

INAIL

GUIDE

to Benefits

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Presentazione

This guide aims to give an essential outline of the social security system in which Inail (the National Institute for Insurance against Accidents at Work) operates, as well as of the most recent developments in legislation about insurance against accidents at work and occupational diseases.

This guide explains how to access insurance benefits.

It contains summary sheets that explain insurance benefits and their different types - economic, health and social-health benefits.

Other general information is available on the website www.inail.it; information may also be requested from the toll-free number 06.6001 or at local Inail offices.

Personal information relating to individual cases of accidents or occupational diseases may be requested at the local Inail branch in the area where the worker concerned is resident.

Insurance against accidents at work and occupational diseases

The Italian Constitution guarantees all citizens the right to occupational health.

The Italian State establishes the obligation for employers to insure workers performing hazardous jobs against the risk of possible accidents at work and occupational diseases, i.e. diseases caused by the worker's working activity.

The law identifies hazardous jobs and divides them into two large groups: jobs carried out by using machinery, devices or systems, and jobs strictly included on specific lists.

Inail (the National Institute for Insurance against Accidents at Work) is a public, non-economic body that provides benefits at national level, has legal status and management autonomy.

Inail provides benefits to workers who suffer an accident at work or suffer an occupational disease caused by their working activity.

Inail, together with Inps (the National Social Security Institute), is part of the Welfare System¹, to which the Italian State delegates exclusively all actions of social insurance. For this reason, these institutions are under the supervision of the Ministry of Labour and Social Policies and the Ministry of Economy and Finance.

In part as a result of recent legislative innovations, the protection of occupational health and safety has increasingly become a 'global and integrated' system that ranges from prevention in the workplace to economic and health benefits, healthcare, rehabilitation, as well as social and occupational reintegration.

In the context of a wider prevention system, Inail cooperates with the social insurance authorities of other EU and non-EU countries, as well as major international organisations operating in the field of occupational health and safety.

¹ Welfare means the set of policies aimed to support citizens, promote their well-being and guarantee fundamental rights to health, education, employment and social security.

The object of the insurance

The object of the insurance are **accidents at work** and **occupational diseases**.

An accident at work is an accident which takes place due to a violent cause - concentrated in time and external to the worker's organism **on the occasion of the working activity** that leads to **death** or **permanent disability to work/permanent biological damage** or **short-term total disability** causing absence from work for more than three days.

An **occupational disease** differs from an accident in its relationship with the worker's job, insofar as it is contracted **in the working activity** - prolonged over time - **and due to** the working activities performed.

Insurance against occupational diseases covers the same persons for whom there is the obligation of insurance against accidents at work.

Protection and automatic entitlement to benefits

The insurance is compulsory for all employers who employ subordinate and/or semi-subordinate workers in activities that the law identifies as hazardous.

Insurance against accidents at work and occupational diseases is a **compensatory** social insurance: the compensation paid by Inail cannot exceed the amount of the damage suffered by the insured person.

One of the essential characteristics that distinguish the insurance against accidents at work and occupational diseases from private insurance is the **automatic entitlement to the benefits**.

According to the **principle of automatic entitlement to benefits** the insurance covers also the case in which the employer has failed to pay the insurance premium.

As regards **self-employed workers**, who are at the same time the policy-holder and the insured person, their entitlement to economic benefits remains suspended pending payment of the premium.

The principle of automatic entitlement to benefits does not apply to domestic accidents, for which entitlement to the annuity is effective from the day after the payment of the premium.

The insurance also exempts the employer from civil liability for damage suffered by employees, except in the event that the employer is found to be in breach of prevention rules and regulations.

The evolution of protection regulations

Since 1965, when the “Consolidated Law on insurance against accidents at work and occupational diseases” was issued, the set of benefits provided by Inail have been subject to gradual changes, moving towards an ever more extensive protection of the worker.

Law no. 493 of 3 December 1999 introduced the insurance against **domestic accidents**. This was the first law in Europe for the protection of health in the domestic sphere.

Legislative Decree no. 38 of 23 February 2000 redefined the overall role of Inail and brought about important innovations by placing the **injury to the person of the worker** at the centre of the system, as an infringement of the fundamental right to health; and thus it provided for compensation for **biological damage**.

It also introduced the protection against **commuting accidents**, i.e. accidents occurred on the worker’s journey from home to the workplace and vice versa; these were previously compensated only following favourable rulings.

The insurance obligation has also been extended to **semi-subordinate workers, executives and professional sportspeople**.

The new compensation legislation applies to accidents that occurred and occupational diseases reported **from 25 July 2000 onwards**, date of publication of Legislative Decree no. 38 of 23 February 2000 in the Official Journal of the Italian Republic.

As regards occupational diseases, the Ministerial Decree of 9 April 2008 introduced **new tables of occupational diseases** in industry and agriculture, drafted for insurance purposes².

In 2014, the prevention and epidemiological list of work-caused or work-related diseases³ **was also updated**. The doctor is obliged to report the disease pursuant to art. 139 of Consolidated Law 1124/ 1965.

² The new tables annexed to the Decree were approved by the Ministry of Labour with Ministerial Decree 9/4/2008 as replacing the tables of annexes 4 and 5 of Consolidated Law 1124/1965 upgraded by Presidential Decree 336/94.

³ The list, consisting of three sections (diseases of high probability occupational origin, limited probability occupational origin or possible occupational origin) - issued with Ministerial Decree 10/6/2014 - replaces the previous list approved with Ministerial Decree 11/12/2009. The list is updated by a Scientific Committee especially set up by art. 10 of Legislative Decree 38/ 2000.

As regards the health protection guaranteed by Inail, Legislative Decree no. 81 of 9 April 2008, as amended by Legislative Decree no. 106 of 3 August 2009, confirmed Inail authority for “investigations, certifications and any other medico-legal service to workers who suffer injury or occupational disease” (article 12, paragraph 1, of Law no. 67 of 11 March 1988), and confirmed the possibility for agreements to be concluded between Inail and the regional authorities to regulate the provision by Inail, together with medico-legal investigations, of the primary outpatient care needed in case of an accident at work or occupational disease (article 12, paragraph 2).

Moreover, it has been also established that Inail can deliver rehabilitation benefits outside the hospital system, and can provide the injured and those suffering from an occupational disease with all the care needed, including via public and private services, in agreement with the regional authorities concerned.

As provided by the above-mentioned rules, which give Inail autonomous and direct authority concerning health, in parallel with the authority of the National Health Service, the legislator foresaw the need for a framework agreement to be concluded in a Permanent Conference of the State and Regional Authorities.

This agreement was approved on 2 February 2012 and defined the methods of delivery by Inail of healthcare benefits, with a view to the full integration between the levels of protection provided by the National Health Service and those provided by Inail, with the aim of ensuring the greatest synergy between the two for a better care of insured persons.

Starting from February 2013, Inail signed with the Regional Authorities the memorandum of understanding required for the implementation of the Framework Agreement.

Since Inail has given priority, among the various supplementary benefits, to those for rehabilitation, it concluded with the individual Regional Authorities agreements for the timely delivery of supplementary rehabilitation benefits to those injured or suffering from an occupational disease by public and/or accredited private health facilities, at Inail expenses, based on Individualised Rehabilitation Plans authorised by Inail.

The ongoing evolution of the health protection of the workers injured or suffering from an occupational disease has also led to the “Inail Regulation for the provision to victims of occupational injuries and diseases of technical devices and support measures for their social reintegration”, drafted in 2011. With a view to

the recovery of independence and to reintegration, this Regulation provides for not only the provision of technical devices, but also a series of measures in support of persons with work-related disability (psychological support and primary and secondary autonomy development; actions for integration and re-socialisation to promote quality of social life, communication activities and the use of spare time; measures to facilitate reintegration at work and to promote physical exercise). These measures take into account all aspects of the person in his/her family, working and social life.

In the legislative evolution outlined above, there was the fundamentally important entry into force of Article 1, paragraph 166 of Law no. 190 of 23 December 2014 (Stability Law 2015), which assigned to Inail authority as regards the rehabilitation and reintegration into working life of persons with a work-related disability, to be implemented via personalised projects for job retention or the search for new employment.

Inail has implemented the aforementioned provision by taking an active role in the creation of personalised work reintegration projects for job retention in order to support work continuity. These projects are developed by Inail local multidisciplinary teams with the support of technical professional advisers, for the implementation of actions for professional retraining, the removal of architectural barriers in the workplace, the adjustment and adaptation of work stations.

Furthermore, an experimental initiative has been launched to support measures for integration in new employment, where the demand by the person with work disability meets the offer of work by an employer, even following the activation of services for this purpose.

The benefits

Inail provides economic, healthcare, social-health and supplementary benefits to the injured workers or workers suffering from an occupational disease.

The economic benefits paid by Inail, **except the allowance for short-term work disability and the direct annuity supplement, are not subject to taxation and cannot be foreclosed or transferred.**

Economic benefits:

- **daily allowance for short-term total disability**, which is paid from the fourth day following the event until the end of the short-term total disability period. Short-term total disability is a total and real impediment to performing a job;
- **direct annuity for permanent disability**, paid for events up to 24 July 2000;
- **compensation for damage to psychophysical integrity, biological damage**, paid for events from 25 July 2000. For sequelae ranging between 6% and 15%, a lump sum of compensation is awarded. **From 16% onwards, compensation is awarded in the form of an annuity;**
- **direct annuity supplement**, granted for the duration of the care needed to recover working capacity;
- **benefits for domestic accident;**
- **temporary transition annuity due to silicosis and asbestosis** - calculated according to the tables annexed to the Consolidated Law - for disability not exceeding 80%, paid for one year to the worker who abandons the harmful job and, for diseases reported since 1 January 2007, for damage to psychophysical integrity of up to 60%;
- **annuity to surviving dependants** of workers victim of an accident at work or occupational disease, if legal requirements are met;
- **una tantum benefit to surviving dependants** of workers victim of a fatal ac-

cident that occurred from 1 January 2007, if the same legal requirements for annuity to surviving dependants are met;

- **funeral allowance;**
- **constant care allowance**, granted for 100% permanent total disability and, for events from 1 January 2007, for the impairments listed in the Tables;
- **special monthly ongoing allowance**, granted to surviving dependants of the workers recipient of annuity who died for reasons not dependent on an accident at work or occupational disease, if the specific legal requirements are met;
- **benefit to seafarers declared temporarily unfit for maritime service** as a result of an accident at work or occupational disease recognised by Inail;
- **benefit additional to the annuity for victims of asbestos exposure** or, in case of death, for the heirs who are the beneficiaries of an annuity to surviving dependants;
- **una tantum benefit for victims of asbestos exposure** in favour of those suffering from mesothelioma **due to non-occupational exposure or in the event of their death, for their heirs;**
- **benefit to victims of asbestos exposure** in favour of the heirs of longshore workers;
- **reimbursement for hydro-mud-spa therapies and direct payment for climate therapy;**
- **reimbursement of expenses for buying pharmaceutical products** needed for reintegration into social and working life and improvement of the psychophysical integrity.

Health and social-health benefits

The injured worker/worker suffering an occupational disease is entitled to receive medical and surgical treatment provided at the expense of the National Health Service, including clinical examinations, for the purposes of recovery, stabilisation of sequelae and/or of best possible recovery of his/her psychophysical integrity.

Certain therapies or clinical and instrumental diagnostic examinations can be made directly at local Inail branches, at Regional Multi-Specialist Diagnostic Centres and/or at the Prosthesis Centre in Vigorso di Budrio and its branches and/or at the Motor Rehabilitation Centre in Volterra.

Inail checks that the medico-legal requirements for access to benefits are met and provides additional services and actions to supplement the healthcare and rehabilitation benefits, with the aim of promoting the reintegration of the person with occupational disability into family, social and working life, or to support the family of the worker in the case of death.

The benefits include:

- **Medico-legal activities**
- **Outpatient care**
specialist examinations and clinical and/or instrumental diagnostic tests and investigations, which may be requested for forensic as well as therapeutic purposes; prescribed treatments; tetanus seroprophylaxis and vaccination;
- **Supplementary rehabilitation therapies**
non-hospital benefits provided during the short-term total disability period and aimed at best possible recovery of psychophysical integrity, as well as timely reintegration into the social and working environment;
- **Prosthesis care**
benefits aimed at maximum recovery of the impaired functions and enhancement of the residual capacity of the injured worker/worker with occupational disease, as well as his/her reintegration into family, social and working life (prostheses, orthoses and other aids);
- **Support actions for social reintegration**, educational and social actions supplementing healthcare and rehabilitation benefits, aimed at supporting injured workers/workers with occupational diseases to their reintegration into family, social and working life. Support for family members is also provided;
- **Devices and actions for recovering independence**
e.g., overcoming and/or removal of architectural barriers, installation of domestic devices, provision of special vehicle controls and adaptations;
- **Interventions for work reintegration and reinstatement;**

- **Social service;**
- **Other services for social reintegration.**

Supplementary benefits

The supplementary benefits, or welfare benefits, include:

- **unemployability allowance**, granted to those that cannot be placed in any occupation sector;
- **additional year-end benefit**, for the severely disabled with disability between 80% and 100%, and for events from 1 January 2007, with psychophysical disability between 60% and 100%;
- **patent and badge of honour**, of both an honorary and economic nature, granted to severely disabled or mutilated victims of occupational injuries.

