
Labour (Market) Law and Lifelong Learning: the Italian Case.

Giorgio Impellizzieri*

1. Workers training in labour law: framing the subject. 2. The fragmented legal system concerning lifelong learning. 3. The role of industrial relations: origins and developments of interprofessional funds for continuous training. 4. Training of young people through the apprenticeship contract. 5. NextGenerationEU contribution: the New Skills Plan. 6. Vocational training for workers with disabilities. 7. The missing piece: Job Classification system in collective agreement.

Abstract

This contribution seeks to delineate the current legal and institutional framework concerning workers training in Italy, with a focus on the roles played by social partners and the latest legislative updates. Additionally, special attention will be given to policies addressing the needs of vulnerable groups, including young people and workers with disabilities.

Keywords: Vocational training; Labour law; Lifelong learning; Disabilities; Apprenticeship.

1. Workers training in labour law: framing the subject.

Since the emergence of the capitalist production system, the connection between labour law and training has assumed diverse configurations, both in Italy and internationally. In its early stages, particularly during the industrialization of production, the automation of processes, and the standardization of activities, training appeared inconsequential to the employment dynamics. The apprenticeship system is a representative example: following the decline of medieval guilds and corporations, this system not only fell prey to exploitative practices by employers seeking inexpensive labour from young individuals, but also encountered staunch resistance from nascent labour unions. These unions objected to younger workers undergoing training during their working hours.¹

* Research fellow in Labour Law at the University of Modena and Reggio Emilia. This essay has been submitted to a double-blind peer review. This contribution was carried out in the context of the *SUNRISE Project - Sustainable solutions for social and work inclusion in case of chronic illness and transplantation* - P20229FEWC, funded by the PRIN 2022 PNNR program.

¹ Indeed, this corresponded to a reduction in wages and thus violated the common tariff standard, thereby threatening the salaries of regular workers who would have suffered from the downward competition of

In the ensuing decades, with the stabilization of the capitalist economy and the consolidation of industrial relations, the matter of workers training resurfaced at a political and union level. Primarily, this revolved around unions urging employers and public policymakers to enable workers participation in education and training initiatives outside of work. These programs were primarily intended to foster the cultural advancement of workers as citizens, enhancing their literacy levels, and facilitating the attainment of qualifications.²

It wasn't until the end of the previous century - marked by the rise of flexicurity models³ and transitional labour markets,⁴ particularly under community pressure - that the concept emerged, advocating for the appreciation and widespread dissemination of training, including vocational training. This was recognized as crucial for the re-skilling of already employed workers, falling under labour law, as well as to enhance employability of job seekers, which falls within the realm of labour market law.

Within the ongoing green and digital transitions, there was growing interest in targeted vocational training,⁵ which aims at facilitating the adaptation processes of companies, while enhancing the quality of work for individuals, particularly those from marginalized groups such as young people and workers with disabilities.⁶

This contribution seeks to delineate the current legal and institutional framework concerning workers training in Italy (Section 2), with a focus on the roles played by social partners (Section 3) and the latest legislative updates (Section 4). Additionally, special attention will be given to policies addressing the needs of vulnerable groups, including young people (Section 5) and workers with disabilities (Section 6).

2. The fragmented legal system concerning lifelong training.

Two articles of the Italian Constitution explicitly recognize the right to vocational training for workers: Article 35, Paragraph 2, which obliges the Republic to “take care of the training

apprentices. See Webb B., Webb S., *Industrial Democracy*, Longmans Green and Co., Harlow, 1902 (but 1897), 454 ff.

² ILO, *The role of trade unions in workers education*, Background paper, Geneva, ISRTU, 2007.

³ Wilthagen T., Tros F., *The concept of “flexicurity”: a new approach to regulating employment and labour markets*, in *Transfer*, 10, 2, 2004, 166 ff. On the same topic, also see Bilić A., *Functional Flexibility in the Context of Lifelong Learning*, in Sander G., Tomljenović V., Bodiřoga-Vukobrat N. (eds), *Transnational, European and National Labour Relations. Europeanization and Globalization*, Springer, Berlin, 2018. On the Italian case: Caruso B., *Occupabilità, formazione e «capabilità» nei modelli giuridici di regolazione dei mercati del lavoro*, in *Giornale di Diritto del Lavoro e di Relazioni Industriali*, 113, 2007, 1 ff.

