



Employment relations in micro and small enterprises - literature review

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Overview

In the past attention has been paid to industrial relationships in micro and small firms both in analytical and trade union-political terms. Since the first achievement of the phenomenon of the micro and small firms, during the '70s, there was the idea that the firm was a "place without rules" in which workers' exploitation and non-compliance with fiscal and work regularisation laws were predominant. Such negative idea of small firms emerged mainly from the belief of the "superiority of the large firm of mass production", so that small firms had to adapt to the conditions and industrial relationships of large companies.

The weak unionisation of small firms had been the relevant factor for their statement. The sociological literature gives the same explanation on this phenomenon, connected to direct relationships between employer and employee; to the individualistic nature of the workers and to their aims to achieve a managerial role or an entrepreneurial one (Perulli, 1990).

From the '60s onwards greater consideration is given to small firms, even if there is a common idea of "technological backward" firms. In these years, the labour force is less defended from a legal and trade unions' perspective.

From the '70s onwards, through a revision of the theory of "belated development", a greater economic and social role is given to small firms, which continues all over the '80s. In fact, from the '80s on there has been a relevant increment of the employment in the artisan firms.

Before the '80s, industrial relationships at micro and small level were identified in two categories: the first concerned small firms in which there was a strong commitment between workers and employers, without conflicts and almost absence of trade unions. The second considered small firms as organisation with strong centralised power, hostile to trade union, and with young and no-unionised workers.

According to a research on the artisan micro firms during the 1980s (Perulli, 1990), their employee turnover is rather high, between 30% and 50% yearly. That means that there is a very low professional stabilisation of workers in the artisan firms.

The social composition of artisan entrepreneurs in the examined areas is mainly of factory-worker origin with low education. Generally, the firms are of "family concern" kind, where different members of the same family are employees or partners of the company. New generations have a different subdivision of work: technical jobs are carried out by the owner, while the administrative jobs are carried out by the sons or the sons-in-law.

The examined sample in this research shows how important industrial relationships are: some artisan firms are generated by the separation of a previous family concern, that is to say family in which there have been added employees. There isn't any co-operation among firms and in most cases they work with strong "individualism", which weakens any form of associationism. The consequence of this is not in "quantitative" terms but in "qualitative" terms, that is in terms of offered services and policies followed. So, it is pointed out that trade unions do not constitute a representative organisation for small artisan firms and political institutions work out an insignificant role towards them.

With respect to the controversy on the bargaining renewal of the artisan firms, the support of employees is not noted, even if the actions are not against the single employer. Another important fact is that trade unions are irrelevant in the "small" productive area, so that they do not have any local negotiable rule.

Concerning the relationship between trade unions and artisans, Perulli (1990) pointed out two possible frameworks: a) the extension of the trade unions' influence on artisan employees; b) the inclusion in the joined management of some regulation institutes with the artisan associations.

The non unionisation of small firms has been explained both by structural and cultural factors, such as high mobility of labour and productive fragmentation (structural factors); or individual management of work relations and a weak propensity to collective organisation (culture factors).

During the 1980s references to contractual tutelage and individual self-tutelage, the absence of collective infrastructures to manage labour relationship and bilateral territorial centres have been found.

The contractual tutelage was extensive and it has drawn attention from different unions, as CNA (National Confederation of Artisans). There were some cases in which the discretionary power predominated, above all, in firms with less than three employees.

Informal agreements on labour relation aspects mutually favourable both for employers and employees have been pointed out. In this area hidden employment has been found.

The self-tutelage resulted by informal agreements between employer and employee on the salary as individual "super minimum". During the 1980s, 50% of artisan labour force were excluded from this remuneration, being, above all, young employed with-training contract or apprentices or employed in the service sector.

Relating to conflict resolution, due to the lack of collective management, they have been regulated by the procedure of individual conflict. The work dispute was individual and procedures were started by the employee, involving, sometimes, trade union organisations. During the '80s, work conflicts have been the indicator of tensions and inconveniences in micro firms. The reason of these conflicts were retributive problems, dismissals and irregular treatments. The majority of these conflicts have been resolved with an agreement between the parties and more frequently there were "hidden" conflicts without any disputes or extra-judicial agreements.

