

# Professionalità studi

*Trimestrale on-line di studi su  
formazione, lavoro, transizioni occupazionali*

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### **La “formazione professionale” tra tradizione e innovazione: percorsi, strumenti e obiettivi per governare la quarta rivoluzione industriale**

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- *formazione professionale e professionalità dei docenti*

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## PROFESSIONALITÀ STUDI

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# The growing relevance of upskilling and reskilling interventions in countering the negative externalities arising from the digital transition

Carlo Valenti\*

*Summary:* **1.** Introduction. – **2.** Assuring lifelong learning pathways to the working-age population: legal recognition and beyond. – **3.** Temporary work-time reductions for skill development purposes to tackle the digital transition. – **4.** Individual learning accounts, micro-credentials, and training credits for the working-age population. – **5.** Conclusions.

## 1. Introduction

The significant impact of digitalisation on the socio-economic framework has undoubtedly generated major opportunities for businesses over the past several years, providing margins for greater development and competitiveness. This is partially due to the spread of efficient productive and organisational models of work <sup>(1)</sup>, which also paved the way for new jobs, tasks, and professional figures and ultimately resulted in the birth of the so-called “Industry 4.0” <sup>(2)</sup>. Indeed, the changes attributable to Fourth Industrial Revolution <sup>(3)</sup> have positively influ-

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<sup>(1)</sup> On this point, see: L. IMBERTI, *Industria 4.0, contrattazione aziendale e lavoro: un caso di innovazione tecnologica e produttiva win-win*, in *DRI*, 2018, vol. 28, no. 2, 655-667; JA. JOHANNESSEN, *Automation, innovation and economic crisis: surviving the fourth industrial revolution*, Routledge, 2018.

<sup>(2)</sup> Cfr. I. ALVINO, *Integrazione produttiva, rivoluzione digitale e diritto del lavoro*, in *Federalismi*, 2022, no. 9, 86 ss.

<sup>(3)</sup> One of the main definitions of the Fourth Industrial Revolution can be seen in: K. SCHWAB, *The Fourth Industrial Revolution*, Crown Publishing Group, 2017.

enced the very concept of labour, concerning the demand of work, working time, and methods as well <sup>(4)</sup>.

However, some doctrinal orientations <sup>(5)</sup> seem to suggest that the growing relevance of digital technologies in the productive context has accelerated the processes of automation of labour, causing not only the suppression of repetitive tasks and traditional or manual jobs, but also a greater demand for high-skilled workers. In particular, it is claimed that the gradual digitisation processes coming from the Fourth Industrial Revolution are going to generate more imbalances on the long-term, such as negative effects on employment and a rise in social inequalities <sup>(6)</sup>.

Despite the “pessimistic perspective” of this approach regarding the effects of technology, such expectations would indeed seem rational, especially now that the risks of automation arising from digitalisation are also aggravated by the current pandemic situation <sup>(7)</sup>; after all, this latter is speeding up the suppression of jobs that can be automated and pushing for a quicker transition to a more digital society <sup>(8)</sup>.

In this perspective, the presence of different quantitative forecasts does not provide a unique point of view regarding employment transitions, loss of jobs, and displacements <sup>(9)</sup>. Therefore, it is not currently possible to depict a clearer scenario, since the assumptions made are still being monitored up to date. Nevertheless, it appears clear that such negative changes would probably constitute a “temporary phase of malad-

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<sup>(4)</sup> Cfr. F. SEGHEZZI, *La nuova grande trasformazione. Lavoro e persona nella quarta rivoluzione industriale*, ADAPT University Press, 2017.

<sup>(5)</sup> In this sense, see: R. STAGLIANÒ, *Al posto tuo. Così web e robot ci stanno rubando il lavoro*, Einaudi, 2016; J. RIFKIN, *The End of Work: The Decline of the Global Labor Force and the Dawn of the Post-Market Era*, G.P. Putnam's Sons, 1995.

<sup>(6)</sup> Regarding the implications of the phenomenon, see: L. MARENGO, *Is this time different? A note on automation and labour in the fourth industrial revolution*, in *Journal of Industrial and Business Economics*, 2019, no. 46, 323–331

<sup>(7)</sup> Cfr. S. SMIT, T. TACKE, S. LUND, J. MANYIKA, L. THIEL (eds.), *The future of work in Europe: Automation, workforce transitions, and the shifting geography of employment*, McKinsey Global Institute Discussion paper, 2020.

<sup>(8)</sup> As described in: ILO, *ILO Monitor: COVID-19 and the world of work. 7th edition*, Briefing notes 25 January 2021.

<sup>(9)</sup> Cfr. WORLD ECONOMIC FORUM, *The Future of Jobs. Employment, Skills and Workforce Strategy for the Fourth Industrial Revolution*, Global Challenge Insight Report, 2016.

justment”<sup>(10)</sup>, which would be followed by an innate period of transition to the new socioeconomic context.

Indeed, what worries the most are the current drawbacks of these transformations, such as the growing obsolescence of skills and traditional jobs that pose a demanding challenge for the labour law framework<sup>(11)</sup>. For these reasons, policy makers are called upon providing new solutions to tackle the issues related to the changes in the value of labour and competences, especially now that the demand of workforce with higher digital and technical competences is gradually increasing.

