorporated in the clauses of Paragraph 27.

Portugal: The recognition of prior learning (knowledge and skills) acquired in non-formal and informal situations (including through work in the informal economy) can be very challenging and is a relevant component of apprenticeships. Does not support the proposed new clause on the upgrading of apprenticeships in the informal economy, as it is directly related to the proposal to extend the definition of apprenticeship to include competencies acquired in the informal economy in Paragraph 1(a), with which it disagrees.

Spain: Add a new clause (d) to read: “promote the recognition of prior knowledge and competencies acquired in a non-formal and/or informal way”.

Sweden: Supports the inclusion of the recognition of prior learning and bridging courses, noting that the recognition of competencies from the informal to the formal economy can be challenging. Does not agree with the Office’s proposed additional clause.

Switzerland, Trinidad and Tobago: Support both of the Office’s proposals.

Togo: Supports a reference to the recognition of prior learning and the introduction of bridging courses, reworded as: “take measures to improve apprenticeships in the informal economy so that they can meet the standards of quality apprenticeships”.

Türkiye: Supports the inclusion of specific measures in the Recommendation to recognize the competencies of apprentices acquired through informal learning and welcomes a discussion on the text at the 111th Session of the Conference. Does not support adding a new clause on the upgrading of apprenticeships in the informal economy.

Employers

IOE: Need to ensure that “upgrading” informal apprenticeships does not have counterproductive effects. The idea is to ensure and promote a smooth transition from informality to formality. Any action taken on recognizing informal apprenticeships should not result in an increase in informality.

BDA (Germany): Prefers “social partners”. Supports the inclusion of a new clause on the upgrading of apprenticeships in the informal economy, although the word “converge” in this context is negative. Suggest “so that quality training can be ensured”.

BusinessNZ (New Zealand): It is important to recognize prior learning in every training field. Where skills have been gained in the informal economy, they should be referred to as “prior learning”, rather than as apprenticeships per se. This would avoid the need to distinguish between formal “quality apprenticeships” and those that are more uncertain in nature.

CACIF (Guatemala): Supports recognizing prior knowledge, not as an improvement of informal learning, but rather as a transition to formality. On the inclusion of a new clause on the upgrading of apprenticeships in the informal economy, proposes to replace “quality apprenticeships” with “formal apprenticeships”.

CAP (Portugal): Supports the inclusion of a new clause on the upgrading of informal apprenticeships.

CCP (Portugal): There are very disparate realities worldwide, which should be taken into account. However, guiding goal of all interventions must be the transition from the informal to the formal economy, that is, not the identification of solutions that may perpetuate informality.

CEOE (Spain): Supports the Office’s proposal to include a new clause on apprenticeships in the informal economy, but it would be more appropriate to replace “support the upgrading of” with “encourage”, to read: “encourage apprenticeships in the informal economy to converge towards quality apprenticeships”.

CIP (Portugal): Proposes moving the wording from Paragraph 5 to this Paragraph, “and take measures to support the improvement of all learning, including that acquired in the informal economy” to achieve higher standards in learning. Supports the inclusion of a new clause on the upgrading of apprenticeships in the informal economy.

CNI (Brazil): Proposes a revised wording: “support the improvement of learning in the informal and formal economy to facilitate the transition to quality apprenticeships”.

TISK (Türkiye): Does not support the changes proposed by the Office.

Workers

ITUC; ACTU (Australia); CGT (France); CLC (Canada); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); SGB (Switzerland): Support the inclusion of a new clause on recognition of prior learning and propose the wording: “ensure that all have access to procedures that assess and recognize prior learning, including when acquired in the informal economy”. Also support a new clause on the upgrading of apprenticeships in the informal economy, but with more specific language: “support the upgrading of working conditions, apprentice protections, and training quality in apprenticeships undertaken in the informal economy”.

CCOO (Spain): It is appropriate to insist on measures to recognize informal apprenticeships and to facilitate access to formal systems, to improve training and qualifications, especially for young people.

LBAS (Latvia): Suggests the following wording: “ensure that all have access to procedures that assess and recognize prior learning, including when acquired in the informal economy”.

NZCTU (New Zealand): Supports the inclusion of measures such as recognition of prior learning and bridging courses. Also supports the inclusion of a new clause on upgrading of apprenticeships in the informal economy but suggests “develop into” rather than “converge towards”.

