

DOCUMENT

MISEP MUTUAL INFORMATION SYSTEM ON EMPLOYMENT POLICIES

ITALY
Basic Information Report



**COMMISSION
OF THE EUROPEAN COMMUNITIES**

This document has been prepared for use within the Commission. It does not necessarily represent the Commission's official position.

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Commission of the European Communities

M.I.S.E.P.

- Mutual Information System on Employment Policies -

Italy

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MISEP

On the basis of an agreement of the directors general for employment, the Commission of the European Communities has created a Mutual Information System on Employment Policies (MISEP).

The system operates with a network of correspondents from the departments responsible for employment policy in the Member States and a centralised secretariat under the overall responsibility of the Commission.

It was set up by the Commission in response to the desire expressed by Member States' delegations in the Council to be mutually informed on developments in national employment policy measures and structures. The objective of the system is defined as "to gather, synthesise, translate and disseminate relevant information in the Member States, serving each of the responsible national ministries and agencies in their daily decision-making, and aiding the Commission in its co-ordinating role at Community level".

The "Basic Information Reports" describe the structure and content of employment policy in each Member State. All these reports follow the same structure and contain the same basic information which is essential to an understanding of the way employment policy is conceived and operated.

The material contained in the Basic Information Reports has been provided by the national correspondents and is correct as at 1 March 1983. It is intended as a guide and an explanation of national policy measures in force at that date and is not as a substitute for the corresponding legal texts. It is designed to describe the policies and practices in Member States without value judgements either on the part of the Commission or the national correspondents.

While these reports will be updated periodically, further information and regular updating of measures are published in "InforMISEP", and reproduced in "Social Europe".

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Chapter I: INSTITUTIONS

MINISTERO DEL LAVORO ET DELLA PREVIDENZA SOCIALE (Ministry of Labour and Social Insurance)

1.1. Legal status and constitutional competence

The interministerial law by decree no. 377 of June 21, 1945 brought in an autonomous ministry to deal exclusively with work and social insurance and being clearly separated from economic tasks.

Law no. 628 of July 22, 1961

The Ministry of Labour and Social Insurance is entrusted with elaborating, applying and monitoring labour law.

1.2. Decision-making bodies

The Minister of State
The Under-Secretary of State
The Directors-General

1.3. Organisation chart (see pages 3 and 4)

Central administration

- a) Directorate-general of general affairs and personnel
This directorate is responsible for the organisation of the offices and staff recruitment and training.

Two services fall within the ambit of this directorate: the central labour inspectorate, and the central service of the labour offices. They deal with personnel matters and the organisation and operation of the labour inspectorates and offices; they also supervise and monitor these same offices.
- b) Directorate-general of labour relations
This directorate is in charge of: international labour problems and relationships with international bodies concerned with labour issues; labour protection and labour legislation; work safety and health; the problems of workers' families; trade-unions, collective agreements and labour disputes for various branches of the economy.
- c) Directorate-general of manpower employment
This directorate is competent for statistical enquiries and surveys of the situation of employment, unemployment and domestic and foreign migration, special and ordinary placement, compulsory hiring of special categories, free movement of workers within the countries of the European Community, emigration to other countries, recruiting and vocationally preparing of emigrant workers, international workers' exchange, assistance to migrant and emigrating workers and their families.
- d) Directorate-general of social insurance and welfare
This directorate is in charge of: international problems of social security and welfare, control and administrative supervision of welfare bodies and remuneration of their staff, problems of financing social security, general compulsory insurance, earnings supplements, family allowances and social welfare.

e) Directorate-general of co-operatives

This directorate deals with: economic problems of the co-operative system, development and enhancement of the co-operative movement, general file on co-operatives, recognition of national associations and consortiums of co-operatives, supervision of co-operatives, consortiums and associations, dissolution of co-operatives and forced administrative liquidations.

f) Directorate-general of workers' vocational guidance and training

This directorate deals with: international problems of workers' vocational guidance and training, vocational guidance, the European Social Fund - relationships with the regions as regards vocational training, supervision of bodies concerned with vocational training - and establishment and financing of vocational training courses abroad.

MINISTRY OF LABOUR AND SOCIAL INSURANCE

Minister of State

Under-Secretary of State

Directorate-general of
general affairs and
personnel

Directorate-general of
labour relations

Directorate-general of
welfare & social
insurance

Administration

Directorate-general of
co-operatives

Documentation

Directorate-general
of workers' vocational
guidance and training

ISFOL

Technical assistance

Research on professions

Directorate-general
of manpower placement

Community supplies

Research on labour market
and vocational training

Institutional studies, labour
policies & industrial relations

Div. I General affairs

Div. II General regulations
on placement

Div. III Regulations on compulsory
hiring

Div. IV Free movement of
workers in EEC countries

Div. V Emigration to countries
outside the European Community
and abroad

Div. VI Guidance in economics

Div. VII Statistical enquiries
into employment

1) Regional and provincial labour offices and their sections by zone, municipality (commune) and locality

The regional labour offices are divided into four sectors: a) for the organisation of work methods, b) for socio-economic research, c) for employment and vocational training policy, and d) for social and trade-union policy.

The provincial labour offices are divided into units dealing with a) personnel, organisation, surveys, analyses and studies of socio-economic phenomena, b) employment services, c) social services relating to the co-operative system, d) services for labour relations (collective agreements and disputes), and e) administrative and accounting services.

2) Emigration centres

These are spread out in some strategic locations and provide assistance to workers who are emigrating or returning as well as to their families.

3) Regional and provincial labour inspectorates and central medical inspectorate which monitor the application of social legislation.

The offices of the labour inspectorate have an internal organisation focused on four services: a) secretariat and general affairs, b) technical service and special surveillance, c) occupational health service, and d) monitoring service.

Central advisory bodies

Various collegiate bodies having sectoral responsibilities and tripartite membership (public administration, employers and workers) have an advisory function towards the Ministry of Labour:

A) Central commission for employment

This Commission establishes at the national level the criteria for carrying out the organic and active employment policy in accordance with the guidelines of economic planning and indications from the EEC. Taking into consideration the quantitative and qualitative dynamics of the labour market and within the economic framework of regional vocational training activities, it sets out, before July 30 each year, the guidelines of employment policy and income maintenance of workers. To this end it promotes and organises studies and systematic surveys of the national labour market and its qualitative and quantitative trends.

The commission is chaired by the Minister of Labour and consists of: a) 8 representatives of the workers, 4 of employers, 1 company director, 3 self-employed persons and 1 representative of the co-operative movement; b) 4 directors-general of the Ministry of Labour, c) 5 representatives of the regions, d) 1 representative of the ministry of public education and 1 expert chosen from among those working in the field of vocational training.

The commission has its own technical secretariat to enable it to attain its objectives.

The commission deals in addition to these tasks with those already foreseen by the law no. 264/1949, article 34 of law no. 300 of May 20, 1970 (on the statute of workers) and article 26 of law no. 675 of August 12, 1977 (concerning the geographical mobility of workers between regions).

Other commissions dealing with specific work issues are:

- B. Central commission for controlling work at home (law no. 877 of December 18, 1973 - article 7).
- C. Commission for the lists of workers and standardised contributions in agriculture. This commission supervises the work of the service for uniform contributions in agriculture and its territorial organisation.
- D. Central commission for co-operatives (article 18 et seq of law no. 1577 (D.I.C. P.S.) of December 14, 1947). This gives advice as regards co-operatives.
- E. Standing consultative commission for the prevention of accidents and for occupational hygiene (operates in anticipation of the implementation of the law no. 833 of December 23, 1978 concerning the institution of a national health service which would reform legislation on work accident prevention and health).
- F. Commission for rehabilitating people with sight deficiencies to become telephone exchange operators
- G. Central commission for monitoring portage work
- H. Central commission for monitoring household work
- J. Central commission for insuring fishermen

Local collegiate bodies

There are a number of advisory tri-partite bodies having administrative functions linked to those of the labour offices:

- 1. Regional employment commission
This was instituted by law no. 675 of August 12, 1977. Its main aim is to foster labour mobility arising from the possible requirements of industrial restructuring and reconversion. New tasks were given by law no. 479 of August 4, 1978: regional employment commissions are the local extensions of the central employment commission, provided with technical secretariats for evaluating quantitative and qualitative aspects of the labour market.
- 2. Other commissions working on the local level have more limited roles. They are:
 - a) the provincial commission for ordinary placement;
 - b) the provincial commission for placement in agriculture;
 - c) the provincial commission for compulsory placement;
 - d) the provincial commission for domestic work;
 - e) the commission for work at home.

