



Regulations for the recruitment of fixed-term researchers

Article 1 – SCOPE

1. These Regulations govern the selection procedures, legal treatment and pay of researchers on fixed-term contracts (hereinafter referred to as "Researchers") pursuant to Article 24 of Italian Law 240/2010 and in compliance with the principles established by the Code of ethics and conduct and the European Charter for Researchers and Code of Conduct for the Recruitment of Researchers

Article 2 – PURPOSE

1. In order to perform research, teaching, supplementary teaching, and student service activities, the University of Udine (hereinafter referred to as the "University") is entitled to stipulate fixed-term employment contracts.

Article 3 - TYPES OF CONTRACTS

1. Contracts are of the following types:

a) the contracts referred to in Article 24, paragraph 3, letter a) of Italian Law dated 30.12.2010, number 240 (hereinafter and for the sake of brevity, unless otherwise specified, referred to as "lett. a) contracts"): three-year contracts, exclusively renewable for two years only once, subject to a positive evaluation of the teaching and research activities performed, in compliance with the provisions of Article 13. Pursuant to Article 15 the researcher can retain ownership of the contract even in the event of a change of location-

Contracts may be full-time or part-time.

The total annual commitment for the performance of teaching, supplementary teaching, and student service activities is equal to 350 hours for full-time contracts and 200 hours for part-time contracts.

b) the contracts referred to in Article 24, paragraph 3, letter b) of Italian Law dated 30.12.2010 number 240 (hereinafter and for the sake of brevity, unless otherwise specified, referred to as "lett. b) contracts"): three-year full-time or part-time contracts.

The total annual commitment for the performance of teaching, supplementary teaching, and student service activities is equal to 350 hours for full-time contracts and 200 hours for part-time contracts.

2. The contracts referred to in this Article do not give right to any claim to a tenured position.

3. Completion of the contract shall constitute a preferential qualification in public administration admission competitions.

Article 4 - ACTIVATION OF THE PROCEDURE

1. The proposal to activate the recruitment procedure is deliberated by the Department Council, based on the favourable vote of the absolute majority of first and second level professors.

2. The deliberation specifies:

- a) the type of contract, its duration, and possible extension;
- b) the research programme/project to be implemented, its duration, the financing fund, and the financial coverage;
- c) the specific functions concerning the research activity covered by the contract, and the assigned objectives;
- d) the annual arrangements for the performance of teaching, supplementary teaching, and student service activities;
- e) the specification of the call sector and a possible profile exclusively by specifying one or more scientific-disciplinary sectors;
- f) the lecturer or researcher in charge of the research programme/project if applicable;
- g) the place where the activities will be performed;
- h) the requisites and qualifications necessary pursuant to Article 6;
- i) the foreign language, whose level of knowledge should be verified by means of an appropriate speaking test, related to the multilingual profile of the University or the teaching requirements of the courses of study in foreign languages;
- j) a possible maximum number of publications that candidates may submit, which in any case should not be less than twelve;
- k) the allocation of points scored for qualifications and publications;
- l) the type of employment (full-time or part-time);
- m) the remuneration pursuant to Article 5;
- n) the frequency of the assessment of the research activity, pursuant to Article 14, section 6;
- o) health assistance, if foreseen, with an indication of the facility where it will be implemented, the qualification required to perform this activity, and explicit reference to the commitment of the person in charge of the healthcare facility to allow the fixed-term Researcher to practice such assistance activity.

3. The Board of Directors, subject to the favourable opinion of the Academic Senate, authorises the start of procedures for the recruitment of Researchers on fixed-term contracts, taking the University's three-year recruitment plan into account. The Board of Directors also decides on any request for contract extensions if permitted.

Article 5 - FINANCIAL COVERAGE AND REMUNERATION

1. The financial coverage includes the total cost of the employment relationship for the entire duration of the contract.

2. In the framework of the University's budget resources, the procedure for awarding the contracts referred to in Article 3 shall be implemented based on the three-year recruitment

plan referred to in Article 1, paragraph 105, of Italian Law dated 30.12.2004, number 311, and in Article 1-ter of Italian Legislative Decree dated 31.01.2005, number 7, converted, with amendments, by Italian Law dated 31.03.2005, number 43, in addition to the provisions of Article 5, paragraph 4, letter d) of Italian Law dated 30.12.2010, number 240.