Under this perspective, the European Union is still struggling with the full implementation of its digitalisation goals, although it has made considerable progress over the recent years. According to the latest the Digital Economy and Society Index (DESI)<sup>(12)</sup> report, there are still high levels of computer illiteracy, and only 56% of the European population (16-74 years old) possesses a basic mastery of common digital skills<sup>(13)</sup>.

Indeed, it is worth noting that such levels are the result of a growing and positive trend of the last years and that all European countries are constantly improving digital literacy<sup>(14)</sup>.

However, there are still other matters that need to be addressed, like the fact the growing relevance of ICT for European businesses is still not

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<sup>(10)</sup> As defined in: J. M. KEYNES, *Economic Possibilities for our Grandchildren (1930)*, in J. M. KEYNES, *Essays in Persuasion*, New York: Harcourt Brace, 1932, 358 ss.

<sup>(11)</sup> On this note, see: H. NYGREN, M. VIROLAINEN, R. HÄMÄLÄINEN, J. RAUTOPURO, *The Fourth Industrial Revolution and Changes to Working Life: What Supports Adult Employees in Adapting to New Technology at Work?*, in M. COLLAN, KE. MICHELSEN (eds.), *Technical, Economic and Societal Effects of Manufacturing 4.0.*, Palgrave Macmillan, 193-209.

<sup>(12)</sup> The DESI indicator was introduced by the European Commission in 2014 to monitor the digital progress in the socio-economic context of the Member States and provide useful insights regarding the most suitable initiatives to undertake according to the gaps and the progress made by European countries. The thematic areas considered by the DESI can be summarised as: internet use, connectivity, digital technology integration, human capital, and digital public services.

<sup>(13)</sup> DESI 2021 report of the European Commission (source: <https://digital-strategy.ec.europa.eu/en/policies/desi>)

<sup>(14)</sup> The values also tend to differ for younger samples, since, according to the latest DESI report, students and individuals with high formal education are the ones with better results in the computer literacy indicator (85-87%).



matched by an adequate availability of professional workers <sup>(15)</sup>, thus resulting in a clear mismatch between demand and supply of ICT professionals. As a consequence, such issues contribute to hinder the potential development of businesses, which are unable to fully adopt the latest technologies within their models <sup>(16)</sup> due to the lack of enough highly qualified employees.

Therefore, it is crucial to tackle the negative externalities arising from this maladjustment phase <sup>(17)</sup> by reshaping the labour law frameworks in order to counter skill mismatch and job polarisation <sup>(18)</sup> with a firmer approach to digital skills. In this respect, one of the main challenges involves the definition of broader upskilling and reskilling measures to ensure smooth employment transitions and improve the employability of the labour force throughout the continuous evolution of the socio-economic fabric <sup>(19)</sup>. In fact, although digitalisation is gradually making certain repetitive jobs obsolete and, thus, increasing technological unemployment, the implementation of policies to achieve marketable skills would contribute to increase the adaptability of the workforce <sup>(20)</sup> and counter the impact of skill mismatches and shortages.

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<sup>(15)</sup> The DESI report for 2019 depicts a major relevance of ICT for businesses, especially the medium (42,5%) and large ones (75%). In this respect, ICT specialists have been growing over the past several years, reaching 3,9% of overall employment (2018).

<sup>(16)</sup> EIB, *Who is prepared for the new digital age? - Evidence from the EIB Investment Survey*, European Investment Bank report, 2020.

<sup>(17)</sup> Cfr. V. FILÌ, F. COSTANTINI (eds.) *Legal Issues in the Digital Economy. The Impact of Disruptive Technologies in the Labour Market*, Cambridge Scholars Publishing, 2019.

<sup>(18)</sup> Cfr. G. BRUNELLO, P. WRUUCK, *Skill Shortages and Skill Mismatch in Europe: A Review of the Literature*, in *IZA DP*, 2019, no. 12346.

<sup>(19)</sup> Cfr. S. CIUCCIOVINO, *Apprendimento e tutela del lavoro*, Giappichelli, 2013; C. ALESSI, *Professionalità, contratto di lavoro e contrattazione collettiva, oggi*, in *Professionalità studi*, 2018, no. 1, 23 ss

<sup>(20)</sup> In addition, it would also counter the growing mismatch between the labour demand and supply regards professional figures.

## 2. Assuring lifelong learning pathways to the working-age population: legal recognition and beyond

In this perspective, it appears necessary to extend the scope of the current lifelong learning measures to the whole labour force by providing more social safeguards guaranteed by the labour market and not embedded into employment contracts alone <sup>(21)</sup>. After all, as supported in the transitional labour markets (TLM) theory <sup>(22)</sup>, the improvement of employability is a key factor to ensure smoother employment transitions of the labour force <sup>(23)</sup>. Such issue was also contemplated by flexicurity approach, which recognised continuous training as one of the main strategies to ensure levels of social security in the labour market <sup>(24)</sup>.

In this respect, an important breakthrough would be the enforcement of more comprehensive provisions regarding lifelong learning for all working-age individuals <sup>(25)</sup>. The formal recognition of an individual right to lifelong learning to the working-age population would indeed represent an important step for the development of a broad strategy

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<sup>(21)</sup> On this point: L. CALAFÀ, *La formazione oltre il contratto di lavoro*, in G. G. BALANDI, A. AVIO, F. BANO, S. BORELLI, S. BUOSO, L. CALAFÀ, S. RENGA (eds.), *I lavoratori e i cittadini. Dialogo sul diritto sociale*, il Mulino, 2020, 149-154.