1.4. Number of personnel

Staff are split according to three roles (central administration, labour and placement offices and labour inspectorates) within which careers are foreseen as executives ("dirigenti"), managers ("direttiva"), employees with managerial capacities and functions ("concetto"), administrators ("esecutiva") and auxiliaries ("ausiliaria"). Numbers of staff foreseen are: 848 in the central administration, 3808 in the labour offices, 6657 in the placement offices and 3133 in the labour inspectorates. The number of persons employed is below that foreseen in the organisation chart.

The statute of the staff is determined by a state law setting out conditions of entry to the service, degrees required, the vocational and professional training required as well as career planning and the carrying through of related functions.

1.5. Operational budget

The State fixes each year by law the sums required for the operation of the central and decentralised offices (staff and office expenses).

The amount allocated in 1981 was Lit 210 875 913 128.

1.6. Co-operation and co-ordinated activities

The Ministry of Labour and Social Insurance and its decentralised offices are responsible for all aspects of "work"; other bodies are, however, given statutory authority on specific aspects of work. They are:

1. Ministry of Foreign Affairs. Through its directorate-general for emigration and social affairs, this Ministry is in charge of
 - a) studying questions concerning social policy internationally, the Italian community abroad, emigration and consular matters;
 - b) negotiations in bi- and multi-lateral questions dealing with inter-state social relations and emigration and relations with international organisations and bodies;
 - c) protection and assistance, including schooling, of Italian citizens abroad;
 - d) questions relating to transporting emigrants abroad;
 - e) the negotiation and application of agreements dealing with the subject matter;
 - f) supervising and managing vocational training initiatives abroad.

In the area of emigration, the inter-ministerial committee for emigration is of special importance.

2. Ministry of the Interior
Some aspects concerning special matters relating to work relationships are required by law to be taken care of by the Ministry of the Interior and its local body: the prefecture of the province.
3. Ministry of the Merchant Navy and Ministry of Transport
The navigation code gives the ministry of the merchant navy many powers, rights and responsibilities for maritime navigation and harbor work and the ministry of transport for inland navigation and connected harbour work as well as for air traffic.

Special regulations are in force for the employment of seamen and persons working for port authorities; these provide for their registration in special registers and at the harbour employment offices.

4. Ministry of Industry, Commerce and Handicrafts
The general directorate of mines is responsible for monitoring the regulations of the mines and quarries police to protect the safety and health of the workers in these sectors. To this end it draws on the technical staff of the mine consisting of engineers, geologists, chemists, etc.

1.7. International contacts

The Ministry of Labour maintains relationships with international bodies dealing with problems concerning the world of work.

It is in contact in particular with the ILO in Geneva, with the European Commission and the Council of Ministers of the European Community, the Statistical Office of the Community and the European Parliament. It furthermore participates in the meetings of the OECD and of the Council of Europe.

The cabinet of the Minister has a special office which co-ordinates the activities of the directorates-general in the international sphere.

CONSIGLIO NAZIONALE DELL'ECONOMIA E DEL LAVORO
(National Economic and Labour Council)

1.1. Legal status and constitutional competence

The National Economic and Labour Council (Consiglio Nazionale dell'Economia e del Lavoro - CNEL) is provided for under article 99 of the Constitution and regulated by law no. 33 of January 5, 1957. It is a particularly important body in the field of economics and labour.

It has advisory and initiating functions as regards legislation in the field of economics and labour and collaborates in the drafting of economic and social laws.

1.2. Decision-making bodies

CNEL has a president, two vice-presidents and a managing committee consisting of the two vice-presidents and eight advisers, the Assembly and the Commissions.

The president represents CNEL, maintains contacts with Parliament and the Government as well as with the regions. He calls the Assembly, presides over its work and decides on its agenda as well as setting up and coordinating the activities of the Commissions.

1.3. Organisation chart

CNEL is composed of representatives of various industries, of representatives of advisory bodies to public authorities having direct or indirect relations with the subject of economics and social affairs and of persons particularly competent in these same fields (total membership is 79 people).

Members are appointed by decree of the President of the Republic on the proposal of the President of the Council following deliberation of the Council of Ministers.

1.4. Number of personnel

1.5. Operational budget

The operating expenses of CNEL are covered by the state budget.

Chapter II: PROCEDURES

Legal instruments

As regards employment policy in Italy, the juridical instrument used is the law which is proposed by the government or parliamentary groups and approved by the two Houses.

The social partners are, however, involved in determining the overall directions of general policy in the two aspects of legislative activity and economic policy and planning. Social partner involvement does not have a written basis but stems from consolidated usage; as regards legislative and regulatory activities dealing with work, reference should be made to the "triangular conferences" and "triangular meetings". Both are instruments of direct consultation between trade-unions and employers' associations on legislative initiatives. During the triangular conferences, all parties expressed their opinions with an ensuing debate between the government and the representative trade-unions and employers' associations, whereas during the "triangular meetings" each party was listened to separately without direct discussion.

The government can ask the social partners to inform it of their opinion orally or in writing. Likewise, parliamentary usage has been consolidated by frequently asking the opinion of the main trade-unions on the problems of work to obtain full and precise information on the subject of the laws under discussion.

As regards the involvement of the social partners in determining measures related to economic policy and planning, the Ministry of the Budget has set up a National Planning Commission consisting of 13 experts and 16 representatives of the most important trade-unions.

Furthermore, economic planning commissions have been established in each of the regions, consisting of representatives from the most representative associations. Their purpose is to participate in regional development plans and to collaborate with the central bodies of economic planning.

Employer-employee relations ⁽¹⁾

There are numerous social security laws and labour regulations which govern employer-employee relationships in Italy. They may vary according to the employers' principal activity, i.e. production, commercial, agricultural, financial, professional. Independent agents and commercial representatives, as defined in Italian law, are not employees but it is necessary for the principal to have the agency agreement with such a person officially registered in order to have clear recognition of the relationships for purposes of the social security laws as well as for purposes of tax obligations on business obtained under such agency agreements.

The employer-employee relationships are subject to:

1. Civil Code.
2. Pertinent laws dealing with employment.
3. Collective bargaining contracts.
4. Individual contracts of employment.
5. Customs and usage.

The collective bargaining contracts may be nationwide in effect for a main sector (e.g. productive) or for a particular industry (e.g. textile), or they may be provincial or local in character. The three fundamental classes of employees are managers (*dirigenti*), staff employees (*impiegati*) and workmen (*operai*). In certain branches of activity there may be further distinctions of category.

The employer must make a clear distinction between managers and "first category" staff employees who have some managerial responsibilities. This is because social security contributions by employer and employee, the employee's entitlement to minimum salary (which varies also with length of service), length of vacation, the minimum advance notice required for termination of service and dismissal, retirement and death benefits depend on the category in which the employee is classed. Staff employees and workmen are entitled to quarterly adjustments on a part of their basic salary or wage rates, depending on variations in the applicable cost-of-living index, and other adjustments depending on seniority.

Law No. 300 of May 20, 1970, the workers' statute, lays down the following rights for workers:

1. Freedom of opinion.
2. No audio-visual installation for checking on workers' activities.
3. Employers may not check on a worker's fitness to work.
4. Personal searches may be made only by using automatic selection systems and must respect the worker's dignity and privacy.
5. Disciplinary action may only be taken by laid-down procedures.
6. Opinion surveys may not be made by employers.
7. Employees may ascertain that correct rules for accident prevention are being carried out.
8. No employee may be downgraded. No worker may be transferred from one unit to another except for proven technical, organisational or production reasons.
9. Workers have the right to form and join unions and carry on union activity on the premises where they work.
10. Judges may order the reinstatement of a worker dismissed without just cause.
11. Union activity, referenda, etc. are allowed. Dues may be collected through the payroll.
12. Companies may not suppress union activity.

⁽¹⁾ The following text is included by the MISEP secretariat as an indication of the area to be covered which compares that of other basic information reports. It does not commit the Italian correspondent.

Employers' organisations

Employers are represented by three main organisations:

- the General Confederation of Industry
- the General Confederation of Commerce and
- the General Confederation of Agriculture.