⁴ Gazier B., Gautié J., *The “Transitional Labour Markets” Approach: Theory, History and Future Research Agenda*, in *Journal of Economic and Social Policy*, 14, 1, 2011, available at <https://shs.hal.science/halshs-00363404/document>. On the same topic, also see V. Lieshout H., Wilthagen T., *Transitional Labour Markets and training: rebalancing flexibility and security for lifelong learning*, in Blasco A.L., McNeish W., Walther A. (eds), *Young people and contradictions of inclusion*, Bristol University Press, Bristol, 2022, 127 ff.

⁵ CEDEFOP, EUROFOUND, *Skills forecast: trends and challenges to 2030*, Publications Office, Luxembourg, 2018, 108, available at <https://www.cedefop.europa.eu/en/publications/3077>. On the Italian case: Casano L., *Contributo all'analisi giuridica dei mercati transizionali del lavoro*, ADAPT University Press, Bergamo, 2020.

⁶ OECD, *Building inclusive labour markets: active labour market policies for the most vulnerable groups*, 2021, available at <https://www.oecd.org/coronavirus/policy-responses/building-inclusive-labour-markets-active-labour-market-policies-for-the-most-vulnerable-groups-607662d9/>.

and professional advancement of workers”, and Article 38, Paragraph 3, which extends this right to “people with disability and unable to work” by stating that they also have the right to education and vocational guidance. These are foundational principles with a programmatic nature, meaning they aren’t immediately enforceable but are intended to prompt the legislator to allocate resources and tools for initial vocational training and continuous education, whether in employment or otherwise, particularly in the case of vulnerable workers.

The implementation of such constitutional provisions is entrusted to ordinary laws enacted by the national legislator and, additionally, by regional legislators who, according to the Italian Constitution (Article 117, Par. 4), have legislative authority over vocational training.

Consequently, the Italian institutional framework is significantly fragmented due to the involvement of various actors and the multitude of regulations/sources of legislation. Training is important in different contexts depending on recipients and objectives, being regulated within predominantly public active and passive labour policies, targeted at unemployed individuals or those seeking new employment, as well as within individual employment relationships, where workers may, under certain conditions and requirements, exercise their right to training against their employer.

The goal of creating a unified system to safeguard the so-called “right to lifelong learning,” recognized by the Italian legislature over a decade ago (Law No. 92/2012) and as per the European guidelines, has only been partially realized. This system aims to ensure access to training activities “at various stages of life”, whether undertaken “formally, non-formally, and informally”, and to validate acquired skills through a national system for identifying, validating, and certifying skills (Law No. 13/2013), which has not been fully performed.

The absence of a comprehensive law integrating various components, besides the “Framework Law on Vocational Training” No. 845 of 1978, which only outlines general principles without defining essential performance levels or precise coordination mechanisms among institutional actors, leads to its implementation through numerous, autonomous measures accumulated over time and within various institutions. These measures range from employer obligations to provide training in response to changes in workers duties or to prevent layoffs, and provisions for paid and unpaid leave for educational purposes, to the introduction of training offered by employment center services, and the establishment of training contracts such as apprenticeships.

At the economical level, the fragmentation is also evident as initiatives for continuous training can be supported by multiple financial sources, including regional funds, the European Social Fund, the National Fund for Vocational Training, interprofessional funds for continuous training, and funds for training and income integration for temporary workers.

As a result, in addition to the laws and administrative practices of the twenty Italian regions, and temporarily setting aside the innovations introduced by the 2021 National Recovery and Resilience Plan,⁷ the right to vocational training is implemented through numerous autonomous measures that have accumulated over time and in heterogeneous

⁷ See Section 5.