<sup>(22)</sup> Cfr. L. CASANO, *Contributo all'analisi giuridica dei mercati transizionali del lavoro*, ADAPT University Press, 2021; G. SCHMID, *Transitional Labour Markets: Theoretical Foundations and Policy Strategies*, in M. VERNENGO, E. PEREZ CALDEN-TEY, J. BARKLEY ROSSER JR. (eds.), *The New Palgrave Dictionary of Economics*, Palgrave Macmillan, 2017, 1-15.

<sup>(23)</sup> Regarding a new season for the transitional labour market theory, see: D. GAROFALO, *Diritto del mercato del lavoro e mercati transizionali del lavoro: un binomio ormai inscindibile*, in S. CIUCCIOVINO, D. GAROFALO, A. SARTORI, M. TIRABOSCHI, A. TROJSI, L. ZOPPOLI (eds.), *Flexicurity e mercati transizionali del lavoro. Una nuova stagione per il diritto del mercato del lavoro?*, ADAPT University Press, 2021, 11 ss.

<sup>(24)</sup> Cfr. M. CORTI, *Dalla tutela della professionalità e dei posti di lavoro alla formazione continua e ai servizi per l'impiego. I 40 anni degli artt. 13 e 18 dello Statuto dei lavoratori*, in AA. VV., *Studi in onore di Tiziano Treu. Lavoro, istituzioni, cambiamento sociale*, Jovene, 2011, 841-855

<sup>(25)</sup> Regarding the importance of continuous training as an individual right to recognise, see: B. CARUSO, R. DEL PUNTA, T. TREU, *Manifesto per un Diritto del lavoro sostenibile*, in CSDLE "Massimo D'Antona", 20 May 2020, 33 ss.

concerning employability and employment transitions <sup>(26)</sup>. That is because it could reach all workers despite their employment status and provide training opportunities, thus enhancing skill development pathways and ensuring a better adaptability of the workforce <sup>(27)</sup> throughout digital transitions.

As a matter of fact, the Council of the European Union already passed a recommendation (2012/C 398/01) on the validation of non-formal and informal learning, providing an extensive framework for Member States regarding the practical instructions to promote lifelong learning <sup>(28)</sup>. Regarding the Italian framework, this resulted in a clear legal definition of permanent, formal, non-formal, and informal learning by article 4 of Law No. 92/2012 (paragraphs 51-54), which made it possible to build a more effective regulatory framework for lifelong learning. In particular, the recognition of a right to the certification of competences (paragraphs 58, 64-68) was established through not only the introduction of clear definitions for non-formal and formal learning, but also key procedures to undertake (e.g., identification of competences, documentation of learning outcomes, assessment, and certification of learning results) <sup>(29)</sup>. By doing so, the so-called “*Legge Fornero*” paved the way for creation of the stronger legal background for lifelong learning policies by providing both clear definitions for the types of knowledge and a comprehensive system for the certification of competences.

In addition, Law No. 92/2012 also had an impact on interprofessional funds <sup>(30)</sup> regarding two issues: on one side, it extended the mandatory

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<sup>(26)</sup> This perspective is often recalled by the transitional labour markets (TLM) theory, which promotes the enhancement of employability as a tool to ensure better employment transitions. Cfr. A. LOFFREDO, *Diritto alla formazione e lavoro. Realtà e retorica*, Cacucci, 2012.

<sup>(27)</sup> M. ŠIMENC, Z. KODELJA, *Lifelong Learning—From Freedom to Necessity*, in *Creative Education*, 2016, no. 7, 1714-1721.

<sup>(28)</sup> Cfr. L. CASANO, *The Future of European Labour Law and the Right to Employability: Which Role for the Validation of Non-Formal and Informal Learning?*, in *European Labour Law Journal*, 2016, no. 7, 498-519.

<sup>(29)</sup> On this point, see: S. CIUCCIOVINO, *Professionalità, occupazione e tecnologia nella transizione digitale*, in *Federalismi*, 2022, no. 9, 137 ss.

<sup>(30)</sup> Such inter-sectoral associations operate under the authorisation of the Ministry of Labour to collect the mandatory contribution from companies for the involuntary unemployment allowance (0.30% of gross wages of employees) and provide training pathways aimed at updating skills of the workers.

contribution of the 0,30% of gross wages of employees to new categories of workers (e.g., fixed-term public employees, members of cooperatives *ex DPR* <sup>(31)</sup> no. 602/1970, etc.), and, on the other side, it provided the possibility to allocate such contribution to alternative solidarity funds on the basis of collective agreement between social actors <sup>(32)</sup>.

However, it cannot be safely affirmed that such dispositions managed to ensure the recognition and implementation of an individual right to lifelong learning, since different issues still remain up to date and require an extensive reflection both on the most suitable legal instruments to ensure its concrete application and the main obstacles to its practical establishment. After all, the legal recognition of such right alone without clear directives regarding the scope of active labour policies, the beneficiaries, the amount of accruable training rights, and the subjects in charge of providing such training opportunities would not produce the desired results. For these reasons, an analysis of current obstacles to its practical fungibility should be taken into consideration.

First, it is relevant to consider the issues related to the financing mechanisms, given that some of the current upskilling and reskilling measures tend to be characterised by structural flaws. In this respect, it appears clear that a greater fungibility of an individual right to lifelong learning would be better achieved through measures that do not require beneficiaries to take the costs of training on themselves; that is because training schemes that provide a minor coverage for the costs of training (e.g., tax deductions, partial contributions) or require beneficiaries to further finance their skill development programmes could result unappealing and, thus, have a limited spread among workers.