Office commentary

The suggestion concerning the inclusion of recognition of prior learning and bridging courses received broad support. Accordingly, the Office has included a proposed new clause (d): “recognize prior learning, including when acquired in the informal economy, and encourage the provision of bridging courses”.

The proposed new clause on supporting the upgrading of apprenticeships in the informal economy received mixed responses. Hence, the Office has not added the new clause.

Paragraph 27(a)

Governments

Costa Rica: The language should be revised to clarify the reference to concepts such as “technical and entrepreneurial competencies”.

Uruguay: The training of trainers (master craftspersons, company tutors) and soft and cross-cutting skills should be taken into account, with a strong emphasis on the development and strengthening of psychosocial skills.

Office commentary

As no other similar proposals were made, the existing text has been retained.

Paragraph 27(b)

In paragraph 49 of the third report, the Office noted that it had changed the wording “where applicable” to “where appropriate” to better reflect the notion that associations may not always be available to act as intermediaries in the context of promoting transitions from the informal economy.

Governments

Austria, Belgium, Ireland, Oman, Portugal, Sweden: Support the change.

Azerbaijan: Either the activities of the intermediary should be clearly defined or this concept should be deleted.

Denmark: Prefers the original language of “where applicable” rather than “where appropriate”.

Employers

BusinessNZ (New Zealand): Supports the text, but suggests that “if applicable” be inserted after “off-the-job learning”.

CACIF (Guatemala), TISK (Türkiye): Support the change.

Workers

ACTU (Australia); CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); SGB (Switzerland): Support the change.

Office commentary

In view of the broad support for the wording “where appropriate”, the text remains unchanged.

VI. International, regional and national cooperation for quality apprenticeships

Title

In paragraph 52 of the third report, the Office noted that it had expanded the title of the new Part VI to include regional and national cooperation.

Governments

Pakistan, Portugal: Agree with the expansion of the title.

Employers

MEDEF (France): The term “regional” is unnecessary.

TISK (Türkiye): Supports the title.

Office commentary

In the light of the replies to Part V and Part VI, the title of Part VI remains unchanged.

Paragraph 28

Governments

Tunisia: Add the following new clause (d): “promote triangular North–South–South triangular cooperation to exchange good practices in quality apprenticeships between systems that are developed and those that are developing”.

Workers

CITUB (Bulgaria): Add a new clause (d) to read: “maintain a database that will gather quantitative data to help policymakers improve national regulatory frameworks for quality apprenticeships”. Member States would have access to vital information, such as the number of apprentices and/or participating institutions.

Office commentary

As no other similar proposals were made, no changes have been made.

Paragraph 28(a)

In paragraph 53 of the third report, the Office noted that the term “domestic” had been changed to “national” to align with standard drafting practice and that “national” also comprises action at a subnational level.

Governments

Argentina: The use of the term “national” as inclusive of other levels of governance should be reconsidered. In some Latin American and Caribbean countries, the term “national” does not necessarily include subnational levels.

Austria, Belgium, Ireland, Namibia, Oman, Portugal, Sweden, Türkiye: Support the current text with the editorial change from “domestic” to “national”.

Employers

TISK (Türkiye): Supports the clause.

Workers

ACTU (Australia); CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); SGB (Switzerland): Agree with the change.

Office commentary

In the light of the responses, the term “national” has been retained.

Paragraph 28(c)

In paragraph 53 of the third report, the Office noted that it had deleted the word “completed” before “apprenticeship qualifications” to avoid redundancy.

Governments

Austria, Belgium, Ireland, Namibia, Pakistan, Portugal, Sweden: Agree with the change.

Denmark: Does not support the removal of the reference to “completed apprenticeship qualifications”.

Employers

TISK (Türkiye): Should be kept as adopted.

Workers

ITUC; CGT (France); CLC (Canada); CONATO (Panama); JTUC-RENGO (Japan); LO, SACO, TCO (Sweden); SGB (Switzerland): Agree with the change.

Office commentary

In view of the broad support, the deletion of “completed” has been retained.