How to obtain the benefits

In the event of an accident

Obligations of the worker and the employer

The **worker** has the following obligations:

- to report the employer immediately of any accident - even minor - he/she has suffered, on pain of losing his/her right to compensation for the days elapsed from the accident to the day the employer is notified;
- to provide the employer immediately with the details of the first certificate (certificate identification number, date of issue, period of prognosis) and any subsequent certificates (sent to Inail electronically).

If the worker has no certificate identification number, he/she must provide the employer with a printed copy of the medical certificate.

If a **self-employed craftsman** cannot report the accident, the healthcare provider that first treats him/her is obliged to report to Inail.

The **employer** has the following obligations:

- if the medical certificate indicates a prognosis of at least one day, the employer must send Inail electronically the details of the accident, for statistical purposes only and within 48 hours, including certificate information (certificate identification number, date of issue, period of prognosis);
- if recovery from the accident requires more than three days, the employer must send Inail electronically the accident report and the aforesaid certificate information within two days, for insurance purposes.

The employer can view medical certificate information in the specific application in the electronic services on the website www.inail.it.

By sending the accident report electronically, the employer fulfils his/her obligation to report the competent Public Safety Authority of any fatal accidents or accidents with more than thirty days' prognosis.

If the employer fails to report an accident, the worker may report the accident him/herself.

In the event of a fatal accident, or an accident for which death is foreseen, the report must be produced within twenty-four hours of the event, using any means that offers proof of sending.

- obligation to pay the worker in full for the day of the accident and 60% of pay, unless better provided for in the terms of contract, for the next three days of leave from work.

Inail, on receipt of the accident report, checks whether the insurance requirements are met (injury at work, work occasion, short-term total disability for more than three days or death) and carries out all investigations it deems necessary by requesting additional information from the employer, the worker and other employees. It undertakes inspections or asks the local Labour Inspectorate Unit to carry out an administrative inquiry. In fatal cases, it may request an autopsy and/or examine the autopsy report.

According to the Agreement between **Inail** and **Inps**, in the event of doubts over the nature of the infirmity reported as an accident at work or occupational disease, benefits shall be paid by the first institution to receive the medical certificate.

Entitlement to receive Inail benefits has a prescription period of 3 years and 150 days from the accident or the onset of the occupational disease.

The prescription period for applying for Inps benefits for infirmity not deriving from an accident at work or occupational disease but classified as a disease is 1 year.

In case of need, workers may ask for **assistance** in filling out the paperwork from the **labour assistance institutions** (Istituti di Patronato) that, by law, protect the rights of injured workers **free of charge**.

In the event of an occupational disease

Obligations of the worker and the employer

If the worker **performs a working activity**, he/she must:

- **report the disease** to his/her employer within fifteen days of onset;
- **submit to the employer** the details of the occupational disease certificate and, in the case of continuation of treatment, the details of the certificates drafted by the treating physician and already sent electronically to Inail.

If the worker has no certificate identification number, he/she must provide the employer with a printed copy of the medical certificate.

The employer can view medical certificate information in the specific application in the electronic services on the website www.inail.it.

If the worker **does not perform any working activity**, he/she **can submit** his/her application for occupational disease recognition **directly to Inail**.

The **employer** is obliged to pay the worker in full for the day of the onset of the occupational disease, if this caused absence from work, and 60% of pay for the next three days of leave from work, unless better provided for in the terms of contract, and must report the occupational disease within 5 days of notification by the worker, providing indication of the certificate details. **Inail will deliver the benefits** from the fourth day after the onset of the occupational disease until the end of the shortterm total disability period.

Even when the occupational disease is not reported immediately, the worker can obtain Inail benefits within 3 years and 150 days (prescription period) from the day of the onset of the disease.

Ascertainment of permanent damage

At the end of the short-term total disability period, Inail may invite the worker to undergo a medico-legal examination to verify and quantify the permanent damage resulting from the accident at work or occupational disease.

For events before 25 July 2000, if the reduced or lost fitness to work, expressed as permanent disability, is established at:

- **between 11% and 100%**, the worker is entitled to an Inail annuity;
- **less than 11%**, the worker is not entitled to any Inail annuity.

In the event of subsequent worsening, the worker may submit a request to his/her local Inail branch for a **revision of his/her level of disability**, within the following time limits:

- 10 years from the date of the accident at work;
- 15 years from the date of the onset of occupational disease.

In the case of an occupational diseases caused by the inhalation of silicon dust (silicosis) or inhalation of asbestos dust (asbestosis), or by exposure to ionising radiation, there are no limits to the request for revision.

For events since 25 July 2000, if the damage to psychophysical integrity (biological damage) is:

- **less than 6%**, the worker is not entitled to any compensation⁴;
- **from 6% to 15%**, the worker is only entitled to lump-sum compensation for biological damage⁵.
The lump-sum compensation can only be adjusted once;
- **from 16% to 100%**, the worker is entitled to an annuity made up of two parts, one for biological damage and one for the economic consequences of this damage.

4 In the event of subsequent worsening, the worker may apply for lump-sum compensation if his/her disability has reached or exceeded 6%, or for an annuity if the disability has reached the level required for annuity compensation; this within 10 years of the accident or 15 years of notification of the occupational disease.

5 In the event of subsequent worsening, the worker may apply for adjustment of the lump-sum compensation already granted or the composition of the annuity, within 10 years of the accident or 15 years of notification of the occupational disease. In the case of neoplastic diseases, silicosis or asbestosis, or infectious and parasitic diseases, that explained in the previous note applies.

Revision of permanent damage in the event of an accident or occupational disease

If an annuity is provided, Inail may order (active revision) or the injured worker/worker suffering from occupational disease may request (passive revision) a **revision of the annuity**.

The outcome of the revision can be the confirmation, increase or decrease of the degree of psychophysical disability.

in the event of an accident

The revision of permanent damage can be ordered by Inail or requested by the worker concerned **within 10 years of the annuity starting date**.

The first examination can be carried out no earlier than one year from the date of the accident and no earlier than six months from the annuity starting date.

Subsequent examinations can be made:

- **no earlier than one year** after the preceding examination (in the first four years, the worker can undergo up to four examinations);
- **after the first four years** from the start of the annuity, **another two revisions can be performed**:
 - one at the end of the seventh year;
 - one at the end of the tenth year.

The last examination must be carried out at the end of the tenth year from the annuity starting date.

in the event of occupational disease

The **revision** can be ordered by Inail or requested by the worker concerned **within 15 years** from the annuity starting date.

The **first examination** can be **carried out**:

- six months from the end of the period of short-term total disability;
- one year from the date of notification of the disease, in cases in which there was no leave from work;
- subsequent revisions must be performed at a distance of at least one year from the preceding revision.

The last examination must be carried out at the end of the fifteenth year from the annuity starting date⁶.

The worker may submit an application for revision to his/her local Inail branch, accompanied by a medical certificate, in compliance with the time frames indicated above.

The person concerned will be notified in writing of the outcome of the examination.

The worker may lodge an appeal against the examination outcome with the same local office.

⁶ In the event of neoplastic diseases, silicosis or asbestosis, or infectious and parasitic diseases, for the exclusive purposes of payment of annuity and not for lump-sum compensation, the application for recognition of worsening may also be submitted beyond the aforementioned time limits, within five years of the preceding request.

Insurance against accidents at work and occupational diseases in the international context

EU legislation

The evolution of the European Economic Community to become the European Union, its expansion to include Eastern European countries and the need to remove obstacles to the free movement of persons, have made it necessary to **coordinate the different social security systems** through specific EU level legislation.

The significant objective of EU legislation on social security, due to the increasing high number of migrant workers and countries concerned, is to allow both employees and self-employed workers working abroad to retain or acquire specific rights.

On 1 May 2010, the new Regulation (EC) no. 883/2004 entered into force, together with its Implementing Regulation (EC) no. 987/2009; these replace Regulation (EEC) no 1408/71 and Regulation (EEC) no. 574/72, respectively.

The provisions of the new Regulation (EC) no. 883/04 concern, like those before them, all aspects of social security: illness, maternity, work accidents, occupational diseases, invalidity benefits, unemployment benefits, family benefits, pension benefits and benefits in the case of death.

The fundamental principle of EU legislation is that all persons who reside in a Member State (stateless persons, refugees who are or were subject to the social security legislation of one of the Member States, as well as their family members and surviving dependants) are subject to the obligations and are eligible for the benefits provided for by the legislation of each Member State, under the same conditions as the citizens of that Member State.

There are special rules for civil servants, who are subject to the legislation of the Member State of the administration body for which they work, as well as border workers (who work in a EU country other than the country of residence or domicile and therefore cross the border in both directions at least once a week), who are subject to the legislation of the State to which their employer belongs.

EU legislation also covers:

- the citizens of third countries excluded from application of the aforesaid provisions solely on the grounds of their nationality;

- Liechtenstein, Iceland and Norway pursuant to the Agreement on the European Economic Area (EEA);
- in accordance with the Agreement between the European Community and its Member States, as one party, and the Swiss Confederation, as the counterparty, on the free movement of persons.

The EU Member Countries currently include:

- **Austria, Bulgaria, Czech Republic, Croatia, Denmark, Finland, Germany, Ireland, Latvia, Luxembourg, the Netherlands, Portugal, Romania, Slovak Republic, Spain, Hungary, Belgium, Cyprus, Estonia, France, Greece, Italy, Lithuania, Malta, Poland, United Kingdom (Great Britain and Northern Ireland), Slovenia, Sweden.**

Regulation (EEC) no. 1408/71 and its Implementing Regulation (EEC) no. 574/72 remain in force for the purposes of:

- the apportionment of mixed risk annuities;
- all those cases, facts or events that occurred in or are related to periods preceding the entry into force of new EU Regulations on 1 May 2010.

Posting

An employee posted in another Member State to carry out activities on behalf of his/her employer remains subject to the laws of the Member State in which his/her employer normally operates, provided that his/her activity abroad does not exceed 24 months and the worker is not posted to replace another person.

This provision also applies to self-employed workers.

The benefits

Economic benefits

These benefits are provided by the competent institution with which the person is insured, i.e. by Inail for workers insured with Inail (except in case of particular agreements/arrangements).

Health benefits/benefits in kind

These benefits are provided:

- by the competent institution of the Member State in which the worker is insured and lives or stays;
- by the institution of the Member State of residence or place of stay on behalf of competent institution, if the worker is residing or staying in a Member State other than that in which he/she is insured.

The costs of health benefits or benefits in kind provided by Inail (such as prostheses, orthopaedic aids and other special devices, work reintegration, removal of barriers, etc.) are borne by Inail as the competent institution.

In its capacity as institution of the place of residence or stay, Inail provides health benefits or benefits in kind on behalf of the competent foreign institution.

In the case of medical examinations for revision or other medico-legal examinations or investigations to be undertaken abroad, the competent Inail office must instruct the competent institutions of the Member State in which the worker concerned is a resident or stays.

For occupational diseases caused by risk exposure for activities carried out in multiple Member States, the competent insurer is that of the Member State in which the last activity that may cause the disease in question was performed.

Non-EU legislation

For non-EU countries, social security is regulated by international Conventions or, in the absence of these, by Law no. 398 of 3 October 1987, which converted and amended Decree Law no. 317 of 31 July 1987, n. 317.

Countries with which Italy has signed international conventions:

Argentina, Australia (State of Victoria), Brazil, Canada (provinces of Ontario and Quebec), Cape Verde, Croatia, Channel Islands (Jersey, Guernsey, Alderney, Herm, Jetou and Man), former Yugoslavia⁷, Principality of Monaco, Republic of San Marino, Holy See, Slovenia⁸, Switzerland⁹, Tunisia, Turkey¹⁰, Uruguay, Venezuela.

International conventions

The fundamental principles of bilateral conventions:

- **Equal treatment:** the migrant worker has the same rights and same duties as the worker citizen of the State where he/she works.
- **Principle of territoriality:** the migrant worker is subject to the social security legislation of the country where he/she actually works (the principle of territoriality does not apply to the posted worker, who remains subject to the legislation of the State in which the company for which he/she works is registered).
- **Exportability of benefits:** benefits are not reduced, suspended or cancelled for the migrant worker who transfers his/her residence to another Member State. In the case of *accidents at work or occupational diseases*, economic benefits are guaranteed by “direct” delivery to the beneficiary; benefits in kind (prostheses, major appliances and other substantial benefits) are delivered “through” the institution of the place of residence or stay. This overcomes the principle of territoriality, which in certain cases could penalise the migrant worker where the legislation is less favourable than that of the country of origin.

The Conventions apply to citizens of the contracting Member States and eligible persons (families and surviving dependants), as well as to refugees and stateless persons residing in these Member States.

7 The Italy-Yugoslavia agreement remains provisionally in force with the Republics of Bosnia and Herzegovina, Macedonia and the Federal Republic of Yugoslavia (including Kosovo), even after the declaration of independence of these States.

8 The bilateral agreements between the Italian Republic and the Republic of Slovenia were suspended on 1 May 2004, and have been replaced by Regulations (EEC) no. 1408/71 and no. 574/72 and subsequent amendments (replaced by Regulations (EC) no. 883/2004 and no. 987/2009 on 1 May 2010).

9 On 1 June 2002, the bilateral agreements between Switzerland and the EU Member States - and therefore also the agreements in place between Italy and Switzerland - were suspended and replaced by Regulations (EEC) no. 1408/71 and no. 574/72 (art. 20 of the Agreement on the Free Movement of Persons concluded between the European Community and the Swiss Confederation).

10 Relations between Italy and Turkey are regulated pursuant to the European Convention on Social Security and related Supplementary Agreement for its application, signed in Paris on 14/12/1972.

Ratified by Italy with Law 567/1988. Entered into force on 12 April 1990.

