



POLITECNICO DI MILANO

THE RECTOR

HAVING REGARD TO Italian Law No 70 of 20.03.1975 'Provisions on the reorganisation of public bodies and the employment relationship of employees', and subsequent amendments;

HAVING REGARD TO Italian Presidential Decree No 382 of 11.07.1980, 'Restructuring of university teaching, related training level and organisational and educational experimentation', and subsequent amendments;

HAVING REGARD TO Italian Law No 168 of 09.05.1989, 'Establishment of the Ministry of Universities and Scientific and Technological Research' and subsequent amendments;

HAVING REGARD TO Italian Law No 241 of 07.08.1990, 'New rules on administrative procedure and the right of access to administrative documents', and subsequent amendments;

HAVING REGARD TO Italian Law No 370 of 19.10.1999 'Provisions on universities and scientific and technological research', and subsequent amendments;

HAVING REGARD TO Italian Legislative Decree No 165 of 30.03.2001, 'General labour regulations for employees of public administrations', and subsequent amendments;

HAVING REGARD TO Italian Law No 240 of 30.12.2010, 'Regulations on the organisation of universities, academic staff and recruitment, as well as delegation to the Government to encourage the quality and efficiency of the university system', and subsequent amendments;

HAVING REGARD TO Decree-Law No 201 of 06.11.2011, 'Urgent provisions for growth, equity and the consolidation of public finance', converted, with amendments, into Law No 214 of 22 December 2011, and subsequent amendments;

HAVING REGARD TO Legislative Decree No 50 of 18.04.2016, 'Code of public contracts', and subsequent amendments;

HAVING REGARD TO the General Data Protection Regulation - Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016;

HAVING REGARD TO the National Collective Labour Agreements ('CCNL') - University Sector - in force at the time;

HAVING REGARD TO the University Statute in force;

HAVING REGARD TO the General University Regulations in force;

HAVING REGARD TO the current University Regulations for Administration, Finance and Accounting;

HAVING REGARD TO Rectoral Decree No 1152 of 05.05.2008 by which the Industrial Property Regulation was issued, as amended;

HAVING REGARD TO Rectoral Decree No 5803 of 19.02.2014 by which the Regulations on services on behalf of third parties was issued, as amended;

HAVING REGARD TO the University Regulations for the health and safety of workers in the workplace, issued by Rectoral Decree No 1137/AG of 09.04.2013, and subsequent amendments;

HAVING REGARD TO the Regulations of Politecnico di Milano on the processing of personal data and ICT security, issued by Rectoral Decree No 6761 of 06.10.2020

HAVING ACQUIRED the favourable opinions of the University Senate and the Board of Governors at their respective meetings of 19 and 27 April 2021 concerning the partial amendments to the Regulations on services on behalf of third parties;

HEREBY DECREES

- 1) The Regulations on services on behalf of third parties, issued by Rectoral Decree No 5083 of 19.02.2014 and fully revised by Rectoral Decree No 1316 of 16.02.2021, is partially amended as shown in the text which is an integral part of this decree, for the reasons mentioned in the introduction.
- 2) Partial amendments are made to Article 11 'Finance exempt from levies on revenues' - paragraph (1) - paragraph letter (g) and to Article 22 'Abrogative provisions, transitory provisions and entry into force', the amendments are marked in ***bold italics***.

REGULATIONS ON OF SERVICES ON BEHALF OF THIRD PARTIES

CONTENTS

CHAPTER I - GENERAL PRINCIPLES AND COMPETENCES

- Article 1 Purpose and Scope of Application
- Article 2 References
- Article 3 Definitions, Abbreviations and Acronyms
- Article 4 Duties and Responsibilities
 - 4.1 *Rector*
 - 4.2 *Board of Governors*
 - 4.3 *Structure Governing Bodies*
 - 4.4 *General Director*
 - 4.5 *University Administration*
 - 4.6 *Head of Structure, Department and Campus Managers*
 - 4.7 *Head of the Service*

