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EUROPEAN SOCIAL CHARTER

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submitted by

THE GOVERNMENT OF ITALY
Articles 2, 3, 4, 5, 6, and 20

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CYCLE 2026

Article 2 -*The right to just conditions of work*

Questions:

Article 2§1 Reasonable daily and weekly working hours

a. Please provide information on occupations, if any, where weekly working hours can exceed 60 hours or more, by law, collective agreements or other means, including:

• information on the exact number of weekly hours that persons in these occupations can work;

• information on any safeguards which exist in order to protect the health and safety of the worker, where workers work more than 60 hours.

In the previous report issued by the Italian Government regarding this Article (2021), it was stated that, under national legislation, working hours are regulated by Legislative Decree no. 66 of 8 April 2003, which transposes Directive 2003/88/EC.

Pursuant to Article 3 ("*Normal working hours*") of the aforementioned decree, are set at **40 hours per week** (paragraph 1), although collective labour agreements may establish, for contractual purposes, a shorter duration and may determine normal working hours with reference to the average duration of work performed over a reference period not exceeding one year (paragraph 2).

In addition, pursuant to Article 4 ("*Maximum weekly working hours*"), the **average duration** of working hours, including overtime, **may not exceed 48 hours per week**, calculated over a reference period not exceeding four months (paragraph 2). Such a reference period may be extended to six months, or up to twelve months for objective, technical or work organisation-related reasons specified in the relevant collective agreements (paragraph 4).

However, certain categories of workers are subject to exceptions to the 48-hour limit, whose working hours, due to the nature of the work, are not fixed or predetermined or can be determined by the workers themselves. These exceptions are listed in Article 17 ("*Derogations on daily rest, breaks, night work, maximum weekly working hours*"), paragraph 5 of the same decree, and include, in particular:

- executives, managerial staff, or other personnel with autonomous decision-making power;
- family-run business;
- workers in liturgical roles within churches and religious communities;
- work performed in the context of home-based employment or teleworking.

Furthermore, pursuant to Article 2 ("*Scope*"), the provisions of Legislative Decree no. 66/2003 *do not apply to seafarers, civil aviation flight personnel, mobile workers, school personnel, members of the police and armed forces, municipal and provincial police personnel*, or private security service personnel, in relation to the specific nature and purpose of their respective activities.

For these categories, working hours are *regulated by specific sectoral legislation*. However, under ordinary circumstances, these regulations do not allow exceeding the limit of 60 hours per week (for flight personnel: Article 3 of Legislative Decree no. 185 of 19 August 2005, "*Implementation of Directive 2000/79/EC on the European Agreement on the organisation of the working time of civil aviation flight personnel"*; Article 4 of Legislative Decree no. 234 of 19 November 2007, *"Implementation of Directive 2002/15/EC on the organisation of the working time of persons performing mobile road transport activities";* Article 131 of Legislative Decree no. 297 of 16 April 1994, *"Approval of the consolidated text of the legislative provisions in force on education, relating to schools of all types and levels").* An exception in this regard is the working hours regime applicable to **seafarers**, established by Article 11, paragraph 2, of Legislative Decree no. 271 of 27 July 1999, "*Adaptation of the regulation on the safety and health of*

seafarers on board national merchant fishing vessels, in accordance with Law no. 485 of 31 December 1998" (as amended by Article 3 of Legislative Decree no. 108 of 27 May 2005 [1]), according to which the maximum weekly working hours are set at 72.

Even for workers not included in the aforementioned sectors, it is possible to temporarily exceed 48 hours per week in the case of overtime (defined as hours worked beyond the 40 hours per week or above the lower limit established by collective bargaining), performed under a multi-period working time arrangement that allows more than 48 hours in some weeks, provided that the average calculated over 4 months (or over the reference period specified in the contract) does not exceed 48 hours. Therefore, if the 48-hour limit is exceeded, there will be other weeks in which the hours worked must be significantly reduced to comply with the legal average limits.

Overtime work is also subject to specific annual limits usually defined by collective labour agreements. In the absence of specific provisions under collective bargaining, the law sets this threshold at a maximum of 250 hours per year.

According to Legislative Decree no. 66/2003, weekly working hours, considering mandatory rest periods, can never in any case exceed 77 hours. Indeed, the week consists of 168 hours (24 hours for 7 days), from which must be subtracted the 24 hours of weekly rest, 66 hours of daily rest (11 hours for 6 days) and one hour corresponding to the total of minimum daily breaks (10 minutes for 6 days).

On this point, it should be noted that, although working hours are largely subject to collective bargaining, the mandatory legal constraints established by Legislative Decree no. 66/2003, which transposed Directive 2003/88/EC at the national level, remain in force. Furthermore, this matter is specifically subject to oversight by the supervisory authorities, including labour inspectorates and National Institute for Social Security (INPS). For all practical purposes, reference is made to the National Archive of Collective Labour Agreements established at the National Council for Economics and Labour (CNEL) for the purpose of any necessary overview: https://www.cnel.it/Archivio-Contratti-Collettivi/Archivio-Nazionale-dei-contratti-e-degli-accordi-collettivi-di-lavoro.

In some sectors, due to on-call duty arrangements, shift work, overtime or specific exemptions, working hours may temporarily exceed 60 hours per week, provided that the average working time is calculated over a multi-month period. In this regard, by way of example, reference is made to the provisions of the National Collective Labour Agreement (CCNL) for Logistics, Freight Transport and Shipping, signed on 6 December 2024 and valid for the period 01/04/2024-31/12/2027, concerning the discontinuous duties of travelling personnel (Article 70, paragraph 2). Pursuant to the aforementioned article, "*companies may implement weekly working hours under a flexible regime consisting of working weeks ranging from 24 to 48 hours, without any payment of overtime premiums, provided that the average of 40 hours per week is not exceeded*".

With regard to **existing safeguard measures for the protection of workers' health and safety**, it should be noted that the aforementioned Article 17, paragraph 5, of Legislative Decree no. 66 of 2003, in excluding certain categories of workers from the application of the maximum weekly working hours of 48 hours (Article 4), refers to compliance with the general principles for the protection of workers' safety and health.

On this point, it is appropriate to clarify that the principles for the protection of workers' safety and health,

[1] "Implementation of Directive 1999/63/EC on the Agreement concerning the organisation of seafarers' working time, concluded by the European Community Shipowners' Associations (ECSA) and the Federation of Transport Workers' Unions of the European Union (FST)."

referred to in Article 17, are considered adequate to ensure proper protection, as they are fully detailed and set out in the Consolidated Law on Workplace Safety (Legislative Decree no. 81 of 9 April 2008), which also applies in full to sectors **excluded** from the limits of maximum weekly working hours.

Legislative Decree no. 81/2008 contains general principles of protection that apply to all sectors of activity, both private and public, and to all types of risk (Article 3, paragraph 1). It establishes that employers must ensure a healthy and safe working environment for their employees, preventing work-related accidents and occupational diseases. This includes risk assessment, employee training, and the implementation of preventive and protective measures, in line with the fundamental right to health enshrined in the Constitution of the Italian Republic. Decent working conditions are thus directly linked to safeguarding workers' physical and mental health by minimising risks.

Some of the fundamental principles outlined above are recalled below:

- **accident prevention**: employers must take all necessary measures to prevent workplace accidents. This entails appropriate training, the use of safety equipment, and the assessment of risks associated with work activities. In particular, Article 15 ("*General protection measures*"), paragraph 1, letter a) includes "*the planning of prevention, aimed at a system that coherently integrates the company's technical production conditions as well as the influence of environmental factors and work organisation into prevention*", while letter d) establishes "*compliance with ergonomic principles in the organisation of work, in the design of workplaces, in the choice of equipment and in the definition of work and production methods, particularly to reduce the health impacts of monotonous and repetitive work*";
- **decent working conditions**: even if some provisions on working hours may be subject to exceptions, workers must still operate in conditions that respect their dignity and fundamental rights. This implies reasonable working hours, adequate breaks and working conditions that do not compromise workers' health, as well as the strict prohibition on exceeding the legally established working hours;
- **monitoring and risk assessment**: continuous monitoring of working conditions, as well as periodic assessment of both workers' health status (Article 41 "*Health surveillance*") and associated risks, to ensure that safety measures are effective and up to date.

This process, aimed at promoting the effectiveness of occupational health and safety, involves both employers and workers (Articles 17, 28 and 29 of the Consolidated Law).

In summary, the general principles for the protection of workers' safety and health, referred to in Article 17 of Legislative Decree no. 66 of 2003, ensure that all workers are adequately protected and promote a safe and healthy working environment for everyone, alongside the supervisory activities carried out by the national labour and social security inspectorates.

It should also be noted that Legislative Decree no. 104 of 27 June 2022 transposed Directive (EU) 1152/2019 on transparent and predictable working conditions into national law, which requires employers to provide, before the start of employment, information including the scheduling of working hours and any conditions relating to overtime and its remuneration.

b. Please provide information on the weekly working hours of seafarers.

As noted above, the **weekly working hours of seafarers** are regulated by Legislative Decree no. 271/1999, as subsequently amended by Article 3 of Legislative Decree no. 108/2005. It is also appropriate to mention Article 16-bis of the CCNL for Seafarers of 1 July 2015, which provides for a rest period of no less than 10 hours in any 24-hour period and 77 hours in any 7-day period, according to current regulation. The CCNL, concluded by Confitarma and the seafarers' trade unions, was most recently renewed on 11 July 2024 and is valid for the period from 1 July 2024 to 31 December 2026.

As there have been no changes compared to the situation already described in the previous report of the Italian Government, submitted in 2021 and to which reference is made, there are no further updates to report.

c. Please provide information on how inactive on-call periods are treated in terms of work or rest time.

With regard to the economic and regulatory treatment of **inactive on-call periods**, reference should be made to the previous report of the Italian government, as there have been no changes to the current legislation. In the 2021 report, it was noted that in Italy, following the implementation of the Simap/Jaeger judgement of 9 September 2003 (Case C-151/02) of the European Court of Justice by both case law and collective bargaining, the concepts of *on-call duty* and *stand-by duty* were defined. When the worker is not at the workplace but is on the so-called on-call duty – meaning the worker is free to engage in other activities without being required to be physically present at a location specified by the employer – the on-call period is not considered working time. In this case, only the duration of the work actually performed as a result of a call from the employer is counted as working time. By contrast, the so-called *stand-by duty* is fully considered as working time, as it requires the physical presence of the worker at the workplace or at another location designated by the employer, since it significantly restricts the worker's freedom to use their time and must therefore be remunerated.

Article 3 ***The right to safe and healthy working conditions***

Questions:

Article 3, paragraph 1 Safe and healthy working conditions

Please provide information on the content and implementation of national policies on psychosocial or new and emerging risks, including:

- ***in the gig or platform economy;***
- ***as regards telework;***
- ***in jobs requiring intense attention or high performance;***
- ***in jobs related to stress or traumatic situations at work;***
- ***in jobs affected by climate change risks.***

✓ **Psychosocial and emerging risks**

In recent years, the world of work has undergone profound transformations. In line with European priorities, Italy has recognised the management of psychosocial risks as an increasing challenge. Digitalisation, the pandemic, international conflicts and climate change pose new challenges and emerging risks that must be addressed.

Work and workplaces continuously evolve due to the introduction of new technologies and work processes, changes in the structure of the workforce and the labour markets, as well as new forms of employment and work organisation.

This is confirmed by the results of the fourth European Surveys of Enterprises on New and Emerging Risks (ESENER) conducted by the European Agency for Safety and Health at Work (EU-OSHA). The survey, which involved over 41,000 workplaces, identified prolonged sitting, managing difficult clients and digitalisation among the principal emerging workplace risks in Europe. It also highlighted the limited number of organisations that integrate psychosocial risks into their assessments, highlighting the extent to which these risks are underestimated.

Acknowledging the ongoing changes, the European Union Strategic Framework on Health and Safety at Work 2021-2027 called for cooperation between Member States and social partners to anticipate emerging risks related to changes in the world of work, placing psychosocial risks among the top priorities.

The Ministry of Labour and Social Policies, together with INAIL (National Institute for Insurance against Accidents at Work) and INL (National Labour Inspectorate), considers the promotion of a health and safety culture as a fundamental pillar for the prevention of accidents at work. Therefore, through targeted initiatives, the Ministry aims to raise awareness among workers and employers about the importance of adopting responsible behaviour and implementing effective preventive measures. On 17 December 2024, **the Integrated Plan for Workplace Health and Safety** was adopted by Ministerial Decree no. 195 of the Minister of Labour and Social Policies, **effective from 1 January 2025 to 31 December 2025**, which aims at: 1) raise awareness and provide training for young people and workers; 2) support companies; 3) strengthen protections in the workplace; 4) implement targeted and coordinated inspections.

In Italy, **Legislative Decree no. 81 of 9 April 2008** (https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legislativo:2008-04-09;81!vig=) – the primary regulatory framework for the protection of health and safety at work – has promoted the assessment and management of psychosocial risks. It does so by adopting the World Health Organisation's concept of health, as a "*state*

of complete physical, mental and social well-being and not merely the absence of disease or infirmity", on the other hand, establishing in Article 28 (Subject of the risk assessment) *the employer's obligation to assess all risks to health and safety at work, including those related to work-related stress (WRS)* according to the contents of the European Framework Agreement on WRS of 8 October 2004[2].

In this regard, in 2010 the Permanent Consultative Commission for health and safety at work, referred to in Article 6 of Legislative Decree no. 81/08, has developed specific indications on risk assessment. In particular, the Commission document:

- identifies a methodological path that "*represents the minimum level of implementation of the obligation to assess the risk of work-related stress for all public and private employers"* and *"that allows a correct identification of work-related stress risk factors so that their identification leads to the planning and implementation of measures for their elimination, or wherever not possible, their reduction"*
- clarifies that "*the necessary activities must be carried out with reference to all workers, including executives and supervisors. The evaluation does not take into consideration individual workers, but homogeneous groups of workers..."*
- outlines an articulation in two phases, "one necessary" (preliminary assessment), the other eventual, to be activated in the event that the preliminary one reveals elements of risk from work-related stress and the corrective measures adopted by the employer as a result prove to be ineffective.

In 2011[3], INAIL developed a methodological proposal (INAIL methodology) for the assessment and management of sustainable work-related stress, easy to use for companies, based on scientifically-based approaches and procedures.

A systematic path was therefore offered, the result of research experiences, which allows the employer, through the active involvement of all prevention and protection managers in the company, to manage the WRS risk in an integrated way, with a view to simplicity but, at the same time, methodological rigour, through the use of validated tools.

To support this, an online platform has also been developed, available on the institutional website that can be used by companies, subject to registration free of charge, with the dual objective of: 1) offering companies a virtual work environment, both for the use of assessment tools and for data processing, as well as for the drafting of related reports; 2) allowing the systematic collection of structured data useful both for monitoring and for the development and integration of tools on the basis of the research evidence.

INAIL's three-year plans for prevention and research activities 2025/2027 provide training and information initiatives relating to knowledge and management of psychosocial risks and the fight against the onset *of new risks also related to climate change and modern digital technologies*. Among the most significant initiatives are:

- Public Notice of funding for the implementation and provision of training and information projects with prevention content pursuant to Articles 9 and 10 of Legislative Decree no. 81/2008 and subsequent amendments. This Notice, published on 9 July 2024 with a financial allocation of € **24 million**, finances integrated training and information projects with a prevention content, with particular regard to actions for raising awareness on new and emerging risks aimed at those involved in prevention (workers, employers, Workers' Safety Representatives, Managers and Employees of Prevention and Protection Services). The Notice includes four thematic areas of particular relevance, including the Prevention of psychosocial risks, climate change and environmental/social sustainability and the new mobility risks.

[2] According to the Agreement, the object of the risk assessment, in addition to the potential objective signs of the presence of stress at work, are those aspects of work design, organisation and management related to the content and context of the work, on defined psychosocial risk factors.

[3] INAIL. Assessment and management of the risk of work-related stress: manual for use by companies in implementation of Legislative Decree no. 81/08 and subsequent amendments and additions 2011, IBN 978-88-7484-197-4.

- Publication of ISO 45003 standard "*Management of occupational health and safety – psychological health and safety at work*". This standard provides guidelines for the management of the psychosocial risk and the promotion of well-being at work, within an occupational health and safety (OSH) management system based on the UNI EN ISO 45001:2023+A1:2024 standard. The law emphasises the importance of evaluating, among the social factors at work, violence and harassment.

- Publication of the Brochure "Recognising for the prevention of the phenomena of harassment and violence in the workplace" published in 2021, which aims at providing information on how to recognise situations of violence and harassment in one's workplace, so that each worker, also by virtue of the role held in the organisation, becomes fully aware and takes action to recognise, counteract and prevent these phenomena, also through reports and communications.

- Publication Monograph "Risk assessment from a gender perspective" (first volume July 2024) which reports the results of the technical and statistical insights carried out and 13 support documents for risk assessment from a gender perspective. The aim is to support employers with easy-to-use tools for risk assessment and to give indications and guidance to workers.

- With Law no. 4 of 15 January 2021, Italy ratified ILO Convention no. 190 on the Elimination of Violence and Harassment in the world of work. In this regard, the ILO office in Italy, in collaboration with the University and the National Equality Counsellor, has drawn up a user manual in order to disseminate the contents of Convention no. 190 and Recommendation no. 206 (https://www.ilo.org/sites/default/files/2024-05/violenza_molestie_guida_convenzione_190.pdf)

- European Campaign "Safe and healthy work in the digital age" 2023-2025. As part of INAIL's initiatives on the prevention of psychosocial risks, the role played by INAIL within the European Agency for Safety and Health at Work - EU OSHA is significant, of which INAIL is the Focal Point for Italy. The campaign in question, launched in November 2023, seeks to create a safe and healthy digital future for companies and workers, starting from the opportunities and possible risks associated with technological evolution and the digital transition taking place in the world of work. The campaign is divided into five priorities:

- digital platform work;
- AI systems and automation of tasks;
- remote and hybrid work;
- smart digital systems;
- worker management through AI.

✓ **Gig economy** or **platform economy**

Digitalisation is profoundly redefining the global labour market, enabling new forms of production and distribution, the expansion of e-commerce and the emergence of fully digital professional ecosystems. According to the Eurostat 2023 report, in 2022, 68.1% of European citizens made online purchases, for a total volume of € 870 billion, and over one million EU companies operate through digital platforms. The exponential growth of the gig economy fits into this scenario, with more than 28 million digital platform workers in 2022 and a projection of 43 million by 2025, active in heterogeneous sectors, from logistics to specialised knowledge.

