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Italy: Employees obligation to undertake training

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Italy

Phase:

Anticipation

Type:

Employees obligation to undertake training

Last modified: 30 September, 2019

Native name:

Decreto legislativo 14 settembre 2015, n. 150, Disposizioni per il riordino della normativa in materia di servizi per il lavoro e di politiche attive; Decreto legge 28 gennaio 2019, n. 4, Disposizioni urgenti in materia di reddito di cittadinanza e di pensioni

English name:

Legislative Decree 14 September 2015, no. 150, Provisions for the reorganisation of rules on employment services and active labour market policies; Decree law 28 January 2019, n. 4, Urgent provisions concerning citizenship income and pensions

Article

Legislative Decree no. 150/2015, articles 20, 21, 22, 25; Decree law no. 4/2019, articles 4, 7

Description

In Italy, employees' obligation to undertake training is connected to the reception of social shock absorber instruments, both within a still existing employment relationship (that is the Ordinary Wage Guarantee Fund, Cassa integrazione guadagni ordinaria, CIGO; the Extraordinary Wage Guarantee Fund (Cassa integrazione guadagni straordinaria, CIGS); solidarity contracts; solidarity funds) and in case of unemployment (NaSPI and citizenship income).

According to Legislative Decree n. 150/2015, orientation activities are available to workers suspended from the work activity and beneficiary of an income support instrument within a still existing employment relationship or to the unemployed beneficiary of the New Social Insurance for Employment (NASpl). These activities are defined by the public employment centres in a personalised pact, which might also include training activities. Beneficiaries could lose the right to the benefit if they do not attend orientation initiatives without a justified reason. Failure to comply with these obligations entails proportional sanctions, ranging from the deduction of a fraction or an entire month of the benefit, up to the lapse of the same.

According to Decree law n. 4/2019, within 30 days of the recognition of the benefit, the beneficiaries of the citizenship income which are able to work are summoned by the public employment centres to stipulate an employment pact, i.e. a personalised programme aiming at reintroducing the beneficiary into the labour market. The employment pact might also include professional requalification and completion of studies. The beneficiary must abide with the commitments set forth in the employment pact, under penalty of revocation of the benefit.

Comments

Since 2012 (law 92/2012), the legislator made conditionalities applying to recipients of social shock absorber instruments more rigid. However, some critical opinions have pointed out that employment services (both public and private), which should be in charge of providing personalised training programmes aiming at reintroducing people into the labour market, are largely ineffective in Italy.

Cost covered by

National government




Involved actors other than national government

Public employment service

Thresholds

No, applicable in all circumstances

Sources

-  [Legislative Decree 14 September 2015, no. 150](#)
-  [Decree law 28 January 2019, no. 4](#)
-  F. Carinci, R. De Luca Tamajo, P. Tosi, T. Treu, 2016, Diritto del lavoro, Volume II. Il rapporto di lavoro subordinato, Utet;

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