



Employment of persons with disabilities: an assessment of the effectiveness of national policies

Italy

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Elena Vivaldi

Paolo Addis

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1 Executive summary

1.1 Analysis of the employment situation of persons with disabilities, including the disability employment gap

Data on the employment of persons with disabilities show an improvement, but the disability employment gap is still significant (at 10.4 %), and the gender-related employment gap is even wider (14.6 %). Moreover, the growth in employment rates has been slower than the European average. Over the last four years, the labour market, including for persons with disabilities, has been characterised by the dynamics triggered by the COVID-19 pandemic and the subsequent 'rebound' linked to the funds from the Recovery and Resilience facility, as approved in July 2021.

1.2 National targets for the employment of persons with disabilities, including monitoring of the targets

In the Italian context, national targets for the employment of persons with disabilities have not been defined yet. It would be appropriate to define such targets, providing monitoring procedures and adequate ad hoc funding. Furthermore, the data collection system for the employment of persons with disabilities should be improved, including by making disaggregated data available, even at regional and local levels. As is expected for other welfare sectors (see, for example, the annual report on the poverty of Italian families), the National Institute of Statistics (ISTAT) should publish an updated report every year.

1.3 Identification and evaluation of employment measures over the last decade

Over the last decade, there have been at least three measures relevant to our analysis. First, Legislative Decree No. 151 of 14 September 2015 and the subsequent guidelines approved in 2022 reformed targeted employment. Secondly, a new database for targeted employment has been created by the Ministry of Labour and Social Policies. Thirdly, Legislative Decree No. 20 of 5 February 2024¹ created a National Authority for the rights of persons with disabilities, which is potentially capable of having a positive impact on employment, too.

1.4 Future plans and overall assessment

At this moment, there is a lack of proposals in Italy for reforming employment legislation and creating an open labour market for persons with disabilities.

Although statistical data still show large margins for improvement for the employment of persons with disabilities, and Article 4 of the Italian Constitution provides that labour is a right and duty for every citizen,² the elimination of obstacles to full participation in the open labour market has not become a shared political priority yet.

¹ Available at <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legislativo:2024-02-05;20>.

² 'The Republic recognises the right of all citizens to work and promotes those conditions which render this right effective. Every citizen has the duty, according to personal potential and individual choice, to perform an activity or a function that contributes to the material or spiritual progress of society.'

1.5 Recommendations on effective target setting and monitoring

The absence of defined targets makes it a complicated task to evaluate the effectiveness of political choices regarding the employment of persons with disabilities. In the light of the above considerations, establishing detailed and realistic targets about labour inclusion could represent a significant improvement.

Improved and expanded coordination between different levels of government could produce more effective and inclusive labour policies.

In general, the continuing absence of exhaustive data on the employment trends for persons with disabilities makes the task of policymakers, stakeholders and academics even more difficult.³

³ See Scalise, G., Myftiu, J., Burini, C. and Colombini, G., 'Superare le barriere, anche dei dati. Come la mancanza di informazioni sulla disabilità influenza la possibilità di fare ricerca nell'ambito dell'inclusione sociale e lavorativa', welforum.it, 30 September 2024, available at <https://www.welforum.it/superare-le-barriere-anche-dei-dati/>.

2 Analysis of the employment situation of persons with disabilities, including the disability employment gap

2.1 Overall employment rate and trends

In 2012, the overall employment rate in Europe was 62.6 %. Since then, it has increased by several percentage points. In 2021, the overall rate was 68.4 %, representing a growth of 5.8 percentage points. The EU countries with the highest employment rates were the Netherlands (80.1 %), Germany (75.8 %), Denmark (75.5 %) and Malta (75.5 %). Italy's overall employment rate stood at 58.2 % in 2021 and was below the European average of 68.4 %: a 10.2 % difference. Furthermore, in 2021, Italy was characterised by marked territorial inequalities in terms of employment rates. Sicily recorded the lowest employment rate in Europe, at 41.1 %. At the same time, some regions in the North (the autonomous provinces of Bolzano and Emilia-Romagna) recorded an employment rate above the European average.

Except for the COVID-19 pandemic period,⁴ the overall employment rate in Italy has been steadily growing since 2014. This growth trend is essentially due to two factors. First, there has been a contraction in the working-age population, which began in 2012. In the coming years, this contraction will continue due to the population aging. Second, there is currently an increase in the number of employed persons, and this trend is expected to continue in the years to come.

In 2022, the female employment rate for those between the ages of 20 and 64 was about 55 % in Italy.⁵ Firstly, this rate should be compared with the overall employment rate of the whole population for the same ages. In the same year, the overall employment rate among people between the ages of 20 and 64 was about 64.8 %, giving a significant difference of 9.8 %. Secondly, there is also a difference between the male and female populations of workers: in Italy, around 9.5 million women are employed, and around 13 million men – giving a difference of around 3.5 million.

