



REGULATIONS FOR THE AWARDING OF RESEARCH CONTRACTS, PURSUANT TO ART. 22 OF LAW NO. 240 OF 12.30.2010, AS AMENDED BY ART. 14, PARAGRAPH 6-SEPTIES OF LEGISLATIVE DECREE NO. 36 OF 30 APRIL 2022, CONVERTED WITH AMENDMENTS BY LAW NO. 79 OF 29 JUNE 2022.

"Terms relating to persons that appear only in the masculine form in these Regulations refer indiscriminately to both feminine and masculine gender. Gender identity referential wording has been dispensed in order to avoid compromising the readability of the text and to meet the need for simplicity of the same."

Title I

General principles

Article 1

Purposes and scope of application

- 1) The University of Foggia may enter into fixed-term employment contracts, referred to as "research contracts," for the exclusive purpose of carrying out specific research projects, financed in whole or in part by internal funds or by third parties, whether public or private, based on specific agreements or conventions. In the case of funds encumbered by its own budget, the total annual expenditure for research contracts may not exceed the spending limit established in Article 22, paragraph 6, of Law 240/2010.
- 2) These Regulations regulate the selection procedures, the legal regime, and the financial treatment of contract holders pursuant to Article 22 of Law No. 240 of December 30, 2010, hereinafter referred to as "contractors."

Article 2

Characteristics of Research Contracts

- 1) Research contracts have a two-year term and may be renewed once for further two years. For national, European, and international research projects, research contracts have a two-year term, which can be extended up to an additional year, depending on the specific needs related to the objectives and type of the project.
- 2) The total duration of research contracts, even if signed with different institutions, may not exceed five years. Periods spent on maternity or paternity leave or for health reasons, in accordance with the legislation in force, shall not be taken into account when calculating the total duration.

Article 3

Terms of Selection

- 1) Contractors are hired following completion of selection procedures, based on qualifications and interviews, related to one or more scientific areas falling within the same scientific-disciplinary group (SDG), aimed at assessing the relevance of the proposed research project's relevance to the subject of the call for proposals and the candidate's scientific and professional background suitable for carrying out the research activity covered by the contract, as well as the methods of its execution.
- 2) Without prejudice to any different provisions of competitive funding procedures launched by ministries, the European Union, or other national or international research institutions, which provide for the successful candidate to be employed on a fixed-term contract without selection procedures being carried out. In the latter case, the conclusion of the contract shall be decided by the Board of Directors after consultation with the Academic Senate, upon a proposal from the Department concerned.

Title II
Selection Procedures

Article 4
Opening of Selection Procedures

- 1) For the exclusive purpose of carrying out specific research projects, the Department Councils shall decide on the activation of research contracts, within the scope of their budget availability, taking into account legal constraints.
- 2) The resolutions referred to in the previous paragraph must indicate:
 - a. the number of vacancies for which the contract relates;
 - b. the research program to which the contract is related;
 - c. the person responsible for research;
 - d. the Scientific-Disciplinary Group;
 - e. one or more scientific-disciplinary areas falling within the same Scientific-Disciplinary Group;
 - f. the location where the activities will be carried out;
 - g. Details of the funding sources from which the cost of the contract will be covered;
 - h. the amount of the total gross annual salary;
 - i. the criteria indicated in Article 8, paragraph 3, of these Regulations, indicating the maximum scores to be awarded to them, which total will be overall of 100 points;
 - j. The maximum number of publications, between 2 and 5, that each candidate may attach for evaluation purposes;
 - k. The date, time, and terms of convening candidates for the public interview;
 - l. Information useful for applicants' submission of their project proposals.

