

Payroll and HR News & Alerts



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NEW MEASURES ON SOCIAL SAFETY NETS

INPS, with Circular No. 121/2025, announces the implementation of the new regulatory provisions set forth in Decree-Law No. 92/2025, converted into Law No. 113 of August 1, 2025, aimed at strengthening employment and facilitating industrial reconversion processes, with particular attention to sectors most vulnerable to economic and climate crises. In particular, the following should be noted:

- companies located in areas of complex industrial crisis are exempt from paying the additional contribution for extraordinary wage supplementation (CIGS) for the entire year 2025;
- companies with at least 1,000 employees may access CIGS until December 31, 2027, allowing working time reductions of up to 100%;
- an extraordinary wage supplementation measure is provided for a maximum of 6 months in 2025, intended for companies with concrete prospects of transfer and re-employment;
- the fashion sector benefits from a 12-week extension of wage supplementation, usable from February 1 to December 31, 2025, with the possibility of direct payment by INPS;
- in the event of climate emergencies, access to CIG is granted to the construction, stone, and extractive sectors, in cases of extreme weather events occurring between July and December 2025, without being counted towards the duration limits;
- for agricultural workers, the extension of CISOA is provided in cases of seasonal weather disruptions, with facilitated access for fixed-term workers.

The circular outlines the overall framework of the provisions together with the related operational and accounting instructions.

ECONOMY DECREE CONVERTED – FIXED-TERM CONTRACTS

With the publication in the Official Gazette No. 184/2025 of Law No. 118/2025, converting Decree-Law No. 95/2025 (the so-called Economy Decree), new provisions have been introduced regarding the grounds to be stated in fixed-term contracts.

Specifically, the new paragraph 6-bis of Article 14, Decree-Law No. 95/2025, provides for the postponement to December 31, 2026 of the rule according to which a fixed-term contract may have a duration exceeding 12 months, but not beyond 24 months, in the absence of provisions contained in collective agreements, for technical, organizational, or production needs identified by the parties. This provision had already been addressed by Decree-Law No. 202/2024, which extended its validity from December 31, 2024 to December 31, 2025.

Furthermore, the other measures have been confirmed regarding incentives for working mothers and contributions for housing in the tourism sector.

PATERNITY LEAVE – INTENDED MOTHER

With Judgment No. 115, filed on July 21, 2025, the Constitutional Court declared the constitutional illegitimacy of Article 27-bis, Legislative Decree No. 151/2001, insofar as it does not grant mandatory paternity leave to a female worker who is the intended parent in a couple of women registered as parents in the civil registry.

In a female same-sex parental couple, the term “intended mother” refers to the woman who did not give birth. The “biological mother,” on the other hand, is entitled to the rights provided for maternity protection.

Consequently, a female employee who, within a female same-sex parental couple, is recognized as the intended parent through registration in the civil registry, is entitled to benefit from the mandatory paternity leave of 10 working days (20 days in the case of multiple births), within the time limits provided and in accordance with the administrative instructions set out in paragraph 2 of INPS Circular No. 122/2022. This clarification was provided by INPS in Message No. 2450/2025.

Therefore, also for the intended mother, the communication regarding the use of such leave must be made to her employer, who is responsible for advancing the allowance on behalf of the Institute. The online application for leave must be submitted directly to INPS only by employees for whom the employer is not required to advance the allowance. Employees in Public Administrations must apply directly to their employer, as the Institute is not competent for such cases.

In the case of an intended mother, she must be recognized as a parent either in the civil registry or by virtue of a judicial measure of adoption or foster care/placement.

According to the instructions contained in paragraph 2.4 of Circular No. 122/2022, during the use of mandatory paternity leave, an allowance equal to 100% of remuneration is granted, along with corresponding notional contributions.

The effects of this ruling take effect from July 24, 2025; therefore, only from this date may the intended mother, as identified above, abstain from work under mandatory paternity leave.

PRIVACY IN THE WORKPLACE

The Data Protection Authority, with Newsletter No. 537 of August 1, 2025, highlights the following.

With regard to widespread practices which, following absences due to illness, injury, or hospitalization, require workers to undergo an interview and a questionnaire, in collaboration with the company doctor, in order to assess possible initiatives for the protection of their health, such practices must comply with the EU Regulation (GDPR) and, in particular, the obligation to provide employees with clear and transparent information as well as the existence of a legal basis for data processing.

Furthermore, the Authority reports having sent a letter to Confcommercio, noting the increasingly widespread use of video surveillance systems in commercial establishments that do not comply with privacy regulations. The main issues identified include the absence of information signs, the use of cameras aimed at public areas or third-party property, in some cases unauthorized audio recordings, the storage of images beyond the permitted time limits, as well as the use of cameras to monitor employees, in violation of the safeguards set forth in the Workers' Statute.

As a reference for the proper use of video surveillance systems, the Authority recommends the European Data Protection Board's Guidelines No. 3/2019 and the dedicated thematic page available on its institutional website.

HRIT is available for further clarification.

Kind regards,

HRIT

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