institutions: employers obligation to provide training in the event of changes in workers duties (Article 2103, Par. 3, Civil Code)⁸ or to avoid the dismissal of workers performing abolished or obsolete tasks (Article 3, Law No. 604/1966, as interpreted by case law); paid leave for working students (Law No. 300/1970, Article 10);⁹ unpaid leave for training aimed at completing compulsory education, obtaining a secondary school degree, a university degree, or participating in training activities other than those provided or funded by the employer, or continuous training leave (Law No. 53/2000, Articles 5-6);¹⁰ the electronic record through which the training paths undertaken by each worker are recorded (Legislative Decree No. 150/2015, Article 15); the introduction to training among the services that employment centers must provide (Legislative Decree No. 150/2015, Article 18);¹¹ training contracts such as apprenticeships (Legislative Decree No. 81/2015, Articles 41-47);¹² schemes for training and orientation internships;¹³ training for laid-off employees (Legislative Decree No. 148/2015, Article 25-ter).¹⁴

The fragmentation of legal data is also reflected at the economic level, considering that initiatives for continuous training can be supported by at least five financial instruments: regional funds, the European Social Fund, the National Fund for Vocational Training, interprofessional funds for continuous training, and funds for training and income integration for temporary workers.

3. The role of industrial relations: origins and developments of interprofessional funds for continuous training.

The non-unitary nature of the laws that have increased in number over time, along with the difficult coordination of the various actors involved, has undoubtedly hindered the establishment in Italy of an effective vocational training system for adult workers.

Among the shortcomings of the system, besides the practices of abuse and almost welfare-like use of financial resources allocated for vocational training, especially widespread in the past, there was a wide gap between the training needs of companies and the availability of training institutions, which, also due to the underlying approach of the 1978 Framework Law on Training, primarily valued basic training.

This was also due to the ideological impasse that pitted the trade unions against businesses regarding training, with the former not yet having developed a positive political-cultural judgment on overcoming Fordism and the generic worker figure, continuing to prefer institutions aimed at the education and cultural improvement of workers rather than their

⁸ See *ex multis* Broilo M., *La disciplina delle mansioni dopo il Jobs Act*, in *Argomenti di Diritto del Lavoro*, 6, 2015, 1156.

⁹ See *ex multis* Garofalo D., *Formazione contratto nel contratto di lavoro* (voce), in *Enciclopedia del diritto. Contratto di lavoro*, Giuffrè, Milan, 670 ff.

¹⁰ See *ex multis* Ciuciovino S., *Apprendimento e tutela del lavoro*, Giappichelli, Turin, 2013.

¹¹ See *ex multis* Casano L., *Il sistema della formazione continua nel decreto legislativo n. 150/2015*, in *Diritto delle Relazioni Industriali*, 2, 2016, 455 ff.

¹² See Section 4.

¹³ See *ex multis* Pascucci P., *Stage e lavoro. La disciplina dei tirocini formativi e di orientamento*, Giappichelli, Turin, 2008.

¹⁴ See Section 3.

training, and with the latter distrusting any form of workers participation in planning and defining training interventions.

A (partial) turning point occurred with the establishment of the system of interprofessional joint funds for continuous training, introduced by Article 188 of Law No. 388 of 2000. This is one of the most mature outcomes of Italian social concertation,¹⁵ which developed in the last decade of the 20th century when, against the backdrop of the Delors White Paper and the White Paper on Education and Training at the Community level,¹⁶ unions and employers associations began to negotiate, in agreement with the government, vocational training of workers. A new bargaining lever characterized by new industrial relations, marked by greater cooperation among the parties, beyond the conflictual logic that had characterized social partners relations for much of the twentieth century.¹⁷

The triangular “Ciampi-Giugni” Protocol of 1993¹⁸ among trade unions, employers associations, and the Government, as part of a broader process of modernization of the labour market, had already addressed workers training as a strategic institution in the creation of relationships that could be more oriented towards the quality and productivity of work. In the same direction went the subsequent 1996 “Employment Pact” which, reaffirming the “central role of human resources in the production process”, asserted the need to recognize the role of social partners in the governance of the training system. Finally, the 1998 “Christmas Pact” declared the imminent establishment of an “interprofessional fund for continuous training”, aimed at supporting “the implementation of continuous training interventions” provided by companies and territorial training plans agreed upon by social partners.

As a result of the bargaining process, the national legislator introduced the system of interprofessional joint funds for continuous training in Article 118 of Law No. 388 of 2000, in order to promote “the development of continuous vocational training, with a view to the competitiveness of businesses and guaranteeing the employability of workers”. In particular, “for each of the economic sectors - industry, agriculture, services, and crafts”, most representative employers’ associations and trade unions can sign “interconfederal agreements” establishing joint funds to which each company can join, paying a contribution of 0.30 percent of salary per each worker. The resources of the funds, which can in turn be organized into territorial divisions, can be used to finance company, territorial, or sectoral training plans agreed upon by social partners.

