

Convention No. 99: Minimum Wage Fixing Machinery (Agriculture), 1951
Direct request 2003/74

Italy (ratification: 1971)

The Committee notes the report provided by the Government and the attached documentation. It requests the Government to provide the information requested on the following points.

Articles 1 and 3 of the Convention. The Committee notes the information provided by the Government concerning the legal framework for the fixing of wages in agriculture. In view of the identical nature of the applicable legal provisions with regard to the fixing of wages, it requests the Government to refer to its comments under the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26).

Article 2. The Committee recalls that for many years it has been drawing the Government's attention to the incompatibility between the national legislation and the Convention. With reference to its comments under the Protection of Wages Convention, 1949 (No. 95), it once again notes the persistence of this incompatibility in so far as section 2099 of the Civil Code still does not prevent the possibility of the payment of wages wholly in the form of allowances in kind. The Committee recalls that *Article 2, paragraph 2*, of the Convention only authorizes the partial payment of wages in kind and provides that, in cases where such payment is authorized, appropriate measures shall be taken to ensure that such allowances are appropriate for the personal use and benefit of the worker and her or his family and that the value attributed to them is fair and reasonable. The Committee firmly hopes, in view of the specific conditions obtaining in agriculture and the fact that wages in the sector are considerably lower than those in industry, that the Government will adopt without further ado all the appropriate measures to ensure that remuneration in kind is limited to a fraction of the wage, in accordance with the clear provisions of the Convention. It requests the Government to indicate in its next report the measures taken in practice for this purpose and to continue providing information on this issue, including, for example, extracts from collective agreements containing specific provisions on remuneration in kind.

Article 5 and Part V of the report form. The Committee notes the information provided by the Government concerning the number of agricultural workers and the statistics showing that during 2001 some 9,236 inspections were carried out, revealing infringements in 3,384 enterprises. It requests the Government to indicate whether the above data relate to work in agriculture and specifically concern compliance with the minimum wages in force. The Committee would be grateful if the Government would continue to provide full information relating to compliance with the provisions of the Convention in both law and practice.