2.2 Description of the employment rate of persons with disabilities and trends

In 2022, the employment rate of persons with disabilities between the ages of 20 and 64 was about 54.4 %, which was lower than the overall employment rate (64.8 %).⁷ The difference between the two rates was significant, at 10.4 %.

From 2012 to 2022, the employment rate of persons with disabilities increased from 50.1 % to 54.4 %, although the increase in Italy has been slower than in the rest of Europe. The employment rate recorded in 2022 (54.4 %) was slightly higher than the European average for the same year, which was 53.1 %. The 2012 employment rate (50.1 %) was significantly higher than the European average of 43.1 %.

⁴ Regarding general employment data, reference can be made to the Confindustria report [Rates, PNRR, Superbonus, Energy: What Will Happen to Italian Growth? Spring 2024](#). See also: <https://www.openpolis.it/litalia-e-tra-gli-ultimi-stati-ue-per-tasso-di-occupazione/>.

⁵ For the female employment data for 2022, see the report of the Chamber of Deputies entitled *Female Occupation*, available at <https://documenti.camera.it/leg19/dossier/pdf/PP004LA.pdf>.

⁶ The information regarding general employment for 2022 are from the *Report on Sustainable Development Goals 2023*, issued by the National Institute of Statistics of Italy (ISTAT), available at <https://www.istat.it/produzione-editoriale/rapporto-sdgs-2023-informazioni-statistiche-per-lagenda-2030-in-italia/>.

⁷ ISTAT (2023), *Rapporto SDGs 2023* (Report on Sustainable Development Goals 2023).

From 2012 to 2022, there was an increase in the employment rate of persons with disabilities, among both females (from 41.5 % to 47.2 %) and males (from 59.7 % to 61.8 %). The gender employment gap remains significant (14.6 % in 2022), although it has decreased by a few percentage points (-3.6 % compared to 2012).

Law No. 68 of 12 March 1999,⁸ the Regulations for the Right to Work of Persons with Disabilities (*Norme per il diritto al lavoro dei disabili*) regulates the system of targeted employment placements in Italy. These regulations underwent significant reform through Legislative Decree No. 151 of 2015,⁹ which expanded the application of the legislation. The purpose of Law No. 68 of 1999 is to facilitate the entry of persons with disabilities into the workforce. The Law imposes certain hiring obligations on public administrations and private companies (i.e. employment quotas). It is a central tool for labour and social inclusion, but it has some issues. Its implementation was suspended for a few months during the COVID-19 health emergency (referring to Law Decrees No. 18 and No. 34 of 2020).¹⁰

Overall, the most significant changes in the employment rate of persons with disabilities were recorded between 2016 and 2017 (with an increase from 48.9 % to 51.8 %) and between 2020 and 2021 (rising from 50.3 % to 54.4 %). The first variation (from 2016 to 2017) may be due to the reform of the targeted placement system, which was carried out through Legislative Decree No. 151 of 14 September 2015, expanding the pool of potential beneficiaries. The second variation (between 2020 and 2021) occurred after the suspension of the targeted placement system due to the pandemic. Most likely, the end of the extraordinary suspension for the COVID-19 health emergency favoured the recovery of employment.

2.3 Description of the disability employment gap and trends

Among the main issues concerning the employment of persons with disabilities is the mismatch between labour supply and demand.¹¹ In 2022, 360 000 persons with disabilities were employed in Italy, while 775 000 persons were registered in the targeted placement lists. The total number of persons registered for mandatory placement has remained constant in recent years, exceeding 700 000. In this context, many public administrations and private companies have not fulfilled their employment obligations under Law No. 68 of 1999. There are about 145 000 reserved positions that have not been filled yet. These vacancies are unevenly distributed between private companies (77.4 %) and public administrations (22.6 %).

⁸ For the text of the law, see: <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:1999-03-12:68>.

⁹ For the text of the legislative decree, see: <https://www.normattiva.it/urires/N2Ls?urn:nir:stato:decreto.legislativo:2015-09-14:151>.

¹⁰ For the text of Decree Law No. 18 of 2020, see: <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legge:2020-03-17:18>. For the text of Decree Law No. 34 of 2020, see <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legge:2020:34>.

¹¹ Data on labour supply and demand are included in the thematic note *The Employment Inclusion of Persons with Disabilities in Italy* by Maria Giovannone, published by the International Labour Organization (ILO), and in the report *The Employment Inclusion of Persons with Disabilities in Italy*, produced by the Foundation of Labour Consultants Studies and the National Council of the Order of Labour Consultants. See: <https://www.ilo.org/it/publications/linclusione-lavorativa-delle-persone-con-disabilita-italia-0>.

