

MIGRANTS, MINORITIES AND EMPLOYMENT IN ITALY

EXCLUSION, DISCRIMINATION AND ANTI-DISCRIMINATION

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1. Executive Summary

A preliminary consideration in this research is that in formulating and implementing policies that are meant to facilitate the integration of foreign immigrants, it is necessary to have a range of indicators capable of revealing the conditions of the newcomers in different areas of social life, and which can highlight the major problematic issues (Chapter 4).

In the course of the survey we have thus attempted to analyse the sources according to their capacity of providing integration indicators or, however, indicators of particular and significant moments in the working life of foreign citizens. The choice of an indicator is to be anchored obviously to the historical reality in which the study is set and therefore to the model of integration adopted. With regard to Italy, the integration model that operates is the “implicit” model of integration (Chapter 3).

The “implicit” model, rather than a model designed and built explicitly by institutions, is a model that emerged spontaneously but which, nonetheless, can be seen as a relatively consistent constellation of identifiable characters. Such characters include, among others, a spontaneous arrival trend, not deriving from labour recruitment policies or from effective measures of planned entries, and an important influence of local actors in the face of a weak direction by national public institutions.

On this basis, the results of the survey are partially satisfactory (Chapter 5). In short, a number of sources that allow analysing the working situation of immigrants and those of ethnic minority origin have been identified while sources providing useful informations on discrimination and racial incidents in the workplace are quite poor.

An analysis of these sources provides many indications that enable us to describe, quite accurately, the most recent evolution in the condition of immigrants in the employment sector and which can be briefly summarized as follows (Chapter 6): first of all, there is a situation in which the models of integration of foreign immigrants in the labour market are increasingly adjusted to those of Italian workers, especially for those who work regularly. The integration models become increasingly different and peculiar in the various places. Moreover, the number of immigrants regularly employed as dependent workers has continuously increased, due to the frequent regularisations, and has reached a remarkable figure.

On the basis of the data from the above mentioned sources and the information on the main trends developed to date, it is possible to have some indications on future trends and in particular on the need for foreign labour, a type of information which is essential for planning the migratory flows. In this regard, we refer to the methodology adopted by some researchers, who recently designed alternative scenarios of employment needs for the period 2000-2005 in Central and Northern regions of the country, on the basis of sex and educational qualification. This prediction exercise has estimated the overall migratory influx necessary to provide the workers required by the production system. This is said to amount to an average annual value, for the period from 2000 to 2005, of 228,000 units of which 171,000 would be non-EU nationals.

The figures given for this five-year period are to be considered applicable, in terms of quantity, also to the successive five-year periods at least until 2030. This means that by 2030, there will be between 6 and 8 million non-EU citizens or people of non-EU origin living in Italy, and they will account for about a quarter of the population of Northern Italy.

These figures have been compared with the recent survey by ▲ ISMU-Unioncamere on data from ▲ Excelsior, which offers some indications on the professional qualifications required. It is interesting to note that analysis of data from some of the sources mentioned, can also provide indications on the possible employment competition between Italians and foreigners. In this respect, we have reported on the results of a recent research [Villosio and Venturini 1999]¹. They argue that econometric analysis of the probability of getting out of a condition of unemployment and getting a new job shows that foreigners have a slight negative effect (they reduce the probability of the shift), only in the case of workers seeking their first job, and only in the years following regularisation in 1991; no competition effects emerge employed nationals.

An aspect that is closely related to the situation of complementarity rather than competition between Italian and foreign workers, is the ethnic characterisation of the labour market. A first confirmation of the tendency of some sectors to be ethnically characterised is provided by the data concerning the distribution of migrant workforce in various sectors, which seems to be insignificant in the sectors preferred most by native job seekers; estimates indicate less sectorial segregation and highlight ethnic characterisation of some professional profiles rather than entire sectors.

According to some authors, ethnic characterisation does not concern only the composition of labour demand; it is also affected by the integration strategies adopted by foreign immigrants which, while enhancing the role of the national group and / or ethnic networks, end up limiting the employment opportunities to those sectors which are somehow “controlled” by the groups they belong to. These conditions could equally be seen as indicating that these groups face discrimination in various forms in the labour market: discrimination in access to jobs, in the working conditions and in career development.

The description of the situation of immigrants in the labour market is followed by an analysis of the tools which are useful in the struggle against discrimination. In this respect, it is noted that § Law No. 40 of 6th March 1998, has finally fulfilled the duty, established in article 10, paragraph 2 of the Constitution, to regulate the judicial status of foreign citizens. A key aspect of the new legislation with regard to the labour market is the yearly-programmed entry (migratory flow) and the introduction of a long-term residence card.

In determining country entry quotas, emphasis is placed on “bilateral agreements on entry and re-admission procedures” with countries of origin of migrants. Article 21 of the same law, moreover, establishes the creation of a computerised registry of prospective foreign workers wishing to enter the Italian labour market. This databank should be used for planning entries not only in terms of quantity but also in terms of quality. The underlying idea is that prospective non-EU workers wishing to enter the country are identified in their own countries and their technical, vocational and linguistic skills registered in view of migration to Italy in the future. This databank is believed to be a fundamental tool for matching demand with supply of foreign labour and for implementing bilateral agreements with the countries from which immigration pressure is highest. The first tests have been carried out with Tunisia, Albania and Morocco.

Articles 43 and 44 of the § Unified Act provide protection against discrimination on grounds of race, colour, national or ethnic origin, ancestry, language, religion and

¹ Venturini, A., Villosio, C. (1999): ■ Foreign Workers in Italy: Are they Assimilating to natives? Are they competing against natives? An Analysis by the SSA Dataset, Bergamo: Working paper, n. 3; University of Bergamo.

belief. The two articles also provide definitions of direct and indirect discrimination. At a general level, unlawful discrimination is defined as any “behaviour which *directly or indirectly* causes differentiation, exclusion, restriction or preference based on race, colour, ancestry, national or ethnic origin, religious belief or practice, having the aim or effect of destroying or hindering the recognition or exercise - under equal conditions – of fundamental human rights in the political, economic, social and cultural fields as well as in any other public sector”. Indirect discrimination is defined relatively to employment as “any prejudicial treatment deriving from the adoption of requirements which produce a more than proportionate disadvantage to workers of a given race, ethnic or linguistic group, religion or citizenship and which are not essential for doing the work. Referring specifically to employment in article 2, the Unified Act recalls explicitly § ILO Convention no. 143 of June 24, 1975 on the rights of migrant workers and their families and which provides for equal treatment and full equal rights for migrant workers.

A new bill on the status of foreigners has just been approved by Parliament at the time of writing. This bill modifies the § Unified Act particularly in aspects related to employment. There are two main changes in this sense: one is the introduction of a “stay” contract (*contratto di soggiorno*) which stipulates that the duration of a stay permit must coincide with that of a job contract and on termination of the latter, the foreigner will be required to leave the country. A second important change is the abolition of the legal entry mechanism known as the “*sponsorship*” system under which a citizen or legally resident migrant undertakes to cater for a prospective migrant who is then allowed to enter the country for one year in search of employment. The new provision requires that an employer who needs a foreign worker should choose from a list compiled by the Italian embassy of prospective migrant workers still in their countries and seeking to enter Italy for work purposes. The new system aims to make good use of the ▲ Computerized Registry of non-EU Workers (*Anagrafe Informatizzata dei Lavoratori Extracomunitari – AILE*) experience as a tool for matching demand and supply. Generally speaking, the new legislation seems to have been inspired more by a greater focus on the issues related to security and repression of illegal immigration and less by any significant attempt to improve the condition of migrant workers.

How the new provisions will be enforced is yet to be seen. For the moment, trade unions and employers organisations have expressed criticisms of these specific innovations on employment procedures and status of migrant workers. In general it is believed that these innovations will increase the presence of irregular migrant workers in the labour market.

Besides the above mentioned protection measures, another major means of protection of foreign workers’ rights and promotion of the struggle against discrimination in the Italian labour market is represented by the activities of the trade unions. Such action by the Unions is not characterised by the introduction, in the collective agreements, of aspects that are directly connected to the specific conditions of foreign workers; rather, by the unions’ collective bargaining at the local level (factory or territorial) and through activities meant to help foreign workers organise.

These activities may seem obvious and somewhat ordinary but they are not. While it is true that the trade unions were the first to start dealing with immigration related

problems, often playing a substitutive role to those of the local authorities, they have been active in providing information and other support services and much less so in terms of defending migrant workers' rights in the workplace. Only recently and after widespread internal debates, are issues related to the conditions of work of migrants gaining more ground in trade union discussions.

Generally and for the most part, their activities so far have been carried out through consultation, production of information materials, opening of information points and in some cases dealing with specific disputes. Interestingly, the number of foreign workers registered with the trade unions is gradually increasing just as an increasing number of these foreign workers is beginning to be appointed as representative and / or delegate of the unions.

Another factor that has improved integration in the employment sector is vocational training, which represents the main tool used by local authorities to take action on this subject. In the last few years, the majority of training activities for immigrants have been financed with the resources from the ▲ European Social Fund (ESF), which does not require a centralised management of funds at national level but at the regional and provincial levels instead.

Resources from the ESF were initially used to support projects on providing employment guidance and basic Italian language courses. In the current phase, these projects are still being carried out, but together with some special vocational training schemes meant for immigrants, to train them for activities in the different sectors where there are more employment opportunities (e.g.: construction industry, domestic work, etc.) and, on the other, integrated schemes which aim at providing specific services. However, this phase is still at an early stage and it is an experimental one that is developing without any coordination or precise direction.

2. Introduction

This study has the aim of identifying sources that can provide some data relating to the situation of the foreign migrants and the discrimination they face in the Italian labour market. With this objective in mind, we have considered only the sources that provide some indications on some specific moments of the working life of foreign workers or which provide information that is useful in defining some indicators of integration (Chapter 4).

Being that the study is on the whole country, more space has been given to sources covering the entire national territory while those covering only the local level have received less space (Chapter 5). Since the indicators are historically determined and change their meaning according to the model of integration adopted, we have first reviewed literature in search of a model of integration which best suits the Italian case (Chapter 3).

A second step in the survey was the follow-up on the results of the data collection in this sector through bibliographical research. This has enabled us to build up a bibliography on the subject which added to this paper and to identify studies by Italian researchers who have carried out analysis on the issues treated (Chapter 6); considering the structure of this work, we have not included the numerous empirical researches.

On the basis of these studies we have attempted to describe the situation of foreign workers in Italy. We have also tried to analyse in detail two specific aspects which are important for planning migration flows:

- the need for foreign workers in future years
- the possible competition for jobs between foreign and Italian workers.

The final part of the study tries to identify the measures that exist in Italy to combat discrimination in the labour market and to facilitate inclusion of foreign workers. To complete the survey, we have also analysed immigration legislation and the studies on the activities of the public and private bodies operating in the labour market. The structure of the study follows the sequence outlined above, ordering the chapters in the same way.

We wish to thank ▲ Associated Observatories on Immigration, Bologna (O.A.S.I.)² and ▲ Gandalf s.r.l, Crotone for their valuable collaboration without which this study would not have been accomplished.

² <http://www.immigra.org/> (26/08/02).

3. Background

3.1. Preamble

Italy is a country that has only recently become fully aware of having changed from being a land of emigration to one of immigration.

The migratory balance, the difference between the number of people emigrating and those immigrating into the country had already changed in the 70s, yet it was only after the publication of the 1981 Census data that public authorities became aware of foreign workers. For several years their presence was thought to be only temporary as there was no space for foreign immigrants in a labour market still featuring high levels of unemployment and many emigrants. Such an attitude led to the first legalization exercise of illegally resident foreigners in 1981, accompanied by a decision not to issue further work permits to non-EU citizens. This was indeed the first time the term "non-EU" citizens was used to distinguish them from EU citizens, as it was not possible to stop issuing work permits to EU workers.

During the following years, the lack of labour supply in different areas of the country continued to attract workers from abroad and these were forced to work irregularly. Due to the uncontrolled and not well defined manner in which this phenomenon evolved, some commentators started giving credit to the “invasion syndrome”, giving estimates of irregular non-EU workers in the country to be as high as 2 to 3 million. Indeed, such a figure has still not been reached 20 years after!

When the public authorities finally realised that it was not an invasion and rather it was the characteristics of the Italian labour market that attracted foreign workers, the § first law on foreign workers was passed in 1986³. It is interesting to note that the law concerned only "workers" and only in 1990⁴ will a § comprehensive law on "foreign citizens" be passed, dealing with various aspects of the life of foreign workers (health care, education, rights etc.). This transformation was indeed marked by the availability of data on foreigners residing in Italy.

In practice, the invasion syndrome led Public authorities to promote inquiries on the number of foreigners living in Italy, especially those without a legal title to stay. Researches were carried out all over Italy, with the goal of "counting" immigrants. Unfortunately there was little space left to look at other aspects apart from the numbers. The first significant surveys on the labour market in relation to immigration were carried out only in the 90s and later, on other sectors as well.

Government action followed a similar pattern. The § 1986 Law stated that the Government would issue a yearly decree defining incoming flow of foreigners. The § 1990 Law confirmed such a provision. In practice, the decree was not issued for several years and until 1997 the programmed number of incoming foreigners amounted to “zero”. In the light of the growing lack of Italian labour, foreign workers continued coming from abroad and were

³ <http://www.stranieriinitalia.com/briguglio/immigrazione-e-asilo/1992/luglio/legge-943-86.html> (02/02/04)

⁴ http://www.immigra.net/documenti/leggi_3_001.pdf (02/02/04)

obliged to work irregularly. As a result, it was necessary to periodically carry out legalization exercises and most of the organisational and financial resources made available were used for measures and actions linked to such exercises. In a situation of this kind, there was no space to think about rights and integration and everybody was obliged to act in situations of constant emergency. Non-governmental organisations had to work under similar conditions and were forced, for several years, to demand for legalization exercises and to protect the rights of irregular migrants.

Thus, although there is broad awareness that Italy is a country of immigration, it is quite evident that the numerous subsequent and necessary steps resulting from such knowledge have not been taken. One such step for instance, is an explicit acknowledgement that even in a former country of emigrants and of "good people" (*brava gente*), situations of discrimination and racism, similar to those many Italian emigrants suffered abroad and which many are informed about from stories told by relatives, occur.

At the beginning, people did not understand why foreigners were coming to Italy as migrants and the "invasion syndrome", though unmotivated, prevailed. Currently immigrants are accepted because people understand that the production system needs workers. Yet, the natives are still suspicious of people who, only a short time ago, were thought to take away jobs from them and now, are feared to occupy other spaces such as, housing, social welfare benefits etc. and contribute to an increase crime rate through thefts, drug dealing, prostitution etc.

In a situation of this kind, most researches and public measures have tended to verify the "negative" effects due to the new comers, while few resources have been allocated to analyzing their difficulties. These difficulties are often described as non-existent and at best minimised as not serious and somewhat inevitable conditions resulting from living in a foreign country, even though these immigrants live, work and pay taxes here.

On the whole, there are numerous sources providing data on the employment conditions of immigrants. On the contrary, the sources of useful information on discrimination and racist incidents in the work place are quite poor.

3.2. An "implicit" model of integration

The integration model that operates is the "implicit" model of integration. The "implicit" model, rather than a model designed and built explicitly by institutions, is a model that emerged spontaneously but which, nonetheless, can be seen as a relatively consistent constellation of identifiable characters (Ambrosini 2001)⁵. Such characters include, among others:

- a spontaneous arrival trend, not deriving from labour recruitment policies, or from effective measures of planned entries;

⁵ Ambrosini, M. (2001) *La fatica di integrarsi*, (■ The difficulty of integration) Bologna: Il Mulino, p. 28.

- scarce institutional regulatory measures; the measures adopted, characterised by frequent recourse to legalization exercises, have failed to provide direction and guidance on how to govern the phenomenon;
- a remarkable influence of local actors (local administrations, voluntary organisations, associations, religious institutions and trade unions) in a limited number of reception initiatives for immigrants, in the face of a weak direction by national public institutions;
- a difficult reception by the host society, with positive attitudes of inclusion based on humanitarian reasons and increasing phenomena of rejection and negative attitudes (exclusion), justified on the basis of a failure by citizens to see as positive the economic function of the newcomers, the growing anxiety for security and personal safety, the impression of a process which is not efficiently governed, with a wide and disturbing component of illegal immigration;
- access to employment initially characterised for the most part by irregularity and precariousness, followed by a progressive shift towards regular and steady situations, thanks to the mobility between the various sectors and regions (from the south to the centre and north of Italy, from agriculture and commerce to industry, construction and other services);
- a capacity to understand the needs of the host country's economic system and adjust to them;
- a markedly rapid evolution towards the mature phases of the migration cycle, with the consolidation of networks of migratory chain and mutual aid, family reunion, emergence of the second generation, entry of the latter into the education system;
- a wide-spread activism of spontaneous networks of mutual aid among nationals of the same country.