Such perspective, for instance, can be inferred from the Canadian individual saving account known as “*Learn\$ave*”, which aimed to boost the personal investment in upskilling and reskilling pathways by tripling

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<sup>(31)</sup> I.e., Decree of the President of the Republic.

<sup>(32)</sup> One the topic of interprofessional funds, see *ex plurimis*: E. CARMINATI, L. CASANO, M. TIRABOSCHI, *L'intervento sui fondi interprofessionali per la formazione continua. I nuovi fondi di solidarietà*, in M. MAGNANI, M. TIRABOSCHI (eds.), *La nuova riforma del lavoro. Commentario alla legge 28 giugno 2012, n. 92 recante disposizioni in materia di riforma del mercato del lavoro in una prospettiva di crescita*, Giuffrè, 2012, 383 ss.

the value of contributions personally paid by beneficiaries <sup>(33)</sup>. Indeed, despite the positive impact on low-skilled individuals, the need to periodically finance the saving account and the demanding eligibility requirements did not facilitate the spread of the measure.

A similar outcome can be observed in the Italian framework for the outplacement cheque known as “*assegno di ricollocazione*”. To be specific, such voucher was designed to finance *ad hoc* placement and training services for jobseekers, providing a variable contribution for employment centres in accordance with the degree of their services <sup>(34)</sup>. Unfortunately, it achieved a low rate of voluntary participation, and the voucher system did not provide major positive effects for the beneficiaries. In fact, according to the Italian National Agency for Active Labour Policies (Anpal) reports <sup>(35)</sup>, no significant difference concerning the achievement of an employment between those who used the check (29,2%), and non-users (25,9%) was detected.

Therefore, it would be important to determine whenever to finance the dispositions to ensure such individual right through public funding, subsidies from businesses, or personal contributions from workers. Indeed, since such right would result in a positive effect for all the subjects involved, it would seem proper to have them all contributing. However, it should not be designed in a way that places a major burden on the workers, given that it would constitute a disincentive due to access barrier for low-income ones. Thus, a balanced distributions of the costs of training should be considered.

Second, it would be relevant to determine the subjects entitled with the obligation to ensure the practical fungibility of the individual right to lifelong learning. That is because while workers could in theory present their right directly to the employee, jobseekers would on the contrary be forced to demand it directly from the public bodies of the state, such as work’s employment centres. Different employment statuses would require a different approach to the practical exercise of such right.

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<sup>(33)</sup> Cfr. N. LECKIE - T.S. HUI - D. TATTRIE - J. ROBSON - J.P. VOYER, *Learning to Save, Saving to Learn: Final Report of the learn\$ave Individual Development Accounts Project*, Social Research and Demonstration Corporation, 2010 final report.

<sup>(34)</sup> Depending on the complexity of the guidance pathway and the type of employment contract later obtained by the jobseeker, it spaced from €250 to €5.000.

<sup>(35)</sup> See: ANPAL, *Rapporto di valutazione della sperimentazione dell’assegno di ricollocazione*, in *Collana Biblioteca Anpal*, 2019, no. 8, 23-37.

In addition, it would be crucial to provide not only clear directives regarding its application, but also detailed guidance for training programmes. Indeed, not providing comprehensive information regarding the access to training opportunities and the validation of competences would undermine the overall efficiency of such right, so policy makers should focus on the removal of all obstacles to the accessibility and fungibility.

In conclusion, the recognition of an individual right to lifelong learning would be undoubtedly beneficial to tackle the negative externalities arising from digitalisation. After all, it would ensure a massive re-skilling and upskilling process that could ensure a better adaptation of the labour market to the new challenges and changes concerning automation. In any case, such objective requires, on the one hand, a concerted dialogue between Government, trade unions, and employer association to solve the main issues concerning its practical implementation, on the other hand, an analysis of the current upskilling and reskilling measures to determine best models to ensure an efficient introduction of such right.

For these reasons, an evaluation of the lifelong learning best practices up to date could provide useful insights regarding the implementation of an individual right regardless of the employment status.

### **3. Temporary work-time reductions for skill development purposes to tackle the digital transition**

Among the latest dispositions regarding lifelong learning in the international framework, one remarkable example can be observed in the recent Italian emergency labour legislation<sup>(36)</sup>, which tackled the significant impact of the pandemic crisis by providing economic aid to workers and businesses and greater margins of flexibility to employers. Under this perspective, it is worth noting that the Italian government has decided, *inter alia*, to strengthen the professional competences of the

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<sup>(36)</sup> On the topic, see *ex plurimis*: D. GAROFALO, M. TIRABOSCHI, V. FILÌ, F. SEGHEZZI (eds.), *Welfare e lavoro nella emergenza epidemiologica. Contributo sulla nuova questione sociale - Volume I*, ADAPT Labour Studies e-Book Series, 2020, no. 89; C. CESTER, *Emergenza epidemiologica e corresponsività nel rapporto di lavoro*, in *Labor*, 2020, no. 4, 469-475.

employees by binding the provision of more organisational flexibility to investments in upskilling and reskilling pathways <sup>(37)</sup>.