Italy-Turkey Agreement 8 May 2012. Entered into force on 1 August 2015. Agreement for Application currently in itinere.

Countries with which Italy has no international conventions in place

The **Italian worker** who works in a country with which Italy has no social security convention in place is subject to, and protected by, **Law no. 398 of 3 October 1987**, which converted and amended Decree Law no. 317 of 31 July 1987 (Inail Circular no. 54/1988). In this case the cost of benefits is borne by Inail.

The Italian legislation on social security, as referred to in Consolidated Law 1124/1965, also applies to the **foreign worker** who works in Italy. Therefore, the worker must be insured with Inail and will therefore be entitled to receive the relevant benefits in accordance with the principles of territoriality and equal treatment.

Inail offices must appoint the competent Italian consular authorities for any medical examinations for revision or other medico-legal investigations to be made abroad¹¹.

¹¹ See Inail Circular 25/2013.

GLOSSARY OF CONVENTIONS

- **Competent authority:** Competent authority: the Minister or corresponding authority responsible for social security schemes
- **Institution:** body or authority responsible for applying the legislation
- **Competent institution:** the institution with which the worker is registered at the time of application for benefits, or the institution from which the worker is entitled to receive benefits, or the institution designated by the competent authority of the Member State (as regards Inail, the competent institution is the local Inail office in charge of the specific case and the delivery of related benefits)
- **Liaison body:** is the body acting as a liaison with other Member States and, within its own country, with all competent institutions (for Inail this function is undertaken by the Central Department for Insurance)
- **Competent State:** the State in which the competent institution is found

Benefits summary sheets

Economic benefits

- daily allowance for short-term total disability
- direct annuity for permanent disability for events up to 24 July 2000
- compensation for damage to psychophysical integrity- biological damage
- direct annuity supplement
- domestic accident benefits:
- temporary transition annuity due to silicosis or asbestosis
- annuity to surviving dependants
- una tantum benefit to surviving dependants of workers victims of fatal accidents
- funeral allowance
- constant care allowance
- special monthly ongoing allowance
- benefit to seafarers declared temporarily unfit for maritime service
- additional benefit to the annuity for victims of asbestos exposure or, in case of death of the worker, to the heir who is the beneficiary of an annuity for surviving dependants
- una tantum benefit for victims of asbestos exposure for those suffering from mesothelioma due to non-occupational exposure or, in the case of their death, for their heirs
- benefit to victims of asbestos exposure for the heirs of longshore workers
- reimbursement for hydro-mud-spa therapies and direct payment for climate therapy
- reimbursement of expenses for buying pharmaceutical products

health and social-health benefits

- medico-legal activities
- outpatient care
- supplementary rehabilitation treatments
- prosthesis care
- support actions for social reintegration
- devices and actions for recovering independence
- actions for work reintegration and reinstatement
- social service
- other services for social reintegration

supplementary (welfare) benefits

- unemployment allowance
- additional year-end benefit
- patent and badge of honour

1. DAILY ALLOWANCE FOR SHORT-TERM TOTAL DISABILITY

NATURE OF THE BEN

Economic: compensation for loss of earnings.

Subject to Irpef (personal income tax). The deduction is made by Inail, which issues the insured person with the relative tax certificate.

REQUIREMENTS FOR ENTITLEMENT TO THE BENEFIT

- occupational cause of the accident or disease;
- disability that involves leave from work for more than three days.

START DATE

From the fourth day after the date of the accident or the onset of the occupational disease that have caused the total disability.

For seafarers, the daily subsistence allowance starts the day after the injured seafarer lands.

DURATION

- for the full period of short-term total disability to work, including holidays;
- workers suffering from SILICOSIS or ASBESTOSIS perceive a daily allowance equal to the short-term total allowances, on the days in which they must leave work to undergo diagnostic tests or treatments.

ALLOWANCE CALCULATION

- 60% of the average daily wage up to the 90th day;
- 75% of the average daily wage from the 91st day up to successful clinical recovery;
- the average daily wage is calculated on the basis of that actually paid to the worker in the 15 days prior to the event;
- for specific categories, the allowance is calculated on the basis of the conventional wage laid down by Ministerial Decree, except in the case of more favourable wage established at provincial level by collective agreement for the skill level for which the worker was employed.

The employer is obliged to pay the injured worker the full wage for the day in which the accident occurred and 60% of the same wage for the ext 3 days, unless better provided for by the terms of collective or individual agreements.

For seafarers, the allowance paid is 75% of the wage perceived as at the date of landing and recorded on the register or the licence. The daily wage is calculated by dividing the wage actually paid to the injured seafarer in the thirty days prior to landing by thirty. Inail provides injured persons, provisionally and by way of

advance, with a daily allowance on the basis of the terms of payment laid down in the collective employment agreement for the relative professional category. As regards the crew for whom wage consists of the sharing of freight revenues or other income or products of the journey, conventional wages have been established for calculating the short-term total disability allowance and permanent disability annuities or annuities to surviving dependants. In determining conventional wages, the following must all be taken into account: fixed wage, percentage of revenue sharing and amount of board money (the cash equivalent of the meals to which seafarers of merchant ships are entitled), be the latter in kind or in money.

HOW TO OBTAIN THE BENEFIT

Inail pays the allowance, directly or on request, by way of advance against medical certificates with prognosis exceeding 20 days and, by way of balance within 30 days from the date of receipt of the final medical certificate.

REDUCTION

Inail may reduce by one third the amount of the allowance to workers with no dependent family members for the duration of hospitalisation.

For particular economic reasons, the insured person may ask Inail not to apply the said reduction.

For seafarers, the indemnity can only be reduced by the amount of board mo.

USEFUL INFORMATION

The payment methods used include:

- Payment into a bank account or nominal/bearer bank/postal passbook;
- Crediting a prepaid card;
- Payment into a foreign bank account (limited to foreign accounts opened in SEPA countries);
- Bank draft/postal money order made payable to the insured person (only for amounts up to 1,000 euro, as per art. 12 Law no. 214 of 22 December 2011);
- Localised payment (applied automatically by Inail to recipients who have not chosen a different payment method. The company in charge of payments sends the recipient a notice informing him/her that the amount may be withdrawn at any counter of a branch of the same company).

2. DIRECT ANNUITY FOR PERMANENT DISABILITY FOR EVENTS UP TO 24 JULY 2000

NATURE OF THE BENEFIT

Economic: compensation for reduced fitness to work evaluated on the basis of the tables annexed to Consolidated Law 1124/ 1965.

Not subject to Irpef (personal income tax).

REQUIREMENTS FOR ENTITLEMENT TO THE BENEFIT

- occupational cause of the accident or disease;
- permanent degree of disability of between 11% and 100%.

START DATE

From the day following the end of the short-term total disability period.

DURATION

Lifelong, provided that:

- in the period of time during which a revision can be performed, the recognised degree of disability must not fall below 11%;
- the annuity is not capitalised.

ANNUITY CALCULATION

The amount of the annuity is calculated on the basis of:

- the wage received in the year preceding the date of the accident or the onset of the disease;
- recognised degree of disability.

The total wage to be considered for the calculation must in any case be within the limits established by law.

For specific categories, the calculation is made on the basis of the standard wages established by Ministerial Decree.

CHANGES TO THE ANNUITY AMOUNT

- **increase, decrease or termination** as a result of changes in the degree of disability;
- **annual re-assessment** with effect from 1 July of each year, on the basis of the actual variation in consumer prices, by decree of the Ministry of Labour and Social Policies;
- **increase** by one twentieth for:
 - the spouse or civil partner¹²;

¹² For fatal domestic accidents, from entry into force of Law 76/2016, i.e. 5 June 2016.

- children up to 18 years of age;
- children unfit for work, without age limits, as long as they remain unfit;
- children up to 21 years for dependent high school students;
- children up to 26 years age for dependent university students, for the normal duration of their university degree programme.

HOW TO OBTAIN THE ANNUITY

Inail delivers it directly after the degree of disability has been ascertained.

ANNUITY CAPITALISATION

Inail pays the capital value of the annuity if, at the last revision, the degree of disability was between 11% and 15%:

after 10 years from the start date of **accident** annuity;

after 15 years from the start date of **occupational disease** annuity.

REDEMPTION OF THE ANNUITY FOR AGRICULTURAL WORKERS

Agricultural workers who receive an annuity:

- with degree of permanent disability not exceeding 20%, established on expiry of the deadline for revision, **may request lump sum settlement on the** annuity due;
- for degree of permanent disability of at least 50% - and for events after 1 January 2007, with a degree of disability of at least 35% - determined after at least two years, and for investments and improvements of his/her own activity, **may request the application of particular forms of annuity redemption.**

USEFUL INFORMATION

- in certain cases, the annuity may be non-cumulative with invalidity benefits from Inps and the Ministry of the Interior;
- it is paid in full regardless of the worker's occupational status.

Payment methods used are:

- payment into a bank account or post office account;
- payment to a nominal/bearer bank/postal passbook;
- credit payment to a prepaid card with IBAN;
- via credit institutions having specific agreements in place with Inps for annuity beneficiaries residing abroad;
- for amounts not exceeding 1.000,00 euro, cash payment at a local bank or post office.

3. COMPENSATION FOR DAMAGE TO PSYCHOPHYSICAL INTEGRITY – BIOLOGICAL DAMAGEO

NATURE OF THE BENEFIT

Economic: compensation for “damage to psychophysical integrity requiring medico-legal assessment of the person” as defined in the **tables provided for by Legislative Decree no. 106 of 23 February 2000**.

Not subject to Irpef (personal income tax).

REQUIREMENTS FOR ENTITLEMENT TO THE BENEFIT

- occupational cause of the accident or disease;
- impairment to psychophysical integrity ranging between 6% and 100%.

DATE OF EFFECT OF REGULATIONS

For accidents that occurred from 25 July 2000 onwards and for occupational diseases reported with effect from the same date.

COMPENSATION CALCULATION

The type of compensation paid is established on the basis of the degree of disability (see Table of Impairments):

- less than 6% no compensation for biological damage (**deductible**),
no compensation for property consequences;
- from 6% to 15% lump-sum compensation for biological damage (see Table of
Compensation),
no compensation for property consequences;
- from 16% to 100% annuity compensation for biological damage (see Table of
Compensation),
compensation with additional annuity for property consequences (see Table of Coefficients).

TABLE OF IMPAIRMENTS

This table is provided for by Legislative Decree no. 38 of 23 February 2000 and includes around 400 entries, enabling the assessment of impairments that were not taken into account in the past, such as aesthetic damage, damage to the reproductive system, etc.

TABLE OF COMPENSATION

The "Table of Compensation of Biological Damage" is structured according to the following criteria:

- **non income related**, insofar as the impairment causes the same injury to health for all human beings;
- **increasing**, i.e. it increases as the severity of the impairment increases;
- **variable**, on the basis of the age (decreases with an increase in age) and gender (taking into account the greater longevity of women);
- **equal**, for industry and agriculture.

The Table of Compensation is structured according to the following criteria:

- less than 6% deductible;
- from 6% to 15% it varies by gender, lump sum compensation is proportional to age and degree of disability;
- from 16% to 100%: compensation in annuity proportional to the degree of disability.

The annuity is calculated as the discounting back of the lump sum compensation.

The lump sum compensation, provided for disability degree of between 6% and 15%, must not be confused with the lump sum settlement of direct annuities for permanent disability (see data sheet no. 2).

The Inter-ministerial Decree on the "**Revaluation of biological damage**"¹³ provides for an **increase**, exceptionally, of **8.68%** of lump sum compensation and annuity from Inail, as a revaluation of biological damage.

This increase shall apply to lump sum compensation paid since 1 January 2008 and to the annuity instalments accrued since the same date.

In implementation of the 2014 Stability Law, the Inter-ministerial Decree of 14 February 2014 provided for a further extraordinary increase of 7.57%, from 1 January 2014.

The 2016 Stability Law also introduced the revaluation with effect from 1 July each year of the biological damage compensation granted by Inail, with effect from 2016. The revaluation - for which a Decree must be issued by the Ministry of Labour and Social Policies, to be adopted upon proposal by the President of Inail - will be implemented

¹³ Issued by the Ministry of Labour and Social Policies in agreement with the Ministry of Economy and Finance on 27/3/2009

on the basis of the variation in the consumer price index for the households of manual and office workers as established by Istat (National Institute of Statistics) compared to the previous year. The annual increases shall be added to the overall 16.25% extraordinary increase approved by the above-mentioned ministerial decrees.

TABLE OF COEFFICIENTS

This tool is used to calculate the additional compensation for annuities granted for the presumed property consequences for degrees of impairment equal to or higher than 16%.

The coefficient is applied to the wage actually received by the injured person within limits established by the Consolidated Law.

The additional annuity is proportional to the incidence of the impairment on the capacity of the injured person to produce occupational income and takes into account the job category of the insured person and the possibility of him/her finding new and worthwhile employment.

APPLICATION FOR RECOGNITION OF WORSENING

Article 13, paragraph 4, of Legislative Decree no. 38 of 23 February 2000 regulates worsening in the specific cases of insured persons declared recovered, with sequelae of less than 6% and between 6% and 15%.

In these cases the worker can apply for recognition of worsening of health, which, where established, leads to the awarding of lump-sum compensation or, for damage worsening greater than 15%, the payment of an annuity.

Any previous lump sum compensation paid is deducted from the annuity.

Worsening can lead to the adjustment of the previous lump sum compensation, but only once.

