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COMPULSORY SCHOOLING UNTIL THE AGE OF 18 AND IMPACT ON FIXED-TERM EMPLOYMENT CONTRACTS

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COMPULSORY SCHOOLING UNTIL THE AGE OF 18 FROM 1 SEPTEMBER 2026: IMPACT ON THE CONCLUSION OF FIXED-TERM EMPLOYMENT CONTRACTS FOR PUPILS/STUDENTS OUTSIDE SCHOOL HOLIDAYS

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For pupils who will not have reached the age of 17 by 1 September 2026, compulsory schooling will be extended to the age of 18, compared with the current age of 16, pursuant to article 4, paragraph 2 of the law of 20 July 2023 on compulsory schooling.

Currently, students employed under a fixed-term employment contract outside school holiday periods may only be employed from the age of 16 onwards. As compulsory schooling has been extended until the age of 18, a fixed-term employment contract concluded outside school holiday periods may now only be concluded with students who have reached the age of 18.

As an exception, a fixed-term employment contract outside school holiday periods may be concluded with a pupil/student under the age of 18 who has obtained:

- a diploma certifying the completion of secondary education or vocational training, issued by a Luxembourg public institution or by a private institution approved by the Luxembourg State; or
- another diploma or certificate recognized as equivalent to one of the diplomas or certificates referred to in the preceding point, either by law or by decision of the minister responsible for National Education.

In practice, employers must ensure, before concluding a fixed-term employment contract, that the young person is no longer subject to compulsory schooling and must, to this end, request the presentation of one of the diplomas or certificates mentioned above.

These provisions apply from 1 September 2026.

It should be noted that these provisions apply solely to fixed-term employment contracts concluded with pupils or students outside school holiday periods. The rules applicable to the employment of pupils and students during school holidays remain unchanged, meaning that young people aged between 15 and 27 may still be employed under this framework.