The studies of these last years about small firms, particularly numerous and qualified, have given great consistency to analysis of trade union and working relationships in small firms.

Nowadays nobody talks about small firms as an homogeneous reality or an unitary category. It is now well known that small firms are very different in relation to variables such as territorial location, productive field, technological innovation, relation of autonomy or subordination with great firms.

It is therefore necessary to consider the extreme diversity in the world of small firms.

The evolution of industrial relationships during the 1990s

Industrial relations in Italy have had an evolutionary process since the mid 80s. The more significant changes have been reached both with the 1992 triangular agreement and especially with the agreement of 23rd July 1993, in which there "has been disposed a framework of basic rules and principles to make consistent the bargaining processes with the economic and income policies" (Bellardi and Bordogna, 1997).

Next, some aspects of these agreements related with our study will be pointed out.

The 1992 trilateral agreement is important because, first of all, it confirms the expiry suspension of sliding scale; secondly it establishes a bargaining moratorium at company level that provides retributive increments. A strong debate on the interpretation of this moratorium has been developed, getting to establish effective negotiations that provide for contributive distribution remunerated by organisational or productive improvements, without inducing increments in the labour cost. In this context, a largest attendance to the firm's decisions is recognised to trade unions.

At the beginning of 1990s, a remarkable bargaining activity at firm level on the premium of "result" (Pdr) has been developed. In particular, the mixed type variable bonus has been spread, which holds jointly different indexes, such as firm productivity or business profitability.

In the agreement of 23rd July 1993 rules and principles have been established to "adjust the bargaining processes to the economic and income policies". The principal instruments of this agreement are related to the arrangement of income policy; the bargaining structure and the settlement of different competencies; the Unitary Trade Union Agency; and finally, the contractual proceedings.

The following considerations are relevant for our analysis.

In order to make the bargaining action more efficient, agency rule and the contractual function of trade unions are defined in the 1993' agreement with certainty of time and the subjects of the bargaining in the different seats.

Two bargaining levels have been confirmed: the first at national level, the second at business or territorial level.

For our inquiry, concerning the size of firms subject to the decentralised negotiation, it has established that it needs to follow the "routine procedure": that is to say, the bargaining of small size firms depends on the contractual subjects and the balance among them.

In order to fix the level of contributions, priority has been given to collective bargaining, so as to safeguard the purchasing power of salaries and a greater bargaining frequency has been established.

The contractual renewal at second level concerns the regulation of "subjects and institutions different and no repetitive from the retributive ones peculiar of CCNL (National Collective Wage Agreement)", such as quality or productivity increments, or other competitive factors, with the marginal productivity exceeding that used to determine the increase provided for CCNL.

It is important to point out that remuneration is linked to the index of unitary cost' reduction to avoid inflationary pressures.

Competitiveness is another objective, shared both by workers and their organisations. Hence, it is relevant that these agents have a common knowledge not only on the progress and prospect of competitiveness but also on the firm, labour and profitability conditions, in order to define agreeing programmes.

Correct information from the employer is very important for the counterpart when it comes to the negotiation of 'connection' mechanisms of remuneration with productivity and/or profitability.

The dual bargaining is the innovative element of the 1993 agreement, considering trade unions important and giving them full responsibility in the wage bargaining. This way, wage bargaining is not individual or at discretionary power of the employer anymore.

A final relevant point on the bargaining structure is related to the "centralised" character of wage dynamics determination. Two specific clauses are defined: one is related to the attribution of 1/3 of RSU (Unitary Trade Union Agency) components to the representative unions contracting the national agreements of category; the other, is related to the acknowledgement, at firm level, of contractual legitimacy jointly to RSU and territorial trade union supporters of national associations contracting the national agreements.

Another important point regards the rules on union representatives. It has been established that the RSU is composed in 2/3 by representatives elected at universal suffrage, while the remaining 1/3 are representative unions, contracting the national agreements of category. The RSU has been defined as single channel of mixed nature.

Therefore, the aim has been to bring together the "organisations contracting the national agreements with the business representatives, titulars of the delegations assigned by the same agreements".

