

イタリアにおける違法な労働仲介および、労働搾取についての最新情報 Japanese Business Network



イタリアにおける違法な労働仲介および、労働搾取についての最新情報

イタリアにおいて企業が置かれている状況やビジネス上で実際に起こり得る問題を仮定し、予想される制裁措置や注意すべき点、回避策などについて説明します。

Date: Tuesday May 14th 2019

Time: 9:30 registration and reception 10:00 to 12:00 Seminar

Location: PwC Meet at 4th Floor, PwC Milan office, in via Monte Rosa 91

外注業者の従業員が違法な労働をさせられている場合、雇用主を通さずに、そのサービスの委託先に未払い賃金の請求や休暇取得の権利を要求することが可能なのはご存じですか。

違法な労働仲介および労働搾取に関する条項改正（政令第 199/16 号第 603 条）により、2019 年 2 月以降、全国労働調査局（L'Ispettorato Nazionale del Lavoro : INL）による企業への厳格な調査が、政令第 5/19 号のガイドラインに基づき実施されることになりました。その対象は物流や清掃会社など、あらゆる商業分野に及びます。労働搾取をしていると思われる会社への取り締まりが強まるため、今後は自社の従業員の管理にとどまらず、外注業者の管理も、厳格に行っていく必要があります（例えば労働時間や休憩時間、休暇取得に関する規則の常習的な違反や、職場における安全衛生に関する規則の違反がないか。従業員の①労働条件、②労働環境のモニタリング、③適切な住宅環境の確保など）

このたび PwC Japanese Business Network は

「違法な労働仲介および、労働搾取についての最新情報」と題したセミナーを、
2019 年 5 月 14 日（火）10:00~12:00 (9:30 受付開始)に当法人オフィス 4F 会議室 (via Monte Rosa 91)で開催します。

当セミナーでは、以下のトピックスに焦点を当ててお話しします。

- ・政令第 199/16 号 603 条（改）で言及されている犯罪の種類
- ・政令第 5/19 号の国立労働監査機関（INL、National Labor Inspectorate）とは？
- ・INL 調査員に向けたガイドラインの概要（労働搾取の有無を査定するための実用的な指標など）



- ・第三者（外注業者等）を含んだ契約におけるリスク管理
- ・INLの厳格な調査により、今後予想される制裁措置（資産の差し押さえ、罰金など）

講師

Francesca Tironi (ディレクター)

* 使用言語：イタリア語（資料：イタリア語）

セミナー後、日本語のサマリーをお送りします。

参加ご希望の方は、5月3日（金）までに下記リンクよりお申し込みくださいますようお願いいたします。

参加お申し込みリンク

<https://virtual3.ptqs.it/me->

[pwc/registration?hl=EAb476152a5b7651801891a51d849ef1685203d640fb4020d97db3a83e8bb77cb1&language=it](https://virtual3.ptqs.it/me-pwc/registration?hl=EAb476152a5b7651801891a51d849ef1685203d640fb4020d97db3a83e8bb77cb1&language=it)

その他、ご質問がございましたら、金森美佳（mika.kanamori@pwc.com）までお気軽にご連絡くださいませ。





The crime of illegal labor brokering and exploitation of employees: latest news

Date: Tuesday May 14th 2019

Time: 9:30 registration and reception 10:00 to 12:00 Seminar

Location: PwC Meet at 4th Floor, PwC Milan office, in via Monte Rosa 91

What's NEW?

Article. 603-bis of the Italian Criminal Code, reformulated by Law no. 199/2016, has foreseen two distinct figures of crimes:

- (i) that of illegal labor brokering, which pursues anyone who "recruits" employees for the purpose of allocating them to work with third parties in conditions of exploitation and taking advantage of their state of need;
- (ii) that of labor exploitation, with which one punishes criminally anyone who uses, employs, hires employees, even though the aforementioned activity of labor brokering, subjecting workers to exploitative conditions and taking advantage of their state of need.

The Ordinance n. 5/19 of the National Labor Inspectorate provides the inspectors with the guidelines to be adopted for the supervision of the crimes of illegal labor brokering and labor exploitation.

Among the indices that characterize the working exploitation, it is possible to include:

- (i) the "repeated violation of the regulations relating to working time, rest periods, weekly rest, mandatory leaves, holidays";
- (ii) the "violations of the rules on safety and hygiene in the workplace";
- (iii) and the "subjection of the worker to working conditions, methods of surveillance or degrading housing situations".

We are pleased to announce that on May 14th 2019, at the headquarters of PwC Milano, in via Monte Rosa 91, a seminar will be held concerning "*The crime of illegal labor brokering and exploitation of employees: latest news*".



The seminar will cover:

- the type of crime referred to in art. 603 bis Italian Criminal Code as reformulated by Law 199/16
- Ordinance no. 5/19 of the National Labor Inspectorate
- any useful indexes for inspectors to assess, during the assessment phase, the existence of work exploitation;
- risk management in procurement and service agreement

Our Italian specialist will hold the seminar

Francesca Tironi, Employment Lawyer with nearly 15 years of experience

The seminar will be held in Italian including the materials. We kindly ask you to confirm your attendance by filling in the registration form by Friday on May 3rd 2019. For any queries or doubts, you can freely contact Mika Kanamori mika.kanamori@pwc.com . Please note that seats are limited, and reservations will be confirmed on a first-come-first-served basis.

Registration form from this link:

<https://virtual3.ptqs.it/me-pwc/registration?hl=EAb476152a5b7651801891a51d849ef1685203d640fb4020d97db3a83e8bb77cb1&language=it>

Kind regards,

PwC Italy's Japanese Business Network

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