



Place and date: Trieste, 23rd May 2013
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**ROUND TABLE PLATFORM
 PROJECT TRASDEM-
 Empowerment of social dialogue in trade sector as a contribution to the
 overarching EU employment and social policy challenges**

**COUNTRY: Italy
 PARTNER: URES - SDGZ**

TOPICS	FILL IN WITH YOUR DATA, DESCRIPTION, COMMENTS OR TABLES			
I. GENERAL COUNTRY INFORMATION – latest statistic data				
Population number	60.626.442 (Istat 1/1/2011)			
Active population number	25.793.000 (Istat Q4 – 2012)			
Retired population number	16.222.592 (Istat 2010)			
Persons in employment - total (in paid employment, self-employed persons)	22.805.000 (Istat Q4 – 2012)			
Persons in employment – trade sector (in paid employment, self-employed persons)	7.828.000(Istat Q4 – 2012)			
Persons in employment – by sex in total	TOTAL: 25.793.000 Men: 13.346.000 Women: 9.459.000 (Istat Q4 – 2012)			
Persons in employment – by sex in trade sector	TOTAL: 7.828.000 Men: 4.418.000 Women: 3.410.000 (Istat Q4 – 2012)			
Registered unemployed persons/total population	Registered unemployed persons: 2.988.000 (Istat, 4Q – 2012) Population number: 60.626.442 (Istat 1/1/2011) $2.988.000/60.626.442 = 4,9\%$			
Registered unemployed persons/active population	Registered unemployed persons: 2.988.000 (Istat, 4Q – 2012) Active population number: 25.793.000 (Istat, 4Q – 2012) $2.988.000/25.793.000 = 11,6\%$			
Registered unemployed persons by age groups	<table border="1"> <tr> <td>15 – 24 years</td> <td>674.000</td> <td>22,6%</td> </tr> </table>	15 – 24 years	674.000	22,6%
15 – 24 years	674.000	22,6%		

	25 – 34 years	877.000	29,3%
	35 – 44 years	707.000	23,7%
	45 – 54 years	541.000	18,1%
	55 – 64 years	180.000	6,0%
	> 65 years	9.000	0,3%
	TOTAL	2.988.000	100,0%
	(Source: Istat Q4 – 2012)		
Registered unemployed persons by educational attainment	Elementary school or less	213.000	7,1%
	Medium school	1.132.000	37,9%
	Secondary school	1.332.000	44,6%
	University and post università	311.000	10,4%
	TOTAL	2.988.000	100,00%
	(Source: Istat Q4 – 2012)		
Registered unemployed persons duration of unemployment	< 12 months	1.350.000	45,2%
	> 12 months	1.638.000	54,8%
	TOTAL	2.988.000	100,0%
II. GENERAL INFORMATION ON SOCIAL DIALOGUE			
Social dialogue on national level (if it is organised)			
<ul style="list-style-type: none"> • legal basis 	<p>No legal basis on national level.</p> <p>There is legal basis in the trade sector only contractually through the National Observatory.</p> <p>In the last decade Italian politics has been marked by a public consultation strategy. The beginning of the strategy could date back to 1993, when the Protocol on incomes policy and employment, on contractual arrangements, on labor policies and support to the production system was signed.</p> <p>In the Protocol public consultation has been defined as a method for the relations between government, trade unions and employer associations.</p> <p>By this method social partners guaranteed support to government policies and reforms</p>		



	<p>were the result of common agreement. At first social dialogue has been managed through trilateral agreements between confederations.</p> <p>The Constitutional Court of Italy abolished the contractual value of public consultation agreements. Therefore these agreements only have political value and have no legal meaning.</p> <p>Owing to the lack of codified rules and written procedures, the public consultation method has been weakened. Moreover the center-right governments introduced a new social dialogue methodology, inspired by the European model, as a result of the need for approving social reforms, which have been opposed by trade unions.</p> <p>This transition has been defined by the labor reform implemented by the Law No. 30/2003 and the Legislative Decree 276/2003 which implements the law.</p> <p>The current labor market reform (Fornero reform) defined in the Law No. 92 of 28 June 2012 kept the new social dialogue methodology.</p>
• attendants	
• scope of action	
• working principle (sessions, debates,....)	
Social dialogue on regional level (if it is organised)	
• legal basis	No legal basis on regional level. Only Bilateral institution and Provincial Committees on local level.
• attendants	
• scope of action	
• working principle (sessions, debates,....)	
Social dialogue in trade sector on national/regional level (if it is organised)	
• legal basis	National collective labour agreement
• attendants	Employees' trade unions and employers' associations
• scope of action	The agreements are valid on national level
• working principle (sessions, debates,....)	Sessions, trainings



