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**DECREE n. 313 of 2<sup>nd</sup> May 2023**

*This is an English courtesy translation of the original documentation prepared in Italian language.*

*Please consider that only the original version in Italian language has legal value*

**THE RECTOR**

**subject: Selection procedure for the employment of one senior researcher on a fixed-term contract for three years as per Article 24 (3) (b) of Law no. 240 of 30th December 2010, as in the text in force before the date of entry into force of Law no. 79 of 29th June 2022, at the Department Faculty of Law – academic recruitment field 12/B1 (Business Law) – academic discipline IUS/04 (Business Law).**

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**THE RECTOR**

Given the Charter of the University of Trento enacted with Rector's Decree no. 167 of 23rd April 2012;

Given law no. 168 of 9th May 1989 "Establishment of the Ministry for Universities and Scientific and Technological Research" and in particular art. 6 on the basis of which universities have regulatory autonomy;

Given law no. 241 of 7th August 1990 concerning new regulations about access to administrative documents;

Given law no. 104 of 5th February 1992 "Law for assistance, social integration and the rights of disabled persons" and subsequent amendments;

Given law no. 537 of 24th December 1993 "Corrective interventions to the public finances";

Given Prime Minister's Decree no. 174 of 7th February 1994 containing legal regulations concerning citizens of EU member states and employment in the public administration;

Given Presidential Decree no. 487 of 9th May 1994 as amended by Presidential Decree no. 693 of 30th October 1996 and Law no. 127 of 15th May 1997 "Regulations regarding access to public administration employment and ways to carry out selection procedures and other forms of hiring in the public sector";

Given law no. 449 of 27th December 1997 and in particular Article 51;

Given the Ministerial Decree of 4th October 2000 concerning the reclassification and the updating of university academic disciplines and the definition of the relative declaratory judgments and subsequent amendments;



Given Presidential Decree no. 445 of 28th December 2000 containing the Consolidated Act for legislative provisions and regulations regarding administrative documents and subsequent amendments;

Given Government Decree no. 196 of 30th June 2003 "Code regarding the protection and storage of personal data" and the Regulation EU 679/2016 "General Data Protection Regulation";

Given law no. 240 of 30th December 2010 and in particular Article 24 in which universities are allowed to offer fixed-term employment contracts under private law for teaching, support teaching, office hours for students and research;

Given Law no. 79 of 29th June 2022 and in particular Article 14, co. 6 – terdecies;

Given Ministerial Decree no. 336 of 29th July 2011 "Classification of academic recruitment fields grouped into group of academic recruitment fields as per Article 15 of law no. 240 of 30th December 2010", Ministerial Decree no. 159 of 12th June 2012 "Reclassification of academic recruitment fields as per Article 5 of the decree of 29th July 2011" and Ministerial Decree no. 855 of 30th October 2015 "Reclassification of group of academic recruitment fields and of academic recruitment fields";

Given Ministerial Decree no. 243 of 25th May 2011 "Criteria and parameters recognised at the national and the international level for the preliminary evaluation of candidates as per Article 24 of law no. 240/2010";

Given Ministerial Decree no. 344 of 4th August 2011 "Criteria for the evaluation of researchers on a fixed-term contract, who have gained the National Scientific Qualification, for the purposes of a call as Associate Professor;

Given the "Regulations for the Recruitment and Career Progression of Professors and Researchers and for the Awarding of Research Fellowships as per Article 22 of Law no. 240/2010" issued with Rector's Decree no. 8 of 10th January 2018 and lastly modified with Rector's Decree n. 168 of 9th February 2022;

Given the "Criteria for the evaluation of researchers on a fixed-term contract, as per Article 24 (3) (b) of Law no. 240 of 30th December 2010, for the purposes of a call as Associate Professor" approved by the Committee for Recruitment and Career Development on 23rd January 2018;

Given Provincial Government resolution no. 968 of 27th May 2022 regarding the approval of the agreement between the Autonomous Province of Trento and the University of Trento concerning the obligations on the part of the university to ensure shared public finance objectives;

Given the funding allocated by the MUR as part of the intervention "Departments of Excellence 2023-2027 (Law 232/2016)", Department Faculty of Law, CUP no. E63C23000120005;

Given the decision of the Council of the Department Faculty of Law on 5<sup>th</sup> April 2023;



Given the decisions of the Committee for Recruitment and Career Development on 21st April 2023;

Given the decision of the Academic Senate on 26th April 2023;

Having verified the consistency of this selection procedure with the three-year planning of personnel needs;

## DECREES

that at the University of Trento, pursuant to Article 24 (3) (b) of law no. 240 of 30th December 2010, as in the text in force before the date of entry into force of Law no. 79 of 29th June 2022, the following selection procedure by comparative evaluation at the Department Faculty of Law is announced for:

