

Direct Request (CEACR) - adopted 2015, published 105th ILC session (2016)

Labour Inspection Convention, 1947 (No. 81) - Italy (Ratification: 1952)

Other comments on C081

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Reform of the labour inspection system. The Committee notes that legislative Decree No. 149 of 14 September 2015 on the rationalization and simplification of inspection activities in the area of labour and social legislation establishes a uniform labour inspection system, bringing together the inspection services of the Ministry of Labour, the National Social Security Institute (INPS) and the National Occupational Accident Insurance Institute (INAIL). ***The Committee requests the Government to provide detailed information on the organization and functioning of the labour inspection system following its reform, including the functions and powers entrusted to labour inspectors, and their number, status and conditions of service. Please also provide an organizational chart of the revised system, as well as a copy of any texts adopted to implement Decree No. 149 of 14 September 2015, if possible in one of the working languages of the ILO.***

Article 4 of the Convention. Coordination of inspection activities by a central authority.

The Committee previously noted the observations made by the Italian General Confederation of Labour (CGIL) concerning the centralization of the planning of labour inspections; and the evaluation of their results within the Ministry of Labour (which, in the opinion of the CGIL, deprives inspectors of their authority). The Government, in response to

these observations, indicates that annual labour inspection plans are drawn up at the level of the Ministry of Labour focusing on sectors and regions that were identified to be most at risk during labour inspections at the regional and local levels. According to the Government, the evaluation within the Ministry of Labour concerns the achievement of the set objectives in terms of the number and effectiveness of labour inspections, but not the performance of individual labour inspectors.

In this context, the Committee also recalls the previous observations made by the CGIL that the “Extraordinary Plan” for combating undeclared and irregular work in the four regions of the south of the country had major defects and gaps in terms of the coordinated use of resources (transfer to southern Italy of labour inspectors working in other regions). ***The Committee requests the Government to provide information on the objectives set in terms of numbers and effectiveness of inspections, and the extent to which these objectives have been met in all regions of the country.***

Article 6. Independence of labour inspectors. The Committee also previously noted the observations made by the CGIL concerning the signing of “protocols” with various associations representing enterprises stating that any “abnormal conduct” by inspectors should be reported. The Government, in response to these observations indicates that no such protocol has been signed, but that the Transparent and Uniform Inspection Work Project of the Directorate General for Inspection Services comprises the control of compliance with the principle of uniformity of inspections and codes of conduct. ***The Committee requests the Government to provide more information on the Transparent and Uniform Inspection Work Project, the criteria for determining non-compliance by labour inspectors with the principle of uniformity of inspections, and the consequences they may face if such non-compliance is established by the Directorate General for Inspection Services.***

Article 11. Material resources of the labour inspectorate. The Committee previously noted that, according to the CGIL, cuts in public expenditure have resulted in major restrictions on inspection work, and have even affected the reimbursement of travel costs incurred by labour inspectors when using their own means of transport. In this regard, the Committee notes that, while the Government acknowledges that public expenditure cuts have affected the discharge of the duties of employees in the public administration, it also indicates that inspection work is a strategic priority of the Ministry of Labour. It further indicates that the Directorate General for Inspection has requested supplementary funds to achieve the objectives in the 2014 inspection plan, and that a special part of the current budget is earmarked for the payment of expenses incurred by labour inspectors in the course of their work. ***While acknowledging the budgetary constraints of the Government, the Committee hopes that the Government will continue to provide the labour inspection services with the necessary resources to ensure the effective discharge of labour inspection duties. In this regard, the Committee requests the Government to: (i) specify the proportion of the national budget devoted to labour inspection; and (ii)***

indicate, whether all expenses incurred during the labour inspector's duties were covered by the special budget allocated for this purpose.

Articles 5(a), 20 and 21. Content of annual labour inspection reports. The Committee notes that the 2013 annual labour inspection report published by the Directorate General for Inspection Services and communicated with the Government's report contains statistical information on most of the subjects covered by *Article 21* of the Convention, except for information on industrial accidents and cases of occupational diseases as required by *Article 21(f)* and *(g)*. In this regard, the Committee notes the Government's indications that statistics of industrial accidents and cases of occupational disease are drawn up and published by the INAIL in its annual report, a copy of which has been attached to the Government's report. ***The Committee requests the Government to consider, in view of the statistics available that could be obtained through inter-institutional cooperation with the INAIL, to include all the data required under Article 21, including those provided in paragraphs (f) and (g), in the annual report on the labour inspection services published by the Directorate General for Inspection Services, so as to facilitate the assessment of the work of the labour inspection authorities and the allocation of adequate resources.***

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