

newsletter
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**REGULATION
AND PRACTICE**



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CONSULENZA
DEL LAVORO E FISCALE

Long-distance control of employees – clarifications on the effectiveness of trade union agreements

The national labor inspective authority provides clarifications on the effectiveness of trade union agreements on the long-distance control of employees and on the subjects authorized to sign them, pursuant to art. 4, Law no. 300/1970 and art. 8, Law Decree no. 138/2011.

The message clears doubts connected with the diversity of subjects who are entitled to sign the agreement for the installation of control devices (internal trade unions – RSU or RSA) and subjects involved in negotiations pursuant to art. 8, Law Decree no. 138/2011 and, consequently, with the harmonization of different regulations on the same topic.

This latest regulation, while giving the status of interlocutors to “trade union representatives active within the company”, has also reserved local collective bargaining to the most representative unions on the national or local territory for the subscription of local agreements.

The authority has explained that art. 8 of Law Decree no. 138/2011 finds its application only for certain purposes, such as the increase of occupation, the quality of employment contracts, the adoption of systems for the participation of workers to company management, salary increases etc.

Therefore, in the lack of these requisites, art. 4 of Law no. 300/1970 is always applicable.

Professional apprenticeship and incentives for new hires – clarifications from INPS

With message no. 2243 of March 31, 2017, INPS provides instructions about the social contribution form to be applied upon the hire with a professional apprenticeship contract, without age limits, of recipients of mobility or unemployment treatments.

INPS first reminds that art. 47, c. 4 of Legislative Decree no. 81/2015 contemplates the possibility of hiring, with a professional apprenticeship contract and without age limits, the aforementioned subjects.

The social contribution regimen applicable to the above categories is the same applicable for “normal” professional apprentices, without prejudice to exceptions explicitly provided by law.

INPS also informs that, with the purpose of improving its control procedures, a new codification form for professional apprenticeship hires will be introduced next month.

Leaves for disabled employees: procedure updated for civil unions and unmarried couples

INPS, with message no. 2545 of June 20, 2017, informs that the following procedures have been implemented:

- acquisition of leave requests, pursuant to Law no. 104/1992, with the possibility of processing leave requests for the assistance of a member of a civil union or de facto unmarried couples with a severe disability;
- acquisition of extraordinary, long-term leave requests for the assistance of a person under the same conditions described above.

Previndai – instructions for enrollment

Previndai, with a note of June 16th, 2017, informs that, since June 1st 2017, new procedures for the enrollment to pension funds are effective.

In order to facilitate companies in the performance of necessary procedures, Previndai has written the document *“Adesione a Previndai - Vademecum per il datore di lavoro”*, available in section *“Aziende/Studi - Adesione dirigente”* of their institutional website.

Reduced social contribution for the hire of employees with an apprenticeship contract for professional qualification, diploma and certificate of superior technical specialization

INPS, with message no. 2499 of June 16, 2017, provides operational instructions for the management of reduced social contribution (art. 32 of Legislative Decree no. 150/2015), for the hire of employees with an apprenticeship contract for professional qualification, diploma and certificate of superior technical specialization. The message specifies contribution codes to be used for the Uniemens data flow from July 2017 onwards.