In particular, the article 88 of Law No. 77/2020 (converting the so-called “*Decreto Rilancio*”) has given the possibility to all private employers to arrange temporary work-time reductions for upskilling and reskilling purposes during the 2020-2021 period by financing the costs of labour with the introduction of the “*Fondo Nuove Competenze*” (New Skills Fund) <sup>(38)</sup>. The National Agency for Active Labour Policies (Anpal) has allocated a €730 million fund to amortize the costs of labour for all the companies that will implement a specific company-level or territorial collective agreement between social parts’ associations comparatively more representative in order to activate training courses during the regular working times (within a maximum limit of 250 hours of reduction per employee) <sup>(39)</sup>.

Regarding the structure of the New Skills Fund, a strong involvement of trade unions and employers’ associations can be observed, especially in relation to the training courses to propose. Such cooperation can be inferred from the agreements, which need the approval of all involved parts and require specific details regarding the number of employees to be included, the overall number of working hours to be financed by the Fund, the content of the training projects, and precise information on the learning outcomes to reach. As a result, the social actors are called upon to structure these training programmes in relation to real business needs and in line with current professional needs, thus encouraging better investment in the processes of upskilling and reskilling of staff and avoiding the logic of passive subsidies.

Although such measure cannot be taken into account as a comprehensive model for the introduction of an individual right to lifelong learning due to its limited pool of potential beneficiaries <sup>(40)</sup>, it could still be useful to analyse the practical application of the measure and its financ-

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<sup>(37)</sup> P. A. VARESI, *Crisi aziendali: sostegno al reddito e formazione dei lavoratori*, in *DPL*, 2021, no. 1, 35-39

<sup>(38)</sup> Cfr. G. IMPELLIZZIERI, E. MASSAGLI, *Fondo Nuove Competenze: istruzioni per l’uso e nodi operativi*, in *Boll. ADAPT*, 2020, no. 40.

<sup>(39)</sup> R. CAMERA, *Formazione in azienda: al via il fondo che facilita l’adeguamento a nuovi modelli organizzativi*, in *IPSOA. Professionalità Quotidiana*, 14 October 2020.

<sup>(40)</sup> Such agreements involve only employees from the private sector, inevitably leaving aside jobseekers.

ing mechanism. By doing so, it could be possible to better comprehend different lifelong learning approaches.

Regarding the New Skills Fund, it is worth noting that its public funding mechanism allows employers to reduce the cost of labour without any reduction in pay or drawbacks for workers in order to promote internal relocation paths in accordance with the current productive and organizational needs <sup>(41)</sup>. In particular, by reimbursing the cost of the working hours dedicated to the frequency of training courses <sup>(42)</sup>, it gives all applicant companies the chance to organise individual skill-development periods thanks to temporary remodulations of working times approved through collective agreements at company or territorial level <sup>(43)</sup>. Thus, despite the different approach with regard to other traditional social safeguards measures such as Wage Guarantee Funds, the New Skills Fund still relies on a distribution of the costs between business and State. In any case, it can be interpreted as a fresh active labour market measure aimed at countering the permanent exclusion from the labour market. After all, the strengthening of employability is a decisive factor to support workers during occupational crisis and transitional periods between different jobs.

Although it might still be too early to assess the overall effectiveness of the New Skills Fund, it can be stated that such measure has already achieved a good response from social actors. In fact, according to the preliminary notes released by Anpal <sup>(44)</sup>, it has already reached more than 2.751 companies and 243.000 workers for an overall number of 24.000.000 hours of work dedicated to training. In particular, such data highlight the involvement of important large companies, as well as

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<sup>(41)</sup> The full coverage by the Fund encourages companies to organize individual or collective training programs (distance learning, training on the job, blended learning) lasting a total of 90 days. Indeed, an incentive for the employer to sign such agreements can be drawn from the net benefits both in terms of human capital development and temporary reduction of labour costs.

<sup>(42)</sup> According to the Anpal guidelines, the Fund only concerns the working hours that employees undertake for training activities, thus covering pay and social security/welfare contributions (70% of the agreed share is paid immediately and, at the end of the training control procedures carried out, the remaining 30%).

<sup>(43)</sup> Companies are still in charge of paying for the cost of training itself, as well as severance pay, and other variable forms of remuneration.

<sup>(44)</sup> Source: Communication of Anpal “*Fondo nuove competenze, i dati Anpal confermano il successo della misura*” of 6 May 2021.



SMEs <sup>(45)</sup>. Among these ones, the agreements recently formulated by the large telecommunications companies can be taken as an example <sup>(46)</sup>.

For instance, Wind Tre S.p.A. has requested approximately 290.000 hours of coverage from the fund for its “Empowering the Future” program, which is based on various training modules and a business digital platform for learning. The same goes for “New skills to build future” agreement of Sirti S.p.A., namely an important company operating in the field of telecommunications network design and development; this latter has decided to involve about 1.100 workers for over 290.000 hours of training in order to fight the obsolescence of competences arising from technological progress.

Similar terms can be observed for Vodafone Italia S.p.A. as well, since it planned a reskilling project aimed at involving about 6.000 employees for over 300.000 hours of training in both soft skills, and hard skills in order to meet the new production and organizational needs. However, one of the most ambitious plans up to date can be observed in the training programme of Tim S.p.a., which opted for both upskilling and reskilling pathways for about 37.000 employees. In particular, such agreement is focused on combining technical and digital knowledge with organizational and managerial competences, thus providing comprehensive skills to all workers involved.