In the context of the digital economy, digital platform work has evolved rapidly, giving rise to very heterogeneous forms of employment. Widespread connectivity and the possibility of accessing computer workstations (e-mail accounts, IT platforms, company intranet) at any time have led to the occurrence,

among other things, of greater risks in terms of constant availability, extension of working hours as well as the overlapping of working and non-working hours.

In addition, there is a wide range of psycho-social risks arising from the increasing efficiency and autonomy of technological components. These are risks involving the need for continuous adaptation to progress, the lack of transparency of the algorithms, the functioning of the technological decision-making process and the greater difficulty of concentration. High exposure to all these risk factors can cause the so-called "*technostress*", the stress caused by the use of new technologies, especially information technology.

Like any other health and safety risk, the risks associated with the increasing digitalisation of the workplace are predictable and manageable. To this end, an inclusive approach based on human control should be at the heart of digital transformation, with artificial intelligence and digital technologies supporting, but not replacing, human decision-making, since technology must be put at the service of the person, not the person at the service of technology. Indeed, already on the occasion of the bilateral meetings on the sidelines of the G7 Meeting on Labour and Employment, the need for an Action Plan for the development and use of artificial intelligence was shared, taking into account that, also according to the European Economic and Social Committee, the principle of human control should be integrated into all regulations on artificial intelligence.

A first step in this direction is constituted by **Italian Law no. 132 of 23 September 2025 "*Provisions and delegations to the Government on artificial intelligence*", whose objective is to "*identify regulatory criteria capable of rebalancing the relationship between the opportunities offered by new technologies and the risks inevitably related to their improper use, to their underuse and their harmful use*".** The law in question - without overlapping with Regulation EU 2024/1689 of the European Parliament and of the Council of 13 June 2024, which establishes harmonised rules on artificial intelligence - aims at balancing opportunities and risks, providing for rules of principle and provisions that, on the one hand, promote the use of new technologies for the improvement of citizens' living conditions and social cohesion and, on the other hand, provide solutions for risk management based on an anthropocentric vision of society and work.

The law in question expressly states that artificial intelligence is "*used for improving working conditions, protecting the psycho-physical integrity of workers, increasing the quality of the work performance and productivity of people in compliance with the law of the European Union*".

In recent years, there has been a significant increase in research into prototypes of artificial intelligence technologies in employment, along with their introduction on the market and their use in the workplace. The European Agency for Safety and Health at Work (EU-OSHA) has published studies that take into account the introduction of advanced robotics systems in various industrial sectors, such as manufacturing and the automotive industry, mainly as tools for improving health and safety at work.

In this regard, a striking example of mitigation of ergonomic risks, as well as prevention of the onset of musculoskeletal disorders, is the use of exoskeletons, wearable robots that increase the physical capacity of the worker, offering support during the most physically demanding tasks, such as the manual lifting of heavy loads.

At the same time, however, the multiplicity of risks to the physical and mental health of workers that the use of AI systems could entail should not be underestimated. These include both the risks related to human-machine interaction - danger of collision - and those of a psychosocial nature, deriving from the pressure of having to keep up with what is predetermined by the algorithm. The employer, therefore, is required to assess and prevent these risks before the introduction of a new technology, in accordance with European and national legislation.

Precisely in order to maximise the benefits and limit the risks arising from the use of artificial intelligence systems in the workplace, the aforementioned law on artificial intelligence provides for the establishment, at the Ministry of Labor and Social Policies, of the Observatory on the adoption of artificial intelligence systems in the world of work.

The ultimate goal of the Observatory is to promote the training of workers and employers in artificial intelligence with an inclusive approach based on the idea that the control of the decision belongs to the human being, supported, but not replaced, by artificial intelligence.

The main obstacle of the Italian legislator to the OSH protection of digital platform workers concerns the difficulty of legally framing their employment relationship, which varies according to the type of digital platform and the activity carried out. Indeed, the protections and obligations of both the worker and the employer depend on the nature of the employment relationship, as well as measures to be adopted concerning health and safety at work.

As of 1 February 2020, the INAIL insurance coverage provided for employees is also extended to riders who work as self-employed workers, making deliveries of goods on behalf of others through digital platforms, with insurance obligations entirely borne by the company owning the platform.

It should also be noted that *Directive (EU) 2024/2831 of the European Parliament and of the Council of 23 October 2024 on improving working conditions in digital platform work* is being transposed. The deadline for transposing the Directive is 2 December 2026.

Currently, Italian legislation contains specific provisions on the work of platforms and riders in Legislative Decree no. 81/2015 and, with specific reference to transparency requirements, in Legislative Decree no. 104/2022. It should also be remembered that the relevant and copious case law on the subject has played a key role in recognising the nature of the employment relationship for many digital workers.

✓ **Remote work**

In **remote work**, the work environment is considered an extension of the company headquarters, with consequent responsibilities fully comparable to those of the traditional workplace. The worker carries out his or her duties in a fixed and previously agreed place, usually his or her home, and this entails the obligation for the employer to carry out a risk assessment of the workplace, also with the possibility of access to the premises by the company or the Head of the Protection and Prevention Service (RSPP), subject to the worker's consent. The workstation must comply with ergonomic and safety requirements, and the environment must be assessed according to the criteria provided for by Legislative Decree no. 81/2008.

On the other hand, as far as **smart working** is concerned, Legislative Decree no. 81/2008 does not dedicate a specific discipline to smart working, but its general provisions on protection of occupational health and safety are fully applicable to this mode of work as well, as expressly provided for by Law no. 81/2017, which in Article 22, paragraph 1, provides, in fact, that: "*The employer guarantees the health and safety of the worker who performs the service in smart working mode and, to this end, delivers to the worker and to the workers' safety representative, at least annually, a written disclosure in which the general risks and specific risks associated with the particular mode of execution of the employment relationship are identified*". In paragraph 2 it then specifies that: "*The worker is required to cooperate in the implementation of the prevention measures prepared by the employer to deal with the risks associated with the performance of the service outside the company premises*".

There are also risks that are difficult to assess in smart working mode, such as work-related stress and ergonomic risks. Additional risks are related to domestic accidents that can occur during work (slips, bumps, burns, etc.), as well as the often inadequate environmental conditions of the spaces used for working from home. Smart working, in fact, involves the prolonged use of electronic devices, often in improvised workstations, not designed according to ergonomic criteria. Lack of proper seating, small screens and poor lighting can lead to eye strain, neck and lower back pain, computer vision syndrome and musculoskeletal disorders.

The additions and amendments made to Law no. 81/2017 (https://www.gazzettaufficiale.it/eli/id/2017/06/13/17G00096/sg) in the post-pandemic period, together with the fact that smart working is no longer used residually or limited to specific sectors or

categories, have progressively entrusted national, company or territorial collective bargaining with the task of regulating this working method in a widespread way. As a result, collective bargaining, together with Law no. 81/2017, has become a privileged source for the regulation of smart working and teleworking.

Recently, INAIL has also developed a module contextualised to remote work and technological innovation within the aforementioned Methodology, including integrated assessment tools and specific resources. The opportunity to offer companies tools dedicated to remote work and technological innovation responds to a twofold need: on the one hand, to prevent potential emerging psychosocial risks, and on the other, to encourage the adequate implementation of these aspects, as elements of the organisation of work that can bring benefits to workers and companies, in terms of organisational well-being, innovation and productivity[4].

✓ **High-intensity jobs and Jobs related to stressful or traumatic situations at work**

With reference to high-intensity jobs and jobs with exposure to traumatic or stressful events, Legislative Decree no. 81 of 2008 imposes the obligation on the employer to assess and manage all health and safety risks and provides for targeted health surveillance and the adoption of specific organisational and training measures.

By way of example, it should be noted that, at the Directorate-General for Health and Safety of the Ministry of Labour, a technical working group has been set up with the participation of representatives of MIMIT (Ministry of Enterprises and Made in Italy), INAIL, INL and the Technical Coordination of the Regions, in order to investigate the problems related to the safe use of work equipment in these types of jobs. This group formulated a proposal for a ministerial circular that then merged into circular no. 7 of 12 September 2024, concerning "**Safety issues related to the use of elevating work platforms (EWPs)**".

Moreover, the aforementioned Directorate-General for Workplace Health and Safety initiated the procedure for updating the guidelines of the then ISPESL, issued in 2009, containing the "**Adaptation of agricultural machinery silage, mixing and/or shredding and distributing machines** to the safety requirements relating to the risks identified in the safeguard clause presented by Italy under the EN 703:1995 standard", by setting up a special technical working group.

Works are also in course in the working group - set up at the Directorate-General for Workplace Health and Safety - tasked with drawing up the decree referred to in Article 155, paragraph 3 of Legislative Decree no. 101 of 31 July 2020, which regulates protection against the dangers arising from **exposure to ionising radiation**. Article 155, in particular, deals with radiometric surveillance, i.e., the verification of the levels of radioactivity in the environment and on workers. The aforementioned paragraph 3 specifies that this surveillance must be carried out following the indications of Annex XIX to the aforementioned Legislative Decree no. 101/2020, which defines the radiometric surveillance execution methods, which must comply with good workmanship standards and the contents of the certification, that is, the document certifying the results of the surveillance.

With the transposition of Directive 2010/32/EU, Title X-bis "Protection from sharp injuries in the **hospital and healthcare sector**" was included in Legislative Decree no. 81/2008, and specifically Article 286-quinquies, according to which "[...] *the employer, in the risk assessment [...] must also identify [...], work-related psychosocial factors [...] to eliminate or reduce the occupational risks assessed*". INAIL has, consequently, developed a module contextualised to the health sector[5] - within the aforementioned INAIL

[4] The methodology for the assessment and management of work-related stress risk. Module contextualised to remote work and technological innovation. 2025, IBN 978-88-7484-907-9

[5] The methodology for the assessment and management of work-related stress risk. Module contextualised to the healthcare sector. 2022, IBN 978-88-7484-754-9

Methodology - including integrated assessment tools and specific resources. This serves to provider healthcare companies with contextualised tools and resources, in consideration of the risk factors intrinsic to the health context, including emergency work and direct contact with suffering and illness. The management of the recent health emergency due to the Covid-19 pandemic has also led to sudden and significant changes in the organisation of work in health contexts, exposing operators to emotional and operational overload, with potential negative consequences on their psychophysical health. This module was awarded a Certificate of Merit in the context of the ISSA *Good Practice Award for Europe competition 2024*.

As regards the sector of travelling personnel in logistics (new mobility, commuting, transport, logistics risks), it should be noted that this sector is constantly growing, thanks also to the dizzying development of e-commerce and of information and communication technologies, which allow the management of value chains on a global scale, making logistics strategic for the production and distribution of goods. The development of digital platforms and new transport models have led to changes in the sector's work activities, which need to be specifically analysed also for determining more suitable solutions for risk detection and for the prevention of accidents and occupational diseases.

As far as road transport is concerned, Italian legislation specifically provides for the obligation to use tachographs, which must record mileage as well as driving and rest times. In particular, from 21 August 2023, all registered vehicles with a mass of more than 3.5 tonnes have to be equipped with a smart tachograph that automatically records border crossing points and loading/unloading operations, improving transparency and compliance with cabotage regulations, with the aim of increasing road safety and ensuring more equitable working conditions for drivers.

✓ **Jobs affected by climate change risks**

With reference to climate change, as is well known, it has already had and will continue to have negative effects on human health, occupational safety and working conditions, as also confirmed by the latest report of the *Intergovernmental Panel on Climate Change (IPCC)*. The report highlights how working conditions will be increasingly affected by significant weather changes, such as heatwaves and rainfall, and that increased exposure to high temperatures in the workplace will lead to increased exposure to sources of danger, such as ultraviolet radiation, contact with pathogens, indoor and outdoor air pollution, and extreme weather conditions.

With Article 180 of Legislative Decree no. 81/2008, the Microclimate is included for the first time among the physical risk agents for which Article 181 provides for the obligation of the employer to carry out a risk assessment.

Decree-Law no. 98 of 28 July 2023, converted with amendments by Law no. 56 of 29 April 2024, also introduced urgent measures on the protection of workers in the event of a climate emergency, providing, among other things, for a provision aimed at encouraging and ensuring, by the Ministry of Labour and Social Policies and the Ministry of Health, the convocation of the social partners in order to sign specific agreements, between trade unions and employers' associations, to adopt shared guidelines and procedures for the implementation of the provisions of Legislative Decree no. 81 of 2008, to protect the health and safety of workers who are exposed to climate emergencies.

In addition, the signing of the *Framework Protocol for the adoption of measures to contain occupational risks related to climatic emergencies in the workplace* was initiated at the Ministry of Labour and Social Policies. This agreement, in compliance with Legislative Decree no. 81 of 2008 and all other national regulations on the subject, aims at reaching a "framework agreement", which will have to incorporate the sectoral and/or territorial agreements, anticipating the trade union ordinances and

regional guidelines, in order to prepare a contractual basis upon which to base these authoritative and necessary acts.

INAIL has also undertaken many initiatives in this regard, such as:

- creation of information material and other INAIL products on issues related to exposure to rigorous environments;
- training and refresher courses, workshops (Work Environment Convention) on specific issues related to the Microclimate;
- drafting of the "Operational indications for the prevention of risk from Physical Agents pursuant to Legislative Decree no. 81/2008 - Part 3: Microclimate" as part of the Physical Agents group of the Interregional Technical Group on Health and Safety in the Workplace.
- The Physical Agents Portal (PAF) has been developed, in collaboration with various public bodies, with the aim of creating a free IT platform, accessible to employers, occupational safety professionals and all operators in the sector concerning prevention and protection from risks arising from exposure to physical agents in various work contexts.
- In 2020, the **Worklimate research project** was launched, with the overall aim of furthering knowledge, especially through the INAIL accident database, on the effect of environmental heat stress conditions, and in particular heat, on workers, with specific attention to the estimation of the social costs of accidents at work. Climate change, in fact, is causing an increase in the frequency and intensity of heat waves during the summer and it is estimated that about 30% of the world's population is currently exposed for at least 20 days a year to heat conditions that are particularly critical for their health. Workers, starting with those who carry out most of their activities outdoors, are among the subjects most exposed to the effects of thermal stress and, more generally, to all weather conditions. Daily exposure to high temperatures during the summer is an issue of great importance in the occupational field, especially for workers who carry out their work in unconditioned environments, exposed for long periods of time to solar radiation, in some cases, even in contact with surfaces or machinery that emit heat and often wearing personal protective equipment that hinders the dispersion of body heat. The increasing average age of workers also accentuates risk profiles.

Two important documents should be mentioned, aimed at providing preventive indications and guidelines for managing work situations subject to potential climatic stress:

- *Guidelines for the protection of workers from heat and solar radiation* adopted by the Conference of Regions and Autonomous Provinces on 19 June 2025, which offer an "overview of the elements that characterise the course of action that leads to the realisation of healthy and safe working conditions, in relation to the risk posed by high temperatures and solar radiation". Guidelines that represent "*a summary of the various documents issued by the Regions and Autonomous Provinces*", with the aim of "*providing useful information to employers and all operators involved in prevention*".

- "*Framework protocol for the adoption of measures to limit occupational risks related to climate emergencies in the workplace*", signed by the Social partners in the presence of the Ministry of Labour and Social Policies on 2 July 2025 and implemented by the Decree of the Minister of Labour and Social Policies no. 95 of 9 July 2025[6]. The Protocol promotes "good practices" for avoiding accidents and occupational diseases, as well as events and conditions of malaise, related to climate emergencies and the adoption of consequent implementation agreements (national, territorial or company) for the psychophysical protection of workers. The document indicates possible topics of intervention subject to

[6] Published in the Legal Advertising section of the Ministry of Labour and Social Policies from 22 July 2025 with the index number 118/2025.

future agreements: information/training, health surveillance, clothing, reorganisation of shifts and working hours.

Article 3,§2 Health and safety regulations
a) Please provide information on:
• the measures taken to ensure that employers adopt arrangements to limit or discourage work outside normal working hours (including the right to disconnect);
• how the right not to be penalised or discriminated against for refusing to undertake work outside normal working hours is ensured

✓ **Overtime**

With regard to what is requested, it should be noted that there are no specific provisions in Legislative Decree no. 81/2008 concerning work outside normal working hours. However, Legislative Decree no. 66/2003, which regulates working hours, provides, in Article 5, that the use of overtime must be limited and that, in any case, it is allowed only by *agreement between employer and employee, for a period that does not exceed two hundred and fifty hours per year*. Article 4 then provides that "*the average duration of working hours may not in any case exceed, for any period of seven days, forty-eight hours, including overtime hours*".
The use of overtime is then further limited by the provisions of Article 7 of Legislative Decree no. 66/2003, according to which "*the worker has the right to a daily period of eleven consecutive hours of rest every twenty-four hours*". Pursuant to Article 9, the worker also has "*the right every seven days to a rest period of at least twenty-four consecutive hours, normally coinciding with Sunday, to be combined with the hours of daily rest*."
Given that the use of overtime is allowed only after agreement between employer and employee, it follows that the worker can refuse to perform overtime work if not provided for in the contract or if not justified by urgent business needs. Refusal may not result in sanctions or discrimination, unless otherwise provided for in the contract.

✓ **Right to disconnect**

Currently, in Italy, there is still no national law that organically regulates the right to disconnect, the methods of which are exercised by individual agreements and collective bargaining, especially in smart working contracts. However, indirect regulatory references can be found in Article 36 of the Italian Constitution, which guarantees the right to rest and proportionate remuneration; in Article 2109 of the Italian Civil Code, which regulates the right to holidays and weekly rest, implicitly recognising the right to disconnect and in the general regulation of working hours referred to in Legislative Decree no. 66/2003 (https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legislativo:2003-04-08;66).
Article 18 of Legislative Decree no. 81/2017, containing "*Measures for the protection of non-entrepreneurial self-employment and measures aimed at promoting a flexible structure concerning the times and places of subordinate work*" provides that "*....the work is performed, partly within company premises and partly outside without a fixed workstation, within the limits of the maximum duration of daily and weekly working hours, deriving from the law and collective bargaining....*". The following Article 19 then provides that "*the smart working agreement shall also identify the worker's rest times as well as the technical and organisational measures necessary for ensuring the worker's disconnection from the technological work equipment*."
Finally, it should be noted that the Senate is currently discussing Draft Law S. 1290 on the right to disconnect, which aims at formally recognising the right to disconnect for all workers.

Article 3, §2 Health and safety regulations

b) Please provide information on:

• the measures taken to ensure that self-employed workers, teleworkers and domestic workers are protected by occupational health and safety regulations;

• whether temporary workers, interim workers and workers on fixed-term contracts enjoy the same standard of protection under health and safety regulations as workers on contracts with indefinite duration

Legislative Decree no. 81/2008 (Consolidated Law on Health and Safety at Work) is the main regulatory reference on health and safety at work in the Italian legal system. It is based on the principle that health protection is a fundamental right of every worker, regardless of the contractual form.

