

## **FREE UNIVERSITY OF BOZEN-BOLZANO**

**SELECTION PROCEDURE  
for the conferral of  
one  
fixed-time RESEARCH ASSISTANT CONTRACT  
for  
COLLABORATION at RESEARCH ACTIVITY**

Vice Rector's Decree  
of 10.12.2015,  
no. 51/2015

# **FREE UNIVERSITY OF BOZEN-BOLZANO**

## **VICE RECTOR'S DECREE**

### **no. 51/2015**

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Selection procedure for the awarding of one fixed-time research assistant contract for collaboration at research activity

### **THE VICE RECTOR**

**IN VIEW OF** the Statute of the Free University of Bozen-Bolzano, and, in particular, its art. 31, concerning the stipulation of fixed-time contracts in research matters;

**IN VIEW OF** the law 30th December 2010, no. 240, stating "Provisions concerning the organization of universities, academic personnel and recruitment, as well as the delegation of the Government for providing incentives for the quality and efficiency of the university system", and in particular its art. 22 concerning the awarding of research assistant contracts for the performance of research activity;

**IN VIEW OF** the Ministerial Decree 9th March 2011, no. 102, determining the gross minimum amount of the research assistant contract advertised according to Art. 22 of the law 30th December 2010, no. 240;

**IN VIEW OF** the 'Regulation of the research assistant contracts according to Art. 22 of the law 240/2010, in force;

**IN VIEW OF** the 'Regulation concerning the remuneration of researcher and holder of research assistant contracts, in force;

**IN VIEW OF** the deliberation of the Faculty Council of the School of Economics from 23.10.2015, no. 119/2015, requesting the awarding of one fixed-time research assistant contracts for collaboration at research activity in the disciplinary-scientific sector IUS/09 (Public Law);

**VERIFIED** that the fixed-time research assistant contract for collaboration at research activity requested by the Faculty enjoy the necessary financial backing;

### **DECREES**

#### **Art. 1**

#### *Object of the selection procedure*

- 1) The Free University of Bolzano, hereinafter referred to as University, announces one selection procedure for the awarding of one fixed-time research assistant contract for collaboration at research activity for the faculty and disciplinary-scientific sectors hereafter indicated.

#### **School of Economics**

**Disciplinary-scientific sector:** IUS/09 (Public Law)

**Competition Sector:** 12/C1 (Constitutional Law)

**Title of research project:** Formation and implementation of European Union Law in the Regions with special status

**Description of the research activity:** The role of Regions and local entities in the formation and implementation of EU Law has been studied by Public Law Scholars following the reform of Title V of the Italian Constitution. In fact, according to art. 117, para. 1, Const. all the pieces of legislation

(national, regional, as well as provincial) should be in accordance with EU Law.

In addition to that, the specific role of Regions (ordinary and with a special status) in the formation and implementation of EU Law has been recognized by art. 117, para. 5, of the Italian Constitution. As for the implementation of EU Law, the obligation to apply directly EU directives by Regions/Autonomous Provinces in the subjects of their competence (exclusive as well as concurrent competences) is recognized by the Italian legislation (Law n. 234/2012). In addition to that, Regions and Autonomous Provinces have the right to implement EU Law on the administrative level. If Regions and Autonomous Provinces fail to implement EU legislation, the State can intervene and substitute itself to the non-compliant Region or Autonomous Province.

The objective of the project is to set up a database of European regulation and case law with impact on regional norms in the most relevant fields. This database will be complemented with a twin database containing the competences of the Autonomous Provinces/ Special Regions drafted on the basis of the Statute of Autonomy and the case law of the Italian Constitutional Court, which are more touched by EU Law. In addition to that, it will be necessary to ascertain if the Italian legislator has adopted legislation dealing with implementation of EU at regional level (in particular, the so-called "legge di delegazione europea", but also other pieces of legislation, such as decree-laws and regulations adopted by the Government or other pieces of legislation).

The research includes a more theoretical approach based on the results obtained on legal sources and case-law, and a comparative study among the Regions with a special Statute.

It aims also at giving some legal/policy recommendations to the Autonomous Provinces of Trento and Bozen.