Within this setting, we should highlight the innovation introduced by § law No. 40/98⁶, with which Italy partly dissociated itself from the logic “fortress Europe”, through the introduction of a quota system of legal entries and the opportunity of sponsoring the arrival of new migrants in search of jobs (Zanfrini, 2001)⁷. This provision was an official admission that there was need for immigrant workers and that their regular and legal entry needed to be organised at an institutional level. This is a remarkable novelty in contrast with what happens in other European countries, with a longstanding immigration record, which officially deny having any need for immigrants and consequently limit their entry in various ways. The application of this law was gradually consolidating, leading to a possible change in the model of integration, when the shift in the Italian Parliament majority objectively stopped this evolution. Evidence of a halt in this direction is the continuous postponement of the decree determining the annual quota of prospective migrants allowed to enter for work purposes, which reminds us of a period, not long ago, when decrees of this kind were not issued and the quota allowed was automatically intended to be zero.

Currently, a radical reform of this law is being discussed in Parliament. Since it has not been passed yet, and consequently the essential executive regulations have not

⁶ <http://www.parlamento.it/parlam/leggi/980401.htm> (02/02/04).

⁷ Zanfrini, L. (2001) “Programmazione” per competere. I fabbisogni professionali delle imprese italiane e la politica di programmazione dei flussi migratori, (■ *Planning in order to compete. The professional needs of Italian enterprises and the policy of planned migration flow*), Centro Studi Unioncamere e Fondazione Cariplo-Ismu, Milan: Angeli, p. 10.

been passed, it is still not clear whether the “implicit” model of integration will continue to operate or there will be an evolution towards different models.

Tab 1. Models of immigrants integration

	Temporary	Assimilation	Multicultural	Implicit
Concept of immigration	Workforce is useful to meet temporary needs	Individuals bound to become citizens of the host society	Discriminated minorities that need protection	Officially not necessary; in practice, used both in regular irregular forms
Access to the status of citizen	Difficult and partial (jus sanguinis)	Relatively easy (jus soli)	Relatively indifferent (generally acquired long time ago)	Difficult and uncertain
Native-migrant relation	Isolation	Discrimination / indifference	Tolerance. Prone to separation	Ambivalence between humanitarian reception and impatience
Labour policies	Active recruitment; link of residence permit with working permit; equal salary	Selected entry: populations that can be “assimilated”, equal treatment	Positive actions: system of quotas; possible encouragement of self-employment	Equal salary in regular jobs; widespread tolerance towards irregular jobs; fragmented promotional activities at the local level
Social policies	Housing ensured for workers; difficulties with family reunion and naturalisation.	Non specific; tending to facilitate individual access and possibly naturalisation; territorial dispersal	Tending to empower ethnic communities as service providers to members	Little developed; as a voluntary service mainly delegated to local authorities and non-profit organisations

by *M.Ambrosini*⁸

⁸ Ibid. ■

4. Methodology

4.1. Integration indexes

As noted in the ■ *Second Report on the Integration of Immigrants in Italy* by the Commission on integration policies for immigrants⁹, “in defining and implementing policies for the integration of foreign immigrants in Italian society, it is necessary both in the planning and monitoring stages of the provisions adopted, to have a series of indicators which are capable of providing information on the condition of the newcomers in different spheres of social life, highlighting the major problem areas”. On this account, the report presents some indicators for various spheres of life, to be used to monitor the integration of immigrants. The indicators which have been taken into account are the most suitable ones from a theoretical point of view and those which can be drawn from available statistical materials, in order to set up an adequate information system.

In this study, we have followed such an approach in analysing the sources and the data available and taken into account the contents of the above-mentioned report on which this paragraph is based. This decision is based on the fact that we share the underlying logic and it provides an important synthesis of this topic on a national level.

During the inquiry, we have tried to analyze the sources and the data on the basis of whether they are able to give integration indicators or in any case indicators of peculiar and meaningful moments in the working life of foreigners in this country. Obviously, we have restricted our survey only to the employment sector. We started from the considerations contained in the above report and then added some considerations from other authors who have dealt with the subject.

The term integration defines a complex concept whose meaning may vary over time and space on the basis of the country taken into account, of the historical and political circumstances and of the immigration stages (Conti and Strozza 2000)¹⁰. In terms of process, integration is seen as a journey involving two distinct entities namely, the individual who is trying to become part of the host society and to coexist in the best possible way and, the host society which either supports, ignores or creates obstacles for the former to reach his/her goal. As a process, integration involves all the modalities through which the immigrant may be "included" within the host country. The inclusion may involve assimilation and multiculturalism in a

⁹ Golini, A., Strozza, S., Amato, F. (2001) Un sistema di indicatori di integrazione: primo tentativo di costruzione, (■ *A system of integration indicators: a first attempt to define them*) in: Zincone, G., Secondo Rapporto sull’Integrazione degli immigrati in Italia, (■ *Second Report on the Integration of immigrants in Italy*) by the Commission for immigrants integration policy, p. 85.

¹⁰ Strozza, S., Conti, C. (1999) Caratteristiche dell’inserimento lavorativo degli immigrati stranieri nel Lazio durante gli anni Novanta, (■ *Characteristics of the employment pattern of foreign immigrants in Lazio during the 90s*) in: Zanfrini L., Immigrati, mercati del lavoro e programmazione dei flussi di ingresso, (■ *Immigrants, labour market and planned entries*) Milan: Quaderni ISMU, n.1.

continuum, (Macura and Coleman 1994)¹¹, with very different forms and characteristics.

This brief reference to different models of integration reminds us of the different ways a term, data or index can be interpreted. The choice of an indicator should be linked to the historic context in which the study is situated because it affects both the choice of an indicator rather than another, and the meaning to be given to the results of the analysis. In addition, it is very useful to interpret the indicator in the light of the migration policy of the country considered and the goals being pursued, by calibrating the statistical result on the desired or adopted integration model. For instance, regarding the acquisition of citizenship, the weight attributed to the same indicator will be different in a country pursuing a policy of assimilation of immigrants and one that tends to marginalize them. The value of the indicator will also be determined by the time and space within which the migrant worker operates, as well as by the migratory project.

A crucial aspect in defining indicators is a precise definition of the population segments these indicators refer to. In this report, three segments of the migrant workers with different needs and varying levels of social participation have been briefly identified: naturalized workers, legally resident and illegally resident migrants. Often the existing data mainly refer to legal migrants. However it seems appropriate to provide some information on the consistency of the three categories. The ■ Report¹² identifies some general dimensions of integration which have been arranged within specific contexts for which measures and indicators have been defined:

- a) demographic, social and territorial characteristics;
- b) relationships with the communities of origin and with the host country;
- c) real level of integration and the degree of success in the educational and employment sectors;
- d) Living conditions and the level of active participation in everyday life.

In this study, we shall look closely at the indicators referring to the dimension of integration in the *letter c* above, whose indicators have been defined, as mentioned in the above report, on the basis of inadequate and not totally reliable data.

The specific indicators referring to sub-groups of foreigners suggested in the Report and which can be compared with those of the Italian population are:

- rate of activity and participation of women
- unemployment rate
- areas of employment and professional skills
- self-employed workers
- use of human capital

¹¹ Macura, M., Coleman, D. (1994) ■ International migration: regional processes and responses, UN Economic Commission for Europe, Economic Studies, N. 7, New York, pp. 41-76.

¹² Golini, A., Strozza, S., Amato, F. (2001): ■ *ibid* p.94 – 100.

5. Sources of statistical data in the employment sector

Statistical data sources in the employment sector can be distinguished in two broad categories: primary and secondary sources. The first category includes the following:

- Municipal public registry of residents
- Provincial Police Headquarters and the Ministry of the Interior
- Ministry of Labour, Employment Offices, Job Centres
- Inspectorate of employment
- National Institute for Social Welfare (INPS) and Unified Agricultural Contributions Service (in the past)
- Ports Authorities and Ministry of Marine Trade
- Trade Unions
- Union of Chambers of Commerce
- National Confederation of Craftsmen

The second category of sources of data include:

- ISTAT (Italian Institute of Statistics)
- Labour Market Observatories
- Immigration Observatories
- Local Authorities
- Associations

Before going further, it is important to recall here that § Law No. 675/96¹³, which entered into force in 1996 and protects individual rights with regards to data collection and processing, has profoundly influenced research activities and data collection. Due to initial interpretative uncertainties, public officials either delayed releasing data or chose not to release it at all, in an attempt to avoid mistakes or claiming outrightly to be awaiting further instructions. Such caution can easily be understood considering that part of the data defined by the above law as "*delicate*" includes data related to membership of a political or religious movement or belonging to an ethnic group. As a result, researches that implied knowledge of at least a foreigners' nationality were faced with new difficulties.

The main consequences of these difficulties were first the remarkable increase of bureaucratic procedures to be followed by researchers in order to acquire basic data. Furthermore, researchers were often given aggregate data already processed by the officials of the various authorities, who did not necessarily have experience in collecting and elaborating statistical data, in order to stop unauthorized persons from having access to individual micro-data.

¹³ <http://www.parlamento.it/parlam/leggi/966751.htm> (02/02/04).

Before going on to describe briefly the various sources of data, it is worth re-calling two sources that mainly provide information on foreigners in Italy, but also provide some indications on their employment status at the time of acquiring a legal title to reside in the country. They are the Ministry of the Interior through the Provincial Headquarters of the Police (*Questure*) and the Municipal Registry of residents; we will not analyse these two sources in details; rather, we will consider only the specific variables of interest to this study.

5.1. Ministry of the Interior¹⁴

The ▲ Ministry collects and stores in a central archive, data on stay permits from each Provincial Police Headquarters, an office all foreigners have to pass through in order to obtain a legal title of stay. This information is later transferred to the Ministry's Data Processing Centre, which is the body that disseminates the information, after authorization, by the External Relations Office. At the beginning of every year, the Ministry presents a publication called ■ "Statistical Data" book which contains the results of surveys of foreigners in Italy as of December 31 of the year before¹⁵. This publication contains data on foreigners residing in Italy divided into men and women, EU and non-EU nationals on the basis of: reason of stay, provinces of residence, total number per nationality, ranking between the various nationalities; foreigners reported to the Police and/or under investigation and those arrested: grouped according to the province where report was made, nationality of the reported, ranking between the various nationalities, reason for the report and/or investigation; foreigners under detention, those ordered to leave the country or identified for expulsion, with details of province where detained, nationality and ranking between nationalities.

These data sets are among the most used to calculate the number of foreigners in Italy. The reason for issuing the residence permit provides useful information in that one of the reasons for issuing the stay permit is employment, which in turn could be employment by someone else or self-employment, seasonal employment, in search of a job or unemployed. This is clearly a first and very approximate indication which refers only to the moment of entry or the moment when the foreigner acquired a legal title to stay in the country.

These data are also available in each of the Provincial Headquarters of the Police; periodically the Ministry, in collaboration with the ▲ Italian Institute of Statistics (ISTAT) updates the archive by removing duplicate documents and the expired permits. A similar action is also carried out on a provincial level but in a non-homogenous manner and this is one of the reasons why researchers tend to prefer using the national data, though they become available several months later. Recent data can be obtained by approaching directly the provincial Headquarters of the Police; in such a case, it is important to ask for data on valid and expired permits separately. In this way, it is possible to have a fairly good approximation of the real data, while waiting for the national ones to be available. In addition, the data on the

¹⁴ <http://www.mininterni.it> (02/02/04).

¹⁵ Statistical data available on the website:

http://www.mininterni.it/sezioni/attivita/stranieri/s_000000366.htm (02/02/04).

expired stay permits are often used to assess illegal immigration, as they give information about the number of those who once had legal title to stay but who lose the legal title due to the growing bureaucratic constraints on re-newing the stay permits.

5.2. Municipal registry of residents and the Institute of Statistics (ISTAT)¹⁶

The ▲ Municipal registry of residents can provide some information on various aspects and moments in immigration procedures. The evolution of the resident population in a city may result from registrations or cancellations of people transferring from other municipalities and/or abroad, and from births and/or deaths of registered citizens. These Municipal registry of residents are required by law to fill in a form on each of the above events and send it to ▲ ISTAT (directly in some cases and through the Police Headquarters in other ones). Such forms may be copies of those used for surveying, just like in the case of registrations in, or cancellations from, the records or those forms filled in upon registration.

Both the registration / cancellation form and the form for surveying marital status include a line on citizenship, inserted by ISTAT in 1984¹⁷ (ISTAT, ■ 1995). Thus, the register of births, marriages and deaths allows having an exhaustive overview on the extent, the composition and the dynamics of foreigners living permanently in Italy, with a territorial breakdown on a municipal level. In addition, the Census allows updating the population register¹⁸ (ISTAT, ■ 1989). During the last census, the municipal registries revised their records by eliminating all those who were no longer residents.

5.3. Institute of Statistics (ISTAT)

▲ Istat uses various forms to collect information on the resident population¹⁹:

- APR/4 for registration in the birth and death register;
- D/1 and D/2 for monitoring births, one for each sex (the forms are basically the same);
- D/4 and D/5 for monitoring deaths, one for each sex;
- MOD P.3 for monitoring movement from one municipal registry to another by registered foreign citizens.

The MOD. APR/4 FORM, is the most interesting in this context, as it shows the following information for each citizen applying for registration with the municipal council:

¹⁶ <http://www.istat.it> (02/02/04).

¹⁷ ■ *Foreigners in Italy - Statistical Sources*, ISTAT - Notes and reports no. 1, 1995 edition, page. 21.

¹⁸ ■ *Analysis of the statistical sources for measuring foreign immigration in Italy: examination and proposals*, ISTAT - Notes and reports n.6, 1989 edition, page 43.

¹⁹ Data available on the website: <http://demo.istat.it/stra1/start.html> (02/02/04).

- surname and name, place and date of birth, gender and code of the foreign country of origin;
- relationship to the head of the family in the file (that is, the first person to register under the same house);
- civil status;
- citizenship and code of the country;
- professional status, showing:
 - a) position held, indicating a1) entrepreneur / self-employed professional; a2) manager /employee; a3) self-employed worker; a4) factory worker and the like; a5) assistant;
 - b) sector of activity: b1) agriculture; b2) industry; b3) commerce, services of public interest and hotels; b4) public administration and public or private utilities.
- non-professional status, indicating a) housewife; b) student; c) in search of first employment; d) other;
- educational qualification held, indicating a) none, b) primary school certificate; c) middle school certificate; d) diploma not allowing access university; e) diploma allowing access university; f) university degree.

In theory, this flow of information should give numerous information on the employment situation on a monthly basis. Yet, it must be used very cautiously because of the variables that are not directly linked to residence and being registered at the municipal registry (such as employment status and education). These data are not updated frequently and as a result, it is preferable to use them to acquire information on the employment status at the time of registration with the municipal council. The personal data on residences are obviously available in every municipality even though data availability differs between municipalities and according to the level of computerization.

In order to have an overview of the level and type of employment of legally resident foreigners in the mainstream economy, data from two main sources are especially useful, namely: the Ministry of Labour through its **Regional and Provincial Labour Offices** and **▲ National Institute for Social Welfare (INPS)**. Both authorities limit their field of observation to only non-EU employees, with the exception of the records on domestic workers held by INPS, which include EU workers as well. In addition, INPS has also statistical information on self-employed foreign workers.

Other useful data can be collected from the Port Authorities, the Ministry of Finance, the Union of the Chambers of Commerce, the National Confederation of Craftsmen.

5.4. Ministry of Labour (currently Ministry of Welfare)²⁰

At the end of each quarter (3/31, 6/30, 9/30, 12/31), the ‘Labour / Employment Policy Service’ of the Provincial Labour Offices fills four ministerial forms on foreign workers and sends them to the **▲ Ministry of Labour**. The data come from the Labour Offices' local districts that keep the individual records of each registered worker.

²⁰ <http://www.welfare.gov.it/default> (02/02/04). Statistical data available on the website: <http://www.welfare.gov.it/EaChannel/MenuIstituzionale/Lavoro/OccupazioneEMercatoDelLavoro/ricerche+e+statistiche+sul+lavoro/default.htm?baseChannel=Lavoro&actualChannel=ricerche%20e%20statistiche%20sul%20lavoro> (02/02/04).

