

1.1 Access to the labour market in Italy

125. How can I access the labour market in Italy?

In two ways:

- directly in Italy (respecting precise requisites);
- from abroad, through a nominative call

For those who are already in Italy

126. To work in Italy do I need to have a Residence Permit?

Yes, to be able to work in Italy, you must have a Permit to Stay, issued for one of the followings reasons: family residence permit of a EU citizen, permanent permit of stay for the family members of European citizens, family reasons, family of minors, integration of minors, seasonal work, artistic work, self-employed work, employed work, pending employment, seasonal work including multi-year, particular cases of work, EC residence permit for long-term residents, subsidiary protection, temporary protection, scientific research, study (in this case it is possible to work for maximum 20 hours per week and 1,040 hours per year); humanitarian reasons and work holidays.

Instead, you cannot work if your residence permit is for:

- tourism;
- religious reasons;
- medical treatments;
- minors;
- request for political asylum;
- business;
- justice
- pending citizenship.

Attention: for asylum seekers, if asylum is not granted within 6 months following the request for reasons that cannot be attributed to the foreigner, the residence permit will be renewed for another 6 months and will allow the owner of the permit to carry out a subordinate work activity until the bureaucratic procedure is concluded.

127. What to do in order to hire a foreign worker already residing in Italy?

Employers that intend to hire foreign workers regularly residing in Italy and owning a residence permit allowing to work shall send to the Employment Centre of the place in which the place of work is located, within 24 hours of the day preceding the employment, the **form “UNILAV”** for the compulsory employment notification.

Through the sending of such form, to be made exclusively via computer, all the notification obligations are complied with at the same time: to the National Social Security Institute (INPS), to the Italian Workers’ Compensation Authority (INAIL), and to any other replacement or exclusive social security institutions, as well as to the Prefecture.

The form, in fact, also contains the commitments (previously included in “form Q”), which employers shall abide by in compliance with the Consolidated Law on immigration, namely the payment of expenditures for the eventual repatriation (including forced) of foreigners and the indication of the accommodation of foreign nationals.

Also in case of domestic work, the notification made to INPS is now valid for the purpose of the compliance with the obligation to file the former form Q.

In order to issue/renew the residence permit for work purposes, foreign nationals shall enclose to their application a copy of UNILAV. During such phase, foreign nationals owning the post office receipt certifying the application for renewal may continue to work.

Additional information and forms are available in the mandatory notifications service in the website [Clic lavoro](#).

Entry from abroad

128. How to enter Italy for work?

The number of foreign citizens that can be admitted in Italy for subordinate employment (including seasonal) or self-employment is defined every year by the “entry quotas”, which determine the maximum number of non-EU citizens that can enter Italy for employment (subordinate, seasonal or self-employment). In special cases established by the law it is possible to enter for employment even outside the limits of the quotas.

129. What does it mean entries outside of quotas? Who can enter Italy through such channel?

The so-called “entries outside of quotas”, are entries for work reasons possible during the entire year and for which no numerical threshold applies (exception made for entries for training internships, professional and amateur sports and for volunteering activities) and, in general, a simplified procedure is envisaged for the issuance of permits for work purposes. In some cases, then, (seconded managers, university professors, specialised workers seconded in Italy, maritime workers, apprentices and journalists) the work permit is bypassed and the procedure envisages directly – or upon notification to the One-Stop Shop – the application for the entry visa to the Italian diplomatic or consular representations abroad.

According to the Italian law (article 27 et seq. of Legislative Decree no. 286/98), entry in Italy outside of quotas (for employed or self-employed work) is allowed to:

- highly specialized managers/staff;
- university professors who will hold an academic post in Italy;
- foreigners with higher education qualifications that allow access to PhD level programs in their country of origin, who will participate in research programs, provided that the request comes from a research institute is appropriately registered in a list held by the Ministry of Education, University and Research;”
- translators and interpreters.;
- foreigners who are between 20 and 30 years old, who are accepted in volunteer programs conducted by religious organizations that are recognized by the State, by NGOs and by associations for social advancement, following an agreement signed between the foreigner and the organization.

