

LAW DECREE no. 23 OF APRIL 8th, 2020: AN EMPLOYMENT LAW PERSPECTIVE

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On April 8th, 2020 the Italian Government approved Law Decree no. 23/2020 introducing new measures aimed at facing the Covid-19 emergency.

From an employment law perspective, the following measures are worth of note:

1. Beside employees resulting to be in employment on February 23, 2020, as formerly envisaged by the Government, also those resulting to be in employment in the period February 23rd, 2020 through March 17th, 2020 who are temporarily laid off because of the Covid-19 epidemic may benefit from the special layoff allowances introduced by the Italian Government to face the emergency (namely, the *Cassa Integrazione Guadagni Ordinaria*, *Assegno ordinario* and *Cassa Integrazione Guadagni in Deroga* on the grounds of the “COVID-19 emergency”)¹.
2. Self-employed workers who are not enrolled in the INPS pension system (e.g. workers enrolled in special pension funds created for particular categories of professionals) may benefit from the so called “*reddito di ultima istanza*”², provided that they: **(i)** are not benefitting from a pension; and **(ii)** are enrolled in special pension schemes other than those of INPS.
3. Hearings of civil proceedings, including proceedings pending before the Labour Courts, are postponed by operation of law until dates after May 11th, 2020 to be set by the Courts. All legal terms concerning civil proceedings are suspended operation of law till May 11th, 2020. Those terms starting prior to May 11th, 2020 will start again as from May 11th, 2020. Legal terms running backwards (such as the term for the filing of a statement of defence in legal

¹ On this matter, you can find out more at the following links: <https://www.dejalex.com/2020/03/the-layoff-allowances-provided-by-the-italian-government-to-face-the-covid-19-emergency-and-the-preliminary-operational-clarifications-of-the-italian-social-security-institute-inps/> and <https://www.dejalex.com/2020/04/covid-19-emergency-and-layoff-allowances-further-operational-clarifications-from-the-italian-social-security-institute-inps-and-the-agreement-for-the-payment-of-the-allowances-to-be-advanced-by-the/>

² Which is an indemnity of €600 payable to: **(i)** self-employed workers with a 2018 income of no more than €35,000, including rental costs, whose activities resulted to be limited because of the Covid-19 emergency; and **(ii)** self-employed workers with a 2018 income in between €35,000 and €50,000, including rental costs, whose activities were suspended or reduced (according to criteria set out by the Labour Minister Decree of March 28th, 2020) because of the Covid-19 emergency. The payment of such indemnity is conditional upon the self-employed worker concerned having duly paid all social security contributions due for year 2019.

proceedings before a Labour Court) and expiring before May 11th, 2020, will be renewed so as to allow them to entirely run after May 11th, 2020.

April 10th, 2020

Il presente articolo ha esclusivamente finalità informative e non costituisce parere legale.

This article is exclusively for information purposes, and should not be considered as legal advice.



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