✓ **Self-employed workers**

Pursuant to Article 21 of Legislative Decree no. 81/2008, s*elf-employed workers* must: - use work equipment that complies with safety standards; - equip themselves with personal protective equipment and use it in accordance with the provisions of Title III; - obtain a special identification card accompanied by a photograph, containing their personal details, if they carry out their service in a workplace where activities are carried out under contract or subcontracting.

They also have the right to participate in training courses and to benefit from health surveillance, at their own expense. In temporary or mobile construction sites, they have cooperation and coordination obligations.

✓ **Domestic workers**

The provisions of the current Consolidated Law, Legislative Decree no. 81/2008 and subsequent amendments on the prevention of accidents do not apply to domestic workers. Article 2 defines "worker" as the *person who, regardless of the type of contract, carries out a work activity within the organisation of a public or private employer, with or without remuneration, even for the sole purpose of learning a trade, an art or a profession, excluding domestic and family service workers.* In addition, the following Article 3, paragraph 8, reiterates that "*non-routine light domestic work, including supplementary private teaching and home care for children, the elderly, the sick and the disabled, are in any case excluded from the application of the provisions of this decree and of the other special rules in force on the protection of health and safety at work*".

Article 6 of Law no. 339 of 2 April 1958 on the "Protection of the domestic work relationship" (https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:1958-04-02;339!vig=) recognises the duty to protect the psycho-physical integrity of the domestic worker, obliging the employer to provide the worker, in the event that there is a commitment to provide food and lodging, with an environment that is not harmful to the physical and moral integrity of the worker himself or herself, as well as healthy and sufficient nutrition; to protect their health, particularly if exposed to sources of infection in the family.

Since 1 July 1972, compulsory insurance against accidents at work has been extended to workers engaged in domestic and family services, as well as to workers employed in the tidying and cleaning of premises, who work for one or more employers, with remuneration in cash or in kind, regardless of the duration of the services performed. However, training courses for the growth of professional skills aimed at domestic workers are planned.

The sectoral national collective agreements also contain specific rules on the protection of the working conditions of domestic workers, establishing that every worker has the right to a safe and healthy working environment on the basis of the provisions of current legislation relating to domestic environments and that the employer is required to ensure the presence of an adequate current circuit breaker on the electrical system as a safety device. There is also an obligation for the employer to inform the worker about any risks existing in the work environment also relating to the use of equipment - including telematic and robotic instruments - and exposure to particular chemical, physical and biological agents.

✓ **Teleworkers and smart workers**

Please refer to the answer relating to Article 3, paragraph 1, in the paragraph dedicated to remote work.

✓ **Temporary, interim and fixed-term workers**

As provided for by Article 3 of Legislative Decree no. 81/2008, the provisions on the protection of health and safety at work contained in the decree apply to all workers, regardless of the type of contract they have.

- **Temporary workers (through employment agencies)**

As far as temporary workers are concerned, the responsibility for protection is shared between the temporary employment agency (formal employer) and the user company (actual place of work). The user company must guarantee training, health surveillance and PPE, as for employees with a permanent contract.

The principle of equal treatment is strengthened by Legislative Decree no. 81/2015, which in Article 35, paragraph 1, establishes that "*for the entire duration of the mission at the user's premises, the workers placed by the agency are entitled, for the same tasks performed, to economic and regulatory conditions overall not inferior to those of employees of the same level as the user*".

Paragraph 4 establishes the obligation of the agency to inform workers about the safety and health risks associated with production activities and to train them in the use of the work equipment necessary for carrying out the work for which they are hired, in accordance with Legislative Decree no. 81 of 9 April 2008.

The work supply contract may provide that this obligation is fulfilled by the user. The user must, in any case, comply with the prevention and protection obligations to which her or she is bound, by law and collective agreement, towards his or her employees.

- **Workers with a fixed-term contract**

Workers with a fixed-term contract have the right to the same health and safety protection as workers with a permanent contract. The employer must assess risks, provide training and personal protective equipment (PPE) as well as ensure health surveillance. Failure to assess the risks can render the fixed-term contract null and void and the company liable for accidents and non-compliance.

Article 3, § 3 Enforcement of health and safety health regulations

Please provide information on measures taken to ensure the supervision of implementation of health and safety regulations concerning vulnerable categories of workers such as:

• domestic workers;
• digital platform workers;
• teleworkers;
• posted workers;
• workers employed through subcontracting;
• the self-employed;
• workers exposed to environmental-related risks such as climate change and pollution.

The measures taken with regard to domestic workers, teleworkers, self-employed workers and those exposed to extreme climatic conditions has already been reported above. The measures with regard to the remaining categories is reported as follows.

- **Digital platform workers**

Article 2, paragraph 1, of Legislative Decree no. 81 of 15 June 2015 (provides that "*as of 1 January 2016, the discipline of the employment relationship shall also apply to collaboration relationships that take the*

form of mainly personal, continuous work services and whose methods of execution are organised by the principal. These provisions also apply if the methods of performance are organised through platforms, including digital ones."

Article 47 bis, paragraph 1, also provides that "*Without prejudice to the provisions of Article 2, paragraph 1, the provisions of this chapter establish minimum levels of protection for self-employed workers who carry out delivery of goods on behalf of others, in urban areas and with the aid of cycles or motor vehicles referred to in Article 47, paragraph 2, letter a), of the Highway Code, referred to in Legislative Decree no. 285 of 30 April 1992, through platforms, including digital ones" defined in paragraph 2 as "computer programmes and procedures used by the customer which, regardless of the place of establishment, are instrumental to the delivery of goods, setting the remuneration and determining the methods of performance of the service*".

Additionally, Article 47 *septies*, paragraph 1, provides that *digital platform workers are in any case subject to the compulsory insurance coverage against accidents at work and occupational diseases provided for by the consolidated text referred to in Presidential Decree no. 1124 of 30 June 1965*. Paragraph 3 also establishes that "*the principal who uses the platform, including digital, is required towards the workers referred to in paragraph 1, at his or her own care and expense, to comply with Legislative Decree 9 April 2008, no. 81*".

The transposed EU Directive on digital platform work imposes further obligations on the employer, which can be qualified as a digital platform, for the prevention of the health and safety of employees, also taking into account the specific risks associated with the use of automated monitoring and decision-making systems.

- **Posted workers**

The regulations on health and safety at work for posted workers provide for a division of responsibility between the posting employer and the recipient employer. Article 3, paragraph 6 of Legislative Decree no. 81/2008 provides that "*In the event of the posting of the worker referred to in Article 30 of Legislative Decree no. 276 of 10 September 2003, as amended, all prevention and protection obligations are the responsibility of the recipient employer, without prejudice to the obligation of the posting employer to inform and train the worker on the typical risks generally associated with the performance of the tasks for which he or she is posted. For the personnel of the public administrations referred to in Article 1, paragraph 2, of Legislative Decree no. 165 of 30 March 2001, who work with a relationship of functional employment in other public administrations, bodies or national authorities, the obligations referred to in this decree are borne by the employer designated by the host administration, body or authority*".

- **Workers employed through subcontracting**

The discipline is mainly contained in Legislative Decree no. 81/2008 and Legislative Decree no. 36 of 31 March 2023 (Public Procurement Code), with regard to public procurement and tenders.

Article 26 of the aforementioned Legislative Decree no. 81/2008, paragraph 2, provides that "*In the case referred to in paragraph 1, employers, including subcontractors: a) cooperate in the implementation of measures to prevent and protect against risks at work affecting the work activity subject of the contract; b) coordinate the protection and prevention interventions from the risks to which workers are exposed, informing each other also in order to eliminate risks due to interference between the works of the various companies involved in the execution of the overall work*".

In addition, Article 97, paragraph 3 bis establishes that "*In relation to subcontracted works, where the preparation, installations and other activities referred to in point 4 of Annex XV are carried out by the executing companies, the contractor shall pay the related safety charges without any discount applied*".

- **Supervision of the implementation of health and safety rules concerning vulnerable categories of workers**

Given the above, with regard to vulnerable categories of workers, it should be noted that, during the ordinary supervisory activity, the INL inspection personnel verifies the correct application of the obligations provided for in the field of health and safety also with regard to the above categories, with the exception of domestic workers, based on the aforementioned regulatory provision.

In this regard, some specific observations are highlighted:

- **digital platform workers** - are not classified as being in a high risk sector for occupational safety and health purposes;

- **teleworkers** - for this category of workers, inspections are not carried out at private homes, but checks are carried out in the company, aimed at verifying that the risks have been assessed in the Risk Assessment Document (DVR), as well as the correct information and training of the personnel concerned;

- **posted and subcontracted workers** - in the presence of cases of outsourcing of production activities, such as posted workers or contract/subcontract workers, the regularity of the employment relationship and compliance with health and safety obligations by all companies involved and operating on the national territory is verified. In addition, information can be obtained on the actual operations of posting companies established in another EU country and on the regularity of the position of workers posted to Italy, including in terms of health and safety at work, by consulting the supervisory authorities of the Member State of origin through the use of the IMI platform - managed by the EU Commission and dedicated to facilitating the exchange of information on transnational posting between control bodies of the different Member States;

- **self-employed workers** - although not the main object of the supervisory activity, if their presence in the workplace is found, the inspection personnel proceeds to verifying compliance with the minimum obligations required for these individuals and ascertains the effective autonomy of the relationship, connected to the concrete methods of carrying it out. If, on the other hand, the conditions for subordinate work are actually met, the employment relationship is reclassified, with the consequent adoption of the necessary measures to ensure the application of the protections provided for employees;

- **workers exposed to environmental risks (e.g., climate change, pollution)** - in the annual planning document of the INL supervisory activity, the need for an accurate assessment of the heat risk was highlighted, particularly during the summer. Finally, it should be noted that, on 2 July 2025, the Ministry of Labour and Social Policies began signing the Framework Protocol for the adoption of measures to contain occupational risks related to climate emergencies in the workplace, the text of which will be implemented shortly by ministerial decree. The aforementioned protocol between institutions and social partners also addresses climate risks, including extreme events such as floods and intense cold.

Article 4 – The right to fair remuneration

Questions:
Article 4§3 Right of men and women to equal pay for work of equal value
a) Please indicate whether the notion of equal work and work of equal value is defined in domestic law or case law.

In Italy, the principle of equal pay is laid down, in general terms, in Article 3[7] of the Italian Constitution, which enshrines the equality of all citizens before the law, without distinction of sex, race, language, religion, political opinions, or personal and social conditions, and guarantees equal social dignity.
More specifically, alongside this general principle, the principle of equal pay between male and female workers has been introduced pursuant to Article 37[8] of the Italian Constitution which provides that men and women who perform the **same work** shall receive the same remuneration and enjoy the same rights. This principle is reaffirmed in Article 28 of Legislative Decree no. 198 of 11 April 2006 (*Code of equal opportunities between men and women*), which also refers to the notion of "**work of equal value**" (1. *Any*

[7] Article 3 of the Italian Constitution.
All citizens have equal social dignity and are equal before the law, without distinction of sex, race, language, religion, political opinions, or personal and social conditions.
It is the duty of the Republic to remove economic and social obstacles, which, by limiting the freedom and equality of citizens, prevent the full development of the human person and the effective participation of all workers in the political, economic and social organisation of the country.
[8] Article 37 of the Italian Constitution.
A Female worker has the same rights and, for equal work, the same remuneration as a male worker. Working conditions must allow the fulfilment of their essential family role and must ensure special adequate protection for mothers and children.
The law establishes the minimum age limit for paid employment.
The Republic protects the work of minors through special rules and guarantees them the right to equal pay for equal work.

discrimination, direct or indirect, concerning any aspect or condition of remuneration, with regard to the same work or work of equal value, is prohibited. *2. Job classification systems for the purpose of determining remuneration must adopt standard criteria for men and women and be drawn up in such a way as to eliminate discrimination*).
However, the notions of "same work" and "work of equal value" are not specifically defined in Italian law. It should be noted, however, that work is currently underway to provide a legal definition of these two concepts, in line with Article 4 of Directive (EU) 2023/970 of the European Parliament and of the Council of 10 May 2023, which aims to strengthen the application of the principle of equal pay for equal work or work of equal value through pay transparency and related enforcement mechanisms (the so-called Pay Transparency Directive), covering both the public and private sectors.
The directive is currently being transposed into national law, which must be completed by June 2026. In this regard, it is useful, by way of information, to highlight two significant innovations that will be introduced into the Italian legal system.
The first aspect concerns the obligation for employers to communicate a range of information on pay gaps between male and female workers. The obligation is set out in detail in Article 9, which specifies that the information must cover all elements of remuneration and must indicate the median gaps in its various components, expressed as percentages for each gender, for categories of workers and remuneration quartiles. These specifications are necessary to capture the features of a pay gap and assess whether they may be discriminatory or, conversely, justified.
Another important requirement is that this information must be communicated to all relevant stakeholders, not only to workers and their representatives, but also to labour inspectorates, equality bodies and the competent authority responsible for compiling and publishing the data referred to in Article 29 of the directive.
The significance of this transparency framework is thus reinforced by the mandatory disclosure obligations.

b) Please provide information on the job classification and remuneration systems that reflect the equal pay principle, including in the private sector.

The national remuneration system is based on collective bargaining in both for the public and private sectors.
As regards the private sector, sectoral collective agreements contain detailed classifications of the various work activities – by level and category – which are intended to reflect the general principle of non-discrimination established in legislation. A similar principle applies to the classification system for Public Administration personnel, which has recently been reformed and is described below.
The classification system in the private sector is also founded on Article 2095 of the Italian Civil Code, which identifies four broad **categories** of workers:
- executives;
- middle managers;
- white-collar employees;
- blue-collar employees.

Workers are **placed** within these categories through the National Collective Labour Agreements (CCNL), specific to each sector, which provide a detailed classification based on the actual duties performed. These duties are, in turn, grouped into broader homogeneous classifications ("**qualifications**"), according to their specific features, generally linked to the level of competence and responsibility required.
Each qualification corresponds to a specific pay grade, which determines the *basic remuneration* due to each worker.

The classification system for public-sector employees has recently been reformed through the National

Collective Labour Agreement for the Central Functions sector for the 2019-2021 period, signed on 9 May 2022. This agreement introduced a highly innovative classification system for the personnel of Ministries, Revenue Agencies and Non-Economic Public Bodies, creating a uniform framework and eliminating the former diversified systems.

The agreement also contributed to achieving one of the "milestone" of the National Recovery and Resilience Plan (NRRP)[9] and initiated a process of reform in public employment aimed at revising professional frameworks and careers structures, in order to secure more modern professional profiles capable of meeting the new needs of public administrations.

In this context, specific skills have been envisaged for employees to be assigned to a higher tier known as the "*High professional expertise area*", which brings certain officials closer to managerial functions. These positions involve a high degree of decision-making autonomy and responsibility and are mainly identified by each administration, through second- level bargaining, based on organisational needs. These appointments are granted for a period of no less than one year and no more than three years, renewable. Employees assigned to this function receive a *position allowance*, in addition to a *performance-related* allowance, linked to the results achieved.

With the introduction of this higher tier– created to enable career development for highly qualified internal personnel, but also to attract specialised professionals from outside– the new personnel classification system, introduced by the 2019-2021 CCNL, is divided into the following four areas, which correspond to different levels of knowledge, skills and professional expertise:

Operators' Area (formerly First area);

Assistants' Area (formerly Second area);

Officials' Area (formerly Third area);

High Professional expertise Area (newly established area).

Executives sit at the top of the hierarchy and are covered by a separate collective agreement.

All public employees were automatically assigned to the new classification system as of 1 November 2022— except for the High Professional expertise Area, which requires a competitive recruitment procedure— and receive the corresponding remuneration established in the CCNL, in accordance with the principle of equal pay for male and female workers.

For each area, homogeneous levels of expertise, knowledge and abilities necessary to carry out broad and diversified work activities are determined; the principle remains that each employee must perform the tasks for which they were hired, as well as equivalent tasks within their area of classification, except for duties requiring specific professional qualifications.

Within the classification Areas, the CCNL also identifies "*Professional Families*", i.e., homogeneous professional areas characterised by similar skills or by a common set of professional knowledge. These Families are defined through second level bargaining. For each Family, the required professional skills are established, including—where applicable—educational qualifications, professional licences, registrations in professional bodies, as well as work or professional experience.

Employees' acquisition of higher professional skills within their Area and Professional Family is recognised through one or more "salary differentials"—horizontal career progressions consisting of permanent increases in pay. The maximum number of salary differentials that can be granted within the same Area is strictly predetermined.

Salary differentials have replaced the former economic positions and pay bands, introducing a new system of horizontal salary progression that values acquired experience and cultural/professional skills. The system also enables career advancement for workers who, under the previous framework, had reached the highest economic positions in their Area with no possibility of further advancement.

The new classification system also provides that employees in the Officials' Area may be assigned fixed-term organisational or professional duties involving higher level of responsibility or expertise; in some cases, registration with professional bodies may be required. Such appointments are conferred by the managers with a written and motivated act for a period not exceeding three years - revocable if certain

[9] The NRRP is the Italian strategic plan, approved by the European Commission, designed to relaunch the country after the pandemic crisis, using resources from the European Next Generation EU programme and focusing on sustainable growth, digital and ecological transition, and the reduction of inequalities.

negative conditions are present - and remunerated through a specific indemnity for organisational position.

Similarly to the reform in Central administrations, the classification system for employees of local authorities following the new CCNL, drafted on the basis of Article 52, paragraph 1-bis, of Legislative Decree no. 165/2001 (introduced by Article 3, paragraph 1, of Decree-Law no. 80 dated the 9th of June 2021, converted into Law no. 113/2021), which states: "*employees are classified into at least three distinct functional areas. Collective bargaining shall identify an additional area for the classification of highly qualified personnel."*
The classification system introduced by the CCNL for Local Functions dated the 16th of November 2022 is therefore structured into four areas which, according to Article 12 of the agreement, correspond to four different levels of knowledge, skills and professional expertise called, respectively:
- Operators' Area;
- Expert Operators' Area;
- Instructors' Area;
- Officials' and High Qualification Area.

With this new structure, classifications are now based on Areas rather than on the former categories.
The areas correspond to homogeneous levels of expertise, knowledge and skills necessary to carry out a wide and diversified range of work activities. As before, each employee is required to perform the tasks for which he or she was hired and the equivalent tasks within the classification area, except for those for the performance of which specific professional qualifications are required.
The classification of all personnel into the new Areas took place automatically as of 1 April 2023, with entitlement to the corresponding remuneration established in the CCNL, in compliance with the principle of equal pay for male and female workers. No gender-based differences arise within this framework, in full implementation of the constitutional principles laid down in Articles 3 and 37 of the Constitution.

c) Please provide information on existing measures to bring about measurable progress in reducing the gender pay gap within a reasonable time.
Please provide statistical trends on the gender pay gap.

