





ISTITUTO
ITALIANO DI
TECNOLOGIA

Regulations on the professional relationship
between the IIT Foundation and its employees
under a non-executive employment contract


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I. INTRODUCTION

The Foundation's main objective consists in the selection and management of the best professional resources. In fact, IIT considers its collaborators as its main asset in whom to invest.

The value of persons is at the core of the Foundation's attention and investments, in order to meet its institutional purposes. Each article, principle, rule and paragraph of these regulations draws inspiration from this intent.


These REGULATIONS ON THE PROFESSIONAL RELATIONSHIP BETWEEN THE IIT FOUNDATION AND ITS EMPLOYEES UNDER A NON-EXECUTIVE EMPLOYMENT CONTRACT apply to the Foundation's employees under an employment contract, with the exclusion of the executive staff.

These Regulations were drafted and approved by the Executive Committee and shall be valid until their revocation and/or amendment by the Foundation's Body, upon prior communication to all employees.

While preserving the unilateral nature of these regulations, the Foundation deems that during the drafting and amendment phases it is important to have a consultative debate with employees and their delegates, organised in a specific commission. The purpose of this debate is to analyse the relevant themes in depth and to pursue the best regulatory and organisational solutions.

In this regard, the Foundation is committed to holding this consultative debate at least every two years from the latest date of publication. The aim is to keep the Regulations constantly updated with regard to the economic aspects and the regulatory and organisational novelties that occur over time.

A copy of the REGULATIONS ON THE PROFESSIONAL RELATIONSHIP BETWEEN THE IIT FOUNDATION AND ITS EMPLOYEES UNDER A NON-EXECUTIVE EMPLOYMENT CONTRACT shall be provided to all employees and displayed in the Foundation's premises.

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II. ESTABLISHMENT OF THE EMPLOYMENT RELATIONSHIP


A. HIRING OF EMPLOYEES

Art. 1 – Hiring and individual employment contracts

Although the employment relationship between the Foundation and its new employees begins during the selection phase of the best candidates, the actual establishment of said relationship consists of the formal moment when it assumes a value of trustworthiness and mutual investment, even before having a contractual value. Indeed, in this phase both parties are subject to specific requirements aimed at sanctioning the ethical, moral and contractual value of the relationship.

1. Employees shall be hired in. In compliance with the provision of law
2. The Foundation's employees shall be selected according to transparency criteria and in compliance with the provisions of the *Code of Conduct and Scientific Conduct* governing conflicts of interest. Moreover, the selection evaluations shall keep into consideration exclusively the intellectual and practical skills of candidates as well as their ability to integrate successfully within the organisation and conform to the Foundation's programmes.
3. Before the hiring, upon the Foundation's request, , candidates commit to allowing the certification of their employment contract and accept the assistance and consultancy of the competent certification commissions, in the forms provided for by the law.
4. Before signing the contract, each candidate must submit the following documents to the Foundation:
 - a copy of a valid identity document;
 - birth certificate and citizenship certificate or corresponding self-certification, as provided for by the law;
 - certification of educational background;
 - a copy of the Tax Code or corresponding self-certificate, as provided for by the laws in force.
5. Each individual employment contract shall specify:
 - the parties' identity;
 - the starting date of the employment relationship;
 - the job description and classification;
 - the working hours;
 - the initial pay;
 - the duration of the probationary period;
 - the initial premises and structure to which the employee is assigned;
 - the obligation to comply with the provisions of these Regulations, the Code of Conduct and Scientific Conduct and the Foundation's policies;
 - possible hypotheses of good causes and justified reasons for contractual termination, pursuant to Art. 30, Law No. 183 of 4 November 2010.

Art. 2 – Probationary period

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The probationary period represents the beginning of an experience which hopefully will be of mutual satisfaction and value. Therefore, said period is aimed at confirming the reasons underlying the establishment of the employment relationship.


1. Employments are subject to a probationary period with a maximum duration of six months for staff classified as Middle-ranking Managers and 1st Level, and of three months for staff classified as 2nd Level and 3rd Level. The probationary period shall not be required if the Scientific Director deems it unnecessary owing to the employee's previous collaboration with the Foundation in analogous activities.
2. In case of fixed-term employments for a period lasting less than 12 months, the probationary period shall not exceed half the duration of the contract.
3. The probationary period cannot be renewed or extended upon expiry.
4. If at the end of the probationary period the employment relationship has not been terminated by either party, the employee is understood as confirmed and the length of service (or seniority) shall be calculated, for all intents and purposes, from the date of employment shall be recognised.
5. The probationary period shall be suspended in case of absences due to illness for a duration equal to or above 10 working days, or in case of absences due to injury, pregnancy, post-natal period and utilisation of annual holidays.
6. In case of termination during the probationary period, the remuneration shall be paid up to the last day of actual service, including the accrual of the thirteenth month. Moreover, employees also have the right to be paid the holidays accrued and not utilised, unless otherwise provided for by the Law.
7. During the probationary period, the Foundation may adopt initiatives aimed at training the newly employed personnel, through its delegated body in the person of the employer. While carrying out the probationary period, employees may be assigned to various services within the Foundation, without prejudice to their use in offices pertaining to their classification and consistent with the object of the probation.

A. STAFF POSITIONS

Art. 3 – General classification

The Foundation shall manage and organise its staff in a fair and transparent manner and consistently with its institutional goals. In no way whatsoever shall the assignment to a specific position be due to reasons other than those mentioned below, thus related to the actual professional skills and expertise possessed. In addition, in accordance with the best practices guaranteeing the transparency and objectivity of the Foundation's choices, ITT shall foster the professional growth of its personnel, offering development and career paths in compliance with organisational restrictions and the laws in force.

1. Upon hiring, the Foundation shall identify the position of the newly-employed personnel taking into account contractual statements, curriculum vitae and the professional skills actually possessed.
2. In case of a formal assignment to higher offices for a period above six months, employees shall have the right to be remunerated for the activity carried out. Furthermore, the assignment to said position shall become definitive, provided it was not assigned to substitute an absent employee holding the right

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to maintain the position.

3. The employees' classifications are grouped into technical-administrative-labour staff and into scientific staff.

4. The identification of specific requirements in these Regulations concerning experience and educational qualifications aims to foster the professional growth of the more qualified personnel. This does not exclude the recognition of individual abilities, duly assessed and substantiated, fit to carry out the tasks falling within the given classification level. Therefore, when hiring or when implementing upward mobility processes, the Foundation may disregard the possession of the requisites indicated therein if the employee possesses the individual skills mentioned.

Art. 4 – Classification of the technical, administrative and labour staff

As of the date of publication of these Regulations, the classification of the technical and administrative staff shall be based on the following scheme:


NEW CLASSIFICATION	PREVIOUS
MIDDLE-RANKING MANAGER	MIDDLE-RANKING MANAGER
LEVEL 1.1	LEVEL 1
LEVEL 1.2	
LEVEL 2.1	LEVEL 2
LEVEL 2.2	
LEVEL 3	LEVEL 3

The classification of the technical and administrative staff shall be carried out according to the following general provisions and examples. Employees shall be assigned to the correct level on the basis of the Foundation's assessment procedures.

Middle-ranking Managers

Pursuant to Law No. 190 of 13 May 1985, Middle-ranking Managers are non-Executive employees who, under the Executive's directives or equalized person in charge, are responsible for supervising and coordinating offices that carry out technical and administrative tasks, or who are in possession of specific and significant professional competences and experience such as to equate their organisational value to Middle-ranking Managers with managerial functions. They carry out, on a permanent basis, the managerial functions they have been assigned, which are of primary importance for the development and implementation of the Foundation's goals within the scope of well-defined strategies and programmes. They have decision-making powers and managerial responsibilities even in the performing and coordination of resources and persons, in sectors or services of particular operational complexity. Assigned with decisional autonomy and highly-specialised professional responsibilities, they are in charge of identifying and defining projects of primary importance for the development and implementation of the Foundation's goals, verifying their economic-technical feasibility, guaranteeing adequate support both in the set-up phase and during the experimentation and implementation phases, supervising the relevant execution and being accountable for the outcomes.

By way of example and by no means exhaustive, Middle-ranking Managers are non-Executive persons in

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charge of organisational/administrative and/or technical lines or offices; they are highly-specialised administrative or technical staff.

Level 1.1 (Senior management duties)

This level pertains to employees that carry out highly professional functions, also with executive managerial responsibilities, who are permanently in charge of a production line or organisational function with operational initiatives and autonomy within the scope of the responsibilities assigned.

By way of example and by no means exhaustive, this level includes: senior administrative and technical staff in possession of high expertise and operational autonomy; supervisors of administrative or technical offices.

Level 1.2 (Junior management duties)

This level pertains to newly-employed employees with highly professional functions, also in charge of coordinating a production line or an organisational function with operational initiatives and autonomy within the scope of the responsibilities assigned.

By way of example and by no means exhaustive, this level includes: administrative and technical staff in possession of high expertise and operational autonomy; coordinators of administrative or technical offices.

Level 2.1 (Senior officer duties)

This level pertains to employees with officer functions that carry out operationally autonomous tasks, as well as employees that perform their activity with a predominant and necessary character of creativity within the scope of a specific professional task. The level also includes employees with officer functions that carry out activities, on an occasional and non-permanent basis, aimed at coordinating operational tasks involving other employees of the same office or of other offices or organisational, administrative or technical lines.

By way of example and by no means exhaustive, this level includes: expert administrative, technical and labour staff in possession of adequate professional skills and operational autonomy.

Level 2.2 (Junior officer functions)

This level pertains to employees with officer functions that carry out operationally autonomous tasks, although under the coordination and supervision of the hierarchical person in charge.

By way of example and by no means exhaustive, this level includes: administrative, technical and labour staff already trained in possession of adequate professional skills and operational autonomy.


Level 3 (Clerical duties)

This level pertains to employees who carry out executive functions, or functions that do not require particular technical knowledge, or non-qualified work which does not require normal technical-practical knowledge and skills.

By way of example and by no means exhaustive, this level includes: administrative, technical labour support staff.

Art. 5 – Classification of the scientific staff

The classification of the scientific staff is carried out according to the following general provisions and examples.

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Middle-ranking Managers

Pursuant to Law No. 190 of 13 May 1985, Middle-ranking Managers are scientists capable of contributing significantly to the development of scientific issues, programmes and structures.

In particular, they are scientists who, in a fungible and alternative manner:

- a) achieve the scientific and research goals assigned with a high level of autonomy;
- b) are in charge of coordinating PhD students or other assigned personnel;
- c) act as research managers;
- d) participate in the management of special institutional or commercial projects, also external;
- e) are responsible for designing and implementing structures devoted to research or research themes falling within the interest of one or more departments/facilities/network centers;
- f) have competences and goals pertaining to the amount and relevance of publications, patents, realisation of specific scientific projects;
- g) act as facility managers.

In order to access the Middle-ranking Managers category it is necessary to be in possession of the following requirements:

- a) at least 3 years of experience in research as Post Doc at the Foundation or at other public or private research organisations, with national or international accreditation, or other equivalent professional experience;
- b) possession of a PhD or other equivalent professional experience;
- c) in the absence of the above-mentioned requirements, possession of proven experience and professional skills recognised at national and/or international level, by reason of scientific contributions provided, results achieved and acknowledgments obtained will be also qualifying.

By way of example, Middle-ranking Managers are Junior Researchers and Senior Technologists.

First level


The First level pertains to scientists who assume autonomous responsibilities and initiatives within the scope of the activities assigned, or who develop a high level of knowledge or specialisation, such to provide a significant contribution in their field of action.

In particular, it includes scientists who, under the supervision of the coordinator of the relevant research structure, in a fungible and alternative manner:

- a) carry out the assigned scientific and research goals with great autonomy ;
- b) participate in the management of special institutional or commercial projects, also external ones;
- c) are responsible for supervising laboratories.

In order to access the First level it is necessary to be in possession of the following requirements:

- a) possession of a PhD or other equivalent professional experience;
- b) in the absence of the above-mentioned requirement, possession of proven experience and professional skills recognised at national and/or international level, by reason of the scientific

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contributions provided, the results achieved and the acknowledgments obtained will be also qualifying.

By way of example, this level includes Junior Technologists.

Art. 6 – The staff's internal mobility

The Foundation has the discretionary power to assign an employee to other functions in case of changes in IIT's organisational structure and in compliance with the limits established by the law . In order to avoid operational and organisational malfunctions, such decision shall be communicated in due advance through a specific work order detailing the terms and conditions of the variation.

Employees may propose themselves for the filling of vacancies within the Foundation's structures, whether the opening is aimed at encouraging internal mobility or open to external candidates too.

Employees' internal mobility shall always be formalised upon prior notice through a work order.

III. THE EMPLOYMENT RELATIONSHIP IN DETAIL

A. WORKING HOURS

Working hours are the regulatory value upon which the fixed remuneration is calculated. The units of time which are paid, expressed in fractions of hours, hours or days, are the same used to define the contractual aspects of economic nature regarding holidays, leaves, charges for days of absence, illnesses, etc.


The Foundation acknowledges the peculiar nature of the activities falling within its statutory purposes and considers working hours as a necessary tool to ensure equal treatment to the various professional figures. Moreover, the flexibility of the working hours, similarly to the management of the physical work place, are aimed at obtaining the highest individual and collective results in the management of everyday and extraordinary activities, always in compliance with mutual rights and obligations, as regulated by relevant agreements, even individual ones

Art. 7 – Working hours

1. The normal working hours are 40 hours per week and, as a rule, 8 hours per day. They are normally distributed over 5 working days. Therefore, working hours are usually distributed throughout 5 days, 8 hours per day, from Monday to Friday. The time necessary to reach the workplace is not included in the working hours. In case of activities carried out away from the premises as established by the contract and within the same Municipality, the time spent to carry out both such activities and the relevant commute must be authorised in advance by the person hierarchically in charge.

The time used to reach the workplace, also in transfer, shall not be considered part of working hours and therefore shall not give right to compensative periods of rest. +

Wherever the employee requires it, the extra time spent outside of the normal working hours to commute from the contractually established premises to another place where the employee temporarily carries out work activities during a business mission, as well as other commuting time spent during a transfer - if previously authorised by the person responsible -, shall be compensated with an amount equal to the normal hourly remuneration plus an increase to be applied to each extra working hour as established by overtime regulations.