Minimum curricular requirements necessary in order to carry out the research activities:

- Master's degree in Law or Law degree of a duration of at least 4-years;
- PhD in Law
- Excellent knowledge of the Italian language

**The gross annual remuneration:** 24.981,58 Euro

**Scientific and professional profile required for research activity:** Profile of a Lawyer with experience in research in the field of Public Law and European Union Law

**Duration of the contract:** 35,5 months.

**Type of selection:** qualifications.

**Criteria for the evaluation of the qualifications and the publications (max. 100 points):**

Titles (max. 60 points):

- PhD Thesis in Public Law or in European Union Law or in similar scientific sectors or Phd Thesis with a content related to the topic of the contract: a maximum of 30 points
- to the Masters (postgraduate certificates of a one/two years course programme), postgraduate specialization courses, scholarships and research grants and awards up to a maximum of 10 points
- Responsibility of coordination of a group of research or of a scientific Journal (max. 5 points)
- Participation to projects of research (max. 5 points);
- Proficiency in the English Language as evidenced by an at least C1 Language certificate (max. 5 points)
- good Knowledge of the German Language as evidenced by an at least B2 Language Certificate (max. 5 points).

Publications (max. 30 points):

Each candidate sends a copy (also in electronic form, preferable in PDF-format) of 3 publications maximum. Each publication is awarded max. 7 points on the basis of the following criteria:

- a) originality, degree of innovativeness, clarity of methodology used, and importance of each publication
- b) congruence of the publication with the scientific sector of the call of interest and with the candidate's profile

- c) scientific relevance of the publishing house and diffusion among the international scientific community
- d) In case of multiple authors: identification of the individual part written by the candidate, also on the basis of criteria recognized by the international academic community.

In addition to the assessment of these 3 publications, the commission will evaluate in a cumulative way the list of publications sent by the candidate, for max. 9 points. The evaluation will be based on the same a), b), c), and d) criteria listed above and on the criteria of scientific continuity.

**Research Experience (max. 10 points):** research experience acquired through contracts, scholarships and assignments in domestic corporations, international or foreign corporations or at private institutions or companionships which perform attested research activity, as long as the beginning and the duration of the collaboration is evidenced as well as other entitlements that attest the evidenced professionalism of the candidate: 5 points for each year of experience, up to a maximal amount of 10 points.

**Criteria for determining the part of the candidate in publications with more than one author:** The Selection Committee will also evaluate analytically the contribution of the candidate in collaborative work. To single out the individual contribution of the candidate, the Commission will take into account the objective possibility of identifying the personal contribution of the candidate on the basis of unequivocal indications contained in the publications. If there are no such indications, the contribution will be considered equal among the various authors.

**Total minimum score in order to declare the candidate suitable for the position:** 50/100 points

**Supervisor:** Prof. Stefania Baroncelli

**Place of work:** Bolzano - Bozen

**Session:** VI 2015

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## **Art. 2**

### *Requirements for admission*

- 1) Candidates must have completed the requirements at the expiry date for submission of the applications for admission to the selection procedure.  
The educational qualifications obtained abroad are valued by the Commission of selection, which may recognize them as equivalent for admission purposes, in accordance with the laws in force.  
Italian citizenship is not required.

## **Art. 3**

### *Accumulation prohibition*

- 1) The research assistant contract may not be combined with awarded study grants, except those awarded by national or foreign institutions to integrate the research activity for stays abroad, and with other research assistant contracts awarded by other institutions.

## **Art. 4**

### *Incompatibility and compatibility*

- 1) The following cannot be holder of research assistant contracts:
  - a) the personnel of the University, of public research and experimentation institutions and bodies, of the Agency for the New Technologies, Energy and Sustainable Economic Development (ENEA) and of the Italian Space Agency (ASI), as well as of institutions whose degree of scientific specialization has been recognized as equipollent to the qualification of research doctor following Art. 74, paragraph 4, of the DPR no. 382/1980;

- b) the personnel in service by public administrations other than those indicated in letter a), except in case of unpaid leave by that administration, for the period of length of the research assistant contract;
  - c) those having family or kinship relation, up to the fourth degree, with a professor of the Department awarding the research assistant contract, with the Rector, the General Director or with a member of the University Council;
  - d) those attending university courses (triennial university degree or university degree pre-reform regime), a specialist or magister degree, a research doctorate with grant or medical specialization, in Italy or abroad.
- 2) The research assistant contract is furthermore incompatible with other didactic contracts with Universities and institutes in Italy or abroad, except as provided in Art. 5, paragraph 3 of the 'Regulation of the research assistant contracts according to Art. 22 of the law 240/2010', and with other contracts for research activities conferred by the Free University of Bozen-Bolzano.
  - 3) Candidates must have completed all above mentioned requirements on the date of expiry of the term set for the presentation of the application for participation at the selection procedure and at the moment she/he takes service.
  - 4) The conferral of a research assistant contract is compatible with a collaboration contract or an intellectual work contract for research activities awarded by other universities and institutes in Italy and abroad, by approval of the person responsible of the research project.