Unions

The trade union movement is very strong at worker level. Union membership is not obligatory. The major trade unions and their political affiliations are the following:

- | | |
|--------------|--|
| C.I.S.L. | - Christian Democrat (centre) |
| C.G.I.L. | - Communist and Socialist (left wing) |
| U.I.L. | - Socialist Republican (centre left) |
| C.I.S.N.A.L. | - Italian Social movement (right wing) |

There are also trade unions formed on the basis of an industry or sector of economic activity. Strikes may be called by labour unions, trade unions, sector unions or in-house unions. An industry-wide strike might still be applied to a company which has agreed to workers' requests in respect of a certain demand, if other companies in the industry had not agreed to those demands. The metal workers union is especially strong.

Collective bargaining

Union activity is most active for some time before the renewal of a national labour contract for any particular industry, which is usually renegotiated every three years. After the contract has been negotiated there is usually a period of relative peace, unless the unions call the workers out on national issues such as better housing, schools, cost of living or general unemployment.

Each industry has a national labour contract which stipulates minimum wage and salary scales. Except in the most depressed areas, very little labour would be available at those minimum levels. No statistics are available of average wages and salaries in industry.

All employees in Italy are entitled to an additional month's remuneration (the so-called thirteenth month) payable in December. Furthermore, the collective bargaining contracts for certain concerns provide for additional payments. For example, in banking, monthly salaries are paid sixteen times in a year and, in the petroleum industry, fifteen times. In commerce, a fourteenth month salary is payable in June of each year. In addition, on leaving the employment of a firm for any reason, an employee must be paid a termination indemnity.

Overtime, if worked, must be paid at the rate of 130 or 150 percent, depending on the number of hours worked and whether it was on a weekday or holiday. Some unions do not permit overtime as a method of increasing the number of people employed.

Chapter III: LEGAL FRAMEWORK

1. LEGAL CONDITIONS OF UNEMPLOYMENT

1.1 General definition of unemployment

To be a registered unemployed, a person has to be: a) without a job, b) enrolled in the register of the employment offices, c) seeking employment and d) immediately available for work.

These registers comprise five categories of persons:

- 1) Those without a job who have already worked, i.e. workers who are without a job because of the termination of the relationship of employment immediately prior to their becoming unemployed;
- 2) Young people of less than 21 years of age; those relieved of military service, and other first jobseekers;
- 3) Housewives seeking a job for the first time;
- 4) Retired persons seeking employment (persons drawing old-age pensions);
- 5) Employed persons seeking another job.

System of benefit allocation

Registering on the employment lists is essential for obtaining the relative benefits; it is, however, necessary to add further comments in this respect.

Workers who are involuntarily unemployed, benefit from an ordinary unemployment allowance to qualify for the ordinary compensation scheme, the person concerned must have been insured against unemployment for at least two years and have contributed for at least one year during the two-year period preceding unemployment. The benefit starts from the eighth day after the dismissal for a period of 180 days, which is reduced to 150 days if the worker resigned or was dismissed as a result of a lock-out on the part of the employer (law no. 264 of April 29, 1949).

In the case of collective dismissal, a special unemployment allowance is foreseen (law no. 1115 of November 5, 1968 and law no. 464 of August 8, 1972 in favour of workers and employees of industrial enterprises not belonging to the building industry). The unemployment benefit is granted for a period of 180 days and can, in the case of sectoral and local economic crises, be extended by Order of the Ministry of Labour by periods of three months.

In special cases, extraordinary unemployment benefits are granted by inter-ministerial Order.

1.2. Characteristics of the job sought

Type of job sought

Full-time

Registration on the unemployment list is undertaken irrespective of the intention to take up a full-time or a part-time job.

Part-time

(Minimum number of hours per week)

Registration on the unemployment list is undertaken irrespective of the intention to take up a full-time or a part-time job. There is no fixed minimum number of hours per week.

Training in the company

Persons in search of a job as apprentice are counted as unemployed.

Duration of the job sought

Permanent

Registration on the unemployment list is undertaken irrespective of the intention to take up a permanent or a temporary job.

Temporary

Registration on the unemployment list is undertaken irrespective of the intention to take up a permanent or a temporary job.

Others

Seasonal workers are registered on special lists.

1.3. Personal characteristics

Age limits

Minimum age: 15 years

There is no maximum age limit.

Search for a first job

Newly registered, for example young people

Young people in search of a first job are counted among the unemployed provided they register with an employment office.

Search for a first job

Registering again after a period of inactivity (example: housewives)

Housewives in search of a first job are registered in class III of the national placement lists.

If the housewives have previously had a job (even a long time ago) or if they are the head of the family, they are registered in class I.

Handicapped who are able to work

The handicapped who are able to work are counted among the unemployed.

Students/pupils in search of a temporary job (holiday job)

If the job is sought through a placement office, this group of people is registered.

Retired persons

Persons benefiting from old age pensions are registered in class IV.
Persons benefiting from other pension schemes are counted among the unemployed registered in class I.

1.4. Management of registers

Responsibility for losing the last job

The responsibility for losing the last job is irrelevant for the purpose of registering on the unemployment lists.

Temporary incapacity for work

The unemployed, who is temporarily unfit for work during the period of unemployment, can delegate another person to confirm his state of unemployment at the employment office. However, it is indispensable to present a certificate testifying that the unemployed is unfit for work and as a consequence is not able to report to the employment office.

The duration of the incapacity is of no importance. The certificate of the incapacity for work is only required as a proof that the person is not in a condition to report personally and at the fixed date to the employment office to confirm his state of unemployment and to avoid being crossed off the file.

Refusal of an employment offer

Workers who refuse an employment offer are not crossed off the file.

Checking the state of unemployment

Every month the unemployed workers have to report to the employment office to confirm their state of unemployment.

Participation in training/retraining courses sponsored by the state

Unemployed workers who participate in vocational training courses do not lose their status of unemployment.

Participation in special state initiatives aimed at job creation

State initiatives of this kind do not exist.

2. LEGAL RULES FOR MATCHING LABOUR SUPPLY AND DEMAND

2.1. Placement

In Italy, placement is regulated by law no. 264 of April 29, 1949, which was subsequently modified and enlarged by laws no. 1369 of October 23, 1960, no. 5 of February 10, 1961, no. 1618 of November 16, 1962, by articles 4 and 5 of law no. 424 of April 2, 1968, by articles 33 and 34 of law no. 300 of May 20, 1970 (on the workers' statute) and by law no. 83 of March 11, 1970 which governs placement in agriculture.

The fundamental principles are: public notification and state control of placement carried out by the ministry of labour through its local bodies except for certain categories of workers (workers in port services, seamen and airmen), and prohibition of private placement services even if they are free of charge, with the

exception of domestic personnel, who can be placed through the relevant national associations or charitable institutions ("Istituto di patronato") provided they have the authorisation of the ministry of labour.

Employers are required to use the special placement services to hire workers who have to be enrolled at these offices in order to be given a job.

a - Enrolment on placement lists ("Iscrizione nelle liste di collocamento")

Whosoever wishes to be hired by a third party must enrol on placement lists provided that he has reached working age (at least 15 years old) and has an employment card ("libretto di lavoro").

Foreigners can also enrol provided they have a residence permit enabling them to work or an equivalent document foreseen by international agreements.

The worker must enrol at the office in his place of residence. The enrolment can be transferred without changing his place of residence and he can retain his rank on the lists of another office provided that this is in the capital of the province or in a town with a population exceeding 20 000 or of significant industrial importance within the same province or one bordering it, but within a range of 150 kilometers.

Workers are classified as follows:

- 1) workers who are unemployed because of the termination of the contract of employment immediately prior to their becoming unemployed.
- 2) young people under 21 years of age and other first jobseekers or those relieved of military service.
- 3) housewives seeking a job.
- 4) retired persons seeking employment.
- 5) employed persons seeking another job.

Within these five classes, workers are grouped according to production sectors, occupational categories, skills and specialisations. Skills are defined in documents produced or they are checked by a special commission.

b - Forming a priority ranking ("graduatoria")

The commissions attached to placement offices establish a priority ranking to work. This takes account globally of the number of dependents, length of the time of enrolment on the register, the economic situation of the household and of any other element which plays a role in evaluating the worker's needs, even concerning his family's state of health proved by documents supplied by the worker himself.

Thus, each worker is given a number of points which determine his position in the ranking, which is made public.

Placement is carried out in the area covered by the municipality served by the office unless the provincial placement commission decides that workers from other contiguous municipalities or provinces can be considered for filling certain jobs.

In specific cases foreseen by the law, workers have the right to be placed without account being taken of the position they hold in the ranking (seasonal workers, the structurally redundant, those laid off through staff reductions - within a year).

c - Numerical and nominative demand for workers ("Richiesta numerica e nominativa di lavoratori")

The employer who wishes to hire workers must make a request to the competent office in the locality ("circoscrizione") where the work takes place.

