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The decision on the merits in *Unione sindacale di base (USB) v. Italy*, Complaint No. 170/2018, is now public

STRASBOURG | 05/07/2022



The **decision of the European Committee of Social Rights (ECSR) in *Unione sindacale di base (USB) v. Italy*, Complaint No. 170/2018**, became public on 5 July 2022.

In its complaint, USB alleged that the situation in Italy, where municipalities and public bodies in Sicily and Campania make abusive use of contracts for “socially useful workers, whereas these workers carry out regular work which should be assigned to employees under permanent or fixed-term contracts, amounts to a violation of Articles 1§1, 1§2, 4§1, 4§4, 5, 6§4, 12§1, 24 as well as Article E read in conjunction with each of the aforementioned provisions of the Charter. In addition, USB alleged that “socially useful workers” do not enjoy a reasonable period of notice of dismissal, the right to protection against termination of their employment without a valid reason or to appeal against such termination and request compensation. USB further alleged that this category of workers suffers discrimination in comparison with staff on permanent or fixed-term contracts as regards alternative social security protection and the right to be granted regular employment status with the public administration which uses their services.

The European Committee of Social Rights adopted its decision on the merits on 26 January 2022.

In its decision on the merits, the Committee concluded:

- by 13 votes to 1 that there is a violation of Article 1§2 of the Charter;
- unanimously that there is a violation of Article E read in conjunction with Article 12§1 of the Charter.



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Department of Social Right

Directorate General of
Human Rights and Rule
of Law
Council of Europe
1, quai Jacoutot
F - 67075 Strasbourg
Cedex

[Tél. +33 \(0\)3 90 21 55
23](#)



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