CHAPTER II - FORMS OF MANAGEMENT

SECTION I: FORMALISATION OF SERVICES ON BEHALF OF THIRD PARTIES

- Article 5 Framework Agreements
- Article 6 Contents of Contracts
- Article 7 Approval of Contracts and Price Lists and Related Obligations
- Article 8 Donations and Contributions
- Article 9 Calculating the Consideration
- Article 10 Levies on Revenues
- Article 11 Finance Exempt from Levies on Revenues
- Article 12 Third-party Notional Share

SECTION II: STAFF REMUNERATION

- Article 13 University Endowment Fund
- Article 14 Technical and Administrative Collaborating and Support Staff Funds
- Article 15 Incentives for the Structures
- Article 16 Allocation of the Technical and Administrative Collaborating and Support Staff Fund
- Article 17 Determination of Remuneration for Technical and Administrative Collaborating and Support Staff
- Article 18 Upper Limit on the Accumulation of Incentive Payment to Technical and Administrative staff
- Article 19 Teaching Staff Remuneration

CHAPTER III - FINAL PROVISIONS

- Article 20 Forms and Annexes
- Article 21 Archiving
- Article 22 Abrogative Provisions, Transitory Provisions and Entry into Force

CHAPTER I - GENERAL PRINCIPLES AND COMPETENCES

Article 1

Purpose and Scope of Application

- 1) This Regulations set out the duties, responsibilities and management procedures relating to services on behalf of third parties, and applies to all the Structures at Politecnico di Milano
- 2) These Regulations provide for management methods relating to the following phases:
 - a) formalisation of services on behalf of third parties;
 - b) staff remuneration.

Article 2 **References**

- 1) The reference documents of these Regulations are:
 - a) Regulations for Administration, Finance and Accounting;
 - b) Presidential Decree No 92 of 11.07.1980, and subsequent amendments and additions;
 - c) Law 370 of 19.10.1999, Article 4, and subsequent amendments and additions;
 - d) Law 240 of 30.12.2010 Article 9, and subsequent amendments and additions;
 - e) Legislative Decree 50 of 18.04.2016, and subsequent amendments and additions;
 - f) Legislative Decree 101 of 10.08.2018;
 - g) National Collective Labour Agreements ('CCNL') - Education and Research Division- in force;
 - h) University's regulations for the health and safety of workers in the workplace;
 - i) University Industrial Property Regulations;
 - j) EU Regulation No 2016/679 (General Data Protection Regulation or GDPR);
 - k) University regulations on the processing of personal data and IT security.

Article 3 **Definitions, Abbreviations and Acronyms**

- I) In these Regulations, services on behalf of third parties are understood as research, consultancy and teaching activities carried out in the interest of public and private entities, consistent with the University's research development and enhancement activities and with the institutional aims of Politecnico di Milano, also aimed at developing the entrepreneurship of the Departments and of the other University Structures and to strengthen their resources.
- 2) In particular, the following shall be considered services on behalf of third parties:
 - a) research services, understood as activities with a prevalent innovative purpose in the scientific or technical field, in method or substance, at a theoretical and/or applicative level;
 - b) consultancy services, understood as planning activities for research or projects in progress at the client's premises, suggestions, opinions and, in general, technical and scientific support that require a limited use of the University's resources;
 - c) extra-curricular teaching services, understood as professional qualification and refresher courses and workshops, also carried out in collaboration with third public or private parties under scientific/teaching control from Politecnico's Structures, and University Specializing Masters 's and Postgraduate Programmes;
 - d) analyses, including numerical analyses, checks, tests, calibrations, experiences and technical and scientific services supplied by means of official certificates or technical documents bearing the results of the same.
 - e) Targeted contributions as set forth in Article 8
 - f) provision of services, understood as any other commercial activity carried out in the interest of third parties that is not contrary to the principles set out in the preceding paragraph.
- 3) Services provided by a Structure for the benefit of another Structure whose financial coverage does not derive from self-financing funds are not considered services on behalf for third-parties.
- 4) In these Regulations, the following abbreviations and acronyms are used:
 - a) BoG Board of Governors
 - b) EU
 - c) FCA University Endowment Fund (Fondo Comune di Ateneo)
 - d) FPC Technical and Administrative Collaborating Staff Fund (Fondo di Personale tecnico-amministrativo Collaborante)
 - e) FPS Technical-Administrative Support Staff Fund (Fondo di Personale tecnico-amministrativo di Supporto)
 - f) FRS Staff Research and Development Fund (Fondo per la Ricerca e lo Sviluppo delle Risorse)
 - g) FSS Structure Development Fund (Fondo per lo sviluppo della Struttura)
 - h) GD General Director
 - i) IPRA Intranet for Research and Self-Financing.
 - j) LI lower limit of average revenue (per Technical and Administrative Staff unit)
 - k) LPD minimum target values to be achieved for the revenues from services on behalf of third parties by the individual Structures
 - l) LS Upper limit of average revenue (per Technical and Administrative Staff unit)
 - m) PAE Additional levies on revenues (Prelievi Aggiuntivi sulle Entrate)
 - n) PM average revenue realised per Technical and Administrative Staff unit
 - o) RSU Unitary Trade Union Representatives (Rappresentanza Unica Sindacale)