III. PUBLIC AUTHORITIES THAT COVER LABOUR RELATIONS, LABOUR MARKET AND EMPLOYMENT	
Ministry/-ies (name)	MINISTRY OF LABOUR AND SOCIAL POLICIES
<ul style="list-style-type: none"> • sectors and directorates - list 	<p>The Ministry of labor and social policies carries out the tasks in matters of labor policy and employment development, labor protection, adequacy of the social security system and social policies.</p> <p>The Ministry consists of 10 Directorate-General:</p> <ul style="list-style-type: none"> - Directorate-General for personnel, innovation, budget and logistics policies; - Directorate-General for communication and information in matters of labor and social policies; - Directorate-General for active and passive labor policies; - Directorate-General for industrial relations and employment relationships; - Directorate-General for the employment services policies; - Directorate-General for social security and insurance policies; - Directorate-General for inclusion and social policies; - Directorate-General for the third sector and social formations; - Directorate-General for immigration and integration policies; - Directorate-General for inspection



	<p>activities.</p> <p>Carabinieri police institution for the labor protection Regional labor directorates Local labor directorates</p>
<ul style="list-style-type: none"> • bodies within the ministry - list 	<ul style="list-style-type: none"> - National Documentation and Analysis Center for childhood and adolescence; - Commission of Enquiry on Social Exclusion; - ChildOn Europe - L'Europe dell'Enfance; - National Observatory on associations, voluntary work, childhood and adolescence and people with disabilities.
<p>Other organisations and institutions - list</p>	<p><u>EMPLOYMENT SERVICE</u></p> <p>It targets workers and companies with the aim of encouraging the meeting of demand and supply. The Employment service deals with the reception and the guidance of workers.</p> <p>The Legislative Decree No. 276/2003 implemented the employment services reform. Through the Decree traditional labor operators (such as employment centers) were joined by new labor agencies and other operators authorized or qualified for labor supply, intermediation, personnel research and selection, professional outplacement support.</p> <p>Employment services are delegated to the Regions which perform the following tasks in terms of employment:</p> <ul style="list-style-type: none"> - Ordinary employment, employment in the agricultural sector, employment in the entertainment industry, obligatory employment (people with disabilities), non-EU workers, home workers,

	<p>domestic workers;</p> <ul style="list-style-type: none"> - introduction of workers into public administration, with the exception of the national central administrative institutions; - preselection and meeting of labor demand and supply ; - initiatives for encouraging the meeting of labor demand and supply. <p>Every Region has its own decentralized employment bodies:</p> <ul style="list-style-type: none"> - Provinces: they carry out administrative tasks linked to the managing of labor market, the managing of anagraphic data for employment, services for the meeting of labor demand and supply, outplacement services, advising to companies; - Provincial commission for labor policies; - Regional agency. <p>Private activities in matters of employment: intermediation in the labor market performed by private subjects such as Labor Agencies which can be divided into:</p> <ul style="list-style-type: none"> - Labor supply agencies; - Agencies which perform tasks of intermediation between labor demand and supply (CVs collecting, preselection, client requests, supply of training activities); - Personnel research and selection agencies; - Professional outplacement support
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	agencies.
	INPS - National Institute of Social Security and INAIL - National Institute for Insurance against Accidents at Work.
IV. LEGISLATION PLATFORM – labour relations, labour market and employment	
International documents	
• ILO Convention 158 – Termination of Employment Convention, 1982	Ratified by the country: YES <u>NO</u>
• European Social Charter (revised) - 1996	Ratified by the country: <u>YES</u> NO
National laws and regulations (if there are any) – list and short description	
Italian Civil Code, Book 5	
Law 398/87	Issuing of permits for Italian workers abroad
Law 68/1999	Integration and reintegration into the world of work of differently abled people and disadvantaged individuals
Legislative Decree 181/2000 and 297/2002	Management of ordinary employment
Law 30/2003	Performing of intermediation activities by Labor Agencies, bilateral bodies, universities, secondary schools and labor consultants.
Legislative Decree 276/2003 implementing the Law 30/2003	Defines the tasks and requirement of Labor Agencies.
Decree of the President of the Republic 231/2006	Employment of maritime workers
Law 92/2012	Reform of the labor market
Regional laws and regulations (if there are any) – list and short description	
Regional Law No. 18 of 9 August 2005	Employment, labor protection and labor quality
Collective Agreements for Trade Sector - list	
• Title	NATIONAL COLLECTIVE LABOR AGREEMENT FOR THIRD SECTOR EMPLOYEES IN THE FIELD OF DISTRIBUTION AND SERVICES