In recent years, the Italian Government has implemented a series of innovative measures aimed at effectively reducing the gender pay gap, producing significant results in the fight against wage inequality.
Reference is made, first of all, to the obligation set out in Article **46** of Legislative Decree no. 198 of 11 April 2006, the "*Code of equal opportunities between men and women, pursuant to Article 6 of Law no. 246 of 28 November 2005*" — as amended by Article 3 of **Law no. 162 of 5 November 2021** (the so-called "Gribaudo Law"), containing "*Amendments to the Code referred to in Legislative Decree no. 198 of 11 April 2006, and other provisions on equal opportunities for men and women in the workplace*", which also introduced specific provisions on equal pay between men and women.
Article 46 requires, in particular, that public and private companies prepare a report every two years on the situation of male and female personnel, covering all main working conditions and including detailed information on actual remuneration.
This instrument was conceived by the national legislator primarily as a mechanism for pay transparency, since it must indicate, among other data, the remuneration paid during the year to the different categories of workers performing the same work or work of equal value, disaggregated by gender.
On the one hand, these specifications are necessary to identify the characteristics of a pay gap and verify their potentially discriminatory nature or, alternatively, their legitimacy. On the other hand, this specific disclosure requirement aims to make companies more accountable, overcoming the lack of transparency regarding working and pay conditions of male and female staff and increasing awareness of persistent

differences and discrimination.
Through Article 9 of Law no. 162/2021, the pre-existing system was amended, first by modifying the size threshold of companies required to prepare the biennial report, lowering the threshold from 100 to 50 employees.
For companies with fewer than 50 employees, the provision remains optional, becoming mandatory only if the company wishes to obtain the "*gender equality certification*" referred to in the new Article 46-bis of Legislative Decree no. 198/2006.
Lowering the threshold makes the instrument more consistent with the structure of the Italian production system, which is predominantly composed of small and medium-sized enterprises (SMEs), thus making it a more effective tool for understanding corporate realities. It provides a detailed picture of employment from a gender perspective, offering an overview of women's participation in the labour market, including at regional and territorial level.
A decree of 29 March 2022, adopted by the Minister of Labour and Social Policies in agreement with the Minister for Equal Opportunities and the Family, defined the new procedures for preparing the biennial report, which must be submitted exclusively in electronic form using a model published on the institutional website of the Ministry of Labour and Social Policies.
Based on this model, and in order to ensure the transparency objective pursued, companies must provide a series of data, including in particular:
- *number of employees, disaggregated by sex.*
- *number of employees hired during the year, disaggregated by sex.*
- *differences in starting remuneration by sex.*
- *contractual classification and tasks performed by each worker (including the distribution of full-time and part-time contracts);*
- *total remuneration paid, ancillary pay components, allowances (including performance-related ones), bonuses, in-kind benefits and any other payments granted to each worker.*

Reports therefore constitute an important source of information for gaining a deeper understanding of Italian companies in relation to the objective of achieving gender pay equality, providing transparent elements on pay differences and highlighting the broader phenomenon of the "gender overall earnings gap".
Another noteworthy change is the extension of the list of entities to which Regional Equality Councillors must transmit the processed results of company reports. In particular, the National Labour Inspectorate (INL), the National Institute of Statistics (ISTAT), and the National Council for Economy and Labour (CNEL) have been added. This enables, on the one hand, the activation of inspection mechanisms to combat possible abuses and, on the other, the availability of a more accurate knowledge base, including through targeted statistical surveys, which is essential for designing more suitable measures to strengthen equal opportunities in the workplace.
Significant innovations were also introduced for cases of failure to prepare the Report and in the event of false or incomplete statements.
Failure to comply results, on the one hand, in reputational damage due to the publication—on a dedicated section of the Ministry of Labour website—of the list of compliant and non-compliant companies ("name and shame" policy), and, on the other hand, in the imposition of a financial penalty by the competent Territorial Labour Inspectorate, followed, if non-compliance lasts more than 12 months, by the suspension for one year of any social security contribution benefits enjoyed by the company.
In cases of false or incomplete statements, the INL verifies the accuracy of reports and may impose an administrative fine ranging from EUR 1,000 to EUR 5,000.

Gender equality certification is another key measure adopted by Italy to promote gender equality and reduce gender gaps in employment and remuneration.
This certification, introduced as part of the National Strategy for Gender Equality 2021–2026, was established by Article 4 of Law no. 162/2021, which amended Legislative Decree no. 198/2006 by adding Article **46-*bis***, entitled "*Gender equality certification*".
The certification assesses six key areas: *corporate culture, governance, human resources, career*

opportunities, pay equity and work-life balance. It targets companies that implement concrete internal policies to reduce gender disparities in career development, ensure equal pay for equal work, manage gender differences and protect maternity.
It is not based on declarations of intent but on objective, measurable parameters, such as *pay equity, balanced access to career opportunities, work-life balance measures and the promotion of an inclusive corporate culture*.
Companies holding the certification may obtain a reduction in social security contributions due by the employer, up to 1% and up to a maximum of EUR 50,000 per year per certified company. By decree of 20 October 2022, adopted by the Minister of Labour and Social Policies, in agreement with the Minister for Equal Opportunities and the Family and the Minister of Economy and Finance, the procedures for access to the benefit by certified companies were defined. Resources amounting to EUR 50 million per year have been allocated through the Gender Pay Equality Support Fund.
The procedure is managed entirely by INPS based on the Institute's operational instructions.
The certification is voluntary, valid for three years and subject to annual monitoring. For SMEs and micro-enterprises for which certification costs may be excessive, specific financial contributions have been introduced to support technical assistance and certification costs.
As of June 2025, the Gender Equality Certification System includes **7,960** certified organisations across the country, showing constant growth since its introduction—significantly surpassing expectations and the 2026 target, demonstrating strong interest from the business community.
It is also important to highlight the existence of mechanisms aimed at promoting the adoption of the gender equality certification by companies, through a principle of "rewarding" that is implemented with the introduction of incentives. For private companies that hold the certification, an exemption from the payment of a percentage of the total social security contributions payable by the employer is granted.
Furthermore, companies that, as of the 31st of December of the year preceding the reference year, hold the certification are awarded, by authorities managing national and regional European funds, a bonus score for the evaluation of project proposals, for the purpose of granting State aid to co-finance the investments made.
Following the adoption of the new Public Procurement Code, Legislative Decree no. 36 of 31 March 2023 — "*Public Procurement Code implementing Article 1 of Law no. 78 of 21 June 2022, delegating powers to the Government on public contracts*" — contracting authorities indicate, in their notices, a higher score for companies holding gender equality certification in the context of participation in tenders. Additionally, there is a 20% reduction in the surety guarantee required for participation in tenders by companies possessing gender equality certification.
Gender equality certification is issued by an accredited body through the Single National Accreditation Body (ACCREDIA), in compliance with the *UNI/PdR 125:2022* standard, adopted by the Decree of the Minister for Equal Opportunities and the Family on 29 April 2022, based on assessments by the special *Working Group on Gender Equality Certification*[10], established at the Presidency of the Council of Ministers — Department for Equal Opportunities (DPO).
The UNI/PdR 125:2022 standard mentioned above establishes the guidelines for a gender equality management system within companies, aiming to support and encourage companies to adopt policies designed to reduce the gender gap in all areas critical for women's professional growth.
It is also worth mentioning the agreement signed on 29 December 2022 between the Ministry of Labour and Social Policies and the National Institute for the Analysis of Public Policies (INAPP) *for the implementation of activities to analyse, monitor, and support the governance of public policies regarding labour market participation from a gender perspective, as well as the promotion of equal pay and equal opportunities in the workplace.*
In this context, a particularly notable initiative was adopted by the Minister for Family, Birth, and Equal Opportunities in November 2023, promoting a **Voluntary Code for companies in support of maternity**,

[10] To define the technical standards of the gender equality certification system, a Technical Working Group on Gender Equality Certification was established at the Department for Equal Opportunities by decree of the Head of the Department on 1 October 2021, with the participation of representatives from the Department for Family Policies, the Ministry of Economy and Finance, the Ministry of Economic Development, the Ministry of Labour and Social Policies, and the National Equality Councillor.

aimed at encouraging support for maternity, with the broader goal of engaging all sectors in building more inclusive communities.
This tool seeks to create a cultural and economic climate of collaboration between employers and employees regarding maternity, so that motherhood does not have to be seen as an alternative to career development.
The organisational measures identified by the Code for implementation by companies and organisations include:
- *promoting the continuity of mothers' careers;*
- *initiatives for the prevention and care of health needs;*
- *adaptation of working hours and modalities.*

The Gender Pay Equality Support Fund, mentioned above, was established pursuant to Article 1, paragraph 276, of Law no. 178 of 30 December 2020, "*State Budget for the financial year 2021 and multi-year budget for the three-year period 2021-2023*", as part of measures aimed at reducing the gender pay gap.
An annual allocation of EUR 2 million has been provided from 2022 onwards, intended to financially support interventions aimed at promoting and recognising the social and economic value of gender pay equality and equal opportunities in the workplace.
With Law no. 234 of 30 December 2021, Article 1, paragraphs 138 et seq., the Fund was increased, providing an additional EUR 2 million for 2022 and EUR 52 million per year from 2023, also aimed at supporting women's participation in the labour market, including through procedures for companies to obtain the gender equality certification described above.

Since 2020, Italy has been a member of the Equal Pay International Coalition (**EPIC**), led by the International Labour Organisation (ILO), UN Women (United Nations Entity for Gender Equality and the Empowerment of Women), and the OECD (Organisation for Economic Co-operation and Development)..

The Coalition's goal is to achieve equal pay for men and women worldwide by removing obstacles that impede this objective.
EPIC brings together a diverse group of actors with different areas of expertise, supporting governments, employers, workers, and their organisations in making concrete and coordinated progress toward gender pay equality. Currently, it is the only multi-stakeholder partnership working to reduce the gender pay gap at global, regional, and national levels.
To achieve this goal, EPIC also organises an annual technical meeting to share analyses, best practices, and progress, with participating Member States, including Italy, providing updates on national policies implemented to address and reduce the gender pay gap.

Finally, to raise public awareness of the pay gap between men and women, the European Union established the Equal Pay Day, a symbolic event marking the date each year when women effectively start "*working for free*" compared to their male colleagues.
The European Equal Pay Day is observed annually on the 15th of November.
At the international level, the United Nations established the *International Equal Pay Day*, celebrated worldwide on the 18th of September each year.
These initiatives highlight that, beyond Italy's national context, there is a global awareness of the importance of closing the gender pay gap, which continues to affect millions of women worldwide.

For further information on other actions and initiatives on the subject initiated and implemented by the Italian Government in the national legal system, please refer to the responses to the specific questions relating to Article 20 – *Right to equal opportunities between men and women.*

- Statistical trends on the gender pay gap.

In Italy, the Gender Pay Gap (GPG[11]), calculated as the percentage difference between the average hourly remuneration of men and women compared to the hourly remuneration of men, based on the most recent ISTAT data, is 5.6%.
Nevertheless, the GPG remains below the European average (12%) and is among the lowest in the EU Member States.
One of the factors that strongly contributes to determining the gender pay gap in Italy, as in other EU countries, is the composition effect between the publicly controlled sector (comprising public institutions and companies under predominant public control) and the privately controlled sector (comprising private economic units, companies, and institutions over which private control is total or predominant).

For illustrative purposes, some tables prepared by ISTAT are reported below, reflecting the statistical trends on the gender pay gap in Italy.

REMUNERATION AND GENDER PAY GAP
Year 2022, values in euros and percentages

MACRO-SECTORS (ATECO classification of economic activities)	Average annual remuneration (€)			Average hourly remuneration* (€)			GPG (%)
	Women	Men	Total	Women	Men	Total	
Industry in the strict sense (B-E)	34,117	40,370	38,760	13.8	16.0	15.4	13.2
Construction (F)	31,866	32,247	32,202	13.1	13.8	13.7	5.1
Market services (G-N)	33,375	39,380	36,891	13.3	15.5	14.6	14.1
Other services (O-S)	34,085	42,532	37,356	18.6	21.2	19.6	12.2
Total (B-S)	33,807	39,982	37,302	15.9	16.8	16.4	5.6
*Data referred to October 2022							

Source: ISTAT

[11]The GPG is defined as unadjusted, as it measures the percentage difference in gross hourly earnings between men and women without taking into account differences in individual and occupational characteristics (such as age, education level, experience, sector of activity, type of contract, professional position, etc.).
Therefore, it reflects both differences directly attributable to gender pay inequality and those attributable to structural factors in the labour market and to the different distribution of men and women across sectors and occupations.

Table 1 - Gender Pay Gap by economic sector (percentage difference between average hourly remuneration of men and women compared to that of men) - Years 2019-2023					
Economic activity sectors (NACE REV 2)	2019	2020	2021	2022	2023 *
Total B-N	14.8	14.0	13.4	13.5	14.0
Total B-S (excluding O)	4.6	4.0	4.7	3.8	2.2
Total B-S	5.8	5.2	5.7	5.6	3.3
B - Minerals extraction from mines and quarries	1.4	-0.2	-1.6	-3.6	-5.1
C - Manufacturing activities	14.8	13.6	13.8	14.1	14.5
D - Electricity, gas, steam, and air conditioning supply	11.5	11.4	11.2	11.7	10.1
E - Water supply, sewerage, waste management and remediation activities	5.0	1.9	1.6	-0.2	0.0
F - Construction	7.7	6.1	4.8	5.1	7.6
G - Wholesale and retail trade; repair of motor vehicles and motorcycles	15.7	16.9	16.4	15.9	16.6
H - Transportation and storage	8.2	6.3	4.1	3.1	3.6
I - Accommodation and food service activities	8.6	10.0	8.8	8.4	3.6
J - Information and communication services	16.1	15.5	16.6	16.3	16.1
K - Financial and insurance activities	22.5	22.6	23.3	22.7	23.0
L - Real estate activities	13.5	15.1	15.3	16.7	17.2
M - Professional, scientific and technical activities	24.9	26.1	23.8	24.0	23.5
N - Leasing, travel agency,	8.1	7.4	4.9	6.4	8.1

business support service activities					
O - Public Administration and Defence; Compulsory Social Security	9.6	9.6	9.4	13.6	8.4
P - Education	7.8	7.1	8.6	7.9	7.8
Q - Healthcare and social assistance	22.4	21.5	21.1	20.4	20.0
R - Artistic, sports and entertainment activities	57.6	67.3	60.1	57.8	57.4
S - Other activities and services	12.4	11.9	12.6	14.1	14.8

Source: ISTAT

Table 2 - Employees by economic activity sector (*absolute values*) - Years 2019-2023					
Economic activity sectors (NACE REV 2)	2019	2020	2021	2022	2023 *
Total B-N	7,376,634	6,492,276	7,272,624	7,824,524	8,114,886
Total B-S (excluding O)	9,863,105	8,887,879	9,723,209	10,476,245	10,747,887
Total B-S	11,138,556	10,129,432	10,915,147	11,689,141	11,972,537
B - Minerals extraction from mines and quarries	18,330	14,483	12,370	9,604	9,144
C - Manufacturing activities	2,375,747	2,059,909	2,306,021	2,417,520	2,472,606
D - Electricity, gas, steam, and air conditioning supply	67,840	70,044	73,619	76,975	77,519
E - Water supply, sewerage, waste management and remediation activities	174,902	168,642	172,823	179,709	184,822
F - Construction	361,872	347,754	415,614	485,312	497,505
G - Wholesale and retail trade; repair of motor vehicles and motorcycles	1,210,473	1,089,325	1,199,484	1,265,784	1,344,530
H - Transportation and storage	762,777	681,118	739,594	810,742	829,676
I - Accommodation and food service activities	442,280	217,360	347,790	452,521	513,109
J - Information and communication services	369,457	370,122	370,360	396,962	415,232
K - Financial and insurance activities	368,471	361,133	356,972	350,198	350,797
L - Real estate activities	20,942	18,330	20,232	21,235	24,109
M - Professional, scientific and technical activities	297,925	281,562	315,738	351,019	380,952
N - Leasing, travel agency, business support service activities	905,618	812,495	942,005	1,006,943	1,014,885

O - Public Administration and Defence; Compulsory Social Security	1,275,451	1,241,553	1,191,938	1,212,896	1,224,650
P - Education	1,232,392	1,215,642	1,179,468	1,349,338	1,302,472
Q - Healthcare and social assistance	1,108,903	1,076,553	1,145,973	1,163,882	1,183,358
R - Artistic, sports and entertainment activities	63,216	40,803	55,548	65,123	68,165
S - Other activities and services	81,961	62,605	69,597	73,378	79,006

Table 3 - Gender Pay Gap by type of economic control (percentage difference between average hourly remuneration of men and women compared to that of men) - Years 2019-2023					
Economic Control	2019	2020	2021	2022	2023 *
Public	3.6	3.7	4.9	3.9	-0.2
Private	17.1	16.7	15.8	15.9	16.7
Total B – S (excluding O)	4.6	4.0	4.7	3.8	2.2

Table 4 - Employees by type of economic control (absolute values) - Years 2019-2023					
Economic Control	2019	2020	2021	2022	2023 *
Public	2,490,060	2,468,270	2,465,664	2,646,907	2,597,827
Private	7,373,045	6,419,609	7,257,545	7,829,338	8,150,060
Total B – S (excluding O)	9,863,105	8,887,879	9,723,209	10,476,245	10,747,887

Source: ISTAT

Note* Data relating to the Gender Pay Gap (GPG) from 2023 onwards are provisional until the 2026 edition of the four-yearly Structure of Earnings Survey becomes available.

Article 5 – *The right to organise*

Questions.

a)Please indicate what measures have been taken to encourage or strengthen the positive freedom of association of workers, particularly in sectors which traditionally have a low rate of unionisation or in new sectors (e.g., the gig economy).

Trade union freedom is recognised and guaranteed by art. 39 of the Italian Constitution which recognises and regulates its free exercise. The right to freedom of trade union association is a fundamental right recognised to all workers, including those on digital labour platforms, gig economy and riders. The legal protection of those workers must, however, be reconciled with the legal nature of the employment relationship established between those workers and the employer, by concretely verifying the methods of carrying out the work so that it is correctly qualified and in such a way as to counter any informality of work in this sector. Trade union initiatives seek to overcome these situations through sectoral collective agreements and national legislation as well as Italian jurisprudence have intervened to recognise protections and rights, including protection from potential violations of labour law or personal data or discrimination potentially arising from the use of algorithms.

Also in this sector, Trade union protection finds specific recognition in the Workers' Statute (Law no. 300/1970). In particular, by Article 14, which guarantees and recognises the protection of trade union activity in the workplace for all workers, preventing the employer from hindering the exercise of these activities.