Among persons with disabilities, the female employment rate was about 47.2 % in 2022, while male employment was about 61.8 %. The gender employment gap was about 14.6 %. It is difficult to explain this gap, but it is probably linked to the general gap between the male and female population of workers in Italy: there are about 13 million employed men and about 9.5 million employed women. Furthermore, motherhood has a significant impact on female job prospects: from a general perspective, one in five women stops working upon becoming a mother. The particular gap between male and female persons with disabilities may be understood in this context from the point of view of employment rates.

The implementation of Law No. 68 of 1999 has highlighted a series of issues related to youth employment.¹² The integration of younger persons into the workforce remains particularly complex. Most workers with disabilities (53.7 %) are over 50. A significant proportion (14.3 %) are over 60. Young persons under 40 make up only 17.5 % of the total workforce. These figures differ greatly from those concerning the general employment situation. Among the total number of Italian workers, the percentages of employees over 50 and under 40 are roughly equal (34 % and 36 %, respectively).

Most employees (93.7 %) have permanent contracts. However, among workers under 30, the use of temporary contracts (27.9 %) and part-time work (49.3 %) is increasing.

Other challenges in implementing Law No. 68 of 1999 concern regional differences in the employment of persons with disabilities.¹³ Most workers with disabilities are located in Northern Italy (56.3 %), and 21.5 % of employees with disabilities are in Lombardy. Besides Lombardy, other regions with the highest percentages of workers with disabilities are Lazio (11.1 %), Veneto (10 %) and Emilia-Romagna (9.8 %).

Another issue concerns the employment prospects of persons with more severe disabilities.¹⁴ Law No. 68 of 1999 provides that persons with a disability percentage above 45 % can access targeted placements.¹⁵ Employment rates are higher for those with mild disabilities: the majority of workers (61.9 %) have a mild disability (below 67 %). Only 14.2 % of employed individuals have a severe disability (above 80 %). Nearly 50 % of persons with severe disabilities give up on any employment prospects and withdraw from the labour market.

Among persons with severe disabilities, the gap between men and women must be highlighted. The male employment rate (16.1 %) is higher than the female rate (9.1 %) – a difference of around 7 percentage points. In the case of severe disabilities, the

¹² Foundation of Labour Consultants Studies and National Council of the Order of Labour Consultants, *The Employment Inclusion of Persons with Disabilities in Italy*, p. 10.

¹³ Foundation of Labour Consultants Studies and National Council of the Order of Labour Consultants, *The Employment Inclusion of Persons with Disabilities in Italy*, p. 63. See also Bresciani, I. (2019), 'I modelli regionali di attuazione della legge n. 68/1999' (The regional models for implementing law No. 68/1999), *Rivista del Diritto della Sicurezza Sociale*, No. 2, pp. 413-426.

¹⁴ Regarding data on the various types of disabilities, reference can be made to both the thematic note and the report headed *The Employment Inclusion of Persons with Disabilities in Italy*, as cited in footnote 11 above.

¹⁵ Italy has adopted an approach based on mandatory employment quotas. Public and private employers are required to hire workers with disability in proportion to the size of the company. In particular, companies with between 15 and 30 employees have to hire at least one worker with disability; companies with between 36 and 50 employees must hire at least two workers with disability; and companies with more than 50 employees are required to meet a 7 % quota of workers with disability.

employment rate of women is very low: this is an important problem that deserves to be addressed.

Regional differences also affect the employment of persons with more serious disabilities. Lombardy has employed a significant percentage of persons with severe disabilities, corresponding to 20 % of the total number of persons employed through targeted placement in the region.

It has been highlighted¹⁶ that there is an employment issue for persons whose disabilities are not severe enough to qualify for the targeted placement system, as their disability is mild and does not reach the level of severity required by Law No. 68 of 1999. This problem has not been resolved by the recent amendments to the legal framework expanding the applicability of Law No. 68 of 1999.

2.4 Employment of persons with disabilities in ‘sheltered workshops’

The Italian situation regarding sheltered employment is rather complex, starting from the lack of lexical coherence with which this phenomenon is defined.