Article 5
Call for Applications

- 1) The call for applications, issued by Rector's Decree, must contain:
 - a. the number of vacancies;
 - b. the research program;
 - c. the Scientific-Disciplinary Group;
 - d. one or more scientific-disciplinary areas falling within the same Scientific-Disciplinary Group;
 - e. the Department of affiliation and the location where the activity will be carried out;
 - f. the amount of the gross annual salary including charges to be borne by the contractor;
 - g. Selection conditions;
 - h. Requirements for participation;
 - i. Evaluation criteria and the related scores;
 - j. the maximum number of publications that each candidate may attach for evaluation purposes;
 - k. information relevant to the submission of project proposals by the applicants;
 - l. the deadline for submitting applications to participate in the selection process;
 - m. the legal, financial, and social security treatment.
- 2) The call for applications may also specify the date, time, and manner of convening candidates for the public interview.
- 3) The call for applications is advertised on the website of the relevant Ministry and on the European Union Portal, and published on the University's Official Noticeboard and on the University of Foggia website.
- 4) The deadline for submitting applications to participate in the selections is at least 15 days from the day following the date of publication of the call on the University's Official Noticeboard.
- 5) The application must be received by the relevant Administration Department within the deadlines set out in the call for applications and in accordance with the procedures indicated therein.

Article 6

Selection Committee

- 1) The Selection Committee is normally composed, ensuring adequate gender representation, of three members, chosen from among professors and researchers, including at least one tenured professor, who are related to the scientific-disciplinary field covered by the call for applications. Professors and researchers currently employed at foreign universities who hold academic positions corresponding to those of professor or researcher, as defined by the relevant Ministerial Decree, may also be nominated.
- 2) The Department Council, following the deadline for submitting applications, will designate one member of the Selection Committee and appoint a shortlist of five members, from whom, two actual members and three alternates will be drawn by lot.
- 3) Excluded from the Committee are those who:
 - a) have been convicted, even by a non-binding sentence, of the offences referred to Chapter I of Title II of Book Two of the Criminal Code;
 - b) have a relationship of marriage, kinship, or affinity up to and including the fourth degree, or a civil union between persons of the same sex as regulated by Article 1 of Law No. 76 of May 20, 2016, or who are in a state of cohabitation as regulated by Article 1 – paragraphs 37 et seq. of Law No. 76 of May 20, 2016, with the candidates or other members of the Committee;
 - c) are in a situation of conflict of interest or a situation that gives rise to the grounds for abstention pursuant to Article 51 of the Code of Civil Procedure with the candidates or other Committee members;
 - d) are co-authors with one or more candidates, representing a percentage greater than 50% of the publications they will submit for evaluation;
 - e) those who have obtained a negative assessment pursuant to Article 6, paragraph 7 of Law 240/2010.
- 4) The Selection Committee is appointed by Rector's Decree, published in the Official Noticeboard and on the University website.
- 5) Seven days shall elapse from the date of publication for the submission to the Rector, by the candidates, of any request for objection by the Commissioners.
- 6) Each member of the Selection Committee must verify and declare that they are not in one of the situations of incompatibility set forth in paragraph 3 above.
- 7) The Committee may use electronic tools for collegial work and may hold its meetings remotely. Details of the procedures for conducting meetings must be adequately recorded in appropriate form. The interview may also be conducted electronically, in accordance with the terms of the call.
- 8) Participation in the proceedings is an automatic obligation for members of the Selection Committee, except in cases of force majeure. Failure to participate in the proceedings by members of the Committee, determined by Rector's Decree, shall result in dismissal from the Committee. The renunciation of appointment or the resignation of a Committee member due to supervening impediments must be adequately justified and documented and takes effect only after the Rector's Decree of acceptance.
- 9) No remuneration is provided for the members of the Selection Committee.

Article 7

Candidates Eligible for Selection

- 1) May participate in the selection process Italian or foreign candidates holding, as of the application useful deadline, a doctoral degree or an equivalent qualification obtained abroad, recognized as equivalent by the Selection Committee for the sole purpose of awarding the contract, or, for the fields concerned, a medical specialization degree.
- 2) Candidates enrolled in the third year of a PhD program or in the last year of a medical specialization course may also participate in the selection, provided that the degree is expected to be awarded within six months following the date of publication of the call for selection on the University's official noticeboard.
- 3) The following aren't allowed to participate in the selection:
 - permanently employed staff of universities, public research institutions, and institutions whose advanced scientific diploma has been recognized as equivalent to a doctorate degree pursuant

- to Article 74, paragraph 4, of Presidential Decree No. 382 of July 11, 1980;
- those who have held fixed-term research contracts pursuant to Article 24 of Law 240 of 2010;
 - those who have a kinship or affinity relationship up to and including the fourth degree with a professor belonging to the Department that has proposed the activation of the contract, or with the Rector, the General Director, or a member of the Board of Directors.
- 4) Exclusion from the selection process is determined by a reasoned Rector's Decree and notified to the interested party.