The regularly collected statistical data on non-EU workers are derived from the following ministerial forms:

- **OML1/ST. Form. Non-EU citizens registered in the unemployment lists at the end of each term (stock data).** This form is used to record non-EU citizens registered on the unemployment lists at the end of each quarter. They are split up according to gender and six other variables such as type of registration, length of registration, age, education, field of activity and qualifications. In addition, they are classified in a second table according to gender and country of origin.
- **- OML2/ST. Form. Number of newly employed non-EU citizens during the quarter (flow data).** The form records the number of workers starting employment recorded during the quarter according to gender and seven variables such as type of registration, length of registration, age, education, field of activity, qualification and particular contracts.
- **- AUT1/ST, AUT2/ST. Forms. Number of authorizations issued to non-EU employees (flow data).** The first form records new admissions according to type in the quarter according to gender and seven variables: type (indefinite/definite term employment), industry, qualifications and age. The second records the same variable according to country of origin, industry, qualifications and age.

This source is certainly one of the best statistical sources on immigration in view of the following characteristics:

- data availability: data are easily accessible;
- homogeneity: the use of ministerial forms allows to always collect the same variables;
- quality: the data are administrative and come from employment offices and therefore are reliable;
- processing time: it is possible to obtain these data the month following the end of the quarter they are referring to; it is always possible to have updated data;
- provincial basis: data are available both for the region and the single provinces.

From these forms, one may not have precise information on employed workers. Rather, they provide information on workers who do not succeed in entering the labour market and those who recently entered it. These indicators are, all the same, very relevant in order to understand how the labour market reacts to the arrival of foreign labour.

5.5. National Institute of Social Welfare (INPS)²¹

▲ INPS provides useful information on employed workers. Since 1989, it has set up a statistical database²² in order to facilitate access of public and private bodies as well as research institutes to it. It has also set up *Observatories* on the labour market, with the aim of offering, continually and permanently, a set of regularly updated and detailed statistics processed by economic actors. Currently the following *Observatories* have been established and are available on line:

²¹ <http://www.inps.it/> (02/02/04).

²² http://www.inps.it/doc/sas_stat/main.html (02/02/04).

- **“the enterprises”**²³ - with five-year historical series, classified per territory, industry and size of enterprise, stocks and the structural changes of enterprises having dependent workers.
- **“the employees”**²⁴ - which broadens the statistics of the previous observatory, including statistics on non-EU workers in the country, by collecting further variables such as qualifications, gender, place of work, yearly average remuneration per duration of the work contract. The information on the various nationalities became reliable only recently, because public officials have finally started making sure that the nationality line on the forms is filled in as well. Following the closure of the Unified Agricultural Contributions Service (SCAU), INPS now collects and stores in a separate archive, data on agricultural workers.
- **“domestic workers”**²⁵ - which gives first statistical information on the number, gender, working hours and territorial distribution of all domestic workers, with a breakdown of data on non-EU workers which includes information on the areas they come from. The observatory is based on the forms filled by the employers when paying, on a quarterly basis, social security contributions for both their Italian and foreign domestic workers.
- **“self-employed workers”**²⁶ - which provides statistics on self-employment in commerce and craftsmanship broken down according to gender, qualifications, territory and length of registration with INPS. It does not provide information on foreign craftsmen and traders as a distinct category; the place of birth of such workers is indicated in the fiscal code and this gives an approximate indication of nationality.
- **“the retirement pension for which INPS is directly responsible”**²⁷ - contains statistical tables on the current and past retirement pensions directly paid by INPS, broken down according to territory, category of activity and gender. It includes information on the age of the retirees, the amount and the starting year of the retirement pensions, as well as the length of contribution and the salary on the basis of which the pension is calculated;
- **“The pension funds only managed by INPS”**²⁸ - contains information of both statistical and accounting nature, referring to the separate financial management in which the activities of INPS are articulated.

A researcher may access the information system on line, by signing a special agreement with INPS. Regional headquarters do not collect information from their provincial branches because each provincial headquarter sends data in real time to the central data base in Rome, where they are processed. Regional headquarters can only access the central database and have to request authorization to process individual information.

These data give essential indications about the evolution of employment of non-EU immigrants, although they are not yet able to give precise quantitative information on the phenomenon. This is due to the long standing issue of evading payment of social security contributions on the one hand, which leads to an under-estimation of the number of employed workers; on the other hand, foreign workers have only recently

²³ http://www.inps.it/doc/sas_stat/impres/impres.html (02/02/04).

²⁴ http://www.inps.it/doc/sas_stat/dipendenti/dipendenti.html (02/02/04).

²⁵ http://www.inps.it/doc/sas_stat/domestici/domestici.html (02/02/04).

²⁶ http://www.inps.it/doc/sas_stat/autonomi/autonomi.html (02/02/04).

²⁷ http://www.inps.it/doc/sas_stat/pensioni/pensioni.html (02/02/04).

²⁸ http://www.inps.it/doc/sas_stat/bilancio/main.html (02/02/04).

come under focus on this aspect and data collection systems and procedure are still to adapt to the new situation.

5.6. National Institute for Insurance against incidents in the workplace (INAIL)²⁹

Starting from the year 2000, ▲ INAIL has been running an Employment Observatory which records data on recruitments, terminations and changes from one company to another³⁰. As noted in the ■ Statistical Reports by Caritas³¹, a break down of the data collected by this new observatory does not yield information that is identical to that collected by the Welfare Ministry. In particular, data collected by INAIL:

- are classified according to the same age groups;
- is broken down in details in relation to the sectors of employment;
- introduces a break down on the basis of company size;
- does not take into account the educational qualification held by the employed (information that has not been very reliable so far);
- does not take into consideration the professional qualification of the recruited persons;
- does not take into account the duration of time from the moment of registration in the unemployment list to that of recruitment (and this prevents from monitoring the dynamics of employment).

It is still early to assess the quality of this service, since it has just started to operate. However, it certainly provides additional information such as the company size, to the ‘standard information offered by the Welfare Ministry. Besides, it is useful for comparing the recruitment figures with those of job terminations.

5.7. Ministry of Marine Trade – Port Authorities

This source provides data on foreign seamen on board cargo ships registered at the various Port Authorities. These Port Authorities give the necessary authorization to take a foreign seaman on board. Such an authorization is given upon request of the employer and only after having verified that the employee has a legal residence permit and having checked that there is no Italian unemployed sailor on the employment lists who is looking for a job. The authorization to work is similar to that issued by the employment office. The data available are personal data. The Port Authorities usually do not process the data, but are often willing to identify requested data and send it. In some cases, access to their records is granted too.

²⁹ <http://www.inail.it> (02/02/04).

³⁰ <http://osservatorio.inail.it/> (02/02/04).

³¹ Caritas (2001): Dossier Statistico Immigrazione 2001 (■ Immigration Statistical Reports 2001), p.287

5.8. Chambers of Commerce, Enterprise Archive

The Chambers of Commerce have a *Registry of Enterprises* at provincial level. It is an archive containing the list of enterprises and/or local units, i.e. the places where the production of goods and services takes place, which carry out their activities in the region and are registered with the Chamber of Commerce. The above mentioned archive is based on the one distributed by ▲ INFOCAMERE (the Information Technology Consortium of the Chambers of Commerce)³² which collects and collates data to build up the registry of enterprises. From this archive, it is possible to identify the foreign country of birth of a given entrepreneur but not the nationality.

5.9. Excelsior Information System

Within the framework of measures promoted by the Welfare Ministry and the European Union to strengthen the vocational training system, ▲ *Unioncamere*³³ has, for the fourth year running, developed the ▲ “Excelsior” Information System³⁴ on the professional needs of enterprises. The survey, carried out in each province by the network of the Chambers of Commerce and Regional *Unioncamere*, involves a sample of about 100.000 enterprises, active in all economic sectors and of different dimensions. This is quite a large sample, statistically significant and representative of the Italian economic production and territorial structure. Each enterprise is asked to provide information on recruitments and terminations (due to retirement, expiry of contract, etc.) scheduled over a 12-months period. For each successful recruitment, the employers are required to provide a set of information on the professional profile requested and the number of non-EU workers needed for by employers. This source is interesting because it provides information on the evolution of the labour market and the attitude of national entrepreneurs vis-à-vis foreign workforce. When interpreting the information from this source, one should however bear in mind that there is no correspondence between the intention to recruit new employees and the actual recruitment; as a result such data cannot be used to make an accurate estimate of the need for workers.

5.10. Ministry of Finance³⁵

This is one of the most important statistical sources and the data on foreign taxpayers are quite interesting and sensitive because it has caused some controversy; some political parties claim that non-EU workers do not pay taxes and statistical data on the subject are insufficient.

The available data include the following: the number of foreign tax payers; gross income before taxation declared by foreign taxpayers and the total amount paid in taxes by foreigners. These data are not usually published and so have to be requested by interested parties from the *Taxation Policy and Fiscal Analysis Study Office*.

³² <http://www.infocamere.it> (02/02/04)

³³ Consortium of the Chambers of Commerce, Industry, Craftsmen and Agriculture. Website: <http://www.unioncamere.it> (02/02/04)

³⁴ <http://excelsior.unioncamere.net/> (02/02/04)

³⁵ <http://www.finanze.it> (02/02/04)

5.11. National Confederation of Craftsmen (CNA)³⁶

The Confederation has data on non-EU employees of its member enterprises, for which it manages their payrolls. The information comes from the form of each worker. The Confederation's branch in Emilia Romagna³⁷, which we have analysed for this study, elaborates these data statistically and disseminates them twice a year. These are stock data available at the end of the semester (30th June and 31st December).

The Confederation's publication on the subject includes 7 data sets on the number of non-EU workers and their employers.

- Data set 1: – lists businesses having their payroll and employee services carried out by the Confederation. It shows the total number of such businesses, that of their employees, the total number of businesses with non-EU workers and their number.
- Data set 2: – provides a list of businesses employing non-EU workers and whose payroll service is run by the Confederation.
- Data set 3: - this is on non-EU workers classified by per country of origin and employed by businesses with payroll service run by the Confederation.
- Data set 4 – lists non-EU workers employed by businesses using the Confederation's payroll service classified by gender and broken down per semester.
- Data set 5 - non-EU workers employed in businesses using the Confederation's payroll service by age group.
- Data set 6 - non-EU female workers employed by businesses using the Confederation's payroll service; data is classified by sector of activity and semester (from 1992 to 1997).
- Data set 7: - non-EU female workers employed by businesses using the payroll service by age and semester (from 1992 to 1997).

The regional branch of the Confederation is one of the main sources of information on the employment of immigrants in small and medium enterprises at the same level. The above-mentioned overview offers a limited knowledge of the phenomenon because it includes only those businesses that are members of the Confederation and use the Confederation's payroll services.

The data are easily accessible, due to the informative nature of the publication by the Confederation. The datasets are particularly interesting and helpful to understand the phenomenon on a local level.

5.12. Local Authorities and Observatories on Immigration

So far we have described the sources of statistical data on the employment situation of immigrants. Many local authorities acquire and re-process data from national sources, through the activities of Local Observatories on the labour market and some

³⁶ <http://www.cna.it> (02/02/04)

³⁷ <http://www.er.cna.it> (02/02/04)

of these authorities are also trying to create observatories on immigration. These observatories usually re-process data supplied by official national sources and try to fill in any gaps by carrying out field research.

In the following paragraphs, we will review some of the most active observatories. The information contained in this chapter has been partly drawn from a recent research project, ☀ *INTEMIGRA* (Mottura, Pinto 2001)³⁸, funded by the European Community. The project, run by a partnership of the Italian regions facing the Adriatic coast, included among other things, a feasibility study on creating local observatories on immigration in these regions. The researchers reviewed all the existing observatories on immigrations, with particular focus on their activities related to the integration of immigrants in the labour market.

An aspect that is common to all the regions analysed in the study is the difficulty and slow pace at which the need for systematic observation, monitoring and documentation on immigration has emerged, even in those regions that have experienced consistent migratory flows in the past years. The most interesting experiences of observatories on immigration date back only a few years ago and this indirectly confirms the above finding of the research.

☀ Regional observatories on immigration were established in Emilia-Romagna and Veneto (both are currently being re-organized) and in the province of Lecce in 1996³⁹; similar bodies are being established in other parts of the region Puglia (Bari and Foggia). The Institute for economic and social research observatory (IRES) of Piemonte⁴⁰ was set up in 1998 and it established a regional observatory on immigration only in 2001 on behalf of the Regional Administration; In Friuli Venezia Giulia region, it was set up in 1998 as well. Finally, a regional observatory on Social Policies was established in the Marche region in 2000⁴¹ and one of its tasks is to collect and process data on immigration.

Between 1993 and 1995, the Tuscany regional branch of ▲ IRES⁴² carried out a research on behalf of the immigration Department of the Tuscany regional government, on creating a regional information system on foreign immigration (SIRIE). Unfortunately, this feasibility study, carried out at about the same time as the one in the Emilia Romagna region, was not followed by the creation of the planned observatory; all the same, the outcome of that research remains a valid document to be consulted on the topic.

In the region of Abruzzo there is no experience of observatories of the kind seen above in other regions; a department of the University of Teramo in the same region ran a one-year monitoring project on ethnic and gender discrimination, beginning

³⁸ Mottura, G. Pinto, P. (2001): Gli osservatori sulle immigrazioni, (■ Observatories on immigration) Mimeo, allegato a (enclosed to): Cauti, E. (2001): *Progetti oltre frontiera, l'immigrazione straniera nelle regioni adriatiche*, (■ *Beyond frontiers project, foreign immigration in the Adriatic Regions*) Mosciano S.A., Cisi Abruzzo-INTEMIGRA

³⁹ <http://www.opi-lecce.org/> (02/02/04)

⁴⁰ <http://www.ires.piemonte.it/> (02/02/04)

⁴¹ <http://www.osservatoriops.it/> (02/02/04)

⁴² <http://www.irestoscana.it/> (02/02/04)

from 1999. Part of the project activity was analysing immigration in the area and monitoring gender and ethnic discrimination in the media.

In addition, the *Territorial Council for Immigration* of Aquila province published in June 2001, a ■ "*Report on immigration in Aquila province in 2000*"⁴³ which gives an overview of the main characteristics of immigration in the area and the outstanding aspects of greater social impact. A ■ "*Report on immigration in Pescara province*" was published in July 2001 and it is based on data from different sources (the provincial headquarters of the Police, municipal registries of residents and education boards).

Obviously the above-mentioned dates do not mark the beginning neither of a specific interest in promoting research on immigration nor in a shared awareness of the importance of such knowledge. Rather, such dates seem to suggest that the "emergency" perspective which dominated for a long time the perception of immigration by both the media and local administrators, is giving way to a greater awareness of the growing complexity and the structural character of the ongoing processes of migration.

Many more publications may be mentioned in view of their historic value and the rapid evolution of immigration experienced in the country in the last ten years: one such study is the first ■ *Labos* report on the presence of foreigners in Italy, published in 1990 in the series "New Needs and New Social Policies", by the General Directorate of Civil Services, Ministry of the Interior.

The first ■ *Statistical Report on Immigration* was published by Caritas Rome in the same year, in cooperation with the ▲ *Migrants Foundation* of the Italian Episcopal Conference (CEI)⁴⁴ and the ▲ *Emigration Studies Centre* of the Congregation of Scalabrini Fathers⁴⁵. This report has ever since been published yearly, thus allowing to constantly monitor developments in various aspects of immigration in Italy; as a result, it has become a precious operative tool for researchers and social operators working on immigration⁴⁶.

Another organisation that has been publishing regular annual reports on migration is the ▲ *Foundation for Initiatives and Studies on Multi-ethnicity (ISMU)*⁴⁷. Each volume is divided into three sections: general overview (statistics on immigrants, legislation and migration control issues, media and immigration), areas of special attention (employment, education, healthcare, housing, attitudes towards migrants etc.) and emerging themes (political asylum, discrimination in the labour market, family reunion, organised crime and illegality); in some editions, the international scene features as a separate section and in others, it is included in the general part. Besides, it publishes a newsletter (*Ismuinforma*) and a series of books (*Quaderni ISMU*) which collect and disseminate information about studies, researches and conference proceedings.

⁴³ <http://www.prefettura.aq.it/archivio/Rapporto%20Immigrazione%202000.pdf> (02/02/04)

⁴⁴ http://www.chiesacattolica.it/cc_i_new/UfficiCEI/index.jsp?idUfficio=2 (02/02/04)

⁴⁵ <http://www.simi2000.org/> (02/02/04)

⁴⁶ <http://www.caritasroma.it/immigrazione> (02/02/04)

⁴⁷ <http://www.ismu.org/> (02/02/04)

A common aspect that emerges from this overview of observatories on immigration is the difficulty for public bodies to create observatories on immigration and guarantee their stability and continuity. It seems that the observatories manage to last over time only when they do not depend excessively on the local political dynamics and balance and predominantly on the funds of the regional governments. The cases of ISMU and Caritas are quite significant in this sense.

