

Italy: 'Relaunch' decree-law adopted that establishes a right to smart working for some parents and extends measures to preserve jobs

Planet Labor, 14 May 2020, n°11936 - www.planetlabor.com

On Wednesday 13 May following several tense weeks of debate within Italy's governing majority the Council of Ministers approved the 'Relaunch' maxi-decree (> 250 articles) that includes a new series of measures to support workers and the economy, and to augment social policies. In particular, it establishes the 'right to smart working' for parents of children under age 14 and an 'emergency income' for households unable to benefit from other forms of support. The 'Relaunch' plan also extends some of the measures provided for in the 'Cura Italia' decree (c.f. article [No. 11726](#)), such as partial and technical unemployment, the suspension of redundancies and support for self-employed workers. In total, the State is releasing €55 billion to support employment and the economy.

The 'right to smart working' and parental leave extended. One of the most innovative points of the decree addresses the issue of how to reconcile childcare and employment since schools remain closed until September and business production is resuming. The government's answer has been to opt for the 'right to smart working'. Thus until the end of the state of health emergency, private sector workers with at least one child under the age of 14 will have the right to work remotely, provided that their task does not involve being physically present in the workplace. This right does not apply if one of the parents receives public assistance for the suspension or termination of work, or if one of the parents is already staying at home. Also, to facilitate the reconciliation of work and family life, the extraordinary 15 days parental leave arrangements for one of the parents of children under 12 years of age that was already provided for in the March Cura Italia decree is being extended to 30 days, with a paid allowance of 50% of the salary. Alternatively, parents can access more generous nanny services vouchers. These were worth €600 in the March decree, and will now be worth €1,200 in the new text (€2,000 for health and law enforcement personnel).

New measures for the "Cassa Integrazione", employment dismissals still suspended, and renewal of fixed-term employment contracts. The government is refinancing its technical and partial unemployment measures, as an ongoing derogation from the usual mechanisms. Thus companies in crisis will be able to benefit from an additional 9 weeks of the 'Cassa Integrazione' employment redundancy fund benefits (4 weeks of which in September and October 2020), if they have already used up the 9 weeks provided for in the March decree. Procedures for worker compensation will be simplified and accelerated. Companies continue to be unable to dismiss workers and the 60-day dismissals suspension adopted in the March decree has been extended to five months. As an exception to the 2018 'Dignity Decree' (c.f. article [No. 10787](#)), fixed-term employment contracts may be extended or renewed until 30 August without having to provide any grounds.

'Emergency income' and undeclared work. One highly controversial issue in recent weeks is the plight of the undeclared workers, many of whom found themselves suddenly destitute amid the health crisis. After much debate, the government is releasing almost €1 billion towards the payment of an 'emergency income', comprising two €400 installments, which will be paid to households that find themselves excluded from all other aid. These will be 'families in a condition of economic necessity' due to the pandemic, and who will be 'identified according to specific eligibility criteria', according to the Council of Ministers statement. At the same time, measures are planned to facilitate the formalizing of undeclared workers in the agriculture sector (including illegal migrants).

Worker protection. The reopening of production and commercial activities is already predicated on compliance with sector specific protocols. The Council of Ministers statement clarifies that this new decree provides for 'extraordinary health monitoring of those workers most exposed to the risk of contagion, due to their age or risk conditions (underlying conditions etc.). In addition, companies will be able to obtain assistance in applying the protocols (purchasing devices and equipment).

Support for the self-employed. Many workers in precarious employment, the self-employed and seasonal workers have been hard hit by the economic consequences of the pandemic. This decree-law provides for a series of tax-free benefits, depending on the worker category. In particular, the 5 million or so free-lance workers who had already received a €600 allowance in March will automatically receive the same amount for April. The self-employed who are not registered with professional bodies and who can demonstrate a loss of at least one third of their income in March-April 2020 compared to March-April 2019 will receive a €1,000 compensation amount in May, as will workers on 'coordinated and continuous collaboration' (Cococo) contracts, albeit under certain conditions. Other aid is planned for the self-employed who are registered with professional bodies.

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