

Decision on how the European Parliament dealt with traineeship applications from a person requesting special arrangements due to dyslexia (case 179/2021/VB)

Decision

Case 179/2021/VB - Opened on 23/02/2021 - Decision on 08/11/2021 - Institutions concerned European Parliament (No maladministration found) | European Parliament (No further inquiries justified) |

The case was about how the European Parliament dealt with two traineeship applications from a person who requested special arrangements for his applications due to dyslexia.

After first having rejected the complainant's application, Parliament decided to interview him and offered him a traineeship. As the complainant had a long absence from his traineeship for medical reasons, Parliament offered him the possibility to apply again. However, Parliament rejected the complainant's new application.

The complainant took issue with how Parliament handled his traineeship applications and with how it informed him that he could reapply for a traineeship.

The Ombudsman finds that Parliament should have been clearer in its communication with the complainant regarding the possibility to apply for a second traineeship. However, she finds no maladministration in how Parliament dealt with the complainant's traineeship applications. Similarly, the fact that Parliament deals with requests for special arrangements made by traineeship candidates on a case-by-case basis is a reasonable approach.

The Ombudsman makes a suggestion for improvement to Parliament regarding how it informs traineeship candidates of the possibility to request special assistance in the context of the application and selection procedure and of how they should make such a request.

Background to the complaint

1. In November 2019, the complainant applied for a traineeship at the European Parliament to start in March 2020. He contacted Parliament to inform it he has dyslexia and asked not to be assessed on the basis of a motivation letter, but rather on the basis of an interview.



2. Parliament initially rejected the complainant's application. The complainant asked for information on how his application had been assessed and his dyslexia taken into account. Parliament then decided to interview him. Following the interview, he was offered a traineeship.

3. For a long period during his traineeship, the complainant was unable to work for medical reasons. He thus asked Parliament whether it could extend his traineeship. Parliament said that this was not possible. However, on 23 June 2020, it informed him that “ *due to exceptional circumstances [he] could exceptionally apply again, after some time, for another traineeship in the European Parliament* ”.

4. The complainant decided to apply for the traineeship starting in March 2021. He contacted Parliament beforehand to enquire about the procedure. Parliament informed him that the possibility for him to apply again was meant for the traineeship starting in October 2020 only.

5. The complainant said that he had not been informed of this limitation. He added that when Parliament informed him of the option to apply again *after some time*, the deadline to submit applications for the October 2020 traineeship was only seven days later, on 30 June 2020.

6. In November 2020, the complainant submitted an application for the March 2021 traineeship and asked Parliament for special arrangements due to his dyslexia.

7. In January 2021, Parliament informed the complainant that his application had not been shortlisted. Since Parliament checks the eligibility only for shortlisted candidates, Parliament had not taken a position on whether the complainant had a right to apply again.

8. In January 2021, the complainant turned to the Ombudsman.

The inquiry

9. The Ombudsman opened an inquiry into how Parliament had dealt with the complainant's traineeship applications and how it addresses requests for reasonable accommodation made by traineeship candidates.

10. In the course of the inquiry, the Ombudsman received documents from Parliament regarding the matter. The inquiry team also met with European Parliament staff and received the complainant's comments on Parliament's position as set out in the meeting.

How Parliament dealt with the traineeship applications

Arguments presented to the Ombudsman



11. The complainant finds it unclear how Parliament ensures a fair selection procedure for candidates with learning difficulties. In the context of his first application, Parliament decided to interview him even though it had originally rejected his application. However, Parliament rejected his second application without interviewing him.

12. The complainant is concerned that Parliament may have offered him a traineeship just because he has dyslexia and asked for reasonable accommodation, which he considers degrading.

13. The complainant is also dissatisfied with the fact that, when he asked Parliament why he was not interviewed in the context of his second application, Parliament said that he does not have a disability. The complainant never claimed to have a disability. He had merely asked Parliament to take measures similar to those taken by the European Personnel Selection Office for candidates with learning difficulties.

14. Parliament says that the complainant did not ask for assistance or special support to fill out his application. He requested a special selection process consisting of an interview instead of the standard procedure, which consists of a written application.

15. Parliament says that, in the context of the traineeship selection process, interviewing a candidate is optional. When the complainant contacted Parliament in January 2020, Parliament decided to interview him to pre-empt any possible disadvantage that he may encounter because of his dyslexia.

16. In the context of the complainant's second traineeship application, Parliament knew that the complainant did not need to be interviewed. This is because Parliament's Medical Service had assessed the complainant's condition during his first traineeship and concluded that he was not entitled to reasonable accommodation.

17. The complainant says that Parliament already had full knowledge of his condition in the context of his first application, as he had provided all the relevant documentation regarding his dyslexia. The information available to Parliament about his condition was the same in the context of the first as in the second selection procedure. According to the complainant, there was thus no justification for a difference in treatment.