Only in the case of employed work, the following workers can enter outside of quotas:

- family collaborators that have carried out for at least 1 year abroad full time domestic work with Italian citizens or with the citizens of a EU country resident abroad that move to Italy;
- foreigners, authorized to reside in Italy for professional training reasons, who carry out training periods with Italian employees, even if carrying out “subordinate” work activities;
- workers who are employees of organizations or businesses that operate in the Italian territory;
- maritime workers;
- employed workers, individual people or legal entities, residing or having their headquarters abroad, who are temporarily transferred from abroad to work with individual or juridical people who reside in Italy, in order to carry out specific services in the Italian territory according to an agreement in a “works contract” signed between the worker and the aforementioned individual or legal entity;
- workers employed by circuses or shows travelling abroad;
- artistic/technical staff who work on lyrical, theatrical, concert or ballet shows;
- dancers/artists/musicians to be employed in places of entertainment;

- artists who will be employed by musical, theatrical and film businesses, in radio and television businesses and by public organizations for cultural and folklore events;
- sports professionals;
- journalists/correspondents who are officially accredited and employed by press agencies or broadcasters;
- people working occasionally in youth exchange programmes, or people working “au pair”;
- professional caregivers hired within public and private health facilities.

Additional information on the procedures to be followed for each category, please read the focus “[The Blue Card and other particular cases of entry outside of quotas](#)” (also available [in English in the website http://www.integrazionemigranti.gov.it](#))

130. What is the EU Blue Card? Whom can it be issued to?

Legislative Decree no. 108/2012 introduced highly skilled workers as a category of workers that can enter Italy out of the quotas set by the Flow Decree.

A highly skilled worker is a foreign national owning a high-school certificate, issued by the competent authority of the Country of origin, attesting the completion of a post-secondary higher education program of at least three years.

The professional qualification diploma, certified by the Country of origin, must be recognized in Italy. As to the recognition of non-regulated professions (namely higher professional qualifications not comparable to a professional qualification regulated in Italy), foreign nationals or employers shall submit the application to the Ministry of Education, University and Research.

For the purpose of the recognition of professions regulated in Italy, the authorities competent to receiving applications are those mentioned in art. 5 of Legislative Decree no. 206/2007.

Foreign workers who entered Italy as highly qualified workers are issued a residence permit called “EU Blue Card”. Such permits have a two-year validity in case of an open-ended labour contracts; in all the other cases, their validity shall have the same duration as the employment contracts.

131. What is the procedure to obtain the EU Blue Card?

The permit application (form BC) submitted by the employer shall be sent to the One-Stop Shop through the suitable IT procedure available in the website of the Ministry of the Interior (<https://nullaostalavoro.interno.it>) accessible through a free-of-charge registration to such website.

In addition to the guarantees on housing and the residence contract proposal, employers shall also indicate:

- the binding job proposal envisaging a duration of at least one year for the performance of a working activity requiring a high vocational qualification;
- academic and vocational qualifications obtained by workers;
- the amount of workers’ annual gross salary not lower than the triple of the minimum amount set for the exemption from the eligibility to healthcare spending (that is to say € 24,789, namely 8,263 x 3).

After the issuance of the permit – within 90 days as from the filing of the application – foreign workers can

apply for an entry visa to the Consulates or Embassies of their Country of origin, or – if already regularly residing in Italy for any other purposes – they can sign the residence contract directly at the One-Stop Shop for immigration. The entry visa is in any case necessary in case of applications involving for foreign

nationals regularly staying in Italy under international protection, temporary protection or humanitarian reasons, besides for foreigners residing in Italy for seasonal work or seconded work under art. 27, letter a), g) and i) of the Consolidated Law on Immigration.

The work permit is withdrawn if foreign workers do not sign the residence contract at the One-Stop Shop for immigration 8 days as from their entrance to Italy, exception made for cases of “*force majeure*”.