In this regard, and in particular with regard to the classification of the employment relationship of digital platform workers, it should be noted that Law no. 128/2019 amended art. 2, paragraph 1 of Legislative Decree no. 81/2015, providing that the provision contained therein (which provides that "the discipline of the employment relationship also applies to collaboration relationships that take the form of mainly personal, continuous work services and whose methods of organisation are organised by the client") also applies to workers on digital platforms.

This rule makes it possible to classify collaboration relationships that take the form of predominantly personal, continuous work services as subordinate employment relationships, applying the consequent legal protections and countering the informality in this specific sector.

By way of example, it should be noted that even riders with an employment relationship of one of contract work pursuant to art. 2 of the aforementioned Legislative Decree no. 81/2015, can assemble not only outside working hours (peacefully, given the freedom of thought - art. 1, Law no. 300/1970, of trade union organisation - art. 39, paragraph 1 of the Italian Constitution - and the same art. 20) but also during working hours, with the consequent right to remuneration, in premises made available by the platform or, failing that, in structures established by collective bargaining (as demonstrated by the constant jurisprudence formed on art. 20 of the Workers' Statute to discuss "matters of trade union and labour

interest" and for a total number of hours provided for by law and possibly also by collective bargaining, art. 20, paragraph 4, Law no. 300/1970).
It should also be noted that even in the cases in which the employment relationship is qualified as self-employed, in the light of constitutional principles, this does not prevent the aforementioned workers from exercising the right of free trade union association.
With reference to digital platform workers with genuinely self-employed employment contracts, it should be noted that in art. 47-quinquies, paragraph 2 of Legislative Decree no. 81/2015 (introduced by the law in question), it is also provided that digital platform workers "shall be subject to the anti-discrimination discipline and that of the protection of the freedom and dignity of the worker provided for employees", including the provisions contained in Title I, Law no. 300/1970, including Article 4, which governs the regulation of remote checks on the activity of workers. The rule, dedicated to the matter of controls, provides a criterion for the selection of trade unions, because it provides in paragraph 1 that the tools from which remote checks of workers' activities can also derive can be installed only with an agreement stipulated by the RSUs (unitary trade union representatives) or RSAs or (company trade union representatives) in the case of companies with production units located in different provinces of the same region or in several regions) by the comparatively more representative trade union associations.
The gig economy in Italy is fuelled by flexibility and digitalisation. Online platforms allow workers to register, build a profile and search for offers compatible with their skills. Sectors such as catering, logistics, events and digital services are among those most involved, with a constant increase in demand.
The Italian system which, as pointed out, already has some regulatory provisions relating to the protection of riders and workers of digital platforms with which it aims to protect the working conditions of the aforementioned categories of workers and the regulatory activity aimed at transposing Directive (EU) 2024/2831 on digital labour platforms into the national context is also being investigated and defined.
Workers who have atypical occupations (digital platform workers, gig economy, job sharing, intermittent work) have the right in Italy to adequate and proportionate remuneration for the work performed, in compliance with article 36 of the Italian Constitution, as well as to the transparency and information protections on working conditions expressly provided for by Legislative Decree no. 104 of 2022, which transposed Directive (EU) 2019/1152 on transparent and predictable working conditions in the European Union and which amended Legislative Decree no. 152 of 26 May 1997 on "implementation of Directive 91/533/EEC concerning the employer's obligation to inform the worker of the conditions applicable to the contract or employment relationship" through the introduction of art. 1-bis with which new information obligations have been introduced in the case of the use of automated decision-making or monitoring systems in digital labour platforms.
In addition, Legislative Decree no. 104 of 2022 introduced a series of measures aimed at guaranteeing the worker the right to receive, in a clear and transparent manner, information relating to the employment relationship. The employer's disclosure obligations include the communication of the initial amount of the remuneration or, in any case, the expected remuneration and the related constituent elements, with an indication of the period and methods of payment. This decree also regulates the rights and protections provided for the enforceability of the same also by certain categories of workers, such as, for example, those with the so-called "on-call" contract, as well as workers with collaboration relationships with predominantly personal and continuous service organised by the client, referred to in article 2, paragraph 1, of Legislative Decree no. 81 of 15 June 2015, with the contracts of coordinated and continuous collaboration referred to in article 409, no. 3, of the Italian Code of Civil Procedure, with the contracts of occasional provision of work referred to in article 54-bis of Decree-Law no. 50 of 24 April 2017, which regulates work through vouchers, converted, with amendments, by Law no. 96 of 21 June 2017.
It should be considered that the National Labour Inspectorate (INL) devotes particular attention, in its control activity, to the protection of the rights of atypical workers. The purpose of the supervisory activity carried out by the National agency is to ensure the substantial protection of workers and, in particular, the right to receive fair remuneration for the work performed and the related social security and accident insurance payments. If the labour inspector finds that remuneration has been omitted or partially paid, he/she shall adopt a special instrument against the employer, the confirmatory warning referred to in

article 12 of Legislative Decree no. 124/2004, which is a timely and effective tool for the recovery of outstanding wage and social security claims, which after 30 days from notification shall become enforceable.
The Inspectorate, moreover, has the power to control and sanction the potential infringement of the trade union freedom of association of all workers, a right that can be asserted through ordinary judicial and labour activity in that it is a substantive right.

With reference to atypical workers ("Workers in atypical employment"), it should be noted that during the three-year period 2020-2022, the action to combat false self-employment and the use of fictitious employment contracts continued: protection was guaranteed to approximately 73,000 workers, whose employment relationships were "requalified" by labour inspectors in a conventional employment relationship (of which over 60,000 so-called riders).
Article 47-bis et seq. of Legislative Decree no. 81/2015 introduced the comprehensive regulation of employment relationships for some particular categories of workers, such as digital platform workers who carry out goods delivery activities. In particular, this article extends the protections of anti-discrimination legislation and those relating to the freedom and dignity of workers to digital platform workers.
In addition, art. 47-quarter of Legislative Decree no. 81 of 2015, as amended and supplemented by Law no. 128 of 2019, delegated to the collective contracts stipulated by the comparatively most representative trade unions and employers' organisations at the national level the determination of the compensation of self-employed workers who carry out the delivery of goods on behalf of others. The law establishes that, in the absence of the stipulation of the above contracts, the same workers cannot be remunerated on the basis of the deliveries made and the same providers must be guaranteed a minimum hourly wage parameterised to the minimum wage established by national collective agreements of similar sectors (i.e., by that of logistics, provided that it is signed by the comparatively more representative trade unions at the national level).
For example, the 2021 agreement between CGIL, CISL, UIL and "Just Eat" which provided for the application of the national labour contract for Logistics, Freight Transport and Shipping to riders.
The aforementioned agreement transformed riders from self-employed workers to employees, framing them in the CCNL of logistics, freight transport and shipping. On the matter, the contract provides for all the protections concerning wages, insurance and social security, typical of the conventional employment relationship and contractual ones such as supplementary health care and bilateral rights. Riders are classified with specially created wage parameters. The working hours are flexible and can be both full time and part time, with 39 hours a week that can be distributed over a maximum of 6 days a week and with a daily minimum of 2 hours and up to a maximum of 8, with the possibility of combining the urban distribution of goods with work in the warehouse.
At the contractual level, moreover, there have been several collective agreements between trade unions and digital platforms that have tried to improve the working conditions of riders by introducing clauses relating to remuneration, safety, training, transparency, representation and collective bargaining. In this regard, reference is made to the 2020 agreements between UGL and "Glovo", between UGL and "Just Eat". In December 2020, the agreement between CGIL CISL UIL and "Asso delivery", and between UGL and "Deliveroo" was concluded.
Finally, it should be noted that Legislative Decree no. 81/2015 also established a permanent Observatory at the Ministry of Labour and Social Policies, chaired by the Minister or his delegate and composed of representatives of employers and workers designated by the comparatively more representative trade unions at the national level (Article 47 octies).
The Observatory, also with the active contribution of the same Trade Unions that are part of it, has the function of ensuring the independent monitoring and evaluation of the sector regulations, ensures the verification of the effects of the provisions on the basis of the statistical data in the possession of INPS and INAIL and proposes any revisions based on the evolution of the labour market and social dynamics.
Lastly, Italy is transposing the main European directive on digital platforms - Directive (EU) 2024/2831 - on use through digital platforms, published on 11 November 2024, with the aim of improving the working conditions of self-employed platform workers. It introduces a legal presumption of employment, ensures

transparency in algorithmic management, requires human oversight of automated decisions, and imposes information transparency obligations for platforms, to which Member States must comply by 2 December 2026.

b) Please describe the legal criteria used to determine the recognition of employers' organisations for the purposes of engaging in social dialogue and collective bargaining.

The legal criteria for the recognition of employers' trade unions for the purposes of social dialogue and collective bargaining are mainly based on the activity actually carried out by the employer, as set out in article 2070 of the Italian Civil Code. Membership of the professional category for the implementation of the collective contract and social dialogue is determined on the basis of the activity that the entrepreneur actually carries out. Employers' trade unions must demonstrate that they represent a significant number of companies or employers in the sector or in the territorial area of reference. In this regard, the number of registered members and their incidence on the total number of companies in the sector are evaluated. Employers' trade unions must be structurally autonomous from public institutions and independent of interests not directly attributable to the employers' category. They must be constituted according to statutes and regulations that guarantee freedom of association and internal democracy. The employers' trade union must operate in a continuous and stable manner over time, with a well-defined organisational structure (e.g., management bodies, offices, representation capacity).
The main employers' trade unions in Italy today represent companies of different sectors and sizes and include Confindustria (industry), Confcommercio (trade and services), Confagricoltura and Coldiretti (agriculture), Confapi (SMEs) and Confartigianato and CNA (crafts), ABI (Italian Banking Association: credit).

c) Please describe the legal criteria used to determine the recognition and representativeness of trade unions for the purposes of engaging in social dialogue and collective bargaining.

The recognition and representativeness of workers' trade unions, which are essential for their legitimacy to participate in social dialogue and collective bargaining, are based on a series of well-established general principles.
First of all, trade unions must demonstrate that they represent a significant share of workers within the sector or territorial area concerned. Representativeness is assessed on the basis of the number of members and the result of the elections of the unitary trade union representatives (RSU) or company trade union representatives.
The measurement of union representativeness is a complex process that combines three key elements, the associative data which is based on the number of union members in the reference sector, detected through the mandates for the deduction of the union contribution in the pay slip and the electoral data, which is based on the votes obtained by the unions in the elections for the RSUs, the territorial diffusion in the various offices of the provinces and regions of Italy, the number of collective contracts entered into and signed in the sector.
In the private sector, measurement is governed by inter-confederal agreements (such as the 2014 Consolidated Law on Representation) which provide for the calculation of the average between the percentage of members and the percentage of votes obtained in the RSU elections.

Since 2014, thanks to the Inter-confederal Agreement of 10 January 2014 between CGIL, CISL, UIL and Confindustria, called the "Consolidated Law on representation", three main criteria have been consolidated:
- the membership data or consistency, i.e., the number of trade union members in relation to the total number of members of all trade unions. This data is often collected through the system of union deductions in the pay slip (so-called "trade union dues").

- Electoral consensus (RSU), the percentage of votes obtained by the trade union in the elections of the RSUs (Unitary Trade Union Representatives) in the company or sector. This is a quantitative measure of democratic consensus among workers.
- Breadth and diffusion of local, regional and national organisational structures.
- Threshold of 5%, a trade union is considered representative at the national level if it obtains at least 5% of the average representativeness, calculated as the average between the electoral consensus for the RSUs and the number of members.
- Sector collective contracts entered into and signed.

INPS circular no. 146 of 6 December 2019 provides operating instructions regarding the collection of membership data, relating to each Trade Union that is a signatory or adherent to the Consolidated Law on Representation of 10 January 2014 signed by Confindustria, CGIL, CISL and UIL and amended on 4 July 2017.

INPS is therefore entrusted with the collection, processing and communication of data relating to trade union representation, in particular the "associative data" (and in coordination with the INL of the "electoral data") for the Trade Unions that adhere to the Consolidated Act. The aim is to establish an objective criterion of "representativeness" of trade unions.

In the public sector, the measurement is managed by ARAN (Agency for the Negotiation Representation of Public Administrations) which collects the membership data and the votes obtained. Only trade unions that exceed a certain threshold of representativeness (not less than 5%) can participate in national collective bargaining for the public sector.

Please provide information:

- on the status and prerogatives of minority trade unions.
- on the existence of alternative representation structures at enterprise-level, such as elected worker representatives.

A minority trade union is a trade union that does not have the minimum representativeness required to participate in certain negotiations or automatically enjoy all the prerogatives accorded to the most representative organisations. It may not have signed national or local collective agreements applicable to the sector/production unit in which it operates and therefore, although it is legitimate as a trade union structure, it is a "minority" both in terms of numbers and contractual/negotiated recognition.

Although minority unions do not enjoy all the powers or benefits reserved for majority or most representative unions, they still have certain rights:

They can form and operate as trade union associations: the right to trade unions is guaranteed by the Constitution (art. 39) and by the Workers' Statute (Law no. 300/1970).

They have the right to exercise the fundamental prerogatives provided for by the Statute, such as:

- right to trade union assembly, even if with limits with respect to who is more representative (sometimes assemblies must be convened by RSA/RSU or their members).
- trade union permits, even if to a different extent or in a manner different from those of representative unions, and only if they hold representativeness, even if minimal.
- right to information and consultation in certain cases of company relevance (restructuring, transfers, safety issues, etc.) – these prerogatives are provided for by regulations or collective contracts.

In addition, there is the possibility for its members to be elected to the RSU (Unitary Trade Union Representation), if the union is endowed with "de facto representativeness" in the company or sector.

Minority trade unions are allowed to propose platforms, submit petitions, participate, even if not as signatories, in the contractual process.

In conclusion, minority trade unions in Italy enjoy extensive protection but not equal to majority ones. Trade union freedom is guaranteed by the Workers' Statute on the basis of Law no. 300 of 1970, while other negotiating and organisational prerogatives are subordinate to the actual representativeness of the trade union, as defined by contractual provisions and jurisprudential interpretations.

The regulatory and contractual tendency is to privilege the principle of greater representativeness measured with the criteria listed above (number of associative mandates, territorial diffusion, number of CCNLs signed, threshold of 5%) while respecting the trade union pluralism enshrined in the Italian Constitution.

d) Please indicate whether and to what extent the right to organise is guaranteed for members of the police and armed forces.

In Italy, the right to form trade unions is also recognised to members of the police forces and, to a more recent and regulated extent, to military personnel of the armed forces.
For the State Police, under civil law, the right to trade unions is fully guaranteed by Law no. 121/1981, which allows the establishment and membership of trade unions of the personnel, while prohibiting affiliation to external trade union confederations and the exercise of the right to strike due to the function of protecting fundamental interests of the State relating primarily to the protection of public order.
For personnel under public law, with regard to the exercise of trade union freedoms, in particular to the personnel of the Armed Forces (army, navy, air force) and the Police Forces (Carabinieri and Guardia di Finanza) under military law who, following the judgement of the Constitutional Court of 11 April 2018, no. 120, which declared the constitutional illegitimacy of art. 1475, paragraph 2, of Legislative Decree no. 66 of 15 March 2010 (Military Law Code) "military personnel may not form professional associations of a trade union nature or join other trade union associations", Legislative Decree no. 66 of 2010, (Military Law Code), amended by Legislative Decree no. 192 of 24 November 2023, stated in art. 1476 the right of professional association of a trade union nature in the military.
Law no. 46 of 2022 is the Italian law that introduced rules on the exercise of trade union freedom for personnel of the Armed Forces and Police Forces under military law.
Therefore, members of the Armed Forces and Military Police Forces can also join a professional association of trade unions among military personnel (also called APCSM - Professional Associations of a Trade Union Character among Military Personnel). Membership of the APCSM is free, voluntary and individual. In art. 1476-*quarter* of Legislative Decree no. 192 of 24 November 2023, some limitations were regulated: in particular, the prohibition of announcing or proclaiming the strike and of promoting public demonstrations in uniform and with service weapons was established. Finally, article 1479 of the aforementioned decree provided for bargaining procedures and gave the recognised APCSM the negotiating powers for the sector's national bargaining.
The collective agreements (subsequently incorporated into Decrees of the President of the Republic) are signed by a government delegation composed of the competent Ministers and the Trade Unions representing the categories concerned.
For the Negotiation areas referring to managerial level personnel of the Police forces of civil law, military law and the Armed forces, the agreements may only regulate the regulatory institutions on the subject of employment relationships and ancillary economic treatments differently from what is provided for non-managers.
Therefore, the right to trade union is also recognised to members of the police forces and the armed forces, but with methods and limits compatible with the nature and needs of the respective corps.
Similarly, through collective agreements transposed into Decrees of the President of the Republic, after negotiation between a government delegation composed of the competent Ministers and the trade unions representing the categories concerned, we proceed for the personnel of the Diplomatic Career and for that of the Prefectural Career.

Article 6 – ***The right to bargain collectively***

Questions

Article 6 § 1 Joint consultation

a) Please state what measures are taken by the Government to promote joint consultation

The social dialogue in Italy, in the field of industrial relations, has enabled national collective labour agreements to regulate working conditions and set wage levels. These wages are determined based on the economic sector, the workers' qualification (blue-collar, white-collar, middle manager, executive) and the contractual level corresponding to the performed duties. According to the most recent official estimates available for Italy, **coverage of national collective agreements is particularly high**:

- **94.3%** according to data processed by CNEL;
- **97%** according to Eurofound - *European Company Survey*.
- **99%** according to the International Labour Organisation;
- **100%** according to OECD and European Commission.

These data confirm that Italy is fully among the countries that use collective bargaining coverage as a criterion for wage determination, in accordance with the criteria currently set out in Directive (EU) 2022/2041 of the European Parliament and of the Council of 19 October 2022 on adequate minimum wages in the European Union, in particular Article 4, paragraph 1.

Therefore, joint consultation can enhance the quality of industrial relations and reduce conflicts, as it enables workers or their representatives to be engaged in advance. In addition, the "**Government-Unions-Companies Structured Dialogue**" has recently been established, through which the government has met with trade unions and employers' organisations to "build a Pact between the Government, trade unions and companies addressing work safety and quality".

b) Please describe what issues of mutual interest have been the subject of joint consultation during the past five years, what agreements have been adopted as a result of such discussions and how these agreements have been implemented.

In the last five years, joint consultation has been used in Italy to determine how to allocate the European funds intended for the digital and green transition through the **NRRP (National Recovery and Resilience Plan)**:

The NRRP is the Italian reform and investment programme financed with European funds under the Next Generation EU initiative, **approved in 2021** to support the country's economic recovery following the COVID-19 pandemic.