A starting point of the process to overcome the "emergency perspective" mentioned earlier is an acknowledgement that it is no longer sufficient to reason solely in terms of migratory flows; rather it is duly necessary to consider the stock of foreigners who have settled permanently (albeit not homogeneously) throughout the country.

Yet, very different courses have been followed in the process leading to the establishment of observatories. Briefly, two main courses can be identified. In some cases (like in Emilia-Romagna), the prevailing view of immigration underlying the creation of the observatory was one that considered immigrants as a necessary workforce for the regional economy. Starting from here, the complexity of the phenomenon was gradually "discovered" (issues such as housing, health care, educational integration, vocational training, issues of participation [associations] on the one hand, and, on the other, the ability and rapidity of local and public authorities to deal with new problems or to prepare to do so); besides, the concerns of directly involved local administrations were taken on board, partly due to the capability of the researchers managing the observatory.⁴⁸

The short experience realised in Tuscany region seems to have followed the same line as the one in Emilia Romagna region. The specific approach to immigration issues by IRES of Tuscany region embodied verifying the level of integration by measuring the degree of satisfaction of immigrants' daily needs in comparison to those of the local population. The underlying assumption was that by identifying the local labour systems, it was possible to identify the relations it entailed and the role of such relations in the integration process.

In other cases, a different course was followed: although the relevance of immigration as a source of labour supply in certain market segments was already well known, debates and projects did not seem to privilege this topic over others which had already been highlighted by available research or had been the subject of public or private measures or else, others that were sources of alarm, tension or attention on a social level. This seems to have been the case of Veneto region where research activities that started at the beginning of the 90s and led to the creation of the regional observatory – moved from their interest being focused primarily on housing issues and the analysis of the characteristics of the main sources of immigration, to several other themes such as statistics on immigration, stay permit, work, education, health care, crime, local policies, legislation and EU policies, Italian and regional financial resources etc.

The three regions - Puglia, Friuli-Venezia-Giulia and Piemonte - had similar experiences, though with varying emphasis on different issues, as their territorial

⁴⁸ This is a schematic representation of the arguments that prevailed in the debate leading to the design and implementation of a given type of observatory and not a characteristic of the activities carried out by the observatories once constituted.

contexts were different. The first two regions are characterized by the co-existence of two different types of presence of immigrants, as a result of which the two areas are, not only among the most densely populated by immigrants but also areas where the phenomenon is of a particular complexity. Both regions are, to a varying degree, border areas affected by the crisis in the Balkans and they have both resident immigrants who participate in the local labour market and in the demand for goods and services and migrants in transit either to other countries or waiting to be deported after identification.

The influence of this situation, which is peculiar both in quantitative and qualitative terms, can be traced in the type of studies and initiatives that led to the setting up of the regional observatory in Friuli-Venezia-Giulia and the provincial one in Lecce, in Puglia region. For example, in both cases the approach to immigration is one that views it as *a global and social issue*, and this is interpreted as the approach that allows grasping the many facets of a multi-dimensional phenomenon. The same approach can account for their interest in trying to identify specific reasons and strategies behind individual and family migratory projects, the specificity of the conditions of women, problems encountered by foreign children in the educational system, the evolution of inter-generational relations within migrants, the problems encountered by mixed couples etc. In both cases, research into the above topics has been developed alongside monitoring of migratory flows affecting the respective territories and research on the condition of foreigners in the employment sector.⁴⁹

The circumstances that led to the creation of the observatory of the Institute for economic and social research - IRES -, Turin (and which will, presumably, affect the setting-up of the regional observatory in *Piemonte* region), have, in terms of the underlying perception of immigration, similarities with the situation in *Friuli Venezia Giulia*. The observatory on immigration of foreigners to the area started as a particular segment within a structure that carried out a wider and systematic monitoring of regional demographic developments, drawing from experiences matured during the years of "economic miracle" which led to massive immigration to *Piemonte* of nationals from other Italian regions. Later, it developed into a specific activity with the goal of "promoting a systematic and scientifically-based knowledge of migration". It then began studying, in cooperation with the Association IRES Lucia Morosini⁵⁰, themes related to the most evident and urgent material needs of immigrants (housing, employment, health care) but also different other aspects of social integration, network of relations and organisations, families, relations between immigrants and public institutions and services, forms of urban conflicts, local policies etc.

Finally, it is important to note two common elements that emerge from the experiences of the observatories in Friuli and Turin. Both observatories manifested

⁴⁹ The hypothesis that research activities in these two areas are affected not only by the numbers of immigrants therein but also by their type as indicated above; this may explain why, in the face of situations of social marginalization mainly of migrants in transit, the planned research activities in these areas do not present "misery-based" interpretations; rather, they focus on the analysis of rights and reception measures –accorded to these groups. This is confirmed by the situation in Molise, a region that perceives itself as a transit territory for migrants and where research initiatives surveyed appear to be substantially pervaded by a view of immigration as social marginalization.

⁵⁰ A research centre of the regional branch of the trade union CGIL which is active in studying immigration issues. Website: <http://www.retericerca.it/ires.htm> (03/02/04)

interest in not only descriptive but also analytical studies of the way the attitudes to and opinions of Italians about immigrants evolves and is structured; this is done as a necessary part of the research on immigration which is a phenomenon that develops through an endless sequence of moments and occasions of interaction on several levels.

This approach coherently dedicates much effort to disseminating the results of the various researches, conceived both as a contribution to the training of other actors directly involved in defining and implementing policies on various aspects of immigration and as a service to the entire community which lacks rigorously acquired information on the subject that in turn leads to falling victim to ideological distortions and fears generated by negative stereotyping of immigrants.

In addition to the mentioned observatories, it is important to remember the experiences of the National Economic and Labour Council (CNEL)⁵¹, the Rome branch of Caritas⁵² and the Foundation for initiatives and studies on multi-ethnicity (ISMU)⁵³, as well as those of the national offices of the Institute for economic and social research (IRES-CGIL)⁵⁴.

In the case of ▲ CNEL, an internal body – the National Coordination Body on social integration policies for migrants -, which was established under the immigration § *Consolidated Act 286/98* has played a significant monitoring role at national and local levels.

This Coordination body will:

- periodically monitor both the legislative and administrative developments and the quantitative and qualitative levels of reception, integration, assistance and representation of migrants, and identify "areas of excellence" with their related features, as well as intervention models that have produced the best results in the implementation of local integration policies;
- follow-up and support the development of local processes of reception and integration of foreigners, their representation and participation in public life;
- promote dialogue between institutional and social actors both at the local level as well as with other European countries, in order to constantly exchange experiences, identify and assess effective approaches and models of action.

On the basis of its' tasks, precedence is given to the following in the appointment of the 130 members of the Council:

- at the institutional level, regional and provincial Governments, municipalities with representatives of social services, schools and universities, the Ministry of Welfare, INPS and local health services etc. and;
- at the social level, trade unions and employers' organisations, voluntary associations and representatives of migrants.

⁵¹ <http://www.cnel.it/immigrazione/index.asp> (09/02/04)

⁵² <http://www.caritasroma.it> (09/02/04)

⁵³ <http://www.ismu.org/> (09/02/04)

⁵⁴ <http://www.ires.it> (09/02/04)

After analyzing the activities carried out and the documents produced by the above Coordination Body and in view of the fact that it is effectively linked to both the Central Administration and to a complex network of local and regional realities, it can be considered an observatory on immigration policies at both the local and national levels.

Soon after the approval of the immigration bill (§ Law nr.39/90⁵⁵) better known by the name of the member of cabinet who sponsored it - Martelli's Law -, Caritas Rome set up a working group to work on the ■ "*Statistical Report on Immigration*"; the idea to start working on a statistical report came from two researchers who had earlier worked on Italian emigration abroad. The report is published every year and has become a very useful tool for researchers, when analyzing the evolution of different aspects of migration in Italy, and to public and private actors working on the subject. The working group cooperates with researchers from university and other research centres collaborate. Starting from the mid-90s, the team undertook to draw-up with a series of statistical indexes that could be used to interpret the different types of territorial settlement by migrants. This work was completed in 2001 and became the basis of a research titled ■ "*Indexes of the immigrants' territorial settlement*", carried out by the same group on behalf of CNEL (▲ National Economic and Labour Council); a summary of this research report is published in the ■ "*Statistical report 2001*".

The ▲ Foundation for Initiatives and Studies on Multi-ethnicity (ISMU) - formerly Cariplo - ISMU Foundation -, was established with the aim of promoting and supporting measures and initiatives that encourage detailed analysis and better understanding of different aspects of a multi-ethnic society, within the historical context in which it is formed. It was intended to be a service to scholars, administrators and information and training professionals. During the past few years, it has consolidated this role of being a service of individuals, organisations and institutions involved in the government of immigration and in the promotion of inter-ethnic co-existence. Four specific priority areas have been singled out for attention in recent years: monitoring the application of the Consolidated Act on immigration; planning migratory flows; analysis of integration models and the international dimension of the phenomenon.

The activities are organised under the following main sectors: documentation; promotion of researches and studies (both on the national and European realities); training (offered to qualified users for public and private bodies); consultancy and information on multi-ethnic themes. We have earlier discussed its annual report called ■ "*Report on Migrations*" and the newsletter ■ *Ismuinforma*. A recent interesting evolution of this Foundation's activities concerns the setting-up of an observatory on immigration in Lombardia region, whose materials are still not available to us after their publication in May 2002.

Another useful but recent source of information on the situation of immigrants in the labour market is the ■ *Report on Immigration*, which is at its second edition and is published by the observatory on immigration of IRES-CGIL at national level. This

⁵⁵ http://www.immigra.net/documenti/leggi_3_001.pdf (09/02/04)

report deals with issues related to the labour market from the particular standpoint of a trade union. The second edition⁵⁶ released in June 2002, is organised under the following four sections: elements of a scenario, data and trends; immigrants in the atypical labour market; the work of immigrants in collective bargaining and regional co-determination agreements; immigration, identity and work: stories by foreigners who are trade union delegates in their respective workplaces.

In closing this section, we wish to point out once again that the institutions and observatories reviewed in the preceding paragraphs provide reliable and satisfactory data on immigrants and ethnic minorities, though the phenomenon is recent and evolves rapidly. On the contrary, statistical data on racism and discrimination on racial and ethnic grounds in the workplace are substantially non-existent for reasons mentioned earlier. The only reliable data on this aspect may be found in the reports of the Labour Inspectorates, which are usually not made public.

5.13. Observatories on bargaining by CNEL and IRES Emilia Romagna

The Office for Information of the ▲ National Economic and Labour Council (CNEL) operates a National Archive of Contracts and Collective Labour Agreements, available on its website (<http://www.cnel.it>); this archive collects – in accordance with the provisions of article 17 of § Law nr.936/86 which partially re-organised the Council – both private and public collective agreements at the national level and a remarkable number of agreements at a local level. Agreements between the government and the social partners, as well as those between the different trade union confederations are stored there as well. The archive operates according to the Guidelines of the Information Commission issued in December 1990.

The agreements and other contractual documents deposited by the social partners or acquired by the information office since 1987, have been transferred to a computer-based system and classified following a model prepared in collaboration with the *Data Processing Centre* (CED) of the Court of Cassation and the Ministry of Welfare. The national archive of collective labour agreements has been enriched by decentralised bargaining both in the public and private sectors. The inclusion of this level of negotiation was, on the other hand, necessary, considering the increasingly important role that decentralised bargaining has played.

The creation, by ▲ CNEL, of the Archive for decentralised bargaining is based on a project which envisages the definition of a statistically significant sample of enterprises, capable of capturing the characteristics and peculiarities of corporate bargaining. This sample is made up of about 1000/1100 enterprises, representative of the fundamental trends of second level bargaining and it has the following characteristics:

⁵⁶ Ires-Cgil Nazionale (2002): *Il Rapporto sull'immigrazione: scenari, mercato del lavoro e contrattazione* (■ Second report on immigration: scenario, labour market and collective bargaining), Rome, June 2002; available on the website <http://www.ires.it/pubimmigr.htm> (06/08/2002).

- with regard to the sectors, it covers 10 sectors of economic activity as defined by national bargaining (energy sources, chemicals and related products; iron and steel industry and the like; textile, clothing and the like; food industry; building and the like; poligraphic industry and entertainment; distribution, tertiary sector and the like; transport; credit and insurance; service companies);
- with regard to the size of the enterprises, it includes almost all the big enterprises with more than 1000 employees and a significant sample of companies having a number of employees between 100 and 1000 (over 600 companies);
- with regard to the territory, once the regional level was defined, nine regions were identified: Piemonte, Lombardia, Veneto, Emilia Romagna, Toscana, Marche, Lazio, Campania and Puglia, with a production system sufficiently representative of the various models existing in the country.

The statistical universe from which the sample of the Archive is drawn is thus composed of over 550 companies with more than 1000 employees chosen from the different sources available (Medio Banca, Census data by the Institute of Statistics (Istat), National institute for social welfare (Inps), etc.) and from about 600 enterprises with a number of employees ranging from 100 and 1000.

An interesting integration to this archive is that of IRES Emilia Romagna, relating to the universe of enterprises of Emilia Romagna region for the period 1994-2000.

6. Foreign workers in Italian labour market

6.1. Brief overview of different migration patterns in Italy

A summary of the information from the previously analyzed sources may be drawn from Reyneri (Reyneri, 2001)⁵⁷. We will briefly summarize as follows:

- the number of regularly employed migrants has gradually grown to a fairly large size;
- the greatest contribution to the increase in the number of legally employed migrants has come from the frequent legalization of stay status exercises;
- the percentage of migrants working irregularly has decreased significantly, though it remains considerably higher than that of nationals in same situation; an increasing number of migrants in this situation have legal title to stay and work, which should permit access to regular jobs;
- The nature of the irregular employment of migrants has become more similar to that of the Italians, as there is a growing number of people working "in the irregular economy" even though they can have a regular job as they have a residence permit for working purposes. On the contrary, the number of those who are forced to work irregularly because they do not have a residence permit has greatly decreased;
- the remarkable increase in the number of regularly employed migrants is not a homogenous phenomenon throughout the country; rather, it occurs more in some regions than in others;
- regularly employed women continue to be segregated in domestic work which remains very unskilled and it has become increasingly more precarious due to a reduction in full time and permanent jobs.
- the regions where there is a greater demand for regular employment by migrants are not homogenous in their economic structures; consequently, territorial models of inclusion in the different economic sectors have clearly emerged: from the industrial models of the North-East and central regions to the tertiary models of regions like Lombardia and Lazio, where large cities prevail.
- in view of the peculiar structure of unemployment in Italy, non nationals are far from competing with nationals for jobs; rather, they replaced the local workforce in many trades where younger generations are no longer interested in. In other cases, foreign workers and nationals are complementary to each other because of the availability of immigrants for heavy and demanding jobs many nationals were no longer willing to do has allowed the latter to secure jobs better suited to their aspirations.

We re-called earlier that the models of inclusion in the labour market of migrants, especially those who have regular work permits, are increasingly adjusting to those

⁵⁷ Reyneri, E. (2001) L'integrazione nel lavoro dipendente, (■ Integration in employment as a dependent worker); in Zincone G.: ■ *Second Report on the integration of migrants in Italy*, Il Mulino, Bologna p.331. <http://www.mronca.it/Fieri/schede/summaryrapportointeg.pdf>

of Italian workers. In addition, these models differ between territories and are becoming more specific to the different areas where they have emerged.

Table 2 below (Ambrosini 2001)⁵⁸ illustrates this point further while Table 3 shows how the rate of irregularity in employment has progressively decreased amongst immigrants as a result of the legalization exercises.⁵⁹

The above interpretation has been confirmed by several authors who have studied the models of inclusion of migrants in the labour market in the different parts of Italy. As Pugliese⁶⁰ points out, the placement of migrants in the labour market and in the Italian employment structure reflects the dualism of the country. In fact, it is possible to identify a fairly homogenous model for the Northern and Central regions and another for the Southern regions, which is profoundly different from the previous one. Yet, the situation is additionally complicated as migration also reflects regional differences and at times also differences between limited territorial contexts within the same region. Both the socio-economic conditions and the political aspects of the local context affect the role played by non-nationals in the host society and in the complex made-up of employment, working and living conditions. The specific position of migrants in metropolitan environments adds to the complexity of the issue, more particularly in the light of the complex features of the two metropolitan areas of Rome and Milan, where one third of the migrant population in Italy lives. The differences in the conditions of migrants within the different contexts are not only in relation to their distribution in the various sectors of activity, but also in their placement within each of these sectors.

