

Section – HIRING: WHAT TO DO BEFORE HIRING

Various official steps need to be taken by the employer and by the worker, depending on the worker's age and nationality.

Workers from Italy or another European Union country

**What the employer must do**

If the domestic worker is a citizen of Italy or another European Union country (Austria, Belgium, Bulgaria, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Latvia, Lithuania, Luxemburg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, or the United Kingdom), then the employer may hire the domestic worker directly once the details of the employment relationship have been agreed (hours, pay, annual leave, &c.). Citizens from Switzerland and states of the European Economic Area - EEA (Norway, Iceland, Liechtenstein) are assimilated to European Union ones.

**What the worker must do**

To be hired, a worker does not need to be on a placement list, but must have a Tax Registration Number ("codice fiscale"), an identity document and a current health card ("tessera sanitaria") issued by his/her local health authority (ASL).

Since minors can be employed over the age of 16, if the prospective employee is a minor (under 18) then as well as these documents he/she must present:

- a certificate of suitability for work [certificato di idoneità al lavoro], issued by the Health Officer of the relevant ASL after a medical examination arranged and paid for by the employer;
- a declaration by the prospective employee's parents or guardian, authenticated by the mayor of their local authority area [Comune], giving their consent for their child/ward, as an employed minor, to live in the employer's household – or, if the employment is going to be by the hour or through an agency, written permission for this from the employee's parents or guardian.

For non-EU workers

There are different procedures for a worker already living in Italy and for one at present living elsewhere.

If the non-EU worker already lives in Italy

**What the employer must do**

Anyone wanting to hire a non-EU worker already resident in Italy must make a "Temporary Working Residence Contract" with that person. This is how it is done:

- The prospective employer and the foreign worker together complete and sign Form Q in which they agree the Temporary Working Residence Contract. The form can be downloaded at [www.lavoro.gov.it](http://www.lavoro.gov.it), [www.solidarietasociale.gov.it](http://www.solidarietasociale.gov.it), [www.interno.it](http://www.interno.it) or from the website of the Immigration Service Desk [Sportello Unico dell'Immigrazione] of the employer's local Prefettura.
- The prospective employer sends the original of the contract (Form Q) by Registered Mail with Acknowledgement [raccomandata a/r] to the Immigration Service Desk of the employer's local Prefettura, enclosing a copy of the employer's own identity document;
- The prospective employer hands the foreign worker a copy of the Temporary Residence Contract and a copy of the Acknowledgement, stamped by the Service Desk. The Acknowledgement must show the particulars of the worker for whom permission is being requested.

**NB:** The procedures and forms to be used may change from year to year; so prospective employers are advised to check at the Ministry of Labour website, or the [Migrant Workers](#) section of the INPS website.

**What the worker must do**

Have a Temporary Residence Permit;

Sign the form for the Temporary Working Residence Contract, together with the employer.

**If the non-EU worker has not yet arrived in Italy**

### What the employer must do

The Italian government makes a planning decision each year (the so-called "Migrant Workers Order" [Decreto Flussi]) on the maximum number of non-EU workers that will be granted a Temporary Residence Permit for purposes of employment. The Order comes into force on being published in the Official Gazette [Gazzetta Ufficiale].

Anyone, therefore, who wants to employ a non-EU citizen currently resident abroad must wait for the Migrant Workers Order for the current year to be published in the Official Gazette, and then submit their application for an Employment Permit in accordance with the dates indicated there.

For further information browse the website of the [Italian Home Office](#)

### How to apply for an Employment Permit

The application for a permit must be submitted using the Italian Home Office's new online procedure, which can be accessed at [www.interno.it](http://www.interno.it).