The RSU is a business organism elected by all employees and it could be an expression of heterogeneous majority but also competitive with regards to "the trade unions from which takes its own prerogatives". The mixed configuration of RSU can create some difficulties in defining the nature of new representation.

After the agreement of the 23rd July 1993, the agreement process has been characterised by other relevant events such as the "Labour Pact" (September 1996) and the "Social pact for the employment and development" (December 1998).

The contents of the "Labour Pact" have been transformed in legal rules with the law 196/97. In particular, this law is important because it includes rules on employment promotion, such as apprenticeship (art.16) and training on the job contract (art.16), and other instruments of labour policy such as occasional labour, part time, working time, time-work.

In order to sustain the agreement, the "Social pact for employment and development" was subscribed by the government and thirty union and entrepreneur organisations in December 1998. This document aims to develop a new phase of bargaining in order to achieve economic development and employment growth objectives through pursued income policy which has already been started; the enforcement of agreements (greater autonomy and responsibility to the social parties); and greater connection between the central and decentralised level of the income policy (CNEL, 2000).

From an analysis of collective bargaining at two level during the period 1997/1998, it can be concluded that the bargaining principles and the income policy trend have been fully respected, according to the 1993' agreement and the "Social pact" of 1998. However, it is pointed out that bargaining at territorial or company level is inadequate in quantitative and qualitative terms.

All over the literature analysis in this Italian Country Report we shall make a distinction between craft firms and the other firms, since regulations and the institutional framework are markedly different in the two cases.

Collective representation

Craft firms

Large part of micro firms are artisan ones with a specific contract in almost all fields among trade union and craftsmen category associations.

In artisan firms with less than sixteen employees, firm representation does not exist and trade-union representation is not obligatory, but there are relations with trade unions that appoint territorial trade union representatives who, even if not being inside the firm, keep in touch with artisan associations.

These trade union representatives who work outside the firm are of two different kinds:

- “basin” representatives who work at provincial level;
- safety representatives introduced with the D.L.626/94, as regard to a bilateral organisation (of category and trade union) that manages this kind of activity on territory. Basin representative and bilateral organisation answer to the need of having some interlocutors within micro enterprises.

Both of them avoid conflicts considering that for the L.443 the employer works in close touch with the employee.

Not all micro firms agree to category associations. In Lombardy, only 50% of 240,000 firms are associated, a higher percentage than in big industries.

Non craft firms

There are representatives of workers in small firms and, as it has been established in the agreements, their number is proportional to the number of executives in the firm. Concretely, among eighty-five firms, about sixty of them have representatives.

The lower level of unionisation has a negative influence on the amount of time the firm devotes to the relationship with the employees, because the direction of individual work relations results more complicated.

Moreover, the number of representatives of workers in the security, with respect to the number of people in charge, is higher than in the big industry.

The number of associated firms is low, although there are credit pools (to guarantee loans), organisations (the aim of which is to give services such as continuous training at lower prices) and associations which manage the union trade relationships. The API (Federation of Small Manufactures) is an association, which is interested in all the aspects of industrial relations.

Collective bargaining

Craft firms

Contractual system is based on two levels: national and regional, but since the national level does not satisfactorily meet the needs of firms working in different realities, contractual decentralisation should be made more operative.

Considering firm sizes, relations between the employer and the employee are fundamentally individualistic but are counter-balanced by national and regional collective structures. Sectorial collective agreements are followed in enterprises represented by category associations. In the others, the agreements are seldom respected because they are unknown.

Collective sectorial agreements are respected because they are included in law. Collective agreements are not different from those for big firms, because bilateral organisation resemble each other and, moreover, agreements signed for micro firms are as important as those for bigger ones. All normative and retributive guarantees fixed by contracts are respected, even those about guaranteed support by bilateral organisations to workers and to firms for certain situations: occupational increases; interventions for safety; seniority in firms; economic crisis. Interpersonal relationships between employer-employee are influenced by close contact and daily direct knowledge. As the employer takes part in daily working life, relations are informal. This implies a greater sense of worker's responsibility and greater attention of the employer in understanding worker's difficulties.

