



Repertorio n. 742/2019
Decreto prot. n. 174348/VII/1
WDR/cc/eb

**PUBLIC SELECTION PROCEDURE FOR NO.1 FIXED-TERM RESEARCHER AS PER
S. 24, PARA 3, LETTER B) OF LAW NO. 240 OF 30.12.2010 FOR ACADEMIC
RECRUITMENT FIELD 12/B1 – BUSINESS LAW ACADEMIC DISCIPLINE IUS/04 –
BUSINESS LAW AT THE DEPARTMENT OF LAW OF THE UNIVERSITY OF BERGAMO
THE CHANCELLOR**

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 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 Chancellor Decree protocol no. 14405/I/3 of 19.7.2011, as amended with Chancellor Decree Rep. no. 262/2018, of 12.04.2018;
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 University of Bergamo published with Chancellor 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 "Redefinition of group of academic recruitment fields and academic recruitment fields" and Ministerial Decree of 22 June 2016, No. 494 of rectification of Annex D of the Ministerial Decree 855/2016;
HAVING CONSIDERED the UE Regulation 2016/679 and the Legislative Decree 30 June 2003 no. 196 "Code on the protection of personal data" as amended and supplemented;
HAVING CONSIDERED Athenaeum's Regulations determining the procedures for employment of university researchers in accordance with Law 240/2010 dispositions, published with Chancellor decree Rep. 424/2012 of 1.10.2012 as amended, at last, with Chancellor Decree Rep. no. 337/2019 of 17.6.2019;



HAVING CONSIDERED the D.L. 12/30/2015, n. 210, converted with amendments into Law 02/25/2016, n. 21 and, in particular art. 1 paragraph 10- octies, according to which for admission to the selection procedure of the type B contract holders, research grants in art. 22 of Law no. 240/2010 are equivalent to those granted under the previous legislation referred to in Article 51, paragraph 6, of the Law 27.12.1997, n. 449;

HAVING CONSIDERED the University regulations for research integrity and ethics, enacted with D.R. deed No. 387/2016 of 18 July 2016;

HAVING CONSIDERED current legislation regulating the legal and economical status of academic and research staff at Universities;

HAVING CONSIDERED the request for the covering of one fixed-term researcher position as per s. 24, para 3, letter b) of Law 240/2010 deliberated by the Department of Law in their 15.10.2019 session;

HAVING ACKNOWLEDGED that, with decision of the Board of Governors of 22.10.2019, upon favourable opinion expressed by the Academic Senate in its 21.10.2019 session, the planning of the position requested by the Department was approved and authorized the issuance of an announcement;

HAVING ASCERTAINED the funding provided in the type b) researchers recruitment plan by the D.M. 08.03.2019 no. 204;

HEREBY DECREES

Section 1

Announcement of the selection procedure

The public selection procedure is released for no. 1 fixed-term researcher position at the University of Bergamo, in compliance with s. 24, para 3, letter b) 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/B – Business and labour law;

Academic recruitment field: 12/B1 – Business law;

Academic discipline: IUS/04 – Business law;

Research program: The candidate must carry out research activities with an international scope within the disciplines of the field of reference. In particular, research must focus on the crucial legal issues surrounding the right to organize a private company in corporate form, including in the setting of international corporate groups. In this context, attention should be given to the compliance obligations (so-called “legality obligations”) imposed on corporate bodies in order to: on the one hand, define limits as precisely as possible; on the other hand, verify whether the obligations of the parent company also extend to activities of subsidiaries (including those based abroad), clarifying whether or not these obligations have a group dimension (in German terminology: “konzernweit Lagalitätspflicht”). Given that the subject has been studied in depth primarily in German literature (but is applicable in Italian law through the principle of adequacy of organizational structures, and offers important development prospects within the doctrine of so-called Corporate Social Responsibility) the applicant must demonstrate ability to conduct comparative research, especially with regard to the German legal system. The candidate will also be required to have published high quality contributions in leading academic journals (Class A) in the field, in addition to having published at least one monograph on the subject of his/her research proposal and attentive to the relevant legal systems.

Didactic activities provided for by the contract, including integrative and service didactics to students, and research activity characteristics: In line with the full-time regime provided for the position of Researcher B by the Regulation on teaching obligations of university professors and researchers (DR. Rep. n. 85/2017, prot. n. 24761/I/3 as of date 20.2.2017), the yearly overall obligation – including teaching hours, supplementary teaching activities and students’ hours – is 350 hours. Teaching activities will regard courses related to the above-mentioned scientific sector (IUS/04 Business law) offered by the University of Bergamo. In addition, the researcher will be asked to



contribute to tutorials, Master and PhD thesis' supervision as well as to be engaged in organizational duties related to Department activities and/or related to undergraduate and/or graduate courses.