	Signed in Rome on the 18 th of July 2008	
<ul style="list-style-type: none"> Parties on the employee side 	<ul style="list-style-type: none"> Italian Federation of Trade, Tourism and Services workers (Filcams-Cgil); Italian Federation of Trade Unions for Trade services and Tourism (Fisascat-Cisl); Italian Association of Tourism, Trade and Services Workers (Uiltucs-Uil). 	
<ul style="list-style-type: none"> Parties on the employers side 	Confcommercio (General Italian Confederation of Trade, Tourism, Services, Professionals and SMEs)	
<ul style="list-style-type: none"> Concluded for a definite/indefinite period of time 	Concluded for 3 years	
Agreement for the renewal of the national collective labor agreement for third sector employees in the field of distribution and services.	<p>Ratified on the 6th of April 2011, in force since the 1st of January 2011, legislative deadline: 31st December 2013. There is no economic deadline.</p> <p>The agreement was signed by Confcommercio and</p> <ul style="list-style-type: none"> Italian Federation of Trade Unions for Trade services and Tourism (Fisascat-Cisl); Italian Association of Tourism, Trade and Services Workers (Uiltucs-Uil). 	
<ul style="list-style-type: none"> In force from - to 		
<ul style="list-style-type: none"> Is valid for the parties of collective agreement or its members 	<u>YES</u>	NO
<ul style="list-style-type: none"> Has an extending validity to all employers in an activity or activities for which has been concluded 	YES	<u>NO</u>
<ul style="list-style-type: none"> Title 	NATIONAL COLLECTIVE LABOUR AGREEMENT FOR THIRD SECTOR EMPLOYEES IN THE FIELD OF DISTRIBUTION AND SERVICES – CONFESERCENTI	
<ul style="list-style-type: none"> Parties on the employee side 	<ul style="list-style-type: none"> Italian Federation of Trade, Tourism and Services workers (Filcams-Cgil); Italian Federation of Trade Unions for 	



	Trade services and Tourism (Fisascat-Cisl); - Italian Association of Tourism, Trade and Services Workers (Uiltucs-Uil).
• Parties on the employers side	- CONFESERCENTI – Italian Confederation of SMEs in the field of Trade, Tourism and Services
• Concluded for a definite/indefinite period of time	Concluded for 3 years
Agreement for the renewal of the National collective labor contract for third sector employees in the field of distribution and services	Signed on the 15 th of March 2011, legislative deadline 31 th December 2013. There is no economic deadline. Signed by Confesercenti and - Italian Federation of Trade Unions for Trade services and Tourism (Fisascat-Cisl); - Italian Association of Tourism, Trade and Services Workers (Uiltucs-Uil).
• In force from - to	
• Is valid for the parties of collective agreement or its members	<u>YES</u> NO
• Has an extending validity to all employers in an activity or activities for which has been concluded	YES <u>NO</u>
• Title	NATIONAL COLLECTIVE LABOUR AGREEMENT FOR EMPLOYEES IN THE FIELD OF COOPERATIVE DISTRIBUTION
• Parties on the employee side	- Italian Federation of Trade, Tourism and Services workers (Filcams-Cgil); - Italian Federation of Trade Unions for Trade services and Tourism (Fisascat-Cisl); - Italian Association of Tourism, Trade and Services Workers (Uiltucs-Uil).