From ISTAT data on business bargaining at national level during the period 1995/1996, it can be seen that 19.900 firms have been involved, with 3.2 millions of employees concerned (the data are related to firms with more than 10 employees). However, bargaining is strongly correlated with firm size: out of 38.8% of employees involved in business bargaining, only 4.1% belongs to firms with size classes 10-19 employees. In fact, only 3.3% of these firms have bargained; while the percentage increases at 61.1% for firms with 500 and more employees. Differences on geographical localisation exist too: only the 4.3% of firms (the sample average is 9.9%), have been involved on business bargaining in the South regions, while this percentage is greater in the North ones. In particular, the percentage of small firms (size classes 29-49) in the north-east, which are involved in business bargaining is equal to 32.1%, greater than the national average, 18.7%, for the same size class. These data do not consider size classes lower than 10 employees, even if these firms employ 45% of employees. Generally, micro firms do not have employees, even if a census of 1991 showed that firms with 6-9 employees took on 9% of the labour force (CNEL, 2000). However, it is pointed out that the intra-company bargaining is the only effective kind of negotiation in firms with less than 20 employees. This is what happens in the clothes sector according to Filtea-CGIL data on business and intra-company bargaining during the period 1994/1998. The average percentage of employees involved in this kind of bargaining, is 26% of the total of employees in this sector. This value increases proportionally with firm size: firms with size classes between 1-49 employees have 11% of employees involved in business bargaining, while the firms with size classes with 500 and more employees, around 57%. It is pointed out that intra-company bargaining is relevant to small firms. In fact, without it, the contractual coverage would only be of 4% (CNEL, 2000).

A final consideration is that contractual elusion and evasion have been a great problem in the artisan sector. Even new and more "participating" union trade relationships have not been able to solve them.

It seems that the cost of instruments of new union trade relationships is one of the reasons why artisan firms try to evade union trade associative bond.

There are essentially a lot of artisan firms which, in order to avoid having to support additional burdens provided in the late bargaining about various bilateral associations, prefer to forsake their professional organisations for relying on guardianship of single adviser and graduates in commerce.

There have also been conflicts among National and Regional agreements.

Non craft firms

Since 1993, there is a double level of agreement in small firms: national collective contract and industrial contract. At industrial level, an agreement is possible just in presence of trust. In case of lack of mediators, which means poor union presence, it is possible to have serious consequences on participation, information and consultation of workers. In these situations, Constitutional Law is enforced, referring to the collective sectoral agreements. In small firms, relationships are essentially individual.

From a study of the Regional Lombardy Observatory CISL (Federation of Italian Trade Union) - FIM (Italian Metal Association) on business bargaining, data have been collected on the number of business agreements and employees involved, from the end of 1990 to the first nine months of 2000. The data are related to 367 agreements that have involved 60,862 employees, working in Lombardy region.

The monitoring of bargaining activity concerned metal sector. Business agreements considered in the study are those that have been renewed or made for the first time not only on wage bargaining, but also on working time, safety and training (1/3 of the agreements). One of the reasons by which safety and training are important is the enforcement of L.636/94 on safety and security at work (because of the recent emergency on accident at work), and the L.197/96 apprenticeship contracts, and L144/99 on vocational training.

The following remarks emerge from the data:

- contractual activity affects especially medium firms (from 100 to 500 employees), while the number of employees (4.44%) on micro and small firms (<50 employees) involved in the bargaining is very low;
- 15% of employees had to resort to strikes and disputes to reach an agreement. Conflicts, as instruments of regulation, are more evident when the size firm increase;
- among the signatory subjects of agreements there is an increasing presence both of Industrial Unions (43% of agreements) and Trade Union Organisation (more than half of the agreements have been negotiated by RSU (Unitary Trade Union Agency) with the FIM (Italian Metal Association) and FIOM (Italian Metal Association). 18% of the agreements have been reached by RSU disagreeing openly with the union organisations. Several agreements regarded the bargaining on the premium of “result” (Prd). It turns out from the data that the salary growth was referred only to one parameter (the number of parameters was increasing with firm size) and the mostly used types were productivity/efficiency, profitability, quality and efficacy (CISL-FIM Lombardy, 2000).

