

Appendix A: The European Charter for researchers in the new national regulatory frame

<u>Internal regulations and 'good practice' of the University of Palermo</u>	<u>National legislation</u>	<u>C&C</u>
ETHICAL AND PROFESSIONAL ASPECTS		
13.05.2008: SA draw up a code of ethics to regulate the research activity (plagiarism, IPR ...)	Law proposal for the organization of the university system, in October 2009, art.2 paragraph 5: 'For the purposes envisaged by the law and also to identify conflicts of interest and develop appropriate measures to eliminate them, the universities have adopted within one hundred eighty days from the entry into force of this law 'a code of ethics.'	Researchers must be made aware of their role, of their responsibilities and of the operational constraints under which they work. There is the need for an ethical code which regulates and defines responsibilities in research (financial and social) also in order to avoid plagiarism and the infringement of IPR ¹ .
It takes place through procedures that are neither standardized nor regulated.		Information regarding the aims of research activities must be made widely available throughout the research institution. Researchers must be aware of the people to whom they must report their research activities (tutors, lead investigators or fund providers)
June 2009: The new regulation on patents is available on the website of the University		Researchers must know the research institution's norms regards patents, the publication of research outputs, the development of new products....
<i>Verification of cash flow statements</i>	<i>Verification of cash flow statements</i>	Researchers must render public data regarding the ways in which research funds are used. This data may be analyzed by internal/external organizations.
Various initiatives: Night of research, Print advertisements, Univercittà, New definition of the University Website (still ongoing), Publications about the research activity carried out in the Institution,... Online register archive for research April 2009: The University of Palermo is at the 14 th place out of the 87 universities in Italy for on line dissemination of its own research results and activity.	Art. 3 quater del DL 180/2008: Advertising of research in universities. Each year the chancellor shall submit to the Academic Senate and the Administration Board a report summarizing the results of research, training and technology transfer, and a report on the funding achieved by public and private sources. The report must also be sent to University and Research Ministry (2).	Wide spread internal and external dissemination of research results also to an audience which is not specialized on the research institution's activities.

<p>("Ranking web of world Universities", edited by CSIC, the major National research centre in Spain)</p> <p>February 2010: The Academic Year opening ceremony becomes a conference on the University status</p>		
<p>The evaluation of the research is carried out every year</p> <p>For professors -by special committees within the University on the basis of each individual's research evaluation For departments - based on the positioning CIVR/ANVUR and the number of national projects PRIN For PhD students - by the evaluation committee and the Academic Senate</p> <p>Since 2007 the University of Palermo is part of the EUA European University Association, the Academic Senate approved to join the Institutional Evaluation Program (IEP) and has prepared a self-assessment report (RAV2008)</p> <p>Merit assessments are assigned to Special Committees for holders of research grants for their renewal every two years.</p>	<p>L 421/1992 Art.2 g): ... check the results through appropriate evaluation groups composed of senior officials and experts, or through agreements with public or private entities with special qualifications in management control;</p> <p>LAW PROPOSAL governance</p> <p>a) The evaluation group of the university will guest a larger number of external members to ensure an objective and impartial judgment.</p> <p>b) Strengthen the measures announced in the Ministerial Decree 180 regarding the biennial assessment of the research for professors. In case of negative evaluation by the academic authority, the click of salary is lost and it is no more possible to participate in competitions as commissioners</p> <p>MIUR guidelines:</p> <p>a) Structure and duration of doctoral studies should be related to the achievement of scientific objectives</p> <p>b) The activation of PhD courses should be connected to an assessment similar to that performed by the CIVR / ANVUR</p> <p>Law proposal in issues of organization. and qualification of the university system, October 2009</p> <p>a) introducing a system of periodic evaluation by ANVUR, of the efficiency and achievements in teaching and research by universities and by their internal articulations;</p> <p>b) empowering of the self-.assessment system for quality and efficiency of its own activities by each university, also using its own evaluation committees and the contributes deriving from the joint commissions</p>	<p>The research institution's fund providers or governance bodies must identify mechanisms according to which research outputs may be periodically evaluated though a transparent process carried out by an independent organism (which should preferably be international for the evaluation of senior researcher activities)</p>
	RECRUITMENT	
	Regulation MURST for doctoral research (1999) art.5 'Access'.	Research Institutions or the bodies funding research should guarantee that the pre-requisites

