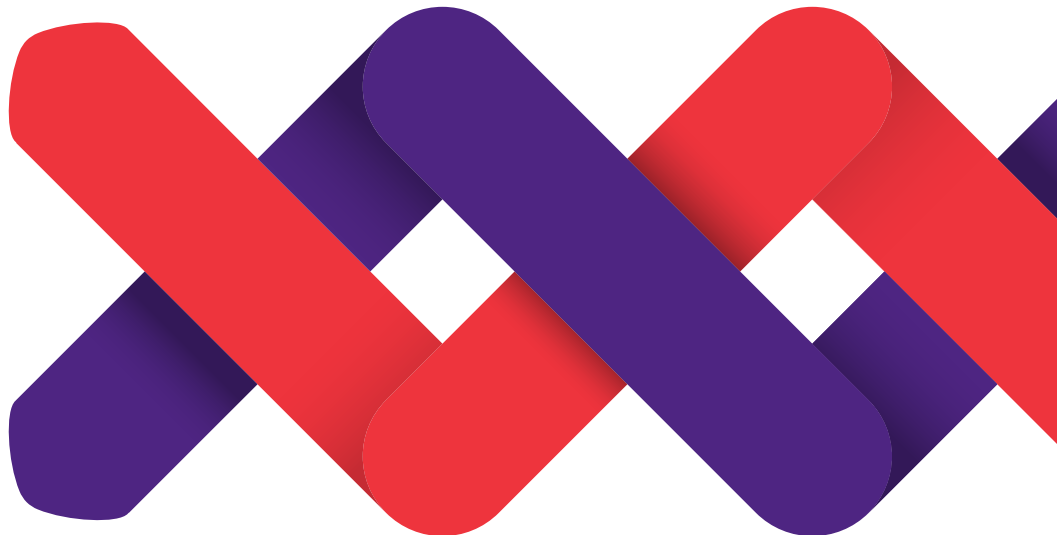


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HR News

**COVID-19 emergency – Further clarifications by INPS about the actions in favour of families provided by Law Decree no.18 dated 17-03-2020**

*Last updated on 26 March 2020*



# Focus on...

Further clarifications by INPS about the actions in favour of families provided by Law Decree no. 18 dated 17-03-2020.

## **Leave for subordinate employees registered to INPS contribution scheme**

No changes about the beneficiaries of this extraordinary leave. Therefore, we would like to remind that this new leave provided by the Law Decree Cura Italia is granted for:

- parents with children not older than 12 years old
- parents with children between 12 and 16 years old
- parents with disable children without any age's limit, provided they are enrolled in schools of all levels or hosted in day care centers.

The leave is granted alternatively to one parent per each family, provided that in the family there is no other parent benefitting from income support measures due to suspension or termination of the working activity and no other parent that is unemployed or simply does not work.

The leave is equal to 15 days and it can be used not necessarily all in a row, starting from 5th March and for all the suspension period of childcare services and of all school educational activities (currently up to April the 3rd).

During this leave, parents with children not older than 12 years old and parents with disable children without any age's limit, provided they are enrolled in schools of all levels or hosted in day care centers, will receive an allowance equal to 50%, calculated based on the rules applied to the parental leave's payment. No allowance for parents with children between 12 and 16 years old.

Regarding the calculation of these 15 days, the social security entity has specified that:

- the calculation is the same used to the ordinary parental leave. So in case of no working activity Saturday and Sunday must be included in the calculation
- the leave can be split per day and not per hours.

Unlike what was communicated in our circular dated March 21st, 2020, the social security entity introduced some news about the method to require this leave. No changes for:

- parents who have already required the ordinary parental leave and, at 5 March, are using the ordinary parental leave. They have not to make any other request
- parents with children between 12 and 16 years old. They have to make the request only to their employer
- parents with disable children who have already required the leave provided by the art. 33 of Law Decree. no. 151/2001 and, at 5 March, are using this kind of leave. They have not to make any other request
- parents with disable children older than 12 years, who intend to access to this leave, will have to wait for the specific procedure available by the end of March.

The social security entity provides new rules for parents with children not older than 12 years old, that do not have required the ordinary parental leave, on the date of the Decree's publication. For this category, the social security entity provide that:

- parents who not have completely used the

parental leave, can submit the request using the procedure provided for the ordinary parental leave

- parents who have used completely the parental leave, will have to wait for the specific procedure. In any case, ***the employers must accept the request, even though the procedure is not still available. As soon as the procedure will be ready, the employees must send the request, also for periods from March the 5<sup>th</sup>.***

So, on basis of this new indication, parents with children not older 12 years old, who have already sent the request using the procedure of parental leave, even though they have already completely used the parent leave, they must submit a new request as soon as the specific procedure will be available.