<ul style="list-style-type: none"> Parties on the employers side 	<ul style="list-style-type: none"> National Association of Consumer Cooperatives (ANCC Coop); National Association of Cooperative Retailers (ANCD) National Federation of Consumption and Distribution Cooperatives Italian Association of Consumption Cooperatives
<ul style="list-style-type: none"> Concluded for a definite/indefinite period of time 	<p>Concluded for 3 years</p>
<p>Agreement for the renewal of the national collective labor agreement for employees in the field of cooperative distribution</p>	<p>Signed on the 22nd of December 2011, legislative deadline: 31st of December 2013. There is no economic deadline. The agreement was signed by:</p> <ul style="list-style-type: none"> National Association of Consumer Cooperatives (ANCC Coop); National Federation of Consumption and Distribution Cooperatives Italian Association of Consumption Cooperatives <p>and</p> <ul style="list-style-type: none"> Italian Federation of Trade, Tourism and Services workers (Filcams-Cgil); Italian Federation of Trade Unions for Trade services and Tourism (Fisascat-Cisl); Italian Association of Tourism, Trade and Services Workers (Uiltucs-Uil).
<ul style="list-style-type: none"> In force from - to 	
<ul style="list-style-type: none"> Is valid for the parties of collective agreement or its members 	<p><u>YES</u> NO</p>
<ul style="list-style-type: none"> Has an extending validity to all 	<p>YES <u>NO</u></p>



employers in an activity or activities for which has been concluded	
	<p>The guiding principle of the three above mentioned National collective labor contracts is the “Protocol on incomes policy and employment, on contractual arrangements, on labor policies and support to the production system”, signed on the 23rd of July 1993, as stated in the general preamble.</p> <p>The commitments made in the Protocol were implemented in collective bargaining which regulates bargaining at a national, local and company level and the development of social dialogue through national tools such as:</p> <ul style="list-style-type: none">- The National collective labor contract CONFCOMMERCIO and CONFERSERCENTI is regarded as one of the main tasks to be performed by the National commission for the evolution of social matters on an European level.- NATIONAL COLLECTIVE LABOUR CONTRACT FOR EMPLOYEES IN THE FIELD OF COOPERATIVE DISTRIBUTION - task to be performed by the National Observatory. <p>The contract has legal force between the parties and is effective only among the contracting parties who directly signed it (employers’ and employees’ associations) and the individual subjects who belong to these associations.</p> <p>The National collective labour contract consists of an economic, a normative and an obligatory section.</p> <ul style="list-style-type: none">- Economic section: it includes the economic treatment (minimum wage, seniority treatment, overtime bonuses, etc). This treatment is applied to all

	<p>workers, regardless if they do not belong to the organizations which signed the contract;</p> <ul style="list-style-type: none"> - Normative section: it includes the norms which regulate employment relationships. The norms included in the contract, with certain exceptions, cannot worsen national laws (working hours, holiday period, sickness, maternity etc.). This treatment is also applied to all workers; - Obligatory section: it only regulates the relationship between the collective parties which signed the contract. For example: adhesion to bilateral bodies and consequent payment of contributions.
<p>V. RECENTLY ADOPTED REFORMS OR CHANGES OF LEGISLATION – SINCE 2010 – pension, labour relations labour market and employment, collective agreement – list and short description</p>	
<p>Law No. 92 of 28 June 2012 - "Dispositions in terms of the labor market reform in a growth perspective" (so called RIFORMA FORNERO), modified by the Legislative Decree 83/2012, converted with modifications by the Law No. 134 of 7 August 2012.</p>	<ul style="list-style-type: none"> - Social shock absorbers: <p>New unemployment benefits have been introduced (Aspi – Social Insurance for Employment). These measures will be at full power in 2015 and provide for gradually extending the unemployment benefits period according to employee's age when the employment relationship is terminated. Currently the unemployment benefits period lasts 8 months if the worker is up to 50 years of age and 12 months if the worker is 50 years of age or older. Over the next three years the unemployment benefits period will be extended and will last 12 months if the worker is up to 54 years of age and 18 months if the worker is 55 years of age or older.</p>