p) TU Trade Union

Article 4 **Duties and Responsibilities**

4.1 Rector

The Rector has exclusive powers in the field of framework agreements, as better defined in Article 5 of these Regulations.

4.2 Board of Governors

- a) approves contract proposals in the event of non-compliance with the provisions of Article 6;
- b) approves any proposals for amendments to these Regulations, subject to the favourable opinion of the University Senate and, if the amendments have an impact on the Technical and Administrative Staff, after discussion with the Unitary Trade Union Representatives and the Trade Unions;
- c) decides, in consultation with the Heads of Structures, on any minimum target values to be achieved for revenues from services on behalf of third parties (LPD);
- d) periodically updates the criteria for defining the exemption rules and the third-party notional share referred to in Articles 11 and 12.
- e) resolves on:
 - 1) the value of the FCA, at the proposal of the General Director;
 - 2) the share of the FPS Fund to be allocated to remuneration for particular functions;
 - 3) the amount of LI and LS limit values of the average revenue;
 - 4) the maximum percentage of integration from the FPS Fund in favour of Structure Staff;
 - 5) resolves on the reasoned proposal of the governing bodies of the Structures, other exemptions from the levies for the FRS, FCA, FPS and FPC than those already provided for in Article 11.

4.3 Structure Governing Bodies

- a) send the contract proposals for approval by the BoG in the event of non-compliance with the provisions of Article 6;
- b) approves contracts and the relevant 'Economic Framework';
- c) approves deeds relating to the participation in calls for tenders for the provision of services referred to in Articles 3.1 and 3.2;
- d) resolves on the acceptance of targeted contributions made by way of donations;
- e) approves an appropriate price list for standardised or repetitive services;
- f) approves the anonymous and aggregated prospectus with the proposals for the payment of Staff salaries in order to authorise the overall expenditure on individual contracts;
- g) resolves, in a plenary session of the Department Board, on the possible additional percentage on the minimum FPC Fund and the possible Additional Levies on Revenues (PAE).

4.4 General Director

- a) Proposes annually to the Board of Governors the total value of the third-party levy (under Article 10 paragraph 1 letters a, b) to be allocated to the FCA Fund.
- b) Approves, directly or through a delegate of his/hers, proposals for the distribution of remunerations from FPS and 'FPC' to Technical and Administrative Staff.

4.5 University Administration

- a) communicates to each Structure, through the competent Units, their share of the FPS Fund;
- b) ensures, through the competent Units, the preparation and updating of the Staff Legal Files;
- c) ensures, through the relevant Units, the processing of the FPS and 'FPC' data of each Structure;

- d) monitors, through the relevant Units, all the accessory remuneration paid to Technical and Administrative Staff;
- e) annually sends the results of this monitoring to the Heads of Structures, Structure Managers, Trade Unions and the University's Unitary Trade Union Representatives (RSU);
- f) manages the University's self-financing database via the IPRA management system.

4.6 Head of Structure, Department and Campus Managers

Head of Structure means the Heads of Departments, the Campus Vice-Rectors, Heads of Areas.