Article 8

Selection Procedures

- 1) The selection process is carried out through a comparative evaluation of candidates and is aimed at assessing the project proposals' suitability with the research program being selected, as well as the candidates' scientific and professional curriculum vitae suitable for carrying out the research activity covered by the contract.
- 2) The evaluation will be supplemented by a public interview to assess the candidates' research aptitude.
Candidates must submit all documentation required for the evaluation, in accordance with the terms set out in the call.
- 3) Candidates will be evaluated comparatively based on the following criteria:
 - a. quality, originality, and innovation of the project proposal, with reference to the research program being selected;
 - b. relevance and relevance of previous research activities, as well as any work experience, in relation to the content of the research program being selected;
 - c. relevance of the attached publications to the research program being selected;
 - d. an oral exam will assess the candidate's suitability for the research activity covered by the contract and for the implementation of the project proposal submitted, as well as their knowledge of the English language and/or other languages relevant to the research.
- 4) For selection purposes, the Commission has 100 points available, 50 of which are reserved for qualifications and 50 for the interview.
- 5) For the evaluation of qualifications, the score is broken down as follows:
 - a. 10 points for each of the following qualifications relevant to the profile indicated in the call: PhD or equivalent qualification obtained abroad, medical specialization qualification for the relevant fields;
 - b. up to 5 points for the degree grade, as determined by:
 - up to 107/110 = 0 points,
 - 108/110 = 1 point,
 - 109/110 = 2 points,
 - 110/110 = 3 points,
 - 110/110 with praises = 5 points;
 - c. Up to a maximum of 5 points for the following qualifications relevant to the candidate's profile:
 - First-level master's degrees and postgraduate university specialization courses = 1 point,
 - Second-level master's degrees = 3 points,
 - Specialization diploma in a non-medical field = 5 points,
 - d. Up to a maximum of 5 points for scholarships or documented research carried out at public or private institutions relevant to the candidate's profile: one point for each year or fraction of a year equal to or greater than 6 months.
 - e. Up to a maximum of 25 points for publications, including doctoral thesis, relevant to the candidate's profile, and/or for ownership/participation in research projects.
- 6) For each candidate, the Selection Committee must analytically record in the minutes the qualifications assessed and the scores assigned. Candidates are admitted to the interview if they achieve a minimum score of 15 points.
- 7) The outcome of the qualifications assessment will be communicated to participants at least five days before the scheduled interview date.
- 8) The interview, which may be held online at the Committee's discretion, is aimed at assessing the candidate's research aptitude and focuses on the project submitted, its topic, and the program indicated in the call. During the interview, knowledge of the foreign language indicated in the call will be assessed. The interview is considered passed if the candidate achieves a minimum score of 30

out of 50.

9) Candidates will be notified of the date, location, and time of the interview at least five days before the interview, to the email address provided in the application, if not provided for in the call, which may also be held remotely, using the video conferencing tool. Candidates must be available on the day scheduled for the oral exam. For identification purposes and under penalty of exclusion from the selection procedure, each candidate is required to identify themselves before the interview begins by showing a copy of the same identification document already submitted as an annex to the application. Failing to connect, unavailability of the candidate on the scheduled day or time, or failing to present a valid identification document as per the previous paragraph will constitute grounds for exclusion from the selection procedure. The University declines any responsibility in the event of any technical reasons that prevent the regular performance of the oral exam.

10) The Commission will draw up a merit ranking based on the descending order of the sum of the scores obtained by candidates in the assessment of their qualifications and interview. The selection process is considered successful with a minimum score of 45 points out of 100.

11) In the event of an equal score, preference shall be given to the younger candidate.