## **Art. 5**

### *Conditions for presenting the application for participation*

- 1) To participate in the present selection procedure candidates must fill in an application form in unstamped paper, according to the model of attachment 'A' and available on the web page of the University: <http://www.unibz.it/en/organisation/vacancies/research/default.html> within 30 days from the day following the publication of this public announcement in "*Gazzetta Ufficiale della Repubblica*".
- 2) The application, duly dated and signed at the last page, must be addressed to:  
Free University of Bozen – Bolzano  
Personnel Office Academic Staff  
*Franz-Innerhofer- Platz 8 - Piazzetta Franz Innerhofer, 8 – Postfach - C. P. 276*  
*39100 Bozen-Bolzano*

The application for participation in the selection procedures may also be directly handed in (opening hours: from Monday to Friday from 08:30 a.m. to 12:30 a.m. and from 2 p.m. to 5 p.m.) or sent by post with registered letter with notification of reception or any other form appropriate to certify the reception ([personnel\\_academic@pec.unibz.it](mailto:personnel_academic@pec.unibz.it)) or handed in by hand within the above mentioned final date. Therefore shall be considered proof the date stamp of the accepting post office according to the D.P.R. 28th December 1970, no. 1077. The University disclaims liability for possible postal mis-deliveries.

**The application for participation in the selection procedure cannot be handed in during the period from 24th December 2015 to the 6th January 2016 because the University will be closed.**

**The candidate is obligated to add to the application in paper form, a data carrier (memory-stick or cd) which contains a digital copy of all documents produced (the same holds true for the publications).**

The University disclaims liability for possible postal mis-deliveries.

- 3) On the package the candidate, in addition to the requirements mentioned in paragraph 2, must affix the inscription: "Application: selection procedure for the awarding of two fixed-time research assistant contracts for collaboration at research activity" and accurately indicate the faculty, the initials and the denomination of the disciplinary-scientific sector, the title of the research project and the candidate's name, surname and address for the present selection procedure (the address for the present selection

procedure is the candidate's elected domicile for the receipt of the communications relating to this procedure).

- 4) On the application (see attachment 'A') the candidate must clearly indicate her/his name and surname and must declare, under own responsibility:
  - a) the date and place of birth;
  - b) the code of personal identification (fiscal code);
  - c) the residence, with the indication of the street, the street number, the town, the province, the postcode;
  - d) the possessed citizenship;
  - e) the municipality on whose electoral lists she/he is registered or the reasons for the non-registration or cancellation from such lists.  
Foreign nationals must declare to enjoy civil and political rights in the country on which they belong;
  - f) not having been convicted of criminal offences and not having pending criminal suits (otherwise to indicate)
  - g) not to exceed the superior limit of twelve years, also of non-continuous periods; therefore are considered the total duration of the contracts under Art. 22 (Research assistant contracts) and Art. 24 (fixed-time researchers) of the law 30th December 2010, no. 240, also between different universities, public, non-public or telematic ones, and with bodies as provided in Art. 22, paragraph 1 of the law no. 240/2010, as well as the duration of the contract of the present call;);
  - h) to have taken note of the provisions cited in the present call;
  - i) the content of the digital copies of all documents produced correspond to the content of the copies produced on paper;
  - j) the employment by a public administration according to letter b) of Art. 4 of the present;
  - k) not having family or kinship relation, up to the fourth degree, with a professor of the Department making the proposal of the activation of the contract, with the Rector, the Director or with a member of the University Council;
  - l) the declaration concerning the fulfillment of military duties (that declaration must be made only by male candidates);
  - m) that everything in the curriculum vitae (CV) that has been attached to this application is true and s/he gives the person in charge of the selection procedure the permission to undertake any checks on any substitute declarations that have been presented by the undersigned for the purposes of this selection procedure;
  - n) to give the permission for the use of personal details that s/he has supplied to be processed as per Italian legislative decree 196/2003 for any procedures that are connected to this selection procedure and any contracts that may be drawn up as a consequence;
  - o) the address chosen for the receipt of communications relating to the selection procedure she/he has applied for (address with postcode, telephone number, possible e-mail-address or fax number) and the commitment to inform the University in case of possible subsequent variations of those data.
- 5) Candidates with recognized disabilities must expressly specify in their application any aid needed in relation to their handicap and the possible necessity of further time for the performance of the exams, according to art. 20 of the law 5th February 1992, no. 104.
- 6) Any variation of the candidate's data according to paragraph 4 of the present article must be immediately communicated to this Administration with registered letter with notification of reception.
- 7) The University accepts no responsibility for cases in which candidates are untraceable or when the communications are undeliverable due to imprecise indication of the address, or belated or lack of notification on the part of the candidate regarding a change of the address declared in the application. The University also disclaims liability for mail going astray, whether third parties are to blame, or whether it is attributable to mishaps, or to *force majeure* and which, in any case, is in no wise ascribable to the University. It accepts no blame when the return delivery slip indicating receipt of the application, of documents or of communications relating to the selection procedures fails to arrive. If the candidate's address differs from that of her/his place of residence, again the University is