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The time used to dress or undress with reference to work clothes (the so-called dressing time) shall only be calculated within the working hours if these operations are necessary and mandatory for carrying out the work activity and required by the IIT Foundation, which governs the time and place of execution.


Similarly, the time used to participate in experiments organised within the IIT Foundation as "voluntary subject" and during working hours, must be previously authorised by the person hierarchically in charge.

The Foundation has the right to organise the normal working hours of its individual employees over 6 working days, from Monday to Saturday, without exceeding the limit of 40 hours per week and 8 hours per day.

2. The average working hours, calculated with reference to a four-month period, shall not in any case exceed forty-eight hours per week, including overtime.
3. The daily working hours shall be as a rule 8 hours. The beginning and the end of these daily working hours are established by the Foundation, for each production or operational line, within the following limits:
 - start 8:00 a.m. – 10:00 a.m.
 - end 5:00 p.m. – 7:00 p.m.
with a one-hour break between 12:00 noon and 3:00 p.m.
4. Automatic controls are normally carried out to verify the employees' compliance with the allocated work hours.
5. Full-time employees must observe a standard amount of 40 hours per week within the weekly working days as mentioned in paragraph 1, guaranteeing their presence in the timeframe between 10:00 a.m. and 4:00 p.m. Employees shall manage autonomously compensations of the missed or exceeded hours, in order to reach the total amount of monthly working hours required (given by the number of working days in a month, multiplied by the number of daily working hours). Employees must manage all the above-mentioned without hindering the normal course of work and taking into account the organisational and production needs. In this case, they do not need any authorisation, but are only required to provide relevant communication. These work hours shall not be counted as overtime until the indicated total work hours are reached. The hours used for the one-hour break, to be taken between 12:00 noon and 3:00 p.m. and the hours falling within the timeframe between 10:00 p.m. and 6:00 a.m. (night time work hours) are to be excluded from the calculation of compensations. Should said working hours not be made up for, the hours remaining to reach the total of monthly working hours, shall be ascribed to holidays and permits. Should permits and holidays have already been entirely used up or be insufficient, in case of failure to make up for such hours, the remuneration shall be proportionately reduced.

Art. 8 – Weekly rest, daily rest and breaks

1. Employees have the right to a period of rest of at least twenty-four consecutive hours every seven days, calculated as an average over a period not exceeding 14 days.
2. As a rule, the weekly rest day is on Sunday. It remains understood that different agreements between the parties, wherever applicable due to special regulations about religious faiths different from the catholic one, are possible.

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3. Should it not be possible to take the weekly rest on a Sunday or on the day otherwise agreed upon, the weekly period of rest must be taken on a different day as agreed upon with the person hierarchically in charge, provided that the average mentioned in paragraph 1 is observed.

4. Employees cannot renounce to the weekly rest or convert it into pay.

5. Hours possibly worked on Sundays, that is the day of the week agreed upon individually as the day of weekly rest, shall be remunerated through a 30% supplement to be calculated and added to the normal hourly pay, provided the obligation to make use of the weekly rest period is observed in compliance with the period indicated under Art. 8, paragraph 1. If the obligation to make use of the mentioned weekly rest has not been observed, the hours worked in the above-mentioned days must be remunerated with the sole increase of 30% to be calculated on the hourly rate of the normal remuneration, without prejudice to the obligation to however make use of the weekly rest in compliance with the period indicated under Art. 8, paragraph 1, communicating to the relevant structure the actual day taken for weekly rest.

6. Daily rest and breaks shall be observed in compliance with what is provided for by the relevant governing Laws.

Art. 9 - Holidays

Holidays are an employees' non-renounceable right, and must be used in accordance with the Laws in force and with the Foundation's organisational restrictions.

1. The Foundation's employees have the right to an annual holiday period of twenty-two working days (corresponding to four weeks plus sixteen working hours).

2. Holidays shall be requested by employees and previously authorised by the person hierarchically in charge consistently with the organisation and production needs of the structure to which the employees are assigned. During periods of closure established by the Foundation, even for individual structures, units or centers, employees shall make use of the holidays to which they are entitled.

3. In the year of hiring or termination of service, the duration of the holidays shall be determined in proportion to the twelfths of service provided. The fraction of a month exceeding fifteen days shall be considered as an entire month for all intents and purposes.


4. Employees must benefit from at least two weeks of holidays within the year in which they accrue; the other two weeks must be used within 18 months from the end of the year of competence.

5. Employees are allowed to ask for individual days of holidays; moreover, within the limit of four full days per year employees may also ask for half-days of leave-

6. Holidays are a non-renounceable right and in no way whatsoever may they be converted into pay while the employment relationship is in force.

7. Holidays shall be interrupted if, during said period, an illness occurs, which must be regularly reported and confirmed by the public health authorities competent for the territory.

8. For work reasons, the Foundation has the right, through its delegated body in the person of the

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employer, to call employees back to service before the end of the holiday period, without prejudice to employees' rights to complete said period at a subsequent time and to a refund of the expenses incurred both for the return ahead of time and for the possible return to the premises requesting it.

Art. 10 – Mid-week holidays and missed public holidays

1. The national mid-week holidays to be remunerated are those recognised by the Laws in force (Law No. 260 of 27 May 1949, Law No. 54 of 5 March 1977, Italian Presidential Decree No. 792 of 28 December 1985, and following amendments and integrations), as well as the day devoted to the Saint Patron of the place where the work is performed.

2. Therefore, the holidays to be remunerated are as follows:

- 1 January – New Year's Day;
- 6 January – Epiphany;
- Easter Monday;
- 25 April – Liberation Day;
- 1 May – Labour Day;
- 2 June – Italian Republic Day;
- 15 August – The Assumption;
- 1 November – All Saints' Day;
- 8 December – The Immaculate Conception;
- 25 December – Christmas;
- 26 December – Saint Stephen;
- the day devoted to the Saint Patron of the place where the work is performed.


3. No reduction or withdrawal of amounts shall be carried out on the employees' remuneration in consequence of the non-performance of work on the above-mentioned days.

4. The work hours carried out on the above-mentioned holidays, for whatever reason, shall be paid as holiday work, with an amount equal to the hourly rate of the normal remuneration increased by 30%, to be added to the normal pay. Overtime performed on the above-mentioned holidays shall be paid in accordance with the indications provided for by these REGULATIONS ON THE PROFESSIONAL RELATIONSHIP BETWEEN THE IIT FOUNDATION AND ITS EMPLOYEES UNDER A NON-EXECUTIVE EMPLOYMENT CONTRACT.

5. For the civil holiday falling on 4 November, whose celebration has been moved to the first Sunday of the month, pursuant to Art. 1, second paragraph, of Law No. 54 of 5 March 1977, employees shall benefit from the pay provided for with reference to holidays that fall on Sundays.

6. If any holiday falls on a Sunday or on the different day devoted to weekly rest, employees shall be paid an amount that is additional to the normal monthly remuneration equal to the daily rate of the total remuneration.

7. However, employees shall not be owed anything if the holiday falls within a period of suspension from remuneration and from work as a consequence of a disciplinary measure or unjustified absence or any other reason ascribable to employees.

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8. With reference to the four days of missed national holidays (Saint Joseph, The Ascension, Corpus Christi, Saint Peter and Saint Paul, the latter, with the exception of the city of Rome), corresponding to a total of 32 work hours, employees shall be recognised just as many holidays to be used in periods agreed upon with the employer, and always by 31 December of the year following the one of competence. Any permits not utilised within said term shall be lost definitively and shall not be paid in any way whatsoever. Permits related to the four missed national holidays shall be requested by employees and authorised by the person hierarchically in charge, compatibly with the organisational and production needs of the structure to which employees are assigned. In the year of hiring or termination of service, the duration of the missed national holidays shall be established in proportion to the twelfths of service provided. Any fraction of month exceeding fifteen days shall be considered as an entire month for all intents and purposes.

Art. 11 – Overtime bank

1. From the date of validity of these REGULATIONS ON THE PROFESSIONAL RELATIONSHIP BETWEEN THE IIT FOUNDATION AND ITS EMPLOYEES UNDER A NON-EXECUTIVE EMPLOYMENT CONTRACT, the Overtime bank for employees and for overtime was established pursuant to the provisions laid down below.

2. If employees working overtime do not declare within the 10th day of the month following the one in which they carried out their work that they wish to make use of the compensative rest, said overtime shall be paid with the increases provided for by the remuneration of the month in which the overtime was performed.

3. Instead, employees who formally declare the terms provided for under point 2, and thus rest, may make use of it according to the procedures set forth for leave.

4. Therefore, for the overtime hours included in the Overtime bank, an amount shall be paid equal to 50% of that provided for the overtime work carried out.


5. In the case of employees declaring, during the month in which their overtime work was performed, that they wish to receive the relevant payment, the latter shall be carried out in accordance with normal procedures.

Art. 12 –Leave

1. Employees shall be recognised individual paid leave for a total of 30 hours per year, which must be used by the 31st December of the year following the one of competence. Leave not used within said term shall be lost definitively and shall not be paid in any way whatsoever.

2. In the year of hiring or termination of service, the duration of the leave as mentioned under paragraph 1 shall be established in proportion to the twelfths of service worked. The fraction of a month exceeding fifteen days shall be considered as an entire month for all intents and purposes.

3. Leave shall be used individually in periods of low activity and through a rotation of employees so that the number of absent employees does not hinder the normal course of the production activity. Leave must be authorised in advance by the person hierarchically in charge.

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4. Employees in the 2nd and 3rd level may, upon prior authorisation of the person hierarchically in charge, make use leave as recoveries, outside of the flexibility mentioned under par. 5 art. 7, in order to be absent from work for personal reasons.

5. Said leave may also be used for time periods equal to an hour or fractions of a quarter of an hour, within a maximum limit of four consecutive hours a day; however, they may not exceed 12 hours in a month.

6. Employees must make up for the hours not previously worked, within the month following the one in which the leave was used.

7. In case of non-recovery, the leave not recovered shall be included in the leave as mentioned under the previous paragraphs, or in the Overtime bank paragraph. If this leave is not fully used or is insufficient, in case of non-recovery the remuneration shall be reduced in proportion to the leave not made up for.

8. Retrieval of missed work hours must be subsequent to the leave already taken and authorised by the relevant supervisor, taking into account organizational and productive needs as well as the law specifically established for regulating working hours. These retrievals cannot be considered as overtime.

9. .

9. Employees under a part-time employment contract (both horizontal and vertical) have the right to use hours on leave in proportion to their working hours.

Art. 13 – Marriage leave

Employees who are not undergoing a probationary period have the right to an extraordinary marriage leave for a period of fifteen calendar days.

This leave shall also be granted to couples that constitute a civil union, pursuant to Law 76/2016.

Compatibly with its organisational needs, the Foundation shall grant the extraordinary leave starting from the third day preceding the celebration of the wedding.


At the end of the leave, employees must submit regular documentation to the Foundation, proving the celebration of the wedding or the certificate of constitution of civil union.

During the period of extraordinary leave for marriage, employees shall be considered, for all intents and purposes, as being in service, maintaining the right to normal remuneration as mentioned under Art. 37.

Art. 14 – Other paid leave

1. In addition to that provided for by Art. 10 of Law 300/70 and by Art. 13 of Law 845/78, the Foundation, through its delegated body in the person of the employer, and with the approval of the employee's person hierarchically in charge, may authorise the use of paid leave that is accrued by the employee to the extent of 12.5 hours per month, re-proportioned due to the reduced amount of work, for:

- a) the achievement and development of technical and/or behavioural skills, following the assessment by the Human Resources and Organisation Directorate of the level of relevance of the contents of the training courses in question,
- b) the attending of courses aimed at obtaining legal qualifications,
- c) participation in university courses,

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- d) participation in courses aimed at obtaining qualifications for the exercise of arts and professions,
- e) participation in courses aimed at obtaining professional certificates or in any case for the issuing of legal qualifications or professional certificates recognised by public law,
- f) for all of the above, participation in the relevant exams and/or completion tests and/or verification of the training course.

The paid permits are approved and granted only for the attendance of the courses and the carrying out of the exams and/or tests of completion and/or verification of the training course, therefore with the exclusion of those of access, and must be justified with delivery of the certificate of enrollment in the course and/or participation in the afore-mentioned tests, or of another document certifying the requirements for obtaining the permit.

For the examinations referred to in points b), c), d) and e) it is possible to request, , a study permit of up to 24 hours from the allocated amount of hours mentioned in section 1, provided that it is used within the calendar week previous to the exam date. In the event of failure to participate in the exam, the total number of permits for attendance at the courses and preparation for the exam already authorised and used will be charged to the remaining number of hours/days relating to holidays, paid leave, missed national holidays, hour bank. In the event of failure, the hours will be charged as unpaid leave.

2. The total number of hours of the permits referred to in point 1. above must be used by 31 December of each year under penalty of forfeiture and cannot be replaced by compensation. In the year of hiring or termination of service, accrual is determined in proportion to the twelfths of service provided. The fraction of a month exceeding fifteen days is considered in all respects as a whole month.

3. The Foundation, through its delegated body in the person of the employer, shall authorise 3 days of paid leave for mourning, in case of death of the spouse or cohabiting partner or of a relative and a relative by marriage, both direct and indirect, within the third degree.

4. The Employee has the right to obtain paid permits to fulfill the duty of giving testimony in civil or criminal trials to which they are called into proceedings, within the certified limits of the travel time and the duration of the hearing, or of the fraction thereof that is appropriate to act as a witness.

5. The Employee has the right to obtain paid leave for his/her participation, as a voluntary subject, in experimental activities that require human subjects and that are carried out within the working hours as established by art. 7 above, for a maximum amount of hours equal to the time necessary for the same activities to be completed. These paid leave must be used by the 31st of December of the year following that of competence. The permits not used within this timeframe, will expire definitively and will not be paid in any way.

Art. 15 – Overtime, working at night and on holidays

1. Employees' functions must be carried out during normal working hours, as established in these Regulations.

2. Pursuant to the laws in force, the Foundation has the right to request individual overtime work within the limit of 250 hours per year.

3. An overtime authorisation in writing must be submitted to the Human Resources and Organisation Directorate, also via computer in compliance with the administrative procedures in force.

