

TYPES OF LEAVE FOR HEALTH REASONS

Do you need to take time off work for health reasons or to assist a family member with a disability?

These are the different types of leave.



Employees, both public and private, with a permanent or fixed-term contract are **entitled to leave**.

Leave is granted as long as the seriously disabled person is not staying full-time in a hospital or similar facility or, if they are hospitalised, only in special situations.

The possibilities for taking time off work concern

- parents (including foster or adoptive parents) with children who are seriously disabled.
- relations of people with serious disabilities.
- disabled workers.

LEAVE FOR DISABLED WORKERS

Public or private employees, including those on fixed-term contracts, may request:

- hourly leave of 2 hours per day with working hours equal or greater than 6 hours, or 1 hour if less than 6 hours;
- monthly leave, instead of hourly leave, of three days.

LEAVE FOR WORKERS WHO ASSIST DISABLED FAMILY MEMBERS

DAILY PERMITS UNDER LAW 104

Workers who assist a seriously disabled family member have the right to 3 days leave per month.

Daily leave under Law 104 is always paid.

To help a seriously disabled child, daily leave under Law 104 is granted to both parents, including adoptive parents, who may use them alternately.

On the other hand, to help any other seriously disabled family member, leave is only granted to one employee.

If a worker needs to assist more than one seriously disabled person, he or she may obtain leave for each person he or she takes care of.

EXTRAORDINARY LEAVE FOR HELPING SERIOUSLY DISABLED PEOPLE

This leave may be requested to assist seriously disabled people for an overall maximum period of 2 years, for each person who needs assistance.

Who is entitled to it:

- co-habiting spouse of the seriously disabled person

If the spouse cannot take care of them:

- father or mother, including adoptive parents

- one of the co-habiting children

- one of the siblings or another relation

Workers have the right to use leave within 60 days of the application, either continuously or broken up.

During leave, workers cannot undertake any type of work.

Workers are entitled to an allowance corresponding to their last pay.

PART-TIME REQUEST

In some special cases, workers who request to go part-time in order to help disabled family members have priority to convert their full-time employment contract into a part-time one.

EXEMPTION FROM NIGHT SHIFT WORK

Workers who have a disabled dependant are not obliged to work night shifts (from midnight to 6:00 a.m.). The request for an exemption from night shift work is submitted in written form to the employer within 24 hours preceding the expected start of the shift.

TRANSFER FORBIDDEN

Law 104 stipulates that the worker who assists a seriously disabled family member must give their consent to be transferred to another branch, otherwise the transfer is forbidden.

ASSISTING SERIOUSLY DISABLED CHILDREN

Parents, including adoptive or foster parents, who are employees and have seriously disabled children may take time off work using some types of leave.

SERIOUSLY DISABLED CHILDREN UP TO 3 YEARS OLD: daily hourly leave for parents

Parents who work for at least 6 hours may use 2 hours of daily hourly leave, or 1 hour if their working hours are less than 6. If both parents are employees, the daily hourly leave can be used alternatively by the mother or by the father. The worker is owed an allowance of 100% of their pay.

SERIOUSLY DISABLED CHILDREN UP TO 12 YEARS OLD: extension of parental leave

A working mother or, alternatively, working father of a seriously disabled child has the right to extend their parental leave, which can be used up to the child's 12th year if he or she is not a full-time patient in a specialised institution, unless the parent's presence is not required.

The parental leave extension can be used after the end of the ordinary parental leave and be used by the parents, continuously or broken up, for an overall period of no more than 3 years. For the whole length of the leave, the worker has the right to a daily allowance equal to 30% of their pay, unless the collective agreement stipulates more than this.

PAID LEAVE AND NON-PAID LEAVE FOR PARTICULAR EVENTS OR CAUSES

Workers have the right to paid leave of three working days per year or to negotiate a reduction in working hours, if their husband/wife, relative, or common-law spouse dies or is seriously ill.

Public or private employees may request, for serious family reasons, a period of leave, continuous or broken up, of no more than two years.

During leave, the worker keeps their job; he or she is not entitled to be paid and cannot undertake any type of work.

For more information, and to find out how to apply for leave, you may contact your closest "Patronato" institute.

GLOSSARY



- **Parental leave:** an optional period of absence from work granted to parents in order to take care of their children in the first 12 years of the child's life.. Parental leave is for employees.
- **Adoptive and foster parents:** if a child is abandoned, adoption makes it possible to intervene and place that child in a family that looks after them, educates and maintains them. Fostering provides help and support to a child who does not have a family environment suitable for their growth and is, thus, entrusted to a relation or to another family.

PATRONAGE



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Project co funded by



Contents developed within the project
"Engaging Pakistani Diaspora in Italy for
promoting Decent Work in Pakistan"



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