



UNIVERSITÀ DEGLI STUDI
DI CAGLIARI

General Division

Manager: Dr Aldo URRU

Disclaimer: This English translation of the original text in Italian is provided for information purposes only. In case of a



Amendment to the University Regulations regarding the Recruitment of fixed-term contract Researchers.

THE RECTOR,

- HAVING REGARD TO Law No. 240 of 30 December 2010, as amended, and in particular Article 24 concerning researchers on fixed-term contracts;
- HAVING REGARD TO the current Statute of the University of Cagliari, as amended by Rectoral Decree 305 of 28.03.2022;
- HAVING REGARD TO Rector's Decree No. 1365 of 01 December 2021 issuing the University Regulations for the recruitment of researchers on fixed-term contracts;
- HAVING REVIEWED the need to amend certain articles of the aforementioned Rules in order to adapt them to the new procedural requirements that have arisen during the course of the selections;
- HAVING REGARD TO the resolutions by which the Academic Senate and the Board of Directors, at their meetings of 20 and 21 December 2022, respectively approved and expressed a favourable opinion on the proposed amendment to the above-mentioned articles,

ISSUES THE FOLLOWING DECREE:

- ARTICLE 1 The 'University Regulations for the Recruitment of Researchers on fixed-term contracts', as amended in the annex which forms an integral part of this decree, is hereby issued.
- ARTICLE 2 For reasons of urgency, the Rules shall enter into force on the day of registration of this decree and will be published on the University's website.

Approved by the Director General

The Rector
Prof. Francesco Mola
(signed with digital signature)



REGULATIONS FOR THE RECRUITMENT OF FIXED-TERM RESEARCHERS

Art. 1

Preamble

1. Pursuant to Law No. 168 of 9.5.1989 and art. 24 of Law No. 240 of 30/12/2010, in force from 29 June 2022, the recruitment of researchers with fixed-term contracts to carry out research, teaching, supplementary teaching and student support and service activities is carried out on the basis of the provisions outlined in these regulations.
2. The contracts referred to in these regulations do not confer any rights of access to the roles. Fulfilment of the contract only constitutes a preferential eligibility in competitions for access to public administrations.

Art. 2

Recommendations for the selection of researchers on fixed-term contracts

1. The Department Council, composed exclusively of full and associate professors, shall formulate recommendations for the selection of researchers on fixed-term contracts.
The decision of the department containing the selection recommendation must be approved by the Board of Directors after obtaining the favourable opinion of the Academic Senate.
If the posts to be activated are financed from the University budget, they will be activated in accordance with the annual and three-year planning carried out by the Board of Directors.
The posts may also be filled with external funding in accordance with the current regulation on the financing of fixed-term research contracts by public or private bodies.



2. When approving recommendations for the selection of researchers on fixed-term contracts, as per Article 3, letter (b) below, the Board of Directors must verify the availability of the necessary staff points for each call; it must also verify the availability of the necessary financial resources, as provided for by Article 18, paragraphs 2 and 3 of Law 240/2010.

3. The Academic Senate will evaluate, at least every two years, the impact of the recruitment policies of the applicant departments according to nationally and internationally recognised parameters, including the impact on the FFO (Regular Financing Fund), for the purposes of the ANVUR evaluation (art. 5, para. (5), Law 240/2010).

4. The procedures for recruiting fixed-term researchers are set out in Article 11 et seq. of these rules.

Art. 3

Types of fixed-term contracts

1. The fixed-term contracts referred to in Article 1 may be:

- a) Three-year contracts which may be renewed once for a further two years;
- b) Three-year non-renewable contracts.

Art. 4

Contractual obligations of full-time and fixed-term contracts

1. The contracts referred to in Article 3(a) and (b) may provide for full-time or part-time contracts.

2. The total annual workload commitment is estimated at 1500 hours for the full-time regime and 750 hours for the part-time regime. A total of 350 hours must be devoted to teaching, supplementary teaching and student support service activities for the full-time regime and 200 hours for the part-time regime.

3. The position of a fixed-term researcher, whatever the chosen work commitment scheme, is incompatible with any other concurrent form of employment or enterprise.

