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CONTRIBUTION OF SEVERANCE PAY AND AUTOMATIC ADHESION TO THE SUPPLEMENTARY PENSION SCHEME:

THE NEW RULES FROM 1 JULY 2026



From 1 July 2026, the new provisions on supplementary pension introduced by the 2026 Budget Law (Law no. 199/2025, art. 1, paragraphs 195-205), which amend Legislative Decree no. 252/2005, became operational.

The reform takes place on two distinct levels:

- ❖ **the benefits provided by pension funds** (methods of lump sum and annuity payment, new forms of flexible decumulation);¹
- ❖ **the methods for conferring severance pay and the mechanism for automatic adherence to supplementary pension schemes.**

With this newsletter we focus on the second aspect, which has a more immediate operational impact for employers. As will be better explained in the following paragraphs, the new rules in fact mean that the employee's inertia (understood as a lack of choice) not only produces the effect of allocating the severance pay to a supplementary pension scheme but can also trigger the employer's obligation to pay the contribution at his expense, where provided for by the collective agreement applied.

The new rules at a glance

Article 1, paragraph 204, of Law 199/2025 establishes that, from 1 July 2026, **the deadline within which the employee in the private sector can choose the destination of his or her accruing severance pay is reduced from 6 months to 60 days.** If this deadline has elapsed unnecessarily, without an express declaration, the mechanism of automatic adhesion to the supplementary pension scheme operates.



This novelty concerns employees in the private sector, with the exception of domestic workers, on their first hire from 1 July 2026. For this category of workers, inertia no longer involves only the conferral of severance pay: in fact, it can also activate the

¹ Among the main changes in terms of benefits are the remodulation of the maximum portion that can be paid out as a lump sum of the amount and the introduction of new flexible decumulation methods (fixed-term annuity, scheduled withdrawals, split payment of the amount for a minimum period of 5 years).

employer's contribution provided for by the collective bargaining applied, with a direct impact on labour costs.

Subjective scope

The rules are not identical for all workers: the applicable discipline depends on whether it is a worker at the first hire, a worker already enrolled in a form of supplementary social security, or a non-first-time worker without a previous choice. The following table summarizes the main cases.

Situation of the worker	Applicable rule
First recruitment in the private sector from 1 July 2026	60 days to choose between joining a form of supplementary pension or maintaining severance pay in the company; in the absence of a choice, automatic adhesion to the fund provided for by the CCNL applied (or, failing that, to the residual fund)
Already enrolled in supplementary pension schemes, in the event of a new employment relationship	60 days to indicate the destination of future severance pay; it is not possible to opt for keeping in the company, unless the position gained in the previous relationship is fully redeemed
Not first hired, without previous express choice	New window of silence-assent introduced by the reform; The operating procedures are being defined through the implementing measures and the updated ministerial forms
Fixed-term employment relationship	Automatic adhesion operates only if the duration of the contract allows the expiry of 60 days from employment without the worker having expressed a choice; however, the right of explicit adhesion remains

The mechanism of automatic adhesion



In the event of failure to choose within 60 days, the accruing severance pay automatically flows into the negotiated pension form identified by the collective agreement applied to the employment relationship. If more than one collective agreement is applied in the company, with the consequent possible identification of several reference pension funds,

reference must be made to the negotiation fund with the highest number of memberships on the date of employment of the worker. In the absence of a suitable collective form, the residual destination is represented by the Cometa fund (National supplementary pension fund for workers in the metalworking industry, plant installation and related sectors), which has replaced the abolished FondINPS.

Automatic adhesion, unlike the previous mechanism of silence-consent, involves the transfer not only of the accruing severance pay, but also of any contribution to be paid by the employer and the employee provided for by the collective agreement applied (so-called full contribution).

The choice to join the supplementary pension scheme is irrevocable, while the choice to keep the severance pay in the company can always be revised in favour of membership.