⁵⁸ Ambrosini, M. (2001) Il lavoro, in: *Sesto rapporto ISMU sulle migrazioni 2000*, (■ Employment; in: ■ *The Sixth ISMU report on migration 2000*), Milano: F. Angeli, p.101

⁵⁹ A note on the terminology: the word “clandestines” (o illegals) is used to refer to migrants who remain illegally in the Italian territory, without a legal title to stay (*permesso di soggiorno*); in the majority of cases this is due to the loss of the pre-requisites that had previously given the migrant the right to a stay permit. The word irregular on the other hand refers to the employment status of some migrants, irrespective of whether they have a stay permit or not. It is clear, of course, that the *illegal* status forces to look for an irregular employment, but the opposite is not true; unfortunately, these two different conditions are often mixed up in the political debate in Italy.

⁶⁰ Pugliese E. (2000): Gli immigrati nel mercato del lavoro e nella struttura dell’occupazione, (■ *Immigrants in the labour market and in the employment structure*), in: Pugliese, E., *Rapporto immigrazione. Lavoro, sindacato, società*, (■ *Report on Immigration. Work, trade unions, society*), Roma: Ediesse, p. 79.

Table 2 Employment patterns in Italy (Ambrosini 2001)⁶¹

Models of employment of migrant labour in Italy				
	Industrial Model	Metropolitan economies' model	Seasonal activities' model (Southern Italy)	Seasonal activities model (Central and Northern Italy)
Territories	Third Italy, Eastern part of Lombardia	Large cities (especially Rome and Milan)	Agricultural and partially tourist areas	Tourist and partially agricultural areas
Employers	Small and medium sized industries	Low tertiary, building sector, personal services and families	Agricultural enterprises; (restaurants and hotels)	Restaurants, hotels, agricultural enterprises, building sector
Activities carried out	Stable factory work	domestic workers; service personnel	Harvesting (workforce for tourist seasons)	Workforce for tourist seasons and harvesting
Migrants involved	Men with low professional qualifications	Men and a remarkable number of women	Mainly men, daily and season workers	Men and women, though men are more, often seasonal
Incidence of irregular work	Scarce in industry, higher in the building sector	Remarkable (domestic work, personal assistance, building sector)	Very high in Mediterranean agriculture	Minimal in agriculture; illegal street hawking
Focal points	Demand for skilled labour; difficulty in having qualifications recognized	Difficult to improve conditions especially for women; self-employment	Move from irregular to regular work; access to social rights	Consolidating employment status; possible development of self-employment

Table 3 Migrants on the basis of their work position and presence⁶²

1994	Employment		Total
Stay permit	Regular	Irregular	
Legal	211.0001	138.000	349.000
Illegal		341.000	341.000
Total	211.000	479.000	690.000
1996	Employment		Total
Stay permit	Regular	Irregular	
Legal	391.000	166.000	557,000
Illegal		182.000	182,000
Total	391.000	348.000	739.000
1998	Employment		Total
Stay permit	Regular	Irregular	
Legal	564,000	260,000	824,000
Illegal		182,000	100,000
1999	Employment		Total
Stay permit	Regular	Irregular	
Legal	585,000	245,000	830,000
Illegal	-	115,000	115,000
Total	585,000	360,000	945,000

Source: Estimation by the author based on data from the Ministry of Labour.

⁶¹ Ambrosini, M. (■ 2001): Ibid, p. 87

⁶² Reyneri, E. (■ 2001): Ibid; p.342

6.2. Need for Foreign Labour: an estimate for northern and central regions

After analyzing the main trends emerging from the different sources surveyed, it is interesting to have some indications on future trends and in particular, on the need for foreign workforce, since the knowledge of such trends is essential for planning migratory flows.

To this end, we will refer to the methodology used by some authors (Bruni, Pinto, 1990)⁶³ who, as from 1989, have defined some scenarios by estimating the need for foreign labour. The methodology cited above is based on a view of the labour market in terms of flow of the workforce; the underlying idea is a labour market is in a generational flow equilibrium when the number of people entering the area of employment for the first time (flow demand) is equal to the number of people entering the workforce for the first time (flow supply). The flow demand, in turn, is exactly equal to the total amount of people required by the labour market to replace people who quit the market definitely (replacement demand) and of people needed to cover the number of additional jobs created by the system (additional demand).

The additional demand can be positive or negative, depending on the trend of the production level and technological innovation, and it is equal to the variation of the level of employment. Replacement demand depends on the structure of employment by age group, but it can be influenced by the economic cycle and retirement policies, in particular by possible changes in the retirement age or by the adoption of measures which make a job more or less attractive. In any time interval, the flow supply finds its higher margin in the number of people who, in the same interval, leave the training phase to get into the working phase of life, in other words, by the number of people who leave school and training.

It is then clear that in any given area a negative difference between labour demand and supply in terms of workflow which extends in time, will end up generating a problem of shortage of the workforce which can be solved only through migration flow. This procedure allows to evaluate the entity of the arrivals of workers from other areas in a given interval as the difference between the quantity of flow demand and the quota met by local workers (native flow supply).

As to the analysis of the estimates this model can be used at its best to create scenarios that define the need in terms of the trend of the demand. The need will be estimated in relation to alternative growth rates of employment.

In using this methodology within the framework of the above-mentioned Intemigra project (Mottura, Pinto, 2001)⁶⁴, some authors have recently created alternative scenarios of the workforce needed for the period 2000-2005 in the northern and central regions of Italy, based on gender and educational qualification. The approach adopted is that of a scenario. Since, in the specific part of the above project where the

⁶³ Bruni, M., Pinto, P. (1990) Flussi di lavoro e flussi di capitale nel bacino del Mediterraneo (■ *Work and capital flows in the Mediterranean area*), in: Ancona, G. (ed.) *Migrazioni mediterranee e mercato del lavoro*, (■ *Mediterranean migration and the labour market*), Bari: Cacucci.

⁶⁴ Described in Mottura, G., Pinto, P. – ■ *Ibid*

methodology was applied, the objective was to show that it is possible to identify procedures capable of providing estimates of the need to import workforce in a certain region, only one scenario was used, and was defined as an employment growth rate, equal in percentage terms, to that recorded in the preceding five-year period (5,8%). These adjustments in the methodology have permitted the authors to get all the information necessary to calculate the need for workforce from outside the region.

If the predicted structure of demand and supply of the workforce is confirmed, the outcome would be surprising. The Northern and central regions would have an annual average need for 40,000 graduates, which amounts to 35.5% of the demand for this category, 86,000 high-school graduates (26.4% of demand for this category) and 39,000 workers with minimum education. This would imply that at least 75% of immigrants should at least have a high-school diploma. This percentage would be even higher by 80% for women. Put differently, the jobs for which there is a greater shortage in the supply of workforce are those that demand low educational levels and, at the same time, the educational level of the people who would have to immigrate to the Northern and Central regions should be mainly of a medium-high level. Moreover, even if it is possible for the southern regions to absorb a nice part of high-school leavers, it is not obvious that the national output of university graduates can generate an internal migratory flow capable of meeting the needs of the Central and Northern regions.

As already indicated, the prediction exercise has led us to estimate that the overall in-flow of migrants necessary to provide the workforce required by the production system, for the five-year period from 2000- 2005 would amount to an annual average of 228,000 units of which 111,000 men and 119,000 women. This estimate of the need for migrants can be met by the flow coming from both other Italian regions and from other countries. According to one estimate, in the period 1995-2000, out of 581,000 people who came from other areas, 145,000 were from the southern regions and 436,000 - which amounts to 75% -, came from other countries. Should this proportion be applicable also in the next five-year period, then as many as 171,000 non-EU immigrants would be required per year in the period 2000 - 2005.

The point that needs to be stressed here is that the above scenario is not a temporary problem referring to the five-year period; rather it is a structural long-term problem. If the country's economy does not, hopefully, enter a recession phase, the data estimated for the period 2000-2005 are to be considered valid also for the following five-year periods until at least 2030, especially considering the fact that the labour supply surplus by the South of the country is, however, bound to be re-absorbed in the course of the next decade. Translated into figures, this means that by 2030, from 6 to 8 million non-EU nationals, or of non-EU origin, will live in Italy and they will account for about a quarter of the population in the North. These figures can be compared with the recent ISMU-Unioncamere survey on the Excelsior data⁶⁵.

According to this research, 20.9% of labour demand in Italy is directed to migrant workers; this study by Unioncamere-Ismu Foundation estimated the workforce needed by Italian enterprises in 2001 to be about 713,558 of which 149,468 were

⁶⁵ Zanfrini, L. (■ 2001): Ibid, p.

non-EU workers. On the basis of data from Excelsior 2001, the research gives new quantitative and qualitative information on the professional needs of the enterprises for non-EU labour and identifies sectors where there is need and possibilities of employment at the local level.

6.3. The territorial overview

The overall employment capacity expressed by enterprises recorded a slight decrease (-0.7%) in the two years examined, with a shift in the medium term, from the North East (-15.1%) to the North West (+14.2%). The demand in the central regions increased as well (+7.4%), while the Southern ones remained basically the same (-0.2%).

Table 4 – Estimated recruitment of workers from non-EU countries in 2001 and 1999; absolute values, percentage share on total employment for 2001 and 1999-2001 % variation, by geographical areas.

<i>Regions</i>	<i>Non-EU workers employed in 2001 (ab. values)</i>	<i>% employment of non-EU workers on total number of recruitments in 2001</i>	<i>Estimated recruitment of non-EU workers in 1999* (ab. values)</i>	<i>% variation of non-EU workers in 2001/1999</i>
Total Italy	149,468	20.9	150,442	-0.7%
North West	48,707	21.3	42,653	14.2%
North East	49,655	26.4	58,460	-15.1%
Centre	26,672	20.3	24,847	7.4%
South and Islands	24,434	14.8	24,482	-0.2%

The number of employed non-EU workers taken as a basis is the maximum number of recruitments of non-EU workers indicated by the companies.

** In order to estimate the need for 1999 (basis calculating the percentage variation), it was estimated that 75% of recruitments indicated by the companies can be considered to have taken place during the first of the two years period taken into account in the previous survey (1999-2000).*

Source: Unioncamere - Ministry of Labour, Excelsior Information System, 2000-2001. see <http://excelsior.unioncamere.net/> (02/02/04)

Among the regions, Emilia-Romagna, declared the highest intension to hire foreign workers (28.5% of the estimated total regional labour needs), followed by Veneto e Friuli Venezia-Giulia (25.8%), then Umbria (24.6%) and Marche (23.6%). In Southern Italy, Basilicata region ranked first with 21.5% of the estimated total regional labour needs.

Among the provinces, Milan is the first in absolute terms with a total of 16,465 potential recruitment of non-EU workers (11% of the total number of requests for non-EU workers), followed by Rome (9,032 units), Torino (6,733) Vicenza (5,438) and Bologna (4,631). The leading province in percentage terms of the estimated total provincial labour needs is Parma (37.0%), followed by Vercelli (34.8%), Piacenza (32.9%) and Ferrara (32.1%).

6.4. Overview of the various sectors

The demand of migrant workers is evenly divided between the industrial and services sectors (50.3% and 49.7% respectively, of the overall labour needed). In details, the highest demands in the industrial sector are mainly within the construction industry (14.1%) and metal industry (8.0%). As regards services sector, companies that provide services to other enterprises (surveillance personnel and cleaning staff) rank first with 12.4% followed by hotels, restaurants and tourist services (9.2%)

With reference to the size of enterprises, the percentage distribution is very much in favour of the industrial sector. In fact, in companies with less than 50 employees, the demand for non-EU labour is 67.6% of the total for the industrial sector, while the services account only for 38.3%. A closer examination of the figures within each sector shows that the building industry ranks first in the industrial sector (91.4% of the need for foreign labour in this segment is concentrated in companies of the above mentioned size). It is followed by the textile industry, clothing and footwear ranks second (71.4% of the demand for non-EU labour in this segment is by companies with less than 50 employees). In enterprises of the same size in the services sector the demand for foreign labour above is mainly concentrated in wholesale commerce (91.0%) and services to persons (77.0%).

6.5. Outline of the professional profiles

From the perspective of the various professional qualifications required, non-EU workers are recruited mainly for unskilled jobs: cleaners, waste collectors (50.2% of overall newly recruited workers by these companies are foreigners) and warehouse keepers (foreigners make up 57% of the newly recruited) prevail. Among the technical professions, nurses come first (38.1% of the newly recruited are foreigners), while in the administrative and management professions, foreigners are recruited as warehouse keepers, accounting for 31.8% of the total. With regard to sales and services to families, foreigners are employed as waiters and canteen staff, accounting for 45.4% of new recruitments, and as bar keepers and chefs (35% of new recruitments). If one looks at the skilled labourers, hygiene and cleaning staff (48.5%), installers of various devices (35%) bricklayers (35%). Regarding the industrial plants, the plastic sector hires the highest number of foreign workers (40%).

It is important to recall that the above data refer to the need for foreign labour force and the intention to hire migrants expressed by potential employers. It is not possible to know how many “intentions” to hire do actually give rise to new jobs for non-nationals. There are many variables involved, including legislation which is rapidly changing in this period. As a result, these data can give useful information which should, though, be complemented with a scenario analysis like the one proposed at the beginning of the paragraph, which gives information on the evolution of migration flows; the latter go beyond the “intentions” to recruit by employers.

6.6. The employment competition between national and non national workers in Italy

After analyzing the main features of the inclusion of migrants in the employment sector, we will turnover to a widely debated question about possible competition between national and non-national workers. We would draw from an interesting ■ research by Claudia Villosio of R&P Ricerche e Progetti and Alessandra Venturini of the University of Padova, carried out on behalf of the “Commission for integration policies - Department of Social Affairs, Presidency of the Council of Ministers”, and published in July 2000.

It is important to remember that the research was based on the existing main sources of data on the labour market and the presence of foreigners, in order to draw as much information as possible from the records on the different aspects analysed in the study. More specifically, the data used in the research was drawn from the following archives:

- e) survey on the labour force (RTFL), source: ▲ ISTAT - the Institute of Statistics;
- f) data on the presence of foreigners in Italy, source: ISTAT and the ▲ Ministry of the Interior;
- g) data on dependent workers, source: ▲ INPS (National Institute for Social Welfare);
- h) regional economic accounts, source: ▲ ISTAT;
- i) observatory on enterprises, employment and remuneration, source: ▲ INPS.

The aim of the study was to fill the knowledge gap on the subject by inquiring on the existence or not of competition between national and non-national workers in the Italian labour market, on the basis of the available statistical data at the time. Below is a full text quotation of the results of the research, as described by the authors.

“The growing migration to Italy has increasingly drawn attention to the existence or not of competition both for jobs and remuneration between national and non-national workers. A previous study by Gavosto, Venturini and Villosio (1999) has shown that at the moment, there are no negative effects on the salary of both skilled and unskilled Italian workers. On the contrary, in North Italy and in small sized enterprises non-national workers play a complementary role. So far, the debate on the possible competition for employment on the part of foreign workers is based on fragmented and mainly descriptive information (Gavosto, Venturini, Villosio, 1999)⁶⁶.

The analysis carried out by Villosio and Venturini covers the 1993-1997 period and focuses on regularly employed national workers in the private industrial sector, in the construction industry and in some important services (commercial services, and transportation). A database linking both the information on the presence of foreigners and the data on labour force is used. Thus, by combining different available sources, the effect of migrants on the Italian labour market may be effectively analyzed.

The first descriptive analysis showed some characteristics of the unemployment of national workers and how it relates to the presence of foreigners.

First of all, there are remarkable differences between those looking for their first job, that is, the unemployed who enter the labour market for the first time and have had no

⁶⁶ Gavosto, A. Venturini, A. Villosio, C (1999) ■ Do immigrants compete with natives, in: Labour, No. 3:13, 1999.

previous working experiences, and those looking for new jobs, that is, unemployed who have had years of working experience.

Secondly, the data seem to confute widespread belief that those who have low educational qualification and skills find a job more easily.

Finally, Villosio and Venturini state that the comparative analysis of the unemployment of nationals and the presence of immigrants showed that non-nationals are located in those areas (both geographical and sectorial) where there is a higher demand for workers. In addition, there is an inverse relation between the presence of non-nationals and unemployment, and this has increased over time.

The second part of the research was specifically focused on the analysis of the existence of competition for employment between national and non-national workers. The study was carried out by estimating different econometric models separately for the unemployed entering the labour market for the first time, the unemployed looking for new jobs and employed workers.

In the case of unemployed youth, looking for a first job, the presence of foreigners may have had a weak displacement effect, probably limited to the Southern regions and concentrated in the period immediately after the 1991 legalization exercise. Nonetheless, over all and in recent years, the presence of foreign workers does not seem to have affected the employment chances of this group of individuals. On the contrary there seemed to have been a complementary effect in the Central and Northern regions in 1997.

As regards those looking for new jobs, that is, the unemployed who have working experience, a possible effect of migrants on the labour market would seem to be a complementary one, particularly in the north-central regions.