**n. 1 (one) senior researcher on a fixed-term non-renewable contract of employment for three years, academic recruitment field 12/B1 (Business Law) – academic discipline IUS/04 (Business Law)**

### Article 1

#### Candidate profile and description of the position

Foreign language required: **excellent level of English;**

Knowledge of Italian: **level appropriate to the teaching and research tasks assigned (the researcher will be required to carry out teaching activities in Italian);**

Maximum number of publications to be presented: **12**

Hours of work: **full time;**

Research effort required: the researcher will carry out his/her research activity within the themes characterising the disciplinary scientific sector JUS/04 (Commercial Law), with particular reference to the study of the disciplines, legal principles and economic dynamics, both internal and transnational, that govern the maintenance of balance and corporate sustainability. The activity will be carried out in compliance with the scientific research guidelines to be established by the Department;

Teaching effort required: the teaching activity, in line with the annual teaching programme, shall concern the development of courses in the subject area covered by the call for applications in the three-year degree programmes, single-cycle master's degree programmes and doctoral programmes pertaining to the Faculty of Law. It may also include advanced level teaching in English related to the research activity carried out, as well as frontal or equivalent teaching activities to the extent defined by the University regulations;



The overall annual hours of work for research, teaching and office hours for students within the areas indicated above equal 1,500 hours per year.

The teaching activities of the contract holder are defined by the Department Faculty of Law when it plans the teaching programme, according to the University regulations.

Start-up fund for research activity: a start-up fund of € 12,000 is provided to the researcher recruited at the end of this selection procedure. If at the time of the employment the researcher already holds research funds assigned on an individual basis (e.g. ERC Starting Grant), the start-up fund will be redetermined up to the total amount of € 12,000. The start-up fund won't be assigned if the funds already in use exceed the aforementioned amount.

## **Article 2**

### **Requirements for admission to the selection procedure**

The following people can apply for this selection procedure: candidates of any nationality who hold a research doctorate or equivalent qualification, obtained in Italy or abroad, who have passed the Italian National Academic Qualifications Procedure (Abilitazione Scientifica Nazionale) for the position of full professor or associate professor as per Article 16 of Law no. 240/2010, or who hold the qualification of "Specializzazione medica", or who have had for at least three years (not necessarily in one continuous period):

- a) contracts as per Article 24 (3) (a) of law no. 240/2010, or
- b) contracts as per Article 1 (14) of law no. 230/2005; or
- c) research fellowships as per Article 51 (6) of law no. 449/1997 and subsequent amendments, or research fellowships as per Article 22 of law no. 240/2010, or post-doctoral scholarships as per Article 4 of law no. 398/1989, or
- d) similar contracts, fellowships or scholarships in foreign universities or research centres;

In order to arrive at the minimum period of three years mentioned above, the contracts/fellowships/scholarships in a), b), c) and d) may be added together.

In order to admit candidates to the selection procedure the Examining Commission attests:

- i) the correspondence of qualifications obtained abroad with the research doctorate obtained in Italy;
- ii) the correspondence of "contracts, fellowships or scholarships in foreign universities or research centres" with the contracts, fellowships or scholarships listed in points a), b) and c), taking into account the correspondences defined by Ministry for Universities and Scientific and Technological Research as per Article 18 of law no. 240 of 30th December 2010.



In order to be considered for the position, candidates must enjoy full political rights.

Candidates with an open-ended contract of employment as a full professor, an associate professor or a researcher at a university will not be admitted to the evaluation procedure even if the contract has been terminated.

Candidates who are related by blood or marriage up to the “fourth degree of kinship” (as understood in Italian, e.g. up to cousins and cousins of the candidate’s spouse) to the Rector, the university’s Managing Director, a member of the university’s Board of Governors or a Professor working at the Department Faculty of Law are not permitted to apply for the post advertised here.

Candidates who have or have been holders of research fellowships as per Article 22, or fixed term contracts as per Article 24 (3) (a), of law no. 240/2010, carried out at the University of Trento or other Italian, public, not public or telematic universities, as well as at the institutions referred to Article 22 (1) of law no 240/2010, for a period which, added to the duration envisaged by the contract announced, exceeds a total of twelve years, even if not continuous, are not permitted to apply for the post advertised here.

Candidates cannot be considered for the position if they have been removed from a post with the public administration, if they have been released from their contract with the public administration for persistent poor performance or if they have been debarred from another public sector job under Article 127 (1) (d) of the Consolidated Act enacted by Presidential Decree no. 3 of 10th January 1957 for having obtained the position by producing false documents or documents whose invalidity cannot be remedied, or if they have been dismissed from a position in the public administration for disciplinary reasons.

