



University of Gastronomic Sciences
Università degli Studi
di Scienze Gastronomiche

REGULATIONS
FOR THE SELECTION AND HIRING
OF TEMPORARY CONTRACT RESEARCHERS
(as per art. 24, Law 240/2010)

Regulations for the selection and hiring of temporary contract researchers

Art. 1 – Area of application

1.1 – These Regulations, adopted in compliance with art. 24 of Law n. 240, 30 December 2010, govern the recruitment, through a comparative evaluation, of researchers on temporary work contracts at the University of Gastronomic Sciences (hereinafter the “University”), for conducting activities of research, teaching and student services.

Art. 2 – Nature of the relationship and objectives

2.1 – The work relationship established between the University and the researcher is governed by a temporary work contract, stipulated in accordance with the applicable laws in force, also in terms of fiscal, disability and pension provisions.

2.2 – The objective of the stipulation of the contract indicated in point 2.1 above is the carrying out of research, teaching and student services.

2.3 – The activities indicated in point 2.2 above are to be carried out in the discipline indicated in the announcement of the competition for research grants or in related subject areas.

2.4 – The total annual obligation of each researcher on a temporary contract is equal to 1500 hours full time and 750 hours part time. The research carried out by a researcher is in the scientific subject area indicated in the announcement of the competition, or in related areas, as indicated in the contract.

2.5 – The total annual obligation for the carrying out of teaching and student service activities is equal to 350 hours full time and 200 hours for part time.

2.6 – Teaching activities consist of conducting lecture courses, modules, seminars and other forms of classroom teaching, as deemed appropriate by the University.

2.7 – Student services include orientation and tutoring, as well as laboratory activities and exam proctoring.

Art. 3 – Selection process activation request

3.1 – The Faculty Committee requests that the Administrative Council initiate the comparative evaluation process for the selection of researchers on temporary contracts.

3.2 – Requests for initiation of the process must be congruent with the University’s teaching and research activities, and also in compliance with the applicable laws governing the requisites requested yearly for the activation of the programs offered.

3.3 – The Faculty Committee’s request that the Administrative Council initiate the process of recruitment of a researcher(s) on temporary contract, as per point 3.1 above, must indicate the following:

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- the research area, eventually specifying a profile exclusively through the indication of one or more scientific subject areas;
- the requisites for inclusion in the selection process;
- the type of contract offered and, if possible, the related obligations;
- detailed information on the specific functions, rights and obligations – with particular reference to the activities of research, teaching and student services to be carried out by the researcher on a temporary contract – as well as the stipend and pension conditions;
- the total value of the stipend offered to the researcher on temporary contract.

3.4 – The request to initiate the selection process for the recruitment of a researcher on a temporary contract is subject to the approval of the Administrative Council. In the case that the request is approved, the Administrative Council in turn requests that the Dean issue an announcement of the competition for the selection of a researcher on a temporary contract.

Art. 4 – Procedure for the holding of a comparative evaluation

4.1 – The procedures for holding a comparative evaluation are based on the principles indicated in the European Charter for Researchers, referred to in EC Commission Recommendation n. 251 of 11 March 2005, suggesting public procedures that ensure the comparative evaluation of candidates and the posting of results and documentation.

4.2 – The announcement of the holding of a comparative evaluation process is issued by the Dean – in accordance with the resolutions of the Administrative Council, as per art. 3.4 above – and is published in the University Registry and posted on the University websites and on those of the Ministry of Education, Universities and Research and those of the EU.

4.3. – The announcement of the holding of a selection process for researcher(s) on a temporary contract must indicate the following:

- a. the type of contract offered, as per art. 5.1 of these Regulations;
- b. for type a) contracts only, whether full time or part time;
- c. the research sector in question and the eventual profile desired, exclusively through the indication of one or more scientific subject areas;
- d. the eventual indication of the specific research project/program, and its duration;
- e. requisites for admission to the selection process;
- f. modalities and deadlines for the submission of applications for candidacy, including academic titles and publications, via digital transmission, as well as the eventual maximum number of publications to be presented by candidates, and in any case not less than 12;
- g. the research, teaching and student services activities the researcher shall be charged with in the context of the subject area in question, that is in the sector corresponding to the object of the announcement and selection process, or in a related subject area;
- h. functions, rights and duties of the researcher on a temporary contract;
- i. the compensation due and the associated withholding taxes;
- j. the date in which the procedure terminates.

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4.4 – The deadline for submitting applications cannot be set prior to 30 days after the date of the publication of the announcement in the *Gazzetta Ufficiale*, the University website and the website of the Ministry of Education, Universities and Research.

4.5 – Each application, with the attached scientific-professional curriculum, including publications, certificates and any other academic title or reference that may be relevant to the selection process, drawn up on unheaded paper and signed without authentication, must be delivered in person or sent by registered mail with return receipt to the address indicated in the Announcement, within the term indicated in the same.