Limitations apply in case of EU Blue Card Holders for the first two years of legal employment in the national territory, both as to the performance of working activities other than the “highly skilled” ones and to the possibility of changing one’s employer. In the former case, an absolute ban is in force, whereas in the latter case any change shall be previously authorised by the competent Territorial Labour Directorates. Following the signing of the residence contract and the notification of the work contract, workers will be issued an electronic residence permit with the wording “EU Blue Card”; its duration will be two years in case of open-ended contract, or with the same duration as the work contract.

132. What does planning of entry flows mean?

Entering the Italian national territory for employed work (including seasonal) and self-employed work is possible – exception made for some professional profiles for which the entry outside of quotas is allowed – only in the framework of the maximum entry quotas annually set by the decrees planning the entry flows for work reasons. These are the decrees adopted by the Presidency of the Council of Ministers on an annual basis.

The last general flows decree adopted for the employment of non-seasonal workers from abroad dates back to 2010 ([Decree of the President of the Council of Ministers of 30th November 2010](#))

The **Decree of the President of the Council of Ministers dated 25th November 2013** set entry quotas for self-employed work only (2,300 quotas), for workers of Italian origin residing in Argentina, Uruguay, Venezuela and Brazil (300 quotas), and for the workers who completed the training programmes in the Countries of origin as per art. 23 of the Consolidated Law (3,000). See additional information in the [Migrants Integration Portal](#).

133. I found an employer available to hire me: what shall he/she do?

The submission by an employer – either Italian or foreigner regularly residing in Italy – of the application for an employment permit involving non-EU nationals represents the point of start of the entire procedure.

In order to obtain an entry visa for employed-work, in fact, workers shall own the work permit issued by the One-Stop Shop for immigration.

The work permit application may only be filed after the publication in the Official Journal of the Republic of Italy of the annual decree on entry flows, according to the procedures provided for in the ministerial circular letters adopted in due time before the date set for the submission of applications.

The One-Stop Shop issues the permit provided that the employment application submitted by the employer:

- falls within the quota annually set by the flows decree;
- that no Italian or EU or non-EU worker registered in unemployment lists or censured as unemployed is available to accept that specific employment (also in case of availability, the employer has the power to confirm his/her request)
- that no impedimental reasons exist by the Police Headquarters.

In general, different flows decrees are adopted for the employment of seasonal or non-seasonal workers.

Attention – Law no. 99 of 9th August 2013 introduced an important novelty as to the verification procedure at the Employment Centres relating to the employment of workers already residing in Italy. Whereas according to the former procedure once the employer sent the work permit for the worker to be employed, the One-Stop Shop for Immigration notified such applications to the competent Employment Centre, which in turn – within 20 days – had to verify the eventual availability of national, EU or foreign nationals already owning the residence permit for being employed instead of the foreign worker, the new procedure brought forward the moment of such verification at the Employment Centres. **The obligation to ask for such verification to the Employment Centre pertains to the employer, which shall perform such task before submitting the permit application to the One-Stop Shop for Immigration.**

134. What happens after submitting the application? How long does it take?

Applications are processed according to the chronological order of submission.

The One-stop shop for immigration notifies the applications to the competent employment Centre of the province of residence, domicile or registered office of the applicant (a step not applying in the case of applications relating to seasonal workers). Within 20 days the Employment Centre verifies the availability of national, EU or foreign workers already owning a residence permit and notifies the One-stop shop the data obtained. The Police Headquarters verify the existence of obstacles against foreign workers or employers to issue the permit. The One-stop shop, after acquiring from Territorial Labour Directorates the opinion on applicable contract conditions and on the credit worthiness of the company, and after hearing the opinion of the Police Headquarters – invites the employer for the filing of the documents indicated in the application, the issuance of the permit and the signing of the residence contract. The permit will be valid for a period not exceeding 6 months as from the date of issuance. At this point foreign workers shall submit the visa application to the consular offices of their country of origin. The Consulate notifies to the foreign national the draft residence contract for work reasons and issues within 30 days as from the application the entry visa and the tax code. Once the visa is obtained, workers can enter Italy.