From 2000 to the present, in Italy, a total of 19 interprofessional funds have been established.¹⁹ These operate in various sectors, from industry to crafts, from services to

¹⁵ Regini M., *Still Engaging in Corporatism? Recent Italian Experience in Comparative Perspective*, in *European Journal of Industrial Relations*, 3, 3, 1997, 259 ff.

¹⁶ European Commission, *Growth, competitiveness, and employment. The challenges and ways forward into the 21st century*, COM (93) 700 final, Brussels, 05.12.1993.

¹⁷ *See ex multis* Veneziani B., *La formazione dei lavoratori dalla concertazione triangolare al “pacchetto Treu”*, in *Il Lavoro nella Giurisprudenza*, 1, 1998, 5 ff.

¹⁸ The protocol takes its name from the then Prime Minister, Carlo Azeglio Ciampi, and the Minister of Labour at the time, Gino Giugni, leading figure in Italian labour law. On the topic: Giugni G., *Social Concertation and Political System in Italy*, in *Labour*, 1, 1987, 5 ff.

¹⁹ To delve deeper into the characteristics of the system, please refer to OECD, *Adult Learning in Italy: What Role for Training Funds? Getting Skills Right*, OECD Publishing, 2019.

agriculture, organized according to different logics such as sectoral funds or funds for executives training. Every year, according to the latest official data, over 50,000 training plans are financed, involving a total of 70,000 companies and 1.2 million participating workers.

Over time, the national legislator has also expanded the functions of interprofessional funds, involving them, not without contradictions with the original approach, at a more centralized and public law level, within the public network of employment services and active policies, and allowing the use of interprofessional fund resources also to finance training plans for recipients of citizenship income and for unemployed or inactive individuals.

This has undeniably influenced the growth in the rate of workers participation in training activities recorded in recent years. The margins for improvement are yet still significant, especially considering some of the main criticism that scholars have not failed to underline, even recently.²⁰ Above all, the growing tendency towards a proliferation of interprofessional funds is constituted by not adequately representative actors, not rooted in the most consolidated industrial relations systems and in a given economic sector. Among the interprofessional funds with the most members, in fact, there are also structures that operate transversely across multiple sectors and that, instead, compete with traditional interprofessional funds by offering training activities that are not functional to production needs and industrial relations, but are rather vulnerable to opportunistic behaviors. An example of such is the financing of mandatory training activities on health and safety which, although necessary, are certainly not the training aimed at raising the quality and productivity of work envisaged by the legislator of the 2000s.

The framework of the social partners intervention techniques in training matters, beyond the role of professional joint funds for continuous training, is also completed by a varied system of measures and tools directly regulated by collective agreements. Both at the national level of collective bargaining and at the company level, trade unions and employers associations establish joint bodies for the definition of training plans, negotiate programs content and recipients, and encourage participation through economic rewards and certification instruments.²¹

4. Training of young people through the apprenticeship contract.

Another historically central institution in the training of Italian workers and always at the intersection of State competencies, regions, and social partners, is the apprenticeship, which, as provided by the reference law, is the employment contract “aimed at the training and employment of young people” (Legislative Decree No. 81/2015, Article 41, Paragraph 1).

It is an ancient institution that in Italy found its first regulatory framework already in the 1930s (Royal Decree 1906/1908) and was among the main channels for young people to enter the labour market throughout the twentieth century, albeit with varying fortunes.

²⁰ Tiraboschi M., *Los fondos bilaterales interprofesionales para la formación continua en Italia: balance de una experiencia*, Aranzadi, Cizur Menor, 2023, 415 ff.

²¹ Valenti C., *The individual right to continuous training of workers: an analysis of best practices in the international framework*, in *Labour & Law Issues*, 7, 2021, 54 ff.