Art. 5 – Types of contracts

5.1 – The types of contracts stipulated with researchers on temporary contracts, specified by art. 24, point 3 of Law n. 240 of 30 December 2010, are as follows:

- a. type a): three year contracts which can be extended, once only, for an additional two years when there is a positive evaluation of the teaching and research activities carried out;
- b. type b): three year non-renewable contracts.

Art. 6 – Requisites for admission to the comparative evaluation process

6.1 – To be admitted for consideration to the researcher selection process, Italian and foreign candidates must have the following:

- a. research doctorate or equivalent (PhD);
- b. medical specialization diploma in the relevant sectors.

6.2 – Until 2015, those holding a five-year university degree or equivalent and with a professional scientific curriculum suitable to the carrying out of the research activity may also participate in the selection process for researchers on temporary contracts.

6.3 – Admission to the selection process for researchers on type b) temporary contracts is reserved for candidates with the following requisites:

- candidates who have held type a) contracts,

or

- candidates who have received research grants for at least 3 years, not necessarily consecutive, as per art. 51, point 6, of Law n. 449 of 27 December 1997 and subsequent modifications;
- candidates who have received post-doctoral fellowships for at least 3 years, not necessarily consecutive, as per art. 4 of Law n. 398 of 30 November 1989;
- candidates who have been the beneficiaries for at least 3 years, not necessarily consecutive, of similar contracts, grants and fellowships in foreign universities;
- candidates who have already held, for at least 3 years, not necessarily consecutive, temporary contracts as researchers, stipulated as per art. 1, point 14, Law n. 230 of 4 November 2005.

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6.4 – In addition, candidates are required to have achieved proficiency in one or more foreign languages, as specified in the Announcement, and foreign candidates must have proficiency in Italian.

6.5 – The academic titles submitted by the candidates must be relevant to the subject specified in the Announcement, which is the scientific sector or discipline for which the selection has been organized.

6.6 – The qualifications required by this article and those specified in the Announcement must be possessed by the candidates by the date of the deadline for the submission of applications for admission to the selection process.

6.7 – Individuals who are currently working on permanent, ‘tenured’ contracts, or who have worked on such contracts in the past as first or second level professors or as researchers are excluded from participation in the selection process.

6.8 – Those who have or have had research contracts, as per art. 22 of Law n. 240 of 30 December 2010, or temporary research contracts, as per art. 24 Law n. 240 of 30 December 2010 – with the University of Gastronomic Sciences or with other Italian universities, public, private and web-based, or with the Agencies specified in point 1, art. 22 of Law n. 240 of 30 December 2010 – for a period which, when added to that of the scheduled duration of the research contract offered in the Announcement, would cumulatively be greater than 12 years, not necessarily consecutive. According to the laws in force, periods spent on maternity leave or on furlough for health reasons are not calculated in the cumulative duration of the research contracts.

6.9 – In addition, those related up to the fourth degree with a professor on the Faculty Council, the Administrative Director, the Dean or a member of the Board of Directors will not be admitted to the selection process.

6.10 – Exclusion from the comparative evaluation process is motivated by a decree from the Dean, sent to the interested party.

Art. 7 – Exam committee

7.1 – For each comparative evaluation process for the selection of a researcher on a temporary contract, the Dean appoints an Exam committee consisting of three members:

- a. the Dean, or his representative, who acts as Chairman,
- b. a level I professor from the pertinent sector, corresponding to that subject for which the comparative evaluation procedure has been organized,
- c. a level I or level II professor or a university researcher on permanent contract, chosen on the basis of his/her scientific and academic curriculum.

7.2 – The Dean appoints the Exam Committee by Decree, which is ensured adequate visibility by publication in the official registry and posting on the University of Gastronomic Sciences website.

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Art. 8 – Selection of candidates

8.1 – The comparative evaluation procedure, to which candidates who satisfy the requisites specified in art. 6 above by the deadline for submitting application are admitted, must include the following steps:

- a. a preliminary evaluation of the candidates, including a careful analysis of the academic titles, the curriculum and the scientific publications, including the doctoral thesis, according to internationally recognized parameters and criteria, as specified in the relevant Ministerial Decree, having heard the observations of ANVUR and CUN; in the guidelines for the application of said decree, the criteria adopted are those contained in Min. Decree n. 89, of 28 July 2009 – Evaluation of academic titles and scientific publications;
- b. admission to the next stage of the process – consisting of a discussion of the academic titles and scientific publications before the committee – of a short list of the most deserving candidates, consisting of a minimum of 10% to a maximum of 20% of the total participants and in any case not less than 6; when the total number of candidates admitted to the selection process is 6 or less, they are all admitted to the discussion stage;
- c. carrying out of a public discussion connected with the academic titles and the scientific publications, resulting in a point score for the academic degrees and another for each scientific publications submitted and discussed by the candidate admitted to this stage;
- d. confirmation of the candidate's proficiency in at least one foreign language, according to the specifications of the Announcement.