Candidates who have been convicted of crimes as per Article 85 (1) (a) of the Consolidated Act enacted by Presidential Decree no. 3 of 10th January 1957 may be excluded from the selection procedure subject to evaluation by the university.

Italian citizens who are eligible for military service must have already done it or been exempted from doing it.

In order to be considered for the position, candidates must satisfy the prescribed requirements on the date of the deadline for applying for this position and on the date they are hired for the position.

**For the purposes of being considered for the position candidates must respect the limit on the maximum number of publications to be presented.**

In order to be considered for this position, citizens of foreign countries must satisfy the following requirements:

- a) they must enjoy full political and civil rights in their home country;
- b) they must satisfy all the other requirements that apply to Italian citizens.

The university reserves the right to verify that the candidate satisfies the specified requirements when considering him/her for this position.



Should a candidate be excluded from the selection procedure because he or she does not satisfy the requirements, he or she will be notified of the Rector's decree enacted to this effect.

### Article 3

#### The application

Candidates must apply for the post using the **online application form** available at the following link: <https://www.unitn.it/valutazioni-comparative> (select "12/B1 – IUS/04").

The application can be submitted either in Italian or English.

After opening this link the candidate then fills out the online application form following the instructions given.

**In particular, the build system provides for the registration of the candidate, which will be provided access credentials required to submit the application: thus, the candidate is invited to begin the registration process well in advance of the deadline for submission of questions.**

Documents such as qualifications, publications, an identity card and any other documents that the candidate wishes to submit for evaluation are to be sent as attachments to the online application form.

The application for the post must be submitted within 30 days of the day after the date of the publication of this selection procedure announcement in the Italian Official Gazette, following the online procedure described above. Where the deadline of thirty days falls on a public holiday, the deadline is extended to the next working day after the public holiday. **On the day of the deadline the application must be submitted by 13.00 (Italian time zone).**

For information and/or help in filling out or submitting the application form, candidates can contact the Academic and Teaching Staff Office (Ufficio Personale Docente e Ricercatore) at the University of Trento, Via Verdi, 6 – 38122 Trento, Italy.

The Academic and Teaching Staff Office is open to the public at the following times:

Monday to Friday: 10.00-13.00

and can be contacted by telephone on +39 0461-283348/283052/283306/283307/3380 or by email at [recruitment@unitn.it](mailto:recruitment@unitn.it)

In addition to giving their surname, name, place and date of birth, nationality and residence on the application form, candidates must declare the following under their own responsibility:

1. that they enjoy full political rights, giving the name of the municipality whose electoral roll they are registered on to vote, or the reasons for which they are not registered or for which they have been removed from the roll; candidates who are citizens of foreign countries must declare that they enjoy full political and civil rights in their home country or declare the reason why they do not enjoy these rights;



2. that they hold a research doctorate or equivalent qualification, giving the date it was conferred and the name of the institution that conferred it;
3. that they do not currently hold or that they have not previously held the position of full professor, associate professor or researcher at an Italian university with an open-ended contract of employment;
4. (if applicable) that they have carried out at least one year (not necessarily in one continuous period) of doctoral or postdoctoral research abroad at a foreign university and/or research institution recognised at the international level, **carefully indicating the type of research, the period and the institution involved**;
5. that they have passed the Italian National Academic Qualifications Procedure (Abilitazione Scientifica Nazionale) for the position of full professor or associate professor as per Article 16 of Law no. 240/2010, or that they hold the qualification of "Specializzazione medica", or they have had for at least three years (not necessarily in one continuous period):
  - contracts as per Article 24 (3) (a) of law no. 240/2010, lasting three years; or
  - contracts as per Article 1 (14) of law no. 230/2005; or
  - research fellowships as per Article 51 (6) of law no. 449/1997 and subsequent amendments, or research fellowships as per Article 22 of law no. 240/2010, or post-doctoral scholarships as per Article 4 of law no. 398/1989, or similar contracts, fellowships or scholarships in foreign universities or research centres, **carefully indicating for each of them the type, the period and the institution involved**.
6. not to have a degree of kinship or affinity, up to and including the fourth degree, with the Rector, the university's Managing Director, a member of the university Board of Governors or with a professor belonging to the Council of the Department Faculty of Law;
7. not to have in place or have been the holder of research fellowships as per Article 22, or fixed term contracts as per Article 24 (3) (a), of law no. 240/2010, carried out at the University or other Italian, public, not-public or telematic universities, as well as at the institutions referred to in paragraph 1 of art. 22 of Law 240/2010, for a period that exceeds a total of 9 years, even if not continuous, on the date of expiry of the terms for submitting applications to this announcement.