PRE-EXISTING DISABILITY REGULATIONS

A) If an insured person who has already suffered one or more harmful events recognised as **biological damage**, suffers a **new harmful event**, then the overall sequelae must be assessed and a single annuity or lump sum compensation must be paid that is proportional to the overall degree of impairment according to the application criteria of the Table of compensation.

The total new annuity or lump sum compensation is reduced by any lump sum compensation already paid and not recovered.

B) If the insured person suffers from pre-existing impairments due to **non-work related events**, these are only considered if they **contribute to the worsening** of the impairment suffered at work.

C) If the insured person is affected by pre-existing impairments **suffered at work** covered by the preceding provisions of the Consolidated Law:

- **if compensated by an annuity**, the degree of disability resulting from the new accident at work or occupational disease is evaluated without taking account of the pre-existing impairment. This is because the insured person, in addition to the annuity to which he/she is entitled under the new rules, will continue to receive the annuity paid under the previous legislation;
- **if not compensated by an annuity**, they are significant only if they **contribute to the worsening** the of the impairment arising from the new harmful event.

PROVISIONAL LUMP SUM COMPENSATION REGULATIONS

If upon receipt of a medical certificate attesting to the end of the short-term total disability, the final degree of disability cannot yet be determined but can be presumed to be between 6% and 15%, then **provisional lump sum compensation can be granted**. The **final settlement** must be paid at least six months and no later than one year from receipt of the medical certificate and must not be lower than the provisional lump sum settlement.

REGULATIONS IN THE EVENT OF DEATH

Art.13 of Legislative Decree no. 38 of 23 February 2000 regulates the specific case of the death of the insured person before lump sum compensation has been paid. The lump sum compensation is payable in proportion to the time elapsed between the end of the short-term total disability period and death of the insured person.

RULES FOR REDEMPTION OF THE ANNUITY FOR AGRICULTURAL WORKERS

Agricultural workers who receive an annuity:

- with degree of permanent disability not exceeding 20%, established on expiry of the deadline for revision, **may request lump sum settlement of the annuity due**;
- with a permanent degree of disability of at least 50%, established after a minimum of two years, and for investments and improvements in his/her activity, **can request the application of particular forms of pension redemption**;
- with a degree of **impairment to psychophysical integrity** (biological damage) of at least 35% due to accidents that occurred from 1 January 2007 and for occupational diseases reported since the same date, **may request the application of particular forms of pension redemption**.

4. DIRECT ANNUITY SUPPLEMENT

NATURE OF THE BENEFIT

Economic.

Subject to Irpef (personal income tax).

REQUIREMENTS FOR ENTITLEMENT TO THE BENEFIT

- beneficiary of direct annuity;
- validity of revision deadlines (10 years for accidents and 15 for occupational diseases);
- need to undergo treatments in order to recover fitness to work and psychophysical integrity.

DURATION

For the duration of treatment.

SUPPLEMENT CALCULATION

The daily rate of the annuity can be supplemented up to a maximum of 75% of the average daily wage of the last 15 days of work.

HOW TO OBTAIN THE SUPPLEMENT

At the request of the insured worker, at his/her local Inail office.

The treatments and the consequent supplement can also be provided directly by Inail.

5. BENEFITS FOR DOMESTIC ACCIDENTS

NATURE OF THE BENEFIT

Economic: compensation for reduced fitness to work evaluated on the basis of the tables annexed to Consolidated Law 1124/ 1965.

Not subject to Irpef (personal income tax).

REQUIREMENTS FOR ENTITLEMENT TO THE BENEFIT

- age between 18 and 65 years;
- performing exclusively, and free from the constraints of subordination, domestic work for the care of family members and the home environment;
- not performing any other jobs requiring registration with another insurance institution or social security fund;
- having suffered an accident during the performance of domestic work with consequent permanent disability of at least 27%;
- for accidents that occurred before 1 January 2007, the permanent disability requirement must be at least 33%.

ESSENTIAL REQUIREMENT FOR ENTITLEMENT TO ANNUITIES

In the context of insurance against domestic accidents, the principle of automatic entitlement to benefits does **not** apply: **only payment of the premium**, or self-certification of exemption in the case of payment by the State, entitle the applicant to liquidation of the annuity.

No compensation is awarded for accidents causing only short-term disability.

START DATE

From the first day following that of successful clinical recovery.

DURATION

Lifelong. This annuity, unlike others paid by Inail, is not subject to revision for changes in physical condition (improvement or worsening).

ANNUITY CALCULATION

The amount of the annuity is calculated on the basis of:

- recognised degree of disability of at least 27%, or at least 33% for accidents occurring before 1 January 2007;
- minimum standard wage established for annuities for the industrial sector.

The annuity is calculated according to the tables annexed to Consolidated Law 1124/ 1965.

HOW TO OBTAIN THE ANNUITY

The injured person must apply for the annuity at his/her local Inail office, declaring in the application:

- that he/she is insured for the year in which the accident occurred;
- that, at the time of the accident, insurance requirements were met;
- the medical unit that provided first aid;
- any persons present at the time of the accident.

In the event of a fatal injury, the annuity must be requested by eligible surviving dependants.

A medical certificate must be attached to the application that shall include, inter alia:

- the personal details of the injured person;
- the place, date, cause and circumstances of the accident;
- the date of clinical recovery;
- the consequences of the injury;
- any pre-existing conditions;
- expected sequelae that may determine permanent disability of at least 27% for accidents occurring after 1 January 2007 or at least 33 % for accidents occurring up to 31 December 2006.

For fatal accidents

- **date and cause of death.**

The actual degree of permanent disability caused by the accident shall be established by Inail.

USEFUL INFORMATION

The INAL office of the area where the worker lives is directly responsible for paying the annuity after having established the degree of disability.

Payment methods used are:

- payment into a bank account or post office account;
- payment to a nominal/bearer bank/postal passbook;
- credit payment to a prepaid card with IBAN;
- via credit institutions having specific agreements in place with Inps for annuity beneficiaries residing abroad;
- for amounts not exceeding 1.000,00 euro, cash payment at a local bank or post office.

The worker may request the assistance of a labour assistance institution or a housewives' association.

ANNUITY TO SURVIVING DEPENDANTS

For events that occurring from 17 May 2006¹⁴, insurance also covers cases of fatal

¹⁴ Pursuant to Ministerial Decree 31/01/2006.

injury. Surviving dependants of the insured person are entitled to an annuity calculated on the basis of the standard wage of the industrial sector (see data sheet no. 7. "ANNUITY FOR SURVIVING DEPENDANTS").

SERIOUS ACCIDENT VICTIM FUND BENEFIT

Two types of benefits are provided for fatal accidents occurring since 1 January 2007:

- advance payment of three instalments of the annuity to surviving dependants calculated according to the minimum legal liquidation of annuities;
- an una tantum benefit determined on the basis of the number of surviving dependants and set annually by decree based on the Fund resources available and the trend in accidents.

FUNERAL ALLOWANCE

For events occurring since 17 May 2006¹⁵ a funeral allowance is also paid (see data sheet no. 9. "FUNERAL ALLOWANCE").

¹⁵ Idem.

6. TEMPORARY TRANSITION ANNUITY DUE TO SILICOSIS OR ASBESTOSIS

NATURE OF THE BENEFIT

Economic.

Not subject to Irpef (personal income tax).

REQUIREMENTS FOR ENTITLEMENT TO THE BENEFIT

- ascertainment of silicosis or asbestosis caused by performance of hazardous jobs;
- abandonment of the harmful job to prevent the disease from getting worse;
- permanent degree of disability between 1% and 80%, established on the basis of the tables annexed to Consolidated Law 1124/1965;
- degree of impairment to psychophysical integrity - biological damage between 1% and 60%, according to the tables referred to in the Ministerial Decree of 12 July 2000, for cases reported from 1 January 2007.

START DATE

From the date of actual abandonment of the harmful job.

DURATION

One year.

ANNUITY CALCULATION

In the case of unemployment:

- 2/3 of the average daily wage received in the 30 days preceding the abandonment of the harmful job.

In the case of employment in a different job:

- 2/3 of the difference between the daily average wage received in the 30 days preceding the abandonment of the previous job and the wage received for the new job.

HOW TO OBTAIN THE ANNUITY

Within 180 days of abandonment of the harmful job, the worker must submit to Inail:

- application for temporary transition annuity;
- statement by the employer attesting to the abandonment of the previous job and the final salary received;
- medical certificate certifying that the worker has abandoned the harmful job to prevent the disease from getting worse.

In addition:

in the case of unemployment:

- certificate of unemployment

in the case of new employment:

- statement by the employer describing the nature of the new job and the relative salary.

ANNUITY RENEWAL

The temporary transition annuity may be granted a second time, again for one year, within 10 years of the end of the first annuity, on the condition that that the new job is also harmful.

USEFUL INFORMATION

The annuity is paid at a post office or a credit institution as follows:

- payment into a bank account or post office account;
- payment to a nominal bank/postal passbook;
- credit payment to a prepaid card with IBAN;
- via credit institutions having specific agreements in place with Inps for annuity beneficiaries residing abroad;
- for amounts not exceeding 1,000.00 euro, with non-transferable postal order payable to the recipient or with cash payment at a local post office or bank.

7. ANNUITY TO SURVIVING DEPENDANTS

NATURE OF THE BENEFIT

Economic.

Not subject to Irpef (personal income tax).

REQUIREMENTS FOR ENTITLEMENT TO THE BENEFIT

Death of the worker caused by an accident at work or occupational disease.

WHO IS ENTITLED TO THE BENEFIT

The following are entitled to this benefit:

- the spouse or civil partner¹⁶;
- legitimate, natural, legally recognised or recognisable and adopted children.

In the absence of spouse and children:

- natural or adoptive parents;
- brothers and sisters.

REQUIREMENTS FOR ENTITLEMENT TO THE BENEFIT

- spouse or civil partner:
 - no requirements;
- children:
 - until the age of 18, no requirements;
 - up to 21 years of age, attendance at a high school or vocational college, living as a dependant and with no paid job;
 - up to 26 years of age, enrolment on a university degree programme, living as dependant and with no paid job;
 - 18 years or over unfit for work;
- parents:
 - living as dependants;
- brothers and sisters:
 - living as dependants and cohabiting.

START DATE

From the day after the death of the worker.

¹⁶ Since the entry into force of Law 76/2016, i.e. 5 June.

DURATION

- spouse or civil partner¹⁷:
 - until death or remarriage or a new civil union;
- children:
 - until the age of 18, for all the children;
 - up to 21 years of age, if students at high school or vocational college, for the full normal duration of the course;
 - up to the end of the 26th year of age, if university students, for the full duration of the degree programme;
 - 18 years or over unfit for work: as long as the disability lasts.

In the absence of spouse and children:

- natural parents or adoptive parents:
 - until death;
- brothers and sisters:
 - under the same terms as for children.

ANNUITY CALCULATION

The annuity is calculated as follows with reference to the annual wage of the deceased worker:

- 50% to the spouse/civil partner¹⁸;
- 20% to each child;
- 40% to each child orphan of both parents;
- 40% to each natural child recognised or recognisable;
- 40% to each child of divorced parents;
- 40% to each child of a parent who is in a new marriage.

In the absence of spouse and children:

- 20% to each natural or adoptive parent;
- 20% to each of the brothers and sisters.

The sum of the annuities to be paid to surviving dependants cannot exceed 100% of the wage. Should this occur, the shares of the annuity are adjusted proportionally. The total salary to be considered for the calculation must in any case be within the limits established by law.

¹⁷ From the date of entry into force of Law 76/2016, i.e. 5 June 2016.

¹⁸ From the date of entry into force of Law 76/2016, i.e. 5 June 2016.

Surviving dependants of workers who have died since 1 January 2014¹⁹ are entitled to an annuity calculated on the basis of maximum standard wage in the industry sector.

The liquidation of annuities is revalued each with effect from 1 July based on the actual change in consumer prices, by a Decree of the Ministry of Labour and Social Policies²⁰.

HOW TO OBTAIN THE BENEFIT

In the event of a fatal injury Inail pays the annuity automatically upon report from the employer.

If the employer fails to report the injury, Inail pays the annuity upon request from surviving dependants of the deceased worker, on the basis of health records produced that ascertain the cause of death.

In the event of death of a person entitled to a direct annuity, INAL pays upon request from surviving dependants of the deceased worker and production of health records that ascertain the cause of death.

Inail must in any case notify surviving dependants of the possibility of applying for an annuity.

Surviving dependants have 90 days to submit the application from the date they receive the notification from Inail.

For fatal injuries occurring from **1 January 2007**, Inail pays surviving dependants of the deceased worker - upon request - an advance of the annuity equal to 3/12 of the annuity calculated on the basis of the minimum wage received.

USEFUL INFORMATION

The annuity is paid at a post office or a credit institution as follows:

- payment into a bank account or post office account;
- payment to a nominal bank/postal passbook;
- credit payment to a prepaid card with IBAN;
- via credit institutions having specific agreements in place with Inps for annuity beneficiaries residing abroad;
- for amounts not exceeding 1,000.00, with non-transferable postal order payable to the recipient or with cash payment at a local post office or bank.

¹⁹ Pursuant to art. 1, para. 130, of Law 147/ 2013.

²⁰ Pursuant to art. 11, para. 1, of Legislative Decree 38/ 2000.

8. UNA TANTUM BENEFIT TO SURVIVING DEPENDANTS OF WORKERS VICTIM OF FATAL ACCIDENTS

NATURE OF THE BENEFIT

Economic, paid from the Support Fund for families of victims of serious accidents at work, established by the Ministry of Labour and Social Policies.