Most entrepreneurs work personally in the firm. As a result of this feature, there is a prosperous humanisation of the working relationship, but problems can also be generated due to the influence that this close contact has on the employers' choices. Because of this, it is necessary to create a stronger separation, but this is only possible when a delegation system is already effective.

Sectorial agreements or the interpretation of these agreements are not always observed, as it is shown by the various conflict situations. This happens because often, the different local situations are not considered in the national bargaining.

Collective contracts agreed for small firms are not less important than those of large ones; basically on the contrary, it is possible to find conditions suited for the characteristics of the supplying small firms and provided with a powerful elasticity in the organisation.

Working and employment conditions

Craft firms

There is not a specific figure that assists workers, which guarantees a greater flexibility compared to industry. However, this does not imply discretionary treatment unfavourable for workers, because there is always a contract which has to be respected.

There is no doubt that establishing good human relations leads to better working relations. But the employer has to take drastic measures when workers performances weigh heavily on productivity.

With respect to the relationship between employer and employees, a study at national level carried out at the end of 1997, on a sample of 1000 young artisans between the ages of 18 and 30, pointed out prevailing individual structures. The majority of them, who did not have higher education, came from working families or had previously carried out manual works.

37% were artisans' sons and only a 1/3 of firms had employees. It could be pointed out that 6% of the firms in the sample had engaged workers in the span of two years. Almost half of the collaborators of the interviewed were apprentices (45.2%) and the skilled workers were almost (45%) the same. Young workers with training contracts were about 23%, while no-skilled workers were about 22.6% and finally, white-collar workers were 19.5%.

It is remarkable that the majority of young artisans assumed the classical attitude of "workshop-master", teaching a job to their collaborators and establishing a relationship based on trust. Only a 1/4 of interviewed had a business relationship with their collaborators, such as "work vs salary" (Cesareo and Ambrosini, 1999).

Actually, the problem of the underground economy, as far as craft firms regularly registered to category associations are concerned, has been completely overcome, even if sometimes there are temporal differences between the moment in which the worker enters the enterprise and the moment in which his contract is signed (a training period, sometimes very long and not always very effective from the training standpoint, explains the temporal difference).

With regards to payment, there are some differences between artisan contracts and industrial ones.

Agreements are not different from those in larger firms. They only differ in those aspects where bilateral organisations try to counter-balance what law already recognises for larger ones (e.g.. unemployment allowance). In micro firms, familiar help is fundamental.

Non craft firms

The close contact between employer and employee implies the application by the former of discretionary treatment. This happens especially to keep in the firm some professional figures which are fundamental or to make some of them redundant because they are not useful or necessary. In such situations, the employer is in a difficult position.

According to INPS (National Institute of Social Insurance) data related to 1994 show a direct relationship between firm size and the remunerative level. Considering the weighted mean of the blue collar remuneration, deviations from the mean appear considerably positive to firms with more than 100 employees. A blue collar employee in these firms, receives a salary above average: in percentage terms, according to the whole number of employees in these firms, the increments are 3% (firms with 100-199 employees), 8% (firms with 200-499 employees), 16% (firms with 500-999 employees) and 25% (firms with 1000 and more employees).

Among the factors that can explain the existence of salary differentials with respect to firm size, a very important classification is especially the one referred to the white collar qualification, characterising differences between working in small and large firms. Large firms are characterised by a greater labour force share constituted by executives and managers, while smaller firms employ, above all, staff employees.

The theoretical analysis, besides this factor, provides several explanations on the salary differentials between small and large firms. Some of these are related to imperfect competition hypotheses, generating incomes that are shared with workers. The greater the concentration, the greater the average size of firms and the higher the incomes and salaries. This condition is comparable with the segment of the market where firms operate in perfect competitive regime, small size and without market income.