	<p>... May have access to the doctorate, without limitations of age and citizenship, those who have a degree or equivalent qualification obtained abroad, previously recognized by academic authorities, also within the interuniversity agreements of cooperation and mobility ... 'In Article 5 the functions are delegated to the universities through the selection committees' ... composed of three members chosen from among university professors and researchers of the role, which can be added at most two experts, including foreign institutions selected under and public and private research;</p> <p>L 421/1992 Art.2 u): ... to provide for the protected categories under Title I of the Law of 2 April 1968 No 482, the recruitment by State, businesses and public bodies, for calling number of students enrolled in the placement lists based on the rankings determined by the provincial offices of work and full employment;</p> <p>DL 180/2008 art.1bis: Within its budgetary availabilities ... perform direct call of renowned people at the university.</p>	<p>to access the scientific research career are clearly defined.</p> <p>They should facilitate both the access to the scientific research career to disadvantaged groups and the return of faculty who is currently abroad</p>
<p>07.04.2009: A committee is established to write a code of ethics for the University to ensure transparency and equal opportunities for all</p>	<p>Law proposal governance: It is required in the universities to adopt a code of ethics that ensures transparency in recruitment to avoid incompatibilities and conflicts of interest.</p> <p>Guidelines MIUR: It's... urgent a broad analysis ... to ... align with best international practices and encourage the mobility</p> <p>Law proposal in issues of organization. and qualification of the university system, October 2009 (Art.8 comma 3 lett.e)) Law proposal organization and quality of the university system, academic staff and the right to study (Art.8 par. 3)) e) creation, for each scientific-disciplinary sector and without additional burdens for public finance, of a single two-year national commission for the recruitment/progression procedures for professors (associate and full), by drawing four commissioners within a list of full professors made under subparagraph g) and by drawing a commissioner in a list, prepared by the ANVUR, of scholars and peer level experts working at universities in a OCSE</p>	<p>Recruitment of researchers should be carried out following procedures which are open, efficient, transparent, useful and internationally comparable. Such procedures must allow selecting the profiles required.</p> <p>An adequate amount of time must be guaranteed between the publicity of the public selection for researcher positions and the deadline to submit applications.</p>

	<p>country'</p> <p>(Art.9 part 2): Universities cover the positions of associate and full professors and fixed-term researchers..... in accordance with the principles enunciated by European Charter for Researchers and specifically with the following criteria: publication of calls on the University website and the sites of the Ministry and the European Union</p> <p>(Art. 10 part 1) Universities, within their available budget, may confer benefits for conducting research. The calls also published electronically on the websites of the University, the Ministry and the European Union; contain detailed information on specific functions, rights and obligations regarding the position and the emoluments and benefits accruing.</p> <p>(Art.10 comma 7) Ministry yearly allocates a share of ordinary funding to finance research grants The selection of winners shall be entrusted to one or more committees whose members are appointed by the Ministry based on a proposal of the ANVUR in compliance with the requirements of Art 8, part 3, letter g), and they shall, for the assessment of qualifications and scientific publications and research programs, make use of the opinion of highly qualified Italian and foreign expert auditors, without additional burdens of public finance.....</p> <p><i>The time between the publication of the call and the deadline for submission of the application is regulated by the current regulations and is adequate.</i></p>	
<p>Regulations for the establishment of Limited Time research contracts: the committee is composed by the project manager and members drawn from a list and not belonging to the Palermo University.</p>	<p>For the recruitment of researchers (DL 180 2008), committees are composed of an internal member indicated by the faculty and two members drawn from a list of professors elected at national level. <i>In Italian legislation, such a reserve (gender) can be considered illegal in the committees' composition.</i> <i>The composition of committees is regulated by specific rules on public competition selections.</i></p>	<p>Selection committees must be varied and guarantee equilibrium amongst genders; where possible they should include people from different sectors (public/private). Each selection process may choose the evaluation method(s) to be adopted (interview, oral examination, external evaluations on behalf of external sector experts, etc.)</p>
	<p>Law proposal organization and quality of the university system, academic staff and the right to education (Article 9 part 2):</p>	<p>Candidates should be made aware of their career prospects and their strengths and weaknesses</p>