Finally, there is no competition effect among employed national workers (the coefficient is either statistically not significant or negative) except for 1996. At a first analysis, one may think that the legalization exercise of 1996 led to some competition between national and foreign workers, affecting particularly young workers with low educational qualification in the Central and Northern regions. Nonetheless, such a conclusion is not confirmed by the further analysis carried out with other estimation methods. This leads to think that the result may have been influenced by other factors such as the growth of the atypical and short-term contracts that the model used is not able to grasp fully (due to a lack of adequate information in the available data).

In conclusion, Villosio and Venturini say that the econometric analysis of the probability of getting out of unemployment and moving into a condition of employment shows that foreigners have a slight negative effect (in other words, they reduce the probability of passing from one condition to the other) only for those workers entering the labour market for the first time and only after the 1991 legalization exercise. A possible negative effect on the probability of moving from a condition of employment to one of unemployment, due to foreigners, would seem to exist but such a conclusion is not confirmed by further analysis”.

6.7. Complementarity and ethnic characterisation of the labour market

Closely related to the issue of the complementary role of national and foreign workers in the labour market is a process which has been defined by some authors as the *ethnic characterisation of the labour market*. According to Zanfrini⁶⁷, the ethnic characterisation of the labour and employment relations is the other side of the complementary role of national and foreign workers in the labour market, which has made possible the inclusion of thousands of migrants in an economy that is certainly affected by unemployment problems. This is linked not only to the progressive reduction of the active population, but also mainly due to the selectivity of the indigenous labour supply. As a large number of analysis have shown, indigenous labour supply is increasingly less willing to adapt to the composition of labour demands, whereas first generation migrants are more willing to do so (to such an extent that their professional expectations tend to be modelled after the types of jobs that are realistically available).

A first evidence the trend towards ethnic characterisation is given by the data on the sectorial distribution of migrant labour force, from which some sectors emerge as being of great relevance: the commercial sector in the first place which includes many professional profiles of the tertiary services sector. This is followed by the metallurgical and mechanical sectors which remain at the base of many local production systems currently facing difficulties in finding factory workers. A third main sector is the construction industry which, due to its characteristics, encounters increasing difficulties in finding new and young workers. Thus, non-national labour seems destined to grow in this sector, as shown by very clear indications from surveys on job vacancies. On the contrary, according to Zanfrini, the participation of non-nationals in the sectors preferred by nationals, such as banking, insurance and public administration sectors, is quite negligible (although provisional indications suggest that sectorial segregation is less than it would seem and that ethnic characterisation tends to affect some professional profiles rather than entire sectors).

Another aspect that should be highlighted is that the employment of migrants in industries occurs mainly in male dominated sectors. As a result, it does not create competition with the many Italian women in search of jobs, while at the same time, it does not create any employment opportunities for foreign women who end up being penalized twice as much.

On the other hand, if attention is concentrated only on the female component, ethnic characterisation of the labour market appears fully in its seriousness. Some scholars have gone to the point of concluding that the only roles which a foreign woman can play in this country, notwithstanding her origin, expectation and cultural orientation inclination, preference, are either that of a housewife, a domestic worker or and a prostitute (Luciano, 1994). Although migrant women are necessary for the reproduction of our social and economic system (Vicarelli, 1994), they are largely employed in the domestic work and personal care sectors, as well as in industrial

⁶⁷ Zanfrini L. (2001): Politiche delle “quote” ed etnicizzazione del mercato del lavoro italiano (■ *Entry quota policies and the ethnic characterisation of the Italian labour market*), in: ISMU: ■ Sixth report on migrations, ibid.

cleaning and other tertiary service areas requiring low or no skills. They encounter enormous difficulties in getting out of these somewhat imposed positions and so end up being the privileged candidates to integration in conditions of disadvantage (Ambrosini – Lodigiani – Zandrini, 1995)⁶⁸.

According to Zanfrini, ethnic characterisation does not only involve the composition of demand but also, the integration strategies adopted by foreign labour force which tend to depend very much on ethnic networks, thereby limiting employment opportunities only to those sectors which are somehow "*controlled*" by their national groups. By doing so, these groups involuntarily contribute to the risk of being discriminated against both in access to employment and in career progression.

As has just been mentioned, discrimination in the employment sector takes different forms ranging from discrimination in access to employment, in the working conditions and to that in career progression (Zanfrini, 2000)⁶⁹. The first form of discrimination is based not only on the existence of legal barriers to employment but also on the fact that the channels through which workers accede to employment are managed, only in minimal part, following universalistic criteria. Rather, informal channels such as ethnic networks and the so-called "facilitating institutions" prevail (Ambrosini, 1999)⁷⁰; these institutions are made up of diverse organizations (volunteer groups, associations, trade unions as well as specific services for foreigners set-up by local authorities) acting as intermediaries between indigenous labour demand from enterprises and families and the current or potential supply by foreigners. As a result, less organized national groups are at a great disadvantage as they are not able to seize "control" of certain types of jobs and the respective channels to such jobs, or as a result of their national group or community being stigmatized by the Italian population as being involved, at a high rate, in crime.

The studies reviewed so far are essentially based on the use of the various sources of information and data available at national level. However, empirical research has been carried out in specific territorial contexts, which has allowed broadening the knowledge and giving a detailed description of the different patterns of labour migration found in the Italian labour market. We will not go further into details on the specificities of various territorial contexts, but will refer interested readers to some of the publications on this aspect included in the bibliographical references

⁶⁸ Ambrosiani M, Lodigiani R., Mandrini S. (1995): L'integrazione subalterna. Peruviani, Eritrei e Filippini nel mercato del lavoro milanese (■ *Integration in a position of subordination. Peruvians, Eritreans and Philipinos in Milan's labour market*), Quaderni Fondazione Cariplo-Ismu n.3/1995.

⁶⁹ Zanfrini, L. (2000) La discriminazione nel mercato del lavoro (■ *Discrimination in the labour market*), in: Fondazione Cariplo-Ismu, Quinto Rapporto sulle migrazioni (■ *Fifth Report on migrations*) 1999, Milano: F.Angeli; p.163.

⁷⁰ Ambrosini, M. (1999) Utili invasori. L'inserimento degli immigrati nel mercato del lavoro italiano, (■ *Useful invaders. Integration of immigrants in the Italian labour market*), Milano: ISMU-Angeli.

7. Policies and legislation on immigration, labour market and discrimination

7.1. Current legislation on immigration⁷¹

As some authors have remarked, “by approving § Law n.40 of 6th March, 1998⁷², the Italian legislator has finally fulfilled the duty established in article 10, paragraph 2 of the § Constitution⁷³, to regulate the judicial status of foreign citizens. In an attempt to bring clarity to the subject, a § Unified or Consolidated Act on the status of foreigners was enacted by coordinating new provisions of the above law with parts of the old legislation and other relevant provisions in other laws, which were not repealed. This was achieved through the § Legislative Decree n.286 of 25th July, 1998⁷⁴.

Only the aspects relating to the labour market will be examined here. From this point of view, a key aspect of the new regulation is, undoubtedly, the programmed migration flow. It is composed of two parts: the first is a three-year policy document prepared by the Prime Minister, in agreement with a number of different bodies, approved by the Government and forwarded to the Parliament, which in turn examines the document in the relevant commissions in order to come to a position on the same. Each year the Prime Minister sets the maximum quota of foreigners that will be allowed into the country as either dependent or self-employed workers, after consultations with relevant ministries and Parliamentary Commissions. This constitutes the second part of programming migration flows into the country.

Part of the annual entry quota is reserved for some non-EU countries with which Italy has reached special agreements on migration control. The criteria to be taken into account in determining the annual quota are outlined in the three-year policy document; they include internal labour market trends and the number of foreigners already in the country who are registered at the employment office in search of jobs.

There are other types of entry which, though not explicitly for work, do not exclude taking up employment once admitted: family reunion, asylum / refugee purposes, for study or training (in the case of the latter purpose of entry, the corresponding stay permit can be changed into a working permit at the end of the holders studies / training and within the annual limit set by the quota).

The stay permit is granted for two years in the case of self-employment or employment by another subject and for an indefinite period or in case of family

⁷¹ This paragraph is based a contribution by Monica Mc Britton and Maria Giovanni Garofalo ■ “*Immigration law and employment*”, published in Pugliese E. (ed.): ■ “*Report on immigration, labour, trade unions and society*”, First National Report on Immigration, IRES-CGIL Nazionale, Ediesse 2001.

⁷² <http://www.parlamento.it/parlam/leggi/980401.htm> (09/02/04)

⁷³ <http://www.quirinale.it/costituzione/costituzione.htm> (09/02/04)

⁷⁴ <http://www.parlamento.it/parlam/leggi/deleghe/98286dl.htm> (09/02/04)

reunion. On expiration, it can be renewed upon application, if the conditions that led to granting it still uphold. The loss of a job is not a valid reason for depriving the holder of a stay permit or members of his/her family of this title, which will remain valid until its expiry date, and in any case, for a period no shorter than one year if the worker registers with employment office in search of a job.

After 5 years of legal stay, foreigner who has a stay permit for reasons which allow for an unlimited number of renewals (employment as dependent worker and self-employment), and who has sufficient income to support him- / herself and the family, can apply for a permanent residence card both for himself and all the members of the family including only children who are minors; once granted, such a title can only be revoked and the holder subjected to expulsion on administrative grounds in a limited number of cases. This card entitles the holder to reside in the country for an indefinite time. These provisions reduce the precariousness of the stay permit under the previous legislation and consequently reduce the risks for once legally resident foreigners to lose their legal title to stay.

Moreover, the above legislation has finally regulated seasonal work through specific provisions. According some authors (Mc Britton, Garofalo, ■ 2001), one of the factors that fuelled illegal immigration was the failure to make provisions for entry quotas capable of satisfying seasonal labour demand. Entry for seasonal work can be for a minimum of 20 days to 6 months and this can be extended for three months to a maximum of nine months; the stay permit has the same duration as that for which the holder is authorized to take up a seasonal job. On expiration, the foreign worker must leave the national territory. If this requirement is fulfilled and the worker wishes to come back the following year for seasonal work, he / she has precedence over other prospective workers from the same country, who have never been to Italy for work purposes and who wish to do so for the first time. This is valid only in cases of entry on grounds of the number defined by the annual quota and not in cases of direct personal contact between employer and seasonal employee. In the latter case, an incentive to meet the condition of leaving the territory on expiration of stay permit, is the hope of being called again in the future by the same employer. A seasonal worker who has gone back to the country of origin at least once and who has obtained a new permit for another period of seasonal work, can get his / her stay permit converted into one that allows to reside in the country for work, if he / she gets employed for an indefinite period; this conversion can only be carried out within the annual quota.

The same legislation provides also programmed migration flow should include entry for self-employed work or private practice, within the limits allowed by the annual quota. For activities that require formal registration with a professional in order to practice, the law provides for further limitation: it delegates to the governing bodies of the various professional association, the definition of the criteria to be used in determining the maximum number of foreign professionals to be allowed into the country. Within the scope of the legislation, self-employment or private practice refers to any work activity which is different from that of a dependent worker employed by another person; in this sense, it includes industrial, handcraft or commercial activities, as well as the possibility of setting up companies and being appointed the management board of a company.

7.2. Anti-discrimination measures

Articles 43 and 44 of the § Unified Consolidated Act provides for anti-discrimination measures. It defines discrimination in general terms as any “behaviour which *directly or indirectly* causes distinction, exclusion, restriction or preference based on race, colour, ancestry, national or ethnic origin, religious belief or practice, having the aim or effect of destroying or hindering the recognition or exercise - under equal conditions – of fundamental human rights in the political, economic, social and cultural fields as well as in any other public sector”.

The above general definition is followed by a non-exhaustive list of acts or omissions which “in any case” constitute unlawful discrimination. The list includes the acts of:

- a civil servant who, in carrying out his/her functions does or does not perform a certain action in favour of a foreign citizen simply because of his/her condition or because he/she is of a certain race, religion, ethnic group or nationality;
- anyone who imposes less favourable conditions or refuses to provide a foreign citizen with goods and services otherwise offered to the public, simply because of one or more of the above mentioned reasons;
- anyone who unlawfully imposes less favourable conditions or refuses to provide work, housing, schooling, training or access to social services to a foreign citizen legally residing in Italy simply because of one or more of the above mentioned reasons;
- anyone who, through action or omission, prevents a foreign citizen legally residing in Italy from carrying out an economic activity;
- an employer or those acting on his/her behalf performing any kind of action that discriminates, even indirectly, against a worker because of his/her race, ethnic or linguistic group, religious belief or citizenship.

This provision is connected to the anti-discrimination clauses of Article 15 of the § Workers' Act⁷⁵, thereby extending its scope of application to include, among other things, a duty on the employer to comply with the wage and insurance terms established by the current laws and the applicable national employment contract for the relevant category; recruitment as dependent workers under terms that are not below those defined by the national contracts for a given category.

Besides, letter (e) above goes on to define in direct discrimination as any “less favorable treatment due to the adoption of criteria that disadvantages in a more than proportionate way, workers belonging to a given race, ethnic or linguistic group, religious group or to a nationality, concerning requisites which are not essential for performing a given work”.

In case of violation of the above provisions, protection and / or remedy is accorded under the civil code and in this respect, there are three other interesting features of the above law which are relevant to employment and the labour market:

- the plaintiff may, in order to establish that he / she has been discriminated against on grounds of race, ethnic or linguistic group, geographical origin, religious group or citizenship, cite factual elements, including statistical data on recruitments,

⁷⁵ Legge 20 maggio 1970, n. 300 Statuto dei lavoratori, as modified by Legge 9 dicembre 1977, n. 903 and Legge 11 maggio 1990, n. 108 (see resp. <http://www.lomb.cgil.it/leggi/legge300.htm>; <http://centri.univr.it/ius/teletesi/903.htm> and http://www.giustizia.it/cassazione/leggi/1108_90.html) (09/02/04)

contributions, distribution of tasks and posts, transfers, career progression and dismissals of the enterprise;

- in case of discrimination against a group on the part of an employer and even if it is not immediately and directly possible to identify the workers who have been damaged by the discriminatory act, the local branch of one of the major trade unions at national level can stand in litigation on behalf of the discriminated workers;
- if an enterprise, which has been accorded benefits of any kind by law or has won a contract for public procurement, is found guilty of violating the provisions of article 41, the judicial authorities are required to inform immediately the public administration or authority which has granted the benefits including loans and insurance facilities or awarded the contract; these authorities revoke the benefit or cancel the contract and in the very serious cases, they declared that enterprise as not eligible for benefits including credit facilities or to take part in calls for tender.
- With specific regard to work, article 2 of the § Consolidated Act n.286/98 re-calls explicitly the § ILO Convention n.143 of 24th June 1975 on the protection of migrant workers⁷⁶, which accords such workers and their families equality of treatment and rights on the same footing as Italian workers.

It is important to remember here that these anti-discrimination measures are generally applied only to legally resident immigrants; as a result, it can be said that “we are faced with a law whose political effects are yet to come: if programmed entry or planned flows will be such as to determine entirely or predominantly legal entries, then the equality measures which the law offers will, on the one hand, ensure the integration of immigrants in the social and economic context. On the other, it will ensure that immigrants themselves are a positive factor in development rather than a de-stabilizing element of the equilibrium of the labour market. If, on the contrary, programmed entry or planned flows will be such that the majority of immigrants are forced into a condition of irregular status, thereby making it impossible for them to gain access to basic rights and equal treatment, then irregular immigration will become – together with other irregularities in the labour market– a factor of the Balkanisation of the labour market”⁷⁷.

Along the same line, Reyneri remarks that: “an interesting is that the measure in which the employment of immigrants is legal, seems to depend more on the internal dynamics of the labour market rather than on external models. Now, this is a problem that should be addressed within the policies meant to bring people out of the irregular labour market; such policies have so far paid little attention to the specific needs of immigrants. In particular, there seems to be less attention towards the tertiary sector, since policies tend to be focused on the manufacturing sector and less on the service sector, while the presence of irregular immigrant workers seems to be very high in this latter sector”⁷⁸.

⁷⁶ <http://webfusion.ilo.org/public/db/standards/normes/appl/appl-displayConv.cfm?conv=C143&hdroff=1&lang=EN> (09/02/04)

⁷⁷ Mc Britton M., Garofano M. G. (■ 2001): *ibid*, p.

⁷⁸ Reyneri E. (■ 2001): *ibid*, p.

7.3. The new *Bossi-Fini*⁷⁹ Bill

The situation that has just been outlined will certainly change in the coming years because a new bill is being discussed in Parliament at the time of writing, which is going to replace the current one. Generally speaking, to date, it is not possible to figure out exactly how far the above situation will be modified. In fact, crucial aspects are still being debated. An important example is the debate on a possible regularization exercise which a part of the ruling coalition wishes to allow only for domestic workers and personal assistants of disabled people while others insist that it should include all irregular foreign workers who are able to secure a regular job.