Not subject to Irpef (personal income tax).

REQUIREMENTS FOR ENTITLEMENT TO THE BENEFIT

Fatal accident, regardless of the whether the worker was insured with Inail, including persons eligible for insurance against domestic accidents. Workers not insured by Inail include, by way of example, **soldiers, fire fighters, police forces, self-employed persons, etc.**

WHO IS ENTITLED TO THE BENEFIT

The surviving dependants of workers who are victims of fatal accidents occurring from 1 January 2007.

REQUIREMENTS FOR ENTITLEMENT TO THE BENEFIT

The same requirements as for the annuity for surviving dependants (see data sheet no. 7).

BENEFIT CALCULATION

The benefit is determined and increases according to the number of surviving family members and is set annually by Decree of the Ministry of Labour and Social Policies²¹. For events occurring between 1 January 2017 and 31 December 2017, the amount (in euro) was established as follows, with reference the number of surviving dependants:

- 3,700 - one surviving dependant
- 7,400 - two surviving dependants
- 11,100 - three surviving dependants
- 17,200 - more than three surviving dependants

HOW TO OBTAIN THE BENEFIT

Inail pays the benefit upon request by the surviving dependants of the deceased worker; by completing the dedicated form to be submitted via:

- the local Inail office;
- standard mail;
- PEC (Certified Electronic Mail).

The worker may request the support of a labour assistance institution.

With reference to deceased workers covered by Inail insurance for whom an annuity to surviving dependants is already in place, if the application is not received within the set deadlines, Inail must make every effort to ensure that those entitled submit the application.

²¹ For 2017, the new amounts of benefits from the Support Fund for families of victims of serious accidents at work were determined by Ministerial Decree 22/12/2017.

9. FUNERAL ALLOWANCE

NATURE OF THE BENEFIT

Economic.

Not subject to Irpef (personal income tax).

WHO IS ENTITLED TO THE ALLOWANCE?

Surviving dependants of workers who have died as a result of accident at work or occupational disease or anyone who proves having incurred the funeral expenses.

ALLOWANCE AMOUNT

The allowance is re-assessed annually, with effect from 1 July each year, by Decree of the Ministry of Labour and Social Policies, in agreement with the Ministry of Economy and Finance and the Ministry of Health on the basis of the actual variation in consumer prices.

Since 1 July 2017, the amount is euro 2,136.50.

10. CONSTANT CARE ALLOWANCE

NATURE OF THE BENEFIT

Economic.

Not subject to Irpef (personal income tax).

Non-cumulative with other support allowances; suspended during hospitalisation.

REQUIREMENTS FOR ENTITLEMENT TO THE BENEFIT

A) For events up to 31 December 2006:

- 1) 100% PERMANENT TOTAL DISABILITY established according to the tables annexed to Consolidated Law 1124/1965;
- 2) need for constant care due to one of the following PATHOLOGICAL CONDITIONS shown in the dedicated table annexed to Consolidated Law 1124/1965:
 - reduction in visual acuity to the extent that counting fingers is only possible from normal near vision distance (30 cm) or worse;
 - loss of nine fingers, including the two thumbs;
 - damage to the central nervous system producing total flaccid paralysis of both lower limbs;
 - bilateral amputation of lower limbs:
 - a) one amputated above the lower third of the thigh and the other at the instep or above;
 - b) at the instep or above, where use of a prosthesis is impossible;
 - loss of one hand and both feet, even where application of prosthesis is possible;
 - loss of an upper limb and a lower limb::
 - a) above the lower third of the arm and the thigh respectively;
 - b) above the lower third of the forearm and the thigh respectively;
 - alteration of mental faculties leading to severe and profound disturbance to organic and social life;
 - diseases or disabilities that require continuous or almost continuous confinement to bed.

B) For events from 1 January 2007:

- 1) need for constant care due to one of the PATHOLOGICAL CONDITIONS shown in the dedicated table annexed to Consolidated Law 1124/ 1965.

START DATE

- From the annuity start date;
- or from the first day of the month following submission, by the annuity beneficiary, of the application for Constant Care allowance or for revision of the degrees of disability or impairment;
- or from the first day of the month following the invitation from of Inail to undergo examination for revision of permanent damage.

DURATION

As long as constant care is needed.

HOW TO OBTAIN THE BENEFIT

- At the request of the annuity beneficiary at the local Inail office;
- upon favourable opinion of the Inail Medical Officer at the time of ascertainment of permanent damage.

ALLOWANCE AMOUNT

The allowance is paid monthly and re-assessed each year with effect from 1 July, with a Decree of the Ministry of Labour and Social Policies, on the basis of the actual variation in consumer prices.

From 1 July 2017, the amount is euro 533.22.

11. SPECIAL MONTHLY ONGOING ALLOWANCE

NATURE OF THE BENEFIT

Economic.

Not subject to Irpef (personal income tax).

REQUIREMENTS FOR ENTITLEMENT TO THE BENEFIT

Death that occurred **for reasons that are not dependent on an accident at work or occupational disease** suffered by the direct annuity holder:

- with a degree of permanent disability of at least 65%;
- with an **impairment to psychophysical integrity** - biological damage of at least 48%, for accidents at work occurring from 1 January 2007 and occupational diseases reported from the same date.

WHO IS ENTITLED TO THE BENEFIT

- Spouse and children, **provided that they are not the recipients of annuities or social security benefits or other income (excluding income from the house in which they live) that are equal to or greater than that the amount of the special allowance.**

ALLOWANCE CALCULATION

The percentage rates applied to the direct annuity paid to the annuity beneficiary in life are as follows:

- 50% for the spouse or civil partner until death or new marriage or civil partnership;
- 20% to each child:
 - until the age of 18, no requirements;
 - up to 21 years of age, attendance at a high school or vocational college, living as a dependant and with no paid job;
 - up to maximum 26 years of age, enrolment on a normal university degree programme, living as a dependant and with no paid job.
- 40% for each child orphan of both parents;
- 40% to each recognised or recognisable natural child;
- 40% to each child of divorced parents;
- 40% to each child of a parent who is in a new marriage;
- 50% for each child with a disability, for the duration of the disability.

The overall sum of allowances payable to surviving dependants cannot exceed the amount of the direct annuity. Should this occur, the allowances are adjusted proportionally.

In the case of income lower than the allowance, Inail pays the difference between the total income and the initial calculated amount.

The allowance is re-assessed annually with effect from 1 July, by Decree of the Ministry of Labour and Social Policies on the basis of the actual variation in consumer prices.

HOW TO OBTAIN THE BENEFIT

Application to Inail within the final deadline of 180 days of receiving notification from Inail to inform the surviving dependants of their right to apply for a special monthly ongoing allowance.

In the event that particular economic requirements are met, Inail shall nonetheless pay the allowance directly to surviving dependants whose application for annuity has been rejected.

12. BENEFITS TO SEAFARERS DECLARED TEMPORARILY UNFIT FOR MARITIME SERVICE

NATURE OF THE BENEFIT

Economic: compensation for loss of earnings for maritime workers belonging to Categories I and II of seafarers declared unfit for maritime service due to an accident at work or occupational disease.

The compensation is subject to personal income tax (Irpef). The deduction is made by Inail, which issues the insured person the relative tax certificate.

REQUIREMENTS FOR ENTITLEMENT TO THE BENEFIT

- occupational cause of the accident or disease;
- short-term disability for specific maritime services certified by the Standing Medical Committee of first instance established at each Harbour Master's Office.

START DATE

From the end of the disability caused by the accident at work or occupational disease and paid from the date of the certificate issued by the Standing Medical Committee until declaration of fitness for maritime service.

DURATION

Maximum of one year.

HOW TO OBTAIN THE BENEFIT

The application and Medical Committee must shall be sent within 48 hours from the date of issue or from the date of delivery of the report by mail, to the competent local Directorate, via:

- standard mail;
- PEC (Certified Electronic Mail).

The worker may request the support of a labour assistance institution.

Since 1 January 2014, Inps delivers the benefit only to seafarers who are temporarily declared unfit for maritime service at the end of a period of care with compensation for temporary unfitness for work due to a non-occupational, common or 'fundamental' (manifested during embarking) disease. The unfitness for work is certified by examination of the Standing Medical Committee (established at each Harbour Master's Office).

13. ADDITIONAL BENEFIT TO THE ANNUITY FOR VICTIMS OF ASBESTOS EXPOSURE OR, IN CASE OF DEATH, FOR THEIR HEIRS ELIGIBLE FOR SURVIVING DEPENDANTS' ANNUITY

NATURE OF THE BENEFIT

Economic, paid for by the Fund for Victims of Asbestos Exposure established at Inail, with independent and separate accounting, financed with resources of which three quarters come from the State budget and one quarter from the companies.

The 2018 Budget Law eliminated, for the period 2018-2020, the application of additional insurance premiums to be paid by companies operating in the sectors involving exposure to asbestos.

Not subject to Irpef (personal income tax).

REQUIREMENTS FOR ENTITLEMENT TO THE BENEFIT

Occupational asbestos-related disease caused by exposure of the worker to asbestos and fiberfrax.

WHO IS ENTITLED TO THE BENEFIT

Direct annuity beneficiaries affected by asbestos-related diseases from exposure to asbestos and fiberfrax or, in the case of death, their surviving dependants eligible for annuity.

BENEFIT CALCULATION

The additional benefit, set as a percentage of the annuity, is determined each year by Decree of the Minister of Labour and Social Policies in agreement with the Minister of Economy and Finance.

HOW TO OBTAIN THE BENEFIT

The benefit is paid ex officio by Inail, in two instalments plus a final balance. Therefore, no application is required to obtain this benefit.

Annuity holders affected by asbestos-related diseases who have not received the additional benefit or did not receive the correct amount may lodge an appeal with Inail according to articles 104 and ff. of Presidential Decree no. 1124 of 30 June 1965.

14. UNA TANTUM BENEFIT FOR VICTIMS OF ASBESTOS EXPOSURE IN FAVOUR OF THOSE SUFFERING FROM MESOTHELIOMA DUE TO NON-OCCUPATIONAL EXPOSURE OR, IN CASE OF THEIR DEATH, IN FAVOUR OF THEIR HEIRS

NATURE OF THE BENEFIT

Economic.

The benefit is paid for by the Fund for Victims of Asbestos Exposure established at Inail, awarded for the 2018-2020 period in favour of those suffering from mesothelioma due to non-occupational exposure to asbestos or, in case of their death, their heirs²².

Not subject to income tax (Irpef); non-cumulative with the additional benefit paid by the same Fund for workers victim of occupational exposure to asbestos.

WHO IS ENTITLED TO THE BENEFIT

All persons, regardless of their nationality, who are suffering from mesothelioma contracted directly or through household exposure to workers employed in Italy in handling asbestos, or for environmental exposure that occurred in Italy.

Household exposure is proven if the person lived in Italy together with the family member in a period in which the worker was employed in a job involving exposure to asbestos. The onset of the disease, in particular, must coincide with the periods of cohabitation. In the absence of household exposure, environmental exposure is proven if the person was a resident in Italy in periods coinciding with the onset of mesothelioma.

The benefit is also paid to the heirs, equally distributed among them.

BENEFIT CALCULATION

This economic benefit has a set maximum of 5,600.00 euro and is paid una tantum.

HOW TO OBTAIN THE BENEFIT

An application must be submitted to the local Inail office via standard mail or PEC (certified electronic mail), using the specific forms accompanied by a medical certificate.

The medical certificate must:

- be an original copy;
- certify that the person is suffering from mesothelioma, and indicate the date of first diagnosis in order to allow evaluation of the coincidence of the periods of household or environmental exposure to asbestos with the onset of the disease;
- be issued by a public or private hospital accredited by the National Health Service, including Irccs (Institutes for Scientific Hospitalisation and Health-care).

²² This provision was introduced by Law 190/2014 (2015 Stability Law), art. 1, para. 116, experimentally for the period 2015-2017. Art. 1, para. 186, of Law 205/2017 (2018 Budget Law) extended the benefit for the 3-year period 2018-2020.

With circulars no. 76/2015, no. 13/2016 and no. 13/2017, Inail provided operational instructions on the procedures and methods for awarding the benefit.

15. BENEFIT FOR VICTIMS OF ASBESTOS EXPOSURE IN FAVOUR OF HEIRS OF LONGSHORE WORKERS

NATURE OF THE BENEFIT

Economic compensation.

The benefit, paid for by the Fund for the heirs of those who have died due to asbestos-related diseases following exposure to asbestos during the execution of harbour operations in ports, is intended as a contribution to payment to the beneficiaries of the amount established by the Judicial Authority as compensation for both the property and non-property damage, payable by enforceable judgement or settlement agreement.

Not subject to income tax (Irpef), can be combined with other benefits provided for by the law.

REQUIREMENTS FOR ENTITLEMENT TO THE BENEFIT

Execution by the deceased worker of harbour operations in ports (loading, unloading, transshipment, storage, general handling of goods and any other type of material) and port services such as specialist, complementary and ancillary services as part of port operations.

WHO IS ENTITLED TO THE BENEFIT

Heirs of persons, even not insured by Inail, who have died of asbestos-related diseases contracted by exposure to asbestos in the execution of port operations, entitled to property or non-property compensation as established by an enforceable judgement issued in favour of heirs or by settlement agreement.

BENEFIT CALCULATION

The amount is set annually by Inail, as a percentage equal for all beneficiaries of the total compensation established by the judgement or settlement agreement.