Prospective employers with a PC and an Internet connection can complete and submit the application online, with the following procedure:

- a) once connected to the website, the user must **register** his/her name, last name, birthday, e-mail address and a suitable password in a dedicated section;
- b) he/she receives, then, at the e-mail address he/she has indicated, **a confirmation e-mail** he/she has to answer in order to complete the registration;
- c) he/she must **choose, in the provided list, the kind of contract he/she wants to apply for** and enter his/her and the worker's particulars along with the employment place. The user must save on his/her PC the form to be completed afterwards off-line;

**NB:** The user can make up to five applications

- d) in order to complete the saved form, **a suitable software is provided**, which **can be downloaded** following the instructions on the website;
- e) the application is now ready to be transmitted.

### How to obtain the Employment Permit

The application for a permit is automatically copied to the appropriate **Provincial Government Employment Department**, the **Questura** [Police] and the **Centre for Employment**, each of which then opens a file on it. The employer is given an appointment to come in person to the Service Desk for **delivery of the Permit** - which is valid for 6 months - and to **sign the Temporary Residence Contract**, which will have been drawn up by the Service Desk. On that occasion, the prospective employer **must show the tax-income documentation** and **the receipt of the request made for the Suitable Accommodation Certificate** (issued by the relevant local authority area [Comune] or ASL).

The Service Desk transmits the Permit and the proposal of the contract to the relevant Italian Consulate abroad, which will grant the employee the **entry visa** he/she had previously applied for.

### Getting someone else to pick up the Permit

If the prospective employer cannot, for health reasons, pick up the Permit and sign the Temporary Residence Contract in person, then he/she **can arrange for** their spouse or, failing that, a son, daughter or other relation (within the third degree: parent, child, sibling, nephew, niece, uncle, aunt) to do so. That person must show his/her **identity papers** and present a **declaration to the Service Desk official giving the reasons why the prospective employer cannot attend**.

### Other obligations as an employer

An employer must in all circumstances observe the conditions established by the Migrant Workers Order [Decreto Flussi] being in effect at the moment of the application, regarding the weekly working hours and the annual income. The prospective employer who hires a foreign worker as a personal carer, being him/herself sick or severely disabled, is not requested to provide self-certification proving his/her financial status. Besides, he/she must:

- **formally undertake to pay the cost of travel for the worker's return to his/her country of origin;**
- **formally undertake to notify the authorities of any change affecting the employment relationship;**
- **ensure that adequate accommodation is available; on the visit to the Service Desk for the Permit, a receipt slip must be presented showing that a Suitable Accommodation Certificate (issued by the employer's local Commune or ASL) has been applied for;**
- **the certificate will be required even if the worker will be "living in" as a personal carer.**

### What the worker must do

Once the permit has been granted, the Immigration Service Desk will send it, together with the Temporary Residence Contract and a Tax Registration Number which will have been requested from the Inland Revenue, to the relevant Italian consular office abroad (embassy or consulate), which will give the worker the entry visa he/she applied for previously.

This non-EU citizen, having obtained the entry visa at the Italian consular office abroad, must then:

- **present him/herself within 8 days of entering Italy at the Immigration Service Desk to sign the Temporary Working Residence Contract and the Temporary Residence Permit application, which must then be submitted to the Prefettura by registered mail.**

Lastly, the Questura will summon the non-EU citizen to receive his/her Temporary Residence Permit.

The Service Desk will also give the worker, in addition to the Temporary Residence Contract, a copy of the Charter of Values and a guide

to the immigration laws prepared by the Italian Home Office ("In Italy - Legally"), in the language version which the foreigner most readily understands.

For further details see [www.poliziadistato.it](http://www.poliziadistato.it)

#### **What if a non-EU worker already in work needs to renew his/her Temporary Residence Permit?**

The temporary working residence contract, stipulated with the employer through the form Q, is required also in case of **renewal of the temporary residence permit**. In the case of a worker already resident in Italy who has concluded his/her employment relationship and whose temporary residence permit is going to expire, if he/she accepts the proposal of a new job, then can obtain the renewal of the permit by showing the temporary residence contract stipulated with the new employer.



Ces pages sont également disponibles  
en Français

[<< Back to Domestic Workers](#)