exempt from responsibility should a registered letter with notification of receipt arriving at the place which the candidate had specified as his address during the period of selection, fail to reach her/him.

## **Art. 6**

### *Presentation of qualifications*

- 1) Considered that, in accordance to the present call, by 'qualifications' are intended those scientific, didactic and artistic ones and the publications, and for 'certificates' any document proving the possession of a certain qualification, the candidate must enclose at the application for participation in the selection procedure in unstamped paper:
  - a) 1 copy of a valid identity document and the fiscal code;
  - b) 1 photocopy of the curriculum vitae regarding the didactic and scientific activity and drawn up according to the model of attachment 'C';
  - c) qualifications believed useful for the comparative assessment;
  - d) 1 photocopy of the list of the publications believed useful for the comparative assessment and drawn up in accordance with article 7 paragraph 3 of this call;
  - e) 1 photocopy of the list of all documents enclosed at the application [generic list of those materially inserted in the envelope, or the documents required by letters a), b), c) and d) of the present paragraph].
- 2) The qualifications indicated in paragraph 1, letter c), of the present article, if issued by Italian Public Administration, must be produced in one of the following forms:
  - a) in copy corresponding to the original as certified by substitutive declaration of the deed of notoriety according to art. 47 of the D.P.R. 28th December 2000, no. 445. In that case the candidate must produce:
    - 1 copy of each qualification;
    - 1 declaration drawn up according to the model of attachment 'B', signed and dated at the last page, where the candidate, under own responsibility, declares that the copies of the enclosed qualifications, exactly described, and in particular with regard to the date of attainment, place and Administration issuing the qualification, correspond to the original. That declaration at the same time serves as list of the qualifications, in which case the latter ones do not have to be produced;
    - 1 copy of an identity document;
  - b) in form of a self-declaration according to the model of attachment 'B' (substitutive declaration of certification according to art. 46 of the D.P.R. 28th December 2000, no. 445), where the candidate, under own responsibility, declares to possess the qualifications, exactly described, in particular with regard to the date of issue, place and Administration issuing the qualification. In that case the candidate must produce:
    - 1 copy of the attachment 'B', signed and dated at the last page, which at the same time serves as list of the qualifications, in which case the latter ones must not be produced;
    - 1 copy of an identity document.

**The University cannot request nor accept certificates issued by other Italian public offices.**

**If the above-mentioned certificates should be enclosed at the application for participation in the selection procedure, they will not be considered by the Commission of selection.**

The qualifications issued by private corporation or abroad can be produced in one of the following forms:

- a) in original;
- b) in certified copy;
- c) in copy corresponding to the original as certified by substitutive declaration of the deed of notoriety or in form of a self-declaration according to the above-mentioned model of attachment 'B'.

The above mentioned declarations drawn up according to the model of attachment 'B' may be used by Italian citizens and also by citizens of the EU.

The declarations according to the above-mentioned articles of the D.P.R. 28th December 2000, no. 445, may be used by non-EU citizens, if it is necessary to proof conditions, facts and personal qualities certifiable or attestable by public or private Italian bodies, without prejudice of special provisions in laws and regulations concerning immigration matters and the condition of foreigners.

- 3) The curricula and the lists mentioned in letters d) and e) of paragraph 1 of the present article must be signed and dated in the last page.
- 4) No qualification sent to this Administration will be returned.
- 5) The sending of the publications does not enable to correct the missed or late submission or mailing of the application for participation in the selection.
- 6) Without prejudice to the exceptions expressly provided by law, the above-mentioned attachment 'B' may further be used by the candidate to declare standings, facts and personal qualities of her/his direct knowledge, not expressly indicated in art. 46 of the D.P.R. 28th December 2000, no. 445.
- 7) With regard to non-EU citizens, the certificates issued by the competent Authorities of the country the person belongs, must be in accordance with the provisions in force in those countries and must also be legalized by the competent Italian consular authorities.
- 8) With regard to conditions, facts and personal qualities self-certificated by the candidates for the present selection procedures the University has the possibility to exercise appropriate checks, also random ones, regarding their truthfulness.