In addition, candidates are obliged to declare the following where applicable:

- any criminal record for offences listed in Article 85 (a) of Consolidated Act 3/1957;
- any pending criminal proceedings or trials;
- any employment past or present in the public Italian administration. In the case of terminated employment, candidates must declare the reason for the termination of the contract of employment if it falls into one of the following categories: removal; release for persistent poor performance; debarment from the post pursuant to Article 127 (1) (d) of Consolidated Act 3/1957; dismissal for disciplinary reasons.



Regarding military service, Italian citizens who are eligible must either have already done it or been exempted from doing it.

- the possible exceeding, at any time of the selection procedure, of the limit of 9 years of ownership of research fellowships as per Article 22, or fixed term contracts as per Article 24 (3) (a), of law no. 240/2010, by e-mail sent to the address <recruitment@unitn.it>.

In the application candidates must indicate the domicile that they choose for the purposes of the application. Candidates should inform the Personnel Office for Professors and Researchers of any changes as soon as possible.

**Failure on the part of candidates to declare that they satisfy the prescribed requirements in points 1, 2, 3, 6 and 7 will lead to their being excluded from the selection procedure.** This exclusion will not apply when possession of the necessary requirements to be considered for the position can also be inferred from the documents provided.

Candidates with disabilities should specify any help they require in relation to their disability and, if applicable, the extra time they require in order to finish any tests the selection procedure may comprise as per law no. 104 of 5th February 1992.

When the online application form has been filled out, a declaration will appear which candidates **must print, sign with their full name and scan in PDF or JPG format.** The document must then be **attached** by the candidate to the application in the correct section together **with a copy of an identity document also in PDF or JPG format.** At this point only will it be possible to complete the online procedure, at the end of which the candidate will receive a message - confirming that the application has been successfully sent - at the address indicated in the procedure. This message acts as the receipt for the application so candidates who do not receive it are advised to contact the Personnel Office for Professors and Researchers (see above for contact details) in order to check that their application has been correctly submitted and duly received.

**Candidates who do not attach to the application a signed copy of the declaration generated by the online application procedure will be excluded from the selection procedure.**

The University disclaims all liability in the event that communications go astray as a result of a candidate having given an erroneous or incomplete address or because a candidate failed to inform the university in good time or at all of any change in address or as a result of postal or computer/internet problems that are not the fault of the university.





#### Article 4

##### Attachments to the application and how to include qualifications and publications

As part of the online application procedure candidates are required to attach documents to the application form in the format specified.

Italian and EU citizens must attach the following files to their application:

1. Curriculum Vitae in English (in Word and PDF format);
2. publications in **PDF format** that the candidate deems useful for the purposes of the selection procedure, including the doctoral thesis (**if the candidate intends to include the doctoral thesis, this will be counted in the maximum number of publications to be presented, see art.1**). Regarding publications accepted, but not yet published, it is required to attach also documentation proving acceptance. Publications made by means other than printing (in electronic format) are subject to being evaluated without the need to observe the formalities that apply to works in hard copy. For publications longer than 30 pages and/or for which it is impossible to attach the file, candidates may instead attach a file containing the frontispiece and index but must send a hard copy of the publication which must arrive **within 10 days of the submission of the application** at the Personnel Office for Professors and Researchers, University of Trento, in Via Verdi 6, 38122 Trento, Italy by post with advice of receipt or by courier: **if the hard copy of the publication arrives after the deadline indicated above the publication will not be considered in the evaluation.**
3. documents or a personal declaration in lieu of affidavit for the documents attesting that the candidate holds further qualifications that he or she deems relevant for the purposes of the selection procedure;
4. proof of identity (ID card).

For non-EU citizens legally resident in Italy the provisions of Article 3 of Presidential Decree no. 445/2000 apply, which allow the candidate to make the said declarations only when they involve states, facts and personal qualities which can be certified or attested by Italian institutions. Therefore, in the case of non-EU citizens, except for the above case, the possession of a research doctorate and doctoral or postdoctoral experience can be proved by attaching certificates issued by the institutions which conferred the qualification or where the doctoral or postdoctoral work was carried out. In the same way any qualifications to be evaluated by the Commission must be attested by suitable documentation as per Article 6 of this selection procedure.

For non-EU citizens, documents and publications are to be submitted following the online procedure and may be verified by the person in charge of the evaluation procedure who may request a hard copy.

In application of Article 33 of Presidential Decree no. 445 of 28th November 2000, for any documents in a foreign language other than English, French, German or Spanish a translation into Italian must be attached which is



certified as being identical to the foreign text by the appropriate Embassy or Consulate or by an official translator.

