

UPDATES ON THE 2024 LABOUR-RELATED ENABLING LAW



SUMMARY

LAW

1) 2024 labour-related enabling law – ministerial circular:

- a. Clarifications on seasonal employment
- b. Clarifications on the duration of probation periods for fixed-term contracts
- c. Deadline for mandatory notification regarding remote work (lavoro agile)
- d. Provisions on termination of employment (implied resignation)

2) Social security updates:

- New Enasarco contribution thresholds
- Contribution relief for Southern Italy
- Italy–Albania social security agreement ratification

COLLECTIVE LABOUR AGREEMENT RENEWAL

1) EST healthcare fund – increase in employer contribution

LAW

LABOUR-RELATED ENABLING LAW

Regulatory changes – implementing circular for the labour-related enabling law

In Circular 06/2025, the Ministry of Labour outlined the main regulatory changes introduced by Law no. 203 of 13 December 2024 (referred to as the “collegato lavoro” or “labour-related enabling law” in English), clarifying various doubts that had been raised by relevant parties. As such, it seems like a good opportunity to provide an overview.

a. Clarifications on seasonal employment.

- Activities organised to meet peaks in production during specific periods of the year,
- Work linked to technical or production-related needs, or to the seasonal cycles of the sectors or markets in which the company operates,
- Roles indicated in national, territorial or company-level collective agreements signed by the comparatively most representative trade unions, as per Article 51 of Legislative Decree no. 81/2015.

Importantly, seasonal work is a form of fixed-term employment, but it has its own distinctive features in that certain exceptions and greater flexibility are allowed in order to meet non-continuous production needs.

Accordingly, Article 11:

- Confirms and clarifies that collective agreements can identify seasonal activities beyond those historically listed,
- Provides greater flexibility in the use of seasonal contracts,
- Reinforces the role of collective bargaining,
- Ensures compliance with EU law by requiring concrete and objective justification for both the use and renewal of seasonal contracts.

b. Clarification on the length of the probation period for fixed-term contracts.

The Ministry of Labour has issued further guidance on how the probation period should be calculated for fixed-term employment contracts.

LABOUR-RELATED ENABLING LAW

The method remains the same regardless of the contract's overall duration: the probation period is set at one day of actual work for every fifteen calendar days of the fixed-term contract.

This rule may be modified where collective agreements contain more favourable terms. The Ministry has made clear that terms are considered more favourable when they shorten the probation period compared to the statutory calculation.

The law also sets the following minimum and maximum limits for probation periods in fixed-term contracts:

- Minimum probation period: 2 days, regardless of contract length
- Contracts up to 6 months: maximum 15 days
- Contracts up to 12 months: maximum 30 days
- Contracts exceeding 12 months: may exceed 30 days

c. Deadline for mandatory notification regarding remote work (lavoro agile).

The labour-related enabling law has introduced a specific form of employment termination known as "implied resignation" (dimissioni per fatti concludenti).

In essence, if an employee is absent from work without justification for more than 15 days (or for a longer period, where set out in a collective agreement), the employment relationship is deemed to have ended at the employee's initiative. In such cases, the employer must notify the National Labour Inspectorate, which is responsible for the necessary checks.

As this is treated as a resignation, the worker is not entitled to unemployment benefits (NASpl) and the employer is not required to pay the so-called dismissal contribution (ticket licenziamento), as confirmed by the Italian Social Security Institute (INPS) in Message no. 639 of 19 February 2025.

The aim of this provision is to prevent the improper use of unemployment benefits and to simplify and speed up how employment terminations are managed.

The Ministry of Labour has clarified that employers may only initiate the procedure after 15 consecutive calendar days of unjustified absence. From the sixteenth day, employers may formally terminate the employment and notify the Labour Inspectorate (as per the methods indicated in Note no. 579/2025).

In addition, the mandatory electronic notification (Unilav) of termination

LABOUR-RELATED ENABLING LAW

must be submitted within five days from that sixteenth day.

Nonetheless, collective agreements may establish a longer minimum period of absence (than the statutory 15 days) before the procedure for “implied resignation” can be initiated.