Commitment: full time

Service location: Bergamo

Maximum number of publications: 12

Oral examination to ascertain the knowledge of the language: Knowledge of German language is required

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 (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 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 <http://www.funzionepubblica.gov.it/strumenti-e-controlli/modulistica>). 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.

- those who enjoyed:
 - a) triennial contracts as per s. 3 letter a) of s. 24 of Law 240/2010; or rather,
 - b) who achieved scientific habilitation for the second or the first professorship level as per s. 16 of Law 240/2010; or rather,
 - c) contracts stipulated in accordance with s. 1 para 14 of Law 230/2005 for at least three years; or rather,
 - d) Research grants, for at least three years - albeit not consecutive - as per s. 51, para 6, of Law 27 December 1997, no. 449, or research grants as per s. of Law 240/2010, or postdoctoral fellowships as per s. 4 of Law 30 November 1989, no. 398, as well as other comparable contracts, grants or fellowships in foreign athenaeums.For admission to the selection procedures, research fellowship specified in Article 22 of Law no. 240/2010 are equivalent to those granted under the previous legislation referred to in Article 51, paragraph 6, of the law 27.12.1997 n. 449.

Contract duration as per s. 1 para 14 of Law no. 230 of 2005 may be cumulated to activity periods carried out under research grants (as per s. 51, para 6 of Law no. 449/1997 or as per s. 22 Law 240/2010) or under postdoctoral fellowships as per s. 4 of Law 30.11.1989, no. 398 as well as in the case of comparable contracts, grants or fellowships in foreign athenaeums.

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 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 Chancellor, the General Director and any member of the Board of Directors at the Athenaeum.
- those who were contracted as research fellow or fixed-term researcher as per ss. 22 and 24 of Law 240/2010 at the University of 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.

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 meet the deadline and procedures for submitting the application (including attachments and publications) as mentioned under the following Art. 4.
- 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 chancellor 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 with attachments and publications 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, together with the attached topics, including publications, duly signed, must be addressed to the Chancellor in a sealed envelope and delivered in one of the following ways:

- delivery by hand at the office Affari Generali (General Affairs) in via dei Caniana, no. 2 (1st floor) during the following days and hours: Monday to Friday from 9 to 12 am;
- delivery by registered mail with signed return receipt, or equivalent, sent to the University of Bergamo – Office Selezioni e gestione giuridica (Selections and Legal Management) – Via dei Caniana, no. 2, 24127 Bergamo; in the event of placing a request using this procedure, the applicant must give the date and details of the shipment to the email address selezionipersonale@unibg.it;
- delivery by means of certified electronic mail (PEC) only 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 B selection procedure” in the subject, indicating the academic recruitment field, the academic discipline 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 100 MB; it is possible to send or receive messages with attachments up to 70 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 (and publications) will not be considered if sent beyond the deadline established by this announcement, or if sent by means of non-certified electronic mail addresses.

In the case of forwarding from a PEC not headed to the candidate, the obligation to sign the application autograph is considered fulfilled by attaching a copy of a valid identity document of the declarant to the duly completed application.

The wording " *Application for no.1 fixed-term researcher - type B selection procedure*" followed by the indication of the academic recruitment field, the academic discipline 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:

- a) his/her citizenship;
- b) enjoys civil and political rights;
- c) 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;
- d) 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;
- e) 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;
- f) his position in terms of compulsory military service, only for Italian male citizens born within 1985.

In the application form, the candidate will also have to specifically indicate:

- a) to have enjoyed:
 - contracts of triennial duration as of s. 3, letter a) of s. 24; or rather
 - who achieved scientific habilitation for the second or the first professorship level as per s. 16 of Law 240/2010; or rather,
 - contract as per s. 1, para 14 of Law 230/2005; or rather
 - for at least three years, albeit not consecutive research grants as per s. 51, para 6, of Law 27.12.1997, no. 449 as modified or postdoctoral fellowships as mentioned by s. 4 of Law 30.11.1989, no. 398 or any other comparable contract, grant or fellowship in foreign athenaeums; or research grants as per s. 22 of Law no. 240/2010.
- b) not to have any relationship or kinship, up to and including three times removed relatives, either with any professor belonging to the Department issuing the call or with the Chancellor, the Director General or any member of the Board of Directors at this University.



Candidates who wish to take part to comparative evaluations for multiple academic recruitment fields, must also present applications and any attachments separately for each field.

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; digital-form files of the publications must be accompanied by an affidavit (cf. Annex D);
6. in the event of a qualification obtained abroad: the applicant must indicate the details of comparability/equivalence or annex a copy of the request for the comparability/equivalence (cf. Section 2);
7. in the event of foreign applicant, it is necessary to annex: a copy of the residence permit (if the applicant is already in its possession).