Candidates from non-EU countries must therefore attach the following files to their application:

1. Curriculum Vitae in English (in Word and PDF format);
2. documents attesting that the candidate holds a research doctorate or equivalent qualification;
3. (if applicable) documents attesting that the candidate has carried out at least one year (not necessarily in one continuous period) of doctoral or postdoctoral research abroad at a foreign university and/or research institution recognised at the international level;
4. publications **in PDF format** that the candidate deems useful for the purposes of the selection procedure, including the doctoral thesis (**if the candidate intends to include the doctoral thesis, this will be counted in the maximum number of publications to be presented, see art.1**). Regarding publications accepted, but not yet published, it is required to attach also documentation proving acceptance. Publications made by means other than printing (in electronic format) are subject to being evaluated without the need to observe the formalities that apply to works in hard copy. For publications longer than 30 pages and/or for which it is impossible to attach the file, candidates may instead attach a file containing the frontispiece and index but must **send** a hard copy of the publication which must arrive **within 10 days of the submission of the application** at the Academic and Teaching Staff Office, University of Trento, in Via Verdi 6, 38122 Trento, Italy by post with advice of receipt or by courier: **if the hard copy of the publication arrives after the deadline indicated above the publication will not be considered in the evaluation.**
5. documents attesting that the candidate holds further qualifications that he or she deems relevant for the purposes of the selection procedure;
6. proof of identity (ID card).

As part of the online application procedure, candidates must give the name and official address (including the email address) of three referees (of whom at least one is an academic who is not from the university where the candidate was awarded the research doctorate), who have been asked by the candidate to send a reference as per Article 24 (1) of the Regulations for the Recruitment and Career Development of Professors and Researchers issued by Rector's Decree no. Rector's Decree no. 8 of 10th January 2018 and modified with Rector's Decree n. 168 of 9th February 2022;

The references must be sent by their authors via email to [recruitment@unitn.it](mailto:recruitment@unitn.it) by the expiry date of this selection procedure announcement.

**The Commission, carrying out the preliminary evaluation of the candidates as per Article 6 of this selection procedure, takes into consideration only the publications or works accepted for publication according to the regulations in force as well as papers forming part of miscellaneous works and articles**



**in journals in printed form or digital format and excluding internal memos and department reports. The doctoral thesis or equivalent qualifications are taken into consideration also in the absence of the conditions cited above. The publications accepted, but not yet published, will be evaluated by the commission only if accompanied by documentation proving acceptance.**

**Publications, and in particular scientific articles (print extracts), are considered valid for the purposes of the selection procedure on condition that they contain information about the author, the title of the work, the place of publication and, if applicable, the number of the journal, encyclopaedia or treatise from which they are taken.**

Publications can be included in the original language.

Any publications or documents attesting the candidate's qualifications that arrive at this university after the deadline for the application will be excluded from this selection procedure, except for the case specified in this article for publications with a number of pages greater than 30 and/or for which it is not possible to attach the file.

## **Article 5**

### **Nomination of the Examining Commission**

The Examining Commission is nominated by the Rector for a period of three months which may be extended once only for a maximum of five months overall.

The Commission is composed of three members who are full or associate professors active in the group of academic recruitment fields which include the academic recruitment field in this selection procedure. Of these two are appointed by the Committee for the Recruitment and Career Development of Professors and Researchers and one is appointed by the Department Faculty of Law.

At least two members of the Commission must come from another Italian or a foreign university. In the event of the appointment of a member coming from a foreign university, the Committee for the Recruitment and Career Development of Professors and Researchers attests that the professor's foreign job title corresponds to that of full or associate professor in the Italian university system.

## **Article 6**

### **The comparative evaluation selection procedure**

The comparative evaluation selection procedure takes place in two stages.

The first stage is aimed at shortlisting the candidates, giving reasons, by analysing their qualifications – including the three references – their CV and their publications (including the doctoral thesis, if attached). The first stage



ends when the candidates are admitted to the second stage; the best candidates comprise between 10 and 20 per cent of the total number of candidates and in any case no less than six candidates. All candidates are admitted to the second stage if they number six or less.

The preliminary evaluation of the candidates is carried out by the Commission using the parameters and criteria (listed below) given in Ministerial Decree no. 243 of 25th May 2011, as integrated by the Committee for the Recruitment and Career Development of Professors and Researchers and given the decision of the Council of the Department Faculty of Law on 5<sup>th</sup> April 2023:

#### Evaluation of qualifications and the CV

The Commission carries out an evaluation, giving reasons, followed by a comparative evaluation, referring to the specific academic recruitment field and the profile defined through the academic discipline IUS/04 (Business Law) of the CV and the following qualifications, duly documented, of the candidates:

- a) any university-level teaching activities in Italy or abroad;
- b) documented training or research at leading Italian or foreign institutes;
- c) organisation, management and coordination of national and international research groups or participation in such groups;
- d) presentations given at national and international congresses and conferences;
- e) national and international prizes and awards for research work.

