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flash Alert

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Italy – 2016 Quota for Issuance of Work and Residence Permits

by KPMG Fides Servizi di Amministrazione S.p.A., Italy (a KPMG International member firm)

On 2 February 2016, Italy enacted the annual decree setting forth the quotas for 2016 that apply for different categories of foreign workers in Italy. The decree known as the *Decreto Flussi*¹ explains in detail:

- all numerical limits for each category of worker/citizen permitted to enter with a relevant work permit;
- the timing for the submission of the work permit request;
- and the terms and conditions around applying for a work permit.

Why This Matters

In order to work in Italy, Italian immigration and labor authorities require non-EU nationals to obtain a specific authorization, the so-called *Nulla Osta al lavoro* (work permit). Every year the Italian labor authorities establish a limited number of work permits available.

Furthermore, working visas are issued under the quota system and a pre-determined number of visas are set down in the decree.

It is important that immigration and global mobility professionals with employees destined for Italy are aware of the terms of the decree, which sets out the framework, practices, and rules for the issuance of certain employees' work permits and visas.

Note: Formal international assignments (up to a maximum five years in duration) are not part of the quota system and they are permitted according to Italian immigration rules following specific procedures.

Background

The quota system was introduced under Italy's immigration regime in 1998.² With this system in place, the Italian labor authority³ advises the government annually on foreigners' employment in Italy (non-EU individuals working in Italy) with a view to determining the numerical limit, or quota, for the following year.

Relying on academic and other research, the Italian authorities issue a study on the labor market every three years. The *Decreto Flussi* is updated annually in order to match supply and demand in the labor market.

If any quotas remain unutilized, they may be distributed at the discretion of the Labor Minister according to labor market requirements.

Categories of Workers Covered by *Decreto Flussi*

The government established a quota of 17,850 “units” for “non-seasonal” employees and self-employed individuals (a “unit” is a “person”).

What's New

Non-Seasonal Self-Employed Individuals

- Entrepreneurs – covered in this category – need to invest at least €500,000 and hire at least three employees.

Conversion of Italian Permit of Stay

- More units will be able to convert seasonal work permits and EU long-stay permits into attendant work residence permits;
- More units will be able to convert study or vocational training permits and EU long-stay permits into self-employed individual residence permits.

Non-Seasonal Self-Employed Individuals

The Decree provides for 2,400 “units” allocated for foreign citizens who belong to the following categories (again, a “unit” is a “person”):

- a) Entrepreneurs who carry out activities in connection with the Italian economy, invest at least €500,000, and hire at least three employees;
- b) Self-employed individuals belonging to a professional association or enrolled with an official/public register;
- c) An individual who has a corporate role, as defined, in a company;
- d) Highly qualified artists or those who are considered international celebrities;
- e) Foreign citizens who want to start up an innovative company, as defined, in Italy.

Conversion of Italian Residence Permit into Residence Permit for Work (Permesso di Soggiorno per Lavoro Subordinato) on the Following Basis:

- 6,500 Residence Permits on a study or vocational training basis;
- 4,600 seasonal Residence Permits;
- 1,300 EU long-stay Residence Permits.

Conversion of Italian Residence Permit into Resident Permit for Work for Self-Employed Individuals on the Following Basis:

- 1,500 Residence Permits on a study or vocational training basis;
- 350 EU long-stay Residence Permits.

There are also **additional quotas** of:

- 100 units for autonomous workers or so-called “subordinates” who live in Argentina, Uruguay, Venezuela, or Brazil, and are of Italian origin;
- 100 units for non-EU citizens who participated as staff at Expo Milan 2015.

Training

1,000 non-EU citizens who have acquired a higher education diploma/degree in their home country are permitted to enter under the “training” quota category.

Seasonal Workers

For 2016, the Italian authorities are providing 13,000 units for seasonal workers/employees classified as follows:

- 1,500 units reserved to people who have worked in Italy as seasonal workers in the last two years.

When to Apply

Applications for work permits must be submitted in Italian to the local immigration authorities via a dedicated Web site – applications are being accepted from 9 February 2016 for “non-seasonal” workers and from 16 February 2016 for “seasonal” workers.

Footnotes:

1 The new *Decreto Flussi* was published in *Gazzetta Ufficiale* (the Italian government’s official gazette) on 2 February 2016. For the *Decreto Flussi*, see:

<http://www.interno.gov.it/it/notizie/lavoratori-stagionali-e-non-stagionali-2016-procedure-flussi> .

2 Now known as the “Testo Unico sull’Immigrazione”.

3 Ministero del Lavoro e delle Politiche Sociali.

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For further information or assistance, please contact your local GMS/People Services professional or one of the following professionals with KPMG’s immigration network in Italy:*

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A Technology Platform to Help You Better Manage Your International Assignments

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If you want to learn more about how KPMG LINK Work Force can help drive efficiencies in your international assignment program, please contact your local KPMG GMS or People Services professional or Adrian Anderson at tel. +1 713-319-2544 or e-mail <ajanderson@kpmg.com>.

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