



UNIVERSITÀ DEGLI STUDI DI BERGAMO

SERVIZI AMMINISTRATIVI GENERALI SELEZIONI E GESTIONE GIURIDICA

Rep. no. 407/2017
Decree protocol no. 80811/VII/1

PUBLIC SELECTION PROCEDURE FOR THE RECRUITMENT OF NO.1 FIXED-TERM RESEARCHER AS PER S. 24, PARA 3, LETTER A) OF LAW NO. 240 OF 30.12.2010 FOR ACADEMIC RECRUITMENT FIELD 12/A1 - PRIVATE LAW, ACADEMIC DISCIPLINE IUS/01- PRIVATE LAW AT THE DEPARTMENT OF LAW OF THE UNIVERSITA' DEGLI STUDI DI BERGAMO

THE RECTOR

HAVING CONSIDERED Law 7.8.1990, no. 241 as amended and supplemented;
HAVING CONSIDERED D.P.R. 28.12.2000, no. 445 "Consolidating act on legislative and regulatory dispositions in terms of administrative documents" as amended and supplemented;
HAVING CONSIDERED D.Lgs. 30.3.2001, no. 165 as amended and supplemented;
HAVING CONSIDERED D.Lgs. 30.6.2003 no. 196 "Code on the protection of personal data" as amended and supplemented;
HAVING CONSIDERED Law 15.4.2004, no. 106 containing "Norms relating to the legal safekeeping of documents with cultural interest destined to public use";
HAVING CONSIDERED D.P.R. 3.5.2006, no. 252 "Regulations relating to the legal safekeeping of documents with cultural interest destined to public use";
HAVING CONSIDERED D.Lgs. 11.4.2006, no. 198 rules in terms of equal opportunities for men and women;
HAVING CONSIDERED Law 30.12.2010, no. 240 regulating "Norms in terms of organization of universities, of academic personnel and their recruitment, as well as mandate to the Government to subsidize quality and efficiency of academic systems";
HAVING CONSIDERED MIUR Ministerial Notice prot. no. 2330 of 20.04.2011;
HAVING CONSIDERED D.M. no. 243 of 25.5.2011 regulating criteria and parameters for the preliminary evaluation of candidates in public selections of contract addressees as per s. 24 of Law no. 240 of 30.12.2010;
HAVING CONSIDERED D.M. 4.8.2011, no. 344 concerning "Disciplinary criteria, on the side of Athenaeums, for the evaluation of fixed-term researchers holding national scientific habilitation, for the purpose of calls to the role of associated professor";
HAVING CONSIDERED Law 12.11.2011, no. 183 (Financial Act 2012) and, especially, its s. 15 holding instructions in terms of certifications and sworn declarations/affidavit;
HAVING CONSIDERED The Athenaeum's Ethic Code published with Rectoral Decree protocol no. 14405/I/3 of 19.7.2011;
HAVING CONSIDERED Law 23.11.2012, no. 215 containing provisions in terms of equal opportunities in the composition of contest commissions at public bodies;
HAVING CONSIDERED D.L. 9.2.2012, no. 5 "Urgent dispositions in matter of simplification and development" later converted with amendments by Law 4.4.2012, no. 35;
HAVING CONSIDERED the Statute of the Università degli Studi di Bergamo published with Rectoral Decree Rep. no. 92/2012 of 16.2.2012;
HAVING CONSIDERED D.Lgs. 29.3.2012, no. 49 instructing the discipline for the organization, the monitoring and the evaluation of budgetary policies and recruitments at Athenaeums;
HAVING CONSIDERED the Ministerial Decree of 30 October 2015, No. 855 "Restatement of macro and bankruptcy sectors" and Ministerial Decree of 22 June 2016, No. 494 of rectification of Annex D of the Ministerial Decree 855/2016;
HAVING CONSIDERED Athenaeum's Regulations determining the procedures for employment of university researchers in accordance with Law 240/2010 dispositions, published with Rectoral decree Rep. 424/2012 of 1.10.2012 as amended with Rectoral Decree Rep. no. 57/2016 of 3.2.2016;
HAVING CONSIDERED current legislation regulating the legal and economical status of academic and research staff at Universities;
HAVING CONSIDERED the University regulations for research integrity and ethics, enacted with D.R. deed No. 387/2016 of 18 July 2016;
HAVING CONSIDERED the request for the covering of one fixed-term researcher position as per s. 24, para 3, letter a) of Law 240/2010 deliberated by the Department of Law in their 24.1.2017 session;