The evaluation of each qualification above is made by specifically considering the significance that it has relative to the quality and quantity of research carried out by each candidate.

Both the candidate's level of independence with respect to the research groups in which he/she was trained initially and his/her ability to work autonomously must be included among the evaluation criteria. The level of independence and autonomy can be assessed, to varying degrees in the different disciplines, by the percentage of research products presented with co-authors different from those of the groups mentioned above, or by: the stay in research centers different from the one of origin, the invitations to prestigious universities or institutions, the participation in scientific committees of major journals, the ability to find resources for their own research, or by becoming promoters of new lines of investigation, supervisor of collaborators, students, assignees, and expand the network of international collaborations.

In case of candidates on equal footing after evaluation, preference will be given to candidates who have carried out at least one year (not necessarily in one continuous period) of doctoral or postdoctoral research abroad at a foreign university and/or research institution recognized at the international level.



Evaluation of publications:

In carrying out the preliminary comparative evaluation of the candidates, the Commission takes into consideration only those publications or works accepted for publication according to the regulations in force as well as papers forming part of miscellaneous works and articles in journals in printed form or digital format and excluding internal memos and department reports. The doctoral thesis or equivalent qualifications are taken into consideration also in the absence of the conditions cited above.

The Commission carries out the comparative evaluation of the publications mentioned above on the basis of the following criteria:

- a) originality, innovation, methodological rigour and significance of each publication;
- b) correspondence of each publication with the academic recruitment field and the profile defined through the academic discipline IUS/04 (Business Law)) for which this selection procedure is announced or with related interdisciplinary areas;
- c) for each publication: how much it is spread within the scientific community and the reputation of the publisher;
- d) an analytical assessment, including on the basis of criteria recognised in the international scientific community, of the individual contribution of the candidate in the case of works with more than one author.

The Commission must also evaluate the overall consistency of the candidate's publications, the number of publications and the regularity with which they occur, save for those periods, suitably documented, when the candidate involuntarily did not work in research, with particular reference to parental responsibilities.

The criteria chosen by the Commission to assess the publications and their impact must take into account the "academic age" of the candidates through the use of suitable factors which enable the quality and intensity of the research carried out by younger candidates to be included in order not to discriminate on the basis of age.

Admission to the discussion which constitutes the second stage and the dates on which it is to be held will be published on the website of the university at <https://www.unitn.it/valutazioni-comparative> at least 20 days beforehand. **The publication of the announcement on the website of the university constitutes legal notice of the date of the discussion. Candidates who fail to appear will be considered to have withdrawn from the comparative evaluation selection procedure, whatever the reason. Candidates must present a valid identification document. To simplify recognition, it should preferably be the same document attached to the application form.**

The second stage comprises a public discussion of the qualifications and publications with the Commission. The Commission has the right to hold this discussion in the foreign language of which the selection procedure



announcement requires knowledge. Anyway, the Commission will check in the discussion that candidates know Italian at a level adequate to carry out the assigned teaching load.

There are no written or oral examinations except for the oral test to ensure knowledge of the foreign languages required by this selection procedure announcement.

The Commission carries out the evaluation without referring to the teaching and research effort required.

In carrying out the two evaluation stages, the Commission members may make use of internet-based technology to work together.

The proceedings of the Commission are comprised in the minutes of the individual meetings of which the following form an integral part:

- the individual and collective evaluations expressed about each candidate in the first stage;
- the evaluations expressed in the second stage, including the evaluation of the oral test held to ensure the knowledge of the foreign language.

At the end of its work, the Commission will indicate no more than three suitable candidates to whom to offer the position on the basis of the criteria indicated above.

## **Article 7**

### **Offer of position**

For the purposes of offering the position, candidates shortlisted by the Commission are invited to give a seminar at the Department Faculty of Law on the research they have carried out and on future prospects for development.

The seminar may be held by video link.

Within 60 days of the approval of the proceedings given by Rector's decree, the Council of the Department Faculty of Law, on the basis of the evaluations made by the Commission regarding the profile of the candidates and on the basis of the seminars held, and taking into account consistency with the required teaching and research work, proposes, giving reasons for its decision, to offer the position to one of the candidates declared suitable or not to proceed with offering the position; this decision is approved when the absolute majority of the full and associate professors vote in favour.

