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UFFICIO CONCORSI

**COMPARATIVE SELECTION FOR N. 1 FIXED TERM SENIOR RESEARCH ASSOCIATE – ART. 24, PARAG. 3, LETTER B) OF LAW NO. 240 DATED 30 DECEMBER 2010 – FULL TIME - THREE-YEAR TERM - ABSTRACT**

Art. 1 – ASSESSMENT PROCEDURES

**DEPARTMENT OF BUSINESS AND LAW (DISAG) n. 1 POSITION**

**Research field:** Juridical Science

**Academic recruitment field:** 12/E3 - economics, financial and agri-food markets law and regulation, navigation and air law

**Academic discipline:** IUS/05 - economics law

**Hours of classroom teaching each academic year:** at least 60 hours

**Maximum of scientific publications:** 12

**Foreign requested language:** English - **Level of proficiency:** Good

**Knowledge of Italian:** Good - level adequate to carry the assigned teaching load

Art. 2 - REQUIREMENTS FOR ADMISSION TO THE PROCEDURE

1. Candidates who, on the date of submission of the application, even if citizens of countries not belonging to the European Community, are in possession of the **PhD or equivalent** completed in Italy or abroad, or a diploma of medical specialization in the relevant area(s). In this case the PhD or equivalent qualification constitutes an advantage.
2. Applicants possessing a PhD or equivalent qualification obtained in Italy or abroad must also:
  - have been awarded the National Scientific Qualification to practice as first or second level professors as laid down in art. 16 of Law no 240/2010 for the tender sector object of the call for applications or for one of the sectors included in its macro-sector;
  - or:
  - have benefited for at least three years, including non-consecutive ones, from:
    - contracts as laid down in Art. 24 - paragraph 3- point a) of Law 240/2010 (junior researchers), or contracts entered into pursuant to art. 1, paragraph 14 of Law 230/2005 or similar contracts in foreign Universities;
    - research grants pursuant to art. 22 of Law 240/2010, research grants pursuant to art. 51, paragraph 6, of Law 449/97, as amended, or postdoctoral scholarships in accordance with art. 4 of Law 398/89, or similar grants or scholarships in foreign universities.
3. As concerns these postdoctoral contracts, grants or scholarships, the candidate must fully describe their nature and duration, particularly should they refer to activities carried out abroad, in order to define the analogy.
4. Applicants holding qualifications awarded abroad must attach to the application a copy of the academic recognition (equipollenza) or specific legal recognition (equivalenza) of the equivalence of the foreign qualification to the Italian one issued pursuant to art. 38 of Legislative Decree 165/2001.



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While awaiting that the appropriate bodies grant academic recognition of or declare the equivalence of a qualification awarded abroad, individuals may submit the receipt of the submitted request (copy of the certified email) in accordance with the instructions reported on the web page: <https://www.unisi.it/didattica/corsi-post-laurea/dottorati-di-ricerca/modulistica-e-certificati>.

The documentation proving the equivalenza/equipollenza of the foreign qualification must in any case, on pain of exclusion from the selection procedure, be presented by the successful candidate to the Administration at the time of employment.

5. The requirements referred to in this article shall be met on the date of expiry of the period determined in the call for the submission of the application. The lack of the requirements, ascertained during the selection or subsequently, entails the exclusion from the selection itself and constitutes a cause for termination of the employment relationship, if already established.
6. Candidates are admitted to the competition with reserve. The Rector may, at any time, with motivated measure, order the exclusion of candidates from the procedure due to lack of requirements.
7. The following people are not admitted to the selection:
  - a. first- and second-level university professors and researchers who have already been hired for an indefinite period, even if they have left the service.
  - b. people who have a degree of kinship or affinity up to the fourth degree including that with a professor belonging to the department or structure that makes the proposal for activation of the contract, or with the Rector, the Director or a member of the Board of Directors of the University.
  - c. those who have been holders of research grants and fixed-term researcher contracts pursuant to Articles 22 and 24 of Law no. 240/2010, respectively, at the University of Siena or at other Italian universities, as well as at the bodies referred to in paragraph 2 of Article 22 of Law no. 240/2010 for a period that, added to the duration provided for in the contract of this call (three years), exceeds a total of 12 years, even non-continuous. For the purposes of the duration of the aforementioned relationships, the periods spent on maternity leave or on leave for health reasons during the period of the research grants referred to in art. 22 Law no. 240/2010 are not considered.
8. For employees of the Public Administrations with a fixed-term and indefinite employment relationship, if called as a result of this selection, the incompatibilities provided for by the current legal provisions and the relative National Collective Labor Agreement remain in force.

