

# COVID-19

## Decree-Law no. 52 of 16 June 2020

### INTRODUCTION

Decree-Law no. 52 of 16 June 2020, which entered into force on 17 June 2020, extended to all productive sectors the possibility to take advantage of the unemployment or income-support benefits made available by the Government in connection with the COVID-19 public health emergency for the full 18-week period on a continuous basis; furthermore, the Decree introduced significant extensions to the deadline for filing the relevant applications and changes to the rules on emergency income and the regularization of illegal workers.

#### **I. CHANGES TO THE EXTENSION OF THE UNEMPLOYMENT OR INCOME-SUPPORT BENEFITS IN CONNECTION WITH THE COVID-19 EMERGENCY (*CASSA INTEGRAZIONE GUADAGNI ORDINARIA, ASSEGNO ORDINARIO AND CASSA INTEGRAZIONE GUADAGNI IN DEROGA*)**

Articles 19, 20, 21 and 22 of Decree-Law no. 18 of 17 March 2020 (“Decreto Cura Italia”) provided for the payment of unemployment or income-support benefits in connection with a reduction of or suspension in working activities as a result of the COVID-19 health emergency for a maximum of 9 weeks between 23 February 2020 and 31 August 2020.

Following the changes to those articles introduced by Decree-Law no. 34 of 19 May 2020 (“Decreto Rilancio”), those employers who had taken advantage of the benefits for a total of 9 weeks, as originally provided, were granted an additional 5-week period until 31 August and (on completion of such 14-week period) another 4 weeks between 1 September and 31 October 2020.

As an exception to the rule, Decreto Rilancio had provided that - after completion of the initial 14-week period - employers in the Tourist, Trade Fair, Congress, Amusement Park, Live Show and Movie Theatre business could take the additional 4 weeks before 1 September, if necessary.

**Decree-Law no. 52/2020 hereunder has extended to all employers, regardless of their area of business, the possibility to request application of the benefits for the full 18-week period without interruption.**

## **II. NEW DEADLINES FOR FILING THE APPLICATIONS FOR THE BENEFITS**

Decree Law no. 52/2020 introduced new deadlines for filing the application for the COVID-19 benefits, as follows:

- ◆ the application in connection with the suspension of/reduction in working activities between 23 February and 30 April 2020 will have to be filed by 15 July 2020;
- ◆ the application in connection with the suspension of/reduction in working activities between 1 May and 16 June 2020 will have to be filed by 17 July 2020;
- ◆ the application in connection with the suspension of/reduction in working activities starting from 17 June 2020 will have to be filed before the end of the month subsequent to that in which the suspension or reduction occurred.

## **III. EXTENSION OF FILING DEADLINES FOR INCORRECT APPLICATIONS**

Regardless of the reference period, the employers which have incorrectly filed an application for income-support benefits other than those for which they are actually eligible or, anyway, with errors or omissions which have caused the non-acceptance of the application may file the application pursuant to the correct procedures and/or for the unemployment benefits for which they are actually eligible within thirty days from the notice sent by the tax authority notifying the incorrect application.

The foregoing will apply including in the course of the revocation of the enactment allowing the benefit.

The filing of the application, according to the correct procedure, is considered to have been made on time if filed by 17 July 2020.

## **IV. EMPLOYER'S REPORTING OBLIGATIONS IN THE EVENT OF DIRECT PAYMENT FROM INPS**

If the unemployment benefits are directly paid by INPS (Italian Social Security Institute) (direct payment applies for *Cassa Integrazione Guadagni in deroga* as per by law and at the request of the employer for *Cassa integrazione guadagni ordinaria* and *Assegno ordinario*), the employer must send to INPS all information necessary for the payment or the balance of the income support within the following deadlines:

- ◆ by the end of the month subsequent to that in which the income-support benefit period falls;
- ◆ within thirty days from the adoption of the enactment allowing the benefit, if the adoption occurs after the end of the month subsequent to that in which the income-support benefit period falls;
- ◆ by 17 July 2020 for the periods of reduction and suspension closed by 30 April 2020.

Once the above deadlines have expired, the payment of the benefit and the costs related thereto will be borne by the employer which failed to comply.

## **V. FURTHER EXTENSION OF THE DEADLINES**

The deadline for filing the applications for emergency income, originally scheduled on 30 June 2020 as per article 82 of Decreto Rilancio, was extended to 31 July 2020.

The deadline for filing the applications on regularization of illegal workers and for temporary residence permits, originally scheduled on 15 July 2020 as per article 103 of Decreto Rilancio, was extended to 15 August 2020.

**For additional information, please contact:**

**Pirola Pennuto Zei & Associati –Labour Department**

- ◆ **Avv. Roberta Di Vieto:** [roberta.di.vieto@studiopirola.com](mailto:roberta.di.vieto@studiopirola.com)
- ◆ **Avv. Umberto Orso-Giacone:** [umberto.orsogiacone@studiopirola.com](mailto:umberto.orsogiacone@studiopirola.com)