USEFUL INFORMATION

The fund established by the 2016 Stability Law (Law no. 208 of 28 December 2015) at the Ministry of Labour and Social Policies concerns the heirs of workers who have died of asbestos-related diseases contracted by exposure to asbestos in the execution of harbour operations in ports in which the provisions of Law no. 257 of 27 March 1992 - laying down rules on the discontinuation of the use of asbestos in Italy - applied.

The fund was allocated 10 million euro for each of the years 2016, 2017 and 2018. The annual deadline for submission of applications is 28 February of each year with reference to enforceable judgements or settlement agreements filed in the previous year.

With circular no. 7 of 9 February 2017, Inail provided the first instructions for the implementation of the procedures and methods for payment of benefits from the Fund; with circular no. 8 of 12 February 2018 it provided additional instructions following the entry into force of the 2018 Budget Law, which approved the settlement agreement as legal entitlement to benefit from the Fund.

16. REIMBURSEMENT FOR HYDRO-MUD-SPA THERAPIES AND DIRECT PAYMENT FOR CLIMATE THERAPY

NATURE OF THE BENEFIT

Economic (reimbursement).

IBENEFIT DESCRIPTION

- **Reimbursement of expenses** for:
 - return journey of the disabled and his/her carer (if any) to receive the treatments;
 - stays in affiliated hotels, including for the carer (if any);
- **payment** of the short-term total disability allowance or direct annuity supplement only for non-deferrable spa treatments. The allowance or supplements are subject to income tax (Irpef).

WHO IS ENTITLED TO THE BENEFIT

- workers injured or suffering from an occupational disease during the period of short-term total disability with reasoned clinical opinion stating the absolute necessity of the treatment and with prior consent from the competent Local Health Unit;
- beneficiaries of compensation for an accident at work or occupational disease, before expiry of the final deadline for revision, whose impairments can be classified under the diseases expressly indicated in the dedicated Decree of the Ministry of Health²³;
- beneficiaries of compensation for silicosis or asbestosis, without time limits, whose impairments can be classified under the diseases expressly indicated in the aforesaid Decree of the Ministry of Health.

The rules contained in the Ministerial Decree do not apply for climate therapy, which may be admitted in particularly severe cases.

HOW TO OBTAIN THE BENEFIT

By submitting the application, on the request of the treating physician, to a local Inail office. Applications for spa treatments must be submitted by the worker injured or suffering from an occupational disease accompanied by a medical certificate attesting to the impairments for which the specific healthcare benefit is requested and the type of spa treatment deemed necessary. The Inail Medical Officer examines the application and, if the benefit is granted, identifies the most adequate treatment.

²³ The diseases are those identified in the list referred to in Ministerial Decree of 15/12/1994.

USEFUL INFORMATION

- Inail shall bear the costs of travel and accommodation for those who, **with prior authorisation**, accompany the recipients of a constant care allowance to undergo treatment;
- the Inail Medical Officer may establish the need for accompaniment, for travel only or both travel and accommodation, even for insured workers who are **not** the recipient of a constant care allowance;
- the duration of the treatment cycle is 15 days (12 for treatment plus 3 for travel). The maximum duration of climate therapy is 20 days.

17. REIMBURSEMENT OF EXPENSES FOR BUYING PHARMACEUTICAL PRODUCTS

REIMBURSEMENT OF PROPRIETARY PHARMACEUTICAL PRODUCTS

Certain proprietary pharmaceutical products that are not reimbursed by the National Health Service and must be paid for in full by the insured person may be reimbursed by Inail if included on the list below.

NATURE OF THE BENEFIT

Economic (reimbursement).

WHO IS ENTITLED TO THE BENEFIT

Workers injured or suffering from an occupational disease during the period of short-term total disability or, with stabilised sequelae, even beyond expiry of the deadline for revision.

BENEFIT DESCRIPTION

Reimbursement of expenses incurred by workers injured or suffering from an occupational disease for the purchase of certain proprietary pharmaceutical products that the Medical Officer deems necessary for improving the worker's psycho-physical state, in relation to a disease or injury caused by events at work, including for the purpose of worker's reintegration into working and social life.

HOW TO OBTAIN THE BENEFIT

By submitting application for reimbursement to the local Inail office according to the worker's place of domicile, accompanied by photocopies of medical prescriptions and till receipts issued in favour of the worker injured or suffering from an occupational disease.

LIST OF PHARMACEUTICAL PRODUCTS

Code	Proprietary pharmaceutical products reimbursable by Inail
1	Hyaluronic acid for intra-articular infiltration for treatment of post-traumatic chondropathia and arthrosis
2	Anxiolytic and hypnoinducing drugs
3	Antibiotics for topical treatment of infected wounds or burns
4	Painkillers per os
5	Antivertigo agents
6	Cerebral activators
7	Mydriatic eye drops for inflammation of the anterior and posterior segment of the eye
8	Antibacterial cream for burns
9	Hypotonising drugs (tablets) for the treatment of ocular hypertonia
10	Drugs for treating intestinal motility disorders of various causes
11	Drugs for treating urinary incontinence in patients with overactive bladder disorder
12	Drugs for treating post-traumatic osteoporosis
13	Drugs for erectile dysfunction caused by severe pelvis fractures, and partial medullary lesions
14	Anti-inflammatory-based or antibiotic-based drugs, with or without corticoids, for topical use for treating external infections of the eye and its adnexa (ointments and/or eye drops)
15	Vasoprotective and antithrombotic drug (tablets) for retinal hemorrhages
16	Antiseptic-impregnated gauzes for damaged skin
17	Bacterial immunotherapy for osteomyelitis
18	Miorelaxants
19	Antiseptic ointments
20	Ointments for of corneal-conjunctival abrasions, wounds and burns
21	Hyaluronic acid-based preparations with or without antibiotics, in its different formulations, for encouraging the re-epithelization of damaged skin
22	Topical corticosteroid preparations for contact dermatitis
23	Antibiotic-preparations for topical use with or without cortisone
24	Anti-inflammatory-based preparations for topical use in the form of creams, ointments, gels, plasters
25	Sodium-heparin-based preparations for topical use
26	Preparations for topical use with elasticising/barrier action for severe burns
27	Preparations for topical use on chronic ulcers with fibrinose or necrotic tissue
28	Anticheloid products (in different formulations), including medical silicones
29	Ointment for enzymatic cleansing of necrotic wounds with or without antibiotics
30	Antiseptic preparations for topical use
31	Corticosteroid preparations in association with anesthetic for infiltrations
32	Antithrombotic drugs
33	Mucolytic drugs
34	Lacrimal substitutes in the form of eye drops or gel
35	Associations of hyaluronic acid and chondroitin sulphate per os and bladder instillation for recurrent cystitis
36	Preparations for advanced polyurethane- or colloidal fibre-based medications with or without silver
37	Anti-edemigenous drugs per os or topical use

18. MEDICO-LEGAL ACTIVITIES

Inail normally awards the benefits after medico-legal examination.

NATURE OF THE BENEFIT

Healthcare.

BENEFIT DESCRIPTION

Medico-legal activities, as foll.

- **Investigations into causal link for accidents, at work or domestic, and occupational diseases.** The Inail Medical Officer must verify the legitimacy of the case and, therefore, in the case of an accident, whether the injuries are actually attributable to the dynamics of the reported event, whether the resulting disability is attributable to the initial clinically diagnosed injuries, whether they are attributable to an accident at work or whether the condition reported is instead attributable to a disease or injury from which the worker was already suffering. In the case of occupational disease, the Medical Officer must determine whether the reported disease has been caused or jointly caused by the job performed by the worker.
- **Ascertainment of Short-term Total Disability.** The Inail Medical Officer evaluates the worker's short-term disability to work. Therefore, the duration of the short-term total disability may not coincide with the clinical recovery.
- **Ascertainment and revision of permanent sequelae.** At the end of the short-term total disability period, the Medical Officer ascertains whether there are residual impairments and assesses the permanent disability. The ascertainment of the sequelae may also be provisional. In this case, the person will be invited to undergo a new examination after a certain time to check his/her disability status. The disability status may be subject to revision.
- **Medico-legal activities in administrative proceedings** (joint examination by physicians from legal aid bodies/fiduciary physicians). Workers injured or suffering from an occupational disease can lodge a statement of opposition to the order issued, pursuant to art. 104 of Consolidated Law 1124/1965, enclosing a medical certificate displaying the elements justifying the opposition. If the statement is accepted, the Inail Medical Officer and the fiduciary physician or physician from the legal aid body carry out a joint examination, followed by drafting a report expressing their agreement or disagreement.
- **Medico-legal activities in judicial proceedings** Workers injured or suffering from an occupational disease may bring legal action against Inail's decisions. The Medical Officer normally drafts defence briefs or rebuttal arguments and participates in the preparation of an Expert Witness Report.
- **Prescription of hydro-mud-spa therapies and climate therapy.**
- **Prescription and testing of technical devices.**
- **Opinion on reimbursement for proprietary pharmaceutical products.**

- ***Medico-legal investigations and opinions on awarding the Constant Care Allowance.***
- ***Assessment of health requirements for entitlement to unemployability allowance.***
- ***Medico-legal investigations for awarding annuities to surviving dependants*** including autopsy support.
- **Medico-legal investigations** (legitimacy, causal link, short-term total disability period) by Regional Boards for **implementing the Inail-Inps Convention.**
- **Medico-legal investigations of the subsistence/persistence of the disability of children aged 18 and over unfit for work**, for the different benefits.
- **Determination of residual capacity** including for targeted work placement.

WHO IS ENTITLED TO THE BENEFIT

Workers injured or suffering from an occupational disease based on the nature, occasion, size and type of the injuries or of disease recognised by Inail and/or, for certain benefits, the family members of workers who have died due to a work-related cause.

HOW TO OBTAIN THE BENEFIT

The Medical Officer shall examine the documents and issue a medico-legal opinion. If the Medical Officer deems it necessary, he/she may invite the worker injured or suffering from an occupational disease or members of his/her family to undergo an examination, request additional clinical and/or instrumental tests, request additional documentation, etc.

19. OUTPATIENT CARE

OUTPATIENT CARE

Some Inail healthcare facilities, located throughout the country, are equipped with outpatient departments authorised to deliver specialist treatments and services under specific agreements with the Regional Health System and with the costs borne by Inail.

NATURE OF THE BENEFIT

Healthcare.

BENEFIT DESCRIPTION

Outpatient care mainly relates to Surgery and Orthopaedics. The outpatient departments may also include other specialist branches, such as Radiology, Ophthalmology, Otorhinolaryngology, Neurology, etc.

The outpatient care consists of:

- specialist examinations;
- clinical and/or instrumental diagnostic tests (which can be performed at the local Inail office, at Inail Regional Multi-Specialist Diagnostic Centres or other affiliated facilities), which can also be requested for assessment purposes as well as treatment purposes;
- therapeutic prescriptions;
- tetanus vaccination and seroprophylaxis.

WHO IS ENTITLED TO THE BENEFIT

Workers injured or suffering from an occupational disease based on the nature, place, size and type of the injuries or disease recognised by Inail.

HOW TO OBTAIN THE BENEFIT

The Medical Officer, once he/she has assessed the conditions of the worker injured or suffering from an occupational disease, draws up a personal therapeutic and diagnostic plan, requesting clinical and/or instrumental examinations and/or tests and investigations during the period of short-term total disability.

In the case where the clinical and/or instrumental investigations are carried out for the purposes of medico-legal assessment, these can also be requested after the end of the period of short-term total disability (for ascertaining sequelae, for revision, joint medical examination, etc.).

20. SUPPLEMENTARY REHABILITATION TREATMENTS

SUPPLEMENTARY REHABILITATION TREATMENTS

Benefits consisting of non-hospital rehabilitation for restoring the psychophysical integrity of the person, through the more timely recovery of the damaged functions and the enhancement of the residual capacity, as well as reintegration into social and working life.

NATURE OF THE BENEFIT

Healthcare.

BENEFIT DESCRIPTION

Benefits consisting of non-hospital rehabilitation provided directly through Inail facilities or indirectly through accredited public or private health facilities that are affiliated with Inail. The costs of non-hospital rehabilitation, including residential treatment, that falls under the Essential Care Levels (*Livelli Essenziali di Assistenza, LEA*), are borne by Inail if administered directly at Inail's own facilities. The costs of non-hospital rehabilitation that falls under the Supplementary Care Levels (*Livelli Integrativi di Assistenza, LIA*) are also borne by Inail and are delivered either directly or indirectly.

WHO IS ENTITLED TO THE BENEFIT

Workers injured or suffering from an occupational disease during the period of short-term total disability.

HOW TO OBTAIN THE BENEFIT

The Medical Officer of the Inail office of the area where the worker lives assesses the health of the worker concerned and sends him/her for a psychiatric examination for the purpose of drawing up a Personal Rehabilitation Plan (*Piano Riabilitativo Individuale, PRI*), which must in any case be validated by the same Medical Officer in order to initiate rehabilitation.

WHERE THE SUPPLEMENTARY REHABILITATION BENEFITS ARE PROVIDED

The psychiatric examination for the Personal Rehabilitation Plan and related rehabilitation therapies are provided at the healthcare facility chosen by the workers injured or suffering from an occupational disease.

Non-hospital rehabilitation may be provided at:

- local Inail physiokinesis therapy centres;
- the Motor Rehabilitation Centre in Volterra;
- the Prosthesis Centre in Vigorso di Budrio and its branches;
- accredited public and private health facilities affiliated with Inail.