An area where there is clarity as to where and how far reaching the changes to the current situation are going to be, is that of the fight against irregular migration. The bill pending in Parliament⁸⁰ has clearly established a number of measures for the struggle against illegal immigration; prominent among such measures is a controversial proposal to take fingerprints of all non-EU nationals who wish to enter the country. It is not yet clear how some of these proposals which have strong political impacts will be translated into practical measures by the executive circular on the implementation of the future legislation.

As for the labour market, the most significant proposal is the introduction of a "stay for work contract" (*contratto di soggiorno*) between immigrants seeking to work in Italy and their prospective employers. It also proposes to abolish the so-called *sponsorship scheme* and consequently eliminate the possibility of a legal entry into the country in order to seek employment. There is an intention to make good use of the Computerized Registry of non-EU Workers (*Anagrafe Informatizzata Lavoratori Extracomunitari – AILE*)⁸¹ as a way of letting demand and supply of labour meet. In general, the underlying logic seems to be that of a close link between the legal title to stay and employment, accompanied by greater attention to issues of security and the fight against irregular migration.⁸²

Representatives of the major trade unions and employers' association have expressed quite different views of the Bill. According to CGIL – the ▲ General Confederation of Italian Workers⁸³ -, the proposal "clearly shows the intention of the government to move away from a project for a multicultural society based on equal rights in favour of a vision of an Italian society based on discrimination, exclusion and precariousness"⁸⁴. In a similar pronouncement, the head of the department for migration policies at CISL – ▲ Confederation of Italian Workers Unions⁸⁵ – declared: "there is only the illusion of

⁷⁹ Names of the two Ministers who are sponsoring the Bill. See also <http://www.informer.it/magazine/redtape/1rt164.asp> (09/02/04)

⁸⁰ http://www.immigra.net/documenti/leggi_2_010.pdf (09/02/04)

⁸¹ <http://www.dgimpego.aile.it/> (22/08/02)

⁸² [TN] When the Bill is approved and the legislation goes into force, the "stay for work contract" (*contratto di soggiorno*) can be signed by a seasonal worker for a maximum of nine months, a dependent non-seasonal worker for a maximum period of one year and a dependent worker with an indefinite contract will sign it for a maximum of two years. A non-seasonal worker who loses a job will be allowed to enrol in the unemployment list for a period non exceeding six months and if still unemployed after such a period, will be required to leave the country.

⁸³ <http://www.cgil.it> (09/02/04)

⁸⁴ <http://www.immigra.net> (22/08/02)

⁸⁵ <http://www.cisl.it> (09/02/04)

responding to an intolerant part of public opinion seeking vengeance against immigrant workers. It is going to be a disaster. There is a clear violation of civil and human rights. Often, it is forgotten that Italy is a country that has had and still has, many workers who emigrated abroad. This Berlusconi's government policy on employment is one that is going to lead the country to a new explosion in the numbers of irregular immigrants workers. The "stay for work contract" will increase precariousness and lead to blackmail on the part of employers".

Opinions on the Bill from representatives of employers' organisations have not been very dissimilar. The President of the youth section of *Confindustria* (▲ confederation of employers' organisations), in her opening address, entitled "*The challenge of inclusion*"⁸⁶, at the organisation's annual assembly last June, said among other things that:

"...some provisions contained in the Bossi-Fini Bill frankly seem to us to be unnecessarily restrictive and may have been induced by a temptation to invent an appealing slogan for an advert, one in which there is a show of muscles to reassure public opinion in the face of a presumed emergency, rather than to improve on the structural management of the phenomenon. The idea of linking the right to stay in Italy to an employment contract is absolutely acceptable; however, the procedure for recruiting immigrants is excessively bureaucratic and carries the risk of being too burdensome for enterprises. An employer who wishes to employ an immigrant must guarantee the latter accommodation and the cost of the future return to the country of origin. Not only; before obtaining the authorization to recruit the migrant worker, the employer must wait for the employment offices to ascertain that there are no Italian or EU nationals, or even descendants of Italians residing abroad who are willing to accept the very job on offer. There is the danger that this mechanism will make fraud convenient: that is, recruiting immigrants who are already in Italy illegally. Paradoxically, a Bill meant to fight irregular migration may in effect encourage it.

Moreover, following ordinary market conditions, the adoption of such a burdensome recruitment procedure would force the entrepreneur to reduce the salary offered to the immigrant worker, so that the latter will generate an overall cost comparable to that of a European worker. Furthermore, the new Bill seems to hinder the integration of immigrants into the Italian social fabric. Linking the immigrant's stay in Italy exclusively to the existence of a job contract will, psychologically speaking, make the worker feel only precariously integrated into the community where he or she operates and this will have the consequence of forcing the migrant to put together as much resources as there are available to be taken to the country of origin. Besides, by failing to encourage training of immigrants and the entry of people who have special skills, the Bill will not encourage the kind of qualified immigration which is essential –albeit in a future perspective –for being competitive on the international market.

We hope that the proposed regularization exercise – initially meant for domestic workers and personal assistants for the disabled– is extended to all irregular immigrants who can afford regular jobs in Italy. Sending an immigrant who is already working in a factory in Italy back to the home country would be unfair to the person and damaging to our country.

⁸⁶ <http://www.giovanimprenditori.org/> (09/02/04)

The fight against illegal immigration is also fundamental. In order to win this struggle, it is necessary to make legal immigration “convenient” not only for companies but also for immigrants themselves. We need to widen the distance between the rights accorded to legally resident immigrants and those recognised to illegally resident ones. Extending the rights of the former means building a new idea of citizenship that considers civil and political rights as the driving force of an accomplished social integration. An important signal in this direction can be that of recognising the right of immigrants to vote in local elections, which most affect the interests of those who live in a community, of which they should feel to be full members”.

7.4. Bilateral agreements and the computerized registry of non-EU workers (AILE): a pilot experience in letting demand and supply of labour meet

Among the conditions set by the § Consolidated Act which are to be considered when allocating the programmed entry quotas is the existence of “agreements on migration control and re-admission procedures” with some countries of origin of migrants. As at December 2001, the Ministry of Foreign Affairs had reached 24 migration control and re-admission agreements, mainly with Mediterranean and Eastern European countries, aimed at fighting illegal immigration.

As regards the planned entry quotas, article 21 of the § Consolidated Act n.286/98 provides for the establishment of a ☀ computerised registry of foreign workers interested to enter the Italian labour market. This databank is a fundamental tool for letting demand and supply of foreign labour meet and for negotiating bilateral agreements with countries from which migration pressure is highest. To this end, negotiations were initiated with Poland, Tunisia, Morocco and Hungary. Starting from an existing agreement on seasonal workers with Albania, a pilot project was carried out with the aim of organising a regular and orderly flow of Albanian workers, as well as to organise training and an orientation services, in collaboration with the ▲ International Organisation for Migration. The first trials were carried out with Tunisia, Albania and later with Morocco.

This ☀ databank should serve for planned entries not only in terms of quantity but also in quality. It provides that prospective non-EU workers are identified in their countries and their technical, vocational and linguistic skills recorded, for possible migration to Italy. Three different ministries are required to contribute to this databank, with their respective competences: the ▲ Labour Ministry (to enable demand and supply to meet through the Provincial Directorates of Employment), the ▲ Ministry of External Affairs responsible for the embassies serving as the first data collection points, and the ▲ Ministry of the Interior. This databank should be linked to the archive of the registry of non-EU workers set up at the headquarters of the ▲ National Institute for Social Welfare (INPS). There is a general consensus that this is a useful instrument for governing future migration flows.

In concluding this paragraph, it should be re-called that for the integration of migrants into the labour market; Employment Centres (*Centri per l'Impiego*) would be important points, especially after the reform of the labour market, which has delegated a number of functions to the provincial administrations. Unfortunately, as many surveys have shown, Employment Centres are not, up to date, recognised by immigrants as useful sources. In the majority of cases, Employment Centres are simply seen as bodies issuing “certificates”, while jobs are normally obtained, as confirmed by many empirical researches, through informal, family or friendly channels or by direct contact with companies.

7.5. Initiatives by trade unions and associations

There are other means of defending the rights of foreign workers and combating discrimination in the labour market. The first represented by the activities of the trade unions. These can be divided into two parts: activities aiming at defining collective contracts and activities that focus on protecting individual rights through a range of measures and ad hoc services. Regarding the first type of activity, it is interesting to highlight here the main results of some researches carried out by the national headquarters of the ▲ Economic and Social Research Institute (IRES) – ▲ General Confederation of Italian Workers (CGIL) on the archives on collective bargaining at ▲ CNEL and at the ▲ Emilia Romagna regional branch of IRES. These results are presented in details in the report by the national section of IRES-CGIL titled ■ “*Second Report on Immigration: scenarios, labour market and bargaining*”⁸⁷; see in particular chapter 4 titled “The work of immigrants in collective bargaining and territorial agreements”.

Generally speaking, the results of various surveys on contracts of the second half of the 90’s confirm a similar survey carried out by Ali Fahie covering the decade 1985-1995 and show a poor presence of issues related to the specific conditions of foreign workers in the collective contracts. This is true at all levels: both at national and within the level of enterprises, in sectorial as well as in territorial contracts. Only 7% of national contracts, 8% of the local ones and 1% of factory-based contracts were found to have specific clauses taking into account particular needs of migrant workers.

At the different levels of collective bargaining, issues related to the specific conditions of migrants include such aspects as: improvement of employment conditions and promotion of social integration by providing for housing for employees, Trade unions and employers’ organisations have been active in promoting some of these initiatives. At the various levels of bargaining, the matters concerning the specific condition of immigrant workers include:

- language courses and/or vocational training;
- arrangements meant to grant longer holidays;
- special permissions for religious festivities not observed by the majority of workers;

⁸⁷ Osservatorio Ires-Cgil Nazionale (ed.) (■ 2002): *ibid*, pp. 30 – 53. Full report available on at <http://www.ires.it> (12/08/2002).

- improvement of the conditions of labour and social integration (housing, jobs, etc.);
- monitoring migration flows in the some sectors of the labour market and the relevant legislation;
- draft or recall to military service
- procedures on how to certify and inform the employer of ill-health that occurs while a migrant worker is in the country of origin;
- ensuring equal opportunities for workers who belong to particularly disadvantaged categories;
- commitment by parties to fully implement the laws that ensure the legal stay of immigrants in the country;
- providing information to migrant workers in different languages, including some minority languages ; and non-EU union delegates;
- Board and housing for employed non-EU workers.

The reasons for this poor presence, mentioned by the researchers, are diverse and can help to understand the characteristics of trade union activities vis à vis migrants.

- First of all, from a general point of view, it should be noted that the new legislative provisions establishes that it is upon the law to ensure that fundamental principles of judicial civilisation and protection of foreign workers are not flouted. And this may probably be why the rare cases where specifications relative to the conditions of migrants are given, are limited to few specifications such as those on holidays and language courses.
- Not all companies, sectors or territories have a significant presence of foreign workers.
- Some contracts are, in effect, specifically to protect the rights of foreign workers, given that they represent the large majority of workers in these areas (e.g.: the contracts for domestic workers, cleaning enterprises, catering companies, etc.).
- In many enterprises, bargaining on some of the points mentioned earlier, which are specific to the conditions of foreign workers. is at times dealt with informally by union representatives within a given enterprise (*Rappresentanza Sindacale Unitaria - RSU*)⁸⁸ or sometimes in individual agreements.
- The traditional difficulty met by trade unions in areas which are characterised by precarious judicial relations and by politically weak social relations.

Finally, it should be pointed out that the protection of the rights of foreign workers through collective contracts represents only a part and not the entire spectrum of protection measures put in place by trade unions in favour of foreign workers. The experiences of agreements at the local level and the initiatives of the unions to organise these workers are undoubtedly areas in which trade unions have done some work.

These activities may seem obvious and somewhat ordinary but they are not. While it is true that the trade unions were the first to start dealing with immigration related problems, often playing a substitutive role to those of the local authorities, they have been active in providing information and other support services and much less so in terms of defending migrant workers' rights in the workplace (Mottura, Pinto, ■

⁸⁸ <http://www.ecn.org/coord.rsu/> (09/02/04)

1996)⁸⁹. Only recently and after widespread internal debates, are issues related to the conditions of work of migrants gaining more ground in trade union discussions.

Generally speaking, this is implemented through consultancy services, the production of information materials and opening of information points and, in some cases, dealing with specific disputes. Interestingly, the number of foreign workers who are members of trade unions is gradually increasing, just as an increasing number of these foreign workers is beginning to be elected or appointed as representative and / or delegate of the unions at different levels. This is a prerequisite for greater dynamism in the workplace, and on the issue we have discussed so far.

An indicator of the importance of these activities by the unions and the recognition foreign workers accord them for such efforts and for their role as workers' representatives, is the number of migrant workers who have registered as union members. In September 2001, the number of immigrants registered as members with the three main trade union confederations was 237,000 (CISL 106,000, CGIL 99,600, UIL 31,400). Considering that these are legally resident workers, and based on a total of about 536,604 regular dependent migrant workers in the same period, the rate of trade union membership among migrant workers is close to 45%⁹⁰.

A case worth mentioning is that of the enterprise Zanussi, where the unions managed to impose the creation of an internal consultative body on the conditions of foreign workers employed by the company. This body is composed of representatives of the company and of the workers and it is required to carry out analysis of, and make recommendations on, the specific conditions of foreign workers in the company.

It is useful to re-call here that the sector where tension is particularly high is that of domestic work and assistance to disabled persons, in which there is a great number of foreign workers. There are a number of specific initiatives to protect the rights of these workers; the *Associazione Nazionale Oltre le Frontiere – ANOLF* (▲ Beyond Frontiers National association)⁹¹ which is affiliated to one of the three main trade union confederations – ▲ CISL – and *Associazione Professionale Italiana Collaboratori Familiari - APICOLF* (▲ Italian Professional Association of Domestic Workers), which is linked to ▲ Caritas and to Catholic parishes have promoted initiatives in the above direction.

Non-governmental organisations and associations normally operate on the general theme of rights and rarely intervene directly on issues related to the labour market. Some interesting exceptions to this rule have some projects implemented by some NGOs: two such examples are projects promoted and carried by ▲ *COSPE – Cooperazione per lo Sviluppo dei Paesi Emergenti*⁹² - in recent years in the framework of two EC programmes, ☀ NOW – New Opportunities for Women and Horizon. These two projects aimed at broadening employment opportunities for migrants, in a labour market that seems to reserve only unqualified jobs for foreign

⁸⁹ Mottura, G Pinto, P. (1996) *Immigrazione e cambiamento sociale. Strategie sindacali e lavoro straniero in Italia*, (■ *Immigration and social change. Trade union strategies and foreign labour in Italy*), Roma: Ediesse.

⁹⁰ Osservatorio Ires-Cgil Nazionale (ed.) (■ 2002): *ibid*, p. 18

⁹¹ <http://www.anolf.it/> (09/02/04)

⁹² <http://www.cospe.it/> (09/02/04)

workers. In the NOW project, some foreign women were trained and later supported to set-up small businesses while the Horizon project involved training a group of migrants on some media competences with the aim of both enabling some of them to start publishing in some minority languages and to try to join mainstream media so that the representation of migrants and issues of particular interest to them is done by native media operators only.

In conclusion, we would like to stress once again that, on the specific theme of preventing and / or fighting discrimination and racism in the workplace, there are fragmented initiatives in various local areas, usually not by public authorities. In this very area – fighting discrimination in the workplace, it seems that trade unions and NGOs are acting as pioneer, just as they did when it came to understanding the transformations the country was undergoing from a country of emigration to one of immigrant. They were first to recognise and appreciate in advance the importance of the transformations under way and initiate some empirical researches to better understand the implications of such transformations.

7.6. Vocational training

One of the instruments that can be used to improve the integration of foreign workers in the labour market is undoubtedly vocational training. In recent years, the majority of ☀ vocational training activities for immigrants in Italy have been financed with the resources of the ▲ European Social Fund (ESF). This source is important because it allows a de-centralised management of funds at regional and provincial levels rather than the national one; it is one of the main instruments used by local authorities to take initiatives in this field.

Resources from the ESF were initially used to finance projects on employment and vocational counselling and basic Italian language courses. At the moment, these types of projects are still being implemented, though the process has entered a second phase which includes, on the one hand, some specific vocational training schemes for immigrants, to qualify them professionally for the different sectors where there are more opportunities of employment (e.g.: construction industry, domestic work, etc.) and, on the other, integrated schemes which aim at creating services and promoting self-employment. In other words, some such schemes, drawing resources from both EU (Equal, Youthstart, NOW etc.) and local sources, combine various activities ranging from social research to community-based information points offering career and legal counselling; from support services in the area of housing to healthcare; from training courses to delivery of support services aimed at enabling to take advantage of training programmes offered by others; from support in going through the administrative procedure required in order to take-up existing jobs to setting-up one's own business etc.