The Italian apprenticeship model is undoubtedly different from that experimented in the better-known and studied comparative experiences in the eurozone. Unlike these, it is significantly characterized by the work dimension that historically prevailed over the educational and formative dimension.²² Until 2003 (Legislative Decree No. 276/2003), dual apprenticeship, i.e., apprenticeship characterized by the involvement of an educational institution (training centers, schools, higher technical institutes, universities, etc.), did not exist in the Italian legal system, which only knew craft or professionalizing apprenticeship, in which training of young people was exclusively entrusted to the employer.²³

Even now, despite the numerous reforms that have occurred in recent decades, the latest being that of 2015 which expressly regulates the so-called “dual system” (Legislative Decree No. 81/2015, Article 41, Paragraph 3),²⁴ the number of “first-level apprenticeship” contracts to obtain a secondary school degree, is only around ten thousand units. Even lower are the numbers of high-level apprenticeship and research contracts, aimed at obtaining a tertiary education degree, with just over a thousand contracts activated each year.

The only widely used form of apprenticeship in the Italian production system is the professionalizing apprenticeship, which represents 98% of the total apprenticeship contracts in Italy. It is aimed at obtaining a “professional qualification”, defined by the classification and categorization systems of collective labour agreements, and is often criticized for its low training value and for the distorted use that employers make of it, disguising true employment relationships with this legal framework.

The reasons for the failure of Italian apprenticeships are multiple: the cultural resistance of schools and training institutions to accept, from a pedagogical point of view, the alternating training method; the tendency of companies to offload onto young people the needs of economic flexibility; and even the instability of the regulatory framework, considering that there have been over ten reforms in the last twenty years, that did not favor the spread of this tool, discouraging companies from its use.

At the governance and system level, coordination between the world of training and the world of work has remained only on paper. Social partners are not involved in defining the training standards of dual apprenticeship, nor Repertoire of Apprenticeship Qualifications, which aimed at correlating public qualifications – i.e., the title obtained in professional schools – and professional qualifications – i.e., what is learned in the company through professionalizing apprenticeship- has been particularly successful.

Even collective bargaining has not fully realized the legislative design that, at least from 2011 onwards, assigned it the regulation of the entire system, except for some non-negotiable principles (ban on piecework labor, written form of the contract, presence of a tutor, etc.). Over two-thirds of national sectoral collective agreements do not regulate dual apprenticeship, which significantly hinders the spread of this type of contract. But even in

²² CEDEFOP, *Apprenticeship schemes in European countries*, Publications Office, Luxembourg, 2018, available at <https://www.cedefop.europa.eu/en/publications/4166>.

²³ Tiraboschi M., *Productive Employment and the Evolution of Training Contracts in Italy*, in *International Journal of Comparative Labour Law and Industrial Relation*, 4, 2006, 635 ff.

²⁴ Rustico L., David R., Ranieri A., *‘Apprenticeship’ in the Italian approach to the dual system*, in *European Review of Labour and Research*, 26, 1, 91 ff.

the case of professionalizing apprenticeship, social partners do not adequately exploit the legislative delegation. In most cases, the number of hours of internal training, carried out by apprentices under the employers responsibility, is only 80-100 hours per year. Many collective agreements do not adequately define the training standards of apprenticeship paths, not precisely identifying the competencies to be acquired at the end of the working period. And there are no procedures and methods for validating and certifying learning.

5. NextGenerationEU contribution: The New Skills Plan.

The development level of the Italian vocational training system has not sufficed to tackle phenomena that have long characterized the Italian labour market, such as lack of skills and mismatches in labour supply and demand. In this scenario, the significant resources from NextGenerationEU,²⁵ following the economic and pandemic emergency caused by Covid-19 in the labour policies sector, have been mainly earmarked for a “National New Skills Plan”.²⁶

This is a project aimed at integrating the plethora of actors, resources, and tools related to vocational training. While respecting the managerial and executive competencies of the regions, the “National New Skills Plan” defines some essential standards and levels of performance for three different programs, all characterized by a strong focus on professional qualification and retraining, and respectively aimed at young people, job seekers, and employed workers.