Art. 3 -APPLICATIONS AND DEADLINES FOR SUBMISSION

1. The application for admission to the procedure must be submitted only telematically through the PICA platform(<https://pica.cineca.it/unisi>), within the peremptory term of thirty (30) days starting from the day following that of publication of the notice in the Gazzetta Ufficiale della Repubblica italiana. (Official Journal of the Italian Republic). If the submission deadline falls on a public holiday, it shall be extended to the first successive working day.
2. The application, under penalty of exclusion, must be completed fully in each and every section.



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By the deadline for submitting the application, the system allows saving it in draft mode so as to let candidates make changes before submitting it. Once the deadline for submission has expired, the system will no longer allow access to and submission of the electronic form.

It is recommended to access the PICA platform well in advance to consult the *Guidelines for completing the application* and avoid system overloads that may not allow the procedure to be concluded in due time.

3. The date of electronic submission of the application for participation in the competition is certified by the computer system by means of a receipt that will be automatically sent by e-mail. The receipt contains the application ID that will identify the candidate for the entire call procedure.
4. Candidates will be able to access the PICA platform using one of the following modes:
  - a) access via digital identity (SPID level 2), selecting the University of Siena among the available federations. Information on the Public Digital Identity System can be found at [www.spid.gov.it](http://www.spid.gov.it) and <https://www.agid.gov.it/it/piattaforme/spid>.
  - b) access via the credentials issued by the same PICA platform
  - c) access via your LOGINMIUR account.

For both modes b) and c) it is necessary to complete the participation application by affixing your electronic or handwritten signature.

5. The application and attachments must be in pdf format, the allowed maximum size for each document being 30 MB. For any technical problem related to the compilation of the application, you can contact CINECA support through the link at the bottom of the page <https://pica.cineca.it/unisi>, by clicking on "supporto".
6. Together with the application the following must be attached:
  - a **dated and signed CV** containing the list of qualifications, scientific publications and activities conducted, specifying any periods of involuntary removal from research activity, with particular reference to parental functions.
  - the **publications** that the candidate intends to submit for their evaluation by the board, in the maximum number established in art. 1 of this notice. Please note that pursuant to Ministerial Decree 243/11, candidates can submit their doctoral thesis among these publications. In this regard, it should be noted that only the publications attached to the application will be evaluated.
  - copy of a valid **identity document**.
7. For works printed abroad, the date and place of publication must be shown. For works printed in Italy, it is necessary to certify the legal deposit in the forms provided for by law 106/2004 and related regulations issued by decree of the President of the Republic 252/2006.
8. Publications must be presented in the language of origin which, if different from Italian, English, French, German and Spanish, requires translation into one of the mentioned languages. The translated texts may be submitted, together with the copies in the original language, in a typewritten copy made compliant with the original in accordance with current legislation.