► Proposed Recommendation concerning quality apprenticeships

The General Conference of the International Labour Organization,

Having been convened in Geneva by the Governing Body of the International Labour Office, and having met at its 111th Session on 5 June 2023,

Noting that global unemployment and underemployment rates continue to be high, that inequality persists and that rapid transformations in the world of work, such as those resulting from the challenges of climate change, exacerbate skills mismatches and skills shortages, requiring people of all ages to reskill and upskill continuously,

Noting also that this continuous reskilling and upskilling contribute to promoting full, productive and freely chosen employment and decent work for all,

Underlining the importance of quality education for all, effective lifelong learning and openness to lifelong learning,

Recognizing that the promotion and development of quality apprenticeships can lead to further opportunities for decent work, contribute to effective and efficient responses to current challenges and provide lifelong learning opportunities to enhance productivity, resilience, transitions and employability and meet current and future needs of apprentices, employers and the labour market,

Recognizing also that quality apprenticeships can support entrepreneurship, self-employment, employability, the transition to the formal economy, job creation and the growth and sustainability of enterprises,

Considering that an effective framework for quality apprenticeships requires apprenticeships to be well regulated, sustainable, sufficiently funded, inclusive and free from discrimination and exploitation, to promote gender equality and balance, and diversity, to provide adequate remuneration or other financial compensation and social protection coverage, to lead to recognized qualifications and to enhance employment outcomes,

Emphasizing that apprenticeships should be promoted and regulated, including through social dialogue, with a view to ensuring their quality, providing benefits and protection to apprentices and enterprises, and enhancing the attractiveness of apprenticeships to potential apprentices and employers, including micro, small and medium-sized enterprises,

Recalling the provisions of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights,

Underlining the relevance of the ILO Declaration on Fundamental Principles and Rights at Work (1998), as amended in 2022, the ILO Declaration on Social Justice for a Fair Globalization (2008), as amended in 2022, and the ILO Centenary Declaration for the Future of Work, 2019, for the promotion of quality apprenticeships and the effective protection of all apprentices, particularly in the light of the profound transformations in the world of work,

Recalling 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), the Private Employment Agencies Convention, 1997 (No. 181), the Human Resources

Development Recommendation, 2004 (No. 195), and the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204),

Having decided upon the adoption of certain proposals concerning quality apprenticeships, which is the fourth item on the agenda of the session, and having determined that these proposals shall take the form of a Recommendation,

adopts this XX day of June of the year two thousand and twenty-three the following Recommendation, which may be cited as the Quality Apprenticeships Recommendation, 2023:

I. Definitions, scope and means of implementation

1. For the purposes of this Recommendation:
 - (a) the term “apprenticeship” should be understood as any form of education and training that is governed by an apprenticeship agreement, that enables an apprentice to acquire the competencies required to work in an occupation through structured and remunerated or otherwise financially compensated training consisting of both on-the-job and off-the-job learning and that leads to a recognized qualification;
 - (b) the term “intermediary” should be understood as an entity, other than the host enterprise or educational institution, that assists in the provision, coordination or support of an apprenticeship;
 - (c) the term “pre-apprenticeship programme” should be understood as a programme designed to help potential apprentices to develop their competencies with a view to improving their workplace preparedness or meeting the formal entry requirements for an apprenticeship;
 - (d) the term “recognition of prior learning” should be understood as a process, undertaken by qualified professionals, of identifying, documenting, assessing and certifying a person’s competencies, acquired through formal, non-formal or informal learning, based on established qualification standards.
2. This Recommendation applies to apprenticeships in all enterprises and sectors of economic activity.
3. Members may give effect to the provisions of this Recommendation through national laws and regulations, collective agreements, policies and programmes or other measures consistent with national law and practice.
4. Members should implement the provisions of this Recommendation in consultation with representative employers’ and workers’ organizations.

II. Regulatory framework for quality apprenticeships

5. Members should incorporate and promote quality apprenticeships within their relevant education, vocational training, lifelong learning and employment policies.
6. Members should establish a regulatory framework for quality apprenticeships, and qualification frameworks or systems to facilitate the recognition of competencies acquired through apprenticeships. Representative employers’ and workers’ organizations should be involved in the design, implementation, monitoring and evaluation of frameworks, systems, policies and programmes for quality apprenticeships.