In conclusion, although the New Skills Fund cannot be taken into account as best model to promote the practical implementation of an individual right to lifelong learning for the whole working-age population, it can still be considered as an encouraging and efficient measure to support employability <sup>(47)</sup>, since it gives more responsibility to social actors for professional development of employees. After all, in the context of socio-economic and employment uncertainty of the post-pandemic situation, it will indeed be necessary to invest in the adaptability of workers and provide them with the new skills required by the

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<sup>(45)</sup> In particular, the telecommunication sector demonstrated both a very positive approach to the institute and signs of co-management of development objectives with the trade unions.

<sup>(46)</sup> On this note, see: M. FORBICINI, “Fondo Nuove Competenze”: un segnale tangibile verso la riconversione professionale, in *Il diario del lavoro*, 11 December 2020.

<sup>(47)</sup> See: C. VALENTI, *La tutela della professionalità nel mercato del lavoro che cambia*, in *LD*, 2021, no. 1, 141 ss.

changing labour market <sup>(48)</sup>. In this respect, the introduction of similar measures to ensure upskilling and reskilling process, despite the limited scope, can still provide an overall positive effect on the labour market and useful insights regarding the definition of active labour measures.

#### **4. Individual learning accounts, micro-credentials, and training credits for the working-age population**

As previously inferred, the implementation of an individual right to lifelong learning undoubtedly requires the prevision of an adequate framework to ensure upskilling and reskilling to the whole working-age population. In addition, it would also need to adopt a comprehensive approach to the matter in order to counter the obstacles in providing equal opportunities to individuals with a different employment status and professional level <sup>(49)</sup>. Therefore, this issue inevitably leads to a reflection on other continuous training instruments, such as individual learning accounts, individual saving accounts, and training vouchers.

In this respect, the so-called “individual learning schemes” (ILS) would indeed seem to be among the most adequate solutions, given that they are «training schemes attached to the individuals» designed to assure continuous training throughout their working life <sup>(50)</sup>. Under this perspective, for instance, the use of individual learning accounts would consider beneficiaries regardless of the employment status.

After all, such approach has also been envisaged by the recent proposals for Council’s recommendations on an “European approach to micro-credentials for lifelong learning and employability” COM(2021) 770 final and “individual learning accounts” COM(2021) 773 final. These latter are aimed at ensuring a smoother digital and green transition by defining a common framework regarding learning accounts and micro-credentials and implementing more comprehensive upskilling and reskilling actions, especially addressed at the low-skilled popula-

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<sup>(48)</sup> Cfr. L. CASANO, *La riforma del mercato del lavoro nella nuova geografia del lavoro*, in *DRI*, 2017, no. 3, 634-686.

<sup>(49)</sup> On the point of individualisation and universalism of safeguards, see: M. BARBERA, *Impresa, lavoro e non lavoro nell’economia digitale, fra differenziazione e universalismo delle tutele*, in *DLRI*, 2018, no. 158, 403-422.

<sup>(50)</sup> The definition can be found in: OECD, *Individual Learning Accounts: Panacea or Pandora's Box?*, OECD Publishing, 2019, 7 ss.

tion <sup>(51)</sup>. Such proposals are intended as a way to push Member States to provide training entitlements to the whole working-age population, thus establishing the recognition of an individual right to lifelong learning regardless the employment status.

Regarding the Italian framework, new developments in this matter have been introduced by Law No. 178/2020 and later strengthened by Law No. 234/2021, given that the recent introduction of the so-called GOL Program (“*Garanzia di Occupabilità dei Lavoratori*”) – namely one of the main pillars of the National Recovery and Resilience Plan that aims to promote employment and employability in Italy by designing active labour interventions for specific categories (e.g., unemployed, beneficiaries of income subsidies, laid-off workers, women, young people, the over-50s, etc.) – has also been considering the use of individual learning account and micro-credentials system to improve upskilling and reskilling actions <sup>(52)</sup>. In particular, the GOL Program involves – among the different actions for the reintegration of employment and the enhancing of employability – also the possibility to establish, through collective agreement, inter-company centres aimed at setting up individual lifelong learning accounts and ensuring the continuous training of workers, thus facilitating mobility between companies <sup>(53)</sup>.

In this perspective, given the renewed importance of individual learning accounts in the current measures, it could be useful to observe other models already in place in the international framework, namely the French “*Compte Personnel de Formation*” (CPF) and the Singaporean “*SkillsFuture Credit*” (SFC). The choice of measures belonging to such different socioeconomic and legal framework can be motivated not only by the topicality of these learning accounts – which constitute the only proper examples of individual learning accounts up to date –, but also by the positive results achieved both with employees and jobseek-

<sup>(51)</sup> See the European Commission factsheet on “Individual Learning Accounts and Micro-Credentials”, December 2021 (source: <https://ec.europa.eu/social/BlobServlet?docId=24988&langId=en>).

<sup>(52)</sup> See: F. GISMONDI, *Il programma guida GOL: prossimità, cooperazione e personalizzazione*, in *IPSOA. Professionalità Quotidiana*, 24 March 2022.

<sup>(53)</sup> In this regard, the implementation of the main goals of the Program will also need to consider the repartition of competences at regional and national level in the field of professional training. After all, the Regions and Autonomous Provinces will be in charge of 20% of the total resources allocated to the “Active labour policies and training” of the National Recovery and Resilience Plan.

ers. Thus, such analysis would be able to provide important insights regarding the practical implementation of lifelong learning schemes.