As has already been pointed out,¹⁷ employment outside the open labour market is currently carried out in two different types of settings:

1. ‘Rehabilitation centres’, which focus on the medical-rehabilitative functions, in accordance with Article 26 of Law No. 833 of 23 December 1978, on the Establishment of the National Health Service (*Istituzione del servizio sanitario nazionale*);¹⁸ third sector entities and ‘type A social cooperatives’ (those tasked with the management of social, health and educational services, as provided for under Article 1(a) of Law No. 381 of 8 November 1991, on the Discipline of Social Cooperatives (*Disciplina delle cooperative sociali*)).¹⁹
2. ‘Type B social cooperatives’, as defined by Article 1(b) of Law No. 381 of 1991 (social cooperatives carrying out different agricultural, industrial, commercial or service activities aimed at the employment of ‘disadvantaged persons’, as defined by Article 4 of Law No. 381;²⁰ the condition of a disadvantaged person must be demonstrated by documentation issued by the public administration, without prejudice to the right to confidentiality). Type B social cooperatives are particularly relevant to our analysis.

¹⁶ The topic is addressed in the thematic note *The Employment Inclusion of Persons with Disabilities in Italy*, cited in footnote 11 above.

¹⁷ See European Association of Service providers for Persons with Disabilities (EASPD) (2022), *Fostering Employment through Sheltered Workshops: Reality, Trends and Next Steps*, Brussels, https://easpd.eu/fileadmin/user_upload/Publications/PIL_EASPD_Sheltered_Workshops_Study_Final_Report.pdf, pp. 98-99.

¹⁸ Available at <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:1978-12-23:833!vig=2024-10-07>.

¹⁹ Available at <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:1991-11-08:381!vig=2024-10-07>.

²⁰ ‘In cooperatives that carry out the activities referred to in article 1, paragraph 1, letter b), physically, mentally and sensorially disabled persons, former patients of psychiatric hospitals, including judicial ones, subjects undergoing psychiatric treatment, drug addicts, alcoholics, minors of working age in situations of family difficulty, people detained or interned in penitentiary institutions, convicted prisoners and internees admitted to alternative measures to detention and work outside pursuant to Art. 21 of Law No. 354 of 26 July 1975, and subsequent amendments.’

As pointed out by Bottà,²¹ many cooperatives of this type were created in the 1980s, ‘as contractors for private companies dealing mainly with assembly, packaging, cleaning and landscaping’ (that is, in sectors requiring a significant amount of unskilled labour). In the past 30 years, ‘type B cooperatives’ have enabled the inclusion of several thousand persons with complex disabilities, both creating employment environments suitable for persons with disabilities and offering services for job inclusion.

It should be noted that the ‘disadvantaged persons’ included in the ‘type B cooperative’ workforce ‘must constitute at least thirty percent of the cooperative’s workers and, compatibly with their subjective status, be members of the cooperative itself’.

Overall, the Italian system favours the use of ‘type B cooperatives’ as a tool for employment inclusion: Article 12 of Law No. 68 of 12 March 1999²² provides that it is possible – for those employers that are required to respect the quotas established by the law in question – ‘to stipulate temporary job placement agreements with training purposes’, with ‘type B cooperatives’. Moreover, Article 14 of Legislative Decree No. 276 of 10 September 2003²³ provides that:

‘in order to encourage the employment of disadvantaged workers and workers with disabilities, the services referred to in Article 6, paragraph 1 of Law No. 68 of 12 March 1999 ... stipulate with the trade union associations of employers and workers ... framework agreements on a territorial basis ... concerning the awarding of work orders to social cooperatives and social enterprises themselves by associated or adhering companies: in practice, employers who sign the agreements in question entrust work orders to cooperatives, hiring staff with disabilities’.²⁴

As highlighted, the Italian legal system favours this type of employment dynamic, but it should be underlined that the transitional nature of such occupational solutions makes them uncertain, and many characteristics of sheltered employment are still present.

From a quantitative point of view, it is difficult to give an accurate assessment of the number of persons with disabilities employed in sheltered workshops, as data from the National Institute of Statistics (ISTAT) are lacking. Data from cooperative networks at a national level state that there are a total of 60 000 disadvantaged persons employed in cooperatives; of these, 10 000 are believed to be persons with disabilities.²⁵

²¹ See Bottà, M., ‘Inclusione lavorativa e cooperative sociali di tipo B. Nuovi tempi, nuove strade’, welforum.it, 9 October 2018, available at <https://www.welforum.it/inclusione-lavorativa-e-cooperative-sociali-di-tipo-b/>.

²² Available at <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:1999-03-12;68>.

²³ Available at <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legislativo:2003-09-10;276>.

²⁴ Bottà (2018), <https://www.welforum.it/inclusione-lavorativa-e-cooperative-sociali-di-tipo-b/>.

²⁵ See Confederazione Cooperative Italiane (Confcooperative), ‘Cooperative sociali B: 60 mila occupati, la metà “svantaggiati”’. Una cooperativa su 3 a guida femminile’, 5 December 2019.