The aforementioned leave is also granted in case of adoption or assignment.

### **Leave for employees registered in the Gestione Separata contribution scheme and for self-employees registered to INPS**

The Law Decree Cura Italia has granted the extraordinary leave (15 days) also to parents with children not older than 12 years old, registered exclusively to Gestione Separata INPS, paid to 50% of 1/365 of income used like computation base for the maternity leave's calculation. The same is granted to self-employees registered to INPS, for whom are granted an allowance equal to 50% of the conventional salary provided by the law, based on the type of the activity, for children not older than 12 year old.

The leave is granted alternatively to one parent per each family, provided that in the family there is no other parent benefitting from income support measures due to suspension or termination of the working activity and no other parent that is unemployed or simply does not work.

No changes about the request.

For parents enrolled to *Gestione Separata*:

- parents with children not older than 3 years old can use the procedure provided for the ordinary parent leave
- parents with children between 3 and 12 years old will have to wait for the specific procedure available by the end of March
- parents with disable children older than 12 years, who intend to access to this leave, will have to wait for the specific procedure available by the end of March.

For self- employees enrolled to INPS:

- parents with children not older than 1 years old can use the procedure provided for the ordinary parent leave
- parents with children between 1 and 12 years old will have to wait for the specific procedure available by the end of March
- parents with disable children older than 12 years, who intend to access to this leave, will have to wait for the specific procedure available by the end of March.

Parental leave's days used before the request of this leave cannot be converted by INPS in the following leave.

The aforementioned leave is also granted in case of adoption or assignment

### **Allowance for baby-sitting services**

Only for the year 2020, starting from March the 5th e for all the suspension period of childcare services and of all school educational activities (currently up to April the 3rd), the Law Decree Cura Italia introduced an alternative voucher than the extraordinary leave, for parents with children ont older than 12 years.

The limit of the age is not applicable to disable children provided they are enrolled in schools of all levels or hosted in day care centers.

We are talking about the baby sitting voucher equal to € 600.

Like for the extraordinary leave, this voucher can be granted provided that in the family there is no other parent benefitting from income support measures due to suspension or

termination of the working activity and no other parent that is unemployed or simply does not work.

The voucher baby sitting could be required by the following procedure:

- WEB - [www.inps.it](http://www.inps.it) - sezione "Servizi online" > "Servizi per il cittadino" > autenticazione con il PIN dispositivo (oppure SPID, CIE, CSN) > "Domanda di prestazioni a sostegno del reddito" "Bonus servizi di baby-sitting";
- CONTACT CENTER INTEGRATO – toll number 803.164 or not toll number for mobile phone 06.164.164
- Patronage.

In order to allow the disbursement of the benefit, the beneficiaries of the bonus participate in the burden of registering promptly as users of *Libretto Famiglia*.

The user and lender can access the procedure:

- directly with the use of your credentials;
- making use of the INPS contact center services, which will manage, on behalf of the user (user / provider), the performance of the registration activities and / or the communication obligations of the work performance. Also in this case it is necessary to have personal credentials;
- through patronage.

At the time of registration, users and lenders must provide the identification information necessary for the management of the employment relationship and related contributory obligations.

The beneficiary parent must proceed to the so-called electronic appropriation of the bonus for the purchase of baby-sitting services, no later than 15 calendar days from the receipt of the acceptance of the application through the electronic channels indicated in the application itself (sms, email address or PEC).

The non-electronic appropriation of the baby-sitting bonus, within and not beyond the indicated 15 calendar days from the receipt of acceptance of the application through

electronic channels, is equivalent to the tacit renunciation of the benefit itself.

The so-called appropriation of the bonus will allow the beneficiary to view in the "electronic wallet" the amount granted and to dispose of it for the remuneration of work services, which must be communicated in procedure after their performance (via the INPS telematics platform or by making use of the contact center services made available INPS).

The services entered within the 3rd of the month following the one in which they took place will be paid on the 15th of the same month, by crediting the sums on the payment instrument indicated by the lender at the time of registration.

In accordance with the rules dictated for the use of the services related to *Libretto Famiglia*, the services are paid equal to 10 euros per hour (or its multiples), so the amount requested as a bonus must be necessarily equal to 10 euros or multiples of 10 (up to a maximum of 600). Baby-sitting work services carried out from 5th March 2020 for the entire period of closure of school educational services may be remunerated through the *Libretto Famiglia*.