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9. The documentation attached to the application and drawn up in a foreign language, other than Italian, English, French, German and Spanish, must be accompanied by a translation in Italian, certified in accordance with the foreign text, drawn up by the competent diplomatic or consular representation, or by an official translator.
10. Candidates in a situation of disability, pursuant to Law 104 of 5.2.1992, must file an explicit request in relation to their disability, regarding the necessary assistance.
11. It should be noted that, in order to conclude the application procedure, payment of the competition fee must be made in the amount of **€ 20.00** (twenty euros), as a non-refundable contribution to cover the costs related to the organization and development of the competition proceedings. The payment must be made, following the instructions of the PICA platform when filling out the application (PagoPA). Candidates - within the deadline set by the call - can withdraw their application and submit a new one. In this case, the platform transfers the payment to the new application.
12. The Administration assumes no responsibility for the dispersion of communications due to incorrect indications given by the candidate, for failure or late communication of the change of address indicated in the application, or for any mistake the Administration is not responsible for.
13. The Administration reserves the right to conduct appropriate checks on the veracity of the content of the declarations in lieu of certifications and notoriety deeds. If the control indicated above reveals the untruthfulness of the content of the declarations, the declarant loses any benefits resulting from the measure issued based on the untruthful declaration (without prejudice to the provisions of Article 76 of Presidential Decree no. 445/2000, regarding the sanctions provided for by the Criminal Code and the special laws on the matter).

Art. 4 - EXAMINATION BOARD

1. The Examination Board (hereinafter referred to as "Board") is composed in accordance with the provisions of the Regulation for fixed-term researchers referred to in the introduction, where possible, and in compliance with gender equality and namely, by three tenured professors, or of an equivalent role in the case of members from foreign universities, belonging to the same scientific-disciplinary sector subject of the competitive procedure or scientific-disciplinary sector falling within the same macro-sector, one of whom is appointed by the Department. The other two members of the Board must be external to the University of Siena and drawn from a list identified by the Department, in compliance with gender equality, where possible, and composed of four names.
2. The Board shall be appointed, after the expiry of the deadline for the submission of applications, by the Rector on a proposal from the Department which requested the activation of the contract. The decree of appointment is published in the Albo on-line d'Ateneo (Online Register of the University), with notification value for all purposes.
3. Candidates, in order to challenge the members of the Board, can send a PEC ([rettore@pec.unisipec.it](mailto:rettore@pec.unisipec.it)) addressed to the Rector within seven days from the date of publication of the appointment measure in the Online Register of the University. The Rector decides on the objection. The decision shall be communicated to the person concerned without delay.
4. If the Board does not complete the selection within six months of the day following the publication of the order for appointment, the Rector shall initiate the procedure for the appointment of a new Board.



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5. Pursuant to art. 35/bis of Legislative Decree 165/2001, those who "*... have been convicted, even with a sentence that has not become final, for the crimes provided for in chapter I of title II of book two of the Criminal Code...*" cannot be part of the Board.
6. After the appointment of the Board, all candidates, pursuant to art. 7 of the Code of Ethics of the University Community, are requested to declare under their own responsibility that they do not have relationships of kinship or affinity up to and including the fourth degree with the members of the Board or if among the members of the Board there is the spouse or the cohabitant and persons with whom the candidates have business relationships. The declaration must be sent together with a copy of a valid identity document, to the Ufficio Concorsi (Competitive Exams Office) ([concorsi@unisi.it](mailto:concorsi@unisi.it)).  
  
The model of the declaration can be found at: <https://www.unisi.it/ateneo/concorsi-gare-e-appalti/concorsi-professori-e-ricercatori/ricercatori-tempo-determinato-3>
7. At its first meeting, the Board will declare not to find themselves in situations of incompatibility pursuant to art. 51 and 52 of the C.P.C (Code of Civil Procedure) and, in particular, in a relationship of kinship or affinity up to the fourth degree even if among them and will proceed to appoint the Chairperson and the Secretary. Subsequently, the Board will establish the general criteria and the specific procedures for evaluating and conducting the tests, to be formalized in the relevant minutes, which will be published in the University's online Register, with notification value for all purposes.
8. After that, the Board, having seen the list of participants, declare not to find themselves in situations of incompatibility as per art. 51 and 52 of the C.P.C. and in particular in no relationship of kinship or affinity, until the fourth degree included, with the candidates.
9. As per art. 7 of the Code of Conduct of the university community, members of competitive examinations boards, also when external to the University, as soon as it is known to them that among the candidates there are their spouse, or cohabitant, relatives or next of kin until the fourth degree, or people with whom they have business relationships, shall resign from the Board for incompatibility reasons.
10. At the end of each day's meeting, the Board shall draw up a special report on all the examination operations and the decisions taken, which shall be signed by all the members.
11. The work of the Board shall be conducted collectively, even if by electronic means or other means of distance communication.

