

## SNACKS: DIGESTIBLE WEEKLY LABOUR NEWS – ISSUE 36

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### WEEKLY ITALIAN LABOUR UPDATES

"Due to the increase of pandemic employees are once again requested to work remotely. Given this situation, businesses who have executed a company agreement regulating smart working have a real advantage."

#### Over 50s require Super Green Pass to access workplace

An employee without a Super Green Pass will be considered absent from work and won't be entitled to remuneration. However, they will not be subject to any disciplinary consequences, nor can their ongoing employment relationship be affected. All businesses (not just smaller ones) are entitled to replace employees without a Super Green Pass after their fifth day of absence with a substitute employee and the absent employee will not be allowed to return to work until the fixed term employment of the substituting employee is completed (maximum 10 days duration, renewable until 31 March 2022).

*Decree of the Prime Minister 05/01/2022*

#### Super Green Pass required to access local public transport

From 10 January 2022, a Super Green Pass will be needed in order to access local public transport services (trains, buses, metro etc.). A Super Green Pass can be

acquired following vaccination against Covid-19 or after having recovered from the virus. This measure is expected to have a significant impact on workers as a normal Green Pass (acquired following a negative swab test) will no longer be sufficient to access public transport. Currently, a Super Green pass is also required to access restaurants and outdoor swimming pools, fairs and conferences, resorts and hotels.

*Law Decree 30/12/2021 No. 229*

#### New quarantine rules

Quarantine in cases of close contact with a person who has tested positive for Covid-19 is no longer required for those who have been triple vaccinated or those who have been issued with a Super Green Pass in the past four months. For such individuals, quarantine has been replaced with a self-monitoring regime and an obligation to wear a FFP2 face mask for the next ten days. Those displaying symptoms must complete a swab test after five days. For those who have a Super Green Pass issued more than four months previously, the quarantine period is now reduced to five days and a final negative swab test required. Non-vaccinated people are subject to all previous regulations.

*Law Decree 30/12/2021 No. 229*

## **2022 Budget Law: redundancies**

Companies in Italy with 250+ employees that intend to make at least 50 redundancies as a result of the closure of a head office, factory, branch or department are now required to initiate a complex information and consultation procedure.

Specifically, ninety days before the initiation of said redundancies, companies are required to send written communications indicating the reasons (financial, organisational, etc.) for the redundancies and the expected closure date of the site/unit in question, as well as the number of employees and their job titles to the Ministries of Labour and of Economic development, ANPAL, the relevant regional authorities, local trade union organisations and relevant council members. Then, within sixty days, the company must present the recipients of the initial communication a plan to limit the employment and economic impact of the envisaged closure. The plan must not last longer be completed within twelve months and must demonstrate – amongst other things – an appropriate use of social safety nets (including the new measures in the 2022 Budget Law), measures to encourage voluntary redundancies and the possible relocation of employees to third parties. The plan must be discussed with the trade unions within the following thirty days and end with the possible signing of agreement with them.

Any redundancies served before the end of the procedure are deemed null and void.

Companies with an asset or economic-financial imbalance are excluded from this procedure.

*Law 30/12/2021 No. 234*

## **2022 Budget Law: social safety nets and relocation policies**

The 2022 Budget Law was published in the Official Journal on 31/12/2021.

The Budget Law provides new structural measures regarding social safety nets during and after employment. Amongst its other provisions are the following highlights:

- Salary support schemes are extended to all employees (with the exception of executive employees), including domestic employees and apprentices (previously only available to those in professional apprenticeships);
- Micro-businesses (those with up to 15 employees) can also now access salary support schemes;
- The financial support to be made available to employees for non-worked hours has been increased and is not linked to their monthly salary;
- The minimum length of service required to access salary support schemes is reduced to 30 days from 90;
- Companies that have not used a salary support schemes for at least 24 months are entitled to a reduction of their additional contribution payments (this measure start on 1st January 2025);
- CIGS is extended to employers not covered by EU Solidarity and Bilateral Funds provided they previously had an average of 15+ employees in the six months prior to their application to access a salary support scheme;
- The standard salary support scheme (CIGO) can be extended to employers that, until now, were not entitled to it and have not accessed Solidarity and Bilateral Funds;
- Employees included in so-called “solidarity contracts” will have their working time reductions increased from 60% to 80%;

- A transitional employment agreement has been introduced to govern the redundancy process for companies with 15+ employees. This measure provides for up to 12 additional months of CIGS support for any employees made redundant. As such, the current GOL programme on relocation policies is extended to those benefiting from CIGS as a result of the new transitional employment agreements; and
- Employers hiring permanent employees under the new transitional employment agreement and benefitting from CIGS are entitled to a financial incentive equal to 50% of any CIGS support for each monthly salary (up to a maximum of twelve months).

*Law 30/12/2021 No. 234*

## **2022 Budget Law: expansion contract**

The employment threshold for companies to access expansion contracts has been reduced to 50 employees. An expansion contract allows a business to enter into an employee change process in connection with business reorganisation or restructuring.

*Law 30/12/2021 No. 234*

## **2022 Budget Law: unemployment social safety nets**

A minimum of 30 working days unemployment is no longer required to access the “Naspi” unemployment indemnity. Moreover, the reduction in monthly support (“decalage”) is now postponed to the sixth month of unemployment (rather than the fourth as previously). For the unemployed aged 55+, decalage starts as of the eighth month of unemployment. The “Dis-Coll” unemployment indemnity consultants are entitled to has increased and is now based on contributions.

*Law 30/12/2021 No. 234*

## **2022 Budget Law: hiring incentives**

The Budget Law also introduces several financial incentives to encourage hiring and reduce unemployment levels – highlights include:

- the exemption from paying contributions equal to 100% of a three-year payment period has been extended. The incentive favours employers that hire workers on a permanent contract from companies currently in crisis;
- The introduction of a tax relief equal to 100% of contributions for the whole of 2022 for first-level apprenticeship contracts for qualification and professional diplomas, upper secondary education diplomas and certificates of upper technical specialisation for companies employing up to nine people;
- €50m has been allocated to the Gender Equal Pay Fund; and
- A 50% exemption from social security contributions has been introduced for mothers returning to work after maternity to last for the whole of 2022. The maximum exemption period is one year from return to work.

*Law 30/12/2021 No. 234*

## 2022 Budget Law: extracurricular internships

The Italian Government and regions are implementing specific guidelines in the next six months to combat the abuse of extracurricular internships. Amongst other measures, a 'participation allowance' for trainees and a minimum hiring quota are expected to be introduced. The unlawful use of internships will result in a fine for each intern and for each day of their internship as well as the intern in question being removed from the internship (and hired as employee) from the date of the court's decision.

*Law 30/12/2021 No. 234*

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