The first program is called the “Dual System”, and it aims to promote training and access to employment for young people and adults without a degree through substantial investments in regional vocational education and training paths to “promote the introduction and development of training courses that meet the needs of businesses and the local productive fabric”. In particular, the measure aims to achieve a target of 135,000 additional individual pathways, compared to the approximately 40,000 previously recorded, to be carried out in the period 2021-2025. These pathways must be characterized by the alternating training method, whereby the trainee must participate, in addition to theoretical and basic training activities, also in experiential learning programs within the company for a range of 30-50% of the total hourly workload. The hope is that the significant investment, amounting to approximately 600 million euro, will enable the spread of dual apprenticeships, which, as anticipated, are virtually nonexistent within the Italian labour market. However, skepticism about the effectiveness of the operation is legitimate, considering the delay in the implementation decrees (August 2022) and that dual apprenticeships will face unfair

²⁵ Ales E., *National Recovery and Resilience Plan: Italy*, in *Italian Labour Law e-Journal*, 15, 1, 2022, available at <https://doi.org/10.6092/issn.1561-8048/15684>. On the same topic: Calafà L., *Le politiche del mercato del lavoro nel PNRR: una lettura giuslavoristica*, in *Lavoro e diritto*, 2, 2023, 163 ff.; Salomone R., *Rischi e opportunità nelle riforme del mercato del lavoro al tempo del PNRR.*, in *Lavoro e diritto*, 2, 2023, 193 ff.

²⁶ Tassinari A., *Labour market policy in Italy's recovery and resilience plan. Same old or a new departure?*, in *Contemporary Italian Politics*, 14, 4, 2022, 441 ff. On the same topic: Casano L., *Formazione continua e transizioni occupazionali*, in *Variazioni su Temi di Diritto del Lavoro*, 4, 2022, 659 ff.

competition from “dual” pathways attributable to the target, even if most of the time for “practice” can be carried out not in a work environment but in “simulation”.

The second program, instead, is aimed at job seekers and is called the “Employability Guarantee for Workers”. This program aims to overcome one of the major limitations of Italian labour services, namely the separation between active labour policies and training policies. Within the framework of national standards, regions must ensure access to personalized labour services that are not limited to a mere support in seeking another job, through ordinary placement paths (résumé writing; matching job demand and supply; etc.), but also to ensure the necessary qualification and retraining. In particular, depending on the position in the labour market, each job seeker can access “updating paths”, “retraining paths”, “basic skills enhancement modules”, “job reintegration and inclusion paths”, and even “collective relocation paths” in cases where multiple redundant workers are involved in occupational transition processes.

Lastly, the third program is the “New Skills Fund”, aimed at employees of companies involved in green and digital transition processes. Already introduced during the pandemic emergency, it is an unprecedented tool in the landscape of Italian labour policies because, on the one hand, it conditions financial support to companies on the preparation of training plans for workers and, on the other, it offers a vision of continuous training as a strategic lever for production processes and no longer as a non-recurring measure to be left to the autonomy of the individual worker or the entrepreneurial capacity of the employer. In detail, the “New Skills Fund”, in the presence of collective agreements for the reorganization of working hours, finances 60% of the workers salary for hours devoted to training activities aimed at acquiring skills for digital and ecological transition, which, at the end of the training period, must be the subject of a final transparency, validation, or certification certificate.

6. Vocational training for workers with disabilities.

In reconstructing the legal framework concerning the relationship between lifelong learning and labour law, a separate discussion should be done on the topic of training for workers with disabilities.

On the one hand, there is no doubt that this particular category of workers has the right, under the principle of substantive equality (Article 3, Italian Constitution), to access all ordinary training actions and tools (retraining services, educational leave, etc.).

On the other hand, the needs and peculiarities of people with disabilities, along with the numerous social and economic obstacles preventing their full realization, suggest the need for specific measures.

The Constitution itself, after establishing the right to professional advancement and training for all workers (Article 35, Italian Constitution), dedicates a constitutional provision to the training of workers with disabilities. More precisely, Article 38, Par. 3, Italian Constitution, states that “people with disabilities and unable to work have the right to education and vocational training”. This provision, although historically interpreted as a basis for employment of people with disabilities and to justify the obligation to employ a minimum

number of this category of workers by employers with more than fifteen employees (Law No. 68/1999), also commits the legislator to ensure vocational training for people with disabilities.

In this sense, the Italian legal system has developed over time, some forms of protection, albeit in a fragmented and partial manner. These protections can be distinguished between those realized within the individual employment relationship and those operating outside of the employment relationship and in the labour market.