In case of mendacious declaration the candidate, further than being excluded from the selection procedure, will be denounced according to the Criminal Code and the special laws regarding the matter, according to the provisions cited in art. 76 of the D.P.R. 28th December 2000, no. 445.

- 9) The qualifications may be produced in their original language if it is one of the following: Italian, French, English, German and Spanish.

It is in the authority of the Commission of selection to request the candidates integrations of the qualifications submitted in French, English, German or Spanish language, by forwarding the correspondent translation in Italian.

The translation in Italian language must be accompanied by a substitutive declaration of the deed of notoriety where the candidate, according to art. 47 of the D.P.R. 28th December 2000, no. 445, certifies the conformity of the translated text with the original (see attachment 'B').

- 10) Any certificate or diploma drawn up in a language different than Italian, French, English, German and Spanish, submitted by Italian, EU or non-EU citizens, must be enclosed, according to paragraph 3 of Art. 33 of the D.P.R. 28th December 2000, no. 445, the correspondent Italian translation, which is certified conform to the original text by the competent diplomatic or consular representation or by a official translator. The certificates or diplomas drawn up in a different languages than those above mentioned, in case of lacking translation, will not be assessed by the Commission of selection.

## **Art. 7**

### *Sending of the publications*

- 1) The sending of the application for participation may be enclosed by the forwarding of the publications. The publications that the candidate believes useful for presentation at the comparative assessment and which have been indicated in the application for participation according to art. 4, paragraph 1, letter d), must be sent within 30 days from the day following the publication of this public announcement in "Gazzetta Ufficiale della Repubblica" by post with registered letter with notification of reception or any other form appropriate to certify the reception or handed in by hand (opening hours: from Monday to Friday from 08:30 a.m. to 12:30 a.m. and from 2 p.m. to 5 p.m.) to the

Free University of Bozen-Bolzano

Personnel Office Academic Staff

*Franz-Innerhofer- Platz 8 - Piazzetta Franz Innerhofer, 8 – Postfach - C. P. 276*

*39100 Bozen-Bolzano*

In relation to publications sent by registered letter with notification of reception proof shall be



considered the date stamp of the accepting post office according to the D.P.R. 28th December 1970, no. 1077.

The University disclaims liability for possible postal mis-deliveries.

- 2) Publications will only be evaluated when they can be traced in public catalogues as publications.
- 3) Together with the publications, there must be enclosed a correspondent list, signed and dated at the last page. The Publications must be mentioned in chronological order within each category following the International Standard for bibliographic references with DOI whenever possible. With multiple authorship, if one is the main author, that author's name appears in *Italics*. In addition, in the left-hand margin please star (\*) what you consider were especially significant publications. Where relevant, citation index and impact of journal.
- 4) On the package containing the publications must be affixed the inscription "Publication: selection procedure for the awarding of a fixed-time research assistant contract for the collaboration at research activity" and be accurately indicated the faculty, the initials and the denomination of the disciplinary-scientific sector, the title of the research project and the candidate's name, surname and address for the present selection procedure (the address for the present selection procedure is the candidate's elected domicile for the receipt of the communications relating to this procedure).
- 5) Publications handed in or sent after the final term as indicated in paragraph 1 of the present article cannot be considered by the Commission of selection.
- 6) For the present selection procedure are considered assessable the print extracts and the works which, at the moment of the deadline of the call, have been subject to legal deposit according to the provisions of the law 15th April 2004, no. 106, put into effect with D.P.R. 3rd May 2006, no. 252.
- 7) The publications, with 1 copy of the correspondent list attached, may be sent:
  - a) in original;
  - b) in certified copy;
  - c) in photocopy. In that case a substitutive declaration of the deed of notoriety (to be drawn up according to the model of attachment 'B' and signed at the last page, with the production of a photocopy of an ID) must be attached, where the candidate, according to art. 47 of the D.P.R. 28th December 2000, no. 445, certifies the conformity of those produced with the original and indicates the author, the title of the work, the place and date of publication and the number of the work.
- 8) In case the candidate produces copies declared conform to the originals according to paragraph 7, letter c), of the present article:
  - a) for works printed in Italy it is also necessary to attest the date of deposit of the printing according to the law 15th April 2004, no. 106, put into effect with D.P.R. 3rd May 2006, no. 252;
  - b) for works printed abroad the date and place of publication must be indicated.
- 9) The publications may be produced in their original language if it is one of the following: Italian, French, English, German and Spanish.