2.5 Additional national indicators / data regarding employment of persons with disabilities

In recent years, some networks of associations and think tanks have provided quantitative analysis based on the ISTAT data reported above.²⁶

Qualitative research has also been carried out, albeit on small samples and in particular areas of investigation, or relating to limited territorial areas (e.g. at a regional level).²⁷

No additional national indicators appear to have been developed.

²⁶ See, for example, Dini, E. and Cagliano, S. (2023), *Il lavoro giusto al posto giusto. L'inclusione lavorativa delle persone con disabilità: criticità e prospettive*, available at <https://static-r.giuffre.it/QUOTIDIANO/Dossier%20Fondazione%20Studi%20CDL%202%20dicembre%202023.pdf>.

²⁷ See, for example, Romano, D., Cesarano, V.P. and Striano, M. (2022), 'Lavoro e libertà! L'impegno della FISH Campania per l'inclusione lavorativa delle persone disabili' (Work is freedom! FISH Campania's commitment to the labour inclusion of persons with disabilities), *L'integrazione scolastica e sociale*, vol. 21, No. 1, available at <https://rivistedigitali.erickson.it/integrazione-scolastica-sociale/archivio/vol-21-n-1/lavoro-e-liberta1/>; and Mozzana, C. and Serini, M. (2022), 'Strumenti di inserimento lavorativo per persone con disabilità a Milano: quali processi di capacitazione?' in: Terraneo, M. and Tognetti Bordogna M. (eds.), *Disabilità e società Inclusione, autonomia, aspirazioni*, Milan, Franco Angeli, pp. 36-57.

3 National targets for the employment of persons with disabilities, including monitoring of the targets

3.1 National targets for employment of persons with disabilities

At the time of writing, there are no specific targets in the Italian system dedicated to the employment inclusion of persons with disabilities.

3.2 Indicators to monitor the targets

At the time of writing, there are no specific indicators in the Italian system, as there are no targets dedicated to the employment inclusion of persons with disabilities.

3.3 Timeline of monitoring

At the time of writing, there are no specific targets dedicated to the employment inclusion of persons with disabilities in the Italian system. Consequently, there are no monitoring timelines.

3.4 Evaluation of targets

At the time of writing, there are no specific targets in the Italian system dedicated to the employment inclusion of persons with disabilities. Consequently, there are no tools for the evaluation of targets.

4 Identification and evaluation of employment measures over the last decade

4.1 Evaluation of national measures

The three most important measures adopted to promote the employment of persons with disabilities in Italy are very recent, and are as follows:

4.1.1 Measure 1: Reform of Law No. 68/1999 by the so-called Jobs Act²⁸ (Law No. 183/2014,²⁹ Legislative Decree No. 151/2015³⁰ and Legislative Decree No. 185/2016)³¹

The Jobs Act intervened on various aspects of the right to work for persons with disabilities. Legislative Decree No. 151/2015 eliminated the so-called gradual regime for companies.³²

The criteria for calculating the reserve quota have been updated: those who have a reduction in working capacity greater than 60 % or those who have a mental or intellectual disability are included in the reserve quota, even if they have not been hired through targeted employment. Furthermore, financial incentives have been introduced for companies that hire persons with disabilities, before the hiring obligation is triggered.

Legislative Decree No. 185/2016 provided for the increase in administrative sanctions relating to failure to cover the reserve quota within the deadlines established *ope legis* (Article 15, fourth paragraph, Law No. 68/1999, as amended by Article 5, Legislative Decree No. 185/2016), to incentivise companies to respect their obligations to hire persons with disabilities.³³ Furthermore, a warning procedure has been introduced for companies that do not comply with current legislation on reserve quota.³⁴

Article 1 of Legislative Decree No. 151/2015 recently provided for the introduction of guidelines on the targeted placement of persons with disabilities. These guidelines were adopted only in 2022, under Decree No. 43 of 11 March 2022 of the Minister of Labour and Social Policies,³⁵ having been developed following extensive consultation

²⁸ See Giovannone, M., 'Il collocamento dei disabili nel mercato del lavoro post-emergenziale: criticità e prospettive', *federalismi.it*, 7 April 2021, available at https://www.federalismi.it/nv14/articolo_documento.cfm?Artid=45182; Carollo, L., 'Il diritto al lavoro delle persone con disabilità nel Jobs Act', *Inapp*, 5 April 2017, available at <http://oa.inapp.org/xmlui/handle/20.500.12916/45>; and Ferrara, M.D., 'L'avviamento al lavoro dei disabili: verso il collocamento mirato "personalizzato" e la soluzione ragionevole "a responsabilità condivisa"?' ('Access to work for disabled people: towards personalized targeted placement and reasonable accommodation with shared responsibility'), *Variazioni sui Temi di Diritto del Lavoro*, No. 1, available at <https://www.units.it/sites/default/files/media/documenti/notizie/ferrara.pdf>.