Art. 5

Salary policy

1. Holders of the contracts referred to in Article 3 para. (1) letter (a) are entitled to receive a gross annual salary equal to the starting salary of a full-time researcher, depending on the workload regime chosen.
2. The holders of the contracts referred to in Article 3, para. (1), letter (b), shall be entitled to a gross annual salary equal to the starting salary of a full-time researcher, depending on the workload regime chosen. This salary may be increased by 10% for the first year, 15% for the second year and 20% for the third year of the contract, subject to the evaluation of the research and teaching activities carried out by the Department Council in accordance with Art. 6, paragraph 4.

If the position is financed by means of a special integrated plan, the salary scale will be the one indicated in the ministerial decrees allocating the funds.

Art. 6

Nature of employment contract

1. A fixed-term employment contract shall be established between the university administration and the fixed-term researcher for the performance of research, teaching, supplementary teaching and student support and service activities.

At the time of signing the contract, the researcher must choose between a full-time and a part-time contract; the part-time option is excluded if the exclusion itself is expressly provided for in the call for applications.

2. The contract will establish the modalities for carrying out research, teaching, supplementary teaching, and student support and service activities, to be agreed with the Head of Department, in accordance with what is indicated in the call for applications and with the SSD (academic discipline) indicated in the recruitment profile.

Should the researcher be required to carry out his/her activities in a department of the medical field where auxiliary activities are expected, these will be carried out in accordance with the existing agreements with the Autonomous Region of Sardinia and the University Hospital and Clinics.

3. At the end of each year, the researcher will be required to give a lecture/seminar in



the department and in their academic recruitment field, presenting the advanced education and research activity they have carried out.

4. At the end of each year, the researcher must also submit to the Head of Department a report on the results of the research activity carried out and a report on the teaching activity; for the evaluation of the activity aimed at the two-year extension (as per Art. 3, paragraph 1, lett. (a)), Art. 9 below shall apply.

5. During the period of compulsory maternity leave, the contract shall be suspended and the term of the contract shall be extended by a time period equal to the period of compulsory leave.

Art. 7

Legal Status

1. The provisions of art. 6, paragraphs 9, 10, 11 and 12 of Law 240/2010 apply to fixed-term researchers, governing incompatibilities related to the legal position of researchers, and incompatibilities connected to the full-time or part-time employment regimes.

Art. 8

Prohibition of concurrent employment contracts

1. The contracts referred to Article 3 and the full-time option cannot be combined with other contracts, even when entered into with other universities.

2. For the duration of the contracts covered by this Regulation, the employees of the Public Administrations shall be placed on leave without pay or social security contributions, or in a position of inactivity, in cases where this position is provided for by the regulations to which they are subject.

Art. 9

Evaluation of research activities for the purpose of granting two-year extensions

1. The three-year type A contracts referred to in Art. 3 para. (1) letter (a), shall be renewable once for two years only.

In order to proceed with the renewal, the department council to which the researcher belongs may, within the limits of available resources, ask the administration to renew the contract during the six months preceding its expiry.

The recommendation must be justified in an appropriate report with reference to teaching and research requirements, and must take into account the results of the activities carried out, and the qualifications obtained by the researcher and documented by him/her, also in accordance with art. 6, paragraph 4.

The request for renewal must be sent to the Personnel, Organisation and Performance Directorate at least two months before the expiry of the researcher's fixed-term contract. The extension cannot be granted to researchers who have not produced at least two publications eligible for the VQR (inactive) during the three-year period.

2. The research and teaching activities carried out under the contract for which renewal is recommended will be evaluated by a special committee (in accordance with Ministerial Decree 242/2011-G.U. 21.09.2011). The purpose of the evaluation is to assess the appropriateness of the research and teaching activities carried out in relation to the contract to be extended.

The Committee is appointed by Rectoral Decree and is made up of six area representatives and may be supplemented by other members with specific competences. Recommendations for renewal which have been favourably assessed by the Committee, together with the report of the departments, shall be submitted to the University's Board of Directors for approval. The Board's decision must be taken before the expiry date of the contract to be renewed in order to ensure the continuity of the contract itself. Without prejudice to the provisions of the previous paragraphs, if the budget allocation does not allow all the requests for renewal to be met, the above-mentioned Committee shall establish a ranking. This will be determined on the basis of



the scientific/academic quality of the publications, as well as the parameters required to obtain the National Academic Qualification for the role of Associate Professor in the academic discipline concerned (SSD).