4. Overtime hours, meaning those that exceed the normal working hours of 40 hours per week and performed in the timeframe between 6:00 a.m. and 10:00 p.m., with the exclusion of that mentioned under paragraph 5 Art. 7, shall be paid with the following increase, to be calculated and added to the hourly rate of the normal remuneration owed for the work carried out during the day in which the overtime is performed:

- 15% for work from the 41st to the 48th hour in a week;
- 20% for work exceeding the 48th hour in a week;
- 30% for work on holidays and on Sundays, or on the day agreed upon as weekly rest day pursuant to individual agreements.

5. Duly authorised overtime shall be paid within the month following the one in which it was carried out, provided that the employee observed the terms for submitting the documentation proving the overtime authorisation.

6. Any hours of work carried out at night – meaning those worked between 10:00 p.m. and 6:00 a.m. – shall be paid with a 50% (fifty per cent) increase to be calculated and added onto the hourly rate of the normal remuneration.

7. The increases indicated in this article are not cumulative..

Art. 16 – Working hours of the technical and administrative staff with managerial functions (Middle-ranking Managers and 1st level)


1. Pursuant to Italian Legislative Decree 66/2003 Art. 17, par. 5, technical and administrative staff with managerial functions (Middle-ranking Managers and 1st level) also have the right, considering the characteristics of their activities and functions, to establish and organise their work hours. Presence at work shall be guaranteed and carried out in a flexible manner based on the needs of the relevant activity, the assignments entrusted, the work hours of their relevant structure, and taking into account the Foundation's organisational criteria.

2. For these employees, presence shall be recorded only at the Foundation's structures. Work carried out away from the assigned workplace must be authorised in advance.

3. Technical and administrative staff in managerial positions (Middle-ranking Managers and 1st level) shall not be subject to the provisions mentioned under Art. 3 (normal work hours), Art. 4 (maximum work hours), Art. 5 (overtime), Art. 7 (daily rest), Art. 8 (breaks), Art. 12 (organisation of work at night) and Art. 13 (duration of work at night) of Italian Legislative Decree No. 66 of 8 April 2003 and relevant provisions provided for by these Regulations.

4. With reference to remuneration for working hours performed on holidays, the technical and administrative staff with managerial functions (Middle-ranking Managers and 1st level) shall be paid the hourly rate of the normal remuneration increased by 30%, to be added to the ordinary remuneration.

5. The working hours possibly carried out on Sundays, or on the day convened as the weekly day of rest on the basis of individual agreements, shall be remunerated with a 30% increase, to be calculated and added

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to the hourly rate of the normal remuneration should the obligation to use the weekly day of rest be fulfilled in compliance with the period indicated under Art. 8, paragraph 1. If the obligation to use said weekly day of rest has not been fulfilled, the hours worked on the above-mentioned days must be remunerated with the sole increase of 30% to be calculated on the hourly rate of the normal remuneration, without prejudice to the obligation to make use however of the weekly rest in compliance with the period indicated under Art. 8, paragraph 1, communicating to the relevant structure the day of actual use of the weekly rest.

6. If requested by the employee, the travel hours spent traveling, during the holidays or during the weekly rest day to move from the contractually established place of work to the place where it is necessary to carry out the working activity, are paid with a compensation of amount equal to the normal hourly salary increased by 30%, to be added to the normal salary.

Art. 17 – Working hours of the scientific staff

1. The persons in charge of employees with scientific research functions, as mentioned under the previous Art. 5, shall guarantee that the determination and organisation of researchers' working hours is managed in compliance with the restrictions of Law and of the Regulations, connecting it in a flexible manner to the needs of the research activity, to the assignments entrusted, and to the working hours for accessing the structure in which they work, taking into account the Foundation's organisational criteria.

2. For these employees, the verification of their presence at the Foundation's structures is envisaged only for safety reasons. In any case, carrying out work outside of the workplace and at the employees' domicile must be authorised.

3. The personnel with scientific research functions, as mentioned under the previous Art. 5, shall not be subject to the working hour limits provided under Art. 3 (normal working hours), Art. 4 (maximum working hours), Art. 5 (overtime), Art. 7 (daily rest), Art. 8 (breaks), Art. 12 (organisation of work at night) and Art. 13 (duration of work at night) of Italian Legislative Decree No. 66 of 8 April 2003 and the relevant provisions governed by these Regulations.


4. To personnel with scientific research functions, according to the previous art. 5, the provision relating to the indemnity to be paid in respect of travel hours, contained in art. 7, paragraph 1, of these Regulations is not applicable.

B. PART-TIME EMPLOYEES

Art. 18 – Part-time employees

1. Part-time employment shall be granted to employees requesting it, as a rule defining the period of validity of the granting, depending on the employees' needs, or indefinitely, at the Foundation's discretion.

2. Employees suffering from pathologies causing an ascertained reduced working ability, also due to the invalidating effects of possible treatments, and in general, employees falling within specially provided laws in force on the matter, have the right to convert their full-time employment into a part-time employment. However, said employees are granted the right to return to full-time employment as soon as said employees submit a specific request.

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3. Part-time employees have the same rights of full-time employees regarding the amount of hourly pay, although proportioned due to the lower amount of work carried out:

- duration of the probationary period and of annual holidays;
- duration of the period of mandatory and optional absence for maternity leave;
- duration of the period for preserving the work position in case of illness, injuries at work, professional illnesses;
- implementation of the provisions on workers' safety and health protection in the workplace;
- access to professional training initiatives organised by the employer;
- amount of the remuneration and of its individual components;
- amount of the remuneration during holidays;
- entity of leave and missed national holidays;
- amount of compensations in case of illness, injuries at work, professional illness and maternity.


Art. 19 – Extra work

1. Extra work is the work performed upon the employer's request up to a maximum of 25% of the weekly hours agreed upon, without prejudice of the existence of proven needs related to work, health, family or professional training, or the work performed on a voluntary basis up to the reaching of the working hours of the personnel employed under a full-time contract.
2. Pursuant to the second and third paragraph of Article 3 of Italian Legislative Decree No. 61/2000 and following amendments, when there is an agreement between the employer and employees, the performance of extra work may be authorised up to the limit stated in the first paragraph of this article.
3. Employees with a part-time employment contract, including fixed-term employment, shall be allowed to perform overtime work, meaning the performance of work exceeding the normal weekly working hours set out by the contract for full-time employees.
4. The activity carried out by employees employed under a part-time contract is defined as extra work when it is performed in addition to the working hours agreed upon individually, but within the limit of 40 hours per week established for full-time work.
5. Extra working hours (i.e. work performed exceeding the part-time working hours agreed upon and within the 40th hour per week) shall be paid with the hourly rate of the actual remuneration and with a lump-sum increase contractually determined in the amount of 35%, inclusive of all deferred components, including severance pay, to be calculated on the hourly rate of the actual remuneration.
6. Work exceeding the limit of 40 hours per week shall be remunerated with the same increases provided for by Art. 15 and envisaged for work carried out by full-time employees.

C. TELEWORK AND WORK ON-CALL

Art. 20 – Telework

1. Compatibly with its organisational needs, the Foundation fosters telework as a way of carrying out work. Telework was introduced with the aim of meeting social needs, improving the quality of life, managing working hours and integrating workers belonging to weaker categories, with reference to the

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principles and rules on telework provided for by the European Framework Agreement on telework dated 16 July 2002.

2. Telework is a different way to perform work, carried out through computerised work tools.

3. Telework applies to employees under fixed-term and permanent contracts, both in the scientific and technical/administrative areas, whose employment relationship is governed by these REGULATIONS ON THE PROFESSIONAL RELATIONSHIP BETWEEN THE IIT FOUNDATION AND ITS EMPLOYEES UNDER A NON-EXECUTIVE EMPLOYMENT CONTRACT.

4. Telework relationships are regulated in accordance with the following principles:

- the parties' voluntary consent ;
- possibility of unilateral withdrawal by either party;
- equal opportunities with respect to career advancements, training initiatives and other occasions created within the Foundation;
- definition of the conditions concerning the service to be performed through telework, such as the predetermination of the working hours in accordance with the limits of law and of the contract;
- guarantee of maintaining the same professional commitment, that is of maintaining the same quality and quantity standards of work as that performed by employees at the Institute;
- express identification of the functional and hierarchical links maintained as those existing within the Foundation.


5. The practical modes for carrying out telework must be evident from an individual written act, constituting the agreement for changing the manner in which work is performed. This agreement is a necessary condition for the establishment or conversion of telework.

6. The individual written act must comply with the following general rules:

- telework is permitted within the limit of 2 working days per week;
- participation in meetings, training events or other activities held at the workplace shall take priority over the telework calendar agreed upon between the parties;
- during normal working hours, teleworkers must always be traceable by phone with reference to colleagues as well as any third parties with whom there may be the need to remain in contact. Therefore, teleworkers shall also receive phone calls addressed to the fixed telephone line of the office, through call transfer; hence, insufficient mobile phone network coverage excludes the possibility to perform telework;
- all those who are responsible for leading and developing other persons shall have the responsibility to organise their telework time maintaining an adequate level of assistance toward collaborators;
- the Foundation may grant and revoke discretionally the authorisation to perform telework; the possible revocation of the signed agreement must in any case be notified to employees with a 2-week notice.

7. All teleworkers must be available during the daily, weekly or monthly timeframe to be agreed upon at individual level. In case of proven impossibility, employees must notify the Foundation, including via computer.

8. In the event of meetings organised by the Foundation for technical/organisational updating,

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teleworkers must be available throughout the duration of the meeting. It is understood that the time devoted to the meeting shall be considered to all intents and purposes as work.

9. The Foundation shall verify periodically the results of the activity performed by each teleworker; such verification is a functional and unavoidable element of the employment relationship performed in the form of telework. This collection method does not constitute a violation of Art. 4 Law No. 300/70 and of the contractual provisions in force on this matter, as it is instrumental and unavoidable for the performance of the employment relationship in the form of telework.

10. The employer shall illustrate in advance to employees the modes for the functioning of the system and possible software variations related to the work performed and to be performed, in order to ensure the transparency of the interventions.

11. Possible controls carried out by the Foundation must be agreed upon with the teleworker.

12. The teleworker's signing of these regulations, which takes place implicitly when signing the employment agreement, amounts to the explicit acceptance and approval of that illustrated above. In particular, by signing, the teleworker acknowledges that all computer and/or data transmission systems utilised and their modes of use are essential for the performance of telework. Therefore, employees give their consent to their use, also for the collecting of data on the telework performed.

13. The Foundation confirms that telework, in the form described above, merely represents a change of the place where work is performed, and does not affect the employees' position in the Foundation's organisation, or the consequent subjection to the employer's executive and disciplinary powers.

14. Teleworkers must carry out their work with diligence and secrecy, observing the employer's instructions. Teleworkers shall not work for their own or for third parties competing with the activity of the employer for whom they work.


15. The employer shall provide for the installation – under gratuitous loan pursuant to Art. 1803 of the Italian Civil Code and following, unless agreed upon otherwise – of a telework station fit for the work to be performed.

16. It is the employer's responsibility to choose and purchase the necessary equipment.

17. All costs for installing and managing the Telework station at the employee's domicile shall be at the Foundation's expense.

18. Possible interruptions in the IT and telecommunication system, due to breakdowns or accidental reasons and however not ascribable to the employee, shall be at the employer's expense, who shall intervene so that the breakdown is repaired. If the breakdown cannot be repaired within a reasonable time, the employer has the right to request the employee's return to the Foundation's premises.

19. In compliance with the provisions of the T.U. [Consolidated Act] 81/2008 and following amendments and integrations, the person in charge of prevention and protection shall be allowed, upon prior request, to carry out visits in order to verify the correct implementation of safety provisions, with reference to the workstation and to the relevant technical equipment.

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20. Teleworkers must utilise the workstations with diligence in compliance with the safety laws in force, they must not tamper with the installations and must not allow others to use them.

21. In any case, pursuant to Art. 20 of the T.U. 81/2008 and following amendments and integrations, employees must take care of their own health and safety and of that of the other persons near their workspace, in line with their training and with the instructions concerning the means and work tools used.

22. If the employee does not comply with the above-mentioned provisions, the employer shall not be held liable in any way whatsoever.

23. Extraordinary access to telework is granted to all employees who have the intention and possibility (meaning who have the minimum technical requirements required for activation), in the extraordinary situation in which the Municipality at which the place of work is established issues a red alert warning due to force majeure. This access is made available after a specific communication from the employer specifying the extraordinary authorisation procedures. The Foundation may implement the relevant verifications in order to certify the existence of the afore-mentioned requisites and the successful performance.

Art. 21 – Work on-call


1. Work on-call is an additional aspect to regular work through which employees are at the Foundation's disposal to ensure service continuity or restoration and system functionality or safety. It is an instrumental and ancillary service consisting of the employees' obligation to be in the condition of being promptly traced, outside of the regular working hours, and of needing to reach their workplace, or any other premises of the Foundation within the same Municipality, in a short timeframe in order to perform the requested service. The purpose of work on-call is to ensure, outside the normal working hours (8:00 a.m. – 7:00 p.m.) the functional continuity of services, as well as the safety of installations and equipment, hygiene, and public safety and security.

2. Work on-call must satisfy the following needs:

- needs related to the development or completion of scientific or technological research projects;
- continuity or recovery of administrative, technological or computer services;
- reporting of breakdowns of technical and technological systems, with the risk of damaging structures or causing their malfunctioning, with an impact on the Foundation's general interest, and possibly even from the outside, including the reporting of interventions of breakdowns of testing installations, equipment and machinery, only in the case that the intervention is aimed at protecting the safety of persons and property;
- reporting of damage caused by adverse weather conditions and fire;
- unplanned and unforeseeable activities on computer systems and networks;
- emergency situations managed by the emergency plan.

3. Work on-call will be active on the following days and times:

- a) from Monday to Tuesday, from 7:00 p.m. to 8:00 a.m.
- b) from Tuesday to Wednesday, from 7:00 p.m. to 8:00 a.m.
- c) from Wednesday to Thursday, from 7:00 p.m. to 8:00 a.m.
- d) from Thursday to Friday, from 7:00 p.m. to 8:00 a.m.
- e) from Friday to Saturday, from 7:00 p.m. to 8:00 a.m.

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- f) from Saturday to Sunday, from 8:00 a.m. to 08:00 a.m.
- g) from Sunday to Monday, from 8:00 a.m. to 08:00 a.m.

Mid-week holidays shall be equivalent to Sundays.

Employees falling within the categories indicated by the labour laws in force have the right to be exempted from working at night.

4. Work on-call shall be carried out by employees under fixed-term or permanent contracts actually working at the Municipality in which the offices and facilities, subject of the interventions of specific competence, are based.