It is in the authority of the Commission of selection to request the candidates integrations of the publications submitted in French, English, German or Spanish language, by forwarding the correspondent translation in Italian.

The translated texts must be produced in typewritten copies with the text printed in the original language and must be accompanied by a substitutive declaration of the deed of notoriety where the candidate, according to art. 47 of the D.P.R. 28th December 2000, no. 445, certifies the conformity of the translated text with the original (see attachment 'B').

- 10) The publications whose original language is different than Italian, French, English, German and Spanish must be translated in one of the above-mentioned languages.

It is in the authority of the Commission of selection to request the candidates integrations of the translations submitted in another language than Italian, by forwarding of a translation in Italian of the text already translated.

The translated texts must be produced in typewritten copies with the text printed in the original language and must be accompanied by a substitutive declaration of the deed of notoriety where the candidate, according to art. 47 of the D.P.R. 28th December 2000, no. 445, certifies the conformity of the translated text with the original (see attachment 'B').

- 11) For selection procedures concerning linguistic matters publications may be produced in the language or languages the selection procedure relates, even if different of those indicated in paragraph 9 of the present article.
- 12) The publication must be produced in any case, even in case they have already been submitted by this or other Administrations for participation at other selection procedures.
- 13) The missed sending of the publications within the provided date is not considered as renunciation of participating in the selection procedure. Nevertheless, the Commission of selection assesses the candidate only on the basis of the curricula and can therefore not assess the scientific works even if they are personally known by its members.

The Commission of selection does not take into consideration publications not conforming to the required format or in different edition as those indicated in the application for participation in the selection procedure.

- 14) No scientific work sent to this Administration will be returned. Nevertheless, the candidates may require its possess, except in case of pending controversy and according to the provision of the subsequent article 22, by going, personally or on behalf of a delegate, to the Personnel Office Academic Staff within the term of six months starting from the date of the Rectoral decree of confirmation of the regularity of the records. After this term has passed it is in the power of the University to dispose freely of the material not withdrawn.

#### **Art. 8**

##### *Exclusion from participation at the selection procedure*

- 1) The candidates are admitted conditionally at the selection procedures. Therefore exclusion through failing to meet the prescribed requirements is provided for with due decree of the Rector of the University at whatever stage of the procedure.
- 2) In particular, are excluded those:
  - a) presenting an application which is not signed;
  - b) presenting applications which, for any reasons, are not sent by post or consigned by the final deadline indicated in art. 5, paragraph 1 of the present call.

#### **Art. 9**

##### *Renunciation of participation*

- 1) The renunciation of participation at the selection procedure (to be drawn up according to the model of attachment 'D') must be sent by fax to the President of the Commission of selection (fax number: +39 +39 0471 013009) and, for information, to the person in charge of the procedure.  
Renunciations preceding the formation of the Commission of selection must be subsequently sent to the person in charge of the procedure (fax number: +39 0471 011309).
- 2) Renunciation takes effect from the Commission's first meeting following the date of its receipt.
- 3) The absence of the candidate at the interview is considered implied renunciation to the selection procedure.

#### **Art. 10**

##### *Commission of Selection*

- 1) The assessment is to be carried out by a Commission of selection, to be constituted of three members belonging to university staff from Italy or abroad.  
The members of the Commission of selection must be active in the relevant research area or in the disciplinary area the research project or the research activity refers.

- 2) The members of the Commissions of selection are appointed by the Department requesting the selection procedure.
- 3) The Commission of selection is appointed by special provision to be published also on the University's web page.
- 4) The Commission of selection remains in charge for six months and may be renewed only once and for not more than four months.

In case the work has not been completed within the extended period, the Rector, with due provision, will start procedure for the replacement of the Commission or the members responsible for the delay, establishing at the same time a new term for the conclusion of the work.

### **Art. 11**

#### *Selection of the candidates*

- 1) The comparative assessment is based on qualifications and, if provided by the call, examination/s.
- 2) The interview, if provided, may be performed also by videoconference.
- 3) In case one or more examinations are provided, the dates will be notified to the candidates not less than 20 days before taking place, with indication of the time and place they are being held.

To sit the examination/s, the candidate must be equipped, with the exclusion of others, of one of the following currently valid documents of recognition provided in art. 35, paragraph 2 of the D.P.R. 28th December 2000, no. 445: identity card, passport, driving licence, railway record-book, postal card, firearms licence. The mentioned documents must contain a recent photograph of the candidate and her/his signature be authenticated by a mayor or a public notary.