- Head of Structure

- a) signs the contracts and the relevant "Financial Framework" and takes care of their fulfilment;
- b) signs the price list for standardised or repeated services;
- c) signs the deeds related to participation in calls for tenders;
- d) signs the deeds related to the acceptance of targeted contributions made by way of donations;
- e) submits to the General Director, with the support of the Structure Manager, in order to ensure the overall consistency of remuneration and the allocation of any additional incentives with respect to those indicated in letter (b);
- f) ensures the entering into IPRA, as per Article 4.5 letter (f), of the elements characterising the contracts/projects/offers from the proposal to the signing.

- In Departments and Campuses, the Structure Manager:

- a) ensures that the elements characterising the contracts referred to in Article 4.5, letter (f), managed by the University Administration, are entered into the special database of contracts;
- b) informs the General Director of the proposed distribution of remuneration for Technical and Administrative Staff;
- c) ensures that individual payment is communicated to the Technical and Administrative Staff concerned and the allocation table to the collegial body of the Structure to which they belong, indicating personal data exclusively in anonymous and aggregate form, in order to authorise the overall expenditure on individual projects and/or contracts;
- d) ensures data are transmitted to the competent office of the University Administration.

- In their area of responsibility, the Head of Area:

- a) informs the General Director of the proposed distribution of remuneration for Technical and Administrative Staff;
- b) ensures, also through the Heads of Department, the communication of the individual pay to the relevant Technical and Administrative Staff;
- c) ensures data are transmitted to the competent office of the University Administration.

4.7 Head of the Service:

- a) countersigns contracts and deeds related to participation in calls for tenders;
- b) coordinates service-related activities and ensures the proper fulfilment of contractual obligations within their competence;
- c) determines the consideration for services of a non-repetitive nature;
- d) prepares the prospectus for determining the consideration ('Economic Framework');
- e) compiles the relevant parts in IPRA, prepares the prospectus for determining the consideration ('Economic Framework') and validates it.

CHAPTER II - FORMS OF MANAGEMENT

SECTION I Formalisation of Services on Behalf of Third Parties

Article 5 Framework Agreements

- 1) Politecnico may enter into long-term framework agreements with public and private entities for collaborations in areas of common interest to both parties, also known as Joint Research Centres.
- 2) Framework agreements on interdisciplinary topics and/or topics related to strategic University projects are under the responsibility of the Rector or a delegate of his/hers.
- 3) The framework agreements Structures propose to the Rector or a delegate of his/hers shall, as a rule, be approved in advance by the Management Body of the proposing Structure;
- 4) Framework agreements regulating future research or teaching relationships by means of an appropriate contract outline, price lists or other contractual definitions, which are an integral part of the agreement itself, shall be approved in advance by the Board of Governors, with the favourable opinion of the University Senate.
- 5) Any Agreements to implement the Framework Agreements governing obligations for the University, such as, for example, the acquisition of research infrastructures, instruments or research staff on a fixed or permanent basis, are to be approved in advance by the Board of Governors, with the favourable opinion of the University Senate.
- 6) The framework agreements may be regulated by specific guidelines issued by the Board of Governors after consultation with the University Senate.

Article 6 Contents of the Contracts

- 1) Contracts relating to the services referred to in Article 3 must indicate:
 - a) the subject matter;
 - b) the Structure(s) of Politecnico that shall perform the service;
 - c) the Head(s) of the Service(s) identified among the permanent teaching staff or among the permanent technical and administrative staff with documented technical and scientific or technical and managerial skills;
 - d) the duration, any termination and/or extension procedures;
 - e) the methods for presenting the results;
 - f) any possibility of using non-employees for purely instrumental and non-exhaustive activities with respect to the subject of the research;
 - g) any loan of materials and equipment provided by the client;
 - h) the total amount to be paid to Politecnico with specification of the VAT or indication of the reasons for exemption; the methods of collection; the terms of payment;
 - i) the regulation of intellectual property and patent rights, in accordance with the provisions of the University's Industrial Property Regulations and the guidelines approved by the Board of Governors, unless the nature of the research excludes patenting results;
 - j) the prohibition to cite Politecnico for promotional purposes;
 - k) any foreseen penalties for delayed delivery of the results of the research or consultancy or for non-fulfilment, it being understood that the same must be commensurate with the consideration provided for in the contract;
 - l) any confidentiality obligations, it being understood that, in the event of non-compliance, the compensation must be commensurate with the contract consideration or in any case limited in amount;
 - m) the occupational safety regulations set out in the University Regulations for the Health and Safety of Workers in the Workplace and in current legislation, in the event of the involvement of the client's staff on the premises

