



UNIVERSITA' DEGLI STUDI DI MODENA
DIPARTIMENTO DI ECONOMIA AZIENDALE

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Temporary work in Italy

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MATERIALI DI DISCUSSIONE

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Temporary Work in Italy

by Michele Tiraboschi *

Index: - 1. Introductory remarks. Temporary work in Italy: a recurring debate. - 2. Difficulty in addressing the issue, the possibility of some terminology classification and of taking into account that the traditional concept of travail intérimaire is forbidden in Italy, limiting analysis to the borderline cases which are unclear due to their being new, uncertain or at the most tolerated by the legal system. - 3. Survey. Introductory remarks. - 3.1. Survey. The recourse to auxiliary and extraordinary workers by co-operatives, de facto companies created by workers and companies in participation. - 3.2 Survey. Temporary posting or lending of workers: the case of the comando (temporary attachment) or distacco (detail or secondment) of workers lent temporarily from one firm to another. - 3.3. Survey. Intermittent work by agency. - 3.3.1. Workers who have an interest in this kind of work and procedures of hiring. - 3.3.2. Types of performance of work and reasons for which firms may use intermittent work via agencies: organizational and technical grounds; anomalous grounds; fraudulent grounds. - 3.3.3. The contractual pattern used by private individuals: duties and obligations drawn from contract; forms of remuneration and general treatment; fiscal and insurance systems. - 3.3.4. The lack of obligation to accept assignments and of continuity in performance of work. - 3.4. Survey. The contract manager. - 4. The Italian regulatory framework: lawfulness of intermittent self

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employed work by agency and unlawfulness of intermittent subordinated work by agency. Juridical consequences.

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