- 4) At the end of its work, the Commission of selection, on the basis of the scores assigned for the qualifications, publications and the examinations, if provided, compiles the merit ranking of the suitable candidates. Minority positions should be recorded, indicating, in relation to the number of research assistant contracts to confer, the candidates which the research contracts are conferred.

### **Art. 12**

#### *Publicity and transparency of the selection procedure*

- 1) The Commission of selection gives communication of the record containing the final merit ranking to the person in charge of the procedure for the subsequent measures.
- 2) In case procedural errors are discovered, the records are returned with due provision to the Commission of selection for regularization within the term indicated in the provision.
- 3) The results of the assessment will be published also on the University's web page.

### **Art. 13**

#### *Validity of the ranking according to merits*

- 1) The merit ranking lasts up to six months before the conclusion of the research project.
- 2) In case of withdrawal from the contract, the same will be conferred to the next suitable candidate in the concerned ranking list.

### **Art. 14**

#### *Formalization of the relationship*

- 1) The University stipulates with the first candidate in the merit ranking a contract, regulating the forms and modalities of the collaboration activity and the allotment of the research assistant contract.
- 2) The contract may be renewed within the maximum term of 3 months after its expiry.
- 3) The research assistant contracts are in no way considered a dependent employment relationship and do not confer rights for access to the University staff.

- 4) The winner of the present selection procedure must fulfill the duties provided by the University regulation for the conferral of research assistant contracts.  
A copy of the regulation is delivered to the holder of the research assistant contract at the stipulation of the contract.
- 5) The research activity the winner has to complete must have the following features:
  - a) temporally defined;
  - b) connected with the fulfillment of a research program or a stage of it;
  - c) autonomous performance, under the direction of the scientific responsible, of the program, without predetermination of working hours.

#### **Art. 15**

##### *Suspension of the research*

- 1) The payment of the remuneration of the research assistant contract is suspended during the periods of absence for pregnancy, documented sickness, military service. In these cases, the duration of the relationship will be extended for the remaining period for the realization of the research project, starting from the date of cessation of the cause of suspension.

#### **Art. 16**

##### *Rights and duties of the assistant researchers*

- 1) The holder of the research assistant contract undertakes research activities provided by the research programs adopted by the related Department. He/she may collaborate with students in research activities relating to his/her degree thesis, participate at examination commissions and perform formal and informal didactic exercises.
- 2) The holder of the research assistant contracts may participate at groups and at research projects of the University/the Departments. The performance of those research activities does not confer a right of payment of a separate compensation.
- 3) The holder of the research assistant contract may be allowed a limited teacher-centered didactic activity (lessons, exercises, laboratories) for a maximum of 60 hours per academic year, provided that this activity does not interfere with the research activities. The hours of teacher-centered didactic are separately remunerated.  
Teacher-centered didactic activity may be decided by the Department, upon consent of the research assistant contract holder and upon authorization of the person responsible of the research project.
- 4) The research assistant contract holder, in order to carry out the research activity, may use the facilities of the Department he/she belongs and make use of the services available to the researchers according to the regulations in force.
- 5) The research activity is performed at the Faculty concerned or elsewhere, if expressly authorized by the person responsible for the scientific activity the research assistant contract holder belongs. If the research assistant contract holder authorized to perform research activity externally must undertake duties in connection with the research, he/she has the right of refund of expenses according to the rules and conditions set out by the "Regulation concerning service missions of teaching and research staff".

#### **Art. 17**

##### *Person Responsible of the research activities of the research assistant contract holder and entrusted tasks*

- 1) The Department the research assistant contract holder belongs nominates a professor or researcher or a fixed-time researcher as scientific responsible for the research activities, guiding and directing the research activities undertaken by the research assistant contract holder.
- 2) The person responsible of the research project must collect and assess the concise and the final relation. He/she further must report to the Responsible of the Department and to the Personnel Office Academic Staff the defaults of the contract holder, also in relation to possible suspensions of

payments, except in case of grave default constituting cause of resolution by law of the contract.

- 3) The Department the research assistant contract holder belongs, at the conferral of the research contract and periodically, determines, on proposal of the scientific responsible and after having heard the interested person, the research programs and his/her relevant tasks.