The request must specify the number of workers wanted ("numerical demand"), by category and vocational skills. The request must be displayed in public and brought up to date each day at the closing of the office, indicating those who have been hired.

"Nominative demands" for labour are only allowed for employers' relatives who live on the same premises, for brain-workers ("lavoratori di concetto") and for those who belong to limited categories of highly specialised workers who have been defined by ministerial Order of May 19, 1973.

The local placement section is in charge of issuing the authorisation ("nulla osta") for placements following from numerical demands, whereas placements following from nominative demands have to be authorised by the local placement commission.

d - Removal from the register

Registered workers are required to inform the placement office within 30 days following the end of the month in which they enrolled, or in which they confirmed their unemployment, of their still being unemployed; otherwise, they will have their name struck off.

Cancellation is revoked just as soon as the worker can prove that a serious obstacle stopped him from fulfilling this duty.

e - Direct hiring

The employer can hire directly workers who enter into the following categories:

- 1) staff with managerial functions ("personale avente funzioni direttive")
- 2) brain workers or specialised workers who have been hired following an open competition ("lavoratori di concetto")
- 3) workers who work exclusively on the basis of participation ("lavoratori esclusivamente a compartecipazione")
- 4) household helps, those helping self-employed persons and all those performing family services
- 5) workers in firms not having more than three employees.

The names of the persons hired under categories 3), 4) and 5) have to be sent by the employer to the placement office.

The direct and immediate transfer of a worker from one company to another is also allowed, but also requires the authorisation of the competent placement section.

The employer can also hire manpower directly in cases where such hiring is justified by an urgent need to avoid damage to persons or to equipment.

In urgent cases, employers can present "nominative demands" for hiring workers to placement sections, which can provisionally authorise the hiring. The placement commission has to confirm such hirings within a period of 10 days.

f - System of sanctions

Anyone carrying out a private placement function is punished by a fine; if this is being done for profit, the person will be arrested and fined.

Any work contract entered into without observing the regulations governing labour supply and demand can be cancelled.

It is possible to appeal to the provincial placement commission and, in some cases, to the director of the provincial labour office, against acts of the placement office.

One can appeal to the ministry of labour against decisions of the provincial commission.

2.2. Placement of special categories of workers

- 1) Placement in agriculture is governed by decree-law no. 7 of February 3, 1970, transformed into law no. 87 of March 11, 1970 and modified by law no. 459 of August 8, 1972.

The novelty of this law consists essentially in having developed collegiate bodies - regional, provincial and local agricultural manpower commissions - as really new instruments of employment policy by bringing about a more incisive and determinant trade-union participation in the public placement function.

Special regulations have been drawn up concerning the registration and placement of workers which diverge from the general regulations set out by law no. 264.

- 2) Placement of persons working in theatre, cinemas and show business in general
Such placements are regulated by D.P.R. no. 2053 of September 24, 1963 and concern:

- 1) on a national basis and by nominative demand members of orchestras, choristers, dancers, film and theatre actors, staff of municipal gaming places, except for those having managerial functions. A special office located in Rome with branches in Milan, Naples and Palermo is in charge of the implementation of these regulations;
- 2) on the basis of ordinary placement regulations through placement offices, with the exception of the four above mentioned offices, for employees, for operators and workers in general who work for theatres, cinemas, sport-halls, casinos, travelling shows, for film producing companies and dubbing studios, and for radio and television companies.

- 3) Special regulations

Special regulations provide for the placement of persons working in bakeries, of apprentices (art. 3 of law no. 25 of 19.1.1955), for domestic workers, for people working at home (law no. 877 of 18.12.1973), for seamen and port workers (the navigation code) and for the handicapped (see Chapter IV - measures).

- 4) Placement of foreign workers

- a) Workers from the European Community (EEC regulation no. 1612/68). There is no difference in treatment as regards access to the labour market for workers coming from Community countries.

b) Workers from outside the European Community

All workers from outside the Community who have found employment in Italy are required, before taking up the job, to be in possession of an entry visa authorising employment; to this end, the employer in question must introduce his request at the provincial labour office which is in charge of the district where the firm is located, giving details of the type of job, the legal aspects and the remuneration, and the length of the contract in addition to general indications on the workers.

The office can authorise the work subject to checking the non-availability of national workers willing and able to take the job offered. This authorisation is sent to the foreign worker and constitutes a valid document to obtain the entry visa authorising employment for Italy.

The placement is carried out by the placement office which checks the possession of an employment card issued by the competent labour inspectorate (these regulations are not valid for citizens of Switzerland and San Marino).

c) Workers from OECD member countries

The same regulations apply as for workers from outside the European Community with, however, the possibility for the Italian employer to make a request for nominative employment for workers from those countries which have ratified the Convention no. 258 of October 30, 1953.

d) Refugees and stateless persons

The same regulations apply as for workers from outside the European Community with the difference that checking the non-availability of Italian workers who could take up such a job is only carried through in the province in which they have their residence.

Chapter IV: MEASURES

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- Reduction in social security contributions (I-ii.5)

INTERVENTI ORDINARI DELLA CASSA INTEGRAZIONE GUADAGNI (C.I.G.)
Ordinary benefit paid by the Earnings Supplement Fund

Aim

To guarantee workers' wages in case of a temporary lay-off or a reduction in daily hours worked as a result of the company's situation due to temporary reasons not attributable to the entrepreneur or to his workers or which are caused by temporary market situations.

Legal basis

The Earnings Supplement Fund (C.I.G.) was instituted following the collective agreements of June 15, and July 19, 1941. After having been used in 1955 (law no. 618 of July 25, 1955) as an anticyclical tool for the cotton industry and in 1964 and 1965 (law no. 433 of June 23, 1964 and law no. 833 of July 5, 1965) for the total industrial sector, the law no. 164 of May 20, 1975 laid down new regulations for the ordinary C.I.G. benefits, and law no. 457 of August 8, 1972 for the agricultural sector.

These benefits apply to workers and qualified workers ('intermedi') - who have, temporarily been laid off or have worked reduced hours and whose re-employment is foreseen - of industrial firms, with the exception of some well defined activities.

In addition, the ordinary C.I.G. benefit applies to:

- (a) members and non-members of producers' and workers' cooperatives carrying out activities similar to those of workers in industrial firms
- (b) workers of other sectors depending on industrial firms, in charge of accessory work directly linked with the activity of these firms
- (c) workers employed in a seasonal job subject to seasonal unemployment or to normal periods of suspension.

Contents

The amount of the ordinary earnings supplement is fixed at 80% of the gross pay a worker (and qualified worker) would have received for the hours not worked up to the limit of his contractual working hours, and up to a maximum of 40 hours per week.

Payment is made by the employer to the workers who are entitled to it at the end of each pay period. The employer is reimbursed by the National Social Insurance Institute (Istituto Nazionale della Previdenza Sociale - INPS) for the sum allocated according to specific rules. A special regulation provides for the agricultural sector.

Financial resources

The Earnings Supplement Fund is financed by employers' contributions fixed at 1,30% of the remuneration which is subject to contributions to the workers' pension fund of INPS. This percentage is reduced to 1,05% for enterprises employing less than 50 people.

Firms making use of the C.I.G. benefits have to pay an additional contribution equal to 8% of the earnings supplement paid to their own employees; this quota is reduced to 4% for enterprises employing less than 50 people. Lit 704 thousand million were paid in 1981.

Institutional support

The National Social Insurance Institute (INPS) has been entrusted with the management of the Fund. Complying with specific terms, the enterprise has

to introduce an application at the local office of the provincial INPS office after having notified the union organisation of the company, if this exists, or else the most representative union organisations in the province for the category of workers in question, of the reasons for suspension or reduction of hours worked, of the importance and likely duration and of the number of workers affected.

The ordinary earnings supplement is granted by the provincial INPS office after previous deliberation of a Provincial Committee, appointed by Order of the director of the Regional Labour Office and composed of the director of the Regional Labour Office (who presides over it), an officer of the Provincial Labour Inspectorate, and of three employers' representatives of the industry, designated by the most representative union organisations of the category of workers concerned in the province.

The Provincial Committee can authorise the earnings supplement for thirteen weeks.

As an exception, a special committee of the C.I.G. can extend the initially authorised 13 weeks period of benefit by periods of three months, to a maximum of twelve months over two years.