Regarding the *Compte Personnel de Formation* (<sup>54</sup>), it can be stated that such measure has introduced an individual right for the whole French workforce to attend training programmes (<sup>55</sup>). This measure reformed the prior “*droit individuel à la formation*” (DIF) by introducing a new “individual right to lifelong learning”. This latter is attributed to all working-age French citizens regardless of their employment status and is exercisable on the basis of the amount of annual work or voluntary service (<sup>56</sup>). By doing so, the *Compte Personnel de Formation* allows beneficiaries to accrue training credits according to their involvement in work or voluntary service.

In particular, the Law No. 771/2018 has reformed the *Compte Personnel de Formation* in order to provide every beneficiary with a yearly amount, namely by changing the mechanism for calculating training credits from hours to euro and allowing individuals to accrue up to €500-800 each year (max. €5.000-8.000) in accordance with the annual hours dedicated to work or voluntary activities (<sup>57</sup>). The greater fungibility of the CPF system for the recognition of an individual right to lifelong learning can be also inferred from the sudden spread of personal accounts, which increased up to 5.468.534 at the beginning of 2018.

A similar perspective could be observed in the Singaporean SkillsFuture Credit (<sup>58</sup>), namely a lifelong learning measure that resembles a mix of all types of individual learning schemes (individual learning accounts, individual saving accounts, training vouchers). This learning scheme not only provides to all Singaporean citizens (aged 25 years old

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(<sup>54</sup>) Introduced in France by Law No. 288/2014.

(<sup>55</sup>) On this note, see: S. D'AGOSTINO, S. VACCARO, *Nuove tutele per i lavoratori: il diritto soggettivo alla formazione Francia e Italia a confronto*, in *Professionalità studi*, 2020, vol. 3, 137 ss.

(<sup>56</sup>) This public funding mechanism for accruing training credits that is not only universally recognized on the basis of citizenship and eligible for capitalisation, but also portable during employment transitions.

(<sup>57</sup>) Cfr. L. CASANO, *Ripensare i Fondi Interprofessionali per la formazione continua: uno sguardo ai progetti di riforma francesi*, in *Boll. ADAPT*, 2018, no. 12.

(<sup>58</sup>) To be specific, the structure of the the SkillsFuture Credit programme resembles the one of a “lifetime voucher” for continuous training, since the characteristics of this hybrid learning model differs from the traditional saving schemes.

and up) with a S\$500 credit for training and learning purposes <sup>(59)</sup>, but it also supports elder and fragile beneficiaries with additional contributions <sup>(60)</sup>.

In this respect, it is also worth noting the extensive scope of the measure, since it managed to involve more than 500.000 Singaporeans up to 2019 and increased the training participation of the population to 48,5% five years after its introduction <sup>(61)</sup>. Surely, such positive results can be attributed to the involvement of all population among the beneficiaries of the learning scheme. However, it is also due to the introduction of various job-placement programmes, career guidance consultancies, and work-study courses, which contributed to the success of the measure as well. In addition, the provision of portal service guides and technical assistance through chatbots increased its fungibility and removed the access barriers for those without basic digital competences.

Therefore, it can be stated that the SFC system constitutes an interesting solution that could be able to ensure the practical implementation of an individual right to lifelong learning. After all, it can be described as one of the most comprehensive individual learning accounts up to date, which is able to tackle the negative externalities arising from the digitalisation processes, such as the lack of digital skills and the obsolescence of competences.

In conclusion, with respect to reskilling and upskilling it is safe to say that there is no unique model to adopt. In fact, even though some countries already implemented legislative measures to improve the competences of the population, others prefer to rely on other solutions such as cooperation of social parts and collective bargaining to achieve more comprehensive approaches. After all, individual learning and saving accounts are not the only viable solutions to implement an individual right to lifelong learning. For these reasons, as recommended by the

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<sup>(59)</sup> On this point, see: P.T. NG, *SkillsFuture: The Future of Lifelong Learning in Singapore*, in H.J. MALONE - S. RINCÓN - GALLARDO - K. KEW (eds.), *Future Directions of Educational Change: Social Justice, Professional Capital, and Systems Change*, Routledge, 2018, 205 ss.; M. FUNG, *Developing a Robust System for Upskilling and Reskilling the Workforce: Lessons from the SkillsFuture Movement in Singapore*, in B. PANTH - R. MACLEAN (eds.), *Anticipating and Preparing for Emerging Skills and Jobs, Key Issues, Concerns, and Prospects*, Springer, 2020, no. 55, 321-327.

<sup>(60)</sup> The “Mid-Career Support Package” involves elder citizens aged 40-60 years old and gives them additional credits.

<sup>(61)</sup> See the SSG annual report 2020 “*SkillsFuture 2019 Year-In-Review*”.

ILO, it is also crucial to promote an extensive and comparative approach to lifelong learning policies by confronting both legislative interventions and collective bargaining agreements and, thus, promoting skill-development measures to ensure occupational mobility.

## 5. Conclusions

Under this perspective, the establishment of an individual right to lifelong learning constitutes an ambitious goal that requires an adequate legal framework and specific provisions in order to involve all working-age individuals; after all, the new challenges arising from the evolution of the socioeconomic and legal contexts concerns everyone <sup>(62)</sup>. However, such issue indeed makes it more difficult to correctly design the scope and extensions of upskilling and reskilling policies, thus, hampering the potential effects of lifelong learning pathways as well <sup>(63)</sup>.