8.2 – The comparative evaluation procedure does not include written or oral exams, excepting the oral test to confirm proficiency in a foreign language, as specified in point 1, letter d) of this article, to be carried out at the same time as the discussion of the academic titles and scientific publications, as specified in point 1, letter c) of this article.

8.3 – By majority vote, based on the points assigned to the academic titles and publications, the Exam Committee selects the best candidate.

8.4 – For each Committee meeting there must be a report of the minutes, signed by all the participants, with the relative attachments.

8.5 – At the completion of the selection process, the committee draws up a final report on the work done.

Art. 9 – Approval of the acts and proposal of appointment

9.1 – The records of the procedure consist of the reports drawn up by the Exam Committee, as well as the final report on the work done.

9.2 – The Dean approves the acts by Decree, issued within thirty days of their consignment. In the case in which the Dean notices irregularities or formal errors, he sends the records back to the Exam Committee and decides on an irrevocable date for their re-submission in corrected form.

9.3 – The records of the selection procedure are accessible to users on the University's website.

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9.4 – Within 60 days of the approval of the records, the Faculty Committee formulates a proposal to appoint the candidate selected and transmits the same to the Board of Directors, which rules on the activation of the contract.

Art. 10 – Stipulation of the individual work contract

10.1 – Within 30 days of the ruling to activate the contract on the part of the Board of Directors, the researcher selected through the comparative evaluation procedure is invited to sign the work contract. The work contract, in written form, is signed by the researcher and the Administrative Director.

10.2 – The work contract must indicate:

- a. the subject of the contest, or the corresponding scientific discipline in which the researcher on a temporary contract carries out his activities;
- b. the type of contract stipulated, as per art. 5.1 of these Regulations;
- c. for type a) contracts, whether the position is part time or full time;
- d. the modalities with which the activities the researcher on a temporary contract is assigned are to be carried out;
- e. rights and duties of a researcher on a temporary contract;
- f. the financial compensation and social security coverage provided for by the applicable laws in force for employees;
- g. the trial period, during which either party may unilaterally withdraw from the contract at any time without advance notification, effective immediately upon notification to the other party;
- h. the termination clauses provided for in art. 14 of these Regulations.

10.3 – The contracts referred to in these Regulations do not confer rights of access to University positions.

10.4 – In accordance with the provisions contained in point 1 of the technical attachment to the Ministerial memorandum of 28 January 2011, prot. 7, the temporary work contracts stipulated with researchers referred to in these Regulations are monitored by the Ministry of Education, Universities and Research in order to verify the faculty requisites that Universities must satisfy in their annual curricular programs.

Art. 11 – Financial and social security provisions

11.1 – The financial compensation, or stipend, associated with three-year type a) contracts is equal to the initial gross annual stipend due a researcher whose position has been confirmed, full time and part time.

11.2 – For holders of non-renewable three-year type b) contracts, the all-inclusive gross annual stipend is equal to the initial gross annual stipend of a researcher whose position has been confirmed full time, increased up to a maximum of 30 percent.

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11.3 – Contract holders are entitled to severance pay upon termination.

11.4 – The University provides insurance coverage against injury, disability and civil liability against damages claimed by third parties for researchers on temporary contracts hired in accordance with these Regulations.

Art. 12 – Incompatibility and performance of additional duties

12.1 – The following are excluded from contracts stipulated in accordance with these Regulations:

- a. holders of a research grant, as per art. 51 of Law 449/1997;
- b. holders of a teaching contract governed by the applicable laws in force;
- c. holders of a doctoral or post-doctoral fellowship or, more generally, any scholarship or grant for any reason, even if conferred by third parties;
- d. employees of any public or private company.

12.2 – The Dean is entitled to ask the researcher on a temporary contract to carry out additional teaching duties beyond those expressly indicated in the Announcement.

12.3 – Temporary researchers on full time contracts may carry out additional tasks assigned them by third parties, if authorized by the Faculty Committee. Temporary researchers on a part time contract are permitted to work as freelance professionals, as well as to carry out additional tasks assigned them by third parties, if they notify the University Administration, provided that said additional tasks do not interfere with their institutional activities and/or create a conflict of interest with the University.

Art. 13 – Modalities of execution of the work contract

13.1 – Researchers on temporary contracts carry out activities involving research, teaching and student services, according to the provisions of the contract and within the framework of the programs organized by the competent University authorities, according to the needs of the structures that manage research and teaching activities.