The special committee intervenes in cases of continuous periods subsequent to the first quarter. But the Provincial Committee remains competent in case of discontinuous periods.

The special committee for ordinary C.I.G. is composed of:

- 2 members nominated by the Ministry of Labour (Director-General of the Social Security Directorate-General and the Director-General of Labour Relations)
- 1 representative of the Treasury (Ministero del Tesoro)
- 1 representative of the Ministry of Industry (Ministero dell'Industria)
- 3 employers' representatives
- 3 workers' representatives.

The Director General of the INPS participates in the meetings in an advisory capacity. The Committee is appointed by decree of the Minister of Labour after consultation with the representatives of the national trade-unions and employers' organisations.

Duration

The ordinary earnings supplement is granted for a period of 3 consecutive months which, in exceptional cases, can be extended, by periods of three months to twelve months maximum over two years.

This limit applies whether or not the twelve months are consecutive.

Weeks rather than days are taken into account for calculating the period of receiving the benefit.

Effects

The Earnings Supplement Fund has produced good results and changes are not foreseen.

INTERVENTI STRAORDINARI DELLA CASSA INTEGRAZIONE GUADAGNI (C.I.G.)

Special benefit paid by the Earnings Supplement Fund

Aim

To face up to difficult economic situations experienced at the enterprise, industry or regional levels and which directly impact on the levels of employment and the level of income of industrial workers.

The special C.I.G. benefit can come into operation in the following cases:

- (a) restructuring, reorganisation and reconversion of the enterprise
- (b) corporate crises of particular social importance in relation to the local employment situation and the productive situation of the sector
- (c) sectoral or local economic crises

The special earnings supplement applies to those employed in industrial firms (blue and white collar workers, employees and qualified workers ('intermedi') with the exception of executives).

The worker who has been suspended from work will cease to benefit from the earnings supplement if he refuses to attend vocational training or retraining courses.

Special guarantees concerning job maintenance are given to workers under the C.I.G. who are placed in other companies.

The special earnings supplement also provides for those employed in commercial firms employing at least one thousand people, for those employed in firms that run the canteen services of the enterprises in difficulty and for those employed in publishing houses.

Legal basis

The special benefit of the Earnings Supplement Fund was introduced by law no. 1115 of November 5, 1968.

In 1971, law no. 1101 was approved concerning the restructuring, reorganisation and reconversion of the textile industry and craft.

In 1972, law no. 464 of August 8, introduced some modifications to law no. 1115; the most important of these are:

- (a) the case of conversion is introduced
- (b) the right of salaried staff ("impiegati") to benefit from the earnings supplement is recognised to the extent of 80% of the remuneration and a ceiling of Lit 200.000 per month
- (c) In case of suspension, the 9 months limit may be exceeded
- (d) Workers dismissed for one of the reasons entitling to C.I.G. benefit, have priority right to be placed in enterprises of the same locality, which have activities replacing those of the firms in which they were employed.

Other modifications were introduced by law no. 164 of May 20, 1975, law no. 501 of August 8, 1977 and successive modifications, by law no. 675 of August 12, 1977, law no. 215 of May 26, 1978, law no. 4227 of August 13, 1980, law no. 155 of April 23, 1981, law no. 416 of August 5, 1981 and law no. 63 of March 5, 1982.

Contents

The special earnings supplement for workers and qualified workers ('interme

di') amounts to 80% of the gross remuneration a worker would have received for the hours not worked, up to a limit of his contractual working hours, and up to a maximum of 40 hours per week. However, workers, qualified workers ('intermedi') and employees cannot exceed Lit. 600.000 per month, indexed as of January 1, 1981.

Employers requesting C.I.G. benefit have to pay the amount of the earnings supplement to their personnel entitled to it at the end of each pay period.

In exceptional cases, the Minister of Labour can authorise the National Social Insurance Institute to pay the earnings supplement directly to the workers together with the family allowance.

Financial resources

The financial resources of the Special Earnings Supplement Fund stem from funds put up by the Government and transferred to a separate account of the ordinary C.I.G. at INPS.

Lit. 855 thousand million were expended in 1981.

Institutional support

INPS is entrusted with the administration of the special earnings supplement.

The company has to introduce a request at the Ministry of Labour through the Regional Labour Office competent in the area. The office consults the trade-union organisations that are most representative on the national level and formulates proposals as regards the request.

The enterprises which do not foresee maintaining their level of employment once the restructuring and production reconversion process has been completed, have to inform the regional employment commission of the number of workers in excess for each occupational category.

At the request of the C.I.G., the CIPI (Comitato dei Ministri per il coordinamento della politica industriale - Interministerial Committee for the Coordination of Industrial Policy) takes the decision. On the grounds of the decision taken by the CIPI, the Ministry of Labour can grant the special earnings supplement.

Duration

In the case of sectoral or local crises, the limit has been fixed at one year. There is no time limit for company restructuring, reorganisation and reconversion, the limit being that indicated in the plan submitted for carrying through the programme.

Effects

C.I.G. NEL SETTORE EDILIZIO

Earnings Supplement Fund in the building sector

Aim

To ensure an income to workers in the building sector who are either suspended from work or on short-time because of seasonal bad weather conditions or for reasons not attributable to the employer or his workers.

Legal basis

Law no. 77 of February 3, 1963 and law no. 427 of August 6, 1975.

Contents

The earnings supplement is due to workers employed in firms of the building and related industries for hours not worked up to a maximum of 40 hours per week who, because of seasonal unfavourable weather conditions or for any other reason not attributable to the employer or his workers, are forced to suspend work or work short-time.

Financial resources

Contributions amounting to 3% of the gross taxable remuneration are borne by the employers.

Enterprises making use of the earnings supplement scheme have to pay an additional contribution equivalent to 5% of the wage compensation allotted to their own workers. Contributions are paid into a compensation centre for the special building sector administration of the Earnings Supplement Fund at INPS.

For 1981, expenses amounted to Lit. 239,9 thousand million for the building and building materials' sectors.

Institutional support

To claim the earnings supplement, the entrepreneur has to apply to the provincial INPS office within a stipulated time, specifying the reasons for suspension or for reduced working hours as well as their presumed duration, the number of workers concerned and their effective working hours.

The entrepreneur has to note the earnings supplement paid to each worker in his pay-book or on an equivalent document.

The earnings supplement is granted by a provincial commission, nominated by decree of the regional director of the Labour Office, and constituted of representatives from INPS, the Labour Inspectorate and the social partners.

The suspension periods covered will count towards the disability, old-age and survivor's pensions, for a total of 36 months maximum during the whole worker/insurance relationship, as well as towards the health insurance.

Duration

The earnings supplement is paid for a period of up to 3 consecutive months maximum; in the case of reduced working hours only this period may be exceptionally extended by periods of 3 months, up to a maximum of 12 months.

If the company has benefited from 12 consecutive months of earnings supplement, it can introduce another application after at least 52 weeks of normal activity.

Earnings supplement for several non-consecutive periods cannot exceed a total of 12 months over a 2-year period.

Effects

In view of the aim pursued (i.e. to ensure an income to suspended workers or on short-time) the results were fully attained.

MOBILITA GEOGRAFICA E PROFESSIONALE DEGLI OCCUPATI Geographical and vocational labour mobility

Aim

To facilitate workers' mobility within provinces, regions or beyond.

Legal basis

Law no. 675 of August 12, 1977 and successive modifications and additions.

Contents

Companies which do not foresee maintaining their level of employment once the restructuring and production reconversion process has been completed, have to inform the regional employment commission of the number of surplus male and female workers in each vocational category.

Companies employing 35 people or more, not taking apprentices into consideration, which are in the process of restructuring or converting their production and benefiting from financial help by the State or which are operating in the same production sector as the companies for which an employment crisis had been declared, have to inform the regional employment commission of the number of male and female workers they intend to employ, by vocational category, indicating the jobs they will be given.

Companies cannot take on workers by means of a transfer between firms; they have to take on surplus workers from companies undergoing restructuring, according to the methods outlined above.

The competent placement sections in each area inform the companies having surplus workers of the requests received from employers so that they inform the interested workers.

The workers interested in taking up the available job have to send a declaration of agreement to the placement section which issued the request, together with relevant information on the composition of their family and their own career.

The municipal placement commission ranks the priority of the candidates to be placed. A worker placed in this way who does not pass his trial period in the new company will be reintegrated into his previous employment and is entitled to the earnings supplement benefit.

Workers who have qualifications which differ from those of the job offers to which they applied, are guided towards retraining courses which do not exceed 3 months. During this period they are entitled to earnings supplement benefit.