On the one hand, it is worth mentioning the training obligation of employers in case of job downgrading or obsolescence of tasks. More specifically, the law provides that in these cases, the employment relationship with workers with disability can only be terminated if relocation within the company is impossible “even by implementing possible adjustments to the organization of work” (Article 10, Par. 3, Law No. 68/1999), including possible professional requalification activities for workers, provided they are not excessively burdensome financially for the employer.

Moreover, within the scope of company protection to the employment relationship, in 2014 (Article 1, Par. 166, Law No. 190/2014) it was established that in cases of disabilities resulting from accidents in the workplace, the employer may request funding from the National Institute for Insurance against Accidents at Work for “personalized projects aimed at preserving the job or finding new employment, with interventions in professional retraining”.

On the other hand, regarding protection in the labour market, it is important to note that the most significant legal measure concerning people with disabilities and employment, namely Law No. 68/1999, does not contain particularly substantial provisions regarding vocational training. The aforementioned law regulates targeted placement, i.e., “the set of technical tools and support that allow for the adequate evaluation of people with disabilities in their work capabilities and their integration into suitable positions, through analyses of job positions, forms of support, positive actions, and solutions to problems related to environment, tools, and interpersonal relationships in the daily workplaces and relationships” (Article 2, Law No. 68/1999). The only rules regarding training are those provided for in Article 11, which states that, “in order to promote employment of people with disabilities”, competent public offices may enter into supplementary agreements with employers. This may also include providing training interventions.

Lastly, another tool provided for the training of people with disabilities is the internship for social inclusion. These are training periods carried out in a work context, according to a personalized project signed by the intern, the hosting entity, and the promoting entity (training institution, employment agency, employment center, etc.), aimed at acquiring professional skills, basic skills, and soft skills, as well as social inclusion. Unlike ordinary internships, this particular category of internships is not subject to the limits set by law regarding the duration of internship periods or the maximum number of interns that the company can host.

7. The Missing Piece: Job Classification System in Collective Agreements.

The effectiveness of lifelong learning, whether in initial training, adult vocational training, or skills certification, crucially depends on a supportive legal framework. International best practices underscore the indispensability of involving social partners in governing such systems. This involves legally recognizing representative actors, granting them not only consultative and ceremonial powers but also the authority to deliberate on the structure and content of training systems.

Consider, for instance, the operation of collective skills training systems, which, through cooperation among trade unions, employer associations, and the public sector, have facilitated the development of models for socially creating skills and professions tailored to companies productive needs and workers employability. This has contributed to the success of productive systems in countries like Germany, Austria, and Switzerland.

The Italian legislature has long acknowledged the necessity of involving social partners in this regard. Even in areas where some reluctance persists, such as in employment services for the unemployed, where public actors still hold directive and executive roles, representative actors are called upon to participate, at least at the level of management and implementation of measures, as seen in initiatives like the National New Skills Plan (e.g., New Skills Fund).

Events related to interprofessional funds and apprenticeships have demonstrated broad interaction between the public sector and employers and trade union organizations in the Italian legal system, along with regulatory interventions through collective bargaining.

However, what remains lacking is adequate recognition of an institution that would most effectively enable trade unions and employers associations to participate in constructing a vocational training system aligned with companies and workers professional and training needs. This refers to classifying and wage-setting systems, which determine salaries according to workers tasks, jobs, and skills and competences that characterize each profession in the relevant economic sectors.

These articles should serve as the logical and legal foundation for designing apprenticeship pathways and directing training interventions for employed workers financed by interprofessional funds, or for job seekers. Yet, an analysis of founding collective agreements of interprofessional funds, national collective agreements on apprenticeships, and public employment policies reveals a lack of connections among these different systems.

One obstacle to developing a systemic logic between training and job classification systems is the obsolescence of the latter, which often date back to the era of 20th-century Fordist industrialism. They are structured around tasks and activities assigned to employees in a generic and vague manner, failing to adapt to the transformations in the labour market, where employer-worker exchanges increasingly emphasize professionalism and skills.

Highlighting the strategic role of job classification systems in building quality training, it is evident that modernizing them generates renewed interest in training from both employers and workers. In these sectors, new contractual obligations are emerging, wherein companies recognize workers rights to dedicate (albeit a residual portion of) working hours to training activities, leading to new forms of convergence between training and labour law.

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