5. On-call employees shall be equipped, only and exclusively for the period of the on-call service, with a specially provided mobile phone, in order to receive the relevant calls. For the purposes of the work on-call, employees offering this service shall also be provided, if necessary, with a laptop, a broad-band connection device for remote access to the Institute's Intranet and any other tools necessary to perform the activity. Employees shall be responsible for ensuring the correct functioning of the mobile phone, as well as of the battery charge level and the presence of a signal. Employees entrusted with the above shall be liable for any loss, deterioration, damage, as well as for any improper use of the tools entrusted. Moreover, said employees shall ensure that, at the moment of the possible call, they are not in an area where the signal is absent. In such cases, employees shall be considered to be, to all intents and purposes, unavailable.

6. Employees on-call shall have to reach the assigned workplace within sixty minutes from the call. Besides going to the place of the emergency, or making a remote connection when required, employees on-call must write, at the end of each intervention, a report on the interventions carried out and submit it to their manager as soon as the office opens.

The report must contain, for each intervention, the following information:

- time, date and origin of the call
- nature of the breakdown reported
- measures adopted
- personnel that were contacted and/or who intervened

The beginning and end time of the intervention will be proven by the clock-in and clock-out stamping to be performed by the person on-call at the beginning and at the end of the intervention.

The report must be signed for approval by the manager and constitutes an element of evidence for the remuneration and insurance coverage for the use of the personal means of transportation.

7. In case of emergencies within premises, or for equipment presenting risk symbols, or on the occurrence of the events provided for by the emergency plan, employees on-call may only intervene personally if they are adequately trained on the relevant procedures.

8. Employees on-call must:

- be trained on the procedures provided for by the emergency plan;
- become acquainted with places, equipment, premises at risk, the entire structure, through a guided visit carried out with their manager;
- examine the plans of buildings, installations etc. and memorise them;
- communicate in advance possible impediments for covering the shifts assigned;
- between 11:00 a.m. and 1:00 p.m. on Mondays, take charge of the mobile phone, the personal protective equipment and possible instruments placed at their disposal;
- ask to be replaced in case of impediments that have occurred due to force majeure, handing over to the substituting person on-call the mobile phone, the personal protective equipment and possible instruments made available;
- submit the reports of the interventions carried out while on-call
- between 8:00 a.m. and 10:00 a.m. on Mondays, hand in the mobile phone, the personal protective equipment and possible instruments made available. In case of replacement due to force majeure, the manager shall evaluate the possibility to reintegrate the person on-call substituted, should the reasons of the impediment cease.

9. Should employees be unable to guarantee availability, they must give preventive and prompt communication to their manager through a written notice indicating the reasons for the temporary and occasional limitation. In the absence of a motivated justification, failure to give such notice shall result in disciplinary liability. In such event, another employee shall be on-call and shall receive an indemnity proportionate to the duration of the substitution.

10. The service must not entail the performance of tasks at a level higher than those of the relevant category of the on-call employee.

11. The performance of the work must not entail situations that may, even just in theory, cause risks for the health and safety of the on-call employee.

12. Work on-call shall not engage employees for more than two weeks, from Monday to Sunday, every four weeks.


13. Employees appointed to provide the on-call service shall be informed through a specially provided work order. The hours of intervention carried out, including the so-called "remote" interventions, shall be included in the calculation of the working hours, without prejudice to the recognition of compensative periods of rest.

14. The on-call payment shall be as follows:

- Euros 30.60 (thirty/60) before taxes per each working day (excluding Saturdays) of on-call service;
- Euros 40.80 (forty/80) before taxes for each Saturday on call;
- Euros 61.20 (sixty-one/20) before taxes for on-call service during Sundays and mid-week holidays;

16. Illness suspends work on-call. On-call employees must inform their manager immediately concerning their illness in order to allow the immediate organisation of a substitute on-call shift. Failure to notify the illness immediately not justified by an impossibility ascribable to the employee shall result in a disciplinary sanction.

17. The employee's temporary leave, holidays and temporary business missions outside of the

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municipality of their own work site are predetermined causes that prevent them from performing the on-call service.

18. If employees on-call cannot be found and/or do not intervene, this shall result in the suspension of the on-call pay for the day on which such event occurred.

19. In case of work performed on-call, during the on-call service, on-call employees shall receive, besides the on-call pay, the remuneration due in accordance with the provisions governing overtime (daily overtime, overtime at night or on holidays).

20. Should the on-call intervention last less than 60 minutes, the pay shall correspond to one hour of overtime. After the first hour of intervention, the overtime fractions shall be rounded up to the following quarter of an hour. In determining the duration of the intervention, the time necessary to reach the place where it is to be performed shall not be counted: only the entry and exit time resulting from the stamping machines shall be taken into consideration.

21. Employees on-call, in case of intervention, must duly clock in and clock out of work.

22. The intervention may be carried out also through the use of suitable computerised systems. In such case, the Institute shall prepare all the instruments and provide the means necessary for carrying out the intervention, where necessary. These instruments must be able to ensure precise tracking of the intervention in order to verify the requirement for the same and its duration.

21. For middle-ranking managers and employees in managerial positions, the pay for interventions during on-call service consists of:

- Euros 25.50 (twenty-five/50), fixed amount per each intervention on working days;
- Euros 40.80 (forty/80), fixed amount per each intervention on Sundays, Saturdays and mid-week holidays.

In case of interventions from Friday to Saturday (from 7:00 p.m. to 8:00 a.m.) and from Sunday to Monday (from 7:00 p.m. to 8:00 a.m.), the fixed amount established for Saturdays, Sundays and mid-week holidays shall be paid consistently with the on-call payment owed.

Middle-ranking managers and employees in managerial positions must clock in, in case of on-call interventions, in order to certify the intervention. The pay for on-call interventions shall include the use of the employee's own means of transport. Should it be impossible for employees to use their own means, the Institute shall provide one of the Foundation's vehicles or shall pay transport expenses pursuant to the laws in force and internal regulations.

22. The Foundation shall pay for any damage that may occur during interventions on-call to the employee's own vehicle.

23. The on-call pay is defined by taking into account the effects on the direct and indirect remuneration components of both legal and contractual origin, and therefore these are already included. In addition, implementing that provided for by paragraph 2, Art. 2120 of the Italian Civil Code, the pay is excluded from the calculation basis of the severance pay.

24. Without prejudice to employees whose working hours, due to the characteristics of the activity

performed, are not measured or predetermined or may be defined by the actual employees, a period of compensative rest is provided for in the case of interventions carried out between 00:00 midnight and 7:00 a.m. on working days for a total duration not exceeding seven hours (and notwithstanding the right to eleven hours of rest every twenty-four hours). Said compensative rest must be used on the day after the mentioned intervention and shall consist of a reduction of the working hours for an amount corresponding to the service provided for the on-call intervention. Employees must use this period of rest in a non-fractioned mode, thus postponing the entry time or anticipating the exit time by the number of hours equal to the duration of the service provided for the on-call intervention, hence performing work in a reduced measure as described above. In case of interventions carried out between 00:00 midnight and 7:00 a.m. on working days, for a total duration exceeding seven hours, and without prejudice to the right of eleven hours of rest every twenty-four hours, a period of compensative rest of 8 hours is provided for, to be used in a non-fractioned mode on the following working day.

25. In case of interventions carried out during the weekly rest day, employees shall be entitled to a compensative day of rest, to be used, as a rule, on the following working day. For proven technical-operational needs, the day of rest may be postponed within the following 14 calendar days, agreeing on the date with the manager and in accordance with the internal procedure governing work during the weekly rest day.

D. UNPAID LEAVE


Unpaid leave represents a temporary interruption of the employment relationship aimed at managing aspects of an employee's private life, or their personal and/or professional development. In this regard, the Foundation plays an active role in the correct regulation of this kind of leave with the aim of promoting the well-being – in a broad sense – of its employees, in accordance with the legal and organisational restrictions that must be nonetheless observed for the common interest.

Art. 22 – Unpaid leave

1. Without prejudice to the cases provided for by law, in specific and justified cases the Foundation, through its delegated body in the person of the employer, and in any case under the approval of the supervisor and of the Scientific Director, may grant periods of unpaid leave up to a maximum of twelve months, also not consecutive, over a period of five years. Unpaid leave is not counted for the purposes of service seniority and does not give rise to any right to remuneration.
2. For work-related requirements, the Foundation, through its delegated body in the person of the employer, may interrupt any unpaid leave granted after half of the period granted has passed, with a ten-day working notice.
3. Moreover, the Foundation may grant, upon prior authorisation of its delegated body in the person of the employer, an extra 15 days of unpaid leave per year, for no more than three times in the course of the employment relationship, be it a permanent or a fixed-term contract, in the case of employees whose spouse, civil union partner or children live abroad.

Art. 23 – Unpaid leave for public and elective appointments

1. Employees elected as members of the national Parliament or of regional assemblies or called to serve in other public elective and/or appointive offices may, on request, be placed on unpaid leave for the entire

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duration of their appointment.

2. Periods of unpaid leave due to public and elective appointments may be counted, upon request of the interested party to the competent Bodies, for the recognition of the right and the calculation of the amount of the pension to be paid by the mandatory general insurance as mentioned under Royal Decree-Law No. 1827 of 4 October 1935 and following amendments and integrations. Said pension may also be owed by bodies, funds, banks and managements for mandatory forms of social security substituting the above-mentioned insurance, or entailing however its exemption, unless employees have already been covered by forms of social security for pension and illness in relation to the activity carried out during the period of leave.

Art. 24 – Sabbatical leave for scientific staff

The Foundation, through its delegated body acting in the person of the employer, may grant its scientific staff the following types of sabbatical leave:


- 1) following a specific joint appointment deriving from an agreement between the Foundation and another Institution, the fixed-term or permanent scientific staff may assume an assignment at the premises of the mentioned Institution for a definite period indicated in the agreement between the parties, in order to perform research of mutual interest for the Foundation and for the other Institution. During the joint appointment, the Foundation shall pay a reduced remuneration, proportioned to the work performed in favor of the Foundation. The joint appointment must be authorised by the delegated body in the person of the employer.
- 2) The permanent scientific staff has the right to two months of sabbatical leave every twelve months of permanent subordinate contract. After six years of permanent employment contract, employees may request to use 12 months of unpaid sabbatical leave. The request must be approved by the delegated body in the person of the employer, who must evaluate the scientific consistency of said request and the absence of conflicts of interest.

Art. 25 – Unpaid leave for serious family reasons

1. Pursuant to Art. 4, paragraphs 2 and 4, of Law No. 53/2000 and Arts. 2 and 3 of the implementing regulation as mentioned under inter-ministerial decree No. 278 of 21 July 2000, employees have the right to a period of leave for serious family reasons expressly indicated in the mentioned provisions of law, related to a personal situation, a situation of the household members and of subjects mentioned under Art. 433 of the Italian Civil Code, even if not cohabiting, as well as of disabled persons, relatives or relatives by marriage within the third degree, even if not cohabiting.

2. The leave may be used in a continuous or fractioned manner and cannot exceed two years throughout the entire working life. During said period employees have the right to maintain their job position, but they do not have the right to be remunerated and may not perform any kind of work. The leave shall not be counted for service seniority.

3. Employees must submit a written request to the Foundation's delegated body in the person of the employer, indicating the reasons and the duration of the leave specifying, as a rule, its minimum duration. Employees must also prove, also through a substitutive statement where permitted, the kinship, relationship by marriage or personal family relations with the above-mentioned subjects.

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4. Within 10 days from the mentioned request, the employer must decide on the matter and may notify the employee concerning the relevant decision. Urgent cases shall be examined within 3 working days.

5. The possible refusal or proposal to postpone to a defined subsequent period or partial granting of the leave must be motivated on the basis of the conditions provided for the leave application or of organisational reasons not permitting substitution of the employee. The employee may request for the application to be re-examined within the following 10 days.

6. The employer shall guarantee the uniformity of the decision, taking into account the procedure adopted and the Institute's organisational and production situation.

7. With reference to fixed-term employment contracts, the leave application may in any case be denied due to incompatibility between the duration of the contract and the period of leave requested, that is if the period of the leave exceeds one fourth of the duration of the contract, which can be fractioned into a maximum of two periods. It may also be denied when the contract was entered into by reason of a substitution of another employee on leave, pursuant to the laws in force.

8. Should one of the hypotheses mentioned under the previous paragraph exist, employees have the right to withdraw from the contract without obligation to give notice.

9. The leave under this article may also be requested in case of death of any of the subjects mentioned in Art. 4, par. 1 of Law No. 53 of 8 March 2000, should the applicants not have the possibility to use paid leave, to which they are entitled during the year pursuant to the same provisions or to the provisions of these REGULATIONS ON THE PROFESSIONAL RELATIONSHIP BETWEEN THE IIT FOUNDATION AND ITS EMPLOYEES UNDER A NON-EXECUTIVE EMPLOYMENT CONTRACT.

10. Should the leave application for said reason refer to periods not exceeding three days, the employer must provide relevant decision within 24 hours from the application and motivate the possible denial on the basis of exceptional organisational reasons, and must also make sure that the leave is in any case used within the following seven days.


Art. 26 – Training leave

1. The Foundation, upon the authorisation of its delegated body in the person of the employer, may grant a period of continuous or fractioned leave, for proven study reasons, pursuant to Art. 4, par. 3, of Law 53/2000.

2. Moreover, the Foundation may grant to employees under a permanent contract, upon the authorisation of its delegated body in the person of the employer, a period of leave for PhD degrees, master's degree or study grants, for a duration equal to the course to be followed. This leave may be requested only once over 5 years.

3. Training leave may also be granted, on request, to employees with a service seniority at the Foundation of at least five years, pursuant to Arts. 5 and 6 of L. 53/2000, for a total annual rounded-up amount equal to 5% of the personnel in service at 31 December of each year, under a permanent employment contract.

"Training leave" includes leave aimed at completing compulsory education, at achieving a secondary education certificate, a university diploma or degree, or at participating in training activities other than those organised or financed by the employer.

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Employees having to interrupt a training leave due to illness may renew the application for a following training cycle, with right to priority.

Employees may not use two unpaid leaves or absence periods consecutively, even if requested for different reasons, except for health reasons, unless at least four months of active service have elapsed between the two.

Also employees who requested and obtained a period of leave pursuant to Art. 4, par. 2, of Law 53/2000 have the right to training.