3. Financial coverage must be fully guaranteed by the departments submitting the proposal, which also certify that the costs of the selection procedure are covered.

4. Financial coverage results from:

- a) funds allocated under funded research projects;
- b) funds available from departments submitting the proposal;
- c) University funds;
- d) funds from other public bodies and private entities, subject to the stipulation of agreements lasting at least 15 years for Researchers holding lett. b) contracts, or of an amount and duration not less than that of lett. a) contracts. In both cases, the financing must be secured by an appropriate guarantee.

5. The remuneration payable to recipients of lett. a) contracts is equal to the initial remuneration payable to a confirmed Researcher depending on the type of commitment.

6. For lett. b) contract holders, the comprehensive annual gross salary is equal to 120% of the initial salary due to the confirmed Researcher, respectively full-time or part-time, depending on the type of commitment which is applied.

Article 6 - REQUIREMENTS FOR PARTICIPATION

1. Italians and citizens of other countries who fulfil at least one of the following requirements within the disciplinary sectors of study and research are eligible to take part in the procedure:

- a) a Ph.D. degree or an equivalent qualification;
- b) a degree of medical specialisation in the sectors of interest.

2. Any additional requirements may be identified by the department submitting the proposal if they are indispensable for the performance of the scientific and teaching activities to be assigned to the successful candidate.

3. Candidates participating in selections for lett. b) contracts pursuant to Article 3, who hold a Ph.D. or equivalent qualification, must meet at least one of the following requirements:

- a) the national scientific qualification for the functions of a first or second level professor as specified in Article 16 of Italian Law dated 30.12.2010, number 240;
- b) have previously been granted lett. a) contracts;
- c) to have been a recipient of research grants for at least three years, including non-consecutive years, pursuant to Article 51, paragraph 6, of Italian Law dated 27/12/1997, number 449, and subsequent amendments, or to have been a recipient of research grants pursuant to Article 22 of Italian Law dated 30/12/2010, number 240;

- d) to have been a recipient of post-doctoral fellowships pursuant to Article 4 of Italian Law dated 30/11/1989, number 398;
 - e) to have been a recipient of contracts stipulated pursuant to Article 1, paragraph 14 of Italian Law dated 4/11/2005, number 230 for at least three years;
 - f) to have been awarded similar contracts, grants, or scholarships in universities outside Italy;
- For the purpose of accruing the minimum three-year period referred to in this section, services performed in types b), c), d), e), and f) can be added together.

4. The prescribed requirements must be fulfilled on the date of the deadline for the submission of applications for admission to the procedure.

5. First and second level university professors and tenured researchers are not eligible to participate in the procedure even if they have left service.

6. Applicants are not eligible to participate in the procedure if they have been awarded contracts as research fellows and researchers on fixed-term contracts pursuant to Article 22 and Article 24 of Italian Law 240/2010 at the University of Udine or other Italian universities, public, private, or online, or at the entities referred to in Article 22, paragraph 1 of Italian Law 240/2010, for a period which, added to the duration of the contract issued in the call, exceeds a total of 12 years, even if the period is not continuous. For the purposes of the duration of the above-mentioned contracts, periods spent on leave for maternity or health-related issues, pursuant to the legislation in force, are not taken into consideration.

7. Individuals who are related by kinship or affinity, up to and including the fourth degree, to a professor belonging to the department or department submitting the proposal to activate the contract, or to the Rector, the Director General, or a member of the Board of Directors of the University are not eligible to participate in the procedure.

Article 7 - CALL FOR SELECTION

1. The Researcher is recruited by means of a public selection procedure, issued by Rector's Decree, which ensures the comparative assessment of the candidates and the publication of the relevant documentation.

2. The selection procedure described in this Article shall not be conducted if the possibility of a direct call of the winner of a highly qualified research programme is foreseen pursuant to Article 1, paragraph 9 of Italian Law dated 4.11.2005, number 230, and subsequent amendments.

3. The call is published on the University's website, the website of the Italian Ministry of Education, Universities, and Research, and the website of the European Union.