²⁹ See: <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:2014-12-10:183!vig=>.

³⁰ See: <https://www.normattiva.it/eli/id/2015/09/23/15G00164/CONSOLIDATED>.

³¹ See: <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legislativo:2016-09-24:185>

³² Until 2015 it was expected that private employers employing 15 to 35 employees were obliged to hire a person with a disability only in the case of new recruits.

³³ See: <https://www.inclusyon.it/articoli/decreto-legislativo-151-15-jobs-act-le-modifiche-apportate-alla-legge-68-99.html>.

³⁴ The procedure for exemption from compliance with the quota was recently reformed through the Ministerial Decree of 11 June 2024 (available at https://www.lavorosi.it/fileadmin/user_upload/PRASSI_2024/min-lav-decreto-11-06-2024-collocamento-obbligatorio-esonero-mansioni-alto-rischio_compressed.pdf).

³⁵ See: <https://www.lavoro.gov.it/documenti-e-norme/normativa/dm-43-del-11032022.pdf>.

with the most representative organisations of persons with disabilities and incorporating almost all of the comments provided by those organisations.³⁶

The above-mentioned guidelines cover three specific categories:

1. persons with disabilities who are in the educational process, who are accessing targeted placement lists for the first time, or who have been registered for no more than 24 months;
2. persons with disabilities have been unemployed for over 24 months; and
3. persons with disabilities who are returning to the job market after resignation, dismissal, a period of illness, an accident at work, an occupational disease or rehabilitation.

The objectives pursued by the guidelines are:

- Promote, throughout the national territory, the presence and usability of adequate targeted placement services, which operate according to the principles of equal opportunities and non-discrimination. In this sense the guidelines define the essential level of services that the employment centres (*Centri per L'impiego*) must guarantee, through the specification of the functions that, step by step, they must perform;
- Promote an integrated network with social, health, educational and training services, with the National Institute for Insurance against Accidents at Work (INAIL) (in relation to skills relating to the reintegration and work integration of persons with work disabilities), for the support of the person with disabilities taken into care for the purpose of promoting their job placement;
- Promote territorial agreements with workers and workers' unions with comparatively more representative employers on a national level, third sector bodies and associations of persons with disabilities and their family members, in order to promote the employment of persons with disabilities;
- Guarantee the participation of persons with disabilities in the drafting of inclusion projects proposed by employment centres; and
- Support the standardisation of the rule implementation processes throughout the national territory to reduce the territorial gaps that characterise the Italian context.

These objectives are also pursued through the provision of a continuous monitoring system and the sharing of good practices between different local settings.

4.1.2 Measure 2: The creation of a targeted placement database and an online platform to collect good practices for work inclusion

Both of these measures are provided for by the guidelines on targeted placement, referred to above.

³⁶ See: <https://www.handylex.org/le-linee-guida-in-tema-di-collocamento-mirato-delle-persone-con-disabilita/>.

The targeted placement database (*Banca dati sul collocamento mirato*) aims to collect information relating to public and private employers subject to the hiring obligation.

This database will be populated:

- with the information issued by employers relating to the 'reasonable accommodations' that have been adopted;
- with information relating to the incentives recognised by the National Social Insurance Agency (INPS) for companies subject to the mandatory quotas for hiring persons with disabilities (Article 13, Law No. 68/1999);
- with the information issued by INAIL relating to the contributions paid to employers to carry out personalised projects in favour of persons who, due to an accident or an occupational disease, need targeted interventions to allow them to keep their job;³⁷ and
- with the information issued by the regions with reference to the data relating to incentives and benefits regarding the placement of persons with disabilities, provided on the basis of regional provisions.

The database has the aim of rationalising data collection, simplifying obligations and improving the monitoring and evaluation of interventions carried out by employers in favour of persons with disabilities. Furthermore, it aims to achieve full interoperability of information systems and databases on targeted placement at a regional level.

The online platform facilitates the systematic collection of good practices of work inclusion. The dissemination of such practices has the aim of raising the management standards of the targeted placement system and ensuring the availability of replicable action models throughout the national territory.