### **Art. 18**

#### *Control modalities, assessment of the activity performed by the research assistant contract holders and causes of resolution of the contract*

- 1) The holder of the research assistant contract must annually present a short paper about the research activity performed and the results attained, which, with the assessment of the person responsible of the research project attached, is sent to the presidency of the Department concerned.
- 2) The research assistant contract holder must also produce a detailed final relation explaining the performed activity and the results attained, which, with the assessment of the responsible of the project, is submitted, within 45 days preceding the end of the contract, to the presidency of the Department concerned.
- 3) The non-presentation of the reports within the provided terms causes the suspension of payment of the following installments.
- 4) In case the research assistant contract holder, after having started the research activity, does not continue it, regularly and continually, for the whole duration of the research assistant contract without justified reason or is responsible for grave and repeated misdemeanor, the procedure for resolution of the contract will be started.
- 5) The contract will be terminated in the cases provided by paragraph 6 with deliberation of the concerned Department.
- 6) The contract will be terminated in the following cases:
  - grave and proven misdemeanor of the research assistant contract holder, reported by the person responsible of the research project or by the responsible of the concerned Department;
  - unjustified missed beginning or unjustified delay of the activity;
  - unjustified suspension of the research activity for a period which is prejudicial to the research program;
  - grave violation of the incompatibility rules provided by the present Regulation.

### **Art. 19**

#### *Loss and withdrawal*

- 1) Those not initiating the activity within the indicated terms lose the right for the research assistant contract.
- 2) Only delays due to grave health reasons or to *force majeure* duly proved are justified and admitted.
- 3) The holder of the research assistant contract may withdraw from the contract by observing a 30 (thirty) day notice. In case of written consent by the person responsible of the research project, the notice may not be considered.
- 4) Possible postponements of the date of beginning of the period of enjoyment of the research assistant contract may be awarded to winners proving to have to fulfill the military duties and to working mothers (legislative decree. no. 151/2001).

### **Art. 20**

#### *Attendance of research doctorate courses*

- 1) The holder of the research assistant contract may attend research doctorate courses without scholarships even in supernumerary, without prejudice of getting through the admission tests.
- 2) The University Council, before the beginning of the academic year, after having heard the departments, determines, for each doctorate course, the maximum number of research assistant contract holders admitted to attend doctorate courses in supernumerary.

### **Art. 21**

### *Economic and fiscal treatment, social security*

- 1) The amount of the remuneration is determined by the University Council, in respect of the minimum limits determined with Ministerial Decree.
- 2) The remuneration is paid in monthly installments. The monthly gross amount is determined by dividing the annual gross remuneration with the number of months of the contract's duration plus one.
- 3) Mission expenses will be taken from the fund of the person responsible of the research project.
- 4) The research assistant contract for collaboration at research activities under the present call is free of income tax. In relation to fiscal matters the provisions of Art. 4 of the law 13th August 1984, no. 476 with subsequent modifications and integrations are applied.
- 5) The University provides for the insurance covering in relation to risks of accidents at work and civil responsibility, applying the fiscal and social security disciplines provided by Art. 22, paragraph 6, of the law no. 240/2010.

### **Art. 22**

#### *Return of publications*

- 1) Candidates declared not eligible may withdraw, at their own expense, the publications submitted to this University within six months from the date of the Rector's decree of confirmation of the regularity of records. Once the term has passed the University keeps the material for its own necessities, disclaiming liability towards the candidates.

### **Art. 23**

#### *Protection of personal data*

- 1) For information about the use of personal data, we refer to the data protection code in compliance with art. 13 of Legislative Decree no. 196/2003, attached to the present call.

### **Art. 24**

#### *Person in charge of the procedure*

- 1) In accordance with the law 7th August 1990, no. 241, the person in charge of the procedure of the present selection is Dr. Paola Paolini – Head of the Personnel Office Academic Staff – Piazzetta Franz Innerhofer, 8 - C.P. 276 – 39100 Bozen-Bolzano – tel. +39 0471 0 11308, fax +39 0471 0 11309, e-mail: [personnel\\_academic@unibz.it](mailto:personnel_academic@unibz.it).
- 2) On the web page <http://www.unibz.it/en/organisation/vacancies/research/default.html> expressly dedicated to the selection procedure are available all relating information about the progress report of the Commission of selection's works as well as the relating deadlines.

### **Art. 25**

#### *Referring provisions*

- 1) For anything that is not expressly considered in the present announcement, reference shall be made, where applicable, to the norms cited in the preamble of the present decree and any related laws in force.

Bozen-Bolzano, 10.12.2015

Decree no. 51/2015

  
THE RECTOR  
PROF. Gabriella Dodero