The plan is structured around six pillars:

green transition, digital transformation, smart and inclusive growth, social and territorial cohesion, health and resilience, and policies for the younger generations.

Institutional round tables with the social partners.

During the drafting phase of the plan, the government launched a series of **official consultations** with the social partners - CGIL, CISL, UIL (the main trade unions), Confindustria, Confcommercio, Confartigianato - and other economic and social stakeholders.

The aim of the consultation was to gather **proposals and comments** on:

- Investment priorities.
- Structural reforms (taxation, justice, public administration).
- Labour market policies and training.

<u>Involvement in territorial governance.</u>

Many NRRP investments are managed at regional and local level. The Government has required Regions, Provinces and Municipalities to set up joint consultation round tables with the social partners in order to:

- Monitor the progress of projects
- Identify critical issues

- Assess the impact on local areas

This has strengthened the participatory and multi-level dimension of the plan's governance.
The promotion of **joint consultation within the NRRP** is a concrete example of how the Italian government has sought to strengthen **social dialogue**, develop **more participatory and inclusive policies** and ensure **transparency and accountability** in the management of public funds.
In addition, with the **PIAO** (Integrated Plan of Activities and Organisation), introduced by Article 6 of Decree-Law no. 80 of 9 June 2021 (converted into Law no. 113 of 6 August 2021), public administrations are required to adopt a new plan each year. This plan integrates the *Performance Plan, the Three-Year Plan for the Prevention of Corruption and Transparency, the Smart Working Plan, the Staffing Needs Plan and the Training Plan*, and provides for mechanisms to **involve trade unions**. Trade unions play a role in the consultation phase and may submit comments and proposals, particularly regarding personnel management and industrial relations policies. Accordingly, the preparation of the PIAO must, in accordance with this provision, take into account the consultation with trade union representatives.
With the **"Italia 2025" National Innovation Strategy** in 2020, the Italian Government launched a public consultation to define the national strategy for technological and digital innovation. This strategic plan gathered contributions from public administrations, businesses, citizens and trade unions, with the aim of guiding the country towards an inclusive and sustainable digital transformation.
The strategy identifies **three major challenges**:
A digital society, aimed at making digital public services efficient and user-friendly for citizens and businesses, reducing the digital divide, and promoting digital identity, digital domicile and related services.
An innovative country, aimed at fostering research and development, supporting the creation of hi-tech companies, and promoting emerging technologies such as artificial intelligence, robotics, and cybersecurity, in order to strengthen the traditional industrial sector through innovation.
Inclusive and sustainable development, aimed at ensuring that no one is left behind by promoting equal opportunities, protecting communities and territories, ensuring the ethical use of technologies, supporting environmental sustainability, and guaranteeing transparency.

Finally, the **Interministerial Committee for the Digital Transition (CiTD)** established by Decree-Law no. 22 of 1 March 2021 (Article 8, paragraph 2) and placed within the **Presidency of the Council of Ministers**, has the overall objective of **promoting, guiding and coordinating the Government's action in implementing the country's digital transition**. While its primary focus is on the public administration, its work also impacts businesses, territories and citizens.
Its functions focus on:
Strategic coordination of Government policies on technological innovation, digital transformation, growth and innovation. Promoting alignment between national and European initiatives.
Monitoring and assessing the implementation of digital and innovation projects in public administrations. Identifying potential issues, delays, or malfunctions and proposing corrective measures.

<u>Promotion of key projects.</u>
Some of the areas in which the CITD has primary responsibility include the "**National Strategy for Ultra Broadband** (BUL), **covering fixed, mobile and satellite networks**". The "**Electronic Health Record and health data platforms**".
Emerging technologies such as artificial intelligence, the Internet of Things (IoT), and blockchain.
Digital identity (Digital Wallet, SPID-evoluzione). Shared digital infrastructures, interoperability, cloud systems, and high-speed connectivity.
During its meetings, all these topics have been discussed, serving as opportunities for dialogue among different institutions and social partners, with the aim of defining the guidelines for the country's digital transformation.

c) Please state if there has been any joint consultation on matters related to green and digital transition

Joint consultation on the digital or green transition.

The digital transition involves the adoption of new digital technologies in production processes, services, the public administration, and society more broadly. The joint consultation focused on priority areas such as digital training, the protection of workers' health and safety, cybersecurity, innovation and skills development and adaptation.

The green transition, on the other hand, refers to the ecological transformation of the economy and society, with objectives including environmental sustainability, emission reduction, the circular economy, renewable energy, and similar areas. The joint consultation was conducted to address issues such as changes in production chains, environmental protection, training workers for new "green" jobs, and supporting companies in their transition.

The consultation involved **representatives** of the **government**, **business associations** (e.g., Confindustria), the main trade unions (CGIL, CISL, UIL), and, in some cases, other stakeholders such as local authorities or subject-matter experts on the issues outlined below.

The aim was to share information, identify problems and opportunities, and reach **agreements** or establish common guidelines for public policies and interventions supporting **companies** and **workers**.

Social dialogue enables the assessment and management of the impacts of digitalisation on work, skills and employment conditions. Through joint negotiations and projects, the social partners have contributed to defining policy recommendations and good practices for equitable digitalisation. The Social Dialogue on Digital Transition in Italy takes the form of a structured dialogue between institutions, social partners and stakeholders, aimed, for example, at:

- *Jointly analysing the impacts of digitalisation on the world of work, with particular attention to automation, artificial intelligence and new forms of work organisation;*
- *Regulating new ways of working, such as remote work, platform-based work and hybrid forms, while ensuring rights, protections and work-life balance and implementing joint memoranda of understanding.*

In Italy, several initiatives are already operational that integrate social dialogue into digital transition processes, including:

- *The measures under the National Recovery and Resilience Plan (NRRP)*, which involve social partners in defining programmes for the digitisation of the public administration (PA), companies and the education system;
- *Company and territorial collective agreements that regulate smart working and teleworking*, the use of emerging technologies and digital training plans.

Digitalisation is profoundly changing organisational models, social relationships and the construction of individual identity. It is therefore essential to promote a social, intergenerational and inter-institutional dialogue that fosters inclusion, continuous training and the protection of workers' rights.

The **NRRP** (National Recovery and Resilience Plan) allocates approximately 27% of total resources to digitalisation, innovation and competitiveness, with investments in ultra-broadband networks, broadband, and connectivity, with the aim of expanding access high-speed internet access nationwide.

The digitalisation of the public administration (PA) has also been underway for several years, aiming to provide more efficient services, enhance interoperability and reduce bureaucracy. These efforts are directed not only at advancing IT infrastructure, but, above all, at transforming administrative procedures, through incentives for **5G**, digital identity (**SPID**, **CIE**) and strengthened digitalisation obligations.

"Green Revolution and Ecological Transition" of the NRRP

The NRRP allocates approximately **EUR 68.6 billion** in total (of which ~ EUR 59.4 billion from the NRRP, plus complementary funds) to the Green Mission, with the aim of promoting a **circular economy and effective waste management.** This includes the construction of new waste treatment plants, modernisation of existing ones and enhancement of separate waste collection through specific projects

targeting WEEE (waste electrical and electronic equipment), plastic, textiles and paper/cardboard.
Sustainable mobility is supported through the purchase of low-emission buses, the renewal of regional railway fleets and upgrades to local public transport networks. Additional resources are allocated to improve and expand infrastructure for sustainable mobility, strengthen the national transport network and promote electric and hydrogen vehicles.
Renewable energy and the electricity grid through the promotion of renewable sources such as solar, wind and biomass support cleaner energy production. Incentives are provided for companies to produce their own renewable energy as part of their transition.
Finally, investments in electricity infrastructure that are essential for economic development and everyday life aim to integrate renewable energy sources into the grid.
Other "green" intervention projects concern territorial protection, water conservation and the reduction of hydrogeological risk nationwide.
Social dialogue is a key tool for ensuring that the transition is fair, inclusive and widely shared. In line with the principles enshrined in the European **"Green Deal"** and the Porto Declaration on the European Pillar of Social Rights, Italy is committed to strengthening the active involvement of social partners – trade unions, employers' organisations and public institutions – at all stages of the decision-making process.
The application of the Social Dialogue on Just Transition in Italy is based on a multilevel and intersectoral approach, by:

- Promoting systematic consultation between the government, social partners and local authorities on the key issues of the ecological and digital transition;
- Defining active labour market policy measures, professional retraining and support for occupational mobility, with training aligned to industrial transformation pathways;
- Ensuring territorial cohesion and reducing inequalities through targeted investments in territories in transitioning regions, particularly in Southern Italy.

Numerous projects, such as those promoted by the main Italian trade unions, have highlighted how social dialogue can be applied at the company and sectoral level to address changes in the world of work. Tools such as the **"Just Transition Toolkit"** have supported trade unions in developing inclusive strategies, enhancing the direct involvement of workers and local communities.
Italy has launched numerous initiatives aimed at promoting social dialogue in transition policies. These include:

- **An interministerial round table for the implementation of the National Strategy for Sustainable Development, involving various institutional actors;**
- **The activation of Partnership Committees under the NRRP and the 2021-2027 European Cohesion Funds;**
- **Territorial pilot projects for just transition agreements, such as in industrial areas undergoing reconversion (e.g., Taranto, Sulcis, Gela).**

Article 6, § 2 Collective bargaining.
a) Please provide information on how collective bargaining is coordinated between and across different bargaining levels including information on:
-the operation of factors such as erga omnes clauses and other mechanisms for the extension of collective agreements.
-the operation of the favourability principle and the extent to which local/workplace agreements may derogate from legislation or collective agreements agreed at a higher level.

Collective Bargaining.
In Italy, the predominant level of the contractual system remains the ***sector***, also known as the "***national collective labour contract***" (CCNL), negotiated by workers' and employers' trade unions.
The bargaining structure is divided into two levels: national-level bargaining and supplementary bargaining, that takes place within the framework of national contracts.

The territorial collective labour contract.

The sectoral collective labour contract can also be concluded at the ***territorial*** level, i.e., regional, as in sectors such as crafts, or, more commonly, at the provincial or district level. These can be inter-confederation agreements concluded by territorial confederal bodies or territorial sectoral contracts signed by the trade unions that have signed the CCNL, to supplement or replace it.

The authority at this level can also be exercised by the trade unions that are comparatively most representative at the national and territorial levels. However, except in a few sectors, it remains a marginal phenomenon.

The company collective agreement.

The scope of the ***company*** collective agreement is determined from the outset by the structure and size of the undertaking, which can be national in scope, and by the employees it covers. In such cases, the collective agreement functions as a hybrid between a company-level agreement and a first-level national agreement.

Company agreements are concluded by the company's trade union representatives (RSA/RSU) and/or by any of the representative unions operating in the company or the territory.

Company bargaining may cover the following ***issues***:

- Working conditions, in particular remuneration (bonuses, seniority increments, productivity bonuses), working hours and flexibility, supplementary holidays, corporate welfare and professional training, welfare, health and safety tools, work tools (including smart working) and specific provisions for certain sectors.

The objectives and advantages of company bargaining include greater specificity and flexibility compared to local conditions, productivity incentives, improved working conditions, reduced conflicts, and regulatory certainty at the local level.

Company agreements **cannot violate the fundamental principles of the national CCNL**, nor reduce minimum wages or holidays set by the national contract. They must comply with labour law and trade union regulations.

Although CCNLs are national collective agreements concluded by the most representative trade unions according to the criteria outlined above, they are private agreements between social partners and apply to all workers and employers in the relevant sector, provided that the employer explicitly adheres to the signatory social partners or, even if not a member, applies the same collective agreement implicitly. In principle, an employer is not legally obliged to apply a CCNL, since collective agreements do not have general effect and are based on the principles of trade union freedom and the employer's choice. However, obligations may arise if the employer is a member of an employers' association that is a signatory to a CCNL, or if the individual employment contract refers to a specific CCNL or if the regulatory provisions explicitly reference national collective agreements concluded by the most representative associations for the relevant sectors, as occurs in legislation on **procurement contracts**. For example, **Legislative Decree no. 36 of 31 March 2023**, "Public Procurement Code" implementing Article 1 of Law no. 78 of 21 June 2022, delegates public procurement contracts to the Government, while the rules for private contracts are contained in the **Italian Civil Code**, primarily in **Article 1655**.

Collective bargaining in the public sector.

For details on this topic, please refer to the 2021 report.

However, it should be noted that for contracted personnel, **Article 42, paragraphs 2 and 3, of Legislative Decree no. 165 of 2001** provides that trade unions representing contracted employees that meet certain representativeness criteria may establish company trade union representatives (RSUs) in each administration, body or administrative structure and constitute unitary personnel representation bodies through elections in which the participation of all workers is guaranteed by the same law every three years. CCNLs are mandatory for each sector and are valid if approved by at least **51%** of the trade unions, calculated based on their relative representativeness in the sector or bargaining area required for admission to negotiations. A minimum level of representativeness (***5%***, calculated *as the average of membership data and electoral results, where membership data refers to the percentage of mandates for union dues relative to the total mandates in the area, and electoral data refers to the percentage of votes*

obtained in the RSU elections relative to the total votes cast) grants trade unions a full legal right to participate in negotiations, which cannot be reduced to a mere legitimate interest (**Article 43, paragraphs 1-3, of Legislative Decree no. 165 of 2001**).
ARAN (Agency for Bargaining Representation of Public Administrations) admits trade unions to national collective bargaining if they have a representativeness of **not less than 5%** in the sector or area, based on the average of the two measures.

b) Please provide information on the obstacles hindering collective bargaining at all levels and in all sectors of the economy (e.g. decentralization of collective bargaining).

Within the Italian industrial system, collective bargaining is a key tool for the protection of workers' rights and for the regulation of labour relations, as well as a guarantee for social dialogue. Trade union **fragmentation**, i.e., the multiplicity of union organisations, can often hinder unified negotiation and representation. Difficulties in determining who is legitimately entitled to represent workers, particularly in certain sectors, can slow down the bargaining process. **Low union membership among workers** limits the bargaining power of trade unions. In sectors with low unionisation (e.g., the gig economy, agriculture, services), it is difficult to initiate or sustain collective bargaining processes.
The rise in fixed-term, part-time, self-employed and so-called "false" self-employed contracts (e.g., freelancers effectively treated as employees), contributes to the emergence of ***"atypical workers"*** who are often excluded from collective bargaining or are not covered by traditional collective agreements. This can result in inequalities in rights and protections. In some highly competitive sectors (e.g., logistics, procurement, tourism), companies often seek more flexible arrangements, sometimes at the expense of working conditions. The growth of digital platforms and app-based work (gig economy) has further amplified this trend.
Another risk is the sometimes-emerging phenomenon of **"pirate" contracts**, which are collective agreements concluded by trade unions and trade associations with limited representativeness, offering worse economic and regulatory conditions than the National Collective Labour Agreements (CCNL) signed by the most representative trade unions.
Coverage and dissemination of company bargaining.
Decentralised bargaining contributes to greater flexibility and adaptation to the specific characteristics of a company and its local context (organisation, productivity, working hours and methods). If well managed, it has the potential to improve efficiency and performance. It also allows for more direct involvement of the company-level social partners and closer engagement with the workplace.
Despite the goal of promoting decentralisation, company-level bargaining is not always widespread and systematically implemented.
As a result, the potential benefits of adapting agreements to the specific needs of the firm are not fully realised, or they may only emerge in some companies and for some workers, accentuating internal disparities.
There is a possible risk of fragmentation: bargaining at the company or territorial level can lead to multiple, differing agreements, complicating the regulatory framework and weakening the role of national contracts as the primary reference for the protection of workers. This is compounded by difficulties in precisely defining who is entitled to negotiate and for which workers or companies, creating the risk that agreements signed by under-representative parties may lead to worse conditions for employees. The lack of reliable data further hinders monitoring and evaluation of the effectiveness and impact of decentralised bargaining. Decentralisation can exacerbate differences between large and small companies or across geographic areas, potentially disadvantaging the most vulnerable. There is also a risk of inequalities and contractual dumping i.e., the possibility that working conditions deteriorate in certain companies, particularly where unions are weak, in order to reduce labour costs at the expense of workers.
To ensure that decentralisation is effective and non-distortive, several measures are essential: clearly define the scope of collective agreements and the areas in which decentralised bargaining can deviate from or supplement national agreements. Strengthen transparency, improve data collection and make

company agreements publicly available to enable analysis, comparison and impact assessment. Monitor and prevent contractual dumping, i.e., agreements designed to reduce labour costs to the detriment of workers, which could undermine the system as a whole.

c) Please provide specific details on:
- the measures taken or planned in order to address those obstacles;
-the timeline adopted in relation to those measures;
-the outcomes achieved/expected in terms of those measures.

Directive (EU) 2022/2041 on adequate minimum wages establishes a framework to ensure adequate minimum wages in Member States, promote collective bargaining and improve access to wage protection. The directive, published on 25 October 2022, requires Member States with statutory minimum wages to establish procedures for setting and updating these wages appropriately and at least every two years. Italy, although it does not have a statutory minimum wage, exceeds the threshold of 80% coverage by collective bargaining across various sectors.
Enabling Law no. 144/2025, definitively approved on 23 September and published in the Official Gazette no. 230 of 3 October 2025, represents a balanced outcome in the long and complex debate on the minimum wages. With this measure, Italy strengthens the contractual model as a tool to protect workers, enhancing the autonomy of social partners and the plurality of collective agreements. It establishes a legal framework to protect wage levels, drawing on the strength of collective bargaining and promoting social dialogue.
At the core of the reform is the **delegation to the Government** to identify, through legislative decrees to be issued in the following months, the "most widely applied" national collective agreements for each sector of workers. The minimum pay levels established in these agreements will serve as the legal reference threshold: an **indirect protection** mechanism that, while not setting a uniform minimum wage, aims to ensure adequate and consistent remuneration.
The law also introduces **precise rules for contracts and subcontracts**: contractors must guarantee their employees a total wage not lower than that set by the most representative collective agreements in the relevant sector. This principle of joint responsibility is designed to combat wage dumping and underpayment.
For workers not covered by collective agreements, the agreement from the most similar sector will apply, extending protection even to marginal or fragmented areas of the labour market. Implementing decrees will also introduce measures to encourage **supplementary bargaining**, promoting greater adaptability of wages to changes in the cost of living and productivity.
Another notable innovation is the introduction of **mechanisms for worker participation** in company management and profit-sharing, inspired by co-management models already tested in other European countries. The aim is to strengthen the link between company growth and wage fairness, fostering greater cooperation between capital and labour.
Thus, Law 144/2025 does not impose a minimum wage "by decree" but establishes a system for **legal protection of wage levels**, based on collective bargaining and social dialogue, capable of ensuring every worker a decent wage that is adequate to the cost of living and consistent with the quality and quantity of the work performed.

d) Please provide information on the measures taken or planned to guarantee the right to collective bargaining of (i) economically dependent (self-employed) persons showing some similar features to workers and (ii) self-employed workers.