Workers who leave their place of residence in order to take up a job offered by the placement office, benefit by a resettlement allowance and reimbursement of travel expenses for themselves and their family, furniture removal, taking into account the distance in kilometers of their new place of work.

Financial resources

Workers under the Earnings Supplement Fund are covered by the special funds available from the special management of the National Social Insurance Institute; the costs incurred by the workers' retraining and their subsistence are borne by a special fund.

Institutional support

Central Employment Commission and Regional Employment Commission.

Duration

No time limit is foreseen.

Effects

FISCALIZZAZIONE NEGLI ONERI SOCIALI

Reduction in social security contributions

Aim

To contain labour costs and to support corporate competitiveness.

Legal basis

Decree law of December 30, 1979, no. 663, converted with modifications into law no. 33 of February 2, 1980, law no. 782 of November 28, 1980, and decree law no. 91 of March 24, 1982.

Contents

Reductions in contributions due to INAM (National Sickness Fund) for enterprises operating in sectors indicated in the laws.

Rate of reduction: men = - 9,12%
 women = - 14,39%

in addition -2,54% for enterprises operating in the area of the 'Cassa del Mezzogiorno' (Fund for the South of Italy).

Financial resources

Institutional support

Bodies of the National Social Insurance Institute and the Labour Inspectorate.

Duration

Until March 31, 1982.

Effects

3. Measures giving aid to the unemployed

- Ordinary unemployment benefit (I-iii.1)

- Special unemployment benefit (I-iii.2)

TRATTAMENTO ORDINARIO DI DISOCCUPAZIONE

Ordinary unemployment benefit

Aim

To ensure an income to all workers who find themselves in a state of involuntary unemployment because of lack of work.

Legal basis

Law by Royal decree no. 2214 of October 19, 1919

Law by Royal decree no. 1827 of October 4, 1935

Law by Royal decree no. 636 of April 14, 1939

Contents

Ordinary unemployment benefit concerns all employees who find themselves in a state of involuntary unemployment because of lack of work. Workers who resign or are dismissed through a fault of their own are considered as involuntarily unemployed after one month.

To qualify for the ordinary compensation scheme for being wholly unemployed, the person concerned must meet all the following conditions:

- have been insured for at least 2 years
- have contributed for at least one year during the two-year period preceding the beginning of unemployment.
- have registered with an employment office.

The periods during which the worker/insurance relationship is interrupted because of:

- pregnancy and birth
- regular military service
- period of work abroad in countries with which social security agreements do not exist
- periods of illness

are considered as neutral with regard to the 2-year qualifying insurance period and the determination of the 2-year period required for becoming eligible for the benefit.

All eligible workers receive the same ordinary unemployment benefit of Lit 800 per day.

If the insured person registers immediately with the employment office and introduces his application within 3 days of having become unemployed, the allowance is calculated as from the eighth day following the termination of his employment.

If the insured person does not introduce his application within 60 days from the beginning of his unemployment for which he can claim compensation, he loses his right to unemployment benefit.

If the employment is terminated through voluntary resignation or dismissal without notice, the spot, the right to unemployment benefit is deferred by 30 days.

During the period of compensation, the unemployed are entitled to family allowance for their dependents.

The unemployed who receive unemployment benefit for the period of December 18-24, are granted an additional so-called "Christmas allowance" which amounts to 6 times the total daily allowance (unemployment benefit and family allowance).

On reaching retirement age, the unemployment benefit cannot be cumulated with the direct old-age pension paid by INPS; it can, however, be cumulated with other indirect pensions or those borne by other organisations or funds.

Financial resources

The fund, instituted within the National Social Insurance Institute (INPS) receives its resources from employers' contributions and from a State contribution.

Institutional support

The worker has to register with the employment office and introduce an application within 3 days of having become unemployed. The benefit is paid by the employment office from the funds made available by INPS.

Duration

The ordinary unemployment benefit is due for the whole period of unemployment but not beyond a maximum period of 180 days in the course of one year including Sundays and other public holidays. The allowance continues to be granted even in case of illness, provided the illness occurred after the beginning of the period of compensation and the unemployed is not entitled to simultaneously draw other social security benefits.

The law foresees cases of suspension or disqualification for getting unemployment benefit.

Effects

TRATTAMENTO SPECIALE DI DISOCCUPAZIONE
Special unemployment benefit

Aim

To provide economic support to industry which is affected by sectoral or local economic crises and which is thus enabled through reorganising, remodernising or technically restructuring its production system to carry on its activity and raise employment opportunities.

Legal basis

Law. no. 1115, article 8, of November 5, 1968.

Contents

The special unemployment benefit concerns all unemployed salary and wage earners made redundant by industrial enterprises after November 6, 1968 for reasons of closure of the company, the plant or the department or for reasons of a reduction in personnel.

Certain groups of persons are excluded:

- those employed by companies of the building sector
- workers employed in seasonal or short-term activities
- workers having a work contract of limited duration
- workers not subject to compulsory insurance against involuntary unemployment
- administrative or technical managers

The workers are entitled to the special unemployment benefit if the following conditions are met :

- the last work contract must comply with the regulations which govern indefinite work contracts.
- the person concerned must, until the date of dismissal, have undertaken remunerated work and have received notice of less than 13 weeks or three months for the enterprise giving the dismissal
- the dismissal must be the result of closure of the company, the plant or a department or of a reduction in personnel.

The daily rate of the special unemployment benefit is calculated by dividing by 30 the two thirds of the de facto remuneration corresponding to the normal contractual working hours which was actually paid during the last full month of employment, net of any allowance which is not paid on a regular basis and also after deduction of the worker's legal social and fiscal contributions.

Special vocational training courses are organised for dismissed workers.

Financial resources

The fund for administering the compulsory insurance against involuntary unemployment within the INPS receives its resources from:

- a contribution paid by the firms
- sums corresponding to 30 days of the special benefit, paid in by the industrial companies making the dismissals, for each dismissal.

Institutional support

The worker has to register at the employment office and introduce a request within 3 days of becoming unemployed.

The allowance is paid by the employment office from the funds made available by INPS.

Duration

The special unemployment benefit is granted for a maximum period of 180 days, Sundays and other bank holidays included.

In the case of sectoral or local economic crises, the duration of compensation can be extended by periods of three months, by Order of the Ministry of Labour.

Effects

5. Job creation measures

- Industrial investment incentives in the Mezzogiorno (I-v.1)

- Relief in contributions (I-v.2)

AGEVOLAZIONI PER INVESTIMENTI INDUSTRIALI NEL MEZZOGIORNO

Industrial investment incentives in the Mezzogiorno

Aim

To encourage investments in the areas of the Mezzogiorno (southern Italy).

Legal basis

Law no. 183 of May 2, 1976

Law no. 675 of August 12, 1977.

Contents

a) Financial incentives

- 1) Financing at a preferential rate for the construction, expansion, modernisation and reactivation of industrial installations by means of fixed investments which do not exceed Lit. 30.000 million

Duration: 15 years for new initiatives and 10 years for expansions, modernisation and reactivation

Rate: equivalent to 30% of the reference rate fixed every two months by the Treasury.

Eligible expenses: land, building work, connections, equipment in machinery, and stock of raw materials.

- 2) Non-refundable contribution for construction work, reactivation, expansions and modernisation of industrial plants.

Eligible expenses: building work, connections, machinery and equipment.

Amount: from 20 to 40% which in certain cases is increased by one fifth.

b) Fiscal incentives

- decennial exemption from local income tax
- decennial exemption from 50% of the corporation tax
- 50% reduction in the registration tax on deeds of company mergers
- 50% reduction in the tax for the consumption of electric energy by motive power

- c) Reserve of supplies required by public administrations. 30% are set aside for companies operating in the Mezzogiorno.

Financial resources

The financial resources which are fixed each year are provided by the 'Cassa per il Mezzogiorno' (Fund for the Mezzogiorno) which is financed by the State.

Institutional support

The application for financial incentives has to be introduced by the entrepreneur simultaneously at one of the institutions entitled to provide medium-term credit in the Mezzogiorno, at the Ministry for Extraordinary Interventions in the Mezzogiorno and at the Fund for the Mezzogiorno.

Duration

Industrial initiatives undertaken before June 30, 1982

Effects

SGRAVI CONTRIBUTIVI

Relief in contributions

Concerns: firms in the Mezzogiorno, Island Venice and the Laguna Islands and the historical centre of Chioggia

Aim

To encourage enterprises operating in the Mezzogiorno to invest locally; the same applies for enterprises operating in Venetia.