INAIL FACILITIES PROVIDING OUTPATIENT REHABILITATION TREATMENTS

PIEDMONT	Alexandria - Asti
LOMBARDY	Brescia - Mantova - CPDR* Milan
TUSCANY	CPDR Florence
PUGLIA	CPDR Bari
SICILY	Messina - Catania - Caltanissetta - Palermo

CPDR = Regional Multi-Specialist Diagnostic Centre (*Centro Polispecialistico Diagnostico Regionale*)

REHABILITATION TREATMENTS AT THE INAIL MOTOR REHABILITATION CENTRE IN VOLTERRA

The Motor Rehabilitation Centre in Volterra (Centro di Riabilitazione Motoria, CRM), certified according to ISO 9001-2008 and accredited by the Tuscany Regional Health Service, administers psychiatric rehabilitation treatments: functional recovery and rehabilitation, physical medicine for post-acute patients. At the time of discharging from acute hospitalisation or immediately after the accident where no specific preliminary hospital treatment is required, the patient is taken into care by the multidisciplinary team at the Motor Rehabilitation Centre. The team, made up of a head physician psychiatrist, other doctors, physiotherapists, nurses, a psychologist and a socio-educational operator draws up a Personal Rehabilitation Plan and shares it with the patient, adjusting it according to his/her needs and abilities. Rehabilitation protocols are specifically oriented towards the recovery of residual functional capacity and work ability and, for the injured assisted by Inail, they treat in particular post-traumatic disorders and secondary disabilities relating to orthopaedic, neurologic and rheumatic diseases. The following can access the Inail Motor Rehabilitation Centre:

- workers injured or suffering from an occupational disease assisted by Inail
- Italian and foreign citizen assisted by the Italian NHS
- Italian and foreign citizens from EU countries or non-EU countries with which private agreements are in place
- Private citizens (outpatient services only).

Centro Riabilitazione motoria Inail Volterra

Via Borgo San Lazzero, 5 (Area ospedaliera)
56048 Volterra (PI)

Tel. +39 (0)5889841 Fax: +39 (0)58898400

User Help Desk: +39 (0)588 98428, Monday-Friday 9 - 12.30 am

Outpatient services: + 39 (0)588 98406/470 , Monday-Friday 9 am - 6 pm

riabilitazionemotoria-volterra@inail.it

21. PROSTHESIS CARE

Benefits and services for the maximum recovery of the psycho-physical integrity of workers injured or suffering from an occupational disease, as well as their timely reintegration into family, social and working life.

NATURE OF THE BENEFIT

Healthcare.

BENEFIT DESCRIPTION

Provision of custom-made or standard technical devices (prostheses, orthoses and aids):

1. included in the Tariff Nomenclature;
2. not included in the Tariff Nomenclature, advanced technology devices, specific sports devices, etc.

WHO IS ENTITLED TO THE BENEFIT

Workers injured or suffering from an occupational disease with recognised psychological-physical impairments, irrespective of the payment of economic benefits. Workers injured or suffering from an occupational disease during the period of short-term total disability where technical devices are needed for curative reasons.

HOW TO OBTAIN THE BENEFIT

In the course of medical examinations, the Medical Officer of the competent Inail office can prescribe a technical device, requesting, where necessary, suitable advice from a specialist. The Medical Officer can also prescribe a technical device on request from the worker concerned.

Prescription by the Medical Officer is followed by administrative authorisation to supply.

For the supply of technical devices, workers injured or suffering from an occupational disease can contact:

- Inail Prosthesis Centre in Vigorso di Budrio, its branches and support centres;
- Firms included on a special list at the Ministry of Health for the custom technical devices included in list 1 of the Tariff Nomenclature;
- Entities authorised to market, distribute or sell technical devices, pursuant to applicable legislation.

Once supplied, technical devices must be tested by the Medical Officer to assess their clinical adequacy and appropriateness to the prescription.

MAINTENANCE, REPAIR AND RENEWAL OF TECHNICAL DEVICES

Following medical prescription, Inail also provides for the maintenance, repair and renewal of technical devices, bearing in mind that ordinary maintenance, minor repairs necessary to maintain devices in good condition and any regular recharging required for their operation are the responsibility of the workers injured or suffering from an occupational disease.

The costs of repairs to the devices are borne in full by the local Inail office.

Renewal can be undertaken:

1. upon proposal by the prescribing Medical Officer;
2. at the request of the worker injured or suffering from an occupational disease.

Renewal is possible in the following cases:

- the device is no longer usable but still needed;
- when the minimum period for renewal indicated by Inail has elapsed and the Medical Officer has found the device to be no longer suitable to the purpose. This deadline can be brought forward due to changes in environmental conditions, work conditions or of the psychophysical condition of the workers injured or suffering from an occupational disease;
- if repairing the device is impossible or is not economically viable as compared to the supply of a new device.

PROSTHESIS REHABILITATION AND RELATED SERVICES AT THE INAIL PROSTHESES CENTRE

PRODUCTION OF PROSTHESES AND ORTHOSES

In Vigorso di Budrio, in the province of Bologna, Inail has a facility for the production and custom application of prostheses and orthopaedic aids as part of rehabilitation treatments. The Inail Prosthesis Centre is ISO 9001-2008 certified and is accredited by the Emilia Romagna Regional Health Service. The Inail Prosthesis Centre also has branches in Rome and Lamezia where the same operating model is applied as in Vigorso di Budrio.

The following can access the Inail Prosthesis Centre:

- workers victims of accidents at work;
- Italian and foreign citizens registered with the Italian National Health Service;
- Italian and foreign citizens from EU countries or from other countries with which specific agreements are in place;
- Italian and foreign citizens who access the Centre privately and pay the services directly.

The Inail Prosthesis Centre, both at the headquarters in Vigorso di Budrio and at the Rome and Lamezia Terme branches, provides its users with rehabilitation using prostheses, orthoses or aids for teaching their correct use and a service of psycho-

logical and social support. The Centre builds and applies orthopaedic medical devices (protheses and orthoses) for all levels of amputation, for daily life and for sport. The orthopaedic medical devices provided by the Centre include:

- high-level personalisation;
- use of technologically advanced components;
- state-of-the-art construction techniques;
- lightweight materials that improve device comfort.

The production lines are specialised according to type of orthopaedic device:

- **Upper-limb prostheses**
- **Silicon implants**
- **Transfemoral and hip prostheses**
- **Transtibial and foot prostheses**
- **Orthoses**
- **Orthopaedic footwear**

The prosthesis-rehabilitation treatment is supported by a range of services that consider every aspect of the patient in order to provide valid solutions to his/her specific needs.

AID SERVICE

The Aid and Local Support Area offers advice, customisation and supply for technical mobility aids (wheelchairs, verticalisers, etc.) and aids for personal care and hygiene. It offers specialist information on the most suitable type of device and performs custom actions based on the specific needs of the user, including by providing domestic services for the most complex cases.

It organises the training of the user and his/her family members on the use of particular aids.

It also offers advice on and supplies computerised aids and domotic aids, i.e. automation and environmental control systems (lights, doors, windows, telephones, TVs and special remote controls). The aid service is also provided through local "Support Centres".

VEHICLE MOBILITY SERVICE CENTRE

This facility deals with the overall issue of mobility using cars, motorcycles and vehicles in general, for persons with disabilities. It uses a technical-medical team to support the person assisted (by Inail or the competent Local Health Unit), in acquiring a special licence A, B, C or D. The Vehicle Mobility Service Centre:

- provides information on the related legislation and tax relief;
- provides specific advice in the choice and adaptation of a vehicle;
- assesses driving ability and performs driving tests with adapted vehicles;
- has an internal workshop for custom fittings;
- provides support for examinations by the Local Medical Committee;

- provides driving lessons using the multi-adapted cars available at the Centre;
- offers courses in safe driving and racing driving with the support of its own specialist operators;
- offers the design, customisation and user training for any vehicle useful for work reintegration(tractors, forklifts, etc.);
- provides custom aids for car and motorcycle racing.

SOCIAL AND OCCUPATIONAL INTEGRATION SUPPORT SERVICES

At the Protheses Centre, the Psychosocial Service offers support for social and occupational integration, consisting of information, orientation and support in seeking new employment, as well as IT training. It is intended for hospitalised users with the objective of their recovery and the development of basic employment skills, in view of their social and occupational reintegration.

Centro Protesi Inail (Inail Prosthesis Centre)

Via Rabuina, 14 - 40054 Vigorso di Budrio (BO)
tel. +39 0516936111 - netfax +39 0688466153
centroprotesi-budrio@inail.it
centroprotesi-budrio@postacert.inail.it

Centro Protesi Inail - Filiale di Roma c/o Cto "Andrea Alesini" (Inail Prosthesis Centre - Rome branch c/o "Andrea Alesini" Centre)

Via San Nemesio, 21 - 00135 Roma
tel. +39 0654876100 - fax +39 0654876199
centroprotesi-filialeroma@Inail.it
centroprotesi-filialeroma@postacert.inail.it

Centro Protesi Inail - Filiale di Lamezia Terme (Inail Prosthesis Centre - Lamezia Terme branch)

Polo integrato Inail-ASP Catanzaro c/o Fondazione Mediterranea Terina onlus
zona industriale Contrada Ficarella - 88046 Lamezia Terme (CZ)
tel. +39 0961535111 (Calabria Regional Inail Department - switchboard)
centroprotesi-filialelamezia@inail.it
centroprotesi-filialelamezia@postacert.inail.it

Punto di assistenza Torino (Turin Support Centre) c/o Inail Direzione regionale Piemonte (c/o Piedmont Regional Inail Department)

Via Galileo Ferraris, 1 - 10121 Torino
tel. +39 0115593824 / 524 piemonte-puntoassistenza@inail.it

Punto di assistenza Milano (Milan Support Centre) c/o Inail Direzione regionale Lombardia (Lombardy Regional Inail Department)

C.so di Porta Nuova, 19 - 2012 Milano
tel. + 39 0262586670 lombardia-puntoassistenza@inail.it

Punto di assistenza Venezia c/o Inail Venezia terraferma (Venice Support Centre c/o Venice Mainland Inail)

Via della Pila, 51 - 30175 Venezia
tel. +39 0412573435 veneto-puntoassistenza@inail.it

Punto di assistenza Roma c/o Cto "Andrea Alesini" (Rome Support Centre c/o "Andrea Alesini" Centre)

Via San Nemesio, 21 - 00135 Rome
tel. +39 0654876271 lazio-puntoassistenza@inail.it

Punto di assistenza Bari (Bari Support Centre) c/o Ciac Inail Direzione regionale Puglia (Puglia Regional Inail Department)

Corso Trieste, 29 - 70126 Bari
tel. + 39 0805436205 / 400 / 335 puglia-puntoassistenza@inail.it

Punto di assistenza Napoli (Naples Support Centre) c/o Inail Direzione regionale Campania (c/o Campania Regional Inail Department)

Via Nuova Poggioreale - 80143 Naples
tel. + 39 0817784205 / 206 campania-puntoassistenza@inail.it

22. SUPPORT ACTIONS FOR SOCIAL REINTEGRATION

Educational and social action supplementing the healthcare and rehabilitation services and benefits, to support the worker injured or suffering from an occupational disease's return to his/her family, social and working life, as well as to support the family members of those who have died due to work-related causes.

NATURE OF THE BENEFIT

Social and healthcare.

BENEFIT DESCRIPTION

Support actions for the social reintegration as follows:

- personal support actions to support workers injured or suffering from an occupational disease from a psychological and social point of view, as well as the family members of workers who have died due to work-related causes, in situations of hardship and/or personal, family or social exclusion;
- Interventions in support of independence to help workers injured or suffering from an occupational disease improve their awareness of personal skills, potential and expectations, as well as the constraints determined by their health conditions as a consequence of the harmful event and by their living environment;
- Interventions for integration and re-socialisation for the recovery of the social skills essential to resume healthy social life (in employment and work, cultural, recreational and sports contexts);
- Interventions to facilitate work reintegration and increase employment opportunities;
- Interventions to promote the practice of sports, including on the basis of a convention between Inail and the Italian Paralympic Committee for the orientation of persons with work-related disabilities towards motor activity and sports with the purpose of broadening their social opportunities and improving their psychophysical integrity.

WHO IS ENTITLED TO THE BENEFIT

Workers injured or suffering from an occupational disease, their family members, the family members of workers who have died due to work-related causes.

HOW TO OBTAIN THE BENEFIT

At the request of the workers injured or suffering from an occupational disease and/or upon the identification of specific needs by a socio-educational operator and/or the Medical Officer, the multi-disciplinary team of the local Inail office to the domicile of the person insured is activated.

23. DEVICES AND ACTIONS FOR RECOVERING INDEPENDENCE

Devices and support actions for the recovery of independence by workers injured or suffering from an occupational disease and their reintegration into family and social life.

NATURE OF THE BENEFIT

Social-health

BENEFIT DESCRIPTION

- Interventions for overcoming and/or removing architectural barriers to enable:
 - full home accessibility;
 - installation of domotic devices and devices to control the ambient microclimate.
- Provision of special devices:
 - special controls and adaptation of vehicles for the recovery of independence of movement;
 - computer aids for the recovery of independent communication and access to information and culture;
 - domotic aids and systems based on specific personal and environmental situations (living alone, fulfilling family roles, inadequacy or lack of support figures);
 - devices for ambient microclimate control.

WHO IS ENTITLED TO THE BENEFIT

Workers injured or suffering from an occupational disease whose social life and independence are limited by health conditions.

HOW TO OBTAIN THE BENEFIT

The multidisciplinary team of the local Inail office of the insured person, made up of a Medical Officer, a socio-educational operator and an administrative officer, and other Inail professionals, where necessary, identifies the actions most appropriate to social and occupational recovery as well as the improvement of the quality of life of the workers injured or suffering from an occupational disease.

