

# PROCURFAIR Snapshot ITALY

**Promoting Decent Work Through Public Procurement in  
Cleaning & Private Security Services**

## More info

Please consult and cite the full report:

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Financed by European Commission  
DG EMPL (VS/2021/0211)

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## Key insights from this Overview Report

- Cleaning and security services have been hit by erosion of wages and job stability
- Recent updates to the national Public Procurement Code have introduced some new provisions to protect labour standards, despite still persisting limitations.
- Enforcement is hindered by budgetary constraints and lack of expertise in contracting authorities
- The Public Procurement Code allows for dialogue while calls for tender are prepared
- Trade unions have been effective in securing labour protections at regional level

## **The cleaning and security sectors in Italy**

Cleaning services is a large and expanding sector in Italy, although the number of full-time workers has declined considerably over the past decade. This is due to the rise in part-time contracts and casual employment. The number of businesses operating in the sector has risen, too, as has overall turnover. Security, by contrast, is a smaller sector, with a declining number of businesses operating, most likely due to mergers and acquisitions. While the total number of employees in the security sector has grown, wages have declined. The majority of employees in the cleaning sector work for small or micro enterprises, in line with national trends for Italy. Security sector employees are more likely to work for medium or large enterprises.

## Policy and legislative developments

Legislation governing procurement in Italy is complex, but one key regulatory framework is the Public Contracts Code introduced in 2006. It was updated in 2016 and again in 2023 when important new provision to protect labour standards were introduced, despite persisting limitations and constraints. These cover three main areas. One is the design of the call for tenders, in which contracting authorities have to specify labour costs the economic operators have to comply with, with reference to relevant sectoral national collective agreements. Another is the checks and criteria when contracts are awarded, which require contractors to declare their expected labour costs, above a minimum threshold. A third is the regulation of contracts as they are executed, governing job stability, working conditions and subcontracting.

## **The role of unions and/or employers**

Trade unions have been key in promoting local experimentations on public procurement. Trade unions argue that their preventive involvement in the procurement process is fundamental for ensuring adequate regulation and its enforcement. They also argue that bids should be rated by the quality to price ratio specified in the Public Contracts Code. This would allow for technical elements of the bids, including labour protections, to be evaluated alongside economic considerations.

## **Obstacles in developing socially responsible public procurement**

Enforcement of regulations depends on the amount of resources allocated to contracts by contracting authorities. Budgets are often too low to allow contractors to design bids that include meaningful social protections. Procurement bodies also lack professional expertise.

## **Local insight**

The institutionalisation of social dialogue between procurement bodies and the social partners (particularly trade unions) in the form of procurement committees that assist procurement bodies in drafting call for tenders, awarding contracts and monitoring the execution of services is fundamental for ensuring the inclusion of social considerations in procurement.



## **Case Study One: Tuscany**

A 2019 regional law, arising from campaigns by local trade unions, aims to ensure decent working conditions in all public procurement services acquired by Tuscany. The most significant innovation is the set up of a permanent technical committee composed of local authorities and trade unions, that institutionalises the latter's involvement in drafting calls for tenders and contracts and ensures the inclusion of social criteria in tendering. The law places an emphasis on relevant collective bargaining agreements and tries to ensure job stability even if contracts change. Trade unions and procurement bodies evaluate positively the new arrangement, particularly the operation of the permanent technical committee, although contractors lament their exclusion from its working.

## **Case Study Two: Trento**

Trento provincial authorities added a “strong” labour clause to their procurement regulation in 2019, to ensure the stability of occupational conditions in case of a change of contract and prevent the deterioration of these conditions for outsourced staff. Cleaning and security workers appear to have been particularly badly affected by the latter. Trade unions ran a campaign to improve regulation that included public protests. The cause was also taken up by local centre-right opposition parties, against a centre-left administration. The new clause aims both to safeguard employment and to maintain existing working conditions in the event of a change of contract. The law also includes indications on the collective agreements to be applied to different outsourced activities. Interviewees believe the new law – along with an existing procurement committee made up of procurement bodies, unions and employers – has improved working conditions.

## **Case Study Three: Emilia-Romagna**

In 2021, the Emilia-Romagna region signed a memorandum of understanding on public procurement with the main confederal trade unions. This established a set of mandatory rules to ensure higher labour standards in public tenders, as well as stricter enforcement of labour clauses for employment continuity compared to the provision contained in the national Public Contracts Code. This obliges procurement bodies to consult with trade unions before drafting calls to tender and to include strict social clauses in any contracts. Procurement bodies must also consult with trade unions and service providers before any change in contract. Existing working conditions must be maintained in the event of any subcontracting. The agreement builds on an earlier initiative to counter organised crime infiltration of procurement in the regional healthcare system. So far, there is evidence the new agreement has ensured job continuity in at least one call for tender, for healthcare cleaning services. Trade unions also value the ability to intervene at early stages of the procurement process.

## **Case Study Four: Romagna Local Health Authority**

The Romagna Local Health Authority signed a memorandum of understanding with local confederal trade unions in 2019. This makes it compulsory to include social considerations in calls for tender and establishes a permanent dialogue between the health authority and trade unions on what regulation and standards to include in public tenders. The agreement aims in particular to ensure greater job stability and better monitoring of compliance. Again, this builds on an earlier regional initiative to counter organised crime. The new agreement has proven successful in safeguarding working conditions, especially wage levels, in a tender for security services during the pandemic.