

Observation (CEACR) - adopted 2013, published 103rd ILC session (2014)

Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - Italy (Ratification: 1963)

Discrimination on the basis of sex. Pregnancy and maternity. The Committee referred in its previous comments to the “*licenziamento in bianco*”, namely the practice of having the worker sign an undated letter of resignation at the time of hiring for future use by the employer at his or her convenience and which affects more specifically pregnant women. In this respect, the Committee notes that the Government refers to the adoption of Act 92/2012 of 28 June 2012 on Labour Market Reform, which provides that the resignation by a pregnant woman or by the worker with a child under three years old, has to be validated by the labour inspectorate to be effective. The Committee notes, however, that according to statistics provided by the Government, the labour inspectorate validated 17,681 resignations in 2011 and 19,187 in 2012 which amounts to a 9 per cent increase in one year. According to the Annual report on the validation of resignations of working mothers and fathers, the great majority of these resignations concern women between 26 and 35 years of age and the motive put forward for resignation refers mostly to the impossibility to reconcile family responsibilities and working obligations due to the lack of available childcare or parental support. ***Noting the high number of resignations of women between 26–35 years, the Committee requests the Government to take additional concrete measures in order to address the issue of resignation without cause of pregnant women and working mothers, and to prevent and eliminate all discrimination against women on the basis of pregnancy and maternity. The Committee requests the Government to continue to provide information on any developments in this respect.***

Equality of opportunity and treatment irrespective of race, colour or national extraction. The Committee notes the different activities carried out and measures implemented by the Office for the Promotion of Equality of Treatment and Elimination of Discrimination based on Race and Ethnic Origin (UNAR) to address racial and ethnic discrimination. It notes in particular the activities developed in the framework of the Protocol of intention signed in 2005 and renewed in 2009, with the social partners. The Committee notes, in particular, the decision adopted in 2011 to establish a Centre for the

research and monitoring of xenophobia and racial and ethnic discrimination (CERIDER). The Government does not provide, however, specific information on the concrete impact of these measures in the promotion of equality and the elimination of racial and ethnic discrimination, even though many of these activities have already been carried out for a certain period of time. The Committee recalls that the Convention envisages that the results achieved in the implementation of the national equality policy are to be regularly assessed with a view to reviewing and adjusting existing measures and strategies on a continuing basis. Such continual monitoring, assessment and adjustment is required not only of the measures in place to promote equality, but also of their impact on the situation of the protected groups and the incidence of discrimination (see General Survey on the fundamental Conventions, 2012, paragraph 847). ***The Committee requests the Government to ensure that the impact of the various measures adopted to address discrimination on the basis of race, colour and national extraction is adequately assessed in order to examine the relevance of these measures or the need for their improvement. In this context the Government is asked to monitor closely the impact of the financial and economic crisis and the measures taken to address it on the employment situation of minorities and migrant workers. The Committee also requests the Government to indicate whether the CERIDER has already been established, and if so, to provide information on the activities it has carried out. Please continue to provide information on the activities of the UNAR, including statistics as well as information on its current situation with respect to personnel, budget and means of action.***

Roma, Sinti and Travellers. The Committee notes that according to the report of the European Union Agency for Fundamental Rights (FRA), 7 per cent of young Roma women and 1 per cent of young Roma men have never attended school while 63 per cent of Roma women and 71 per cent of Roma men dropped out of school before the age of 16. With respect to employment, according to the report, 9 per cent of women and 13 per cent of men are in paid full time work, while the great majority (71 per cent of women and 74 per cent of men) are self-employed (see Analysis of FRA Roma survey results by gender, September 2013). The Committee notes in this respect the adoption of a National Strategy for the inclusion of Roma, Sinti and Travellers implementing communication No. 173/2011 of the European Commission which contains four main axes of intervention: education, work, health and housing. The Committee notes in this respect that the Commissioner for Human

Rights of the Council of Europe welcomed this strategy (CommDR(2012)26 of 18 September 2012) and highlighted the importance of Roma and Sinti genuine participation through adequate mechanisms for its successful implementation. The Strategy, which is in its early implementation phase, favours early school enrolment of children without discrimination and access to university and high education of young people. It also promotes access to training, labour regularization, individualized assistance to Roma women to improve their employment opportunities and access of young workers to employment. The Committee also notes the activities and programmes carried out under UNAR's monitoring, including those developed in the framework of the Dosta campaign which has been continued in 30 Italian cities for the biennium 2012–13. The Committee further notes the research project between ISTAT and the Department of Equal Opportunities on the integration of Roma, Sinti and Travellers which would conclude in 2014 with the establishment of specific indicators and methodology. ***The Committee requests the Government to continue to take measures in order to address discrimination and promote social inclusion of Roma, Sinti and Travellers communities. The Committee requests the Government to provide information on: the impact of the National Strategy for the inclusion of Roma, Sinti and Travellers, in particular with respect to their access to training and employment opportunities; the impact of all the activities carried out throughout the country implementing the Dosta campaign; and the results of the research project on the integration of Roma, Sinti and Travellers carried out by ISTAT and the Department of Equal Opportunities as well as the indicators and statistical data gathered.***

The Committee is raising other points in a request addressed directly to the Government.

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