	<p>Universities cover the positions of associate and full professors and fixed-term researchers..... in accordance with the principles enunciated by European Charter for Researchers and specifically with the following criteria: calls give detailed information on specific functions, rights and duties relating to the position and the emoluments and benefits accruing;</p> <p><i>The selection processes for the academic staff are regulated by specific legislation and are subject to a national public competition. This strongly influences career prospects.</i></p>	<p>should be communicated to them before the selection process begins</p>
<p>Regulations for the establishment of Limited time research contracts art.5</p>	<p>DL 180/2008 Article 7: ... The comparative evaluation is done on the basis of qualifications, illustrated and discussed before in front of the committee and of publications of candidates .. also using some bibliometric indices (DM 89/2009 'Assessment of qualifications and scientific publications' Art. 3 part 4) The committee must assess the overall value of the candidate's scientific production, intensity and temporal continuity, except periods of involuntary removal from research activity (DM 89/2009 art. 3 par. 3)</p>	<p>The selection process should consider the entire background of all candidates, and take into particular consideration their potential, creativity and level of independence. Candidates' merit must be evaluated both on a quantitative and qualitative basis: avoiding to limit the analysis only to the number of publications and bibliometric indices, but also teaching skills, capacity to work in groups, and ability to transfer knowledge. In the case of candidates who come from industrial sectors, their contribution to patents or innovations must be evaluated.</p>
	<p>DM 89/2009 art. 2 par. 1) Evaluation of qualifications: research activity ... in Italy or abroad ... at public or private institutions</p>	<p>Interruptions or variations in career paths must not be penalizing, rather they should be considered as potentially enriching experiences for the professional development of the candidate.</p>
	<p>DM 89/2009 art. 2 par. 1) Evaluation of qualifications: research activity ... in Italy or abroad at public or private institutions</p> <p>MIUR Guidelines: encourage mobility of those who study and make research</p>	<p>All experiences connected to the candidates' interdisciplinary, international or inter-sector mobility should be considered as a contribution to the professional development of the researcher.</p>

		<p>Employers and/or funders should provide for appropriate assessment and evaluation of the academic and professional qualifications, including non-formal qualifications, of all researchers, in particular within the context of international and professional mobility. They should inform themselves and gain a full understanding of rules, procedures and standards governing the recognition of such qualifications and, consequently, explore existing national law, conventions and specific rules on the recognition of these qualifications through all available channels.</p> <p>The levels of qualifications required should be in line with the needs of the position and not be set as a barrier to entry. Recognition and evaluation of qualifications should focus on judging the achievements of the person rather than his/her circumstances or the reputation of the institution where the qualifications were gained. As professional qualifications may be gained at an early stage of a long career, the pattern of lifelong professional development should also be recognized.</p>
	<p>Law proposal for the organization and quality of the university system, academic staff and the right to study Art. 10 par 6: The universities, in accordance with Art. 9, par. 3, and in accordance with appropriate quality standards identified by the University Regulations under the criteria established by decree of the Ministry, may make a direct call for a second three-year contract, see part 4; they by no later than the expiration of that contract, should be qualified to associate professor, see Art. 8. Those that are called in this case, at the end of the second contract, are framed in the role of associate professors.</p>	<p>Post-doc researchers should be recruited only on a temporary basis, with the specific aim to foster further opportunities of professional development within a long term research career.</p>
WORK CONDITIONS AND SOCIAL SECURITY		
	<p><i>PhD Students are not employees are students. Legislation to protect the public work is not 'applicable.</i></p>	<p>All researchers must be treated as professionals as of their entrance to the doctoral program.</p>

	Current legislation on safety in the workplace, D. Lgs. 81-08	The research setting must be stimulating and formative. Safety must be guaranteed on work premises and in research settings.
Establishing of the nursery for university employees children (oct.2006) There is a University Center that cares of students with disabilities.	I. 104/1992 DPCM 9 april 2001	Work conditions for researchers, including the physically challenged, must be sufficiently flexible to sustain positive outcomes of research endeavors . Such conditions should allow rendering compatible work and family, children and career. Amongst the specific aspects to be taken into consideration there are, for example: flexible work hours, possibility to work part-time, distance working, sabbaticals...
	Law proposal for the organization and quality of the university system, academic staff and the right to study Art. 10 par 6: The universities, in accordance with Art. 9, par. 3, and in accordance with appropriate quality standards identified by the University Regulations under the criteria established by decree of the Ministry, may make a direct call for a second three-year contract, see part 4; they by no later than the expiration of that contract, should be qualified to associate professor, see Art. 8. Those that are called in this case, at the end of the second contract, are framed in the role of associate professors.	Funding agencies or research institutions should guarantee that research performance will not suffer the influence of unstable work conditions. <i>EU directive on fixed term work</i>
		Funding agencies or research institutions should guarantee attractive researchers' wages and work conditions. Further, they should guarantee that work conditions and safety measures abide by law and University regulation requirements.
		Funding agencies or research institutions should guarantee equilibrium between genders at all levels and in all governance and management bodies.
	MIUR Guidelines: consider the overall layout of the academic career, with particular reference to the role at entry and the different characterizations that it may take	Funding agencies or research institutions should engage in the elaboration of career paths for all the professional research profiles (HRS) present in the organization though the use of mentoring and tutoring.
	MIUR Guidelines:	Funding agencies or research institutions should