Art. 5 - ASSESSMENT OF QUALIFICATIONS, PUBLIC DISCUSSION AND ORAL EXAM

1. The selection is conducted by the Board by means of a preliminary assessment of the candidates with reasoned analytical judgement on their qualifications, CV and scientific production, including any doctoral thesis, based on the criteria and parameters identified by Ministerial Decree no. 243 of 25.05.2011 (if the candidate intends to present, among the publications, the doctoral thesis, the latter will be counted in the maximum number of publications to be submitted, see Article 1).
2. Following the preliminary evaluation, the comparatively most deserving candidates, to an extent between 10 and 20 percent of the number of them and in any case not less than six units, are admitted to the public discussion of qualifications and scientific production, and to the oral test (referred to in art. 1 relating to the position of interest). Candidates are all admitted to the discussion if their number is equal to or less than six. Discussion and oral examination may take place, where necessary, telematically.



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3. During the discussion of qualifications and publications, there will also be an oral test aimed at ascertaining the adequate knowledge of the foreign language indicated in the notice. The Board will declare whether or not the candidate level of the language is suitable. During the discussion, candidates who are citizens of a nationality other than Italian, must demonstrate an adequate knowledge of Italian.
4. The call for the discussion/oral test will be made known to the candidates at least twenty (20) days before it takes place through publication on the University's online register, with notification value for all purposes. It is possible to derogate said notice period if all the candidates admitted express their explicit written consent to renounce it. Any postponements due to organizational reasons will be published on the online Register of the University with notification value in all respects.
5. Candidates and candidates must present themselves for the discussion/oral exam with a suitable valid identification document. Those candidates coming from countries outside the European Union will only have to present their passport. Those who are not present on the established day, will be considered as having renounced to the selection, therefore excluded from the selection, whatever the cause of the absence, even if not dependent on the will of the individual candidates.
6. In the event that the discussion/oral test is planned telematically the candidates are responsible for the quality and continuity of the signal coming from their position. The Board may at any time decide to exclude the candidate for reasons which make it impossible to conduct the test and to monitor the environment in which the test is taken.
7. Following the discussion, a score is assigned to the qualifications and to each of the publications submitted by the admitted candidates, according to criteria predetermined by the board.

Art. 6 - RANKING OF SELECTED CANDIDATES AND CALL PROPOSAL

1. At the end of the selection, the Board draws up a ranking of suitable candidates considering the overall score.
2. In case of equal score, the provisions regarding the titles of preference or precedence provided for by art. 5 of Presidential Decree no. 487/94 and subsequent amendments will be applied.
3. Once the formal regularity of the procedure has been ascertained, the acts are approved with a Rector's order containing the ranking and the name of the winner. The ranking list is published on the Online Register of the University, with the value of notification in all respects. The terms for any appeal will run from the day immediately following that of the abovementioned publication.
4. The measure referred to in the previous point shall be transmitted to the Department concerned. The Department Council, with a favorable vote of the absolute majority of the professors of first and second class, shall make the call proposal within three months from the approval of the acts, this period starting from the day following the publication in the Online Register. The call proposal is approved by resolution of the Board of Directors.
5. The ranking remains valid until the winner or one of the other suitable candidates is hired, in case the ranking is scrolled.