Art. 10

Early termination of the contract

1. For early termination of the contract, the researcher is obliged to give at least 30 days' notice.
2. In the event of failure to give notice without adequate justification, the Administration is entitled to withhold an amount corresponding to the salary for the period of notice not given.
3. In the event of early termination, the remuneration due shall be reduced in proportion to the months worked.
4. The researcher who terminates the contract early is obliged to submit a report on the results of the teaching and research activities carried out up to the date of termination.

RECRUITMENT

Art. 11 Calls for Selection

1. Recruitment of fixed-term researchers to carry out research, teaching, supplementary teaching and student support services is carried out by means of a public selection process.
2. To this end, the Rector shall issue a SELECTION NOTICE by Rectoral Decree, which shall be published on the University's website and shall be duly publicised in the Official Gazette of the Ministry and of the European Union.
3. The notice must contain the following essential information:
 - a) The department that has applied for the post and where the researcher will carry out research, teaching, supplementary teaching and student support and service activities;
 - b) The date of the decision approving the selection by the Board of Directors, subject to the favourable opinion of the Academic Senate of the University;
 - c) The type of contract and recipients and in particular whether the call for applications concerns the recruitment of researchers with three-year contracts, renewable once for



a further two years (as per paragraph 1, letter (a) of Article 3) or three-year non-renewable contracts (as per paragraph 1, letter (b) of Article 3);

- d) type of work commitment regime required (full-time or part-time);
- e) academic recruitment field, performance modalities and profile required, indicating one or more academic disciplines (SSD);
- f) specific functions, including teaching functions, to be carried out by the researcher including a clear indication of rights and duties;
- g) salary scale and social security scheme;
- h) how to submit online applications;
- i) type of titles and publications, up to a maximum number of 12, to be assessed;
- j) requirements for admission to the selection;
- l) deadlines for submitting the application;
- m) knowledge of a foreign language to be tested. Candidates are exempt from being tested if in possession of a certification of foreign language knowledge, at a level equal to or higher than B1, issued by a certifying body or a language school or university language centre no more than five years prior to the closing date of the selection competition;
- n) cases to be excluded.

4. In any case, candidates will be excluded from the selection procedure if they have already held a contract with the University of Cagliari, with other universities or with the bodies referred to in art. 22, para. (1) of law 240/10. This applies even for an uninterrupted period, for the position of researcher with a fixed-term contract and as holder of a research grant pursuant to art. 22 of Law 240/2010, if the total duration of the contracts already established, when increased by the duration of the fixed-term contract for which they intend to apply, exceeds 12 years. It is understood that in cases where the candidate is competing for the contracts referred to in art. 3, paragraph 1, letter (b), the 12 years must also include the years of the contract referred to in art. 3, paragraph 1, letter (a).

Periods of compulsory maternity leave and sick leave shall not be taken into account in the above calculation.

Candidates must certify in their application that they are not in any of the situations



listed above.

Persons related by blood or affinity, up to and including the fourth degree, to a professor or lecturer belonging to the department or structure making the call, or to the Rector, the Director General or to one or more members of the University Board of Directors are also excluded from participation in the selection procedure (cf. art. 18, para. (1), letters b and c L. 240/2010).

Art. 12

Addressees

1. Participation in the selection procedure for researchers with a three-year contract, renewable once only for a further two years, referred to in paragraph 1, letter (a) of art. 3, shall be restricted, without any limitation as to nationality, to persons holding the following qualifications:

- a doctorate, or an equivalent qualification obtained in Italy or abroad, or diplomas in medical specialisation for the fields concerned.

Persons already employed on a permanent basis as first or second level professors or as researchers, even if they have left the service, cannot take part in the competition. The requirements set out in the notice of competition must be met by the closing date for applications.

Exclusion from the competition is decided by Rectoral Decree, which is notified to the person concerned.