4. The call includes the following information:

- a) the type of contract in compliance with the provisions of Article 3, its duration and possible extension;
- b) the subject of the contract as specified in Article 11;
- c) the description of the research programme/project, its duration, the lecturer or researcher in charge, where applicable, and an indication of the facility hosting the activity;
- d) specification of the call sector and of any profile only by indicating one or more scientific-disciplinary sectors;
- e) teaching activity and overall commitment (in hours);
- f) remuneration and social security provisions;
- g) the rights and responsibilities of the Researcher;
- h) the probationary period;
- i) the methods and time limits for evaluation leading to possible renewals;
- j) the selection procedure referred to in Article 9;
- k) the maximum number of publications, if any, that candidates may submit, which must not be less than twelve;
- l) the foreign language whose level has to be verified with an appropriate speaking test, if this is required;
- m) the deadlines for submitting applications for participation in the selection and the methods for transmitting the applications electronically and, where possible, the qualifications and publications;
- n) requirements and qualifications for admission to the selection;
- o) the criteria to be taken into account by the Committee when assessing the qualifications and publications submitted by candidates.

5. The deadline for submitting applications is not less than 30 days from the day after publication of the abstract or the publication of the call in the Official Gazette of the Italian Republic.

Article 8 - SELECTION COMMITTEE

1. The Selection Committee is composed of three individuals chosen from among full professors, associate professors and scholars, and experts of equal standing serving at universities and research institutes of countries belonging to the Organisation for Economic Co-operation and Development (OECD). For a lett. a) contract position, one of the members of the Selection Committee may also be a permanent researcher. The position of chairman is held by a full professor or, if not available, an associate professor.

2. One member is designated by the Department Council that has requested the position to be filled, which may include professors from the University of Udine; the remaining two members are selected by sortition from a list of four or six professors from outside the University, identified by the Department Council in compliance with the principle of gender parity, when possible, and the process is conducted by the Academic Staff Office.

3. Committee members must meet the following requirements:



a) scientific production based on the minimum criteria and requirements provided for by the regulations of the University, confirmed by the Department, and its relevance to the call sector;

b) if they are full professors, associate professors, or researchers on permanent contracts, they must also be part of the call sector or, in the event of justified impossibility, of the call macro-sector.

If a profile is envisaged in a specific scientific-disciplinary sector, the appointed Committee member or at least three professors (or at least five, if six names are appointed) from the list of those eligible by sortition, as referred to in the preceding paragraph must belong to the scientific-disciplinary sector covered by the profile or, if this is impossible for a justified reason, to the relevant competition sector.

4. The Committee designates from among its members a Chairman and a secretary taking the minutes.

5. The Committee performs its work in the presence of all its members and adopts its resolutions on the basis of the absolute majority of its members.

6. The Committee is not open to professors and researchers who:

- are on leave of absence, on leave, or who are on secondment to another institution;
- who have obtained a negative evaluation as defined in Article 6, paragraph 7 of Italian Law 240/2010;
- who have a conflict of interest within the Committee or with one or more candidates;
- who have a degree of kinship or affinity up to and including the fourth degree of kinship with the candidates to be evaluated, or who fall within one of the cases referred to in Article 51 of the Italian Code of Criminal Procedure.

7. The Committees may make use of telematic devices for collegial work.

8. Participation in the work of the Committee constitutes an ex officio obligation for its members; renouncement of the appointment or resignation due to unforeseen circumstances must be adequately motivated and documented and must be accepted by the Rector; subsequently, a new appointment shall be drawn until the list is exhausted. Changes in legal status occurring after the appointment do not affect the capacity of the Committee member.

9. The Rector appoints the Committee within two months of the deadline for submitting applications, following a resolution of the Department Council.

In the event of inertia on the part of the Department, the Rector shall issue a Decree.

10. From the publication of the appointment Decree on the official online Notice Board of the University, a period of 30 days shall elapse in which candidates may submit to the Rector any requests for objection on the grounds of incompatibility of Committee members. If all



candidates declare that there are no grounds for objection to the Committee members, the deadline shall expire in advance.

Article 9 - SELECTION

1. Without prejudice to the provisions of Article 7, paragraph 2, the selection is carried out by means of a preliminary assessment of the candidates with reasoned analytical judgement on the qualifications, the curriculum, and the scientific production, including the doctoral thesis. Pursuant to Article 24, paragraph 2, letter c) of Italian Law 240/2010, the criteria and parameters, recognised also at international level, are identified by the Decree of the Italian Ministry of Education, University, and Research.