At the national level, self-employed workers have the right to form and join associations. **Article 39 of the Italian Constitution** states that "the organisation of trade unions is free", guaranteeing the right to form and join trade unions.

Therefore, **this freedom is not limited to employees** but also includes **those engaged in self-employment or para-subordinate work**, such as coordinated and continuous collaborators.
Trade union freedom is considered a **fundamental right**, recognised and guaranteed for all workers, whether employed or self-employed.
Moreover, the right of self-employed workers to form and join associations is encompassed within the **broader freedom of association** enshrined in **Article 18 of the Italian Constitution**, which guarantees the possibility of joining freely for purposes not prohibited by criminal law.
On this point, it should be noted that the national legislator has extended protections of subordinate work to workers in collaborative relationships, regardless of the formal classification of the employment relationship.
This expansive approach can be seen in **Article 2 paragraph 1 of Legislative Decree no. 81/2015**, which applies the rules of subordinate employment also to workers organised by the client (including via digital platforms), allowing these particular self-employment relationships to be regulated through national agreements according to sector-specific needs: "*...the rules governing subordinate employment relationships also apply to collaborative relationships that consist of mainly personal, continuous work, and whose methods of execution are organised by the client. These provisions also apply if the methods of performance are organised through platforms, including digital ones."* In practice, if a collaboration is:

- carried out **exclusively on a personal basis** (i.e., without the assistance of others),
- **continuous** (not occasional), and
- **organised** by the client (e.g., who decides the hours and place),

then it is **treated as a full-fledged subordinate employment relationship**, even if formally it is a collaboration or freelance contract.
It should also be noted that the *directive on working conditions in digital platforms* (EU) 2024/2831 is being transposed, which contains specific provisions protecting the right to information and consultation for people working on digital platforms, including self-employed workers and their trade union representatives.

Article 6, § 4 Collective actions.
a) Please indicate:
-the sectors in which the right to strike is prohibited;
-those sectors for which there are restrictions on the right to strike;
-sectors for which there is a requirement of a minimum service to be maintained.

As is well known, **the right to strike is recognised by Article 40 of the Italian Constitution**. The constitutional provision states that this right is exercised "*within the limits established by law*". The exercise of the right to strike has been specifically regulated in essential public services by Law no. 146 of 1990, which, however, leaves ample room for collective bargaining.

Sectors excluded from the right to strike:

- **Military** personnel (Article 8 of Law no. 382 of 11 July 1978) are explicitly excluded from the right to strike.
- **Members of the State Police** (Article 84 of Law no. 121 of 1 April 1981).

As stated in the previous paragraphs, Law no. 146 of 1990 (as amended and supplemented by Law no. 83 of 2000) introduced restrictions on the right to strike in so-called **essential public services**. The limitations on exercising the right to strike in these sectors aim to ensure a **balance between rights of equal constitutional rank**: the right to strike, recognised for workers, and the constitutional rights of individuals who use essential public services.
These **constitutional rights** are **enumerated in a peremptory manner** by the legislator and are therefore exhaustive. The list cannot be expanded. They correspond to fundamental human rights: Life, Health, Freedom, Personal Safety, the Environment and Cultural Heritage, Mobility, Social Assistance and Security, Education, Remuneration, Communication.
Even in the event of a strike, these constitutional rights cannot be infringed below an inalienable threshold. In the context of essential public services, which are indicated by law not exhaustively but by way of example, in relation to the evolving needs and requirements of citizens, the following sectors are

worth mentioning: **Public transport (airlines, buses, taxis, trains), Health, Environmental hygiene, Administration of justice, Postal services, School and university education, Communications, Television broadcasting, and so forth.**

Legislation provides rules and procedures to be followed in the event of a "collective conflict" and the exercise of the right to strike within essential public services, in order to reconcile the right to strike with the enjoyment of individual rights and to ensure their effective implementation in their essential content. (Article 1, paragraph 2 of Law no. 146 of 1990).

The law directly establishes certain rules of conduct identified as mandatory minimum measures, aimed at balancing the constitutional rights involved.

These legal measures include the obligation to provide **at least ten days' notice** between the date of the strike proclamation and the strike itself; the obligation to **communicate in writing the date, duration, methods of implementation and reasons for the collective action**; the **prohibition of spontaneous revocation of the strike (except in specific cases).**

The establishment of any other rules for each essential service is entrusted to a complex procedure involving **collective autonomy and the Guarantee Commission**, resulting in **agreements** and codes deemed suitable or in **provisional regulations**.

In addition to complying with the rules established directly by law, certain mandatory contents are legally imposed on sector-specific regulations (Article 2, paragraph 2: **essential services, cooling-off and conciliation procedures, minimum intervals**) as well as certain limits (Article 13, paragraph 1, letter a: *essential services not exceeding 50%of the work performed and one third of the personnel normally employed, except for provisions by time slots and other special cases*).

In these public services, therefore, the **right to strike** cannot be fully exercised, but is **limited to ensure the provision of essential services** (the strike must be carried out "**in compliance with measures aimed at ensuring the provision of essential services**", Article 2, paragraph 1). Essential services consist of a minimum service threshold that must be guaranteed during the strike, below which the fundamental rights of individuals cannot be infringed, under penalty of the impossibility of their enjoyment.

Depending on the essential public service involved, the guaranteed services may consist of:

- time slots (periods during which the service must be fully provided). This method of identifying essential services through guaranteed time slots is mainly used in passenger transport sectors (Air, Rail, Local Public Transport);
- a threshold (sometimes expressed as a percentage) of minimum service to be guaranteed. The system of identifying the essential services through the provision of a minimum service to be guaranteed is used in most of the remaining disciplines.

In some cases, essential services have been identified as specific "facilities" that must remain operational even during a strike. For example, in the electricity sector, when a strike is proclaimed, the Network Operator establishes a rotation between production plants to ensure the safety of the "national electricity system". In practice, this "dilutes" the impact of the strike for safety reasons.

Similarly, in the helicopter sector, abstention is carried out through an alternation of the operational bases on strike/active duty. This is done by mapping helipads. Through this alternation system, all interventions where human life is at risk are ensured even during a strike.

Finally, for freelance professionals, the Self-Regulation Codes specify activities that must still be performed during work abstention, such as in the case of Lawyers, Magistrates, and so forth.

Other limitations, provided in sector-specific regulations, relate to the so-called **exemption** periods.

These are periods during which strikes cannot be held to ensure full provision of the service.

For example, in passenger transport, Christmas and summer exemptions apply; in the credit sector, there is a midweek exemption, in land reclamation consortia, strikes cannot take place immediately before or after non-working or holiday days, and so on.

Most sectors also have additional exemption periods of varying lengths, depending on electoral consultations (national, referenda, administrative, etc.).

On 19 December 2024, a "*Memorandum of Understanding for the Ordinary Jubilee of the Year 2025 on the rules for conducting industrial action*" was signed in the Commission, identifying additional exemption

periods (for the transport, safety, environmental hygiene and health sectors) in relation to the most important Jubilee events.

b) Please indicate whether it is possible to prohibit a strike by seeking injunctive or other relief from the courts or other competent body (administrative body or arbitration body). If affirmative, please provide information on the scope and number of decisions in the last 12 months.

Law no. 146 of 1990 recognises an **independent administrative authority** (called the "***Commission for the Guarantee of the Implementation of the Law on Strikes in Essential Public Services***") as the institutional guarantor of the "balance" between the right to strike and the constitutionally protected rights of users, both in defining and applying the rules (art. 12). The Commission is responsible for assessing and monitoring the conduct of strikes, as well as for adopting the necessary measures, among those provided for by law and detailed regulations, to ensure the reconciliation of the right to strike with the protection of individual rights.

Regulatory references on strikes in essential public services:

- Law no. 146/90 and subsequent amendments.
- Provisional Agreements, Codes and Regulations for each sector under the Commission's competence.
- Commission Guidelines / Case law Summary

All documentation is available online on the Commission's official website at: www.cgsse.it

The intervention of the Administrative Authority in the event of a strike in essential public services

Article 8 of Law no. 146 of 1990 provides for a **further limitation on the right to strike** "*When there is a well-founded danger of serious and imminent prejudice to the constitutionally protected rights of the person referred to in Article 1, paragraph 1, which could be caused by the interruption or alteration of the functioning of the public services referred to in Article 1, consequent to the exercise of the strike or to forms of collective abstention of self-employed workers, professionals or small entrepreneurs*".

In such cases, "*upon the recommendation of the Guarantee Commission or, in cases of necessity and urgency, on its own initiative, ... the Prime Minister or the Minister delegated by him "shall adopt by ordinance the measures necessary to prevent such prejudice*". (Article 8).

The purpose of the **injunction ordinance** is not to sanction an unlawful strike, but to prevent a serious and imminent danger to the rights of users that could result from a strike, regardless of its legitimacy.

Therefore, the exercise of this power does not presuppose any violation of strike rules, as the institutional mission of monitoring compliance with the procedural rules established by the law or by agreements and collective contracts on strikes in essential public services lies exclusively with the Guarantee Commission.

The rationale of the provision is to allow an extreme intervention to avert the serious prejudice to users' rights, based on well-founded risks of critical situations (safety, public order, etc.) identified by the ordering Authority, taking into account the circumstances of the specific case and within its territorial competence.

Operating completely autonomously and independently from the Guarantee Commission's power to sanction unlawful strikes, the injunction is aimed at protecting users' rights by ensuring the provision of services considered indispensable **in the specific context and, in any case, upon the recommendation of the Guarantee Commission**. This threshold may be higher or otherwise different from that identified by agreements deemed suitable or by the Guarantee Commission's proposal and may even lead to a temporary prohibition of strikes. Accordingly, the ordinance itself may become a "source" of rules with content differing from the other "sources" established under Law no. 146 of 1990.

Specifically, the administrative measure may postpone the strike to another date (including possibly consolidating several previously proclaimed strikes), reduce its duration or prescribe measures to ensure that public services operate at levels compatible with the protection of constitutionally guaranteed rights.

Such injunction ordinances mainly concern strikes in the transport sector, which is particularly sensitive

due to the so-called “announcement effect” whereby citizens' freedom of movement is affected from the moment the strike is proclaimed, regardless of actual service impact or participation levels.
The measures are adopted by the Minister of Infrastructure and Transport and are available on the institutional website of the Administration.

The Commission’s reports pursuant to Article 13, letter f), of Law no. 146/1990 in the last 12 months
The reporting power attributed to the Commission under Article 13, letter f), of Law no. 146/1990 - intended as a preparatory step for any injunction measure by the Government authority - was exercised on two occasions in 2024.
The first instance concerned a strike called in the railway transport sector on a public holiday, without guaranteed time slots, and coinciding with a major international event involving the only two competitors in the Italian high-speed rail market.
The second instance concerned the general strikes of 29 November 2024.
In that case, the trade unions calling the strike did not comply with the Commission’s request, pursuant to Article 13, letter d), of Law no. 146/1990, to exclude the passenger transport sectors from the strike.
The Commission therefore recommended to the Ministry of Infrastructure and Transport that the duration of the strikes in the transport sector be reduced to four hours.

Article 20 – The right to equal opportunities between women and men

Questions:
a) Please provide information on the measures taken to promote greater participation of women in the labour market and to reduce gender segregation (horizontal and vertical).
-Please provide information/statistical data showing the impact of such measures and the progress achieved in terms of tackling gender segregation and improving women’s participation in a wider range of jobs and occupations.

By way of introduction, it should be noted that women’s employment in Italy continues to show a positive trend in the current year.
According to ISTAT data released in July 2025, the female employment rate reached 53.7% (an increase of 0.1% compared to the previous year), while the female unemployment rate stood at 6.7% (a reduction of 0.1% compared to the same period in 2024).
Based on recently processed CNEL-ISTAT data, there has been a growth in women’s participation in traditionally male-dominated sectors.
In detail, in 2023, among those employed in STEM[12] disciplines (8.7% of total employment), women represented 19.1%. Women accounted for one-third of specialists in mathematical, chemical, physical, and natural sciences, 23.6% of engineers and architects, 17.8% of ICT (Information and Communication Technology)[13] specialists, and 17% of those employed in technical professions within the STEM sector.
In addition to the measures described under Article 4 to reduce the gender pay gap, the Italian legal framework has introduced a number of initiatives to promote greater female participation in the labour market and reduce gender segregation.
Firstly, the **package of investments and reforms under the NRRP** (National Recovery and Resilience Plan)[14] is aimed at creating greater employment opportunities and promoting the participation of women and young people, with a view to reducing gender and generational inequalities.

[12]STEM (Science, Technology, Engineering, and Mathematics) refers to the set of scientific and technological disciplines and related study and career fields, which are essential for innovation and economic growth.
13ICT professionals manage, develop, and implement information and communication systems within organisations (e.g., software developers, cybersecurity specialists, network engineers, and data analysts).
[14]The NRRP, approved by the European Commission, uses funds from the Next Generation EU programme to support Italy’s recovery after the pandemic, focusing on sustainable growth, ecological and digital transition, and combating inequalities.

The NRRP aims to increase female employment through measures supporting women's employment and entrepreneurship, as well as the strengthening of educational, social, and care services, which are considered essential to foster female participation in the labour market.
To address horizontal gender segregation, the Government supports girls' and young women's educational and training pathways, particularly in sectors where female participation, although increasing, still needs to grow, such as STEM disciplines.
The Department for Equal Opportunities (DPO), within the Presidency of the Council of Ministers, in collaboration with the Ministry of Education, University and Research, has launched initiatives to promote equal opportunities and combat gender stereotypes in educational pathways. These initiatives aim to remove cultural barriers through teacher and student awareness and to enhance the talents of all students in these fields.
In this context, Law no. 187 dated the 24th of November 2023 established the "*National Week of Science, Technology, Engineering, and Mathematics disciplines*" (4–11 February each year) to promote guidance, learning, education, and the acquisition of skills in these sectors, which are vital for national innovation and prosperity.
The law allocated EUR 2 million to the DPO for 2024 to finance activities including:
- *stable school and extracurricular orientation pathways to foster STEM skills from early education;*
- *training courses for teaching staff;*
- *extracurricular STEM learning activities in primary and lower secondary schools;*
- *scholarships and training programmes to reintegrate women into the labour market;*
- *events and guidance days for high school students.*

The DPO recently launched a Call for proposals to fund STEM training projects for teachers in lower and upper secondary schools, implemented by universities. The Call provides for contributions ranging from EUR 100,000 to EUR 300,000 per project, focused on the organization and implementation of training courses in STEM subjects. The aim is to strengthen and innovate teaching methodologies and strategies used by teachers in these disciplines. The training programmes also seek to enhance teachers' capacity to support and guide students in choosing their educational and career paths, starting from their own aspirations, overcoming cultural barriers and gender stereotypes, and taking into account the skills demanded by the labour market in the most employable and competitive sectors.
In August 2021, the Minister for Equal Opportunities and the Family adopted, for the first time in Italy, the **National Strategy for Gender Equality** 2021–2026.
Inspired by the EU Gender Equality Strategy 2020–2025, which was approved by the European Union Parliament on 21 January 2021, the document outlines key actions to ensure equal participation and opportunities in the labour market, to achieve gender balance in decision-making and political processes, and to put an end to discrimination and gender-based violence.
The European Commission, moreover, in its Communication on the aforementioned EU Strategy, emphasised, also to highlight the importance of this initiative and its implementation, that "no Member State has yet achieved equality between men and women: progress is slow, and gender gaps persist in the labour market, in pay, care, pensions, in managerial positions, and in participation in political and institutional life".
The **National Strategy for Gender Equality**, a pillar of the NRRP, is structured around five priority areas: *Work*, *Income*, *Skills*, *Time*, and *Power*, with detailed measurable targets to be achieved by 2026.[15]
The "*Work*" priority aims to create a fairer labour market in terms of career opportunities, competitiveness, and flexibility, supporting women's participation, particularly in the aftermath of the pandemic, by helping parents reconcile family and career responsibilities, and fostering women's entrepreneurship, especially in innovative ways.
The Italian strategic document is the result of a broad and participatory process involving administrations, at both national and regional levels, social partners, and major associations. It serves as a reference for the implementation of the National Recovery and Resilience Plan (NRRP) and the so-called Family Act, referred to in Law no. 32 dated the 7th of April 2022, which delegated the Government to adopt measures

[15]The goal is for Italy to improve by 5 points in the EIGE Gender Equality Index, returning to the top ten from the current 14th position.

to support and enhance the family and entered into force on 12 May 2022. This legislative measure was adopted to support parenthood and the social and educational role of families, counter declining birth rates, promote the harmonious growth of girls, boys, and young people, and facilitate the reconciliation of family life and work, particularly for women.
Within the context of the Family Act reform, the establishment of the *Universal Child Allowance*[16] is of particular importance. It is an economic benefit provided to all families for each dependent child, simplifying the system of state economic support for families while promoting both birth rates and women's employment.
Regarding the financing of the National Plan, the Fund for Policies Relating to Rights and Equal Opportunities was increased by EUR 5 million starting in 2022.
With respect to income, the Strategy aims to reduce the gender pay gap by facilitating women's participation and retention in the labour market, supporting care responsibilities, enhancing skills, ensuring fair remuneration for jobs of equivalent socio-economic value, and promoting economic independence.
To strengthen the governance of the 2021–2026 Strategy, Law no. 234 dated the 30th of December 2021, on the "State Budget for the financial year 2022 and the multi-year budget for 2022–2024", provided for the adoption of a **National Strategic Plan for Gender Equality**, supported by the establishment of an *inter-institutional Steering Committee and a National Observatory for the Integration of Gender Equality Policies* within the Presidency of the Council of Ministers – Department for Equal Opportunities.
The *Steering Committee*, established by the Decree dated the 27th of January 2022 of the Minister for Equal Opportunities and the Family, coordinates actions among the various administrations and across different levels of government, both centrally and territorially. Its tasks include periodically assessing the implementation status of measures under the National Strategic Plan for Gender Equality and ensuring the programming of resources allocated to the Plan.
The National Observatory for the Integration of Gender Policies, established by Decree dated the 22nd of February 2022 of the Minister for Equal Opportunities and the Family, serves as the technical body supporting the Steering Committee. Its functions include monitoring, analysis, research, and providing recommendations for the design and implementation of the National Strategic Plan, evaluating its impact to improve effectiveness and integrate tools where necessary.