The Ministry of Labour, with the FAQs released on 17 June, clarified that automatic membership also applies to fixed-term employment relationships, provided that the duration of the contract is such as to allow the expiry of 60 days from employment without the worker having expressed any choice; in any case, the right of the fixed-term worker to join with an explicit choice remains unaffected.

The verification of the suitability of the destination fund

The COVIP instructions of 23 June 2026 introduced an additional requirement for the employer: from 1 July 2026, supplementary pension schemes can only be automatically accepted if they are equipped with investment paths or lines that comply with the minimum criteria established by the legislation (so-called life cycle paths), which provide for a progressive



reduction of risk according to the age of the member and the time horizon at retirement.

It is therefore not sufficient to identify the fund provided for by the collective agreement applied: it is also necessary to verify that the fund is suitable for collecting automatic memberships, information that pension schemes are required to publish in the public area of their website. It is advisable for the company to acquire and maintain evidence of the verification carried out.

The free form while waiting for the new TFR2 model

Pending the update of the TFR2 ministerial model, which will be adopted by a special interministerial decree, the Ministry of Labour has clarified that the worker's choice can be validly expressed by means of a written declaration in free form. On 30 June 2026, a draft was published on the Supplementary Pension Portal that can be used for this purpose.

Comparison table: old and new regime

Appearance	Until 30 June 2026	From 1 July 2026
Deadline for choosing the worker	6 months	60 days
Object of the transfer in case of inertia	Severance pay only	severance pay, in addition to any contribution from the employer and the employee provided for by the CCNL applied
Effective date of the provision in the event of failure to choose	From the 7th month	From the date of employment
Destination Sub-Fund/Investment Line	Guaranteed sub-fund	Line consistent with the personal profile of the member (life cycle paths)

Operational obligations for the employer

Adapting to the new rules requires an update of the company's recruitment and payroll procedures. The main operational steps are summarized below.

Step	Content and timing
1. Written information on recruitment	Delivery to the worker, at the same time as the recruitment documentation, of clear information on the CCNL applied, the reference pension fund, the options available, the 60-day deadline, the consequences of the failure to choose and any employer's contribution. While waiting for the new ministerial model, it is advisable to prepare a free-form information notice, which must be signed for receipt.
2. Acquisition of the worker's declaration	Verification and collection of a specific declaration regarding the nature of "first hiring" and any previous adherence to a form of supplementary social security, a decisive element in identifying the applicable discipline.
3. 60-day term tracking	Establishment of an internal procedure that traces, for each recruitment, the date of recruitment, the date of delivery of the information, any choice expressed and the expiry of the deadline.
4. Identification and verification of the suitability of the fund	Identification of the pension fund provided for by the CCNL applied (or of the residual Cometa fund in the absence thereof) and verifies that the fund is suitable for collecting automatic memberships according to the COVIP minimum criteria on life cycle paths, with preservation of the relevant evidence.

Step	Content and timing
5. Verification of the employer's contribution	Ascertainment, for each CCNL applied, of the presence and extent of any contribution to be paid by the employer, with an assessment of the relative impact on labour costs in the event of automatic adhesion.
6. Updating payroll procedures	Adjustment of personal data, fund codes, contribution reasons and payment flows, both in the case of express choice and in the case of automatic adhesion.
7. Document storage	Filing of all documentation delivered and received (information, declarations, choice forms), for evidentiary purposes in the event of checks.

Final Thoughts

In light of the above, the new regulatory framework requires companies to constantly monitor the 60-day deadline and to verify in advance, for each collective agreement applied, the destination fund, its suitability to collect automatic adhesions and any employer contribution. Timely and correctly documented management makes it possible to avoid errors in the allocation of severance pay, omissions of contributions and possible disputes by workers.

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Do not hesitate to contact us for any further information.

Sincerely,

Beatrice Pallante

This newsletter is the result of a collaboration between artificial intelligence and human expertise, with revision and editorial care by Beatrice Pallante