Within 8 working days as from their entry to Italy, foreign workers shall go to the competent One-stop shop that verifies the documentation and delivers to the worker the tax code certificate. Foreign workers sign the residence contract for work purposes without making any changes to it, and it is kept at the One-Stop Shop.

The One-stop shop also asks foreign workers to sign the form for the application to receive the residence permit, which is then sent to the competent Police Headquarters through a suitable kit available at the post office.

Attention: foreign nationals may work and enjoy all rights – registration in the registry of personal information, change of residence, issuance of a new ID, registration in the National Health Service, issuance of the tax code, maternity leave, income support benefits, like those pending renewing the residence permit -, provided that they submitted the residence permit application to the One-stop shop for immigration within 8 days as from the entry in the national territory, and that they signed the residence contract. It will be necessary to exhibit a copy of the application issued by the One-stop shop for immigration, and the receipt of the Post Office witnessing the submission of the application.

135. How to enter Italy for seasonal work?

The entry to Italy of non-EU workers for seasonal work purposes is possible only within the quotas presently set by the Flows Decree. It is a decree adopted by the Presidency of the Council of Ministers on an annual basis.

The employment application may be filed by either an Italian employer or a foreign employer regularly residing in Italy, and it shall be destined to a worker resident abroad in one of the Countries provided for by the Flows Decree.

The entry procedures for seasonal work follow, in general, those provided for in the case of non-seasonal fixed-term and open-ended employment, with some differences introduced to streamline the establishment of these employment relations.

The employment applications may be submitted electronically by employers or trading associations on behalf of their members.

Applications shall be sent to the One-stop shop for immigration exclusively through electronic procedures, by accessing the website <https://nullaostalavoro.interno.it/>, and filling in the relevant application form.

136. And then, what happens? How long is it necessary to wait?

The entry permit is issued by the Immigration One-Stop Shop within 20 days as from the date in which the application was filed.

Starting from 2012, a new **tacit approval** procedure is in force, according to which whenever the One-Stop Shop, after twenty days, does not send its rejection for the application, the latter shall be considered as accepted if the following conditions apply:

- the application concerns a foreigner already authorised in the previous year to perform a seasonal work for the same applicant employer;
- the seasonal worker was regularly employed in the previous year and decided to repatriate on the date of permit expiration.

However, in order to avail oneself of such streamlined procedure, the employer shall specify within the Form C-stag the data - relating to the previous year – of the compulsory notification referred to the hiring of such employee and the data of the worker's residence permit.

The seasonal work permit has a minimum validity of 20 days and a maximum term of 9 months as from the date of signing of the residence contract. During such period of time, it is possible to change one's employer, provided that the employment relationship continues to fall within seasonal work.

137. What is the multi-year permit for seasonal work?

Foreigners showing they entered Italy for at least 2 consecutive years to work as seasonal workers may receive a three-year residence permit, always for seasonal work purposes. The duration of every year is the same as the last of the two previous years. To accept the application for a multi-year work permit, the previous two seasonal employments shall not necessarily immediately precede the filing of the application.

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The application may also be filed by an employer other than the one of the previous two years. The One Stop Shop, after ascertaining that the requirements are met, issues the three-year permit, bearing the annual period of validity.

One of the main advantages of the multi-year permit is to allow seasonal workers to enter Italy in the subsequent year, **irrespective of the publication of the seasonal work Flows Decree**.

The employment application in case of multi-year seasonal permit for the years following the first one may also be filed by an employer other than the employer that obtained the three-year seasonal work permit.