UNIVERSITÀ DEGLI STUDI DI BERGAMO

SERVIZI AMMINISTRATIVI GENERALI SELEZIONI E GESTIONE GIURIDICA

NOTING that by resolution of the Board of Directors dated 07.2.2017, with the approval of the Academic Senate at its meeting on 06.02.2017, the proposed recruitment of a fixed-term researcher of type A in the Department of Law was approved for a period of 36 months;
HAVING ASCERTAINED the necessary funding;

HEREBY DECREES

Section 1

Announcement of the selection procedure

The public selection procedure is released for the recruitment of no. 1 fixed-term researcher position at the Università degli Studi di Bergamo, in compliance with s. 24, para 3, letter a) of Law no. 240/2010 and with current Athenaeum's Regulations on that matter:

➤ DEPARTMENT OF LAW

Positions: no. 1

Group of academic recruitment field: 12/A - Private law

Academic recruitment field: 12/A1 - Private law

Academic discipline: IUS/01 - Private law

Research program: the project will address topical issues concerning tortious liability, also in a comparative perspective and in the light of the projects of harmonizing European tort law. In particular, the candidate has to investigate the so-called «grey zone» between contract and tort, provided that it is overly simplistic to refer to breaches of contract as the opposite of torts: at issue are not merely contractual duties towards the contractual partner but far more generally the duties arising out of a special relationship to a certain other person; i.e. above all also the duties arising out of legal obligations between parties or based on the principle of reliance. In this perspective, it is rightly being realized that the two categories “tortious liability” and “contractual liability” are merely the two extremities of a chain of interim steps: allocation to one of the two categories is based on the proximity of the relationship between tortfeasor and victim.

Didactic activities provided for by the contract, including integrative and service didactics to students, and research activity characteristics: for this position the expected teaching workload (comprehensive of teaching, supplementary teaching activities and services to students) is 350 hours for the full-time commitment regime. The researcher is required to fulfill the program of teaching activities defined on a yearly base by the Academic Senate and by the Department. The courses included in the teaching load will be both in Italian and in English, in undergraduate, graduate and post-graduate master's programs of the Department.

Finally, the potential candidate is expected to be involved in mentoring and supervising students at the undergraduate and graduate levels for the preparation of their bachelor or master dissertation. The candidate is also expected to be involved in the Department organizational duties and in the organization of the Department's courses.

Commitment: full time

Place of employment: Bergamo

Maximum number of publications: 12

Language Expertise Scrutiny: English language; for foreign candidates it will also be tested the knowledge of the Italian language.

Section 2

Requirements for attending the selection

The following candidates, including citizens of Countries outside the European Union, are admitted to the selection procedure:

- those holding a research PHD AREA CUN 12 – Legal sciences (or equivalent) achieved either in Italy or abroad.

A declaration of equivalence is required for educational qualifications achieved abroad, as provided by current norms on the matter. The equivalence of PhD obtained abroad is required at the Ministry of Education under the provisions of



UNIVERSITÀ DEGLI STUDI DI BERGAMO

SERVIZI AMMINISTRATIVI GENERALI

SELEZIONI E GESTIONE GIURIDICA

art. 74 of the Presidential Decree no. 382/1980. Alternatively, for admission to the competition, for educational qualifications obtained abroad is required equivalence statements or the declaration about the starting of the equivalence request to the qualifications required by the notice under the procedure laid down in art. 38 of D.Lgs. no. 165/2001 (see website www.funzionepubblica.gov.it). In that case the candidate is admitted under reservation to the selection and, if declared winner of the outcome of the competition, before signing the contract must produce proof of the equivalence of the qualification used for the purpose of admission.