2. Selections for three-year full-time researchers with non-renewable contracts referred to in Article 3 letter (b) shall be reserved, without discrimination on grounds of nationality, for candidates holding a doctorate or equivalent qualification obtained in Italy or abroad, or, for the sectors concerned, a diploma in medical specialisation utilised for at least three years, even cumulatively:

- 1) for three-year contracts possibly extended for two years (Art. 3 letter (a));
- 2) for research grants pursuant to Article 51 para. (6) of the Act of 27 December 1997, No. 449, as amended or pursuant to Article 22 of Law No. 240 of 30 December 2010;
- 3) for post-doctoral fellowships under Article 4 of Law No. 398 of 30 November 1989,
- 4) for any similar contracts, grants or scholarships in foreign universities.



5) for contracts established pursuant to Article 1 para. (14) of Law 230/2005.

Candidates who have been awarded the National Academic Qualification for the posts of first or second level professor or who hold a medical specialisation qualification, are not required to possess the qualifications listed in points 1-5.

Art. 13

Selection Committee

1. The Selection Committee shall be appointed by Rectoral Decree and shall be composed of tenured professors, pertaining to the competition sector for which the selection was announced, who have been positively evaluated by their university, pursuant to Article 6, paragraph 7 of Law No. 240/2010 and who

a) meet the requirements for serving on committees of the National Academic Qualification (ASN) (for full professors);

meet the National Academic Qualification (ASN) for the first level or possess the indicators required to obtain it and have published at least three scientific/academic papers with ISBN/ISMN/ISSN or indexed on WoS or Scopus in the last five years (for associate professors).

Or, as an alternative to (a), those who:

b) meet the requirements relating to the indicators for qualification for the first-level positions (for full professors) and for the second-level positions (associate professors) and have published at least three scientific/academic papers with ISBN/ISMN/ISSN or indexed on WoS or Scopus in the last five years.

In the event of objective impossibility of appointing Committee members from the same academic recruitment field, professors belonging to the macro-sector concerned may be appointed members of the Committee.

It will also be possible to appoint professors working at foreign universities with proven international recognition in the academic recruitment field concerned and holding an academic position equivalent to that of full professor on the basis of the equivalence tables established by the Ministry.

The selection committee will be composed as follows:

- by a professor, internal or external, indicated by the department requesting the



post;

- by two external professors indicated by the Academic Senate as follows:
 - the first person drawn by lot from a list of three names, in alphabetical order, provided by the department requesting the post. In selecting the names, the department shall, where possible, respect the principle of equal opportunities for men and women;
 - the second, drawn from the list of aspiring committee members by lot for the formation of the National Academic Qualification Committees ex art. 16, L. 240/2010.

The draw will be carried out by drawing on the reference percentages to be applied to each of the lists of professors and lecturers in the same academic recruitment field, as indicated in the competition notice, in accordance with the following procedure:

- in the event that the internal committee member and the committee member drawn from the shortlist of three names are both male, the percentage will be applied to the shortlist of female professors only and, starting from the position drawn, the first female professor available for appointment will be selected. If there are no female members on the list, a draw will be made from the full list;
- in the event that the internal committee member and the committee member drawn from the shortlist of three names are both females, the percentage shall be applied to the shortlist of professors only and, starting from the position drawn, the first professor available for appointment shall be selected. If there are no members of male gender on the list, a draw will be made from the full list;
- in the event that the internal committee member and the committee member drawn from the shortlist of three names are one of male gender and one of female gender, the percentage shall be applied to the complete list and, starting from the position drawn, the first professor available for appointment shall be selected.
- In cases where lists have fewer than ten lecturers, these will be supplemented by drawing from the group of academic recruitment fields concerned.

Decisions of the department may only be taken by committees consisting exclusively of professors and lecturers.

The Committee must provide for the presence of at least one full professor for the



selections referred to in art. 3, paragraph 1, letter (a), and two full professors for the selections referred to in art. 3, paragraph 1, letter (b.) In the event that the department submits the names of professors from foreign universities, their role shall be identified using the Ministerial Table of Equivalence of Italian and Foreign Academic Positions.

The appointment of a member of the Committee is limited to two selections per year, which may be extended to a maximum of three in the case of academic recruitment fields where numbers are small.

