

National Collective Agreement for metalworkers 2010-2012

ON THE 15TH OF OCTOBER 2009 A DRAFT AGREEMENT FOR THE NATIONAL COLLECTIVE AGREEMENT FOR METALWORKERS 2010-2012, SIGNED BY FIM AND UILM AND FEDERMECCANICA, WAS ACHIEVED.

THE DRAFT IS BEEN PRESENTED TO THE NATIONAL AND REGIONAL UNIONS BODIES. A NATIONAL ASSEMBLY WITH 5.000 TRADE UNION REPRESENTATIVES OF FIM AND UILM IS HOLDING ON 6 NOVEMBER IN BERGAMO. MEANWHILE, ASSEMBLIES ARE CONVENING IN THE WORKPLACES TO INFORM ON THE DRAFT AGREEMENT THAT, FINALLY, WILL BE VOTED BY ALL UNION MEMBERS OF FIM AND UILM WITH REFERENDUM FROM 25 TO 27 NOVEMBER 2009.

Here is a brief sum-up of the contents:

INCOME SUPPORT SOLIDARITY FUND

It is a solidarity fund, set up within the bilateral organization, whose aim is that of being a support for the income of those workers who voluntarily subscribed, and whose income undergoes reductions for long periods of time.

Specific cases in point and individual requirements of recipients shall be agreed upon by common consent among stakeholders.

Such bilateralism will be defined so as to have the tax benefits and operating incentives provided for by supplementary welfare mechanisms.

The activities carried out through the fund will be financed by all companies, with a contribution of € 2 a month for each active worker in 2011 and 2012. Such quotas shall be paid to the fund in January 2012 (for 2011 quotas) and January 2013 (for 2012 quotas). Workers who subscribe to the fund will start paying € 1 a month on January 1st 2012, and the quotas paid by the workers shall be entered in the fund in January 2013. Starting from January 1st 2013, companies shall pay € 2 a month for each subscribing worker and for those workers who subscribed to the € 1 a month fund.

The goal of all stakeholders is to have the fund up and running as of January 1st 2012.

Before June 2011, an audit shall be carried out on the legislative and tax conditions, so as to finally define the earmarking for the fund.

SECOND-LEVEL BARGAINING

In full compliance with the rules set by the protocol of July 23rd 1993, then integrated by the Inter-union Agreement of April 15th 2009, the parties defined specific guidelines and procedures for the dissemination of company-level bargaining in small companies, even those where there is no Unitary Trade Union Representative Body.

By December 2010 the procedures, times and modes for renewal and the issues included in company-level bargaining shall be defined. The possibility of defining "modes and frameworks for company-level negotiation on professional classification" shall also be assessed, that is, rules and regulations for conciliation and arbitration procedures to be activated in case of disputes arising from the application of clauses contained in the National Collective Agreement on company-level bargaining, in consideration of what is regulated by the previous agreement.

SUPPLEMENTARY BENEFIT

The rate of contribution to be paid by companies shall be raised to 1.4% as of January 1st 2012 and to 1.6% as of January 1st 2013, provided that subscribing workers contribute with an equal quota (it should be borne in mind that the rate today is 1.2% and that more than 70% of subscribing workers already pay a higher rate). As of January 1st 2013 the rate for apprentices shall also be raised to 1.6%.

JOINT STUDY GROUP ON THE LABOUR MARKET AND PARTICIPATION OF WORKERS

Setting up of a Joint Study Group within 6 months. Its goal will be that of monitoring and analysing the legislative evolution on topics concerning the labour market, contract types, welfare support provisions and workers' participation, with the objective of drafting shared proposals for the parties to agree upon.

CONTACT PERSON FOR TRAINING

In companies with more than 300 employees, the Unitary Trade Union Representative Body shall appoint one of its members as the contact person for training in the company. Such representative shall be appropriately trained, and will have the power to sign shared training programs.

MIGRANT WORKERS

New rights: information material in English and French for migrant workers; translation of occupational safety legislation; Italian language courses.

TEMPORARY CONTRACTS AND SUB-CONTRACTED LABOUR

New contract rules and regulations that guarantee the recognition of a performance bonus proportionate to the period of service given. Furthermore, in case of recruitment with open-ended contract, the periods of service for the same employer, although fragmented, shall be taken into account to calculate seniority for seniority steps and occupational mobility, provided that they are not interrupted by working periods longer than 12 months. Such rules and regulations on seniority are also valid for sub-contracted workers.

Furthermore, temporary workers have right of pre-emption for recruitment with open-ended contract.

PART-TIME

New rules and regulations on the protection of part-time workers will enter into force as of January 1st 2012, possible advance agreed at company-level excepted. The contract regulations control the so-called “elastic and flexible clauses”, by introducing new protection measures for workers. Furthermore, they set the percentages in case of shift in the working hours agreed upon by the worker (elastic clauses); the percentage is 10%. In case of increase in the number of working hours (flexible clauses: maximum 25% increase of part-time working hours), the workers who accept shall receive a 15% rise.

After having accepted the elastic and flexible clauses, workers can cancel their decision following a series of possible cases in point, listed in the contract.

WORKING ENVIRONMENT AND SAFETY

Enhanced functions of Representatives of Workers for Safety (RLS), with the introduction of an explicit reference to the “levels of health in the workplace and of environmental protection”. Safety and the Environment Workers Representatives (RLSA) will be stated in companies with significant risk of accident (Act 238/05).

RIGHT TO EDUCATION

For secondary school diplomas, the hours of paid educational leave for the last three years are raised from 80 to 120 (40 hours a year), cumulative with the benefits provided for by the contract.

MINIMUM WAGE INCREASE

Level	Total contract increase	PARAMETERS	As of January 1 st 2010	As of January 1 st 2011	As of January 1 st 2012
I	€68,75	110	€17,50	€25,00	€26,25
II	€80,44	117	€20,48	€29,25	€30,71
III	€94,88	138	€24,15	€34,50	€36,23
IV	€100,38	146	€25,55	€36,50	€38,33
V	€110,00	160	€28,00	€40,00	€42,00
Vs	€121,69	177	€30,98	€44,25	€46,46
VI	€130,63	190	€33,25	€47,50	€49,88
VII	€144,38	210	€36,75	€52,50	€55,13

ASSESSMENT OF DEVIATIONS: the recovery of possible deviations between estimated and actual inflation shall be carried out in July 2012, and shall be applied to the remunerations of September 2012.

COMPENSATION ELEMENT

As of January 1st 2011, the value of compensation element undergoes a € 195 increase, thus a total of € 455 per year. The rules and regulations are the same applied for the previous contract.

EXPIRY AND DURATION

The contract enters into force on January 1st 2010 and expires on December 31st 2012.

CONTRACT SERVICE FEE

In the payrolls of April 2010 companies shall include a form to accept or refuse to subscribe an exceptional one-off € 30 fee for those workers who are not members of a Trade Union, as an extraordinary fee for contract expenses.