

SNACKS: DIGESTIBLE WEEKLY LABOUR NEWS – ISSUE 60

23 JUNE 2022 • ARTICLE



WEEKLY ITALIAN LABOUR UPDATES

"Tasks and skills of the employees are subject to change. Collective company agreements allow to introduce customized regulations customized on business needs."

New INPS instructions on one-time allowance

The INPS has clarified that the recently announced one off payment of €200 provided for in Article 31 of Decree-Law No. 50 of 17/06/2022 can be included as part of a worker's pay package for either June or July 2022 provided that they receive the payment in July 2022. For those entitled to the payment, their employment must still be active in July 2022. The allowance is also available to those on zero-hour contracts due to their use of various social safety nets (CIGO, CIGS, etc.).

INPS, Message 21/06/2022 no. 2505

No compensation for lifestyle disruption

The Supreme Court found that the relatives of an employee injured in a work-related accident are not entitled to compensation for 'disruption to their lifestyle' as the injured person continued to financially contribute to and emotionally support their family. The findings of the court-appointed expert's report can only be challenged, in this regard, in cases where an individual's injury has been incorrectly diagnosed.

Supreme Court (ord.) 20/06/2022 no. 19385

Access to contribution allowance linked to waiver of CIG Covid-19 expires

Employers who have waived access to salary benefits linked to the Covid-19 emergency during the period 1 January to 31 March 2022 (the standard salary support fund) and 1 January to 30 June 2021 (the exceptional salary support fund and the ordinary wage supplementation allowance) still have access to the contribution waiver provided by the Budget Act 2021. The INPS confirms, however, that the final date to take advantage of this support is 30 June 2022, noting that this final date will not be postponed.

INPS, Message 20/06/2022 No. 2478

Suspension of work legitimate if reinstatement order not correctly met

The conduct of an employee who, faced with reinstatement at a different place of work after a judge annulled their dismissal, decided to suspend their working is considered a legitimate form of 'self-defence'. In this case, the employee's reaction was proportionate under Article 1460 of the civil code with respect to their employer's failure to comply with the reinstatement order which required that the conditions of the employee's original position be reinstated. It follows that a new disciplinary dismissal for refusing to work in a new location would also be unlawful.

Supreme Court 19/05/2022 No. 16206

Use of Unilav and Unirete models

Companies doing business with a network contract and post employees to other companies within that network are required to use the traditional Unilav model if the posted employees are subject to only one employer. Instead, the Unirete model must be used by network companies if there is a co-ownership link between them with respect to the management of posted employees.

National Labour Inspectorate, Note 16/06/2022 No. 1229

Allowance for hiring apprentices

The three-year contribution allowance for companies with no more than nine employees that hire level one apprentices in 2022 is now available. The measure introduced by the Budget Act for 2022 (Art. 1, para. 645) provides a full contribution allowance for the first three years of the apprenticeship. The staff size requirement must be verified on the date the apprentices are hired and the future increase of the staff size is irrelevant. The employee count includes part-time employees and fixed-term employees. Apprentices and agency employees are not included in these calculations.

INPS, Circular 15/06/2022 No. 70.

Ways to issue accident certificates

INAIL clarifies that accident certificates can be issued using three different modes:

- (i) electronic transmission through INAIL's portal. The portal can be accessed exclusively with SPID, CNS or CIE credentials;
- (ii) "off-line" transmission by sending the accident certification in XML format through the special "invia tramite file" function; or
- (iii) transmission through collaboration with the Domain Portal (active only for 2022) or the 'Rest service' following agreements with the regions concerned.

INAIL, Circular 14/06/2022 no. 25

KEY CONTACTS



**GIUSEPPE BULGARINI
D'ELCI**

PARTNER • MILAN

T: +39 02 721 7071
M: +39 347 26 86 664

gbulgarini@wfw.com



ROBERTA CRISTALDI
COUNSEL • MILAN

T: +39 02 721 7071
M: +39 344 0506106

rcristaldi@wfw.com

WATSON FARLEY & WILLIAMS

DISCLAIMER

Watson Farley & Williams is a sector specialist international law firm with a focus on the energy, infrastructure and transport sectors. With offices in Athens, Bangkok, Dubai, Dusseldorf, Frankfurt, Hamburg, Hanoi, Hong Kong, London, Madrid, Milan, Munich, New York, Paris, Rome, Seoul, Singapore, Sydney and Tokyo our 700+ lawyers work as integrated teams to provide practical, commercially focussed advice to our clients around the world.

All references to 'Watson Farley & Williams', 'WFW' and 'the firm' in this document mean Watson Farley & Williams LLP and/or its affiliated entities. Any reference to a 'partner' means a member of Watson Farley & Williams LLP, or a member, partner, employee or consultant with equivalent standing and qualification in WFW Affiliated Entities. A list of members of Watson Farley & Williams LLP and their professional qualifications is open to inspection on request.

Watson Farley & Williams LLP is a limited liability partnership registered in England and Wales with registered number OC312252. It is authorised and regulated by the Solicitors Regulation Authority and its members are solicitors or registered foreign lawyers.

The information provided in this publication (the "Information") is for general and illustrative purposes only and it is not intended to provide advice whether that advice is financial, legal, accounting, tax or any other type of advice, and should not be relied upon in that regard. While every reasonable effort is made to ensure that the Information provided is accurate at the time of publication, no representation or warranty, express or implied, is made as to the accuracy, timeliness, completeness, validity or currency of the Information and WFW assume no responsibility to you or any third party for the consequences of any errors or omissions. To the maximum extent permitted by law, WFW shall not be liable for indirect or consequential loss or damage, including without limitation any loss or damage whatsoever arising from any use of this publication or the Information.

This publication constitutes attorney advertising.