138. Is it possible to convert a residence permit issued for seasonal work reasons into a permit for employed work?

Foreign workers authorised to enter Italy for seasonal work purposes may convert the seasonal work residence permit into another one for employed work – either fixed-term or open ended work -, in the framework of the quotas available (the Decree of the Presidency of the Council of Ministers of 25th November 2013 set 4.000 quotas destined to such conversions).

The seasonal work residence permit shall be valid on the day in which the application is filed. Foreign workers shall send to the Immigration One Stop Shop the application for the conversion of the seasonal work residence permit into employed work residence permit exclusively through the website <https://nullaostalavoro.interno.it>.

In case of availability of quotas, foreigners are summoned to the One Stop Shop to sign the residence contract and the form applying for the employed work residence permit.

Attention: In the past, in order to convert one's seasonal residence permit into a non-seasonal work employed work, after the first entry in Italy for seasonal work, workers had to enter their Country of origin and make a new entry for the seasonal work of the subsequent year. However, the **joint circular of the Ministry of the Interior and of the Ministry of Labour dated 5th November 2013** clarified that paragraph 4 of art. 24, of Legislative Decree n. 286/98 shall be interpreted in the sense that foreign seasonal workers shall re-enter their Country of origin only for the purpose of the issuance of a new residence permit for seasonal work for the subsequent year. Conversely, with a view to the conversion into residence permit for non-seasonal employed work, specifically stated in the second sentence of paragraph 4, art. 24, there shall be – in the limits of the entry quotas – only the conditions allowing the issuance of such permit, namely the existence of an open-ended or fixed term employment, and no impediments whatsoever

In short, the circular letter of 5th November clarified that in the cases of conversion of the residence permit from seasonal to employed work, the re-entry of the seasonal worker to the Country of origin shall not be ascertained, and the obtaining of the second entry visa to Italy for seasonal work purposes is not needed, provided that the Labour Territorial Directorates and the One-Stop Shops for Immigration the existence of requirements for employment in the framework of the entry quotas specifically set for such conversions, as well as the actual employment on the occasion of the first entry for seasonal work (through the cross-check of the existence of a suitably compulsory notification).

139. Is it possible to allow the entrance from abroad of a seasonal worker with a part-time contract?

Yes, it is possible, provided that the average weekly hours are not lower than 20 hours. Workers shall be paid a monthly gross wage not lower than the one in force according to the sector-related national collective agreement.

140. In which sectors is it possible to hire seasonal workers

The sectors in which seasonal employment is possible include the **agricultural and the tourist-hotel** sectors. It shall be one of the sectors envisaged in the application forms published in the website of the Ministry of the Interior

141. I am a seasonal worker: can I enter in Italy again next year?

Yes, as a seasonal foreign worker you have the right to precedence for returning to Italy for seasonal work once you have already done seasonal worked in Italy over other citizens from your country who have never legally entered Italy for employment reasons.

Attention: A simplified silent-consent procedure has been in force since 2012; according to such procedure, in case a One-Stop Shop for immigration does not notify one's denial for the application to the employer within twenty days, such application is considered as accepted in case the following conditions are met:

- the application concerns a foreign national already authorised in the preceding year to work as seasonal worker at the applicant employer;
- the seasonal worker was regularly employed in the previous year by the employer and repatriated at the end of the permit.

In order to avail oneself of such streamlined procedure, it is however necessary that the employer specifies in the specific field within the C-stag form the data relating to the previous year of the compulsory notification on the hiring of the employer and the data on the residence permit.

142. How does one enter Italy for self-employment?

It is possible to enter within the quotas or outside the limits of the quotas, even if this second option is very limited in practice. To be able to carry out a non-intermittent self-employment activity, you must obtain a visa for self-employment. In addition you must prove that you have adequate financial means at your disposition and that the law does not reserve the activity that you carry out exclusively for Italian or European Union citizens.

Attention: The following typologies have been foreseen in the last few years: self-employed professionals, entrepreneurs that carry out an activity in the national interest, members of non-cooperative enterprises that have been in existence for at least three years, internationally known artists, and researchers.