	<p>Mini Aspi - for the subjects who have not met minimum requirements. It has been introduced a funding contribution borne by the employer in case of dismissal and fixed-term employment. The Social Insurance for Employment is going to replace the mobility allowance provided in case of dismissals carried out by industrial companies with more than 15 employees in the last semester; trading enterprises which on average employed more than 200 employees in the last semester; trading enterprises which on average employed between 50 and 200 employees in the last semester.</p> <p style="text-align: center;">- Apprenticeship:</p> <p>It has been reformed by the Legislative Decree 167/2011 and will have to become the main way of integration of young people into the world of work. The three types of contract in terms of apprenticeship won't be modified:</p> <ul style="list-style-type: none"> - Apprenticeship when alternating study and work for the qualification end the professional degree (age: 15 – 25 years); - Profession contract (professionalizing) – this contract is related to the world of work(age: 15- 29 years); - Advanced training contract – aims at higher level qualification and study path. <p style="text-align: center;">- Dismissals:</p> <p>Compulsory notification of the reasons for dismissal. In case an enterprise with more than 15 employees (Article 18) wants to dismiss an employee for a justified objective reason (e.g. economic reasons) the instrument of conciliation has been reintroduced.</p>
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	<p>The terms for the appeal of the dismissal have been shortened: 60 days after the notification, the issue has to be brought to court within 180 days.</p> <ul style="list-style-type: none"> - Project contracts: <p>Contracts for independent workers. Owing to their low cost compared to employment contracts, project contracts can be abused by employers. Project contracts are implemented when there is a project which has to be carried out independently by the worker. Some parameters in terms of authenticity have been revised.</p> <ul style="list-style-type: none"> - Self-employed workers: <p>Also in this case there is a question of authenticity of self-employment services. If certain conditions are not met, the employment relationship is converted into a subordinate employment relationship. The above mentioned conditions are:</p> <ul style="list-style-type: none"> - work performance with the same client/employer for more than 8 months in the last two years; - the income of the work performance exceeds 80% of the total income of the worker in the last two years; - the worker performs in a fixed location. <p>These indicators are not taken into account if the worker is enrolled in a professional order, has an income which exceeds 18.000 €, has high level theoretical knowledge.</p> <ul style="list-style-type: none"> - Validation procedure for resignation: <p>Laws to combat the practice of blank resignation.</p> <ul style="list-style-type: none"> - Compensation for unlawful disciplinary dismissal – from 12 to 24 monthly payments.
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	<ul style="list-style-type: none"> - Time range between contracts: The time range between fix-term contracts has been modified – minimum 60 days if the previous contract lasted less than six months and 90 days if the previous contract lasted six months or more. - Voucher: The vouchers are prepaid. There is a fixed annual limit – 5000 € for the employee, 2000 € for the employer. - Job on-call: The worker is available to the employer for a period of time sufficient to carry out the service. On-call workers have to be younger than 24 years of age or older than 55 years of age. On-call workers can also be certain professionals, defined by law. Before the work performance the employer has to notify to controlling bodies the activation of the contract. - Pensions: After 40 years of paid contribution the pension allowance increases progressively. The retirement age is going to change from 67 to 70 years for men over the next 35 years (2047), as far as women are concerned, the retirement age is going to change from 62 to 70 years, reaching the retirement age of men.
VI. CHANGES OF LEGISLATION IN NEGOTIATION OR LEGISLATIVE PROCEDURE	See above
VII. ACTIONS FOR ENCOURAGING THE FLEXICURITY	
Actions for encourage youth employment	
	Youth employment: in case of apprenticeship there is a reduction in costs borne by the