Article 9

Deadline for the Procedure

- 1) The Selection Committee shall complete its work within forty-five days from the date of publication of the Rector's Decree of the appointment. The Rector may extend, once and for no more than thirty days, the deadline for completing the selection process for substantiated reasons reported by the Committee Chair. After this deadline, the Rector will initiate procedures for replacing the Committee, or the individual members to which the causes of the delay are attributable, assigning a new, non-extendable deadline of forty-five days for the completion of the process.
- 2) The documents of the selection procedure shall be approved by Rector's Decree within twenty days after delivery of the minutes to the relevant Administration office, to be published on the University website.
- 3) The selection procedures referred to in these Regulations do not give rise to declarations of suitability. The merit ranking may be used exclusively in the event of decadence or withdrawal from the contract by the successful candidates.

Article 10

Signing of Employment Contract and its Duration

- 1) The contract must specify:
 - a. the start and end dates of employment;
 - b. the research to which it is related;
 - c. the economic treatment.
- 2) The employment contract is signed by the contractor and the Rector.
- 3) The Department Director will notify the relevant Administration offices of the contractor's start date.
- 4) The probationary period shall last three months of actual service; any negative assessment shall the responsibility of the Research Director.
- 5) The probationary period is suspended in the event of absence due to illness or injury. In this case, the contractor is entitled to retain their position for a maximum period of six months, after which the contract will automatically terminate, without the need for any further communication and without any right to notice or other compensation. Once the trial period has elapsed without the employment relationship being terminated by either party, the contractor is considered confirmed in service and is recognized for all purposes as having served from the date of hiring.
- 6) In the event of withdrawal, remuneration shall be paid until the last day of actual service.

Title III

Regulations of the Employment Relationship

Article 11

Employment Performance Procedures

- 1) Contractors organize their work in consultation with the Research Manager.
- 2) Contractors are subject to the health checks required by Legislative Decree no. 81/2008, at the

expense of the University.

- 3) Disciplinary jurisdiction is governed by Article 10 of Law no. 240 of December 30, 2010.
- 4) Contractors are entitled to the provisions of Legislative Decree no. 151 of March 6, 2001, on the protection and support of maternity and paternity, Law no. 104 of February 5, 1992, regarding assistance, social integration, and the rights of persons with disabilities, and Articles 37, 40, and 68 of Presidential Decree no. 3, as amended, on special leave and sick leave. Leave due to sickness may not exceed 9 months in the case of two-year contracts. In the event of an extension, the period of leave due to sickness shall be proportionate to the duration of that period.
- 5) Contractors are entitled to the provisions of Articles 69 and 70 of Presidential Decree No. 3 of January 10, 1957, as amended, on leave for family reasons. Leave for family reasons may not exceed 12 months, during which the applicant will not receive any allowance or social security contributions. Leave for family reasons is authorized by resolution of the relevant Department Council.

Article 12 Contract Extension

- 1) In the case of national, European, and international research projects, research contracts may be extended for up to an additional year, based on specific needs related to the objectives and type of the project.
- 2) Any extension of a research contract must, in any case, comply with the maximum overall duration of five years pursuant to Article 22, paragraph 2, of Law 240 of 2010.
- 3) The extension of the contract is approved by the Department Council, within its budget availability, taking into account legal constraints.
- 4) The Department Council's resolution must be submitted at least two months before the contract's expiration to the relevant Central Administration Office and must specify the duration of the extension and the financial coverage arrangements, accompanied by the appropriate documentation.
- 5) The Board of Directors authorizes the extension in a meeting prior to the contract's expiration.
- 6) The contract extension is signed by the contractor and the Rector.

Article 13 Contract Renewal

- 1) Research contracts may be renewed only once for a further two years.
- 2) Any renewal of a research contract must, in any case, comply with the maximum overall duration of five years pursuant to Article 22, paragraph 2, of Law 240 of 2010.
- 3) Depending on the commitment required, the amount of the contract may be adjusted to a higher salary level, while remaining within the limits defined in Article 16.
- 4) Contract renewal is approved by the Department Council, within its budget availability, taking into account legal constraints.
- 5) The Department Council's resolution must be submitted to the relevant Central Administration Office at least two months before the expiration of the interested party's contract and must specify the financial coverage arrangements, accompanied by the appropriate documentation.
- 6) The Board of Directors authorizes the renewal at a meeting prior to the expiration of the contract.
- 7) The contract renewal contract is signed by the contractor and the Rector.