The following subjects will not be admitted to the selection procedure:

- subjects previously hired long-term as first or second level professors or researchers, even if no longer in service;
- those who were contracted as research fellow or fixed-term researcher as per ss. 22 and 24 of Law 240/2010 at the Università degli Studi di Bergamo or other Italian public, private or online Athenaeums, as well as any other Body indicated in para 1 of s. 22 of Law 240/2010 for a length of time which, if summed to the duration of the contract in the announcement, exceeds 12 years in total, albeit not consecutive. Periods of time spent on maternity or sick leaves do not count to the purpose of the duration of the aforementioned relationships, in accordance with current Laws;
- those who are excluded from enjoying civil and political rights;
- those who were removed or discharged from office by any Public Body for insufficient yield, or were dismissed from any other public engagement, in accordance with s. 127 para d) of D.P.R. 10.1.1957, no. 3;
- candidates having any relationship or kinship, up to and including three times removed relatives, either with a professor belonging to the Department issuing the call or with the Rector, the Director General and any member of the Board of Directors at the Athenaeum.

The requirements needed to obtain admission must be owned up to the deadline of the application submission period. This Administration guarantees parity and equal opportunities to both men and women for access and treatment on the job.

Section 3

Comparative evaluation disqualification

The following reasons cause disqualification:

- failure to sign the application form;
- deficiency of admission requirements as per s. 2;
- failure to submit the application and the publications within the established deadline;
- sending a number of publications higher than the requested number.

The candidates may be admitted subject to verification in case of supplementary investigation requirements; in this case, they are asked to regularize their application within the terms peremptorily assigned.

The Administration may decide, at any moment, the exclusion of candidates lacking one of the requirements needed for this announcement; the exclusion will be declared by rectoral decree and delivered to the person concerned by registered mail with return receipt or equivalent.

Section 4

Application procedure and submission deadline

In order to take part to the selection procedure, the candidate must submit an application on unstamped paper according to the scheme attached to this announcement within the peremptory time limit of 30 days, starting from the day following the publication of the notice regarding this announcement in the Gazzetta Ufficiale. In case such date falls on a public holiday, the due date is postponed to the first working day thereafter.

The application, duly signed, must be addressed to the Rector in a sealed envelope and delivered in one of the following ways:

- delivery by hand at the office of Direzione e Affari Generali (Direction General Affairs) in via dei Caniana, no. 2 (1st floor) during the following days and hours: Monday to Friday from 9 to 12 am;



UNIVERSITÀ DEGLI STUDI DI BERGAMO

SERVIZI AMMINISTRATIVI GENERALI

SELEZIONI E GESTIONE GIURIDICA

- delivery by registered mail with signed return receipt, or equivalent, sent to the Università degli Studi di Bergamo - Unità organizzativa Selezioni e gestione giuridica (O.U. Selections and Legal Management) - Via dei Caniana, no. 2, 24127 Bergamo;
- delivery by means of certified electronic mail (PEC) to the address protocollo@unibg.legalmail.it, sending -in Pdf format- the application and all related attachments along with an identification document (quoting "*Application for no.1 fixed-term researcher - type A selection procedure*" in the subject, indicating the examination sector, the scientific discipline sector and the candidate's name). The application must originate from another PEC address, exclusively. It should be noted that the transmission of the certified electronic mail message is documented by the receipt of acceptance and the receipt of occurred delivery coming from the mail provider, as provided by s. 6 of D.P.R. 11.02.2005, no. 68 (the system allows the exchange of messages having a total maximum size of 50 MB; it is possible to send or receive messages with attachments up to 37 MB in size).

In order to abide by the deadline, the following will attest reception: the entry protocol number for applications delivered by hand, the post office date-stamp in case of applications sent by return mail and the message's forwarding date for applications sent by PEC electronic mail.

The applications will not be considered if sent beyond the deadline established by this announcement, or if sent by means of non-certified electronic mail addresses or, anyway, in case of doubts existing about the identity of the sender who forwarded the application by PEC e-mail.

The wording "*Application for no.1 fixed-term researcher - type A selection procedure*" followed by the indication of the examination sector, the scientific discipline sector and the candidate's name must be written on the envelope containing the application and on all related attachments and publications.

Section 5

Application form

In the application form, to be completed using the sample form attached to this announcement (cf. Annex A), which is also available at the web address <http://www.unibg.it> under the *Concorsi e selezioni* (Announcements & Selections) section, the candidate must declare his first and last names, date and place of birth, tax code and address of residence; a mailing address, elected for the purpose of the application, must also be mentioned along with a phone contact and an electronic mail address, eventually PEC.