Among the various measures further adopted by the Italian Government to promote greater participation of women in the labour market, the following stand out:
- **The 2025 Women's Employment Bonus**, introduced by the so-called *Cohesion Decree* (Decree-Law no. 60 dated the 7th of May 2024, converted with amendments by Law no. 95 of 4 July 2024), is a structural measure aimed at supporting the stable entry of women in disadvantaged employment conditions into the labour market. The measure consists of a full social security contribution exemption for private employers, including those in the agricultural sector, who hire women on permanent contracts by 31 December 2025. The exemption applies for a maximum of 24 months, with a monthly cap of EUR 650 per employee. The benefit is available for the employment of women who meet at least one of the following conditions:
1. no regular paid employment for at least 24 months, regardless of residence;
2. no employment for at least 6 months and residing in the regions of the Special Economic Zone for the South (single SEZ): Abruzzo, Basilicata, Calabria, Campania, Molise, Puglia, Sicily, Sardinia;
3. disadvantaged because they work in sectors with a high gender employment gap, as defined by Regulation (EU) no. 651/2014.
- **The 2024 Budget Law** (Law no. 213 of 30 December 2023, Articles 1, paragraphs 180 and 181) provides

[16]This economic support measure was introduced on 1 March 2022 by Legislative Decree no. 23 of 29 December 2021 (as amended) and is granted for each dependent child up to the age of 21 (under certain conditions) and without age limits for children with disabilities. The amount granted varies according to the family's economic situation, based on a valid ISEE (Equivalent Economic Situation Indicator) at the time of application, taking into account the children's age, number, and any disability conditions. The allowance is defined as "universal" because it is guaranteed to all families with dependent children, even in the absence of an ISEE or with an ISEE above the maximum threshold (EUR 43,240), and "single" as it simplifies and strengthens interventions to support parenthood and birth.

for a full exemption of contributions payable by working mothers with three or more children in permanent employment (excluding domestic work) for the period 2024–2026, up to the month of the youngest child's eighteenth birthday, with a maximum annual limit of EUR 3,000, calculated on a monthly basis. An experimental extension for 2024 also covers working mothers of two children, up to the youngest child's tenth birthday. With Ruling no. 2/2025, the Ministry of Labour and Social Policies extended the benefit to working mothers on intermittent permanent contracts, recognising the greater fragility associated with flexible work arrangements.

- The same 2024 Budget Law (Articles 1, paragraphs 191–193) introduced a full contribution exemption (100%) for private employers who, in 2024–2026, hire unemployed women who are victims of violence and beneficiaries of the Freedom Income ("*Reddito di Libertà*")[17], to facilitate their exit from violence through employment. The duration of the benefit varies according to the type of employment: 24 months for permanent contracts, 12 months for fixed-term contracts, and 18 months for fixed-term contracts converted into permanent ones.

- **Legislative Decree no. 105 of 30 June 2022**[18], implementing Directive (EU) 2019/1158 on work-life balance, introduced significant changes to parental protection legislation to facilitate reconciliation of work and family life, promote a more equitable distribution of care responsibilities within families, and prevent working mothers from leaving the labour market due to family care obligations. The provisions cover *flexible working arrangements, maternity and paternity protection, paid parental leave, and measures to facilitate access to childcare and dependent care services.*

In particular, the regulation **has raised the age limit** for parental leave from 6 to 12 years. The leave is optional and can be taken for a maximum of six months per parent, per child, with a total of 10 months between both parents. This total increases to 11 months if the father takes at least 3 months, even if non-consecutive. A portion of the leave (3–4 months) is non-transferable between parents, encouraging shared parental responsibility. Through Legislative Decree no. 105/2022, the compensated leave period—previously limited to six months at 30% of pay—was increased to nine months, allocated as follows:

• 3 months for the mother (non-transferable to the father);
• 3 months for the father (non-transferable to the mother);
• 3 months to be shared flexibly between both parents.

Subsequent budget laws (2023, 2024 and 2025) further increased the allowance granted to parents, raising it to 80% of their remuneration for a maximum period of three months. These months may be used cumulatively by the parents within the first six years of the child's life, or within six years from the child's entry into the family in the case of adoption or foster care. The increase responds to the objective—pursued by the European legislator through the aforementioned Directive (EU) 2019/1158—of ensuring adequate remuneration for such leave, thereby encouraging more balanced take-up by both parents.

Legislative Decree no. 105/2022 also introduced further measures to facilitate work–life balance:

• *priority access to part-time work for parents with children under the age of 13 or with disabled children* (regardless of age), as well as for workers who provide assistance to persons with severe disabilities or affected by oncological diseases or other serious illnesses. Where the illness concerns the worker, he or she is entitled to part-time work (Article 8, paragraph 5 of Legislative Decree no. 81/2015);
• *priority access to smart working and remote work* for parents with children under the age of 12 or with disabled children (regardless of age), as well as for workers who provide assistance to persons with severe disabilities (Article 18, paragraph 3-bis of Law no. 81/2017).

- **Compulsory paternity leave** (Article 27-bis of Legislative Decree no. 151 of 27 March 2001): initially introduced on an experimental basis for a single day, it currently lasts 10 working days and may be taken from two months before childbirth until five months after the child's birth. It may be taken non-continuously, though it cannot be taken on an hourly basis. It is covered by an allowance equal to 100%

[17]This support aims to ensure the economic independence and empowerment of women victims of violence, with or without children, participating in exit programs with anti-violence centres or social services.
[18]This implements Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers, repealing Council Directive 2010/18/EU.

of remuneration. In the case of multiple births, the duration is increased to 20 days (also in the event of more than two twins). The leave is also available to adoptive or foster fathers.
According to data provided by the National Institute for Social Security (INPS), in 2023 more than 183,000 fathers took compulsory paternity leave, an increase of 5.2% compared to the previous year. It is estimated that they represent 64.5% of potential beneficiaries, suggesting that this number is likely to grow.
- **Guidelines on "*Gender equality in the organisation and management of the employment relationship within Public Administrations*"**—adopted pursuant to Article 5 of Decree-Law no. 36 of 30 April 2022 ("*Further urgent measures for the implementation of the National Recovery and Resilience Plan*"), converted with amendments by Law no. 79 dated the 29th of June 2022—aim to identify the priority objectives that Public Administrations must pursue when adopting measures that provide specific advantages, or avoid or compensate disadvantages, for the under-represented gender. They therefore offer concrete and practical guidance to support Public Administrations in achieving a more inclusive and gender-equal work organisation.
- **CNEL's Permanent Forum for Gender Equal Opportunities**: this body, established in 2019 within the National Council for Economy and Labour (CNEL), addresses the needs expressed by stakeholders, social partners and civil society. Its aim is to contribute to the development of concrete actions to combat the many forms of inequality, including the wage and social gaps, work–life balance issues, and the strengthening of family-support services. It also serves as an open forum for discussion, best practices and new legislative proposals in favour of women.

- **Gender Equality Plan (GEP)**
Legal persons and entities[19] applying for European funding (e.g., Horizon Europe) must have a Gender Equality Plan (GEP)—or an equivalent strategy—in order to be eligible for funding.
A GEP is a strategic plan adopted by an entity to promote and achieve internal gender equality by defining concrete and measurable actions to address discrimination and enhance diversity. It is often an eligibility requirement for European funding programmes such as Horizon Europe. Typical objectives include work–life balance, gender balance in decision-making positions, gender equality in recruitment and career development, and the integration of the gender perspective into the organisation's activities.
In particular, the GEP aims to reduce gender inequalities through concrete commitments in several areas:
Work-life balance: Creating a working environment that supports the reconciliation of professional and personal life.
Gender balance in decision-making bodies: Ensuring equal gender representation in leadership roles and decision-making bodies.
Equality in recruitment and career progression: Implementing recruitment and career development policies that promote equal opportunities.
Integration of the gender perspective: Mainstreaming the gender dimension in the planning, implementation and evaluation of activities and policies.
Combating discrimination and violence: Preventing and addressing gender-based violence and all forms of discrimination, including sexual harassment.

- **Gender budgeting**—mainly used in the public sector—aims to ensure greater transparency in the allocation of budgetary resources and the impact they have on men and women. It is the budget

[19]The GEP applies to individual organisations applying for funding under Horizon Europe if they fall into one of the following categories of legal entities established in EU Member States or in countries associated with Horizon Europe:
- *Public bodies and administrations (Ministries, Regions, Municipalities, Universities, Research Bodies and Public Institutes);*
- *Private companies;*
- *Third Sector Organisations and Cooperatives.*

document that analyses and assesses an administration's policy choices and financial commitments from a gender perspective. Men and women are affected differently by budgetary decisions, not only in relation to specific policies but also due to their different socio-economic conditions, individual needs, and social behaviours. Gender budgeting highlights the differentiated impact of budgetary policies on men and women in terms of money, services, time, and unpaid work. It is based on the recognition that there are differences between men and women regarding their needs, conditions, life paths, opportunities for work, and participation in decision-making processes. Consequently, policies are not gender-neutral but produce different effects on men and women.
The preparation of a gender budgeting allows for the pursuit of at least three objectives:
- *raising awareness of the impact of public policies on gender inequalities;*
- *ensuring greater effectiveness of interventions through a clear definition of gender objectives to be considered also in the methods of implementation;*
- *promoting greater transparency in public administration by activating mechanisms designed to identify potentially discriminatory practices.*
Gender budgeting is closely related to the *sustainability report*, sharing similar structure, purposes, and target audiences. Like the sustainability report, gender budgeting aims to assess resource management, and the effectiveness and efficiency of the actions and expenditures undertaken.
The gender budgeting can therefore be seen as a complementary document to the sustainability report, which—pursuing its specific mission of promoting genuine and effective equality between women and men—integrates the report through the analysis of the gender dimension.

It is also useful to recall the important role played by the equality bodies extensively mentioned in previous reports. These bodies were established in the Italian legal system even before European law required Member States to introduce equality bodies.

The main body is the **National Committee for the implementation of the principles of equal treatment and equal opportunities between male and female workers**, established by Law no. 125 of 10 April 1991, which introduced into the Italian legal system the so-called "positive actions", aimed at *promoting women's employment and ensuring substantive equality between men and women in the workplace.* The Committee is currently governed by Legislative Decree no. 198 dated the 11th of April 2006 ("*Code of equal opportunities between men and women*"), "pursuant to Article 6 of Law No. 246 dated the 28th of November 2005", as last amended by Legislative Decree no. 151 of 14 September 2015. This body, established within the Ministry of Labour and Social Policies and reconstituted in 2019, has the fundamental task of promoting, within the scope of State competence, the removal of discrimination and any obstacle that limits equality between men and women in access to employment, in professional promotion and vocational training, and in working conditions, including remuneration. To this end, it may adopt any useful initiative in accordance with Article 9 of Legislative Decree no. 198/2006.

Additional equality bodies include:

- the **National Councillor for Equal Opportunities**, responsible for handling nationally significant cases of workplace gender discrimination and for promoting equal opportunities for male and female workers, also through cooperation with national bodies competent in active labour policies, training, and reconciliation measures. This figure is also a member of the National Equality Committee and coordinator of the National Conference of Equality Councillors;
- the **Equality Councillor** (at the regional and local level);
- the **National Conference of Equality Councillors**, which replaced the previous Network of Councillors and operates, through institutional cooperation, on equality policies with propositional, consultative and mediating functions, for example by conducting independent inquiries or publishing recommendations on workplace discrimination;
- the **Commission for Equal Opportunities between Men and Women** and the **Department for Equal Opportunities**, within the Presidency of the Council of Ministers;
- the **Unified Guarantee Committees** (CUGs)—established under Law no. 183 dated the 4th of November 2010, which merged into a single body the competences of the former Equal Opportunities Committees and the Joint Committees on mobbing. CUGs are joint bodies set up within public

administrations to promote equal opportunities, combat discrimination and mobbing, and improve organisational well-being and work performance. They perform propositional, consultative and monitoring functions in matters of equal opportunities and organisational well-being, helping optimise productivity and ensuring a working environment free from discrimination and moral or psychological violence. Over the years, investment in this broad system of bodies—stemming from a strong institutionalisation promoted at the legislative level—has played a valuable role in "filling the gaps in anti-discrimination legislation", complemented by the numerous equality bodies established within large companies.

In this context, it is worth noting that alongside Directive (EU) 2023/970 (Pay Transparency), the transposition of two "twin directives"—Directives (EU) 2024/1499 and 2024/1500[20]—is also underway. These directives were adopted with the specific objective of strengthening the effectiveness, autonomy and independence of equality bodies in Member States, to ensure better enforcement of gender equality principles. They must also be transposed into national legislation by June 2026.

b) Please provide information on:

- ***measures designed to promote an effective parity in the representation of women and men in decision-making positions in both the public and private sectors;***
- ***the implementation of those measures;***
- ***progress achieved in terms of ensuring effective parity in the representation of women and men in decision-making positions in both the public and private sectors.***

With reference to the request under consideration concerning the measures adopted to promote effective gender parity in the representation of women and men in decision-making positions in both the public and private sectors, it is necessary first to mention a law that has from the outset been considered cutting-edge: **Law no. 120 dated the 12th of July 2011**.

It is appropriate to recall this law here—more commonly known as the "*Golfo-Mosca*" Law, extensively discussed in previous reports—as it has concretely addressed the chronic underrepresentation of women in senior corporate positions and has promoted more equitable access to top management roles.

Indeed, the law pursued the objective of ensuring broader protection of gender equality in access to the administrative and supervisory bodies of companies listed on regulated markets, well before the adoption of Directive (EU) 2022/2381 ("Women on Boards"), which entered into force on the 27th of December 2022 with the aim of *improving the implementation of the principle of equal opportunities between women and men on the boards of listed companies in Europe and increasing female representation.*

In the Italian legal system, the detailed rules applicable to publicly controlled companies not listed on regulated markets are set out in a specific regulation adopted by Presidential Decree no. 251 dated the 30th of November 2012, with the aim of ensuring homogeneous regulatory treatment for all companies concerned.

The Golfo-Mosca Law required listed companies to amend their articles of association to ensure that, in

[20] *Directive (EU) 2024/1499* of the Council of 7 May 2024 on standards for equality bodies regarding equal treatment irrespective of racial or ethnic origin; equal treatment in employment and occupation irrespective of religion or belief, disability, age or sexual orientation; and equality between women and men with regard to social security and access to and supply of goods and services, amending Directives 2000/43/EC and 2004/113/EC.

Directive (EU) *2024/1500* of the European Parliament and of the Council of 14 May 2024 on standards for equality bodies in the field of equal treatment and equal opportunities between women and men in employment and occupation, amending Directives 2006/54/EC and (EU) 2010/41.

the allocation of directors to be elected, the less represented gender obtains at least one third of the elected directors, for three consecutive terms; the same criterion applies to supervisory bodies.
Subsequently, the 2020 Budget Law (Law no. 160 dated the 27th of December 2019) amended some of the provisions laid down by the Golfo-Mosca Law, making them even more ambitious. The applicable term was extended from three to six mandates; moreover, the allocation criterion for directors and members of supervisory bodies was modified, providing that the less represented gender must obtain at least two-fifths (40%) of the elected members, instead of the previous threshold of one third (33%).

Furthermore, regarding the issue of rebalancing gender representation in appointment procedures, a *dedicated Study Group* was established in April 2021 at the Department for Equal Opportunities of the Presidency of the Council of Ministers. The Group consists of nine university professors of constitutional law, public law institutions, and comparative public law. Its task is to develop proposals aimed at ensuring the full participation of women in institutions, in leadership positions at all levels of decision-making, and in all aspects of social, economic, and political life.
A **Committee for Women's Entrepreneurship** has also been established at the Ministry of Enterprises and Made in Italy (MIMIT). It is responsible for guiding, analysing and proposing policies to increase the presence of women in the labour market and in business—also through the resources of the Women's Enterprise Fund—and for developing initiatives such as the *National Programme for Women's Entrepreneurship.*

With regard to the progress achieved in pursuing equal representation of men and women in decision-making positions, please refer to the information and statistical data provided under point (c) below.

c) Please provide statistical data on the proportion of women on management boards of the largest publicly listed companies, and on management positions in public institutions.

In the system of listed companies, including those controlled by public administrations, responsibility for monitoring compliance with gender balance requirements lies with the Italian Companies and Exchange Commission (CONSOB).
The most recent data, referring to the end of 2024, show that the percentage of positions held by women is stable at 43% of all directorships and 41% of positions on supervisory bodies. Moreover, the share of companies in which women are equally or more represented than men on the Board of Directors has increased compared to previous years (19% of Boards of Directors, compared with 15% in 2023). On average, 4.1 women sit on each Board, with higher figures recorded in companies with larger market capitalisation and in the financial sector.
With regard to oversight in publicly controlled companies that are not listed, Article 4 of Presidential Decree no. 251/2012 establishes that the President of the Council of Ministers or the Minister for Equal Opportunities is responsible for supervisory activities. This function is carried out through the Department for Equal Opportunities.
As of December 2024, 2,636 companies controlled by the Public Administration fell within the scope of Presidential Decree no. 251 dated the 30th of November 2012. Of these, 1,101 (42%) appointed a sole director—predominantly male. In the remaining 1,525 publicly controlled companies administered by a collegial body, women represent about one third (33%) of the members of the Board of Directors.

For further statistical information, please refer to the tables below, which present the percentage of women in decision-making bodies (2013–2024), based on ISTAT data from the Constitutional Court, the Superior Council of the Judiciary, Embassies, and selected Independent Administrative Authorities, as well as the percentage of women on the boards of listed companies (2004–2024) based on CONSOB data.
In both tables, the percentages show a steady increase, demonstrating the positive impact of the regulatory measures described in relation to the previous question under point (b).

Table: Percentage of women in selected decision-making bodies out of total members Bodies considered: Embassies; Constitutional Court; Superior Council of the Judiciary (including magistrates involved in its functioning); selected Independent Administrative Authorities (Competition Authority, Communications Authority, Data Protection Authority; CONSOB).

Women in decision-making bodies *(percentage).* **Years 2013-2024**											
Year	**%**										
2013	12.0										
2014	10.1										
2015	15.8										
2016	13.3										
2017	16.4										
2018	15.9										
2019	16.8										
2020	19.1										
2021	19.5										
2022	19.1										
2023	21										
2024	21.3										
Source: ISTAT - Processing of data from the Constitutional Court, the High Council of the Judiciary, Embassies and some Independent Administrative Authorities											

Women on the boards of directors of listed companies *(percentage).* **Years 2004-2024**							
Year	**%**						
2004	4.5						
2005	4.6						
2006	4.7						
2007	5.4						
2008	5.9						
2009	6.3						
2010	6.8						
2011	7.4						
2012	11.6						
2013	17.8						
2014	22.7						
2015	27.6						
2016	31.6						
2017	33.6						
2018	36						
2019	36.5						
2020	38.8						
2021	41.2						
2022	42.9						
2023	43.1						
2024	43.2						
Source: Consob							