<p>17/03/09: Regulations governing Program LLP / Erasmus and recognition for study periods abroad (Visiting Students).</p> <p>The University has a group that deals with EU and international policies and mobility (ERASMUS,)</p>	<p>-promote the internationalization of the teaching staff; -encouraging the universities to hire researchers with PhD degree taken in other universities; -stimulate the international character of doctoral programs and mobility between universities.</p> <p>Law proposal organization and quality of the university system, academic staff and the right to study (Art.5 part 4 lett. g) h) o))): g) provision of procedures for mobility of professors and university researchers and introduction of incentive mechanisms designed to promote it; if a transfer occurs, permanent professors and researchers as well as limited time researchers in charge of research projects funded by entities different from the university to which they belong, retain the ownership of projects and funding; h) availability of procedures for professional mobility of professors and researchers to carry out activities, after placement on leave, at public or private entities; o) attribution of a share of the ordinary funding of universities related to evaluation mechanisms directed to the evaluation of recruitment policies, based on the scientific output of professors after their employment tenure, the percentage of limited time researchers that have not spent the whole PhD course or post-doctorate in the same university, the proportion of professors and researchers leading international scientific research projects and the degree of internationalization of the faculties.</p>	<p>consider all experiences connected to the candidates' interdisciplinary, international or inter-sector mobility as a contribution to the professional development of the researcher. Thus these types of mobility should be encouraged and be taken into specific consideration within the career progression evaluation procedures.</p>
		<p>Funding agencies or research institutions should guarantee researchers access to work opportunities at all stages of their career.</p>
<p>New Patent Rules (June 2009)</p>		<p>Funding agencies or research institutions should motivate researchers at all stages of their career in their endeavors to produce innovations and obtain patents through the guarantee of an adequate legal protection of IPRs.</p>
	<p>DL 180/2008 Art.7:... The comparative assessment is made on the basis of qualifications, explained and discussed before in front of the Committee, as well as the publications of the candidates .. also using bibliometric indices (DM 89/2009 'assessment of qualifications and scientific publications' Art. 3 comma 4)</p>	<p>Co-authorship should be considered positively. Specific policies and strategies should be elaborated to diffuse a working environment in which being acknowledged through scientific citations (or other such signals) conveys benefits to the researcher.</p>
	<p><i>The workers that are not under national contract (including university employees,</i></p>	<p>Where norms permit, procedures aimed to assist</p>

	<i>teaching staff and Limited time researchers) for conflicts are addressed to the administrative court</i>	and resolve conflicts in the work place (especially for those who are at the initial stages of their careers) should be elaborated.
	L. 210/1998: Universities can, under appropriate regulations, commit doctoral researchers to a limited subsidiary or supplementary teaching activity that in any case should not undermine their research training.	Teaching is an essential means to structure and disseminate knowledge and, therefore, must be considered an important aspect of a researchers' career. However, teaching duties must not be excessive or compromise research performance.
<p>Researchers are represented in the Senate, the Board of Directors, are present in the Faculty Council, the graduation Studies Councils and the teaching Permanent Observatories, Department Councils; they are also represented in the Executive Department council (Statute of the University of Palermo).</p> <p>Post doctoral grants holders are represented in the Department Council</p> <p>PhD students are represented in the Department Council.</p>	DPR 382 del 1980: The researcher is also required to ensure its commitment to collegial activities in universities, where required.	Researchers must have a sufficient number of representatives in all governance and management bodies of the University.
	TRAINING	
	MIUR guidelines: 'Rationalize and reorganize the research doctorate schools'	During their education, researchers should have a structured relationship with their supervisors in order to gain full advantage from these academic ties.
		Senior researchers should be aware of the multifaceted role they play and create the conditions for an effective knowledge transfer to the younger researchers.
	MIUR guidelines: 'development of continuing training over the course of work-life, indispensable in an advanced and rapidly changing economy'	<p>Researchers at all levels should enhance their level of expertise and up-date their knowledge on a continual basis.</p> <p>Research institutions should strongly support all activities fostering research up-date.</p>
New funding mechanisms of the university research (evaluations of individual's productivity based on		Funding agencies or research institutions should control that supervisors have sufficient time and

bibliometric indices)		capacity to offer effective guidance to the young researchers who work with them.
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Reference legislation

- DPR 382 del 1980:
- Legge 421/1992
- Legge 210/1998 (Berlinguer)
- D Lgs 165/2001
- Legge 230/2005
- DL 180, nov 2008 "Urgent measures for the studying rights, the valorization of the merit and the quality of the university and research system"
- DM 89/2009 28.7.2009
- MIUR Guidelines
- Law proposal in issues of organization. and qualification of the university system, October 2009

(1) Intellectual Property Right

(2) MIUR