	<p>employer - 11.61% instead of 30 %. For the enterprises with up to 9 employees it goes from 1,61%.</p>
<p>Actions for encourage employment of elderly people</p>	
	<p>Reduction of employer contribution for the employment of workers on extraordinary layoff (employer contribution is reduced to 10% of the salary, the employer receives an additional 50% of the mobility allowance owed to the worker for a maximum period of 9 months or 21 months if the employee is older than 50 years of age).</p>
	<p>Unemployed workers or workers on extraordinary layoff for at least 24 months: 50% reduction of the employer contribution for 36 months, 100% reduction of employer contribution for craft businesses.</p>
	<p>Mobility workers: if the worker is employed with a fixed-term contract, the employer contribution is reduced to 10% for a maximum of 12 months. The employer contribution reduction is extended for additional 12 months if the fixed-term contract is converted into a contract of indefinite duration. The employer receives an additional 50% of the mobility allowance owed to the worker for a maximum period of 12 months, extended to 24 months if the employee is older than 50 years of age).</p>
	<p>Unemployed executives: 50% reduction of the employer contribution for social security.</p>
	<p>Bonuses for the employment of workers older than 50 years of age, unemployed workers for at least 12 months and women: if the worker is employed with a fixed-term contract, a 50% reduction of the employer contribution is applied for a maximum of 12 months. The employer contribution reduction is extended for additional 18 months if the fixed-term contract is converted into a contract of indefinite duration. 50% reduction of the</p>

	employer contribution for a maximum of 18 months if the worker is employed with a contract of indefinite duration.
Lifelong learning actions and incentives – list and short description	
	<p>The companies pay a contribution to the Regions for training purposes. If the company is registered to an interprofessional fund for training purposes, the contribution goes directly to the fund which organizes training courses on behalf of the company.</p> <p>The funds finance company training plans for the employees. In order to access the fund, the companies have to organize training courses within working hours.</p>
	The national legislation and the labor contracts provide for reliefs for working students who can make use of permits and particular facilitations for the implementation of the right to education. In this framework working students have the right to take work leaves for exams or for lifelong learning purposes.
Quality of work actions and incentives – list and short description	
	Laws in matters of safety in the workplace.
Mobility and migration actions and incentives – list and short description	
	There are no incentives for mobility and migration.
Planned future actions on the field of flexicurity – list and short description	
	<ul style="list-style-type: none"> - CIGO – ordinary layoff. It is only valid for certain types of companies (e.g. industry, construction industry). It is granted when temporary crises occur and it lasts up to 52 weeks out of 104;

	<ul style="list-style-type: none"> - CIGS – extraordinary layoff. It is only valid for certain types of companies according to the size. It is granted when complex crises occur and when a recovery of the activity is foreseen. The extraordinary layoff lasts up to 36 weeks;
	<ul style="list-style-type: none"> - CIG IN DEROGA – exceptional layoff. BILATERAL SOLIDARITY FUNDS ensure protection to the workers who are not entitled to ordinary and extraordinary wage subsidies. This instrument is used by smaller companies working in the handicraft or third sector.
	<ul style="list-style-type: none"> - SOLIDARITY CONTRACTS
VIII. SPECIFIC LEGISLATIVE SOLUTIONS REGARDING EMPLOYMENT RELATIONS AND EMPLOYMENT MARKET	DESCRIBE AND NAME THE LEGISLATIVE BASE
<ul style="list-style-type: none"> • Conditions for a fixed-term employment contract (replacing a temporary absent worker, project work...) 	<p>The traditional fixed-term labor can be signed by the employer only in the presence of the following reasons:</p> <ul style="list-style-type: none"> ○ technical reasons ○ productive and organizational reasons ○ substitution <p>It is also possible to sign an »acausal« contract. It can be signed for any kind of task with the following conditions:</p> <ul style="list-style-type: none"> • it has to be the first contract with the same employee; • it cannot last more than 12 month, it cannot be extended. <p>It is also possible to sign a fixed-term contract in the framework of the organizational processes defined by the</p>

	Article 5, Paragraph 3 of the Legislative Decree 368/2001.
<ul style="list-style-type: none"> Limitation of duration of fixed-term employment contract 	
	The contract may be extended only once in a total of 3 years, provided that the worker agrees upon it, there are objective reasons and the tasks are the same as defined in the first contract. The overall duration of a fixed-term contract by the same employer (including the extension) may only last up to 36 months.
<ul style="list-style-type: none"> Reasons for termination of employment contract (non-achievement of expected work results, violation of the contractual obligations...) 	-
Justified objective reason:	<p>Objective reasons linked to the employer:</p> <ul style="list-style-type: none"> - abolition of the work position - closure of the business <p>Objective reasons linked to the employee:</p> <ul style="list-style-type: none"> - Excessive morbidity (when exceeding the threshold); - When inability to work occurs (occurrence of infirmity, withdrawal of administrative authorizations (driving license); - Imprisonment.
Subjective reasons	<p>Employee's shortcomings:</p> <ul style="list-style-type: none"> - justified subjective reason (minor damage to the trust relationship, severe breach of contractual duty), termination of the employment relationship with notice.
Just cause	When the reason for dismissal does not allow the continuation, also temporary, of the work relationship (irreparable damage to the trust relationship, extremely severe breach of

