Job discrimination in Italy

Brussels supports poor cousins

FOREIGNERS employed by the Italian national research council (CNR) have obtained strong backing from the European Commission in Brussels in their struggle for the same rights as Italian scientists, job security in particular.

For years now, the 18 scientists (the number was much larger, but has dwindled as the conflict has dragged on) have been switched from one short-term contract to another, although Italian colleagues of the same standing were granted tenure and improvements in salaries and conditions. In 1982 the contracts of all 18, scattered throughout many disciplines and throughout Italy, were terminated by CNR, but they were then re-employed as consultants by the institutes at which they worked but without pension and other rights. In January this year, the 18 won further two-year contracts, after heavy pressure on CNR, and the institution of legal proceedings (which may take three years to come to court) on their behalf.

That is not enough, says the Commission's director-general for employment and social affairs, Jean Degimbe, in a letter sent on 22 August to the Italian ambassador in Brussels. In the letter, released by the 18, Degimbe says that the failure to give permanent jobs to these research workers "constitutes discrimination in working conditions" compared with their Italian colleagues. The letter refers to the unequal conditions of pay and status and says that their employment is "precarious" in contrast with the stability enjoyed by their Italian colleagues.

The letter charges that the CNR action is contrary to the European Economic Community (EEC) treaty and in particular to paragraph 4 of article 7 of Regulation EEC/1612/68, which decrees that contracts or rules of employment that discriminate against citizens of other member states "shall be null and void". Degimbe then requests, within two months, a copy of the measures adopted by the Italian Government in order to conform with the directives of the Community in this matter.

So are Italian legislators now shaking in their shoes? Probably not, for in another letter obtained by the 18, an Italian official in Brussels forwards Degimbe's letter to Rome with the remarks that "as far as we are able to determine . . . the Commission does not think the time is ripe for a comprehensive solution of the problem, given the present difficult economic conditions, which encourage protectionism and isolationism . . . The Commission therefore limits itself to following up the protests and claims received, selecting those that make suitable test cases to ease the path towards a real solution".

However, the official adds, the Commission is close to making a proposal for a

directive on transnational employment. Such a step would bring the issue to the political level of the Council of Ministers. The official also points out that CNR cannot evade its responsibilities by claiming that CNR scientists, as civil servants, are immune from the application of the anti-discrimination directives because of the way in which the Treaty of Rome excludes posts in public administration. The Commission takes the view, says the Italian official, that this qualification applies only to posts involved in the "exercise of civil power".

What will happen now is far from clear. Brussels is awaiting a reply, and is said to be considering taking Italy to the European Court if no satisfactory solution is forth-

coming. But Italy can delay action pending the outcome of the case laid by the 18 against CNR under Italian national law. A spokesman for the 18, ex-Belgian (now Italian) Julien Houben, a biophysicist at Pisa, is not concerned, however: he feels that the Brussels letter will strengthen their case in Italy and pave the way for a political solution.

At CNR, officials claim they are caught in a legal dilemma: its *parastato* (civil service) statutes forbid it to employ foreigners, so it cannot hope to obey both Italian and EEC regulations. The answer thus seems to lie with the Italian Government, which no doubt is why the 18 are now seeking interviews with the Minister of Research and with the Prime Minister, socialist Bettino Craxi. The 18 hope to know their future prospects "within 15 days" said a spokesman on Monday.

Robert Walgate

US research support

Academics agree on fair play

Washington

PORK-barrel politics may soon be a thing of the past in the competition for federal research funds if leading research universities in North America adhere to their recent gentleman's agreement. At its annual meeting in Los Angeles last week, the Association of American Universities (AAU) issued a statement affirming that scientific merit and not political influence should determine the distribution of government money for both scientific projects and the facilities to house them.

By issuing the statement, AAU, which represents the 50 major research universities in the United States and Canada, implicitly reprimanded two of its own members. Many university presidents have been angered by the unconventional congressional manoeuvres used earlier this year by Catholic University in Washington, DC and Columbia University in New York. Both universities employed a Washington-based lobbying firm to talk Congress into supporting projects that would not otherwise have been supported (see *Nature* 20 October, p.659).

The statement does not name the two universities but says that the principle of peer review in scientific funding decisions needs to be preserved and strengthened. It calls on university leaders, scientists and members of Congress to refrain from actions "that would make scientific decisions a test of political influence rather than a judgment on the quality of work to be done". The correct procedure, the statement says, is for Congress to appropriate funds for broad categories of research, and for federal agencies then to make individual decisions on the basis of expert advice.

AAU's views that peer review should be applied to buildings as well as to research programmes marks a defeat for Father

William Byron, president of Catholic University. He had argued before the meeting that only the programmes themselves required peer review. But the statement does recognize the temptations facing many universities suffering from a shortage of facilities needed to support worthwhile research.

Since the early 1970s, AAU claims, there has been virtually no federal government support for the construction and renovation of research facilities. The decade of neglect has hampered American science and placed "great stress" on the process by which the government allocates scientific resources.

Peter David

Cuba elected

CUBA is to "modernize and extend" its nuclear research institute, according to the official press agency, *Prensa Latina*. The institute "will be allocated" two new reactors — one of 10 MW and one of "greater power", *Prensa Latina* said. Work is also going forward on the construction of the first Cuban nuclear power station.

The announcement was made to celebrate Cuba's election last month to the governing board of the International Atomic Energy Agency (a board which *Prensa Latina* somewhat unfortunately called the "governors' junta"). Cuba has sought election since 1978, and claims that it would have been elected earlier were it not for "US pressures". In particular, alleged *Prensa Latina*, the United States urged Guatemala to put itself forward as a candidate for the board, which, in view of the "nearly non-existent development of that Central American nation" could well be interpreted as "another US manoeuvre to deprive Cuba of her legitimate right".

Vera Rich