The candidate, under his own responsibility and in accordance with the dispositions of D.P.R. 445/2000 as amended and supplemented, must also declare that he/she:

- holds an italian citizenship or the citizenship of another member State in the European Union or else is a relative of a citizen belonging to one of the member States of the European Union who, while being a citizen of a member State, holds a residence permit or a permanent residence permit or else is a citizen of third Countries and holds an EU long-term residence permit or else holds a refugee status or else holds a subsidiary protection status;
- for italian citizens: is listed in election rolls, specifying the municipality or eventually indicating the reasons why he is not listed or why he was removed from them; for foreign citizens (citizens of the European Union member States, or their families or citizens of third Countries as shown in the preceding letter) enjoys civil and political rights in the Country of citizenship or origin or else the reasons why he/she cannot enjoy them;
- enjoys civil and political rights;
- meets physical fitness requirements needed for the employment referred to by the selection;
- is not excluded from active political electorate;
- was not removed or discharged from office by any Public Bodies on the basis of persistently insufficient yield, that is, was not dismissed from any public employment, as provided by s. 127, letter d) of the Presidential Decree (D.P.R.) 10.01.1957, no. 3;
- has not been found guilty of criminal offences and does not have any pending criminal proceedings, otherwise he/she must list such convictions indicating the details of all related judgements and any pending criminal proceedings;
- his position in terms of compulsory military service, only for italian male citizens born within 1985.

In the application for participation in the selection, the candidates must also specify:



UNIVERSITÀ DEGLI STUDI DI BERGAMO

SERVIZI AMMINISTRATIVI GENERALI

SELEZIONI E GESTIONE GIURIDICA

- a) They do not hold at present and that they had not previously held the title of professor of first and second level or indefinite-time university researcher;
- b) They do not have a degree of consanguinity or affinity, up to the fourth degree, with a professor of the Department making the call or with the Rector, the General Manager or a member of the Board of Directors of the University.

Candidates who wish to take part to comparative evaluations for multiple examination sectors, must also present applications and any attachments separately for each sector.

Any address changes must be promptly reported to the Selection Office and Legal Office.

Candidates with non-italian citizenships shall also have to declare to possess an adequate knowledge of the Italian language.

In accordance with Law 5.2.1992, no. 104, they must specify in the application form the kind of aids needed in relation to their necessities, as well as their possible need of extra times to complete the tests required by this announcement.

The following must be attached to the application form:

1. photocopy of a valid identification document;
2. *curriculum vitae* describing educational and scientific activity, dated and signed;
3. personal sworn declaration, as per Decree D.P.R. 445/2000 (cf. Annex C), certifying full mastery of anything reported in the *curriculum vitae*;
4. numbered list, dated and signed, of all produced scientific publications (Annex B);
5. publications and works that the candidate wishes to assert to the purpose of the procedure, numbered in progressive order matching the relating numbered list; copies or digital-form files of the publications must be accompanied by an affidavit (cf. Annex D);

The University Administration assumes no responsibility in case the addressee is unreachable or unavailable or in case of dispersion of notices caused by inaccurate indication of the mailing address on the candidate side or on cases of missed or late notice of changes in the mailing address mentioned in the application. Furthermore, the Administration cannot be held responsible for missed or late deliveries of notices related to the selection on grounds that are not attributable to the Administration itself, such as post or telegraph mishandlings, third-party faulty behaviour, fortuitous or force majeure events.

The Administration reserves the right to proceed with suitable checks on the veracity of the contents shown in sworn declarations, as ruled by D.P.R. 445/2000.

We inform you that, as of 1st January 2012 in accordance with the dispositions of Law 183/2011, it is forbidden for public bodies and for public service overseers to request the exhibition or the submission of certificates issued by other public bodies in matters of personal status, features and facts. Therefore, the Athenaeum may not accept, nor request, any certificate in replacement of sworn declarations and affidavits, which must be submitted in substitution of such certificates (sample forms are available in Annexes C and D of this announcement).

The certificates issued by the bodies in charge of the foreign applicant's Country must be compliant with current regulations of that Country and, also, must be sworn before and certified by the Italian consulate in charge.

A translation into Italian must be attached to acts and documentation that are issued in foreign languages, after certification by an Italian diplomatic or consular delegation.

Making reference to documents or publications previously surrendered to this or to other administrations or making reference to any documentation attached to applications for other selections is not allowed.