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.

The candidate is required to produce the publications in PDF format with a sworn declaration of conformity to the original as per s. 47 of D.P.R. 445/2000 (cf. annex D "Affidavit"); in case of submission of the application by hand or by registered mail with signed return receipt, or equivalent, the publications must be sent in electronic format (CD-ROM in "non-modifiable" version).

The 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 publications or articles accepted for publication, by the deadline of the announcement, must be submitted together with the publisher's acceptance document.

The date and place The texts or articles accepted for publication, by the deadline of the announcement, must be presented together with the publisher's acceptance document. ce 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 chancellor 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, or equivalent level, belonging to the same academic recruitment field. For the composition and the modalities of the constitution of the Commission, is to refer to the current University Regulations on the subject.

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

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

The Commissions 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 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 date and place of the public debate of qualifications and scientific production will be communicated through a notice published on the website of the University of Bergamo <http://www.unibg.it>, in the special section "Concorsi e selezioni" (Announcements and Selections) with advance notice of at least 20 days.

That warning has notification value and effect. Any change in the date of the interview will be notified to successful applicants at least 20 days in advance by a warning published in the University web site section "Concorsi e selezioni" (Announcements and Selections).

It is the responsibility of each candidate to monitor the site periodically by consulting the page of the notices related to this selection.

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 chancellor 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 Chancellor's decree of appointment. The Chancellor 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 Chancellor 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 chancellor decree within thirty days from delivery to the office in charge.

Should the Chancellor 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.

As regards foreign applicants needing a residence permit, the date of beginning of the contract will be subject to the completion of the issuing procedure of said permit.

In the event of admission subject to verifying the applicant identified as the winner by the Commission, an investigation aimed at ascertaining the existence of the qualification declared in order to participate in the selection must be concluded before the signing of the contract.

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 35.732,98, including 13th month pay) plus 20%.

The contract has a triennial duration and is not renewable.

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 maternity and paternity; in matter of assistance, social integration and rights of disabled people by the Law 104/1992; in matter of extraordinary leave of absence and infirmity leaves as per ss. 3, 40 and 68 of D.P.R. no. 3/57 as modified. 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

To the purpose of research projects cost-reporting, the representational quantification of yearly research activities, studies and education, including preparatory, verification and organization tasks, equals to 1500 hours for full-time researchers. The total yearly commitment for the implementation of educational activities, integrative didactics and service to students amounts to 350 hours for full-time contracts.

The fixed-term researcher:

- carries out a scientific research activity within the field 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.

The researcher is required to observe the provisions of the University regulations in force as regards the research integrity and ethics.

Section 14

Incompatibility regime and multiple assignments

In addition to the incompatibility regime pursuant to art. 6, paragraph 9 of Law 240/2010, 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 Chancellor, 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.

Section 15

Evaluation to the purpose of associate professor placements

In range of available programming resources, during the third contract year, as per s. 24, para 3, letter b) of Law 30.12.2010, no. 240, the University will evaluate the researcher who achieved scientific habilitation as per s. 16 of Law 240/2010, to the purpose of calling him to a role of associate professorship, as provided by s. 18, para 1, letter e) of the aforementioned Law. Should the evaluation have a positive outcome, the owner of the contract, upon expiry of the latter, will be assigned an associate professor role.

The evaluation of didactical and research activities carried out by contract owners is based on the criteria and parameters set out by D.M. no. 344 of 4.8.2011.

The proposal to a call for an associate professorship is deliberated by the Council of Department and subduced to the approval of the Board of Administrators, subject to favourable opinion of the Academic Senate.

Section 16

Handling of personal data

According to the UE Regulation 2016/679 and the Legislative Decree 30 June 2003 no. 196 as amended and supplemented, the personal data acquired will be processed in compliance with current legislation and used for personal, social security, insurance and fiscal position and for all purposes related to the execution of the contract.

The Holder for the protection of personal data is G.R.C. Team S.r.l.

The person in charge for the personal data processing is University of Bergamo.

Section 17

Return of documents and publications

The return of publications deposited at the office Selezioni e gestione giuridica (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 chancellor 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 Dipartimento di afferenza (*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, Manager of Direzione personale, logistica e approvvigionamenti (Director Personal management, logistics and procurement), 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.

Further information may be requested at the office Selezioni e gestione giuridica in the Direzione personale, logistica e approvvigionamenti - Gestione risorse umane (Selections office and legal management of the Personal Management, Logistics and Procurement - Human Resources Management), Via dei Caniana, 2 - 24127 Bergamo, e-mail selezionipersonale@unibg.it - telephone 035 2052 876, fax 035 2052 862.

Bergamo, 08.11.2019

For THE CHANCELLOR
Signed Prof. Giancarlo Maccarini