

Direct Request (CEACR) - adopted 2019, published 109th ILC session (2021)

Protection of Wages Convention, 1949 (No. 95) - Italy (Ratification: 1952)

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Other comments on C095

Observation

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Direct Request

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Article 4(1) of the Convention. Partial payment of wages in kind. In its previous comments, the Committee noted the Government's explanations that section 2099(3) of the Civil Code, which provides for the possible payment of remuneration exclusively in kind, should be considered as implicitly repealed as it contravened article 36 of the Constitution on the right to fair remuneration ensuring decent living conditions for workers and their families. The Committee also noted the Government's indication that no collective agreements provided for the possible payment of remuneration exclusively in kind and trusted that the Government would take steps in due course to formally amend the provision in question. The Committee notes that the Government indicates in its report that article 2099(3) of the Civil Code corresponds to a form of compensation used in the past. However, the provision has not yet been amended. ***The Committee considers that for the sake of legal certainty, article 2099(3) of the Civil Code should be amended in order to only allow payments in kind to be partial, as provided for under Article 4. The Committee therefore requests the Government to take the necessary steps and to provide information in this regard.***