Under Directorial Decree No. 154 of 11 September 2023,³⁸ the methods for creating and managing a specific IT platform for good practices have been defined, as have the categories and criteria for selecting relevant experiences. The criteria that have been identified concern relevance, effectiveness, impact, efficiency, innovation, sustainability and replicability. The platform is active and can be consulted online.³⁹

4.1.3 Measure 3: Reform law on disability – Law No. 227/2021 and subsequent delegated decrees⁴⁰

Law No. 227 of 21 December 2021 does not include specific provisions on labour inclusion but provides for a series of measures and procedures that have an indirect effect on employment, and for a review of the processes for ascertaining the condition

³⁷ Art. 1(166) of Law No. 190 of 13 December 2014 (*Legge di stabilità per l'anno 2015*) attributed some competences to INAIL regarding the reintegration and work integration of persons with work-related disabilities; the Law is available online at <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:2014-12-23;190!vig=2024-10-08>. See also the related implementing circulars, [No. 51](#) of 30/12/2016, [No. 30](#) of 25/7/2017, [No. 6](#) of 26/2/2019 and [No. 34](#) of 11/9/2020.

³⁸ See: <https://www.lavoro.gov.it/documenti-e-norme/normativa/dd-154-del-11092023.pdf>.

³⁹ See: <https://servizi.lavoro.gov.it/BuonePrassi/Pubblicazione/Index>.

⁴⁰ Art. 76 of the Italian Constitution provides that the Government may exercise its legislative function in a delegated form, following principles and criteria established by Parliament, and then only for a limited time and for specified purposes. As has happened in other areas of the legal system, legislative decrees regulate the legal condition of persons with disabilities, in accordance with Delegation Law 227/2021 mentioned above.

of disability. The law introduced a requirement to unify the basic evaluation process into a single procedure, concerning work inclusion profiles and the requirements for falling within the scope of application of Law No. 68/1999.

Under Legislative Decree No. 20 of 05 February 2024⁴¹ (setting out the 'Establishment of the National Guarantor Authority for the rights of persons with disabilities, in implementation of the delegation granted to the Government'), the National Guarantor of Disabilities was established. It will be tasked with:

- dealing with complaints from persons with disabilities reporting discrimination or violations of their rights;
- ensuring broad compliance with the international human rights framework regarding persons with disabilities and monitoring for discriminatory phenomena; and
- making recommendations to the interested bodies on the reports collected, and proposing reasonable accommodations and suitable actions to overcome the critical issues encountered.

The exercise of these functions may result in greater awareness among public bodies and economic operators regarding the need to implement an inclusive company policy and adopt reasonable accommodations that favour greater employment inclusion of persons with disabilities.⁴² Currently, the Guarantor has not yet been appointed.

Legislative Decree No. 222 of 13 December 2023⁴³ (containing 'Provisions regarding the redevelopment of public services for inclusion and accessibility'), which was also adopted in implementation of Law No. 227/2021, addresses the topic of employment. One of the decree's aims is that 'of guaranteeing accessibility to public administrations by persons with disabilities and the uniformity of the protection of workers with disabilities in public administrations throughout the national territory for the purpose of their full inclusion in Article 1)'. The decree provides that public administrations must identify an executive figure who is responsible for identifying the objectives, methods and actions aimed at achieving full accessibility to administrations, physical and digital, by citizens over 65 years of age and citizens with disabilities. These objectives become part of the integrated activity and organisation plan envisaged by Article 6 of Legislative Decree No. 80 of 9 June 2021, as amended by Law No. 113 of 6 August 2021.⁴⁴

4.2 Factors influencing the employment rate of persons with disabilities

The factors that influence the employment rate of persons with disabilities are numerous and difficult to analyse on the basis of available statistical data.

Many organisations of persons with disabilities underline that the sanctions provided for by Law No. 68/1999 have little dissuasive effect,⁴⁵ with many employers preferring to pay the penalties established by law rather than comply with hiring obligations. *A contrario*, greater dissuasiveness of sanctions could prove to be a factor in increasing

⁴¹ See: <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legislativo:2024;020>.

⁴² See Manca, L. (2024), '[Il garante nazionale dei diritti delle persone con disabilità nella prospettiva del diritto internazionale](#)', *Nomos*, vol. 1.

⁴³ See: <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legislativo:2023-12-13;222>.

⁴⁴ See: <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:2021-08-06;113>.

⁴⁵ See Giovannone (2021), p. 29.

the employment rate of persons with disabilities. A similar effect could be achieved by making the hiring of persons with disabilities more attractive by adopting promotional measures.

It has been highlighted, however, that an improvement in targeted placement mechanisms could be a significant factor in the relative improvement of data on work inclusion.

In addition to improving the employment rate of persons with disabilities, strengthening targeted placement mechanisms could increase the satisfaction of persons with disabilities with their employment, which is significantly lower than average.