Article 14 Termination of Employment

- 1) Termination of the employment relationship is determined by the expiration of the term or by the withdrawal of either party, or by any other cause for termination provided for by the legislation in force.
- 2) During the probationary period, either party may withdraw the contract at any time, without obligation of notice or compensation in lieu of notice. Withdrawal is effective upon notification to the other party.
- 3) After the probationary period and until the expiration of the term, either party may withdraw the contract if there is a cause, pursuant to Article 2119 of the Italian Civil Code, preventing the continuation of the employment relationship, even temporarily.
- 4) After the expiration of the probationary period, the contractor may withdraw in writing with 30 days'

notice. Failure to provide notice, the Administration will deduct from the contractor an amount corresponding to the remuneration for the period of notice not given.
Any funds not used for the contract shall be returned to the Facilities concerned.

Article 15 Incompatibility and Further Assignments

- 1) Research contracts are incompatible with:
 - any other employment relationship, including part-time or fixed-term employment, with public or private entities;
 - entitlement to research grants, also at other universities or public research institutions;
 - study or research grants of any kind awarded by national or foreign institutions, without prejudice to those exclusively aimed at international mobility for research purposes.
- 2) The research contract is not compatible with the attendance at undergraduate courses, graduate courses, master's degree, PhD, or medical area specialization programs, in Italy or abroad, and entails unpaid leave for employees employed by public administrations.
- 3) Without prejudice to the foregoing, the research contract holder may not, under any circumstances, engage in activities that could lead to a situation of conflict of interest with the activities of the University of Foggia.
- 4) Contractors are subject to the provisions of the Regulations governing external assignments to the University for full-time professors and researchers.
- 5) Contractors may carry out paid activities to support teaching of the University of Foggia, provided that such activities do not interfere with the profitable completion of the research activity covered by the contract, subject to the prior written authorization of the Research Manager. Such activities are incompatible with the contract in the absence of such authorization.
- 6) Research contracts do not confer the right to access the role of universities, public research bodies, and institutions whose advanced scientific diploma has been recognized as equivalent to a doctorate degree pursuant to Article 74, paragraph 4, of Presidential Decree No. 382 of July 11, 1980, nor can they be counted for the purposes of Article 20 of Legislative Decree No. 75 of May 25, 2017.

Article 16 Economical, fiscal, retirement and insurance Treatment

- 1) Contractors are entitled, for the entire duration of their employment, to an all-inclusive gross annual salary, determined based on the commitment required and divided into three remunerative levels:
 - a) Minimum level: equal to the initial treatment due to a fixed-term researcher;
 - b) Intermediate level: equal to the arithmetic mean between the initial treatment due to a fixed-term researcher and the initial treatment due to a full-time confirmed researcher;
 - c) Maximum level: equal to the initial treatment due to a full-time confirmed researcher.
- 2) The employment relationship established between the University of Foggia and the research contract holder is governed by the provisions in force on the subject, including as regards the tax treatment, social security, and social security benefits provided for employment income.
- 3) The University also provides insurance coverage for accident risks and civil liability.

Title IV Final provisions

Art. 17 Transitional and final rules - Entry into force

- 1) Until the adoption of the Decree referred to in paragraph 1 of article 15 of the law 30 December 2010, n. 240, references to scientific-disciplinary groups are to be interpreted as relating to the competition sectors according to the rules in force on 29/06/2022.
- 2) For everything not expressly regulated in these Regulations, reference is made to the legislation in force in the matters dealt with; shall also be without prejudice to any provisions of law and/or national collective bargaining that may arise after the enactment of these Regulations.
- 3) These Regulations, issued by Rector's Decree, enter into force on the day following the date of publication in the Bulletin of the University.