



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

FLASH REPORT

Country:	Italy
Title:	Amendments to first measures aimed at providing economic support to families to address the increasing need of care due to lockdown measures implemented to tackle the spread of COVID-19
Date:	16 June 2020
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Update of flash report:	Italy - A first intervention aimed at providing economic support to families to address the increasing need of care due to lockdown measures implemented to tackle the spread of COVID-19
<u>Context</u>	
Issue at stake:	Parental leave – smart working
Grounds of discrimination:	Gender
Field of application:	Family related leave
Source:	National legislation
Applicable law:	Decree No. 18 of 17 March 2020 as modified by Act No. 27 of 24 April 2020

Content

Decree No. 18 of 17 March 2020, providing for measures aimed at strengthening the National Health System and giving economic support to families, workers and companies in the struggle against COVID-19 has recently been amended by Act No. 27 of 24 April 2020.

The latter provided for some slight amendments to conform to the course of the crisis and all measures provided by the Decree and described in [Italy - A first intervention aimed at providing economic support to families to address the increasing need of care due to lockdown measures implemented to tackle the spread of COVID-19](#) have been confirmed.

Key points of analysis: Article 24 which provides for a further 12 days of leave, to be taken in March and April, and to be added to the ordinary three days a month time off which are provided by Article 33 of Act No. 104/1990 to workers of both the private and the public sector to assist a relative with a certified serious disability. This leave is fully paid and covered by figurative contributions.¹ According to the amended Para 2bis of Article 24, the personnel of the police, the armed forces, the fire brigade and local police are also entitled to this right, where it is compatible with the organisational needs of the employer and with the prevailing public interest to be protected.

¹ The National Insurance Institute (INPS) credits these contributions to the worker's pension scheme although a corresponding amount has not been actually paid.

Under Article 39, the entitlement to smart-working² (provided that the job can be performed in this way) in case the worker's family composition includes a person with a certified serious disability, or the worker is a seriously disabled person, has been extended until the end of the COVID-19 emergency period. Moreover, following the recent amendment of Article 39, workers suffering from immunodepression and workers whose family composition includes someone suffering from immunodepression are entitled to the same right.

The new Article 18*bis* provides for the allocation of EUR 3 million in 2020, to support both public and private refuge houses to counteract domestic violence and to protect women. In this period the Net of Anti-Gender Violence Centres (DI.Re) noted a decrease in reports of new cases but a high increase in help requests from women who were already assisted by an anti-violence centre. Actually, the lockdown measures remarkably worsened women's condition as regards domestic violence. The situation is likely to become even more serious considering the foreseen effects of the crisis and the mere allocation of this fund is likely to be a too light intervention in the opinion of the Net.

Internet link source: Decree No. 18 of 17 March 2020, on measures aimed at strengthening the Health National System, giving economical support to families, workers and enterprises in the struggle against COVID-19, as converted by Act No. 27 of 24 April 2020, published on Official Journal, extraordinary edition No. 110 of 29 April 2020, ordinary supplement No. 16, at:

https://www.gazzettaufficiale.it/atto/serie_generale/caricaDettaglioAtto/originario?atto.dataPubblicazioneGazzetta=2020-04-29&atto.codiceRedazionale=20A02357&elenco30giorni=false;

Data on reports of gender and domestic violence at:

[https://www.direcontrolaviolenza.it/violenza-covid19-2867-donne-si-sono-rivolte-ai-centri-antiviolenza-d-i-re-durante-il-lockdown/.](https://www.direcontrolaviolenza.it/violenza-covid19-2867-donne-si-sono-rivolte-ai-centri-antiviolenza-d-i-re-durante-il-lockdown/)

² Smart working was introduced by Act No 81/2017, and involves the option to provide more flexible working arrangements both in terms of both location and working hours.