Legal basis

Since 1968 regulations have been issued; these conceded and later extended reductions in social charges (law by decree no. 918 of August 30, 1968, law no. 1089 of October 25, 1968 and successive extensions and additions), law no. 171 of April 16, 1973.

Contents

General relief has been granted for all employees since September 1, 1968, to the amount of 20% of the remuneration paid to employees in industrial and craft enterprises on which contributions to the insurance against involuntary unemployment have to be paid.

Additional relief is foreseen for industrial enterprises and those of the craft and hotel industries, to the amount of 10% of the remuneration paid to those members of the personnel who have been employed since October 1, 1968.

Companies which have set up in the Mezzogiorno since September 30, 1968, can benefit from the additional relief together with the general relief for all their employees.

Supplementary relief is granted to enterprises benefiting from the additional relief for their personnel employed since December 31, 1970.

Total relief is provided for by art. 14 of law no. 183 of May 2, 1976. For new employees taken on after July 1, 1976 firms in the craft and hotel industries, and industrial firms of the mining and manufacturing sectors, are granted an exemption from the employer's contribution to INPS on the wages and salaries which are subject to contributions to the salary and wage earners' pension fund.

Financial resources

The Fund for the Mezzogiorno which is State financed covers the amount of the sums expended.

Institutional support

Administrative procedures are carried out by the companies, INPS and the Fund for the Mezzogiorno.

Duration

Until June 30, 1982

Effects

6. Measures in favour of special categories of people

- Handicapped (I-vi.1)

- Young people: Apprenticeship (I-vi.2)

HANDICAPPATI

Handicapped

Aim

The legislation in force as regards compulsory recruitment aims at protecting handicapped citizens through reintegrating them into the working community.

Legal basis

The regulations which govern this subject matter are law no. 482 of April 2, 1968 and law no. 594 of July 14, 1957 (for the blind).

Contents

Law no. 482/1968 governs the compulsory recruitment by private firms and public administrations of disabled military and civilian servicemen, of members of the civil service who became invalids in pursuance of their duty, of people who are handicapped because of an industrial accident, of civilian invalids, of the deaf-and-dumb, of orphans and widows of war victims or surviving dependents of people who died on duty or at work, of people who had formerly suffered from tuberculosis and of refugees.

In particular, private employers are required to take on personnel belonging to the aforementioned categories if the total number of their employees (salary and wage earners with the exception of apprentices) exceeds 35, the total quota being 15% of the personnel in their employ.

The law does not apply to those who are older than 55 years nor to those who have lost all working capacity or who, by the nature and the degree of their incapacity, could constitute a danger for the health and safety of their colleagues or for the security of the equipment.

Financial resources

For those exceeding a certain degree of invalidity, social security benefits are provided for, which are covered by the social security organisations and State bodies.

Institutional support

The placement services for invalids are handled by the provincial labour and employment offices based on priority ranking and criteria established by the Provincial Commission for Compulsory Placement. The labour offices establish separate lists for each category of invalidity. Compulsory placement of the blind is, however, directly handled by the Minister of Labour on a national level.

Duration

There are no limits to the validity of the law.

Effects

In general, the law has had positive effects on the integration of the handicapped into working life. However, now that more than ten years have passed since its promulgation with the changed socio-economic conditions of the country, the law is in the process of being reviewed in Parliament.

APPRENDISTATO

Apprenticeship

Aim

To enable, through a special employment contract, young people to be introduced to working life and to acquire the technical capabilities to become qualified workers through the training given by the employer where they work.

Legal basis

Law no. 25 of 19.1.55

Implementation regulation DPR no. 1668 of 30.12.1956.

Law no. 424, no. 25 of 2.4.1968

Contents

According to the law the entrepreneur has to hire the apprentice through placement offices which have lists of apprentices to that end. Youths who are not younger than 14 and not older than 20 years can be taken on as apprentices. The law also stipulates the length of the apprenticeship, the working hours, the duties of the employer and the apprentice, as well as special regulations as regards vocational training. Facilities are provided as regards social security and welfare. Special regulations apply to apprentices in crafts.

Financial resources

A special management section has been set up within the Workers' Vocational Training Fund to cover the expenses incurred in connection with implementing the regulations for the vocational training of apprentices and for the insurance payment on behalf of apprentices in crafts. The amount varies each year.

Institutional support

The placement service for apprentices is handled by the municipal placement offices which have made up special lists of candidates who are looking for an apprenticeship.

Duration

ongoing

Effects

In general, this law has had positive effects on the introduction of young people into working life. By August 31, 1982 687.251 young people followed an apprenticeship, of whom 455.096 were in craft firms. However, now that nearly 30 years have passed since its promulgation with the changed socio-economic conditions of the country, the legislation is in the process of being reviewed in Parliament.

7. Measures dealing with working time

- Limited duration work contract (I-vii.1)
- Overtime in industrial enterprises (I-vii.2)
- Early retirement for salaried staff and wage-earners in industry (I-vii.3)
- Early retirement for miners (I-vii.4)
- Early retirement for managers in industrial enterprises (I-vii.5)

CONTRATTO DI LAVORO A TEMPO DETERMINATO

Limited duration work contract

Aim

To agree in particular cases to a time clause being put on a work contract which is considered as indefinite in time.

Legal basis

Law no. 230 of April 18, 1962.

Contents

A time limit may be applied to work contracts in the following cases:

- a) when this is required by the very nature of the working activity resulting from its seasonal character
- b) when the employment replaces absent workers who remain entitled to keep the job
- c) when employment is for carrying out a task or a service, the duration of which has been defined or predetermined and which is of an extraordinary or occasional nature
- d) if work and consecutive phases require workers with skills differing from those generally available and if these skills are only required for this work and these periods and are thus not linked to continued employment in the enterprise
- e) in contracts of artists and technical personnel for the production of shows.

The time clause is not valid if it is not put in writing.

The list of activities mentioned under a) is established by decree of the Ministry of Labour.

In special circumstances the time-contract may be extended once.

In certain cases a time-contract is automatically considered as an indefinite contract.

Financial resources

Institutional support

Duration

Effects

LAVORO STRAORDINARIO NELLE IMPRESE INDUSTRIALI
Overtime in industrial enterprises

Aim

To limit recourse to overtime in industrial enterprises to foster employment.

Legal basis

Law no. 1079 of October 30, 1955

Contents

Overtime which does not have a purely occasional character is forbidden in industrial enterprises except for some cases of production technology requirements which cannot be met through employing additional workers.

The Labour Inspectorate has to be informed of overtime work which it can stop or limit.

Financial resources

Institutional support

Duration

Effects

PREPENSIONAMENTO PER GLI OPERAI E IMPIEGATI DELL'INDUSTRIA

Early retirement for salaried staff and wage earners in industry

Aim

To give salaried staff and wage-earners who are employed by industrial enterprises and whose employment comes to an end for any reason resulting from crises, the benefit of early retirement compared to the normal retirement age (55 years for women and 60 years for men).

Legal basis

Law no. 155 of April 23, 1981

Contents

In the case of termination of the contract of employment for any reason resulting from corporate crisis, industrial restructuring, reconversion and reorganisation as well as from sectoral and local crises, the salaried personnel and wage earners can claim a pension on the basis of the length of service during which they paid contributions, to which is added a time period equal to the time between termination of the employment and the attainment of retirement age (60 years for men and 55 years for women).

- Conditions:
- being 55 or 60 years of age
 - having contributed for 180 months or 780 weeks
 - agreement of the CIPI (Comitati Interministeriale Programmazione Industriale - Interministerial Committee for Coordination of Industrial Policy).
 - termination of a contract of employment with an industrial enterprise for measures such as those of CEPI have been adopted.
 - introduction of an application.

Financial resources

These stem from the C.I.G., 'Casa integrazione guadagni straordinaria' (Earnings Supplement Fund for special benefits) administered by INPS.

Institutional support

Workers have to introduce their application at the competent local INPS office within 60 days of the occurrence of the events which entitle them to claim the benefit.

Duration

Applications have to be introduced by March 1, 1982, but the conditions of age and contributions have to exist on December 31, 1981.

Effects

PREPENSIONAMENTO PER I MINATORI

Early retirement for miners

Aim

To give workers, who are employed in companies operating mines, quarries and peat-bogs, the benefit of early retirement compared to the normal retirement age (55 years), in case of termination of the contract of employment, for whatever reason, as a result of crises.

