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EURES Work in ITALY

The rights of foreign workers

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Info to Work in ITALY

Foreign workers are on an equal footing with Italian citizens in the enjoyment of specific rights related to work, and therefore: health and safety at work; equal opportunities between men and women; protection against all forms of discrimination; the right to fair and proportionate remuneration; the right to reconcile work and family life; the right to rest and to join (and not join) a trade union.

In addition, all the rights expressly provided for in your employment contract or in the national or territorial collective agreement of reference for your sector of work are also provided for.

During the selection process, the employer is not allowed to ask questions about political and religious opinions, pregnancy or HIV status, marital status or family status (principle of non-discrimination).

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How many hours a day can you work?

Normal working hours are set at 40 hours per week, but reference is made to collective labor agreements, at a national or sectoral level; resort to overtime is possible, but must be limited.

The worker is entitled to 11 consecutive hours of rest every 24 hours and a rest period of at least 24 consecutive hours, usually coinciding with Sunday, every seven days. Paid annual leave must last at least four weeks and is non-renounceable.

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What is meant by labor exploitation?

According to Italian legislation, labor exploitation occurs when certain characteristics are present in the performance of the work activity, such as:

- ✓ Payment of wages that are below national standards and disproportionate to the hours worked;
- ✓ Repeated prolonged working hours or the denial of weekly rest, paid annual leave and/or paid sick leave;
- ✓ The systematic violation of workplace safety and health;
- ✓ The use of degrading methods of supervising the worker.

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What are the employer's obligations in order to safeguard the worker's job security?

The obligatory fulfilments (D. Lgs. 81/2008) assigned to the employer are many, among which:

- The assessment of all the risks present in the workplace to which workers could be exposed with the consequent elaboration of the Risk Assessment Document (Dvr);
- The implementation of standards for premises, plant, machinery and equipment;
- The organization of the prevention and protection service;
- The appointment of the indispensable figures for safety at work;
- The information, education and training of workers;

These activities must not, under any circumstances, involve financial costs to workers. The supervision of these activities is the responsibility of INAIL, which you can contact for more information.

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Where can workers turn to find out if they are in an exploitative work condition?

There is a wide network of support, information and orientation on the national territory: it is possible to contact trade unions, trade associations, territorial services of the municipality of residence, as well as associations https://integrazionemigranti.gov.it/it-it/Registro-associazioni that offer assistance and activities in favor of foreign citizens.

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Who can the worker turn to in case of an emergency? Or for information?

The worker can call the national **anti-trafficking hotline 800.290 290.**

The number is free and active 24 hours a day, every day of the year. The operators who answer are linguistic-cultural mediators who speak English, Spanish, Albanian, Romanian, Russian, Moldovan, Ukrainian, Nigerian, Chinese, Polish, Portuguese and Arabic.

They provide useful information and orientation to local services or, in case of emergency, assistance for specific needs. As part of the awareness-raising activities carried out by the Department for Equal Opportunities, there is also a website_that has a special section dedicated to labor exploitation.

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Who can the worker turn to in case of an emergency? Or for information?

From June 2021 is also active the Inter-institutional Helpdesk Anti-caporalato (Helpdesk interistituzionale Anticaporalato) specifically intended for foreign citizens victims or potential victims of labor exploitation.

Intercultural mediators and operators provide a multilingual service (English, French, Arabic, pidgin, edo/benin, wolof, mandingo, fula, pular and others on request) on how to emerge, access to local services and the possibility of inclusion in programs against labor exploitation Su.Pr.Eme. Italia e P.I.U. Su.Pr.Eme

The multi-channel Helpdesk is active from Monday to Friday from 9:30 am to 6:30 pm, with storage and management of messages arrived after the operating hours.

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What is “Caporalato”?

The "caporalato", or illicit work intermediation, is a system that recruits workers to work for third parties, in conditions of exploitation.

Caporalato is a crime, for which both the person who recruits (the caporale) and the person who "uses, hires or employs manpower" (the employer) are liable, subjecting the workers to exploitative conditions.

On the other hand, the worker is not punished for the mere fact of working without a contract or without a residence permit.

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