The list of candidates deemed suitable and the name of the candidate to whom it is proposed to offer the position will be published on the website of the university at <https://www.unitn.it/valutazioni-comparative>.

The period of time in which it is possible to contest the proceedings begins with the date of publication.

If the candidate who is offered the position refuses the contract, the relevant department may proceed to offer the position to another candidate declared suitable.



## Article 8

### Documents required in order to sign the contract of employment

The suitable candidate who is offered the position has to present or to send to the university before the first day of work a declaration that he or she is in possession of the prescribed requisites.

The suitable candidate who is offered the position must, in addition, declare his/her current activities and consequent decision in the case of incompatibility.

## Article 9

### Contract of employment

The suitable candidate proposed for the position will be offered by the University of Trento a fixed-term contract of employment lasting three years to carry out the research work, the teaching activities and the office hours for students specified in article 1 of this announcement of a selection procedure by comparative evaluation.

The University of Trento reserves the right to verify that the candidate offered the position possesses the prescribed requisites; in the event that he or she does not possess these requisites then the contract is considered null and void.

The contract holder is subject to a trial period lasting 90 days, beginning on the first day of employment. This trial period is not renewable and cannot be extended. In calculating the 90 days only days worked are considered.

During the trial period each of the parties may withdraw from the contract of employment at any time without giving notice. When the trial period is finished and if neither party has withdrawn from the contract then it is considered confirmed.

Regarding the availability of resources for planning purposes, in the third year of the contract as per this selection procedure, the Committee for Recruitment and Career Development will evaluate the contract holder who has gained the National Scientific Qualification as per Article 16 of Law no. 240/2010 for the purposes of a call as Associate Professor, pursuant to Article 24 (5) of Law no. 240/2010.

The criteria for the evaluation of researchers' activity at the end of the three-year contract are attached to this announcement (**Allegato A**).

If the evaluation carried out is positive, the contract holder, at the expiry of the contract, becomes Associate Professor. The procedure will be advertised on the university's website.

The contract holder may be permitted in exceptional circumstances to take casual leave for a period of no longer than 45 days in one year, including periods of parental leave.



## **Article 10**

### **Salary**

The salary is the same as the initial salary for full-time university researchers on open-ended contracts increased by 30% according to the provisions of the “Regulations for the Recruitment and Career Progression of Professors and Researchers and for the Awarding of Research Fellowships as per Article 22 of Law no. 240/2010” issued with Rector’s Decree no. 8 of 10th January 2018 and modified with Rector’s Decree n. 168 of 9th February 2022. The salary is reassessed in line with the specific regulations in force to the extent and by the means established for wage adjustments for personnel for whom there is no national contract. For contract holders as per this selection procedure announcement the salary increases and career development available to researchers on open-ended contracts do not apply.

The contract of employment between the University of Trento and the contract holder is regulated by the relevant provisions in force in this area, including the taxation deductions and the social security and pension contributions that apply to the salaries of all employees.

## **Article 11**

### **In the event of incompatibility**

The incompatibility which exists for public sector employees as per the provisions of Article 53 of Legislative Decree no. 165/2001 applies to the contract announced by this selection procedure.

The contract is not cumulative with similar contracts, even if they are drawn up with other universities or research institutes, or with the carrying out of a research doctorate or with a research fellowship as per Article 51 of Law no. 449/1997 and Article 22 of Law no. 240/2010, or with postgraduate or postdoctoral scholarships.

Public sector employees must take unpaid leave of absence from their job for the entire duration of this contract, foregoing all social security and pension contributions, or be placed “fuori ruolo” (on unpaid leave working at another institution) wherever this possibility exists.

Contract holders under this selection procedure announcement may take up positions and carry out activities outside the university only if these are occasional jobs and if permission is given in advance by the person in charge of the relevant Department.

Contract holders under this selection procedure announcement may take part in selection procedures for teaching positions as per Article 23 of Law no. 240/2010 and relative implemented decrees and regulations only if permission is given in advance by the Director of the Department Faculty of Law.

Contract holders under this selection procedure announcement may in any case take part in examination commissions and degree commissions.





Contract holders under this selection procedure announcement are allowed, subject to permission being granted, to carry out periods of research abroad. The permission is given by the Director of the Department Faculty of Law, after consultation with the Department Council, the decision specifies any reduction in the teaching load required by the contract.

## **Article 12**

### **Recovery of publications**

Candidates who wish to do so may at their own expense recover all the hard copies of publications sent to the university within six months of being informed of the approval of the proceedings, save for any ongoing dispute; after this date the university will dispose of the material as it sees fit and disclaims any liability.