Professors and lecturers who are currently members of the Board of Directors and the Academic Senate of this University may not be appointed to the Committees. Professors belonging to the same university may not be members of the Committee.

It is incompatible with the office of member of the Committee for a university lecturer to have more than 50% of their scientific/academic output with one of the candidates. Any committee member in such a situation of incompatibility must withdraw from the appointment by immediately informing the University.

Article 14

Comparative Assessment - Selection by Qualifications

1. In their first online meeting, the Selection Committees will define the procedures and criteria for the evaluation of qualifications and scientific/academic achievements, adopting the criteria indicated in Ministerial Decree No. 243 of 25.05.2011.

The evaluation criteria will be published on the University's website and communicated to the candidates. The Committee may not begin its work until five days after the date of publication. Once the criteria have been published, the Committee will have access to the list of candidates and the documents they have submitted for selection.

With the authorisation of the Rector, the Committees may use telematic means for their meetings, including the interviewing of candidates. In this case, the committee must adopt appropriate tools and devices to ensure the transparency of the procedure, the identification and equal treatment of candidates, the proper and correct conduct of the oral interview and the maximum confidentiality of communications.

2. In the event that there are seven or more candidates for each position to be filled, the Committee will make a preliminary assessment of the candidates on the basis of



the criteria set out in Ministerial Decree No. 243 of 25 May 2011, concluding with a reasoned analytical assessment of their qualifications, curriculum vitae and scientific/academic achievements, including the examination of doctoral or specialisation theses.

Following the preliminary assessment, between 10 and 20 per cent of the most deserving candidates will be admitted to a public discussion of their qualifications and scientific/academic achievements, but there should be no fewer than six.

All candidates will be admitted to the discussion if their number is six or less.

3. The candidates admitted will be called at least 10 days in advance to discuss their qualifications and scientific/academic achievements and to ascertain their knowledge of the foreign language indicated in the notice.

The Committee, which has 100 points at its disposal (40 points for qualifications and 60 points for publications), then assigns points to the qualifications and to each of the publications submitted by the candidates admitted to interview, on the basis of the predetermined criteria. Candidates with a total score of 50 points or more will be selected.

4. At the end of its work, the committee will select the winner by a majority vote of its members.

5. The official records shall consist of the minutes of each session, which shall include the points awarded to each candidate and the summary report of the work carried out and shall form an integral and necessary part thereof.

The selection records shall be submitted to the Rector for approval.

Art. 15

Timeframe for completing the selection process

1. The Committee shall complete its work within three months of the date of the Rector's decree of appointment. The Rector may extend the time limit for the completion of the procedure once, but for no more than one month, for duly substantiated and exceptional reasons to be given by the Chairperson of the Committee. If the work is not completed within the time limit, the Rector shall, by means of a reasoned decision, initiate the procedure for the replacement of the members



responsible for the delay and set a new deadline for the completion of the evaluation work.

Art. 16

Approval of the official documents from the selection process

1. The selection documents shall be approved by the Rector by means of a decree, in which the Rector shall check their formal correctness. If, within the thirty-day period, the Rector finds that the documents are not in order, he shall return them to the Selection Board by means of a reasoned decision, setting a deadline for their correction.
2. The results of the selection will be made public by notification to the department that requested the selection and by publication on the University's website.

Art. 17

Calling the winners of the selection

1. The recommendations for calling the winners of the selection are formulated by the department with the approval of the absolute majority of the full and associate professors and the approval of the call itself by decision of the Board of Directors.
2. In the event of refusal of the contract by the winner, and in the presence of candidates who have passed the selection, the department may recommend the appointment of another candidate identified according to the order of priority established on the basis of the points awarded by the committee.

Art. 18

Commencement of service

1. The winner of the selection will be called upon to enter into the fixed-term contract after approval of the call by the Board of Directors, as referred to in Article 17.

Art. 19

Final Provisions

1. For anything not expressly provided for in these Regulations, the relevant legal provisions in force apply.
2. As from the date of entry into force of the ministerial decree that will specify the academic discipline groups, the references to the academic recruitment fields contained in these regulations will be replaced by the academic discipline groups.