Many other ☀ training schemes have been put in place as well for migrants who are in daily contact with other immigrants, even though, in the majority of cases these operators are used in services (health, education and social services) which are not directly involved in aspects of integration in the labour market. Recently, there have been some pilot activities aimed at helping the staff of employment centres provide a

service that takes into account the diverse needs of users and to this end, some general directorates of employment are trying to use the services of the so-called cultural mediators, to facilitate communications with migrant users who do not have a working knowledge of Italian language. We are, however, still at the beginning of this new phase and it is an experimental one that is developing without any coordination or a precise direction.

Further indications on this process can be found in some publications by the Institute for the Development of Vocational Training for Workers (Istituto per lo Sviluppo della Formazione Professionale dei Lavoratori – ISFOL⁹³), which monitors vocational training activities and identifies good practices.

In a recent analysis of projects carried out in the framework of the European Employment Initiative on issues relating to immigration, in particular, on identifying new ways of improving on the integration of migrants in the labour market, ISFOL indicates two main features which projects addressing this problem should have. The first essential element is that such projects should operate on the socio-economic dimension through vocational training aimed at securing a job, and the second is that these projects should strive to reinforce (and re-construct) personal (and collective) identities which have been rendered vulnerable by the migratory process. In other words, “good practice” in this area is considered to be an integrated process which combines research, training, job counselling and support in creating an enterprise⁹⁴.

In this light, the ways prospective migrant workers gain access to work is important: in the case of projects carried out in partnership with other actors, it is important that the respective role of each partner is defined in very clear terms, and this is particularly so for those partners who have the responsibility of taking some of the beneficiaries of the programme as staff members, or integrating them into other enterprises. Clarity in the process is a necessary condition for success, given the need to make explicit the objectives of the guidance phase and define precisely the time and nature of integration in the workplace. The analysis by ISFOL further stresses the role and responsibility of local institutions, in order to “promote synergy and networking with the aim of optimizing all activities which can stop marginalisation processes under way in its territory”⁹⁵.

To complete the picture, we will draw from some observations by Castelli and Cavalaglio (2001)⁹⁶. In the course of the evaluation of vocational training schemes for immigrants, the authors identified the following elements which, in their opinion, affect the effectiveness of such schemes:


⁹³ <http://www.isfol.it/> (09/02/04)

⁹⁴ ISFOL, Area Mercato del Lavoro (2002): Il lavoro degli immigrati: programmazione dei flussi e politiche d’inserimento (■ *The work of immigrants: planned migratory flows and integration policies*); eds.: Guido B., Carbone A. E.; Franco Angeli Milan 2002


⁹⁵ ISFOL (2000): ■ *Skills in migration. Training schemes and integration of immigrant in the labour market*, Rome 2000.

⁹⁶ Castelli, V. e Cavalaglio, S. (2001) *Modelli e Buone Pratiche*, (■ *Models and good practice*); in: Cauti, E. (2001) *Progetti oltre frontiera, l’immigrazione straniera nelle regioni adriatiche*, (■ *Projects beyond the border, foreign immigration in the Adriatic regions*), Mosciano S.A., Cisi Abruzzo-INTEMIGRA.


- vocational training projects turn out to be more effective when they are linked to the economic conditions and the production structure characteristic of a certain territory. To organise vocational training courses without a background network or direct support from the enterprises would mean leaving the participants in the course without actual support to gain employment;
- the training modules should be short and should be programmed taking into account the time-table that best suits participants, especially for those who are already working;
- the training programme should include a part on linguistic and cultural communications that are functional to the context of the future workplace. In other words, there should be a more general orientation to the labour market, together with transfer of communication skills on technical and professional aspects;
- when training is meant for mothers, there is a need for specific support in order to relieve them of family tasks, by providing for instance, baby-sitting services or someone to help their children in their homework, offered during the same time as the training itself;
- a high drop-out rate or level of absence from training by participants (immigrants) may not be caused by cultural differences or a lack of commitment to the proposal. It may, instead, be the result of an ineffective training activity. Therefore, trainers should pay much attention to didactics and try to use a language that is accessible to the participants, accompanied by a clear mechanism to check that information passed is understood; they should also work closely with the Italian language teacher.

As a conclusion to this chapter, we will briefly mention an  interesting initiative by the *Ente Nazionale Acli Istruzione Professionale – ENAIP* (National Professional Training Agency of ACLI) in Bologna⁹⁷, which tried to identify the strengths and weaknesses of training policies and has produced a guide for people wanting to undertake training or set-up information points for immigrant workers (Mottura, Pinto, Bruni, 2001)⁹⁸. This guide is organised in information sets under different sections such as (demand or supply of labour) and the type of service offered, (information point, a course, internship or apprenticeship). The guide tackles the point of view of the operator or project designer, all the crucial aspects for setting up an efficient mechanism to connect demand to supply of labour. For each information set, there is a brief discussion of the objectives, the common problems of all the services and the specific problems of each type of service offered.

7.7. Some examples of good practice for employability of immigrants

An interesting  analysis of good practice on the integration of migrants in the labour market can be found in the above-mentioned final report of *Intemigra* research. Castelli and Cavalaglio⁹⁹ have collated some experiences carried out in the Adriatic area as interesting examples of the various types of intervention to promote the integration of migrants in the labour market. 11 examples of good practice in the

⁹⁷ <http://www.enaip.bologna.it/> (09/02/04)

⁹⁸ Mottura, G. Pinto, P. Bruni, M. (2001), *La risorsa sotto utilizzata. Immigrati e work experience in Emilia Romagna*, ( Under-utilized resources. Immigrants and work experience in Emilia Romagna), ENAIP E. R., Bologna.

⁹⁹  Ibidem

labour market have been reported (one in Friuli-Venezia Giulia region, 5 in Veneto region, 3 in Emilia-Romagna region, and 2 in Abruzzo region).

They represent a significant correlation of the labour market in the territories considered with some of its important segments: information – orientation – vocational training – employment catchment areas – support to enterprises – labour and employment policies, strategies of social and labour integration for immigrants).

☀ “Samarcanda Project” – Centre for immigration services of the territorial Chamber of Labour - CGIL Reggio Emilia¹⁰⁰

Design and implementation of a Centre for immigration services providing:

- general information and orientation for immigrants (social and healthcare services of the community; rights and duties established by the current law; economic opportunities in the province; public offices to be approached, etc.);
- “second level” consultancy services for public service workers and professionals from NGOs;
- counselling and support searching for jobs; (this is carried out in cooperation with a network of local authorities and private non-profit organisations). In the initial phase, research was carried out on migrants’ need for information and training in Reggio Emilia, with the aim of supporting the activities of Samarcanda Service Centre.

☀ Training and counselling / support Project for technical and mechanical workers in the textile and wood industries Modena

Opening of a support centre for immigrants in search of jobs and for training and/or employment guidance; implementation of two vocational training courses in the above mentioned industries.

☀ Project I.M.P.R.E.S.A - Regione Emilia Romagna (RER)¹⁰¹ – COSPE

Design of a highly qualified business training (skills empowerment) which does not include language learning activities; the aims of the project were:

- adopt adequate methodologies to promote and strengthen knowledge of the context and interpersonal relationships with the aim of overcoming the sense of isolation and loneliness of many immigrant women;
- accompany the trainees (migrant women) during the creation and start-up of their businesses using, in the support activities, suitably modified methodologies capable of respecting their personal and professional experiences;
- build on the different cultural experiences of the trainees as well as on their competences, skills, formal and informal experiences which can be acknowledged as fully-fledged expertise.

Increasing employability of migrant workers through training

¹⁰⁰ <http://www.cdltre.it/> (09/02/04)

¹⁰¹ <http://www.regione.emilia-romagna.it/> (10/02/04)

☀ **Province of Treviso, Formazione - Unindustria of Treviso (the training department of the local employers' organisation)¹⁰².**

Participants who were trained in welding, carpentry and as construction workers of various capacities were offered some subsidy in kind, in the form of free accommodation and feeding throughout the training period and a minimum daily allowance in cash. The main beneficiaries of the project were unemployed migrants and enterprises seeking for people to employ in the three sectors mentioned above.

Among the activities carried out during the project were: monitoring of the local labour market and identification and selection of companies willing to host some trainees for a period of internship and may be employ them after the training; organisation and management of both theoretical and practical aspects of the training; provision of accommodation and fund-raising from private donors to finance the scheme.

The subsidy made the training accessible to some migrants who would otherwise not have been able to take advantage of such an opportunity. Besides, almost all the participants completed the training and those who did were later employed by the companies where they had done their internship. Employers involved in the project are reported to have overcome their fears in employing migrant workers.

☀ **Training courses and company apprenticeship**

Monitoring of the local labour market and identification and selection of companies willing to host some trainees for a period of internship and may be employ them after the training; organisation and management of both theoretical and practical aspects of the training. Project had further responsibility of helping trainees find accommodation.

☀ **Short training and support to find a new job - Roseto degli Abruzzi**

Training of a group of immigrants in view of helping them secure employment; offered participants basic language course and general information; orientation on the labour market and integration into the labour market.

☀ **In-service training at Bertoli Safau Steel Industries - A.B.S.; Cargnacco (Udine) - Labour market and vocational training - teaching Italian language to migrant workers**

Organised by the above company in cooperation with the technical school Istituto Tecnico Industriale “*A. Malignani*”, and the NGO, *Risorse Umane Europee- RUE - (European Human Resources)*¹⁰³. The programme, which was part of the recruitment contract, was meant for seventy-four Rumanian workers employed by the same company and it sort to teach them Italian language at the workplace by presenting various aspects of the production process and issues of security in the workplace.

¹⁰² Castelli V.; Cavalaglio S. (■ 2001); *ibid.* p.128-129.

¹⁰³ Castelli V.; Cavalaglio S. (■ 2001); *ibid.* p.134-135. Rue home page: <http://www.rue.too.it/> (10/02/04)

Innovative aspects of the initiative, with respect to the local contexts, were: self-financing of the project by the company; language teaching within the factory; time spent doing the language course was covered by the contract and so was paid for; close cooperation between the company and the NGO which provided some of the teachers; production of an Italian - Rumanian glossary of relevant technical terms that describe the production process and constant monitoring of the course at all stages.

☀ **Collective factory agreement for differentiated working timetable
Albaredo d'Adige (VR)**

A company operating in the construction sector – Avanzini Prefabbricati s.r.l based in Albaredo d'Adige, Verona -, with a total workforce of 50 workers of which 13 are migrants, signed a collective factory agreement on differentiated working hours¹⁰⁴. The objective of the agreement was to enable immigrant workers to observe religious festivities and rites which would otherwise be hindered by their work. The agreement also meant to create closer links between the company and its' immigrant workforce.

The agreement set the conditions for “ad personam” contracts that made provision for differentiated working hours (deferred starting and closing hours) in order to enable workers to take part in religious functions; it also provides for immigrant workers to stay away from work, once an early notice has been given, during religious festivities and recover the hours of work lost during weekends; the company pays such hours at the ordinary rate even though the work is done on weekends.

As a result of the agreement, the company's organisation was adapted to take into account the cultural and religious diversity of the entire workforce and the principle of equal dignity of the different religious traditions was incorporated into the company's statute. The company has benefited from the agreement through improved relations with its' migrant employees, better motivation and cooperation and a reduction in the rate of turnover of migrant workers.

☀ **Collective factory agreement on payment for piecework Area of the tanneries in the province of Vicenza (Valle di Chiampo - Arzignano)**

Dialogue and exchange of views with the local communities of immigrants and their representatives to mobilise workers to file individual complaints and to raise awareness amongst them on the importance of avoiding individual and *informal* piece-work bargaining.

In some companies that are representative of the sector, some collective agreements regulating the pay rates for the so-called *mixed piece rate system* have been reached by filing individual complaints through the trade unions; these were aimed at obtaining the payment of the difference in wages deriving from the calculation of all the relevant benefits related to amounts paid in an informal way earlier for piece-work; the companies involved have since been led to sign collective agreements defining the pay rates for piece-work in a transparent way.

¹⁰⁴ Castelli V.; Cavalaglio S. eds. (■ 2001): *ibid.* p.126-127.

Within the above agreements, a payment for *mixed piece rate system* has been defined in addition to the minimum wage established by the national contract for the same category, in the form of an “overall” monthly wage; in other words, it includes all the indirect benefits (holidays, festivities, leave, thirteenth-month salary), with the exclusion of the compensation for job termination (Trattamento di fine rapporto - T.F.R.), which will be calculated by taking into account the incidence of the mixed piece rate system on the basis of the reference wage.

☀ **Trilaterally negotiated domestic assistance part-time work - Padova**

Trilateral negotiation of a contract for domestic assistance to take care of a person who is not self-sufficient; this involved two migrant women of the same nationality working alternately for the same person for continuous periods of two to three months each. Definition of a “vertical” part-time job (*job sharing*) on the basis of a specific contract.

☀ **Providing accommodation for migrant employees – Officine Garro s.p.a¹⁰⁵, Campodoro, Padova**

In a move to promote social integration and encourage experienced migrant employees to stay, the above company continued on a support scheme in the area of housing which it started at the beginning of the ‘90s. In the early years of the scheme, the company directly rented houses for its’ migrant employees but later changed to guaranteeing rental contracts signed by its’ employees.

Last year, the company undertook the construction of a new apartment block of forty units meant for both old and new migrant workers. The rent for the apartment is deducted from workers’ salaries. A major outcome of this initiative has been that many of the hundred migrant workers employed by the company have managed to get their families to join them and a sharp drop in the number of voluntary termination of employment by migrant workers and an improvement of the professional standards of such experienced workers.

The company has, on its own part, recorded a reduction in expenses for new recruitments and terminations, training of recruits, late deliveries due to lack of experienced workers etc.

☀ **Creation of an integrated multi-ethnic centre – Pescara**

Re-qualify and "integrate" long-term unemployed Italian workers and migrant ethnic minorities by providing them with the necessary skills to set-up and run a Medical Centre. The project aimed to:

- facilitate access to information on medical, health, psychological and social services for immigrants;
- provide a service for psychological and social integration through a team of professionals and specialists with expertise on the specific cultural characteristics of migrant populations, knowledge of the territory and of psychological and social intervention techniques;

¹⁰⁵ Castelli V.; Cavalaglio S. (■ 2001); *ibid.* p.130-131.

- promote interaction between immigrants and the natives;
- stimulate public debate of the conditions of immigrants in Abruzzo region;
- create a data bank to be connected to the regional observatories on immigration.

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9. List of Abbreviations

ANOLF - Associazione Nazionale Oltre le Frontiere (Beyond Frontiers National Association)

APICOLF - Associazione Professionale Italiana Collaboratori Familiari (Italian Professional Association of Domestic Workers)

CGIL - Confederazione Generale Italiana del Lavoro (Italian General Confederation of Labour)

CNA - Confederazione Nazionale dell'Artigianato (Italian Confederation of Craftsmen)

CNEL - Consiglio Nazionale dell'Economia e del Lavoro (National Economic and Labour Council)

CISL - Confederazione Italiana Sindacati Lavoratori (Italian Confederation of Workers' Union)

COSPE - Cooperazione per lo Sviluppo dei Paesi Emergenti (Co-operation for the development of Emerging Countries)

INAIL - Istituto Nazionale per l'Assicurazione contro gli Infortuni sul Lavoro (National Institute for Insurance against Incidents in the Workplace)

ENAI - Ente Nazionale Acli Istruzione Professionale (National Professional Training Agency of ACLI)

INPS - Istituto Nazionale della Previdenza Sociale (National Institute of Social Welfare)

IRES - Istituto di Ricerche Economiche e Sociali (Social and Economic Research Institute)

IRRESAE Istituto Regionale di Ricerca, Sperimentazione e Aggiornamento Educativi (Local Institute of Educational Research, Experimentation and Updating)

ISFOL - Istituto per lo Sviluppo della Formazione Professionale dei Lavoratori (Institute for the Development of Workers' Training)

ISMU - Fondazione per le Iniziative e lo Studio sulla Multietnicità (Foundation for the Initiatives and Study on multi-ethnicity)

ISTAT - Istituto Nazionale di Statistica (National Institute of Statistics)

MAE - Ministero degli Affari Esteri (Ministry of Foreign Affairs)

UIL - Unione Italiana del Lavoro (Italian Union of Labour)

Unioncamere - Unione Italiana delle Camere di Commercio, Industria, Artigianato e Agricoltura (Consortium of the Chambers of Commerce, Industry, Craftsmen and Agriculture)