

The first 5 biases of the "Cura Italia" decree

By **Ciro Cafiero**

The "Cura Italia" decree, legislative decree n. 18 of 2020, is a first step forward to counter the emergency generated by Covid19 for citizens and businesses. But that's not enough.

On the job side, it discounts at least 5 bias, which deserve immediate solution.

The first, and more evident, concerns access to wage integration tools: three tortuous channels designed by the decree in articles 19 to 21.

These are ordinary layoffs, ordinary checks paid by the wage supplementation fund, exemption layoffs for companies that do not access the first two channels, including companies with fewer than five employees and those who are entitled to extraordinary layoffs, without prejudice to the possibility of converting the extraordinary check into an ordinary one.

On the other hand, the creation of a single wage integration fund with a single access channel is reasonable.

Not only. The union consultation and information procedure also creates many complications, albeit in electronic form which, unlike what happened for the first red areas of the Paese, survives due to the request for ordinary layoffs.

Similarly, the union's involvement in the regional framework agreement envisaged in the event of a request for layoffs in derogation is problematic.

This context therefore suggests interventions capable, on the one hand, of preserving the important role of the union, on the other, and on the other hand, of avoiding that the shifting sands of the negotiating tables swallow up the need for urgent wage subsidies.

Moreover, on these tables, the tensions affecting companies and representative organizations in the field of safety could be reflected. In fact, the raising of guarantees to protect the health of workers, imposed by an unknown epidemic such as the one in act.

For this, moreover, the Protocol on the safety and health of the workplace signed on March 14, 2020, in article 13, recommended the establishment of a permanent discussion table between companies, unions and safety managers on the impacts of "Covid19" in production contexts.

The second bias concerns workers employed by companies who, due to insufficient resources put in place, will not have access to any wage subsidies and who, as a consequence of the prohibition of economic layoffs until mid-May next year (article 46 of dln18 of 2020), do not have the opportunity to access unemployment benefits, the so-called Naspi, due to laid-off workers.

In other words, as in limbo, they will not only be deprived of the remuneration for the economic unavailability of the companies affected by the emergency, but also of any state subsidies, from the layoff to the so-called Naspi.

For them, therefore, a tailor-made parachute is required.

The third bias can be seen in the exclusion of the managers category from the benefit of the layoffs. The emergency, in fact, hit them like the workers, clerks and middle managers and imposes a derogation from the ordinary regime.

The fourth bias is represented by the elimination of the obligation of conditionality for the recipients of the so-called Nاسpi and citizenship income, provided for in article 40 of the "Cura Italia" decree, or of that mechanism that conditions the payment of the state subsidy to their acceptance of a possible job offer.

And in fact, if the need for some jobs does not increase (starting from those of home service for older people) but only within the municipality of residence in compliance with the movement limits, this obligation could at least be converted into an obligation for e-learning training, that is, at a distance and by accredited training centers. Against "intellectual quarantine".

Finally, the last bias is that which the forecasts related to the various allowances in favor of freelancers, including those enrolled in orders, self-employed workers enrolled in the special management of INPS, seasonal workers, workers in the agricultural sector (from articles 27 30 of the "Cura Italia" decree).

This multiplication creates disorientation, some important categories such as that of commercial agents have been excluded from it, but above all the overall amount of the indemnity is insignificant. It is only 600.00 euros.

Conversely, it is reasonable to provide for the payment of a higher indemnity to be paid by a single Fund for those who, among the categories already included and that of commercial agents, prove certain losses in turnover.

Moreover, the emergency has divided the world of businesses and therefore of the professionals who orbit around them, exactly in two. Some sectors have intensified production, for example that of the health industries (starting from the production of masks to that of beds in hospitals), pharmaceuticals and large-scale distribution, others are victims of an unprecedented crisis, such as tourism, catering, the fair, the car rental. Ultimately, more than a sudden cure, the country needs a long therapy. And correcting the first 5 biases is only the second of the many steps that will need to be taken.