7. Members should establish or designate one or more authorities responsible for regulating apprenticeships, in which representative employers' and workers' organizations should be represented.
8. Members should ensure that the competent authorities have clearly defined responsibilities, are adequately funded 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.
9. Members should adopt a process, in which representative employers' and workers' organizations participate, for determining whether an occupation is suitable for quality apprenticeships, taking into account:
 - (a) the competencies needed to work in that occupation;
 - (b) the appropriateness of an apprenticeship as a means of acquiring such competencies;
 - (c) the duration of the apprenticeship required to acquire such competencies;
 - (d) the current and future demand for skills in, and employment potential of, that occupation;
 - (e) the occupational, training and labour market expertise of employers' and workers' organizations;
 - (f) the wide range of emerging occupational fields, and evolving production processes and services.
10. Members should establish occupation-specific or general standards, as appropriate, for quality apprenticeships by taking measures, having regard to national circumstances, that provide, among other things, for:
 - (a) the minimum age for admission, in accordance with the Minimum Age Convention, 1973 (No. 138), and the Worst Forms of Child Labour Convention, 1999 (No. 182);
 - (b) occupational safety and health, in accordance with the Occupational Safety and Health Convention, 1981 (No. 155), and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187);
 - (c) any educational qualifications, attainments or prior learning required for admission;
 - (d) the supervision of apprentices by qualified personnel and the nature of such supervision;
 - (e) the appropriate balance between apprentices and workers in the workplace, while taking into account the need to promote apprenticeships in micro, small and medium-sized enterprises;
 - (f) the expected minimum and maximum duration of the apprenticeship;
 - (g) the extent to which the expected duration of the apprenticeship should be reduced on the basis of prior learning or progress made during the apprenticeship;
 - (h) learning outcomes and curricula based on relevant occupational competencies, the education and training needs of apprentices and labour market needs;
 - (i) the appropriate balance between off-the-job learning and on-the-job learning;
 - (j) access to vocational guidance and career counselling, and other support services as appropriate, before, during and after the apprenticeship;
 - (k) the qualifications and experience required for teachers and in-company trainers;

- (l) the appropriate balance between apprentices and teachers, taking into account the need to ensure quality education and training;
 - (m) the procedures for assessing and certifying the competencies acquired;
 - (n) the qualification acquired on the successful completion of the apprenticeship.
- 11.** Members should take measures to ensure that there is a fair and transparent process by which an apprenticeship can be undertaken in more than one enterprise, subject to the apprentice's consent, when this is considered necessary for the completion of the apprenticeship.
- 12.** Members should take measures to respect, promote and realize the fundamental principles and rights at work in relation to apprenticeships.
- 13.** Members should take measures, having regard to national circumstances, to ensure that apprentices:
- (a) receive adequate remuneration or other financial compensation, which may be increased at different stages of the apprenticeship to reflect the progressive acquisition of occupational competencies;
 - (b) are not required to work hours that exceed limits specified by national legislation and collective agreements;
 - (c) are entitled to holidays with adequate remuneration or other financial compensation;
 - (d) are entitled to be absent due to illness or accident, with adequate remuneration or other financial compensation;
 - (e) have access to paid maternity or paternity leave and parental leave;
 - (f) have access to social security and maternity protection;
 - (g) are afforded protection and receive training in respect of occupational safety and health and in respect of discrimination and violence and harassment;
 - (h) are entitled to compensation for work-related injuries and illnesses;
 - (i) have access to an effective complaints and dispute resolution mechanism.
- 14.** Members should prescribe the conditions under which:
- (a) enterprises may offer apprenticeships;
 - (b) educational and training institutions may provide off-the-job training;
 - (c) intermediaries may assist in the provision, coordination or support of apprenticeships.
- 15.** Members should take measures to continuously develop and strengthen the capacity of government agencies, employers' and workers' organizations, and teachers, in-company trainers and other experts involved in apprenticeships.
- 16.** Members should take measures to ensure that apprenticeship systems and programmes are regularly monitored and evaluated by the competent authorities. The results of monitoring and evaluations should be used to adapt the systems and programmes accordingly.

III. Apprenticeship agreement

- 17.** Members should ensure that apprenticeships are governed by a written agreement that is concluded between an apprentice and an enterprise or public institution and, if permitted by

national laws and regulations, may also be signed by a third party, such as an educational or training institution or an intermediary.

