



## What are the rights of seasonal workers in agriculture in Italy

With the lifting of travel restrictions, previously imposed due to the COVID-19 pandemic, and the elimination of the quarantine period for European Union citizens, from June 3 over 100,000 Romanian seasonal workers are expected to travel to Italy for agricultural work.

What are the rights of seasonal workers in agriculture in Italy?

**The minimum wage** in agriculture is set by collective labor agreements at the provincial level. It cannot be lower than the one established by the collective agreement at national level, respectively: 874.65 EUR/month for unskilled workers, 1,173.06 EUR/month for skilled workers, 1,286.25 EUR/month for highly qualified workers.

For contracts with a duration of more than 30 days, a **paid probationary period of 2 days** is provided.

### The working program

The regular working hours for agricultural workers are 39 hours per week, 6 and a half hours per day.

Overtime, above the normal working hours, is paid, applying an increase, as follows:

- Overtime work - 25%
- Work during holidays /Sundays - 35%
- Night work - 40%
- Overtime on holidays/Sundays - 40%
- Overtime work at night - 45%

A worker cannot be asked to work, in addition to the normal schedule, more than 3 hours per day, respectively 18 hours per week.

Workers are entitled to 24 consecutive hours of **weekly rest**.

The employer has the obligation to register the seasonal workers in the nominal lists of agricultural workers (OTD).

**The right to the agricultural unemployment benefit can be also accessed**, if the seasonal contract has expired and has not been renewed and if the person worked at least 102 days in the last 2 years before submitting the application.

**The right to the family nucleus allowance (ANF)**. Workers who have worked at least 101 days in a year are entitled to be paid for the entire year (312 days). ANF is also granted for periods of



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inactivity caused by an accident occurred at work, by occupational disease, illness, pregnancy, if the agricultural worker is registered on the nominal lists for at least 51 days and has worked for at least 6 days in the 30 days prior to the event. Workers are entitled to ANF, even if the children live in Romania (if the other parent works in Romania, workers are entitled to the difference between the ANF level paid in Italy and the state child allowance received in Romania).

**The right to sick and maternity leave is granted** , if the worker has at least 51 working days registered on the nominal lists in the previous year or in the year in which the event occurred (before its occurrence).

Agricultural workers for whom the contractual period has expired, but who did not benefit fully from their rights related to employment, persons who have worked without legal working agreements, workers who did not benefit from their rights as stipulated in the working agreement, must go to the territorial inspectorates before leaving the territory of Italy to **denounce the problematic aspects of the contract.**

**In addition, the employer must ensure safety at the workplace in the context of Coronavirus**, with regard to:

Distancing from other workers

Cleaning and disinfecting workspaces and common areas

Providing protective equipment

**Workers who became infected with Covid-19 during work** (including on the way to work/home) benefit from the allowance, including during their quarantine period.