4. If, during the period of leave or absence, the reasons that justified its granting cease to exist, the Foundation shall immediately invite employees to resume service. Employees, for the same reasons, may resume service on their own initiative.

5. The employment relationship shall be terminated, with no right to any substitutive indemnity of notice, if employees do not resume service – without prejudice to cases of proven impediment – upon the expiry of the leave period or of the period granted by the Foundation.

6. During the training leave, employees do not have the right to remuneration and holidays. The leave shall not be counted for service seniority and for social-security purposes; employees may exercise redemption, i.e., pay the relevant taxes calculated according to the criteria of voluntary continuation.

7. Employees that intend to use a leave for study or training reasons must submit a specific request to the Foundation, indicating the training activity they intend to carry out, the beginning date and the expected duration.

Said application must be submitted, as a rule:


- at least sixty days before the beginning of the training activities, if the leave requested exceeds 5 days
- at least thirty days before the beginning of the training activities, if the leave requested does not exceed 5 days

8. The Foundation may postpone the use of the leave up to a maximum of six months in order to balance the organisational needs of the offices with the employee's training interest, if granting the leave might result in a serious damage to the functionality of the service, not resolvable during the above-mentioned notice period.

9. With reference to part-time employment, the training leave under this article and under articles 5 and 6 of Law 53/2000 shall be re-proportioned on the basis of the actual reduction of the work performance.

E. TRANSFERS AND MISSIONS OR TRAVEL

Mobility is an absolute value in the labour market and in the scientific research environment in particular. However, mobility must not become a situation to the detriment of employees' freedom and quality of life, considering the burdens it entails on the private and professional life. In this regard, regulations must be able to take into account the mutual needs and, above all, in their implementation it is necessary to interpret correctly the rights and duties of each party in order to achieve the fairest and most functional

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balance possible.

Art. 27 – Transfers

1. Employees may be transferred from one production line to another for proven technical, organisational and production reasons.
2. Transfers must be communicated to employees with a notice of at least sixty calendar days.
3. In the event of a transfer involving a change of residence, the transferred employee will be entitled to reimbursement of the following expenses actually incurred, upon presentation of the relevant supporting documents and within the maximum total limit of Euro 3,500.00: a) actual travel expenses incurred for themselves and for each dependent family member; b) actual transfer expenses; c) penalties for any early termination of the lease contract previously entered into at the place of origin.
4. The worker dismissed for non-acceptance of the transfer has the right to a severance indemnity and the indemnity in lieu of notice. The worker who proceeds with termination of the relationship within 60 days of the communication of the transfer, justifying their withdrawal with the failure to accept the transfer, is entitled, in addition to the termination indemnity, to a sum equal to the compensation in lieu of the notice due in case of dismissal and an additional indemnity to the severance pay equal to 1/3 of the accrued individual notice.

Art. 28 – Missions or travels

1. The Foundation has the right to send employees on a temporary mission outside of the Municipality of its premises. Mission authorisations cannot be issued by a subject having possible conflicts of interest with the person to be authorised.
2. In case of missions as mentioned above, employees have the right, upon the presentation of receipts, to be refunded for travel, board and lodging expenses in accordance with the modes established by the Foundation's Mission Expenses Refund Policy.
3. For stays, either in Italy or abroad, in the same place for a period of no less than thirty consecutive working days, refund shall be granted for overnight stays in tourist facilities. In such case, the refund recognised, upon prior authorisation by the person hierarchically in charge, for food and other small expenses shall amount to a flat rate up to a maximum of 75.00 Euros per each day of presence at the premises of the mission, in substitution of the refund against receipt normally envisaged for food.
4. With reference to holidays or weekly rest days included in the period of temporary mission, authorised by the person hierarchically in charge to the employee, the remuneration shall be the same paid for overtime work carried out during weekly rest days or mid-week holidays.
5. If during the mission the work performed is such as not to allow the use of the weekly day of rest, employees must however make use of the compensative rest, pursuant to Art. 36 of the Italian Constitution and Art. 9 of Italian Legislative Decree 66/2003 and within the terms provided by these REGULATIONS ON THE PROFESSIONAL RELATIONSHIP BETWEEN THE IIT FOUNDATION AND ITS EMPLOYEES UNDER A NON-EXECUTIVE EMPLOYMENT CONTRACT (twenty-four consecutive hours, to be combined with the daily rest hours, every seven days, to be calculated as an average over a period not

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exceeding 14 days).

6. The provision under the previous paragraph 5 does not only apply to the scientific staff and limitedly to the parts regarding work during mid-week holidays, as said personnel organises working hours autonomously.

F. ILLNESS AND INJURIES

Art. 29 - Absences due to illness

1. Except for cases of proven and justified impediment, employees must inform the employer of their illness immediately, in accordance with the laws in force; if said communication is not provided, after one day from the beginning of the absence, the latter shall be considered unjustified, with the disciplinary consequences provided for by these Regulations.

2. Also in the case of hospitalisation, employees must make sure that the employer is informed immediately of their impediment; if no notice is given, unless due to a proven and justified impediment, after two days from hospitalisation the absence shall be considered unjustified, with the disciplinary consequences provided for by these Regulations.

3. In case of illness contracted abroad, employees must inform the Foundation immediately of the impediment and must verify what procedures must be followed for transmitting the documentation required and the carrying out of possible controls. In these circumstances, employees must comply with the laws in force and with the Foundation's procedures concerning the documentation certifying the illnesses contracted in Italy and abroad.


4. Employees must return to work on the date indicated in the certificate issued by the doctor treating the illness or, should the required health checks have been undertaken, on the date indicated in the certificate by the controlling doctor.

5. Should the illness persist, unless in the case of proven and justified impediment, employees must inform the Foundation immediately of the persistence; in the absence of said communication, and after one day of absence, the latter shall be considered unjustified, with the disciplinary consequences provided for by these Regulations.

6. During the period of illness, the doctor's prognosis shall be binding. If employees absent due to illness are able to anticipate their return to work, this shall be authorised only upon the submission of a new medical certificate rectifying the original prognosis issued by the same doctor that signed the first certificate, in order to document correctly the period of temporary unfitness to work. Said certificate must be submitted to the employer prior to the employee's return to work. Therefore, the employer cannot allow the employee to return to work in the absence of said documentation, pursuant to the laws on health and safety in the workplace.

7. Employees must verify the correctness of the information provided in the medical certificate by the treating doctor, such as for example the duration of the prognosis or the address at which to be found for medical controls at home.

8. Pursuant to Art. 5 of Law No. 300 of 20 May 1970, the employer has the right to carry out controls on the employee's absences due to illness through controls performed by the competent Institutes.

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Employees must make sure that the address indicated in the certificate and in the medical documents is correct.

9. The employer has the right to have the employee's physical ability checked by public institutes specialised in public law, in accordance with the laws in force.

10. Employees absent due to illness must not assume behaviours such to prevent or impede the psycho-physical recovery from the illness.

11. Moreover, employees must be at home from 10:00 a.m. to 12:00 noon and from 5:00 p.m. to 7:00 p.m., in order to allow the carrying out of controls possibly requested by the employer, pursuant to the laws in force. Without prejudice to the cases of proven and justified need to be absent from home for medical visits, treatments, specialist exams and outpatient follow-up visits and without prejudice to cases of force majeure, of which employees must inform the Foundation immediately, the employee's non-compliance with the mentioned obligation shall entail, in addition to the consequences provided for by Art. 5, par. 14 of the Decree-Law No. 463 of 12 September 1983, converted into Law No. 638 of 11 November 1983, and following amendments and integrations, the imposing of disciplinary sanctions in proportion to the seriousness of the violation.

12. During the period of illness, employees who are not within the probationary period, have the right to maintain their job for a maximum period of 18 months, after which the employer may terminate the employment relationship, paying the indemnity in lieu of notice. With reference to the modes for calculating the mentioned period, all the absences due to illness occurred in the three-year period preceding each new cases of illness are summed up.


13. In case of serious illnesses, the Foundation, through its delegated body in the person of the employer, may grant upon the employee's request and after verifying the medical documents certifying the employee's health conditions, an additional period of unpaid leave for a maximum duration of 18 months.

14. With reference to employees under a fixed-term contract, the regulations on retaining of the job and on sick pay shall be applied within the limits of the expiry of the actual contract.

Art. 30 – Sick pay

1. During the period of illness and up to the 180th day, in respect of that established in par. 4 below, in the case of a single event, employees have the right, on the normal payment dates, to receive indemnities owed by INPS [Italian National Social-Security Institute], pursuant to law, paid in advanced by the employer pursuant to Art. 1, Decree-Law No. 663 of 30 December 1979, converted into Law No. 33 of 29 February 1980, as well as an integration to the indemnity at INPS's expense, to be paid by the employer, in order to reach, altogether, 100% of the gross daily remuneration (net of taxes at the employee's expense) to which employees would have had the right in case of normal execution of the employment relationship.

2. In case of hospitalisation, employees have the right, starting from the fourth day of hospitalisation, to an integration to the indemnity at INPS's expense, to be paid by the Foundation, such as to reach 100% of the gross daily remuneration (net of taxes at the employee's expense) to which employees would have had the right in case of normal execution of the employment relationship.

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3. Normal remuneration means the one defined under Art. 37, paragraph 1, of these Regulations.

4. The indemnities to be paid by the Foundation as mentioned in this article shall not be paid if employees did not promptly fulfill their obligation to inform the Foundation about the illness as mentioned under the previous article or if INPS does not pay for any reason whatsoever the indemnity mentioned under par. 1 of this article; if the indemnity is paid by INPS in a reduced amount, the Foundation is not obliged to integrate the part of the indemnity not paid by the Institute.

Art. 31 – Absences due to health checks and treatments

1. Without prejudice to the fact that in principle employees are encouraged to possibly carry out health checks or treatments outside working hours, the Foundation meets the needs of its staff as follows:

- a) paid leave of up to 24 hours per year is provided for absences for medical examinations, including specialist visits, clinical analyses or equally configurable medical services that are carried out at public or contracted facilities or by private doctors;
- b) paid leave of up to additional 40 hours is provided for treatment, or treatment cycles (excluding spa treatments);
- c) for the purposes of obtaining the permits referred to in points a) and b), the employee must always produce, to justify the absence, a specific declaration of the Health Authority or of the doctor, in which the duration of the health service must be specified ;
- d) the limits referred to in points a) and b) above may be waived, subject to the authorisation of the delegated body as an employer, in the event of serious pathologies, of which (for example) in article 2 of Ministerial Decree 278/00 or that require life-saving treatments;
- e) beyond the limits set out above, the use of other personal permits available is envisaged or, in the sole case in which these instruments cannot be used because they are exhausted, unpaid permits will be granted.

Art. 32 – Injuries


1. Employees must inform the Foundation immediately of any injury, even minor ones; if employees omit to fulfill this obligation promptly, the Foundation shall be exempted from any liability whatsoever deriving from the delay of the notice, having been unable to file the required report to INAIL [Italian National Insurance against Occupational Illnesses and Injuries] within the required terms. If the injury occurs outside of the Foundation's premises, the employee must go to the closest Emergency Room with relevant witnesses, submitting to the Foundation all the certificates issued concerning the injury.

2. An employee's failure to promptly communicate the injury shall be sanctioned as a disciplinary offence.

Art. 33 – Injury pay

1. The Foundation must pay the entire remuneration for the day on which the injury occurred. The Foundation is also obliged to pay the normal daily remuneration during the period of non-insurance (up to 3 days after the day of the injury).

Starting from the 4th day following the day of the injury and up to the 180th day, the Foundation must:

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- anticipate to the employee upon the normal expiries of the period of pay the indemnities provided for by the Law at Inail's expense;
- integrate upon the same expiries the indemnities at Inail's expense, up to the reaching of 100% of the normal gross monthly remuneration (net of taxes at the employee's expense) if necessary.

2. Normal remuneration means the one indicated under Art.37, paragraph 1 of these Regulations.

3. The integration at the Foundation's expense shall not be owed if Inail does not pay the indemnity provided for by law.

G. MATERNITY AND PATERNITY

Art. 34 – Maternity and paternity

1. In case of maternity and paternity of natural, adopted and foster children, employees have the right to leave, days of rest and protection measures pursuant to Italian Legislative Decree No. 151 of 26 March 2001 and following amendments and integrations.

2. Article 4, paragraph 24, letter a), of Law No. 92 of 28 June 2012, provides for the obligation of paternity leave, whose duration is established by the laws in force, and the optional paternity leave, alternative to the mother's maternity leave, which can be used by the employed father also adoptive and fostering, within and not beyond the child's fifth month of life.

The mandatory leave is an autonomous right and therefore it is additional to the mother's and is due regardless of the mother's right to her maternity leave. The mandatory leave is also recognised to the father who makes use of the paternity leave pursuant to Art. 28 of Italian Legislative Decree No. 151 of 26 March 2001.

The duration of the optional leave is defined by the laws in force for the events pertaining to birth, adoption or foster care and is conditioned by the employed mother's choice not to make use of a day of maternity leave; therefore, the day used by the father anticipates the final term of the mother's maternity leave.


The employed father must communicate to the employer in writing the dates on which he intends to make use of the leave with at least a 15-day notice; if the leave is requested concomitantly with the child's birth, the notice shall be calculated taking into account the estimated due date.

The employed father has the right, for the days of mandatory and optional leave, to a daily indemnity at INPS's expense equal to 100% of the remuneration, paid in advance by the employer.

3. For the sole periods:

- a) of maternity or paternity leave (mandatory abstention);
- b) of advanced and delayed restrictions due to maternity, imposed by the competent authorities when the work or environmental conditions, closely related to the type of activity performed at the time of the application, are deemed to be harmful to the health of the mother and of the child, pursuant to Art. 17, par. 2, letter b) of Italian Legislative Decree 151/2001, or when the employee cannot be assigned to other duties, as provided for by Arts. 7 and 12, Italian Legislative Decree 151/2001 and as indicated under letter c) par. 2 of Art. 17, T.U. 151/2001;

the indemnity paid by INPS shall be integrated by the employer such as to reach 100% of the normal

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gross monthly remuneration (net of taxes at the employees' expense), to which employees would have had the right in case of normal execution of the employment relationship.