For these reasons, the introduction of an individual right to lifelong learning should be preceded by a continuous analysis of the latest upskilling and reskilling initiatives introduced in the international context (comprehensive phase of policy review), thus prompting a reflection on the individualisation or universalism of safeguards and the role of social parts. That is because an evaluation of lifelong strategies would allow to better identify the most suitable ways to boost continuous learning and training, providing other valuable insights as well <sup>(64)</sup>. In this regard, it can be said that the new strategies at the European level to improve skills are to be considered as a positive step forward, since they involve the above-mentioned steps. In this respect, it is worth mentioning the new “Pact for Skills” initiative to promote a broad commitment between businesses, trade unions, and territorial agencies aimed at the development comprehensive lifelong learning pathways.

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<sup>(62)</sup> Such issue was already pointed out in: C. ALESSI, *Professionalità e contratto di lavoro*, Giuffrè, 2004, 14 ss.

<sup>(63)</sup> Cfr. OECD, *Improving the Quality of Non-Formal Adult Learning: Learning from European Best Practices on Quality Assurance*, OECD Publishing, 2021.

<sup>(64)</sup> Cfr. CEDEFOP, *Empowering adults through upskilling and reskilling pathways. Volume 2: Cedefop analytical framework for developing coordinated and coherent approaches to upskilling pathways for low-skilled adults*, Publications Office of the European Union, Cedefop reference series, 2020, no. 113.

To be specific, such pact is also based on the promotion of knowledge hubs for career guidance services and networking involving different social actors in order to better identify the frameworks for upskilling and reskilling measures.

A similar perspective can be observed in the “European Skills Agenda for Sustainable Competitiveness, Social Equity and Resilience”, which started a concerted dialogue between governments, businesses, and trade unions in order to strengthen the relevance of skills and competitiveness through public and private investments in upskilling and re-skilling.

In addition, the country reviews (TCRs) on upskilling pathways for the 2021-2023 period undertaken by Cedefop can be considered as a positive example <sup>(65)</sup> of coordinated consultancy regarding the framework of lifelong learning measures. In particular, Cedefop is verifying the results achieved by Member States regarding the implementation of the Council Recommendation of 19 December 2016 on “Upskilling Pathways: New Opportunities for Adults” (2016/C 484/01), especially the ones concerning literacy, numeracy, and digital skills (EQF 3-4 level). Indeed, a continuous consultancy and review process can help determining which upskilling and reskilling measure are the most suitable to ensure skill development, providing margins for improvement as well.

In conclusion, the growing relevance of lifelong learning among the priorities of the European actions surely depicts an encouraging scenario <sup>(66)</sup>, given that policymakers seem to be gradually laying the foundations for the practical establishment of a legal framework to ensure lifelong learning actions. Nonetheless, one of the main challenges in the following years will still be the difficulty in reconciling the needs of the various subjects involved (governments, businesses, trade unions, workers) and overcoming the logic of employment status. Only then can an individual right to lifelong learning be fully recognised as a social right.

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<sup>(65)</sup> Cedefop Press release April 2021 “*Cedefop launches reviews on upskilling pathways for adults in France and Italy*”.

<sup>(66)</sup> Cfr. A. ROTA, *Sull’Accordo quadro europeo in tema di digitalizzazione del lavoro*, in *LLI*, 2020, vol. 6, no. 2.

## Abstract

### La crescente rilevanza degli interventi di upskilling e reskilling nel contrasto alle esternalità negative derivanti dalla transizione digitale

**Obiettivi:** Il contributo affronta il tema dell'accrescimento professionale come mezzo per contrastare le esternalità negative derivanti dalla digitalizzazione. **Metodologia:** La metodologia adottata per la ricerca si basa sull'analisi dell'apprendimento permanente come diritto individuale da garantire effettivamente alla popolazione in età lavorativa. **Risultati:** La digitalizzazione, unita alla crisi pandemica, ha accresciuto l'interesse per il tema della professionalità come base per favorire l'occupabilità della forza lavoro, avendo questa trovato posto anche nelle recenti politiche attive di ripresa socioeconomica. **Limiti e implicazioni:** L'analisi è limitata a una generale panoramica dei possibili strumenti per l'accrescimento professionale, pur tenendo in considerazione alcuni recenti interventi in tema. **Originalità:** Il contributo evidenzia alcuni possibili strumenti che potrebbero portare l'accrescimento professionale a diventare una forma di tutela intrinseca dei lavoratori nel mercato del lavoro.

**Parole chiave:** apprendimento permanente, digitalizzazione, sviluppo delle competenze, Fondo Nuove Competenze.

### The growing relevance of upskilling and reskilling interventions in countering the negative externalities arising from the digital transition

**Objectives:** The paper addresses the issue of professional enhancement as a solution to counter the negative externalities arising from digitalisation. **Methodology:** The methodology adopted for the research is based on the analysis of lifelong learning as an individual right to be effectively guaranteed to the working-age population. **Results:** Digitalisation, combined with the pandemic crisis, has increased interest in the issue of skill development as a basis for fostering the employability of the workforce, given that they also gained importance in recent active socio-economic recovery policies. **Limitations and implications:** The analysis is limited to a general overview of possible instruments for professional enhancement, despite taking into account some recent interventions on the matter. **Originality:** The article highlights some possible instruments that could lead skill enhancement to become an intrinsic protection for workers in the labour market.

**Keywords:** lifelong learning, digitalisation, skill development, New Skills Fund.