2. Following the preliminary evaluation, the candidates who receive the best evaluation on the basis of the comparative assessment, between 10 and 20 per cent of the number of candidates and in any case not less than six, shall be admitted to the public discussion of their qualifications and scientific production before the Committee; all candidates shall be admitted to the discussion if their number is equal to or less than six.

3. Following the discussion, a score is given to the qualifications and each of the publications submitted by the admitted candidates.

4. At the same time as the discussion of the qualifications and publications, adequate knowledge of a foreign language is assessed by means of an appropriate oral test if one is foreseen.

5. The maximum score that can be attributed to qualifications and publications is 100 and it is indicated in the notice of the call announcing the selection.

6. Upon completion of the work, the Selection Committee, on the basis of the scores given to the qualifications and publications, declares the winning candidate and establishes the ranking list.

7. The Committee may make use of telematic devices for collegial work.

Article 10 - APPROVAL OF THE ACTS

1. The acts of the Selection Committee consist of the minutes of the meetings and the annexes thereto, the final ranking list, and the summary report of the work undertaken by the Committee.

2. The Rector, within thirty days from the presentation of the acts, following verification of the regularity of the procedure, shall approve them by Decree. If this is not the case, the Rector shall return the documents to the Selection Committee, and at the same time shall assign it a peremptory deadline for regularisation.

3. The Decree of approval of the acts, the final report, and the final ranking shall be made public on the official online Notice Board of the University, and the University's website. From the date of publication of the Decree of approval of the acts on the official online Notice Board of the University, the deadlines for any claims or appeals begin.

4. Within sixty days from the approval of the acts, the Department formulates the call proposal with the favourable vote of the absolute majority of the first and second level professors, which is approved by a resolution of the Board of Directors.

5. It is possible to run down the final list for the replacement of the winner only if the winner does not accept the appointment.

Article 11 - SUBJECT OF THE CONTRACT

1. The contract shall indicate the functions in relation to the research activity and assigned objectives, teaching, supplementary teaching, and student service activities entrusted. Where indicated in the notice of the call, the research program will be attached to the contract as an integral part.

2. The contract shall also indicate whether employment is full-time or part-time.

Article 12 - INCOMPATIBILITY AND OTHER ASSIGNMENTS

1. The employment relationship of the fixed-term Researcher is incompatible with:

- undertaking a doctoral degree;
- the holding of research grants;
- the holding of scholarships and research grants as well as similar fixed-term contracts already held at this University or other universities;
- the practice of trade and industry;
- any other paid employment with public and private entities.

2. Researchers are permitted to carry out additional teaching assignments in the form of paid contracts.

3. It is permitted to carry out additional assignments conferred by third parties with the prior authorization of the Rector, subsequent to the opinion of the Department Director, if these assignments do not lead to situations of conflict of interest with the University and provided that they are compatible with the regular performance of the activities specified in the contract.

4. Researchers with a part-time contract are also allowed to carry out freelance activities, subject to prior notification to the administration, provided that such activities do not undermine the activities covered by the contract and do not lead to situations of conflict of interest. The evaluation of the compatibility of the activity is carried out by the Rector, after consultation with the director of the Department.

Article 13 - TERM OF CONTRACT AND EXTENSION

1. The duration of the contract is three years.
2. Only one extension of the contract is permitted for only two years pursuant to Article 3, letter a), subject to a positive evaluation of the teaching and research activities that have been fulfilled, which is conducted on the basis of the methods, criteria, and parameters defined by the Decree of the Italian Ministry of Education, University and Research. The request for extension is submitted by the Department at least six months in advance of the contract termination date and submitted to the Board of Directors for approval.
3. The teaching and research activity carried out by the Researcher under the contract for which extension is proposed is evaluated by a special committee whose members are identified by the Department and appointed by the Rector, based on a report prepared by the aforementioned Department.
4. During the period of compulsory maternity leave, the contract is suspended and the termination date is extended for a period equal to the period of compulsory maternity leave.
5. Regarding the overall duration, please refer to Article 6, paragraph 6.