4. In order to exercise the right to parental leave, each parent must submit a written notice to the Foundation at least 2 days in advance in case of an hourly parental leave, and 5 days in advance in case of a daily parental leave, specifying its duration. An hourly parental leave shall be granted in a measure equal to a quarter of the daily average working hours of the period of monthly pay prior to the one in which the leave begins. In the cases mentioned in this paragraph, the hourly parental leave cannot be combined with other kinds of leave or days of rest pursuant to the Italian Legislative Decree in force.

Employees have the right, only once, and in place of the parental leave, to ask for the employment relationship to be changed into part-time within the limits of the remaining parental leave, through a reduction of working hours not above 50%; such change shall be granted within 15 days from the submission of the relevant application.

5. Pregnant employees must exhibit relevant certificate to the Foundation, issued by a health officer or a doctor of the National Health Service, within and not beyond 24 hours from the issue of the same. The prompt notice to the Foundation of the pregnancy is an essential requirement to allow the Institute to provide for the necessary measures aimed at protecting the health of the mother and of the future baby. Failure to comply shall be sanctioned by a disciplinary action.

6. In order to obtain the benefits related to childbirth and to the post-natal period, employees must send to the Foundation, within the 15th day following delivery, the child's birth certificate issued in the forms provided for by law, or another suitable substitutive document pursuant to law.


7. For anything not provided for by these Regulations on pregnancy and on the post-natal period, the laws and regulations in force shall apply.

8. The Foundation must grant employed mothers, and also employed fathers upon previous authorisation by INPS, during the first year of the child's life, a two-hour daily rest, which may also be combined, during the working day. Said rest shall be equal to one hour when the daily working hours are less than six.

9. For anything not provided for by these Regulations on child assistance, the laws and regulations in force shall apply.

10. Employees as mentioned under point 8 of Art. 34 must manifest the will to exercise their right to benefit from the periods of rest for nursing, pursuant to Art.39 of Italian Legislative Decree 151/2001. Employees classified under Levels II and III of the Regulations on the professional relationship between the IIT Foundation and its employees under a non-executive employment contract, benefitting from leave, pursuant to Art. 39 of Italian Legislative Decree 151/2001 (daily rests for nursing) shall be allowed to make use of flexibility only to compensate a negative hourly balance within the month in progress. Possible extra work, carried out contextually with the use of the above-mentioned periods of rest and exceeding the monthly flexibility, cannot be considered for the calculation of the extra work and relevant remuneration. The above-mentioned employees can renounce the daily one-hour lunch break if they work up to six hours per day and they can make use of a daily lunch break equal to at least fifteen minutes if they work more than six hours a day, pursuant to Art. 8, paragraph 1 and 2 of Italian Legislative Decree 66/2003.

H. DISABLED PERSONS

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Art. 35 – Disabled persons

1. Employees with disabilities benefit from the rights and protection provided for by the framework law on assistance, social integration and rights of disabled persons (Law No. 104 of 5 February 1992), and in particular from the assistance provided for by Art. 33 of the same law.
2. The subject of reference for all communications and authorisations possibly necessary in order to benefit from the mentioned form of assistance is the Foundation's delegated body in the person of the employer.

I. ACCRUED SENIORITY AND PAY


Art. 36 – Seniority increases

1. Service seniority shall begin to accrue from the day the employment relationship begins with the Foundation.
2. Except for the effects deriving from the provisions on seniority increases, the fractions of a year shall be counted, for all contractual intents and purposes, in twelfths, while the fractions of a month equal to or exceeding 15 days shall be counted as an entire month. Months are intended as those of the calendar year.
3. Seniority increases shall take place every three years up to a maximum of five increases and are in a fixed gross amount per year equal to:

– MIDDLE-RANKING MANAGERS	€ 469.20
– I LEVEL	€ 410.55
– II LEVEL	€ 293.25
– III LEVEL	€ 234.60

Art. 37 – Normal pay

1. The total nominal pay per year paid to employees in thirteen months consists of:
 - a) basic pay, consisting of the annual remuneration within the limits as mentioned under paragraph 3 below;
 - b) an additional monthly allowance over minimum contractual wage;
 - c) seniority increases, if any.
2. The maximum amount of the variable pay, if provided for by the individual contract, shall be calculated as a percentage of the total annual remuneration actually received, increased by the gross nominal value of the remuneration not received in the periods of absence due to maternity, injury, illness or leave, pursuant to Law 104/92. The variable rate shall be paid once a year, after the approval of the financial statements by the Foundation's Council, on the basis of criteria that are set by the Foundation on an annual basis. The variable share of the remuneration possibly paid in one year shall not give any right or expectation for the subsequent years; the payment of the variable pay, if provided for by the individual

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contract, shall be proportioned to the months worked during the year of competence; the calculation criterion adopted shall be the one provided for by Art. 2120 of the Italian Civil Code. In case of fair dismissal or for justified subjective reasons, the variable pay for the year of termination of the employment relationship shall not be paid. In case of an employee's resignation, the variable pay for the year in which the resignation begins shall not be paid, without prejudice to the recognition of special merits by the Scientific Director, confirmed by a positive evaluation of the employee's performance.

3. With reference to the levels provided for by these Regulations, the minimum amounts of the all-inclusive annual basic pay are as follows:

- MIDDLE-RANKING MANAGERS € 35,700.00
- I LEVEL € 28,560.00
- II LEVEL € 23,460.00
- III LEVEL € 20,400.00

Art. 38 – Benefits and one-time bonuses

The Foundation, through the delegated body as an employer, may recognise to employees any one-off rewards that can be paid on the basis of suitable motivation, which are exceptional and cannot exceed 10% of the normal remuneration.

This recognition must comply with the criteria set out in the specific policy approved by the Executive Committee.

The Foundation, through the delegated body as an employer, may also recognise to employees any indemnity in order to compensate for specific and temporary situations not included within the ordinary work performance.

Art. 39 – Actual pay


Actual pay consists of the normal pay as mentioned under the previous article (basic remuneration plus additional allowance and seniority increase), as well as of all the other remuneration elements having a continuous nature, excluding expense refunds, overtime remunerations, extra or "one-time" bonuses, indemnities paid for any reason and all the elements expressly excluded by the parties for the calculation of the individual contractual institutes or excluded from the taxable income pursuant to law.

Art. 40 – Daily and hourly rates

1. The daily remuneration rate, both normal and actual, is obtained by dividing the monthly amount by the conventional divisor 26.
2. The hourly remuneration rate, both normal and actual, is obtained by dividing the monthly amount by the conventional divisor 173 (40 weekly hours x 4.33 weeks in a month).

Art. 41 – Thirteenth month's remuneration

1. In case of reduced work, with reference to the entire 12-month period, employees have the right to as many twelfths of the amount of the 13th month remuneration as the entire months actually worked.

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2. The amount of the thirteenth month remuneration shall be reduced by the accruals referring to the periods for which the provisions of the law and of these REGULATIONS ON THE PROFESSIONAL RELATIONSHIP BETWEEN THE IIT FOUNDATION AND ITS EMPLOYEES UNDER A NON-EXECUTIVE EMPLOYMENT CONTRACT exclude the accrual of the thirteenth month pay.

J. SAFETY

Art. 42 – Safety in the workplace

1. Safety and health protection in the workplace is an objective shared by the Foundation and by its employees, starting from compliance with the obligations provided for by the laws in force.

2. Consistently with this objective, the Foundation, its executives and persons in charge, its employees, the competent doctor, the Health and Safety Officer, and the Workers' Safety Representatives shall collaborate, within the scope of their respective functions and responsibilities, to eliminate or gradually reduce risks and to improve the conditions of workplaces, with regard to ergonomics and organisation.

3. Besides complying with the employees' general safety and health protection measures and with all provisions of the law, the Foundation must organise, consulting the Workers' Safety Representatives in the manners provided for by the laws in force, an effective Prevention and Protection Service, carry out risk assessments, and informing and training its employees on the specific risks to which they are exposed.

4. In particular, the Foundation:

- shall make sure that the employees in charge of fire prevention and fire-fighting activities, the evacuation of employees in case of serious and immediate danger, rescue, first-aid and, however, emergency management, are suitably trained, consulting the Workers' Safety Representatives with regard to the organisation of the training;
- shall evaluate, in relation to the nature of the activity of the production line, the risks for employees' safety and health protection;
- shall make sure that all employees, at the moment of employment, of transfer or change of functions are adequately informed on the relevant risks, as well as on the prevention and protection measures adopted, and that they receive sufficient and adequate training with regard to safety and health protection matters; training shall be repeated on a regular basis in relation to the evolution of risks or the arising of new ones.

5. All employees must take care of their own health and safety and of that of the other persons present in the workplace who may be affected by the employee's actions or omissions, consistently with their training and with the instructions and means provided by the employer. Within this scope of responsibilities and active role for prevention, employees have specific duties with regard to compliance with the applicable laws and also have specific rights.

6. In particular, employees must:

- observe the provisions and instructions received from their supervisors for collective and individual protection;
- undergo the health controls prescribed to them by the company doctor competent in the risk

factors to which they are exposed;

- use correctly all work devices and safety equipment, including that provided by the company as personal protection equipment, ensuring they are perfectly maintained; the Foundation has the right to cover possible damage, breakage or malfunction caused to the Foundation's assets by deducting relevant costs from the employees' remuneration, after submitting formal notice;
- report immediately to their supervisors any defects in devices and personal protection equipment, as well as all other conditions of danger of which they may become aware of, also taking action directly, in case of urgency, within the scope of their skills and possibilities, to eliminate or reduce said defects or dangers, notifying the Workers Safety Representative on the matter.

7. Employees have the right to:

- elect their own Safety Representative;
- verify, through the Safety Representative, the implementation of all prevention and protection measures;
- receive adequate information and training with regard to health and safety matters, with particular reference to their own workplace and functions;
- receive information from the competent doctor on the meaning and results of the medical examinations which they undergo.

8. The Workers Safety Representative has rights in matters related to training, information, preventive consultation and access to workplaces, to be implemented according to the modes provided for by the regulations in force.

9. For anything not expressly provided for in this article, reference may be made to that provided for by the laws in force, and in particular by the provisions of Italian Legislative Decree No. 81 of 9 April 2008 (Consolidated Act on safety and health protection in the workplace), as well as to the manual and internal safety procedures, which all employees must know and observe.

K. RULES OF CONDUCT AND DISCIPLINARY PROVISIONS

Art. 43 – The employees' obligations

1. Employees shall conform their conduct to the principles of fairness, diligence, loyalty and good faith and in particular they must comply with all the obligations provided for by these REGULATIONS ON THE PROFESSIONAL RELATIONSHIP BETWEEN THE IIT FOUNDATION AND ITS EMPLOYEES UNDER A NON-EXECUTIVE EMPLOYMENT CONTRACT, including the obligation:

- a) to collaborate with diligence, complying with the provisions of the REGULATIONS ON THE PROFESSIONAL RELATIONSHIP BETWEEN THE IIT FOUNDATION AND ITS EMPLOYEES UNDER A NON-EXECUTIVE EMPLOYMENT CONTRACT, of the various internal Policies adopted by the Foundation, and of the Code of Conduct and Scientific Conduct as well as, in general, with all procedures and provisions for the implementation and regulation of work provided by the Foundation, also in relation to the laws in force on safety and working environment as mentioned in Italian Legislative Decree 81/2008;
- b) to comply with the laws governing and regulating the Foundation's management;
- c) to respect secrecy in the cases and manners provided for by laws and internal regulations;

- d) not to use for private purposes the confidential information in their possession for work reasons;
- e) to observe working hours and comply with the requirements provided for managing working hours and tracking attendance, as provided for in the REGULATIONS OF THE PROFESSIONAL RELATIONSHIP BETWEEN THE IIT FOUNDATION AND ITS EMPLOYEES UNDER A NON-EXECUTIVE EMPLOYMENT CONTRACT;
- f) during working hours, to maintain a respectful conduct in interpersonal relations complying with the principles of fairness and abstaining from behaviours that may damage personal dignity. In particular, internal relationships between colleagues must be based on good manners and mutual respect. Employees must report to their supervisors any facts or circumstances that constitute a clear violation of the employees' obligations laid down in these REGULATIONS ON THE PROFESSIONAL RELATIONSHIP BETWEEN THE IIT FOUNDATION AND ITS EMPLOYEES UNDER A NON-EXECUTIVE EMPLOYMENT CONTRACT or provided for by the laws in force;
- g) not to carry out, during working hours, activities that do not fall within the scope of their service or research activity, in accordance with the principles of incompatibility provided for by the laws and regulations;
- h) in periods of absence due to illness or injury, not to carry out activities that may delay psycho-physical recovery. Not to leave the stated domicile during the hours indicated by the laws in force for the medical controls, except in cases of proven and justified need to be absent for visits, treatments, specialist examinations and outpatient follow-up visits, and except for cases of force majeure, in which cases employees must immediately inform the Foundation.
- i) to observe the instructions given by supervisors regarding the execution of their functions or tasks. If the instructions are deemed to be clearly unlawful, employees must submit immediate and motivated complaints to the issuer. If said instructions are renewed in writing, employees must execute them, unless they are expressly forbidden by criminal laws;
- j) to supervise the correct performance of the activity of the coordinated personnel, if this task falls within their responsibilities;
- k) to attend to the rooms, furniture, objects, machinery, equipment, tools and cars entrusted to them and use them rigorously respecting the internal procedures;
- l) to use the Foundation's instruments, installations and structures only for specific and adequate reasons and on condition that this does not prejudice the regular organisation of work and that the research, study, in-depth analysis and documentation activities carried out are useful for professional and scientific enhancement and are not carried out for profit;
- m) not to ask or accept, for any reason whatsoever, remunerations, gifts or other benefits in connection with the performance of their work;
- n) to strictly observe the provisions that govern employees' access to the Foundation's premises, and not to introduce any persons not belonging to the Foundation in rooms not open to the public, unless duly authorised;
- o) to notify the Foundation concerning their place of residence and any temporary dwelling, where different, as well as any subsequent changes of the same;
- p) to promptly inform the competent office in case of illness, except for cases of proven and justified impediment, and to observe the prognosis established by the doctor and provided by the medical certificate, respecting the prohibition to return to work;
- q) to abstain from participating in the adoption of decisions or in activities that may involve, directly or indirectly, interests of an economic or non-economic nature of their own or of their spouse or cohabiting partner, of relatives up to the 4th degree or of relatives by marriage up to the 2nd degree;
- r) to attend training courses, and in particular to meet all training requirements provided for by law;
- s) to keep the passwords and access codes provided by the Foundation confidential and make sure

that access to the information is only permitted to authorised personnel and, in general, comply with the laws in force on privacy;


- t) to give immediate and prompt communication to the Foundation concerning any injury, even minor, and to submit immediately a copy of all the injury certificates issued by the Emergency Room structures;
- u) to give prompt communication to the Foundation of being pregnant, submitting to the Foundation the certificate issued by a health officer or a doctor of the National Health Service within and not beyond 24 hours from the issuing of the certificate;
- v) to submit, in the manners and within the terms provided for by these REGULATIONS ON THE PROFESSIONAL RELATIONSHIP BETWEEN THE IIT FOUNDATION AND ITS EMPLOYEES A NON-EXECUTIVE EMPLOYMENT CONTRACT, all certifications required by the Foundation, including in particular the certificates of criminal records and of pending proceedings;
- w) to observe the on-call obligations as governed by these REGULATIONS ON THE PROFESSIONAL RELATIONSHIP BETWEEN THE IIT FOUNDATION AND ITS EMPLOYEES UNDER A NON-EXECUTIVE EMPLOYMENT CONTRACT;
- x) to observe the Code of Conduct and Scientific Conduct;
- y) to notify the Human Resources and Organisation Directorate concerning the appointment as researcher following a public PhD competition. The Human Resources and Organisation Directorate must issue an express authorisation for the acceptance of the award, also in order to start the training activities thereunder;
- z) to observe the transparency obligations provided for by the Code of Conduct and Scientific Conduct, informing the Foundation of all collaboration relationships with third parties, be they paid and/or unpaid, including those referring to the participation of Spin-Off Companies in phase of establishment and those established.
- aa) to comply with the obligations of loyalty, good faith and correctness, avoiding any conduct detrimental to the image of the Foundation, including through the use of media and/ or social networks;
- ab) to comply with the provisions established by the privacy organisational model regarding personal data protection (MOP).