- of Politecnico or of Politecnico staff on the premises of the client or of third parties;
- n) the applicable rules on the protection of personal data, with particular attention to the provisions contained in the University Regulations on the processing of personal data and IT security where the purpose of the activities involves the processing of personal data;
 - o) the means of resolving disputes arising from the service;
 - p) any authorisations for the publication of the title of the research on the University website which, at the Client's request, may refer to the Client themselves or be published in generalised form.

Article 7

Approval of Contracts and Price Lists and Related Obligations

- 1) Research, consultancy or teaching activities on behalf of third parties require the signing of an appropriate contract between Politecnico and the Client.
- 2) In the event of non-compliance with the provisions of Article 6, the governing bodies of the proposing Structure shall submit the contract proposal to the Board of Governors for approval.
- 3) In the event of experimental activities being carried out (either inside or outside Politecnico) or in any case when provided for by the University Regulations for the Health and Safety of workers in the workplace, the contract proposals submitted for approval must include an attachment containing the risk assessment document for the activity (including interference) drawn up by the parties and in the manner laid down in the Regulations. This document must stay on the record in the meeting of the governing body approving the proposal.
- 4) Contracts shall become effective when signed by the Head of the relevant Structure; they shall also be signed by the Head of the Service, who shall coordinate the related activities and ensure the proper performance of the contractual obligations, and by the General Director or the General Director's delegate, who shall ensure their correctness from an administrative and accounting point of view.
- 5) Any amendments to the contract must be recorded and kept together with the contract, signed by the parties as indicated in the previous article.
- 6) The reports and records of the experimental activities carried out and the methodologies adopted, and the certifications achieved as a result of the work carried out must be identifiable and kept by the Structure performing the service, in a manner that can easily be traced back to the contract.
- 7) The reports on the results envisaged in the contract shall be signed by the Head of the Service, who shall ensure their technical and scientific adequacy and compliance with the contractual obligations, and shall be forwarded to the Client by the Head of the Structure.
- 8) Where applicable, the Head of the Service, the Client and the Head of the Structure shall sign a contract performance report. Such a report must be provided where, for reasons of confidentiality of information or for other specific reasons, contract performance is not attested to by a final report or another document certifying contract performance.
- 9) For any penalties arising from unjustifiable contractual breaches, Politecnico may claim against the Head of the Service. All financial costs arising from the contract shall be covered by the consideration of the contract or, in any event, shall be born by the proposing Structure.
- 10) For the provision of services referred to in Article 3, paragraph 2 - letter (d), the Structure governing bodies shall approve a specific price list that must be uploaded to the UGOV accounting system to enable the proper management of the IPRA offers form, taking into account the charges indicated in Article 9 below for contractual services. The price list shall be made effective by the signature of the Head of Structure. These services do not require a contract to be concluded but only a request from the Client to the relevant Facility. The acceptance of the request or the approval of the offer shall be carried out by the Head of the Facility or a delegate of theirs holding a formal power of attorney, and must be supplemented by taking into account any safety charges deriving from the activities requested.

- 11) All documents relating to the entire contract management process from the proposal to the collection of the last instalment envisaged by the contract must be entered in IPRA.

Article 8

Donations and Contributions

- 1) Contributions made as donations shall not entail any obligation for the Politecnico's Facility involved, except for possible citation in publications relating to the funded research. The governing bodies of the Structures responsible for research and teaching management shall decide whether to accept these contributions.
- 2) A targeted contribution is any loan for which the financing entity places restrictions on the use and/or management of the contribution granted. Pursuant to Article 793 of the Italian Civil Code, a contribution is a modal donation if the private individual or legal entity intends to donate by including a burden in the proposed donation.
- 3) The Head of Facility shall sign the acceptance documents.

