

LABLAW WINS AN IMPORTANT CASE FOR NH ITALIA REGARDING 2nd LEVEL TRADE UNION AGREEMENTS

MILAN, November 14th, 2019 – The LABLAW team has victoriously assisted NH Italia on a contentious and delicate trade union matter commenced by employees before the Rome Labor Court.

The history of the dispute dates back to 2012 when NH Italia, at the time also assisted by LABLAW, cancelled all of the second-level agreements, including those inherited from the previous company Jolly Hotels SpA, due to a reorganization in place at the time.

In separate judgments, some of the employees commenced action in the Rome Labor Court to try and claim the illegitimacy of the cancellation of the trade union agreements by NH Italia by declaring their right to past economic treatments - some dating back to the 80s or to part of the corporate structure relating to the old Jolly Hotels business from 2012.

After a long case, due to oral testimony, on November 6th, 2019 the Labor Court of Rome, rejected the appeal which was presented by the employees stating that "The economic benefits of a contractual source are outside of the concept of just retribution" and that "with the communication to the OO.SS. (*Organizzazioni Sindicale* – in English the Trade Union Organisation) NH Italia had correctly terminated the agreements for the payment of the requested fees", thus ascertaining the correctness of the company operations.

NH Italia's victory in this case has led to the employees involved making claims against the company having to pay the legal costs and court fees relating to the dispute.

NH Italia, the Italian subsidiary of the Spanish NH Group, is the largest hotel group in Italy with over 50 locations throughout the country.

LABLAW's team advising NH Italia on this matter included Managing Partner **Francesco Rotondi**, Partner **Alessandro Paone** and Senior Associate **Marco Pati Clausi**.



FRANCESCO ROTONDI
and
ALESSANDRO PAONE