Other explanations are related to difficulties of supervision and control. Concerning large firms, a salary premium is required as an incentive for effort and engagement at work. In this context, working conditions can exert a certain influence on differential size. Large firms are characterised by a complex and linked organisation where management requires the use of standardised and predefined procedure and behaviour rules: excessive bureaucratisation, impersonality of hierarchic relations and repetitive labour can make working in large firms more alienating (and less attractive) than that in small firms. Entrepreneurs of large productive structures have to remunerate their employees with higher salaries in order to compensate them from those less attractive working conditions, if they want a labour of quality. In fact, particular attention is due to labour market agents, such as trade unions. The presence of trade union involves the fixation of higher salaries compared to the ones characterising the equilibrium of perfect competition. Moreover, the index of unionisation in the firm, measured as the share of employees who are members of a trade union out of the total workforce, increases with firm size. If it is assumed that large firms are more unionised than small ones, the presence of trade unions in the salary bargaining process (at decentralised level) between entrepreneurs and employees, represent one of the factors that can explain the existence of differential size.

The additional advantages are related to additional security, transport reductions, tickets.

60% of small firms are in the first generation whereas 30-35% are in the second one. Those in the first one have older traders and thus some family conflicts are frequent.

Conflicts

Craft firms

Informal conflicts are resolved with tacit agreements. On the contrary, formal conflicts, in which the employer has to censor behaviour, are included in contractual relationship rules. In these conflicts the firm is represented by category associations and the worker by the union.

Generally there are not strikes at firm level in micro firms. However, there are trade union strikes at sectorial level because this way, national collective bargaining is enforced.

Strikes are less frequent because conflicts are solved directly with the worker.

Non craft firms

Collective conflicts are solved out with an agreement but there is not a codified system. Strikes are less frequent but more powerful because of a weak union presence.

An agreement has been reached to avoid the individual conflicts on 20/12/2000 (CONFAPI-CGIL/CISL/UIIL, 2000) and it provides for conciliation and arbitration. This agreement establishes the rules to make the resolution of dispute at work faster and more effective.

The obligatory attempt at reconciliation, provides for the constitution of a trade union Commission of conciliation, formed by two members: one appointed by each API (Federation of Small Manufactures) and the other by the territorial organisations of CGIL-CISL-UIL on which workers grant the mandate. The Commission's task is to assist the parties (firm and employee) in the attempt to achieve conciliation, especially, about the employee relationship. It does not deal with arbitration issues.

When the obligatory attempt at reconciliation is not possible, parties can submit the resolution of dispute to the Board of arbitrators' decision. It is composed by a union agent appointed by the worker and a API representative appointed by the firm, and finally by a President, selected from a list agreed between the territorial organisation of API and CGIL-CISL-UIL.

One of the main goals of the signatory parties of the agreement is to promote its assimilation into the national labour contract by clauses that refer to the procedures provided by this agreement.

The dispositions of this agreement have come into effect since the 1st of January 2001. The agreement results tacitly renewed if it is not cancelled. The parties will proceed to a verification meeting in a year on what was established in the agreement.

Size and sector considerations

Every sector has its economic and regulator contract.

Differences at sectorial level do not weigh heavily on the kind of contract which, at national level, fixes the minimum conditions and at regional level, contemplates territorial realities. What makes the difference between sectors is the degree of technological innovation.

Because of their dimension and the kind of activity (some work on other industries' account) small firms are under the influence of large firms, which set the market rules. Their small size and the fact of being supplying firms do not weigh on working conditions because, independently from function and size, every firm must respect the working national collective contract.

There are many differences among the contracts of the manufacturing fields: the textile one is the worst whereas the chemical one is much better. These differences are due to the higher technological and working innovation.

In fact, according the INPS data (1990-1994), those sectors more technologically developed and more protected by international competition show remuneration significantly above average, while more traditional sectors or those subject to foreign competitive constrain, show remuneration under average.

Policy implications

It has been verified that micro enterprises too are able to manage high quality levels in working conditions. This is proved by the fact that many sectors received a certificate of quality.

It is necessary to underline though that in some firms this has not happened yet as a result of the paternalistic management of some employers towards workers.

If we consider the evolution of recent years, small and micro firms are trying to simplify the national contract, draw up one contract alone for the whole sector and strengthen their own structures at a provincial and regional level.

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