The employee in question may prevent the termination from taking effect by showing that a case of force majeure prevented him/her from communicating and justifying his/her absence, or that the absence was for reasons ascribable to the employer. In such a context, the Labour Inspectorate plays a key role in this process as it is responsible for verifying whether the absence was genuine, whether the employee actually had the chance to communicate the reason for the absence and whether force majeure or employer-related causes prevented communication. If the Inspectorate concludes that the employee was unable to make the necessary communication, it must inform both parties that the termination has no legal effect. However, it does not have the authority to directly reinstate the contract, which remains the prerogative of the parties involved.

It is important to note that this procedure does not apply to certain categories of workers, including those on maternity or paternity leave, employees who resign within three years of the birth of a child and those who have signed mutual termination agreements or ratified their resignation before a so-called conciliation committee.

Social security updates

Contribution relief for Southern Italy.

With a Circular dated 30 January 2025, the Italian Social Security Institute (INPS) implemented the Contribution Relief for Southern Italy included in the 2025 Budget Law. The measure is intended for micro, small and medium-sized enterprises employing staff on open-ended contracts in Abruzzo, Molise, Campania, Basilicata, Sicily, Apulia, Calabria and Sardinia.

The relief only applies to businesses with fewer than 250 employees and with annual turnover not exceeding €50 million and/or an annual balance sheet total not exceeding €43 million.

For 2025, the exemption amounts to 25% of total social security contributions, within the limits of the EU de minimis aid framework, up

SOCIAL SECURITY UPDATES

SOCIAL SECURITY UPDATES

to a maximum of €145 per month for each employee on an open-ended contract as of 31 December 2024. The incentive will also be available in subsequent years, with gradually decreasing amounts, through to 2029, subject to approval by the European Commission.

Employers eligible for the relief will be assigned a specific INPS authorisation code “OL” and may recover January arrears by the April 2025 payroll.

The relief also applies to businesses that do not meet the criteria for micro, small or medium-sized enterprises, provided that they demonstrate, by 31 December each year, an increase in the number of employees on open-ended contracts compared to the previous year.

However, this version of the relief is not yet operational, as INPS has not yet issued the relevant implementing instructions.

ENASARCO - maximums and minimums for 2025.

The ENASARCO Foundation has published the new minimum contribution thresholds and maximum commissionable earnings for commercial agents and representatives, effective from 1 January 2025.

As a reminder, pension contributions are subject to an annual minimum and maximum, referred to respectively as the minimum contribution threshold and the maximum commissionable earnings:

From 1 January 2025	Multi-firm agent	Single-firm agent
Annual minimum contribution	€ 507,00	€1.011,00
Annual maximum commissionable earnings	€ 30.057,00	€ 45.085,00

The contribution rates have remained unchanged:

Contribution for 2025	Agent's share	Principal's share
Pension Fund - 17%	8,5%	8,5%
Assistance Fund - 4%	1%	3%

SOCIAL SECURITY UPDATES

Italy–Albania social security agreement ratification.

Law no. 29 of 11 March 2025 ratifies and implements the Agreement between the Republic of Italy and the Republic of Albania on social security, signed in Rome on 6 February 2024. The Agreement aims to enhance social protection for Italian and Albanian workers by ensuring the continuity of social security rights between the two countries and facilitating labour mobility. Implementation of the Agreement will require a specific circular from the Italian Social Security Institute (INPS).

CONTRACT RENEWALS/DEADLINES

EST healthcare fund – increase in employer contribution.

As per the recently renewed national collective agreements for the service and modern retail distribution sectors (Terziario e Servizi e Distribuzione Moderna Organizzata), from April the employer's monthly contribution to the EST healthcare fund will increase from €12 to €15, representing a €3 rise in the cost for the company. The employee's share of the contribution remains unchanged.

At present, this increase does not apply to companies that apply other collective agreements, even if those agreements still require contributions to the EST fund.



Jobcode STP S.r.l. is an independent member of HLB International, a global network of advisory and accounting firms. HLB refers to the HLB International network and/or one or more of its member firms. For more information on HLB International and its legal structure, please visit www.hlb.global/legal.

GOOD MOOD, FRESHLY BREWED.



We believe in doing things with care—including our coffee breaks
with LaCimbali Cimbali Group.

For us, little touches really make a difference.
There's always a great coffee with LaCimbali waiting for colleagues,
clients or friends who come by the office.