The Ombudsman's assessment

18. The Ombudsman finds that, in the context of the complainant's first application, Parliament interviewed him to address any potential disadvantage that he may encounter because of his dyslexia.

19. While the decision to interview the complainant was due to his dyslexia, the Ombudsman finds nothing to suggest that Parliament offered him the traineeship because of this, rather than based on his profile and his interview.



20. All the above is in line with principles of good administration.

21. When the complainant made his second application, Parliament had acquired more detailed knowledge of his condition, as it had been assessed by its Medical Service. In light of this knowledge, Parliament's change of approach between the first and the second application procedure appears reasonable.

22. On the basis of the above, the Ombudsman finds no maladministration by Parliament regarding this aspect of the complaint.

The possibility to submit a new traineeship application

Arguments presented to the Ombudsman

23. The complainant considers that he should have been allowed to apply for the traineeship starting in March 2021.

24. The email that he received from Parliament in June 2020 did not mention that the possibility to apply again was limited to a certain traineeship period only. Parliament did not give him any information as to what procedure he should have followed to apply again.

25. Parliament says that the email in question was not taken into account for the assessment of the complainant's application for the March 2021 traineeship, as the complainant was not pre-selected.

26. At the application stage, applicants submit a CV and a motivation letter only. After the pre-selection stage, Parliament asks shortlisted candidates to submit supporting documents. Parliament checks the eligibility criteria, including whether the candidate has previously worked for the EU for more than two consecutive months, for shortlisted candidates only.

The Ombudsman's assessment

27. Candidates who apply for a traineeship at Parliament have to meet certain eligibility criteria. One of these criteria is that they should not have worked for an EU body, or have benefitted from any type of traineeship with an EU body, for more than two consecutive months. By allowing the complainant to apply for a second traineeship, Parliament made an exception to address the specific circumstances that affected the complainant's first traineeship.

28. The Ombudsman considers, however, that Parliament's communication with the complainant on this matter was not sufficiently clear for him to understand the temporal scope of the possibility to reapply for a traineeship. Parliament informed him that he could apply again



after some time . The complainant could not have been expected to understand that this possibility was limited to the next traineeship period only, in particular as the deadline for applying to that next period was only seven days later.

29. The lack of clarity in Parliament's communication with the complainant about the possibility to apply again is regrettable.

30. That said, the Ombudsman accepts Parliament's explanation that, as the complainant's application was not shortlisted, it did not assess whether he complied with the eligibility criteria. Consequently, the question whether the exception Parliament had granted was valid or not for the March 2021 traineeship did not influence its decision to reject his second traineeship application. The unclear wording of Parliament's email did thus not affect the complainant negatively in the context of his second traineeship application.

31. On the basis of the above, the Ombudsman finds that there are no further inquiries justified into this aspect of the complaint.

How Parliament deals with requests for reasonable accommodation in the traineeship selection procedure

Arguments presented to the Ombudsman

32. Parliament points out that requests such as the one received from the complainant are very rare. It is thus not necessary to establish a formal procedure to handle such requests. It is more appropriate to address these situations on a case-by-case basis.

33. The complainant says that it was not easy to provide the documents supporting his request for special arrangements, as he could not submit any such documents in the online application form. The complainant considers that establishing a suitable and transparent procedure with specific rules addressing the issue would improve the fairness of the selection procedure.

The Ombudsman's assessment

34. Parliament's traineeship website says that reasonable accommodation is available for successful candidates with disabilities who may need them. [1] This wording might give candidates the impression that no assistance can be granted in the course of the application and selection procedure, which is not correct, as Parliament deals with such requests on a case-by-case basis. The Ombudsman finds Parliament's approach, as such, reasonable, but Parliament could communicate it better.

35. Parliament should consider at least clearly informing candidates, on its website and/or in the application form, that they may request special assistance *during* the application and selection



procedure. Parliament should also provide candidates with information about how to request assistance. This information would improve the fairness of the selection procedure by making it more accessible to candidates who need special assistance.

36. On the basis of the above, the Ombudsman finds no maladministration by Parliament regarding how it addresses requests for assistance during the application and selection procedure. However, she will make a suggestion for improvement to Parliament about how to communicate the possibility to request assistance.

Conclusion

Based on the inquiry, the Ombudsman closes this case with the following conclusion:

There was no maladministration by the European Parliament on two aspects of the case and no further inquiries justified into the third aspect.

The complainant and the European Parliament will be informed of this decision .

Suggestion for improvement

The European Parliament should ensure that traineeship candidates are informed, on its website and/or in the application form, of the possibility to request special assistance in the context of the application and selection procedure and of how they should make such a request .

Emily O'Reilly

European Ombudsman

Strasbourg, 08/11/2021

[1] Traineeship in the European Parliament, *why should I apply?* section, <https://www.europarl.europa.eu/at-your-service/en/work-with-us/traineeships> [Link].