It seems that an action of this type, by improving job matching, could also increase the salary level of persons with disabilities, which is lower overall than the average of workers without disabilities.⁴⁶

In the background, technological change remains as a relevant causal factor. Recent ISTAT data show that digital skills are widely used, albeit with inconsistency and disparities.⁴⁷ But a recent study conducted by the European Disability Forum (EDF) underlines that accessible technologies for persons with disabilities in the workplace occupy a marginal place, as do digital training initiatives for persons with disabilities.⁴⁸ In the Italian context, the digital literacy of persons with disabilities could constitute a relevant factor for increasing their employability. However, it must be underlined that the 2024 edition of the Digital Decade report⁴⁹ does not mention data relating to the digital inclusion of persons with disabilities.

⁴⁶ See Avanian, S. and Dellaferrera, G. (2024), *A study on the employment and wage outcomes of persons with disabilities*, ILO Working Paper 124, available at <https://www.ilo.org/resource/news/new-ilo-working-paper-exposes-significant-disability-wage-gap>.

⁴⁷ See ISTAT, 'Le competenze professionali nel mercato del lavoro italiano: Anno 2022', statistiche focus, 7 June 2024, available at https://www.istat.it/wp-content/uploads/2024/06/Stat_Focus_Competenze-professionali.pdf.

⁴⁸ See Felix, A. (2024), *Digital Skills, Accommodation and Technological Assistance for Employment: Supporting the inclusion of persons with disabilities in the open labour market*, European Disability Forum.

⁴⁹ See: <https://digital-skills-jobs.europa.eu/en/latest/briefs/italy-snapshot-digital-skills>.

5 Future plans and overall assessment

5.1 Planned reforms

The Italian legal system has just completed a reform process regarding disability, following the approval of Delegation Law No. 227 of 21 December 2021.⁵⁰

Currently, there are no wide-ranging bills in the two chambers of Parliament directly addressing the right to work of persons with disabilities.⁵¹

In September 2024, the Minister of Labour and Social Policies, Marina Calderone, has publicly stated that a process to amend Law No. 68/1999 may begin, but without adding further information.⁵²

It is possible that some reform proposals will emerge with the forthcoming approval and publication of the long-awaited three-year action programme on disability, which is currently being drafted.

5.2 Potential impact of planned reforms

The lack of planned reforms regarding the employment of persons with disabilities makes it impossible to assess potential future developments.

5.3 Key lessons from national measures

Reserve quotas still appear necessary to achieve greater labour inclusion, but they are not sufficient on their own. It is necessary to introduce a verification system for compliance with quotas, based on periodic checks, including random checks, that are effective and conducted throughout the national territory.

It is necessary to raise awareness among employers and to enhance the role of the unions.

It is also necessary to give periodic training to employees with disabilities in the use of any assistive technologies available in the workplace, and to provide tutors to allow employees to overcome the obstacles they encounter at work.

5.4 Key lessons from evaluation and monitoring of measures

The lack of evaluation and monitoring measures makes it very difficult to assess any key lessons in this regard.

⁵⁰ Available at <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:2021-12-22;227>.

⁵¹ The only bill that concerns the employment inclusion of persons with disabilities concerns their participation in public selections for the public administration; see 'Atto Camera: 925', <https://www.camera.it/leg19/126?leg=19&idDocumento=925>.

⁵² See: https://www.sanita24.ilsole24ore.com/art/dal-governo/2024-09-17/disabilita-calderone-pnrr-spinta-l-inclusione-lavoro-e-sostegno-famiglie-103230.php?uuid=AFdEnnxD&refresh_ce=1, 17 September 2024.

6 Recommendations

6.1 Recommendations for Italy

- Improve coordination between the state and the regions with reference to employment services.
- Closely monitor the subnational implementation of the guidelines on the employment inclusion of persons with disabilities, approved in 2022, and take specific initiatives encouraging the widespread introduction of the post of disability manager.
- Regularly implement the platform on good workplace inclusion practices and provide adequate information through national information campaigns.
- Encourage the most representative trade unions at national level to develop specific skills on the legislation on targeted placement, on the notion of reasonable accommodation, and on the good practices contained in the new online platform developed by the Ministry of Labour and Social Policies, the *Banca dati sul collocamento mirato*.
- Collect data to be made available to policymakers, academics and stakeholders, ensuring it is up to date and precise.

6.2 Recommendations for the European Commission

- As pointed out by the EU Strategy on Disability 2021-2030, having the right skills and qualifications is a prerequisite for accessing and succeeding in the labour market. The European Commission could monitor the availability of high-quality and equal educational opportunities in Italy and could consider promoting the adoption of workplace inclusion objectives more decisively in all EU Member States.
- The social economy provides services for persons with disabilities, helps to build bridges for persons with disabilities to employment in the open labour market and offers employment opportunities. The third sector is deeply rooted in Italy, but the Commission could encourage greater coordination between disability policies and social economy policies.

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