## **Article 13**

### **Protection and storage of personal data**

Regulation (EU) 2016/679, the "General Regulation on the protection of personal data" (hereinafter "GDPR") provides that everyone has the right to the protection of personal data concerning him or her.

In compliance with articles 13 of the GDPR, the University of Trento provides applicants on selection procedure (hereinafter "data subjects") with the information below.

#### **1. Data controller**

The Data Controller is the University of Trento, via Calepina 14, 38122 Trento (TN), email: [ateneo@pec.unitn.it](mailto:ateneo@pec.unitn.it); [ateneo@unitn.it](mailto:ateneo@unitn.it).

#### **2. Contact details of the Data Protection Officer**

The Data Protection Officer (DPO), can be contacted to request information on personal data at the following email address: [rpd@unitn.it](mailto:rpd@unitn.it).

#### **3. Purpose of the processing and legal basis**

The University of Trento processes personal data, including special and judicial data, for the performance of its public interest tasks and for the fulfillment of legal obligations to which the Data controller is subject, exclusively to manage the selection procedure as well as to check the truthfulness of the self-declarations (article 6 (1), lett. e) and c); article 9 (2) lett. g) and article 10 of the GDPR).

#### **4. Nature of the provision of data**

The provision of personal data is essential for the admission to the selection procedure; failure in providing it precludes participation in the selection.

#### **5. Data processing methods**



The processing of personal data shall be carried out manually/in paper and/or by automated means by authorized staff according to their tasks, in accordance with the principles of lawfulness, fairness, transparency, accuracy, relevance and necessity as per article 5 (1) of the GDPR.

No profiling is carried out, and decisions are not taken solely by automated means.

## 6. Categories of recipients

In addition to the university staff acting for the abovementioned purposes, personal data can be disclosed to other public and private third parties to correctly fulfil the mentioned purposes.

While providing services necessary to the fulfilment of the abovementioned purposes, any body/entity processing personal data on behalf of the University will be appointed as Data Processor as per article 28 of GDPR.

To this end, the company Anthesi S.r.l., with headquarters in via Segantini 23, 38122 Trento (TN), has been appointed as Data Processor for the online management of registrations for the competitive/selective procedure through elixForms online-platform.

Apart from these cases, personal data may be disclosed to third parties only in compliance with a legal obligation and/or a provision of the Judicial Authorities.

Some personal data may be published in the relevant section of the University website in compliance with legal obligations established by the sectoral legislation.

If, for the aforementioned purposes, personal data have to be transferred to non-EU countries, the data transfer will be carried out within the limits and under the conditions defined in articles 44 et seq. of the GDPR, or according to an adequacy decision of the European Commission or, in its absence, adequate guarantees.

## 7. Period of storage

Personal data are stored for the time necessary to fulfil the abovementioned purposes, and in any case, as long as it is mandatory by law.

In any case, data will be stored for the time required by the current legislation and/or by the University regulation for the management and conservation of the documentation arising from the performance by the University of its institutional activity.

## 8. Rights of the data subjects

The data subject shall exercise the rights referred to in article 15 et seq. of the GDPR at any time. In particular, data subjects have the following rights:

- **right of access** to his/her own personal data and to other information as mentioned in article 15 of GDPR;
- **right to rectification** of his/her own personal data when inaccurate and/or their **integration** when



incomplete in accordance with article 16 of the GDPR;

- **right to erasure ('right to be forgotten')** of his/her own personal data, except when the University is obliged to data storage to comply with article 17 (3) of the GDPR;
- **right to restriction of processing** as per article 18 of GDPR.
- **object to processing** of personal data concerning him or her when allowed according with article 21 of the GDPR.

To exercise their rights, data subjects can use the form available on the University web page "Privacy and data protection" and send it to the Data Controller (see contact details above).

This is without prejudice to the right to lodge a complaint with the Italian data protection Authority in accordance with art. 77 of GDPR.

For more information, please refer to the complete information on the processing of personal data carried out in the context of competitive and selection procedures, published on the "Privacy and data protection".

#### **Article 14**

##### **Person in charge of this selection procedure announcement**

The person in charge of proceedings for the comparative evaluation announced by this selection procedure is Dr. Roberto Begliomini – Head of Academic and Teaching Staff Office; tel. +39 0461-283348/283052/283306/283307/3380, email: [recruitment@unitn.it](mailto:recruitment@unitn.it)

#### **Article 15**

##### **Laws in force**

For anything that is not mentioned in this selection procedure announcement, the provisions of the laws and regulations cited in the premise of this selection procedure announcement as well as the relevant laws and regulations in force apply.

THE RECTOR  
Prof. Flavio Deflorian

*This is an English courtesy translation of the original documentation prepared in Italian language.  
Please consider that only the original version in Italian language has legal value.*