Section 6

Publications

The scientific publications that the candidate wishes to enforce to the purposes of the comparative procedure, numbered in progressive order in accordance with the related list (cf. annex B), must be sent along with the application within the peremptory deadline fixed by s. 4. The candidate must specify which publications shown in the *curriculum vitae* should be considered by the Commission for the purposes of the procedure, not exceeding the maximum number established by the announcement.



UNIVERSITÀ DEGLI STUDI DI BERGAMO

SERVIZI AMMINISTRATIVI GENERALI

SELEZIONI E GESTIONE GIURIDICA

The candidate may produce his works in electronic format (PDF format on a non-modifiable CD-ROM followed by a declaration stating that the contents are a certified copy of the originals - cf. annex D) or, alternatively, the original or a certified copy accompanied by a sworn declaration as per s.47 of D.P.R. 445/2000 (cf. annex D).

The publication list must match the publications supplied to the purposes of the procedure.

Only publications and texts that are accepted for publication in accordance with current Laws are considered appreciable, as well as essays included in collectanea and articles issued in journals, either printed or in electronic form, with the exception of internal notes and departmental reports.

The date and place of publication or, alternatively, an ISBN code or equivalent must appear for works printed abroad. All works printed in Italy up to 1st September 2006 must meet the requirements provided by the Royal Lieutenant Legislative Decree of 31 August 1945 no. 660; as of 2nd September 2006 the requirements of Law 106/2006 and of D.P.R. 252/2006 must be met. The fulfilling of the above obligations must be certified by suitable documentation attached to the list of publications or by a sworn declaration issued by the candidate under his own responsibility as ruled by D.P.R. no. 445/2000.

Publications must be submitted in their original language form and translated into one of the following languages: Italian, English, French, German or Spanish. The translated texts can be supplied in typewritten form along with the printed text in the original language. For comparative evaluation procedures referring to linguistic subjects, the submission of publications will be accepted in the original language or in one of the languages for which the announcement is made, even if different from those shown in the preceding paragraph.

Section 7

Commission of Evaluation

For each selective procedure, by rectoral decree, based on the proposal submitted by the department requesting contract activation, a Commission of Evaluation is nominated, formed by three members chosen among I and II level professors, two of which must come from another Italian or foreign University belonging to the same examination sector or to scientific-discipline sectors like the one in the subject of the selection. In case of motivated necessity, the commissioners may belong to similar scientific-discipline sectors according to current Laws.

The composition of the Commission is made official when published on the website of the Athenaeum of the rectoral decree designating the Commission. Candidates may elect to decline any of the commissioners within 10 days from the date of publication.

The designation of professors coming from foreign universities is subject to the Department Council's attestation in terms of qualification equivalence to the Italian academic rank for professors and the activity of the chosen must be attributable to the academic recruitment field of the procedure.

The Commission elects a President and a Secretary among its Members.

The Commission operates in a collegial way, acquiring its own absolute majority decisions, and may avail itself of telecommunication devices.

Section 8

Selective procedure processing method

The selective procedure provides for a preliminary evaluation of the candidates, with motivated analytical judgement on qualification, curriculum and scientific production, thereby including PHD thesis, according to internationally appreciated criteria and parameters, as specified by D.M. no. 243 of 25.05.2011 and accepted by the judging Commission as per its s. 7.

The Commission, upon first meeting, defines in detail the criteria to be used for preliminary evaluations and for the attribution of scores to qualifications and to each of the publications presented by the candidates that are selected for public debate, still considering and honouring the parameters mentioned by the cited D.M. no. 243 of 25.05.2011.

Following preliminary evaluations, the candidates resulting comparatively worthier are admitted to public debate of their qualification and scientific production, according to the percentage of 20 per cent of the total number of



UNIVERSITÀ DEGLI STUDI DI BERGAMO

SERVIZI AMMINISTRATIVI GENERALI SELEZIONI E GESTIONE GIURIDICA

candidates and, in any case, not lower than six. Should the total number of candidates be equal to or lower than six, all of these will be admitted to public debate, during which the knowledge of a foreign language will also be assessed.

After the debate, a merit score is assigned to the qualification and to each of the publications presented by each admitted candidate; the winner will be identified based on the highest score reached.

The summoning to public debate of qualifications and scientific production will occur by means of telegram or registered mail with return receipt, with an advance notice of at least 20 days.