When entering the service, the user must indicate his intention to take advantage of the "Covid 19 Bonus" for the payment of the service and also verify that the procedure correctly reports the data of the accepted application and the type of activity "Purchase of baby-sitting services (DL 18/2020 - COVID measures 19)".

The services performed in the period indicated above may be communicated by the beneficiary parent on the occasional services platform by 31 December 2020.

Taking into account the ratio of this tool, aimed at offering support to families for the serious emergency generated by the Covid-19 virus, and the difficulty for the same families to identify a different worker, in this case, the character limit does not apply general required by article 54-bis, paragraph 5, of the DL n. 50/2017.

Therefore, limited to this bonus, the occasional paid employee with the Libretto Famiglia may also be the same person with whom the user has already been in progress or has ceased a subordinate employment relationship for less than six months. In this case, the user will be able to take advantage of the bonus for the remuneration of the additional hours carried out by the same worker already hired with housework duties and for assistance and supervision of minors.

### **Extension of paid leaves under Law no. 104/1992**

Regarding the paid leaves' days under the Law no. 104/1992, the social security entity extends indirectly the 12 paid leaves' days also for disable workers older than 18 year.

So, these 12 paid leaves' days, that can be used in March and in April, in addition to the 3 ordinary paid leaves' days, are granted to:

- employees who assist disable relatives
- disable workers older than 18 year.

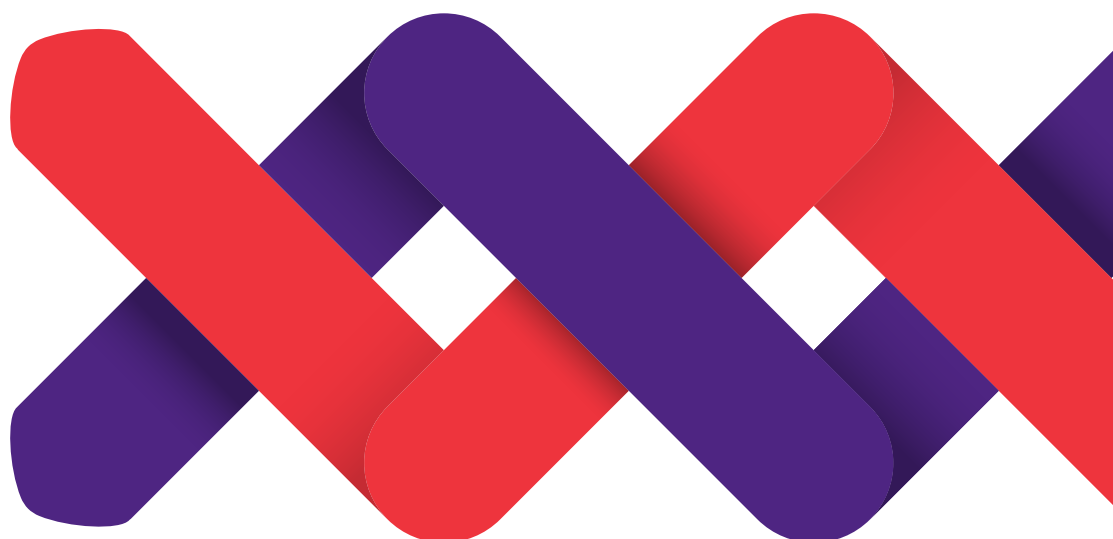
The social security entity confirmed the possibility to cumulate multiple permits for the same worker.

Therefore, in case one employee assists more disabled relatives in March and in April, for each assisted person, in addition to the 3 paid leaves' days ordinarily foreseen, he can accumulate the additional 12 days under the conditions and in the manner provided from the same article 33, paragraph 3 of law no. 104/1992. Similarly, the disabled employee who assists another disabled relative, will be able to accumulate, for the months of March and April 2020, the overall permits due to him (3 + 3 + 12) with the same number of days of usable access for assistance to the other disabled family member (3 + 3 + 12).

At the end:

- for employees with vertical part time employment contract the re-proportioning will be necessary according to the following formula = Average weekly hours theoretically executable by the part-time worker / average weekly hours theoretically executable full-time) X 12.
- for employees with horizontal part time employment contract no re-proportioning will be necessary.

These paid leaves' days can be used split in hours and they can be used consecutively in the same month.



For any further information or query you may have, please contact:

[studioleoniepartners@bgt.it.gt.com](mailto:studioleoniepartners@bgt.it.gt.com)

## Offices

### Milan

Via Statuto, 4

20121, Milan

T +39 02 36 57 35 00



**Grant Thornton**

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[bgt-grantthornton.it](http://bgt-grantthornton.it)

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