



European network of legal experts in gender equality and on-discrimination

NEWS REPORT

Country:	Italy
Title:	Draft agreement between the National Labour Inspectorate and the National Equality Adviser
Date:	20 July 2018
Expert:	Simonetta Renga
<u>Context</u>	
Issue at stake:	Collaboration, exchange of information and good practices between the National Labour Inspectorate and the National Equality Adviser
Ground of discrimination:	Sex
Source:	Equality Body
Field:	Other
Applicable law:	Decree No. 198 of 11 April 2006 on The Code for Equal Opportunities between men and women and Decree N. 151 of 26 March 2001 on The Sustain of Motherhood and Fatherhood

Content

The Draft Agreement between the National Labour Inspectorate and the National Equality Adviser signed on 6th June 2018 updated the agreement of 2007, after the recent reform of the Labour Inspectorate by Decree N. 149/2015.

Both parties committed themselves to increase cooperation in fighting gender discrimination through several actions such as; the prompt investigation of cases reported by Equality Advisers; the exchange of statistical data; the joint examination of the biannual report on the working conditions distinguished by gender in enterprises employing more than 100 workers provided by Art. 46 of the Code for Equal Opportunities; the exchange of good practices and measures to fight discrimination and the monitoring of the results; the organization of professional training on gender equality for both local equality advisers and labour inspectors; the promotion of meeting, at national or local level, to examine specific cases to remove discrimination or remarkable situations of inequality in the participation of workers, unions, employers' representatives, Department of the Minister of Labour.

Both the National Labour Inspectorate and the National Equality Adviser are committed to disseminate the agreement and to invite local equality advisers and local labour inspectorates to contribute to the initiative by signing operative agreements which take the local situation into consideration.

Key points of analysis: The Agreement is expressly aimed at promoting equal opportunities and at fighting gender discrimination, in particular as regards to working parents. The latter and new specification could merely underline the need of fighting a very common form of discrimination but could also hide the intent of concentrating most efforts on it. This would mean losing sight of indirect gender discrimination, which is often less detectable but widespread as well.

On the whole the Agreement is quite detailed, most of all as regards the exchanging of data, and strengthening a continuous cooperation between the two institutions. In particular, the exchange of good practices and the joint examination of specific cases could represent a new frontier in fighting discrimination, mainly as regards collective ones, while, unluckily the Agreement lacks all references to instruments, such as for instance a selection of case law and operating examples and other instruments on equality issues aimed at supporting the intervention of labour inspectors, which were mentioned in the previous one.

Legislative provisions: Decree n. 198 of 11 April 2006, The Code for Equal Opportunities between men and women, published in OJ No. 125 of 31 May 2006.

Decree N. 151 of 26 March 2001 on the Sustain of Motherhood and Fatherhood, published in OJ N. 96 of 26 April 2001.

Internet sources: Draft Agreement between the National Labour Inspectorate and the National Equality Adviser signed on 6th June 2018,
<http://www.lavoro.gov.it/notizie/Documents/Protocollo-del-06062018-INL-CNP.pdf>,
accessed 26 June 2018.