

## **FAQs Regarding Dependents' Ability to Work in Italy**

### **What is a mission visa and can my dependents work in the Italian economy with it?**

The North Atlantic Treaty Organization Status of Forces Agreement (NATO SOFA) allows DoD service members, government civilian employees and their dependents to enter and reside in Italy for official purposes related to the agreement. Italy implements this provision and accommodates government civilian employees and dependents by issuing them mission visas. The mission visa allows government civilian employees and dependents to enter and reside in Italy solely for the purposes stated in the NATO SOFA and does not expressly grant permission for anyone to engage in activities that are not within its scope, such as outside employment.

Generally, individuals who are not Italian or EU citizens and who wish to work while residing in the country, must apply for a work visa and permit. The Italian immigration office does not issue a mission visa and a work visa at the same time. Dependents who are Italian or EU citizens do not require a mission visa to enter or reside in Italy.

If anyone is engaged in activities that are outside or that exceed the scope of their mission visa and permission to be in the country, such as engaging in a “profitable enterprise,” they subject themselves to Italian immigration and tax laws and do so at their own risk.

### **Are there any exceptions for low-income generating employment?**

There is no exception to infrequent, low-income generating employment such as occasional babysitting, tutoring, or lawn mowing. These are all technically outside the scope of a mission visa. However, there is no precedence of Italian authorities taking action against these types of employment.

### **Can my spouse or teenage children do any work in Italy without a work visa?**

A civilian dependent spouse or dependent teenage children can work for the U.S. Government in a local hire GS position and for Non-appropriated fund instrumentalities. Many U.S. civilian positions are designated as “dependent hire” positions under the civil service hiring rules, which gives a strong hiring preference to dependents of servicemembers and civilians in Italy.

A work visa and permit are also not required to operate a website or blog that does not generate a profit through either monetary compensation or barter/exchange. However, if the activity generates income (e.g., from sales, advertising revenue, or free products), this would technically qualify as a “profitable enterprise” and could be subject to taxation by the Italian government. Activities such as car repairs, baking, or coloring hair for free would not be considered a “profitable enterprise” so long as any reimbursement is limited to the cost of supplies (oil, car parts, hair products, butter, fondant, etc.). However, any payment for time, labor, or expertise would be considered making a profit.

### **Will my spouse maintain their access to the base if they have a work visa?**

A dependent of an Active Duty service member or DoD civilian employee would retain all benefits that accrue as a result of that status. Dependents will maintain their access to the installation as long as they possess a valid military identification card and will continue to receive general services such as MWR access and medical and dental care.

### **I heard US citizen dependents in Germany and Japan can work in the economy, why can't our dependents do the same?**

Different host nations treat U.S. dependent employment with private employers, including remote work for companies physically located outside the host nation, differently for purposes of taxation, immigration, and benefits. There are different SOFA implementation agreements for each country in which the US maintains an installation. What is allowed in Japan or Germany may not be allowed in Italy. The rules differ even between different NATO nations.

### **My spouse doesn't want to quit their really good job in the U.S. Is there any way they can telework while on a mission visa?**

Italy has not expressly permitted military dependents who hold "mission visas" to work in Italy for private companies (other than certain DoD Contractors), including via remote work. Without express approval from the Government of Italy, we cannot assure either dependents or their employers that employment for a private company while in Italy on a "mission visa" would *not* trigger Italian immigration or tax consequences. If your spouse already works for the US government, the determination as to whether they can continue to do their government job while teleworking from Italy should be resolved with the spouse's respective agency and Human Resources department. In early 2022, Italian Parliament approved a new "digital nomad" visa specifically for applicants who wish to live in Italy and telework to a job abroad. No implementing regulations have yet been passed, so that visa is not yet a viable option.

### **Can my spouse work in the Italian economy if they are an EU or Italian citizen?**

Yes, if they are a citizen of Italy or of any EU country they can work in the Italian economy. They must follow the appropriate tax and immigration regulations of Italy.

### **Can my spouse work for base employment if they are not a US citizen?**

Individuals who are not U.S. citizens are generally not eligible for employment with the U.S. government unless they are appointed as a local national (LN) employee. Executive Order 11935 of Sept. 1976 provides that only U.S. citizens may be appointed to competitive service

appropriated (GS) Federal jobs. However, there may be limited circumstances in which a non-U.S. citizen spouse of a U.S. service member or U.S. DoD civilian employee could be appointed to non-appropriated (NAF) positions with the U.S. government while in Italy on orders.

If your spouse is not a U.S. citizen, but an Italian citizen, then they are eligible for LN employment in Italy. Individuals with dual U.S. and Italian citizenship are not eligible for LN employment due to specific employment provisions in the agreement that does not allow U.S. citizens to apply for LN positions.

For questions regarding employment with the US government please inquire with the Human Resources Office, PSC 817 Box 29 FPO AE 09622, DSN: 626-5409, Commercial: 081-568-5409.