Legal basis

Law no. 155 (article 18) of April 23, 1981

Contents

In the case of termination of the contract of employment for any reason resulting from corporate crises, industrial restructuring, reconversion and reorganisation as well as from sectoral and local crises, persons employed in companies operating mines, quarries and peat-bogs can claim an early retirement pension at the age of 52, if they can account for 180 monthly or 780 weekly contributions, and if they had altogether been employed in underground work for at least 15 years. The state of crisis has to be decreed by the Ministry of Labour. The amount of the early retirement pension is based on the length of service during which contributions had been paid, to which is added a time period equal to the time between the date of employment termination and becoming 60 years of age.

Financial resources

Funds drawn from C.I.G. 'Cassa integrazione guadagni straordinaria' (Earnings Supplement Fund for special benefits).

Institutional support

Application to be introduced at the local INPS office within 60 days of the occurrence of the events which entitle the workers to claim the benefit.

Duration

Applications have to be introduced by March 1, 1982, but the conditions of age and contributions have to exist on December 31, 1981.

PREPENSIONAMENTO PER I DIRIGENTI DI AZIENDE INDUSTRIALI
Early retirement for managers in industrial enterprises

Aim

To allow managers, who are employed in industrial enterprises and whose employment is terminated, for whatever reason, before the legal retirement age, to benefit from an allowance equivalent to the amount of the pension,

Legal basis

Law no. 155 of April 23, 1981.

Contents

Managers employed by industrial enterprises, other than those of the building sector, and for which a state of corporate crisis, industrial restructuring, reconversion and reorganisation as well as sectoral and local economic crisis has been declared by decree of the Ministry of Labour, are entitled to an allowance equal to the old-age pension which they could draw at the age of 60 (men) and 55 (women). In order to be able to claim the allowance, men must be 55 and women 50 years of age at the date of termination of the contract of employment and must be able to account for at least 15 years of service during which they paid contributions.

Financial resources

Funds are used which are available at the 'Istituto Nazionale di previdenze per i dirigenti di aziende industriali' (INPDAI - National Social Security Institute for Managers of Industrial Concerns).

Institutional support

The application for the grant has to be introduced at the INPDAI within 2 years of meeting age and other conditions indicated above.

Duration

The managers must fulfil all conditions relating to age, contribution and termination of the contract of employment by December 31, 1981.

8. Placement measures

- **Geographical mobility of the unemployed (I-viii.1)**

MOBILITA GEOGRAFICA DEI LAVORATORI DISOCCUPATI
Geographical mobility of the unemployed

Aim

To help unemployed workers to take up a job in a place which is different from their place of residence - these rules apply to specific geographical areas.

Legal basis

Law no. 140 of April 16, 1981 concerning interventions in the areas of Campania and Basilicata.

Contents

Workers who have declared their willingness to be used in reconstruction work in the areas of Campania and Basilicata which were hit by earthquakes, will accept an offer from the Labour Office and find a job in one of the stricken municipalities; if the workplace is more than 20 km away from their place of residence, the workers will be provided with transport and food free of charge. If the distance exceeds 50 km and the workers leave their place of residence, they are entitled to a gross lump sum allowance of Lit. 400.000 towards the first expenses of setting up home and an integration allowance in addition to their remuneration, of Lit. 3.000 per day for a period not exceeding 6 months.

Financial resources

These are provided by the Fund for Labour Mobility.

Institutional support

The allowances are paid by the provincial labour offices.

Duration

Until June 30, 1983

Effects

Chapter V: INFORMATION AND RESEARCH

In Italy, data concerning the labour market are collected by the Ministry of Labour and by ISTAT, the Central Statistical Institute.

Statistical surveys and enquiries carried out by the ministry and through its various bodies (labour offices, placement offices and labour inspectorates) are listed on page 71-73. Data are published in monthly and quarterly bulletins.

ISTAT carries out a series of surveys related to work. The data collected are published in the monthly statistical bulletin and in the annual statistical handbook on labour.

On March 31 of each year, the ministers of finance and of the budget present the annual report on the economic situation of the country to parliament.

A special publication, "Il lavoro e la protezione sociale" - work and social protection - is devoted to the linked problems of employment and unemployment and the action of public authorities in the field of work, training and social protection as well as providing related statistical analyses.

Furthermore, studies and collections are made of phenomena connected with the labour market by private organisations of employers and trade-unions and specialised institutes (ISCO, ISPE, FORMEZ, CENSIS, the research office of the Bank of Italy and university institutes) as well as institutes in which public administration participates, such as ISFOL - the institute for developing the vocational training of workers.

STATISTICAL SURVEYS FALLING UNDER THE COMPETENCE OF
DIVISION VII OF THE DIRECTORATE GENERAL FOR MANPOWER
PLACEMENT

- **Occupations, income distribution and hours of work** in industrial establishments with more than 50 persons - quarterly survey. Surveys made by the inspectorates of labour and produced by CEAD.
Source: Administrative circular No. 20 of 23.02.1978.
- **Occupational structure** by vocational skills and relative remunerations, a survey of all units employing more than 50 persons. The half-yearly survey is carried out in April and October. The findings are also used to give the EEC data on incomes as is foreseen within the framework of harmonised statistics. The surveys are carried out by the inspectorates of labour and produced by CEAD.
Source: Administrative circular No. 20 of 23.02.1978.
- Harmonised statistics on **working time** offered during the last week of the month. This is carried out in April and October each year by the inspectorates of labour and produced by CEAD.
Source: Documents of the Statistical Institute of the European Communities No. 2889/65 and 4178/65 of 28.06.1965.
- Statistics on **labour costs** in industry, commerce, banks and insurance companies. The survey covers establishments employing more than 10 persons. It is made every third year for the EEC in accordance with regulations concerning Community surveys on labour costs. It is carried out by the inspectorates of labour and elaborated by CEAD.
Source: EEC ruling No. 494/78 of 06.03.1978.
- Updating of **labour costs**, made by the EEC in April and October. Data are produced by Division VII.
Source: ISCE administration document No. 165/75.
- Annual survey of **short-term employment forecasts**, covering all enterprises employing at least 500 persons. For those employing less than 500, estimates are made by the inspectorate of labour, which also carries them out whereas Division VII produces them.
Source: Administrative circular No. 10 of 13.01.1975.
- Annual survey on **industrial absenteeism**. The area covered is industrial establishments with more than 500 employees. The survey is carried out by the inspectorates of labour and produced by Division VII.
Source: Administrative circular No. 10 of 13.01.1975.
- Monthly estimates on the **development of employment** in industrial plants employing at least 10 workers on the basis of samples.
These are made by the inspectorates of labour and produced by Division VII.
Source: Administrative circular No. 1033 of 28.06.1967.
- Survey of **apprentices** employed in handicraft and non-handicraft enterprises. This annual survey is made at the end of August by the inspectorates of labour and produced by CEAD.
Source: Administrative circular No. 472/II of 21.02.1967.
- Annual survey of **foreign workers** carried out by the inspectorates of labour and produced by CEAD.
Source: Administrative circular No. 8380 of 16.10.1980.

- Annual survey of **immigrant foreign workers** carried out by the provincial offices of labour and produced by CEAD.
Source: Administrative circular No. 8480 of 06.10.1980.
- Monthly survey of the **employment situation** carried out by the labour offices and produced by CEAD.
Source: Administrative circular No. 42 of 10.08.1976.
- Monthly survey of those **enrolled on placement lists** (provisional data) carried out by the regional offices of labour and produced by Division VII. The data are sent by telex.
- Half yearly sample survey (April and October) of those **enrolled on placement lists** according to age and length of unemployment carried out by provincial labour offices and produced by CEAD.
Source: Administrative circular No. 27 of 07.03.1978.
- Monthly statistics on **manpower shortages** (unsatisfied demand for labour in the provinces) carried out by the labour offices and produced by Division VII.
Source: Administrative circular No. 4/1-XXIV of 17.09.1961.
- Annual statistics of **qualified apprentices** carried out by labour offices and produced by Division VII.
Source: Administrative circular No. 1416/3/7 of 08.11.1974.
- Statistics of **workers benefiting from the regulation on compulsory hiring** (unemployed, employed and jobs available) carried out by labour offices and produced by Division VII each half year.
Source: Administrative circular No. II ter/1667 of 16.10.1970.
- Annual statistics of **internal seasonal migrations** carried out by labour offices and produced by Division VII.
Source: Administrative circular No. 353 of 20.02.1974.

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