In order to withstand the debate, the candidates must hold a suitable and valid identification document.

The absence in the discussion must be considered as a waiver of competition for all purposes.

The Commission will produce and all its members will sign a special minute for each session, inclusive of attachments.

The Commission's deeds constituted by session reports, will be approved by rectoral decree, later transmitted to the competent department to the purpose of the call proposal.

Section 9 Works of the Commission

The Commission must complete its works within three months since the Rector's decree of appointment. The Rector may extend, only once and for not more than one month, the deadline for the completion of the selection on the grounds of proven reasons pointed out by the President of the Commission. If, after the deadline, the resulting deeds are not produced, the Rector will proceed to dismiss the Commission and will nominate a new one in replacement.

Section 10 Verification of deed regularity

The acts surrendered by the Commission are approved with rectoral decree within thirty days from delivery to the office in charge.

Should the Rector observe any irregularity in the deeds related to the procedure, he will return them to the Commission with a motivated provision, fixing a deadline for supplementary investigation.

The deeds, that is the final recapitulatory report of the works and the collegial judgements will be published on the Athenaeum's website.

Section 11 Call of the selected candidate

Once the procedure is complete, the Department Council proposes the selected candidate's call within 60 days from deed approval.

The Department's proposal resolution is adopted according to the methods described in s. 12, paras 2 and 3 of Athenaeum Regulations, ruling comparative evaluation procedures for the call of fixed-term researchers in compliance with the provisions of s. 24 of Law 240/2010.

Section 12 Scope and duration of the contract

The winner stipulates a fixed-term contract of employment ruled by current legislation, also in terms of compensation, social security and welfare.

Furthermore, the University will provide insurance coverage as expressly provided for by the Law.

The compensation is equal to the initial sums appertaining to full-time confirmed researchers (gross yearly salary of Euro 34,898.06, including 13th month pay).

The contract is for three years renewable for two years for a one-time after the successful evaluation of the teaching and research activities, on the basis of methods, criteria and parameters defined by the Italian D.M. No. 242 dated 24 May 2011.

The social security and pension scheme is granted to the researcher on the basis of current legislation for fixed-term employment; he is granted whatever provided for by D.Lgs no. 151/2001 in matter of tutelage and assistance to



UNIVERSITÀ DEGLI STUDI DI BERGAMO

SERVIZI AMMINISTRATIVI GENERALI SELEZIONI E GESTIONE GIURIDICA

maternity and paternity of Law 104/1992; in matter of assistance, social integration and rights of disabled people as per ss. 3, 40 and 68 of D.P.R. no. 3/57 as modified; in matter of extraordinary leave of absence and infirmity leaves. Infirmity leaves may not exceed a time length of 12 months.

A 6-months probation period is applied; the deliberating collegial body of the pertinent structure is competent for its positive or negative evaluation; the probation period cannot be renewed or extended upon expiry.

During the probation period, each party may terminate the contract giving reasons at any moment and without commitment to any advance notice.

In case of early contract termination, the researcher is required to give a 30 days advance notice. The redundancy period may start on the first or the 16th day of each month. In case no advance notice is given, the Administration has the right to withhold an amount corresponding to the employee's compensation for such lacking period.

Section 13 Work relationship

For the purposes of financial reporting of research projects, the figurative quantification of annual research, study, and teaching activities, with the related preparatory, verification, and organizational tasks, is equal to 1,500 hours for full-time researchers and 750 hours for part-time researchers. The total annual commitment for the conduct of educational activities, supplementary teaching, and service to students is 350 hours for full-time basis.

The fixed-term researcher:

- carries out a scientific research activity within the sector identified by his profile;
- carries out didactical activities, honouring current legislation and Athenaeum Regulations, in accordance with the resolutions of competent Bodies;
- takes part to Commissions for the verification of students' advancement and final test for the achievement of educational qualifications released by the University, also providing aid in the development of theses;
- carries out student tutoring and guidance tasks to the purpose of organize the plan of studies, establishing a reception calendar;
- may assume responsibility functions in research projects according to and in respect of current Laws;
- takes part to Departmental activities and to didactic Commission meetings based on the modalities disciplined by specific Regulations.

The self-certification of educational activity, integrative didactics and services to students occurs by filling out the register of lessons (for upfront educational activities) and any other register (for all other activities related to didactics).