Art. 44 – Justification of absences

1. Without prejudice to cases of proven and justified impediment, employees must immediately inform the Foundation of their absence, also by telephone, fax or e-mail; absences must be justified in writing to the Foundation within 24 hours, to allow possible ascertainties.
2. Unjustified absences shall result in withholding of as many daily rates of the actual remuneration as the days of absence, without prejudice to the implementation of the sanction provided for by Art. 51 below.

Art. 45 – Observance of working hours

1. Employees must comply with the working hours, as regulated by these REGULATIONS ON THE PROFESSIONAL RELATIONSHIP BETWEEN THE IIT FOUNDATION AND ITS EMPLOYEES UNDER A NON-EXECUTIVE EMPLOYMENT CONTRACT.
2. In case of delay, an amount shall be withheld, which shall be indicated in the payroll, equal to the pay corresponding to the period of delay, together with the possible penalties to which the conduct may be

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subject as provided for by these REGULATIONS ON THE PROFESSIONAL RELATIONSHIP BETWEEN THE IIT FOUNDATION AND ITS EMPLOYEES UNDER A NON-EXECUTIVE EMPLOYMENT CONTRACT.

Art. 46 - Equal opportunities and discrimination

1. The Foundation undertakes to guarantee equal treatment in the access to hiring and work, in employment and work conditions, in the access to all kinds and levels of professional orientation and training, without any distinction of race, ethnic origin, religion or belief, personal convictions, political opinions, membership in trade unions, nationality, gender, sexual orientation, marital status, age, handicap or disability.

2. With reference to paragraph 1 of this article, and also in light of the national and European laws in force, the Foundation acknowledges the need to launch adequate and suitable initiatives to counter any form of discrimination (direct or indirect), which may also be subject to disciplinary measures, as well as to prevent the occurrence of possible dangerous consequences for the physical and mental health of the employee involved and, more in general, to improve the quality and safety of the work environment, also in relation to leave for women victims of gender violence as provided for by the law.

Art. 47 – Mobbing

1. Mobbing is defined as a complex vexatious scheme put in place in the work context by the employer or by other employees against an employee. This conduct is characterised by forms of moral violence, harassment and psychological aggressions, acts, attitudes or behaviors, various and repeated over time in a systematic and habitual manner, having aggressive, disparaging and harassing connotations such to entail a deterioration of the working conditions and compromise the employee's health, professional skills or dignity within the office of belonging, or even such as to exclude the employee from the working context of reference.


2. In relation to paragraph 1 of this article, and also in light of the national and European laws in force, the Foundation acknowledges the need to launch adequate and suitable initiatives to counter the diffusion of such situations, which may also be subject to disciplinary – and possibly even criminal – measures, as well as to prevent the occurrence of possible dangerous consequences for the physical and mental health of the employee involved and, more in general, to improve the quality and safety of the work environment.

Art. 48 – Sexual harassment

1. Sexual harassment means a set of undesirable behaviours of sexual nature, expressed in a physical, verbal or non-verbal manner, having the purpose or effect of violating the dignity of an employee and of creating an intimidating, hostile, degrading, humiliating or offensive atmosphere.

2. With reference to paragraph 1 of this article, and also in light of the national and European laws in force, the Foundation acknowledges the need to launch adequate and suitable initiatives to counter the diffusion of such situations, which may also be subject to disciplinary – and possibly even criminal – measures, as well as to prevent the occurrence of possible dangerous consequences for the physical and mental health of the employee involved and, more in general, to improve the quality and safety of the work environment.

Art. 49 – Organisational Model pursuant to Italian Legislative Decree 231/2001 and Code of

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Conduct and Scientific Conduct

1. The Organisation, Management and Control Model pursuant to Italian Legislative Decree 231/2001 is provided such as to ensure an integrated system of controls and procedures aimed at minimising the risk of offences carried out in the work environment. It also represents an instrument for the internal and external communication of the Foundation's values and ethics.
2. Employees must know and observe the contents of the Organisation, Management and Control Model pursuant to Italian Legislative Decree 231/2001 and of the Code of Conduct and Scientific Conduct adopted. The violation of the provisions governed therein or, however, the adoption of behaviours not compliant with the provisions of the Model or of the Code of Conduct and Scientific Conduct may entail the implementation of disciplinary measures, including dismissal.
3. Employees must give prompt communication of possible future changes and also of that previously stated and self-certified, as well as the occurrence and/or termination of causes and/or situations of conflicts of interest also in compliance with that provided for by the Foundation's Code of Conduct and Scientific Conduct and by its Procedures for Managing Conflicts of Interest.


Art. 50 – Intellectual property

1. The Foundation's institutional purposes include the aim of promoting the technological development of the Country and fostering the transition of the national production system towards highly technological set-ups, by developing and enhancing knowledge, also in collaboration with enterprises, contributing to the generation of products, services and new industrial sectors strategic for national competitiveness. In this scope of action, IIT intends to promote the development and enhancement of intellectual property deriving from the results of the Institute's research, also fostering its use through assignments, licences and/or other forms of agreements permitting its commercial and/or industrial use.
2. Employees must know and observe, besides the Italian and European laws on industrial property, also that provided for by IIT's Regulations on Industrial Property. Violations of the provisions contained therein or, however, the adoption of behaviours not compliant with its provisions may entail the implementation of disciplinary measures, including dismissal.

Art. 51 – Disciplinary procedures and sanctions

1. Pursuant to Art. 7 of Law No. 300/1970, an employee's non-compliance may result, depending on the seriousness of the violation, in the Foundation's adoption of the following disciplinary measures:
 - a. a verbal warning;
 - b. a written warning;
 - c. a fine not exceeding an amount equal to 4 hours of the normal remuneration;
 - d. suspension from work and from remuneration for a period not exceeding 10 days;
 - e. dismissal.
2. The Foundation cannot apply any disciplinary measure against an employee, except for verbal reprimand, without previously presenting the offence in writing and hearing the defence arguments.

Disciplinary measures cannot be applied before 5 days have passed from the written notice of the charge that gave rise to them, during which employees may submit their defences in writing or verbally, as

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provided for by Art. 7 L. 300/1970.

Once said period of 5 days has passed, if the Foundation does not deem the employee's justifications to be valid, or if no justifications are given, it can impose a disciplinary sanction, notifying the employee involved thereof in writing and stating the relevant reasons.

Without prejudice to the right to resort to a judicial authority, the employee subjected to a disciplinary measure may promote, within the following 20 days, the establishment, through the competent Territorial Labour Office, a conciliation and arbitration panel, pursuant to Art. 7 L. 300/1970.

Disciplinary sanctions shall no longer be taken into account after 2 years from their implementation.

A disciplinary procedure may also be brought against employees hired under a fixed-term employment contract, even after the expiry of the contract, as well as against permanent employees, even if no longer working at the Foundation.

In accordance with the principles of progressiveness and proportionality of the sanctions in relation to the seriousness of the non-compliance, the type and entity of each sanction shall be determined on the basis of the following general and abstract criteria:

- a) intentionality of the behaviour, degree of the negligence, imprudence or inexperience displayed, also taking into account the possibility of foreseeing the event;
- b) relevance of the obligations violated;
- c) liabilities connected with the position held by the employee;
- d) entity of the damage – including to reputation – or degree of danger caused to the Foundation, to users, or to third parties, as well as of the disruption caused;
- e) existence of aggravating or mitigating circumstances, with particular regard to the employee's behaviour towards the Foundation, to the other employees and users, as well as with regard to any other disciplinary measures previously applied within the two years provided for by the law;
- f) participation in the violation of various employees in agreement between each other;
- g) conduct in contrast with the Foundation's Code of Conduct and Scientific Conduct;
- h) habitual behaviour.

3.Examples, without limitation, of disciplinary measures.

A) Verbal reprimand.


A verbal reprimand may be given to an employee for a minor violation.

B) Written reprimand.

This is a preliminary measure applied for violations of minor seriousness with respect to those described in the following points.

After three non-lapsed written reprimands, if the employee commits another violation, more serious sanctions shall be imposed, ranging from a fine to a dismissal.

C) Fine.

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A fine may be imposed on an employee, by way of example and by no means exhaustive, for:

- a. unjustified delay in starting work, for an amount equal to the amount withheld from the pay;
- b. unjustified absence not exceeding 1 day;
- c. failure to notify a change of domicile and/or residence;
- d. failure to submit certificates, if requested, in particular certificates of criminal records and pending proceedings.

The amount withheld for fines shall be entered in the Foundation's financial statements. The fine shall be detracted in its gross amount from the net pay owed and shall not reduce social- security and taxable incomes.

D) Suspension

Suspension from remuneration and from work may be imposed on an employee up to a maximum of 10 days in cases of, by way of example and by no means exhaustive:

- a. repeated non-compliance with working hours for over 3 times during a solar year;
- b. non-compliance with the provisions regarding the on-call service;
- c. unjustified absence for more than 1 day and not exceeding 3 days in a solar year;
- d. non-compliance with regulations and/or with the national and international laws on patents and intellectual property in general;
- e. non-compliance with accident-prevention measures or with the laws or regulations on safety and health protection in the workplace and with the relevant provisions issued by the Foundation, if said non-compliance results in minor damage to property and no damage to persons;
- f. having arrived at the workplace or having performed work in a drunken state or in an altered state due to the use of drugs;
- g. having carried out minor acts of disobedience against supervisors;
- h. having demonstrated an inappropriate, but not offensive behaviour towards third parties or colleagues;
- i. having refused to fulfill assigned tasks and/or given instructions.
- j. violation of the internal procedures concerning the use of the Foundation's assets, means and instruments;

The period of suspension intended as a disciplinary sanction shall not be counted for legal and economic advancements, for the severance pay and for the accrual of holidays, leave in replacement of missed national holidays and paid leave.

E) Dismissal.

The following conducts, by way of example and by no means exhaustive, may result in termination of the employment relationship with the Foundation pursuant to Art. 2119 of the Italian Civil Code:


- a. unjustified absence for more than 3 days in a solar year;
- b. repeated unjustified delays, beyond the fifth time in a solar year, after a formal written warning;
- c. abandoning own work point/station;
- d. serious negligence in the performance of works, orders or instructions of supervisors;
- e. non-compliance with accident-prevention measures, or with laws or regulations on safety and

health protection in the workplace, including health surveillance and PPE [Personal Protective Equipment], and with the relevant provisions issued by the Foundation, which may result in damage to personal integrity or to the safety of the assigned premises;

- f. serious or repeated disobedience demonstrated towards supervisors;
- g. particularly serious fights, insults, threats, brawls in the workplace;
- h. theft of property belonging to anyone in the workplace;
- i. activities carried out for the employee's own behalf or on behalf of third parties, except for the cases provided for by these REGULATIONS ON THE PROFESSIONAL RELATIONSHIP BETWEEN THE IIT FOUNDATION AND ITS EMPLOYEES UNDER A NON-EXECUTIVE EMPLOYMENT CONTRACT and/or by the individual employment contract;
- j. serious counterfeiting or false statements concerning documents submitted at the time of recruitment or circumstances declared or self-certified at the time of recruitment;
- k. actions in serious contrast with the Foundation's principles ;
- l. serious or repeated conduct damaging personal dignity, in particular harassment, including sexual harassment;
- m. serious or repeated violation of the obligations as mentioned under the articles of these Regulations;
- n. serious or repeated violation of the provisions contained in the Organisation, Management and Control Model pursuant to Italian Legislative Decree 231/2001 and in the Code of Conduct and Scientific Conduct;
- o. serious or repeated violation of the provisions contained in IIT's Regulations on Industrial Property, with particular regard to the internal policies on spin-offs and licences;
- p. abuse of trust, competition and/or violation of official secrecy;
- q. violation of laws on intellectual property and work carried out, in competition with the Foundation's activity, for the employee's own behalf or on behalf of third parties, even outside the working hours;
- r. irregularities related to attendance tracking;
- s. intentional damage to the Foundation's property or that of third parties;
- t. repetition of any conduct sanctioned with suspension, in particular repeated violation of laws and regulations on patents, publications and intellectual property;
- u. persistent insufficient performance, or acts or behaviours highlighting the employee's serious inefficiency in executing work duties, with respect to workloads, where assigned;
- v. concealment, by the person in charge of custody, control or surveillance, of facts and circumstances related to illegal use of, tampering with, improper use or appropriation of amounts of money or property belonging or entrusted to the Foundation;
- w. express or repeated refusal to be transferred based on valid work reasons when ordered to do so;
- x. execution of ascertained intentional crimes, with a final ruling, carried out while in service or not, such to make it impossible to continue the employment relationship;
- y. serious and repeated violation of laws and regulations governing access to the Foundation
- z. repeated behaviours already sanctioned with a reprimand, fine or suspension.
- aa. Violation of the internal procedures concerning the use of the Foundation's assets, means and instruments causing damage to persons or property

Art. 52 – Disciplinary measures for on-call unavailability

1. If it is impossible for employees to guarantee on-call availability, they must give prior and prompt relevant communication thereof to their Manager through a written notice indicating the reasons for the temporary and occasional limitation.