	<p>contractual duty), immediate dismissal without notice.</p> <p>The reasons are linked to the seriousness of the conduct, the employee's intentional conduct and the damage to the trust relationship.</p> <p>Reasons:</p> <ul style="list-style-type: none"> - insubordination; - refusal to perform tasks; - disparaging criticism towards the employer; - abandoning the workplace; - breach of the duty of diligence; - breach of the duty of loyalty (competition activities against the employer) - commission of a crime.
<ul style="list-style-type: none"> • Reasons for extraordinary termination of employment contract (violation of contractual obligations, worker is at least 5 days in succession without informing the employer...) 	
<ul style="list-style-type: none"> • Procedure for dismissal (obligatory period advance notification, formal defence argument, offering another suitable job...) 	
<p>Justified objective reason:</p>	<p>Companies with up to 15 employees: notice of dismissal in accordance with the contractual terms. Otherwise the employer is expected to pay a compensation allowance.</p> <p>Companies with more than 15 employees: setting up the obligatory attempt of conciliation and the possible termination of the employment relationship with the same date of setting up of the procedure.</p>

Disciplinary dismissal:	Written complaint to the employee. Written or oral explanation of the employee Infliction and application of the sanction.
<ul style="list-style-type: none"> If you have any samples of documents needed in a procedure, please enclose 	
<ul style="list-style-type: none"> 	There are no required documentation templates for the dismissal procedure. The dismissal has to be notified in written form specifying the reasons for the decision. The employee has the right to receive advanced notice. s/he may or may not work during this period. If the employee does not work during this period, s/he will receive a compensation allowance.
<ul style="list-style-type: none"> Minimum periods of notice 	
<ul style="list-style-type: none"> 	The period of notice is defined in the National collective labor agreement may last from some days to 8 months.
<ul style="list-style-type: none"> Severance pay 	
<ul style="list-style-type: none"> Inner flexibility (possibility of assigning tasks to employees which are not part of their job description) 	
	The employees have to perform the tasks for which they have been employed or equivalent tasks. The employees cannot be downgraded. The downgrade is only possible in extreme circumstances, for example when health has to be safeguarded (e.g. assigning of less hazardous tasks to a pregnant worker in order to safeguard the health of the soon-to-be-born baby) and when employment has to be safeguarded in times of crisis.
<ul style="list-style-type: none"> Is a period of break for lunch included in a work time? If not, how is organised. 	YES <u>NO</u>
<ul style="list-style-type: none"> Is the worker entitled to extra payment for years of service? If yes, what is the amount or %? 	<u>YES</u> NO
	For the length of service at the same company



	<p>the employee is entitled to 10 length-of-service increments which are applied every three years. (Example: the salary of a sales clerk increases by 20,66€ every three years)</p>
<ul style="list-style-type: none"> • Must employer reimburse worker's expenses for meal, travel to and from work...? If yes, what is the amount or %? 	<p>YES <u>NO</u></p>
<ul style="list-style-type: none"> • Possibility of occasional and short time work for unemployed, retired persons... 	<p>Occasional and short work can be paid with prepaid vouchers within the limits set previously.</p>
<ul style="list-style-type: none"> • Duration of the unemployment cash benefit (for different groups regarding insurance period) 	<p>Current duration of unemployment benefits: 8 months if the worker is younger than 50 years of age; 12 months if the worker is 50 years of age or older. Amount: 60% of the average salary for the first 6 months; 50% for the further 2 years and 40% for the additional months. The unemployment benefits cannot exceed the maximum wage subsidy (from 800€ and 1000€).</p>

Present in discussion and preparation of the platform:

Employer' s Organisations:

Confcommercio

SDGZ – URES

Employees Organisations:

Filcams - Cgil

Uiltucs - Uil

Prepared and finalised by:

Dionisio Gherbassi