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***“COMMERCIAL LAW FROM A
EUROPEAN PERSPECTIVE:
BETWEEN OVERREGULATION AND DEREGULATION,
MANDATORY RULES AND PRIVATE ORDERING,
HARMONIZATION AND FLEXIBILITY”***

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The new Law No. 76/2025 and the soft involvement of workers between legislation, corporate bylaws and collective bargaining

The paper examines the recent Italian law on employee participation in companies (Law No. 76/2025) from the specific perspective of the sources regulating the new participatory schemes. Within the broad and flexible framework established by the new legislative provisions, the detailed regulation of these arrangements is effectively delegated to various forms of private autonomy – namely corporate bylaws, collective bargaining, and organizational choices at company level – whose mutual relationships and limits do not always clearly emerge from the wording of the statute. Before addressing these issues, the paper provides a concise overview of the different forms of participation introduced by Law No. 76/2025 and their respective scope of application. Finally, some concluding remarks focus on

the overall rationale of the reform and the underlying legislative policy choices in terms of “soft” employee involvement.