Article 14 – PROCEDURE FOR THE IMPLEMENTATION OF THE EMPLOYMENT RELATIONSHIP

1. The Rector issues the fixed-term paid employment contract with the Researcher pursuant to Article 10, paragraph 4.
2. A probationary period of three months is prescribed.
3. The location of the Researcher's activities is determined in accordance with the provisions of Article 4, paragraph 2, letter g).
4. The Researcher performs his/her work as stipulated in the contract and according to the programme of the competent bodies. The research activity is carried out under the direction of the program/project manager, where applicable.
5. The Researcher is committed to compliance with the internal provisions on the protection of intellectual and industrial property and confidentiality, as well as with the directives of the scientific manager relating to the dissemination of knowledge and know-how acquired in the course of carrying out his or her work.
6. The performance of the research activity must be periodically self-certified by the Researcher and validated by the program/project manager or, in the absence thereof, by the Department Director. For the purpose of reporting on research projects, the notional quantification of the annual research, study, and teaching activities, with related preparatory, verification, and organizational tasks, is 1500 hours per year for full-time Researchers and 750



hours for part-time Researchers. Lecturing and other teaching-related activities are recorded in the lecture register and teaching register, respectively.

7. If the contract stipulates the performance of medical activities at the Udine Integrated University Health Agency, it will be executed in compliance with the Memorandum of Understanding between the Region of Friuli Venezia Giulia and the University of Udine for the organization and operation of the Integrated University Health Agency itself.

8. The Researcher is subject to the health checks required by Italian Legislative Decree 81/2008, and subsequent amendments.

9. The Researcher is subject to the disciplinary jurisdiction of the college referred to in Article 10 of Italian Law 240/2010.

10. The provisions of the Statute of the University, including those governing active and passive voting in academic bodies, also apply to the Researcher.

11. The employment relationship of the Researcher is governed by the current provisions on employment, including with regard to the tax, welfare, and social security treatment provided for employment income.

Article 15 - MOBILITY

1. In the event of a change of location, the fixed-term Researcher who is in charge of a research project financed by entities other than the university to which he/she belongs retains ownership of the projects and of the related funding provided that this is scientifically possible and subject to the agreement of the research project owner.

Article 16 – EVALUATION

1 The activity performed by the researcher under contract pursuant to Article 3, letter a) is subject, if an extension is planned, to the assessment pursuant to Article 13.

2. In accordance with the resources available for planning, in the third year of the contract referred to in Article 3, letter b), the University shall evaluate the holder of the contract itself, who has obtained the scientific qualification referred to in Article 16 of Italian Law 240/2010, for the purpose of being called to the role of associate professor, through a proposal expressed by the Department.

3. The evaluation procedure is governed by the *University Rules governing the appointment of full and associate professors* and, in particular, by Article 9.

4. In the event of a positive outcome of the evaluation, the holder of the contract, upon its expiry, shall be appointed to the role of associate professor.

Article 17 - TERMINATION OF THE EMPLOYMENT RELATIONSHIP

1. Termination of the employment relationship is determined by the expiry of the term or termination by either party.
2. The researcher may terminate the contract by giving the University prior notice of sixty days. In the absence of notice, the University is entitled to withhold from the researcher an amount corresponding to the remuneration for the period of notice not given.
3. During the probationary period either party may terminate the relationship at any time without notice, with immediate effect from notification to the other party.
4. If a cause arises that does not permit the continuation, even temporary, of the relationship, termination for just cause is permitted pursuant to Article 2119 of the Italian Civil Code.

Article 18 - INTELLECTUAL PROPERTY

1. If any innovation, eligible for patent protection, is carried out by the contractors referred to in these Regulations, in the performance of their duties, such innovation is governed by the applicable legislation in force, the University Regulations, and any relevant provisions of the contract.

Article 19 – RESEARCHERS UNDER EUROPEAN COMMUNITY AND NATIONAL MINISTERIAL PROGRAMMES

1. A fixed-term Researcher's contract which is funded by European Community Research or Training Programmes or by national ministerial funds is to take into account, also with regard to remuneration, the rules established by the funding programme to the extent that they are compatible with these Regulations.

Article 20 - PUBLICATION AND EFFECTIVE DATE

1. These Regulations become effective on the day that follows the date on which the Rector's Decree is issued.
It is published on the official online Notice Board of the University, and the University's website.
2. The Regulations replace those issued by D.R. 985 dated 10.12.2019 and apply to procedures initiated after its effective date.



HR EXCELLENCE IN RESEARCH

The translation of these Regulations is part of the actions aimed at implementing the Human Resources Strategy for Researchers (HRS4R). The official and legally-binding Regulations are in Italian only. This document is only meant to provide information in English on the contents of the Regulations.