24. ACTIONS FOR WORK REINTEGRATION

Intervention to support the occupational integration of persons with work-related disabilities, offered to both public and private employers for the implementation of necessary, reasonable and appropriate arrangements that do not incur disproportionate or excessive expenses. These actions are adopted to ensure that persons with work-related disabilities enjoy and exercise all human rights and fundamental freedoms on the basis of equality for all. These actions have the following objectives:

- provide continuous employment to the workers injured or suffering from an occupational disease, with the priority focus on allowing them to continue in the same role or in a different role from that held prior to injury;
- facilitate the entry to a new work environment for people with work-related disabilities who have found a new job.

NATURE OF THE BENEFIT

Social-health.

BENEFIT DESCRIPTION

Occupational reintegration actions include:

- actions for overcoming and removing architectural barriers in workplaces (building, system and domotic actions), as well as devices designed to make the working environments accessible and usable;
- adjustment and adaptation of work stations (adaptation of work station furnishings; technological, computer and automation aids and devices that help to adapt the work station or work equipment, including special controls and adaptation of vehicles classed as work tools);
- training (personalised training in the use of adapted work stations and work equipment, as well as training and tutoring to ensure performance of the same role or professional retraining for a new role).

Inail reimburses the costs incurred by the employer within the following limits:

95,000 euro for overcoming and removing architectural barriers in the workplace;

40,000 euro for adjusting and adapting work stations;

15,000 euro for training.

WHO IS ENTITLED TO THE BENEFIT

For retaining their position of employment: employees and semi-subordinate workers, even with fixed-term contracts or hired on flexible contracts or as self-employed workers, with work-related disabilities covered by Inail and who, following an accident at work or occupational disease and consequent impairments or worsening, require targeted actions to allow or facilitate continuation of their job.

For entry into new employment: persons with disabilities due to accidents at work covered by Inail who are hired with employment contracts, including on fixed-term or flexible contracts, for jobs even not subject to compulsory insurance. Self-employed workers are excluded.

In both cases, public administration employees covered by a special insurance on behalf of the State and persons covered by Inail who do not qualify as workers (e.g., students) are excluded.

HOW TO OBTAIN THE BENEFIT

The first-level multi-disciplinary team of the local Inail office to the worker's place of domicile, with the support of local Inail technical experts:

- initiates, on the basis of the analysis of the needs of the worker, the drafting of a personal employment plan for identifying the actions required for occupational reintegration, taking into account the psychophysical, functional and occupational profile of the person; prepares the project following agreement by the worker and the employer to collaborate with Inail and on the basis of the judgement of the occupational physician or the Local Health Unit Prevention Service. The judgement on the worker's fitness to perform a specific role must be: short-term or permanent partial fitness, with prescriptions or limitations, or short-term or permanent unfitness to perform a specific role, in the case of retaining the position of employment; permanent partial fitness with prescriptions or limitations in the case of new employment.
- outlines the project indicating the actions necessary for the reintegration to work of the insured person;
- verify the consistency of the executive plan drawn up by the employer with the personal work reintegration plan.

Following approval of the project and the related executive plan, the employer organises the implementation of the reintegration actions and bears the related costs; these costs are recorded in the accounts and refunded by Inail, or paid in advance, upon request, for a maximum of 75% of the total.

25. SOCIAL SERVICE

The Inail Social Service provides support actions for the timely prevention and resolution of situations of hardship determined by an accident at work and/or occupational disease, through the recovery of the worker's independence and self-determination, as well as the restoration of his/her quality of social and working life.

NATURE OF THE BENEFIT

Social.

BENEFIT DESCRIPTION

- Hospitality for workers injured or suffering from an occupational disease, their family members, their surviving dependants
- Social Secretariat (information and guidance on legislation on disabilities and on the local services on offer);
- Taking into care of workers injured or suffering from an occupational disease and their family members;
- Support discussions for tackling the new situation of disability;
- Assessment of the worker's personal and socio-environmental situation in order to create independence projects and to identify technical devices and support actions for social and occupational reintegration, in collaboration with the other professional figures from the Inail multi-disciplinary teams;
- Support and accompaniment during the implementation of projects for recovering independence and achieving social and occupational reintegration;
- Psychological, relational and social support to surviving dependants of workers who have died due to work-related causes;
- Social networking with other bodies and authorities operating locally for the shared responsibility of the needs of the workers injured or suffering from an occupational disease;
- Assessment of the results obtained and user satisfaction.

WHO IS ENTITLED TO THE BENEFIT

- Workers injured or suffering from an occupational disease and their family members;
- Surviving dependants of workers who have died due to work-related causes.

HOW TO OBTAIN THE BENEFIT

Presentation of the workers injured or suffering from an occupational disease at the service office.

Communication from local health and social facilities.

HOW THE SERVICE IS PROVIDED

Social Secretariat, which through the socio-educational operator provides information to the workers injured or suffering from an occupational disease and their families on economic, social and healthcare benefits delivered by Inail and on services and opportunities offered by other local bodies and authorities.

Taking into care of the worker and his/her family system.

26. OTHER SERVICES FOR SOCIAL REINTEGRATION

INFORMATION, GUIDANCE AND PEER-TO-PEER COUNSELLING

Service for information, guidance and peer-to-peer counselling on disability issues, to encourage communication and knowledge through the Inail SuperAbile Integrated Contact Centre.

NATURE OF THE BENEFIT

Social communication

BENEFIT DESCRIPTION

Inail SuperAbile integrated services - call centre, website and monthly magazine - provides responses to specific individual needs and increases information and knowledge on rights and opportunities, with the aim of overcoming the barriers of knowledge which, like architectural barriers, are an obstacle to social reintegration.

HOW TO OBTAIN THE BENEFIT

Toll-free call centre number 800.810.810, which can also be reached by fax or text-telephone devices, or via email to superabile@inail.it. The service is active from Monday to Friday from 9 am to 7 pm and on Saturdays from 9 am to 1 pm. The user can also request and receive answers in English, French, German, Spanish, Russian, Romanian, Chinese and Arabic.

The portal www.superabile.it allows full technological accessibility and usability and is integrated with social networks.

The monthly magazine is available online at www.overcome.it. Hard copies are available on request.

WHO IS ENTITLED TO THE BENEFIT

Workers injured or suffering from an occupational disease and their family members.

27. UNEMPLOYABILITY ALLOWANCE

NATURE OF THE BENEFIT

Economic.

Not subject to Irpef (personal income tax).

REQUIREMENTS FOR ENTITLEMENT TO THE BENEFIT

- age not exceeding 65 years;
- impossibility for the applicant to be placed in any working sector, as recognised by the competent authorities;
- for victims of accidents at work or occupational diseases, degree of disability of at least 34%, as recognised by Inail according to the tables annexed to the Consolidated Law, for events occurring up to 31 December 2006;
- degree of **impairment to psychophysical integrity** - biological damage injury exceeding 20%, as recognised in accordance with the tables annexed to art. 13 of Legislative Decree 38/ 2000, for events since 1 January 2007.

START DATE

One month after submission of the application.

DURATION

Until the age of 65 years, unless changes occur in the meantime to the status of unemployability.

HOW TO OBTAIN THE BENEFIT

At the request of the insured worker to his/her local Inail office.

The application must include, in addition to personal details, a description of the work-related disability and any non-work related disability and a photocopy of the applicant's identity document.

For recognised non-work related disability, the related certificate must be attached to the application.

After verification of administrative requirements, the local INAL Medico-Legal Centre will verify through appropriate medical examination of the insured person, the existence of the health requirements set out by the applicable legislation²⁴.

In the event of acceptance of the application, the same Inail office will inform the insured person that his/her application for unemployability allowance has been accepted.

If the application is rejected, the Inail office shall inform the applicant of the grounds for rejection by post.

²⁴ Ministerial Decree no. 137/1987, art. 1.

ALLOWANCE AMOUNT

The allowance is paid monthly together with the annuity and is revalued annually with effect from 1 July, with a Decree of the Ministry of Labour and Social Policies, based on the actual variation in consumer prices.

From 1 July 2017, the amount is 256,39 euro.

28. ADDITIONAL YEAR-END BENEFIT

NATURE OF THE BENEFIT

Economic.

Not subject to Irpef (personal income tax).

REQUIREMENTS FOR ENTITLEMENT TO THE BENEFIT

- for accidents at work or occupational diseases, degree of disability between 80% and 100% (severely disabled), based on the tables annexed to Consolidated Law 1124/1965;
- degree of **impairment to psychophysical integrity** - biological damage, between 60% and 100%, according to the tables referred to in the Ministerial Decree of 12 July 2000, for accidents at work occurring since 1 June 2007 and occupational diseases reported with effect from the same date.
- personal income not exceeding the annual limits established by Inail.

WHO IS ENTITLED TO THE BENEFIT

From 1 January 2017:

- Severely Disabled:
 - 267.76 euro for beneficiaries of a constant care allowance;
 - 215.53 euro in all other cases.
- the children of Severely Disabled aged up to 12 years old as at 31 December 2017, regardless of income: 62.90 euro each.

HOW TO OBTAIN THE SUPPLEMENTARY BENEFIT

In November and December each year, Inail sends a letter to all the Severely Disabled, informing them of the amount of the supplementary benefit and related income limits.

This letter includes as an attachment a declaration form to be filled in and returned to Inail.

29. PATENT AND BADGE OF HONOUR

NATURE OF THE BENEFIT

Honorific and economic.

REQUIREMENTS FOR ENTITLEMENT TO THE BENEFIT

- Severely Disabled or Mutilated Victim of an accident at work;
- Italian citizenship;
- Absence of criminal convictions exceeding an overall total of two years.

BENEFIT DESCRIPTION

- **Patent and badge of:**
 - **Severely Disabled**, for disability between 80% and 100% according to the tables annexed to Consolidated Law 1124/1965.
For **impairment to psychophysical integrity** - biological damage due to accidents at work occurring from 1 January 2007 or occupational diseases reported with effect from the same date, the degree of disability must be between 60% and 100% according to the tables referred to in the Ministerial Decree of 12 July 2000.
 - **Mutilated Victim of accident at work** with disability between 50% and 79% according to the tables annexed to Consolidated Law 1124/1965.
For **impairment to psychophysical integrity** - biological damage due to accidents at work occurring or occupational diseases reported from 1 January 2007, the degree of disability must be between 35% and 59% according to the tables referred to in the Ministerial Decree of 12 July 2000.
- **Payment** for 2017 of:
 - **176.27** euro for the Severely Disabled
 - **132.01** euro for the Mutilated Victim of accident at work.

The benefit is paid only once and is adjusted in the following cases:

- **the Mutilated Victim of accident at work becomes a Severely Disabled person.**
Inail sends him/her the new patent, the badge and a cheque to integrate the difference;
- **a Severely Disabled person becomes a Mutilated Victim of accident at work.**
The person concerned must apply for the replacement of the patent and badge and return those already in his/her possession;
- following revision a degree of disability is established of less than 50% or a degree of impairment to psychophysical integrity of below 35% due to an accident at work occurring from 1 January 2007 or an occupational disease reported with effect from the same date.
The person concerned must return the patent and the badge already in his/her possession.

HOW TO OBTAIN THE BENEFIT

Mutilated Victim of accident at work

The invalid worker must submit the following documents to his/her local Inail office:

- application declaring that he/she has not received the benefit before;
- certificate of Italian citizenship or self-certification in lieu;
- certificate of criminal record issued no earlier than three months before (people born after 1920 can request it at their place of residence; others must request it at their birthplace).

Severely Disabled

The local Inail office shall acquire the certificate of Italian citizenship directly as well as, with prior consent from the disabled worker, the certificate of criminal record. In the event of death of the beneficiary of the benefit, co-habiting surviving dependants can apply for:

- the badge:
 - spouse/civil partner only;
- the economic benefit:
 - spouse/civil partner;
 - in the absence of a spouse, the children;
 - in the absence of spouse and children, the parents;
 - in the absence of spouse, children and parents, the brothers and sisters.

USEFUL INFORMATION

Every year, ANMIL (National Association of Mutilated and Disabled Workers) organises, together with Inail, the **National Day for Victims of Accidents at Work**. Celebrations are held at provincial level, during which patents, badges and economic benefits are awarded.

Litigation

- If Workers who believes there is a lack of grounds for the rejection by Inail of their application for benefits or who do not agree with the amount established **can lodge an administrative objection** within 60 days of receipt of the disputed provision, following the procedures referred to in art. 104 of the Consolidated Law.
- The time allowed for administrative proceedings **is 150 days or 210 days** in the case of revision of annuities and is regulated by articles 102 and 104 of the Consolidated Law.
- On receipt of the response to the objection raised or if no reply is received within 60 days, insured persons who are still not satisfied with their right to benefits **may lodge a judicial appeal** with the Labour Court.
- The appeal **in the case of revision** must be filed **within three years and 150 days** of the day of the accident or the onset of the occupational disease.
- For **domestic** accidents (housewife insurance), the appeal must be submitted to the Administrative Committee of the Special Autonomous Fund, within 90 days of the date of issue by Inail of the provision concerned, through the Inail office that issued the provision.
- In the event of a **negative decision** by the Committee, or in lack of a response within 120 days of lodging the appeal, the insured person may refer to the **judicial authority**.
- For information on the actions, related procedures and prescription, please **contact the Inail offices** or the **labour assistance institutions** that provide support to workers free of charge.