143. What must I do to obtain a visa for self-employment?

If you intend to carry out a self-employed and non-occasional activity in Italy and you fall within the quotas set by the flows decree, the procedure is diversified according to whether the activity that you intend to carry out entails the registration in Rolls or Registries or not.

Activity requiring the registration in Rolls or Registries

In case the self-employed activity provides for the registration in Business Registries and requires an authorisation or licence or the registration in a suitable registry of roll, or the submission of a statement or notification, as well as any other administrative procedure, foreign nationals shall ask the competent administrative authority a statement indicating that no hindrances exist to the issuance of such authorisation.

If, conversely, no particular licences or authorisations are requested, the statement proving that no hindrances exist is directly issued by the Chamber of Commerce of the place where such activity is intended to be start-up.

It is also necessary to ask the Chamber of Commerce for the certificate of financial parameters to start such business. Such resources shall not be lower than the annual amount of the welfare benefit (€5,818.93).

Activities not requiring the registration in Rolls or Registries

If the activity does not require a registration in the Register of Companies, and the company activities are free from licences and authorisations, start-up reports or registrations in rolls, and for which a competent Administration cannot be identified to issue the statement, and the documents needed to apply for the visa include:

- a) A suitable contract including – if signed by an Italy company – a certificate of registration in the Register of Companies and, in case signed by a foreign customer, a certificate signed by the competent Italian consular-diplomatic representation;

- b) Copy of a formal declaration of liability previously issued by the Italian customer or its legal representative to the Territorial Labour Directorate, Labour Inspectorate Service, indicating that according to the contract signed, no employed relationship will be started;
- c) Copy of the latest balance sheet of the company filed to the registrar of companies (in case of corporations) or of the latest income tax return, in case of partnerships or non-stock corporations, certifying that the amount of revenues or income is sufficient to guarantee remuneration.

Furthermore, in order to apply for the visa, it is necessary to show to have a suitable accommodation, through an ownership or rental contract or a statement of hospitality, as well as economic support in Italy sufficient to guarantee the amount of the necessary resources. Such financial availability shall be of an amount exceeding the minimum level set by the law for the exemption from healthcare spending (€ 8,263.21 for 2013), and may be shown through a bank guarantee, a statement of the customer or of the legal representative of the company.

The documentation above shall be filed also through one's representative (through a proxy translated and legalised at the Italian Consulate in the country of residence of the foreign national) to the competent police headquarters of the territory, showing that there are no impediments or hindrances to the issuance of the visa. The permit application, to be sent to the Police Headquarters, shall include the documents linked to the activity to be carried out autonomously, including eventual permits, statements and certificates issued by the competent Authorities.

After receiving the permit from the Police headquarters, the visa application may be submitted to the Italian diplomatic representation. The Representation, after receiving the permits by the competent Authorities, will issue the visa. Once the visa is obtained, foreign nationals may enter Italy within 180 days as from its issuance, and within 8 days as from his/her entrance a residence permit shall be applied for by means of the suitable Kits.

144. Can the diplomatic authority refuse to issue me a Visa?

Yes, whether or not a Visa is issued is left to the discretion of the Diplomatic-Consular Authority. The refusal must always be in writing and explained, unless due to security and public order reasons.

145. Once I have entered Italy with my visa for self-employment, what must I do?

Within 8 working days from your entry in Italy you must obtain a Permit to Stay for self-employment or for employed work.

146. With a Permit to Stay, can I carry out any kind of self-employment activity?

Yes, any kind of self-employment activity is permitted on the condition that the performance of such activities is not reserved by law for Italian citizens or European Union citizens. In any case, foreign citizens must demonstrate that they have adequate resources available in order to carry out the activity that they intend to undertake in Italy. With a Permit to Stay for self-employment, the foreigner can also carry out a subordinate employment activity and therefore can be legally hired by an employer, without having to apply within the available entry quotas.

147. How long does the Permit to Stay last?

The residence permit has a maximum validity of 2 years, and is **renewable**.