18. Members should ensure that an apprenticeship agreement:
 - (a) clearly defines the parties' respective roles, rights and obligations;
 - (b) contains provisions, in accordance with national laws and regulations, relating to the apprenticeship duration, remuneration or other financial compensation and its frequency, hours of work, rest time, breaks, holidays and leave, occupational safety and health, social security, dispute resolution mechanisms and the termination of the apprenticeship agreement;
 - (c) identifies the competencies, certifications or qualifications to be attained and any additional education support to be provided;
 - (d) is registered under conditions established by the competent authority;
 - (e) 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.
19. Members should develop a model apprenticeship agreement to facilitate consistency, uniformity and compliance.

IV. Equality and diversity in quality apprenticeships

20. Members should take measures, having regard to national circumstances, to promote equality, diversity and social inclusion in apprenticeships, taking special account of the situation and needs of persons in vulnerable situations or belonging to disadvantaged groups.
21. Members should take appropriate measures to promote gender equality and balance in apprenticeships, including in access to apprenticeships.
22. Members should take effective measures to prevent discrimination and violence and harassment against apprentices.
23. Members should actively promote apprenticeships for adults and experienced individuals seeking to change industry or occupation, upgrade their skills or enhance their employability.
24. Members should take measures to promote access to quality apprenticeships as a means to facilitate the successful transition from the informal to the formal economy and from insecure to secure work.

V. Promotion of quality apprenticeships

25. Members should, in consultation with representative employers' and workers' organizations, 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;
 - (b) mainstreaming quality apprenticeships in national development strategies and in education, vocational training, lifelong learning and employment policies;
 - (c) establishing sectoral or occupational skills bodies to facilitate the implementation of quality apprenticeships;
 - (d) developing and maintaining robust mechanisms, such as labour market information systems and regular consultations with representative employers' and workers'

organizations, to assess the current and future demand for skills with a view to designing or adapting apprenticeship programmes accordingly;

- (e) implementing effective and sustainable financing models;
- (f) providing incentives and support services;
- (g) facilitating effective public–private partnerships to support quality apprenticeships within a national regulatory framework;
- (h) encouraging the participation of intermediaries in the provision, coordination and support of apprenticeships, where appropriate;
- (i) undertaking awareness-raising activities and promotional campaigns at regular intervals to improve the image and attractiveness of quality apprenticeships by highlighting the benefits of apprenticeships to workers, young people, families, teachers, career counsellors, employers’ and workers’ organizations, and employers, particularly micro, small and medium-sized enterprises;
- (j) increasing awareness of apprentices’ rights, entitlements and protections in promotional campaigns;
- (k) establishing needs-based pre-apprenticeship programmes with a focus on increasing the participation of persons belonging to disadvantaged groups;
- (l) facilitating access to further vocational training and higher education opportunities for apprentices;
- (m) providing flexible learning pathways and career guidance to support mobility, lifelong learning and portability of skills and qualifications;
- (n) using new technologies and innovative methods to improve the effectiveness and quality of apprenticeships.

26. Members should promote a culture of lifelong learning, skilling, reskilling and upskilling.

27. Members should, in consultation with representative employers’ and workers’ organizations, with a view to facilitating the transition from the informal to the formal economy, take measures to:

- (a) strengthen the capacity of micro and small economic units by facilitating access to business development and financial services, improving the occupational safety and health environment, and enhancing the teaching and training methods and the technical and entrepreneurial competencies of master craftspersons;
- (b) ensure that apprentices have access to off-the-job learning and may complement their on-the-job learning in other enterprises or through intermediaries, where appropriate;
- (c) strengthen the capacity of associations of micro and small economic units, including through financial support, to improve the quality of apprenticeships;
- (d) recognize prior learning, including when acquired in the informal economy, and encourage the provision of bridging courses.

VI. International, regional and national cooperation for quality apprenticeships

28. Members should take measures to:

- (a) enhance international, regional and national cooperation and exchange information on good practices, in all aspects of quality apprenticeships;
- (b) cooperate to offer expanded learning opportunities to apprentices and to recognize competencies acquired through apprenticeship programmes or prior learning;
- (c) promote the recognition of apprenticeship qualifications nationally, regionally and internationally.