13.2 – The activities carried out by researchers on temporary contracts are subject to verification by the Dean, who presents his evaluation to the Faculty Committee. The verification is carried out on an annual basis and covers the adequacy with which the researcher performs the duties specified in his/her contract. To this end, each year researchers on temporary contracts submit a report to the Dean's office concerning the activities carried out.

13.3 – In the case in which the outcome of the verification evidences a failure to carry out the assigned teaching, research and student service duties, including the implementation of research programs, to an extent that makes it impossible to continue work relationship, the procedure described in art. 14 below is applied.

Art. 14 – Resolution of the work contract

14.1 – The termination of the work relationship is determined by the expiration of the temporary contract or the withdrawal of one of the parties. According to the norms in force, the cumulative duration of temporary contracts a researcher may accrue, as per art. 22 of Law n. 240' of 30 December 2010, even if stipulated with different Universities, whether public, private or web-based, as well as with the Institutions specified in art. 22 point 1 of Law n. 240' of 30 December 2010, cannot in any case be greater than 12 years, even if not consecutive. According to the laws in force, periods spent on maternity leave or on furlough for health reasons are not calculated in the cumulative duration of the research contracts. The cumulative duration of the temporary contracts is calculated by taking into consideration only those contracts stipulated in compliance with Law n. 240' of 30 December 2010.

14.2 – Either party may withdraw from the contract upon the occurrence of a just cause, as per art. 2119 of the Italian Civil Code, that does not permit the continuation of the relationship, even on a temporary basis. In the case of withdrawal, the party withdrawing is obligated to give 30 days' advance notification; in the case of failure to give advance notification, the Administration is entitled to not compensate the employee for an amount equal to the stipend for the period of notification not given, while the researcher, in the case of a failure to notify in advance on the part of the Administration, shall receive his/her regular stipend for the same period.

Art. 15 – Evaluation of the activity carried out by a researcher on a type a) temporary contract in regards to an extension

15.1 Within the scope of what is defined by the University's programming in terms of the composition of the teaching staff, the Faculty Committee can, with the agreement of the researcher on a type a) temporary contract, in the 12 months preceding the expiration of the contract, propose an extension of the contract, only once and only for two years, with reference to teaching and research needs as justification.

15.2 During the last year of the contract, the teaching and research activity carried out by the researcher within the scope of the contract for which the extension is proposed will be evaluated by a special Commission, nominated by the Dean, composed of three lecturers, including at least one professor from the academic recruitment field, in other words the corresponding academic discipline to the researcher on a temporary contract.

15.3 The purpose of the Commission's evaluation is to assess the competence of the research and teaching activity carried out in relation to what is established in the contract to be extended, in compliance with what is set out in DM May 24, 2011, no. 242, "Criteria and parameters for the evaluation of teaching and research activities carried out by holders of the contracts referred to in Article 24, sub-section 3, letter a) of Law no. 240/2010."

15.4 The Commission can take advantage of online communication tools in order to carry out its work as a team. The Commission must conclude its work within 60 days of its appointment, unless otherwise specified in the provisions made by the Dean for the appointment. This period can be extended for proven and exceptional reasons communicated by the Commission's chair. If the works have not concluded by the end of this period, the Dean, with good reason, can start the process for replacing the

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members responsible for the causes of the delay, establishing at the same time a new deadline for the conclusion of the works.

15.5 Once the works have concluded, the Commission will communicate its evaluation to the Faculty Committee, which will make a decision about the proposal to extend the researcher's type a) temporary contract for a further two years. The extension proposal will be submitted for approval to the Board of Directors, which will rule on it.

15.6 The appointment of the Commission, its works and the subsequent deliberations of the Faculty Committee and the Board of Directors as referred to in this article must in any case take place before the expiry of the researcher's temporary contract.

Art. 16 – Appointment to the position of Associate Professor

16.1 – In the case where budget availability permits it and also based on the three-year plan, in the third year of a type b) contract, the University may decide to appoint the holder of the temporary research contract to the position of Associate Professor, as long as the researcher possesses the national scientific requisites as described in art. 16 of Law n. 240' of 30 December 2010.

16.2 – The eventual appointment referred to in point 15.2 above shall be carried out according to the modalities specified in art. 18, point 1, letter 2) of Law n. 240 of 30 December 2010 and by the pertinent University Regulations.

16.3 – In the case that the outcome of the evaluation is positive, at the expiration of the temporary contract, the holder of the same is appointed to the position of Associate Professor (*in accordance with Article 18, sub-section 1, and Article 24, sub-sections 5 and 6, of Law 240/2010*) – Title II, articles 9 and 10 and Title III, articles 11, 12 and 13.

Art. 17 – Temporary and final dispositions

17.1 – Any topics not addressed by these Regulations shall be governed by the dispositions of the Italian Civil Code and Italian Labor Law.

17.2 – These Regulations have received adequate exposure through their posting on the University of Gastronomic Sciences website.