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Art. 7 - SIGNATURE OF THE CONTRACT AND PERFORMANCE OF ACTIVITIES

1. Candidate will be proposed the stipulation of an individual contract of full-time subordinate work of three years duration referred to in letter b) of art. 24 par. 3 of Law no. 240/2010 (*senior* researcher) regulated by the current provisions on subordinate work, also regarding tax, welfare and social security treatment.
2. The University also provides for insurance coverage for accident risks and civil liability.
3. The total annual commitment to teaching, supplementary teaching and student support is equivalent to 350 hours; for the purposes of reporting on the research project, the research, supplementary teaching and student support together are figuratively equal to 1500 each year.
4. The trial period shall be three months.
5. As regards the rights, duties, methods to conduct the activity and anything else not expressly indicated, please refer to the Regulations for fixed-term researchers mentioned in the introduction.

Art. 8 - REGIME OF INCOMPATIBILITIES AND PERFORMANCE OF FURTHER ASSIGNMENTS

1. The contracts entered are incompatible with:
  - with any other employment relationship with public and private entities.
  - with research grants including those with other universities.
  - with contracts for teaching activities governed by the relevant provisions in force.
  - with doctoral and post-doctoral scholarships and in general with any scholarship or grant for any reason including those conferred by third parties.
2. The provisions of the University Regulations regarding authorizations for full-time teaching staff to conduct paid assignments, provided that they are compatible with the regular performance of institutional activities and the prohibition of competition, shall apply to the researchers referred to in this call.
3. The contract stipulated under this notice does not give rise to rights for access to university roles.
4. Completion of the contract is a preferential qualification in competitions for access to public administrations.

Art. 9 – MOBILITY

1. If the researcher, holder of the contract, is responsible for research projects financed by subjects other than the University of Siena, they retain ownership of the projects and the related funding, where scientifically possible, and with the agreement of the research client, even in the case of mobility at another university.

Art. 10 - PROCESSING OF PERSONAL DATA

1. The processing of personal data, present in the request to participate in this call or possibly communicated with additional documents of the request, will take place in compliance with EU Regulation 2016/679 on data protection, Legislative Decree no. 196/2003 and subsequent



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amendments. “*General Data Protection Regulations*” according to the principles of lawfulness, correctness, transparency, adequacy, relevance, accuracy, minimization of processing, limitation of storage, etc. referred to in art. 5, paragraph 1 of the GDPR.

2. The Data Controller is the University of Siena, legally represented by the Rector; pursuant to the University Regulation on the processing of personal data, the Data Designated person is the manager of the Personnel Area. The personal data provided by the candidates will be processed for the management of the procedure, for the possible conferral of the assignment or hiring, for the management of the rankings (where provided for in the notice) exclusively for the purpose of fulfilling the legal requirements, including the publication obligations provided for by current legislation.
3. The provision of personal data is to be considered mandatory. Any refusal will make it impossible to conduct the operations necessary for participation in the procedure and, possibly, for the establishment and management of the employment relationship.
4. The information relating to the processing of data, in the management of competitive examinations proceedings, drawn up in accordance with the provisions of art. 13 of EU Regulation 2016/679, is published on the University portal at the web page: <https://www.unisi.it/ateneo/adempimenti/privacy>

Art.11 – ADVERTISING, FINAL RULES AND HEAD OF THE PROCEDURE

1. This announcement, the extract in English and the acts for which publication in this call is expected, are published in the University's online Register and on the University portal at: <https://www.unisi.it/ateneo/concorsi-gare-e-appalti/concorsi-professori-e-ricercatori/ricercatori-tempo-determinato>
2. The abstract of this call, in Italian and English, is also published on the website of the Ministry of University and Research at <https://bandi.miur.it/> and on the portal of the European Union at: <http://ec.europa.eu/euraxess/>
3. For the purposes provided for by Law no. 241/1990 and subsequent amendments, the Head of the procedure inherent to the selection referred to in this notice is identified in the Head of the Competitive Examinations Office of this University ([concorsi@unisi.it](mailto:concorsi@unisi.it)).
4. For what is not provided for in this notice, reference is made to the relevant laws and regulations in force.

Date digital signature

The Rector  
Roberto Di Pietra

Endorsement  
The General Director  
Beatrice Sassi