Disciplinary competence is ruled by s. 10 of Law 240/2010 and from s. 32 of the Statute.

Section 14 Incompatibility regime and multiple assignments

Fixed-term researcher contracts are not compatible with:

- any other employment entertained with any public or private subject;
- ownership of research grants, even if at other Universities;
- ownership of didactic contracts disciplined on the matter by current legislation;
- doctoral or postdoctoral fellowships;
- any fellowship or grant, in general, bestowed on any grounds.

Researchers are allowed to carry out extra-work assignments, subject to authorization requests to be filed with Rector, as per Athenaeum Regulations provisions in terms of releasing authorizations for the bestowal of paid assignments to full-time professors and researchers.

Fixed-term researcher contracts do not give rise to any right in terms of access to academic roles.

Employees of Public Administrations, over the entire duration period of the contract pertaining to this announcement, are put on leave, without grants nor social security coverage or, otherwise, in untenured position, where such position is considered possible by membership regulations.



UNIVERSITÀ DEGLI STUDI DI BERGAMO

SERVIZI AMMINISTRATIVI GENERALI SELEZIONI E GESTIONE GIURIDICA

Section 15 **Evaluation and Contract Extension**

The evaluation of teaching and research activities carried out by holders of contracts takes place according to the criteria and parameters established by art. 2 of the Italian D.M. No. 242 dated 24 May 2011 and is a prerequisite for the possible extension of the contract.

Within the resources available for planning, the Organisation that made the proposal to call the owner of this agreement may, with the consent of the candidate, propose the extension of the contract during the six months prior to its expiry for only once and for only two years, justifying it with reference to teaching and research needs.

The extension proposal shall be submitted to the Board of Directors for approval after consultation with the University Senate.

Section 16 **Handling of personal data**

The data supplied by the candidates through their application will be collected by the University offices in charge and treated exclusively for the purposes of this procedure, as ruled by the Legislative 30 June 2003, no.196 "Code in terms of personal data protection".

Section 17 **Return of documents and publications**

The return of publications deposited at the U.O. Selezioni e Gestione giuridica (O.U. Selections and Legal Matters), Via Dei Caniana, 2 - 24127 Bergamo will take place, upon candidate's request, after the terms for contingent rights of appeal have elapsed, except for cases where controversies are in place.

The candidate (or any other subject holding his mandate) may arrange, by appointment, the collection of publications at the appointed offices of this Administration.

After six months from rectoral decree approving the procedure's acts, this Administration will no longer be responsible for the conservation or restitution of the documents deposited at its offices.

The publications belonging to the selected winners will be deposited at our Pertainment Department.

Section 18 **Advertisement**

This announcement is published in the Gazzetta Ufficiale IV Special Series - Contests and exams, on the MIUR and European Union websites as per s. 24, para 2 letter b) of Law 240/2010 in form of notice and in the Official Register of the University of Bergamo.

The full contest announcement and any related forms will be published online at the University website <http://www.unibg.it> in the special section "Concorsi e selezioni" (*Announcements and Selections*)

Section 19 **Manager of the procedure**

The person in charge for the selection procedure in this announcement is Dr. William Del Re, Dirigente Responsabile dei Servizi Amministrativi Generali (Director General Administration Services), Via dei Caniana, 2 - 24127 Bergamo, telephone 035 2052 876 - fax 035 2052 862, electronic mail address: selezionipersonale@unibg.it.

Section 20 **Final provisions**

Anything not explicitly provided for by this announcement is ruled by Law. 240/2010 as amended and supplemented, the Athenaeum Regulations in terms of recruitment of fixed-term university researchers, current university legislation, as well as the legislation related to employments at public administrations.



UNIVERSITÀ DEGLI STUDI DI BERGAMO

SERVIZI AMMINISTRATIVI GENERALI SELEZIONI E GESTIONE GIURIDICA

Further information may be requested at our Servizi Amministrativi Generali - Unità organizzativa Selezioni e gestione giuridica (General Administration Services - O.U. Selections and Legal Management), Via dei Caniana, 2 - 24127 Bergamo, e-mail selezionipersonale@unibg.it - telephone 035 2052 876, fax 035 2052 862.

Bergamo, 20.07.2017

THE RECTOR
(Professor Remo Morzenti Pellegrini)
Signed by Remo Morzenti Pellegrini