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## “GUIDA BADANTI”

Vademecum for home help service  
and domiciliary care

The family assistant job is included in the category of the domestic job. According to Law nr. 339/58 domestic workers is *someone who is employed to support family life*. Domestic work is governed by the rules of the Contratto Collettivo Nazionale, into force from the 1<sup>st</sup> March 2007 until the 28<sup>th</sup> February 2011.

The **recruitment process** is different for European Citizens and Non-European Citizens.

*European Union Citizen:* employer can engage worker directly. It is necessary to have a valid identification document and the tax identification number (you ask for your tax identification number to the Agenzia delle Entrate). It is not necessary to have a working clearance.

*Extra U.E. Citizen:* it is not possible to engage unauthorized citizens. The employer can engage citizens with a residence permit that allows to have a paid employment. The employer is obliged to conclude an official residence job contract with the worker.

The worker and the employer are obliged to draw up and underwrite the form Q (for work contracts signed after 25/02/2005) or the form R (for job work contracts regularly signed before the 25/02/2005). These forms with the identity card are to sent to the Sportello Unico Immigrazione (Immigration Desk) by registered letter with a form of acknowledgement of receipt and to send by recorded delivery letter with advice of delivery to the Sportello Unico Immigrazione (Immigration Desk). **Important** *the employer has to deliver to the worker a copy of the work contract signed and copy of the acknowledgement of receipt stamped by the Sportello Unico Immigrazione (Immigration Desk).*

**Document necessary for the recruitment process:**

- Identity Card
- Tax identification number
- residence permit or, if you are waiting for it, a copy of the application form issued by the Immigration Desk, and the receipt that confirms the presentation of your application for the residence permit
- health Card issued by ASL

- if required school diploma or other professional declarations
- If the worker is minor, it is necessary:
- declaration of the parents or who exercises parental authority with which agree that the worker live in the family or employer;
  - certificate of suitability to the job

**Period of test:** it varies to second of the professional profile. (8 effective days for profiles toA, super A, B, super B, super C and C; 30 effective days for profiles super D and D)

**Working hours:** in the event in which the worker it is cohabiting, it can work for the maximum time of 10 hours not consecutive every day and for a maximum of 54 hours weeklies magazine. In the event in which the worker it is not cohabiting, it can work for the maximum time of 8 hours not consecutive every day and however for a total of 40 hours weeklies magazine to distribute on 5 or 6 days. The worker straight has to a time off at least 11 hours consecutive in the arc of the same day, to a not pay intermediate time off, not inferior to the 2 every day hours of effective time off. **Festivity:** 1/01, 6/01, monday of Easter, 25/04, 01/05, 2/06, 15/08, 1/11, 8/12, 25/12, 26/12 and Patronal festival: in such days the complete firm time off will be observed remaining it obligation to correspond the normal retribuzione.

**Weekly day off:** all Sunday (24 hour) and the other day to concorder for 12 hours. **Holidays:** the right to enjoy the holidays that cannot be renounced . Apart from the duration of working hours, for every years of service to the same employer, worker has a right to have 26 days on holidays (working days). If the job relationship does not exceed the years, the worker has a right to have many twelfth of period of holidays. For every day on holidays, the workers has a right to have a wages equal to 1/26 of the normal monthly wages. **Disease:** the worker must timely inform the employer and 3 day to send same to the medical certificate. The worker has straight to the conservation of the workplace for a various time to second of the seniority to the same family (10 gg. for seniority until 6 months, 45 gg. between 6 and 24 months, 180 gg. advanced to 24 months). During the

period of disease the worker has moreover straight to the half of the salary for the first 3 days and to the entire salary for the days succeeded you until one maximum of 8 gg for seniority until 6 months, 10 gg between 6 and 12 months, 15 gg advanced to 12 months. **Accidents:** if the worker will cure within 3 days, the employer is not held to make to the denunciation the INAIL, but the normal retribuzione must correspond, if it exceeds the 3 days, the employer must make report to the INAIL within 2 days from the date in which it receives the certificate. **Maternity:** the worker has straight to abstain from the job for the 2 previous months the presumed date of the delivery, the period eventually elapsing between the presumed date and that effective of the delivery, the 3 months succeeded you to the date of the delivery. The worker has straight has a emoluments of dismissal for maternity, paid from the INPS, par to 80% of the conventional wages (is necessary to have at least 52 contributions weeklies magazine in the 2 previous years the inizio of the dismissal, or 26 contributions weeklies magazine in the previous year).

**Conclusion of the job relationship.** The job relationship can be resolved from everybody with the observance of the terms of warning. For the relationships until 24 hours weeklies magazine: 8 days of calendar for the relationships of job of duration until 2 years, beyond the 2 years 15 days of calendario. The aforesaid terms are reduced of 50% in the event of dimissioni from part of the worker. For the relationships of 25 hours weeklies magazine: 15 days of calendar for the relationships of job of duration until 5 years of seniority, beyond the 5 years 30 days.