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2. Employees who, working on-call, cannot be contacted and/or who do not intervene in case of a call, without informing their manager and without requesting substitution in case of impediments that have occurred due to force majeure after their manager's office hours, shall be subject to disciplinary sanctions.

3. The Foundation shall adopt disciplinary measures in the presence of omitted communication concerning the impossibility to guarantee the on-call service – without providing justified reasons – and in the presence of unanswered call.

4. The entity of the disciplinary sanction to be imposed shall be defined on the basis of the entity of the non-compliance and of the relevant circumstances.

Art. 53 – Relationship between disciplinary procedure and criminal proceedings

1. Should serious criminal offences be committed at work, the Foundation shall launch a disciplinary procedure and file a criminal report with the competent Authorities. The Foundation may suspend the disciplinary procedure until the final ruling if the ascertainment of the conducts charged depends on the outcomes of the criminal proceedings. Similar suspension may also be implemented should an obligation to file a criminal report emerge in the course of a disciplinary procedure already launched.

2. Outside the cases referred to in the previous paragraph, whenever the Foundation is informed of the existence of criminal proceedings against an employee for the same facts, object of the disciplinary procedure, the latter may be suspended until the final ruling.

3. A disciplinary procedure suspended pursuant to this article shall be resumed within 180 days from the date on which the Foundation is notified of the final ruling, and must be completed within 120 days from the mentioned resumption.

4. If besides the conducts to be ascertained in the criminal proceedings, the employee is also charged with other independent violations, the disciplinary procedure shall continue with regard to these distinct violations, remaining suspended only for the facts to be ascertained in the criminal proceedings.

Art. 54 – Precautionary suspension during a disciplinary procedure


1. If the Foundation deems it necessary to investigate during the disciplinary procedure the facts for which the employee has been charged for disciplinary offences punishable with a sanction not inferior to a suspension from work and from remuneration, it may order for the employee to be removed from the workplace for a period not exceeding thirty days, maintaining the right to remuneration.

2. When the disciplinary procedure ends with the disciplinary sanction of suspension from work and from remuneration, the period of precautionary removal must be counted in the sanction, without prejudice to the loss of remuneration limited to the actual days of suspension imposed.

3. The period of precautionary removal, excluding the period counted as suspension from work, may be taken into account for the purposes of service seniority.


Art. 55 – Precautionary suspension during criminal proceedings

1. Employees subject to restrictive measures on personal freedom may be suspended from work *ex officio*, with loss of remuneration throughout the period of imprisonment or, however, during the

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condition of restriction on freedom.

2. Employees may be suspended from work with loss of remuneration even if subjected to criminal proceedings that do not entail a restriction on personal freedom, if they have been committed to trial for facts directly related to the employment relationship or however such as to entail, where ascertained, implementation of the disciplinary sanction of dismissal, provided that the known circumstances do not permit defining of the disciplinary procedure immediately.

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IV. TERMINATION OF THE EMPLOYMENT RELATIONSHIP

Art. 56 – Termination of the employment relationship

1. In cases of termination of a permanent employment relationship due to the employee's resignation, the latter must inform the Foundation in writing, observing the terms of notice as mentioned under Art. 57 below, with the exception of termination due to good cause. The provisions contained in art. 2096 paragraph 3 of the Italian Civil Code apply to any employee during their probationary period.
2. In cases of termination of a permanent employment relationship upon the Foundation's initiative, the latter must specify the relevant reasons in writing and observe the terms of notice as mentioned under Art. 57 below, with the exception of termination due to good cause.

Art. 57 – Terms of notice

1. Without prejudice to the case of termination due to good cause, for employees not in their probationary period, the terms of notice for dismissal are as follows, to be calculated starting from the first or sixteenth day of each month:
 - Middle-ranking Managers and 1st level: 120 calendar days
 - 2nd and 3rd level: 60 calendar days
2. In case of the employee's resignation, the above-mentioned periods shall be reduced to a half.
3. During the period of notice, employees may request and be authorised to make use of residual holidays to which they may be entitled, provided this is compatible with the Foundation's organisational and production needs.
4. The withdrawing party however has the right to substitute the period of notice in all or in part with the payment of the relevant substitutive indemnity, causing the immediate termination of the employment relationship.

Art. 58 – Severance pay

1. In any case of termination of the employment relationship, employees have the right to severance pay, determined pursuant to Art. 2120 of the Italian Civil Code.
2. Pursuant to Art. 2120, par. 2, of the Italian Civil Code, all other amounts paid on an occasional and non-continuous basis, including the following amounts, are included in the calculation basis of the termination indemnity, including but not limited to:
 - expense refunds;
 - amounts occasionally granted as "*una-tantum*," non-contractual extraordinary bonuses, and similar payments;
 - indemnities as mentioned under the previous Art. 38
 - compensations for overtime work and work on holidays;
 - indemnity in lieu of notice;
 - indemnity in lieu of holidays not taken;

- on-call indemnity
- variable remuneration as mentioned under Art. 37, par. 2
- possible taxes paid by the Foundation into integrative or complementary pension schemes;
- payments in kind, when a consideration is to be paid by employees.

V. STAFF TRAINING AND ENHANCEMENT

Art. 59 – Fostering of employability and self-employment of the scientific and support staff

1. In order to foster employability in the labour market and, at the same time, to make staff recruitment easier, the Foundation encourages the constant exchange of information on the opportunities existing in the labor market.

2. In order to foster self-employment, professional development and the implementation of innovations generated by research, the Foundation, compatibly with its organisational and production needs:


- a) may grant periods of unpaid leave with the right to maintain the same job position held, as provided for in these REGULATIONS ON THE PROFESSIONAL RELATIONSHIP BETWEEN THE IIT FOUNDATION AND ITS EMPLOYEES UNDER A NON-EXECUTIVE EMPLOYMENT CONTRACT;
- b) fosters access to part-time employment relationships that permit the experimentation of the innovations identified, or the activities of support and technical and administrative support;
- c) supports the start-up of new activities through agreements with credit institutes and public subjects aimed at facilitating access to credit for the researchers involved;
- d) upon returning to work, it enhances the skills acquired during the individual experiences.

3. Employees wishing to participate in Spin-Offs/Companies in phase of establishment or those already established,¹ or intending to devote part of their time to industrial activities addressed to enterprises already consolidated provided these are relevant to the applicant's scientific field, may request one of the following three regime modes consistently with the process governed by the Policy for the Promotion of Spin-Offs. The Foundation shall evaluate the requests on the basis of its organisational needs and shall decide whether or not to accept the requests received, possibly modifying their content.

- a) If the employee's involvement in the Spin-Offs/Companies in phase of establishment or already established, or in enterprises already consolidated provided these are relevant within the applicant's scientific field, is more than 80% of the contractual working activity, the employee can ask to be granted unpaid leave (Industrial "Leave of Absence"). The authorisation can be granted for no more than 3 years.
- b) If the employee intends to carry out activities at Spin-Offs/Companies in phase of establishment

¹ A Company in phase of establishment or established means technological Enterprises under establishment or already operating, innovative start-ups, including those mentioned under Art. 25 of decree-law No. 179 of 18 October 2012, converted, with amendments, by Law No. 221 of 17 December 2012, and following amendments, and other Companies, with public and private subjects, Italian and international, operating in the sectors functional for achieving IIT's goals, also aimed at the realisation of projects in highly strategic technological sectors.

Spin-Offs mean Companies that are newly established that, falling within the broader set of Companies in phase of establishment or established, base their activity, in all or in part, on know-how developed within the scope of the research carried out by IIT. A Spin-off can be promoted by IIT's staff, and has the aim of developing, producing and commercialise goods and services deriving from the outcomes of IIT's research

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or already established, or in enterprises already consolidated provided these are relevant within the applicant's scientific field, for a commitment above 20% and up to a maximum of 80% of the working activity established contractually, they may request modification of the work relationship with the consequent adoption of a part-time regime and consequent pay reduction in a proportional manner. The authorisation can be granted for no more than 3 years.

- c) If the employee's involvement does not exceed 20% of their working capability, a specific authorization can be requested for participating in the Spin-Off Company in phase of establishment or already established, or in enterprises already consolidated provided these are relevant within the applicant's scientific field, without the need to modify the existing employment relationship.

The authorisation may be granted for a period not exceeding 3 years.

Art. 60 – Promotion of research and inventions

1. Among its institutional purposes, the Foundation aims to promote the technological development of the Country, fostering the transition of the national production system towards highly technological set-ups, by developing and enhancing knowledge, also in collaboration with enterprises, contributing to the generation of products, services and new industrial sectors strategic for national competitiveness.

2. In this context, the Foundation promotes the development and enhancement of intellectual property deriving from the outcomes of the Institute's research, also fostering its use through assignments, licences and/or other forms of arrangements permitting its commercial and/or industrial use.

3. All rights deriving from the results of research, inventions, patents and publications are governed by IIT's Regulations on industrial property, which employees must know and undertake to observe.


Art. 61 – Researchers' Regulations and freedom to carry out research

1. Within the framework of its scientific and technological activity, of its institutional tasks and relevant organisational set-ups, the Foundation acknowledges the autonomy of researchers in carrying out research activity, either individually or within the various work teams.

2. The Foundation may authorise an employed researcher to carry out research for other Entities or Institutions, within the limits of and in compliance with the internal regulations in force.

3. In order to implement that provided for by paragraph 1, the Foundation and its researchers, in compliance with the Recommendation 2005/251/EC, whereby the European Commission issued the "European Charter of Researchers" and the "Code of Conduct for the Recruitment of Researchers", enhance and undertake to implement the principles contained therein regarding the recognition of the profession, non-discrimination, research environment, gender balance, independent evaluation system and participation in decision-making bodies.

4- The activity carried out by researchers at other Entities or institutions in the course of the employment relationship with the Foundation is governed by the provisions contained in the Foundation's Human Resources Policy and Regulations.

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VI. FORMS OF REPRESENTATION

Art. 62 – Freedom of representation and assembly

1. Without prejudice to the provisions of the law, the Foundation recognises the right of employees, or rather of employee delegates organised in a dedicated Employee Representative Body, to publish on dedicated spaces that are accessible to everyone communications, publications and texts relating to matters of common interest that are not propagandistic or political, and in any case on the condition that such communications are not in conflict with the law, the protection of privacy and ordinary decency.

The maximum number of delegates comprising the Employee Representative Body is calculated as follows:

- a) 3 delegates for up to 300 employees;
- b) 3 additional delegates for every 300 or fraction of 300 employees over those specified in a), up to a total of 3000 employees.

The total number of delegates can under no circumstances be fewer than 3.


2. Employees have the right to assemble in the production site where they work, outside working hours, as well as during working hours for a total of 10 paid hours annually. The date and time of assemblies must generally be communicated to the Human Capital and Organization Directorate with a minimum of 48 hours' notice. The total number of hours permitted must be used up by 31 December of each year and cannot be carried over or replaced by allowances.

All employees furthermore have the right to communicate via corporate email on matters relating to employment and the Representative Body.

3. The names of the delegates specified in point 1 of this article shall be communicated to the Human Capital and Organization Directorate in writing together with an indication of the period of validity of said role.

4. The delegates specified in point 3 of this article are granted their rights under the provisions of Title III of Italian law n. 300/1970 (Workers' Statute) for the performance of the activities pursuant to their elective office, which include:

- a) the right to summon employee meetings regarding matters of interest to the Representative Body and matters of employment, within IIT premises outside working hours, as well as during working hours for a total of 10 paid hours annually.
- b) the right to 8 hours paid leave per month for each member of the Employee Representative Body. These allocated hours must be used up by 31 December of each year and cannot be carried over to the following year or replaced by allowances.
- c) the right to 8 days unpaid leave per year for each member of the Employee Representative Body. This

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allocated leave must be used up by 31 December of each year and cannot be carried over to the following year.

d) the right to publish communications, publications and texts relating to matters of interest to the Representative Body and to matters of employment on dedicated spaces, which the Foundation is obliged to set up in each site in areas accessible to all workers and not shared with other organisations.

e) the right to a suitable common area which the Foundation shall make permanently available to the Employee Representative Body for the performance of its duties.

In order to participate in the meetings specified in points 2 and 4 of this Article, delegates whose place of work is not Genoa are entitled to reimbursement of mission expenses, in accordance with internal rules and current law, for a maximum of 5 trips every calendar year.

5. The delegates specified in point 3 of this article have the right to take advantage of an additional 32 hours for visits and assemblies to be held at the Foundation's network centres in Italy, provided that none of the delegates have their regular place of work at the centre in question. The Foundation will bear the costs incurred for travel, food and accommodation for the purposes specified in this paragraph. The total number of hours permitted must be used up by 31 December of each year and cannot be carried over to the following year or replaced by allowances.

Art. 63 – Procedure for the election of Representatives

1. A special Electoral Commission is set up in order to ensure that the consultation is carried out in a correct and orderly manner. The operations carried out by employees belonging to the Electoral Commission are of general interest. Therefore, the time dedicated to election operations, including the day before voting and the day after polls are closed, is considered as equal to working activity. Operations that take place outside working hours are to be paid.

2. The operations carried out by employees as scrutineers and polling centre chairperson are of general interest. Therefore, the time dedicated to election operations, including the day before voting and the day after polls are closed, is considered as equal to working activity. Operations that take place outside working hours are to be paid.

3. The Foundation will provide the Electoral Commission with a list of employees, subdivided by site, that are entitled to vote, as well as space, materials and anything else necessary in order to allow elections to be carried out correctly, including the means for sending the relative centres voting slips required to allow voters the right to vote.

4. On completion of electoral operations, the Electoral Commission will seal all material (excluding minutes) sent from the polling centres following final validation of the Employee Representative Body and said material will be held on agreement between the Electoral Commission and the Human Capital and Organization Directorate, in order to guarantee its integrity, for a period of at least three months. The material will then be destroyed in the presence of a delegate from the Electoral Commission and a delegate from the Human Capital and Organization Directorate.