

Italy: Smart working defined for the future

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An agreement on smart working in the private sector was signed by the Italian government and social partners on 7 December 2021. The agreement establishes a framework for the definition of smart working, also called agile work, by indicating guidelines for collective bargaining at all levels. The agreement defines the rules within which agile work can be carried out and the protections for workers.

The agreement also makes progress on the right to disconnect as it deals with the challenges of particularly work-life balance and less time spent on journeys to and from work. Agile work may be divided into time slots, identifying, in any case, in implementation of the provisions of the regulations in force, the disconnection period during which the worker does not work. Specific technical and/or organisational measures shall be taken to guarantee the disconnection time slot. In the case of legitimate absences (e.g. illness, accidents, paid leave, holidays, etc.), the worker may deactivate his or her connection devices and, if he or she receives company communications, is not obliged to take them on before the expected resumption of work.

When the health-related crisis ends, smart working will once again have to be agreed individually between the company and the employee (on a voluntary basis), and a refusal to work remotely will not be grounds for dismissal or sanctions. The individual agreement will have to comply with the relevant collective agreements and will have to indicate, in particular, the duration of the smart working (fixed term or not) and the alternation periods for work inside and outside the company's premises. Agile workers retain the same rights and social benefits as their colleagues who work solely in the office.

Agile working must be gender neutral, with a view to promoting the effective sharing of parental responsibilities, and the social partners undertake to facilitate smart working for workers from vulnerable and/or disabled backgrounds.

Agile workers will be free to choose their place of work (i.e. not necessarily the home), albeit in so far as it complies with security, data confidentiality, and health conditions. Finally, the social partners find training on smart working necessary, also for managers.

Edited by industriAll Europe