Article 9

Determining the Consideration

- 1) Fees, excluding VAT, are to be determined by calculating all charges necessary for the service. Upon approval of the contract by the Collegial Bodies, the Head of the Service will have to certify the financial viability of the project.
- 2) In determining the consideration for the services, reference may be made to prices applied by local authorities, prices determined according to general regulatory provisions or market prices charged for the same or similar services by public or private entities, subject to the necessity of covering the costs incurred.
- 3) The prospectus for determining the consideration ('Financial Framework') shall be prepared by the Head of the Service and approved by the governing bodies of the Facility.

Article 10

Levies on Revenues

- 1) The considerations (excluding VAT) for the services referred to in Articles 3.1 and 3.2, as well as the targeted contributions for carrying out the activities referred to in Articles 3.1 and 3.2, are subject to the following levies:
 - a) a 10% share allocated to the FPS;
 - b) a minimum share of 5% for the 'FPC';
 - c) a 5% share allocated to the FRS Fund, for a specific section of the University Administration;
 - d) a 5% share allocated to the FSS Fund for Department or Facility policies;
 - e) the possible Additional Levies on Revenues (PAE) applied by the individual Facility also as a supplement to the 'FPC'.
- 2) In the case of services that are spread over several University Structures, charges will be levied on the portion of revenue payable to the individual Structures in accordance with the percentages laid down by the Structures themselves.
- 3) Pursuant to Article 3 - paragraph 3, the levies referred to in paragraph 1 of this Article do not apply to revenues from any paid services requested for any reason from another internal structures, when such service is paid for with funds provided by the University. In that case, no payment can be made to staff. When, instead, they are internal services related to the performance of activities for third parties, levies shall be applied only by the structure providing the internal service.
- 4) The exemption regime is detailed in Article 11 below.
- 5) Revenues from concessions for the use of the University's industrial and intellectual property rights will be subject to a 5% deduction to be allocated to the FRS Fund. The remainder of these revenues shall be managed in accordance with the University's Industrial Property Regulation.

Article 11

Finance Exempt from Levies on Revenues

- 1) The following revenues are exempt from levies in favour of the FRS, FPS, FSS and 'FPC' under Article 10:

- a) financing provided by public or private, national or international entities, where such levies are explicitly excluded by the law or regulations;
 - b) contributions aimed at the activation of scholarships, temporary research fellowships and fixed-term and permanent staff positions;
 - c) the shares of research contracts signed under the framework agreements referred to in Article 5 of these Regulations, intended for the activation of permanent staff positions.
 - d) the share of the amounts of research or teaching projects and contracts, including those entered into with Politecnico's partner Consortia which provide for the establishment of scholarships, temporary research fellowships or fixed-term positions or staff, for an amount not exceeding 50% of the consideration of the contract;
 - e) revenues from agreements entered into with third parties for the purpose of supporting the management of institutional teaching activities in Campuses;
 - f) the share of the consideration that Politecnico, as coordinator of projects financed by national and international public entities, transfers to the other partners;
 - g) ERC projects (*H2020 and Horizon Europe*), unless the Principal Investigator expressly requests, *for one or more specific financing instalments*, to fall under the ordinary management of research contracts *in order to allow for the payment of remuneration on behalf of third-parties*.
- 2) The following are subject only to levy for the FRS Fund:
- a) financing that does not fall within the scope of the services referred to in Articles 3.1 and 3.2 and therefore are not on behalf of third parties;
 - b) financing provided by public or private, national or international entities, if, by explicit statutory or regulatory provision, the notional charges are not sufficient to allow normal levies;
 - c) the shares of active contracts intended for the acquisition of services necessary for the performance of the contractual service from Politecnico's partner entities, provided that:
 - the partner entities have at their disposal logistic facilities (either their own, leased or governed by special agreements);
 - The contract allows for subcontracts.
- 3) In the case of national and international projects won by a Principal Investigator to carry out a specific research project (e.g., Marie Curie), no University levies shall be applied on the share of financing allocated to cover the Principal Investigator's salary. The remainder shall be considered research activity and follow the rules set out in the preceding paragraphs.
- 4) Other exemptions may be decided by Politecnico's Board of Governors, upon reasoned from the Governing Bodies of the Structures involved.
- 5) Funds of the types referred to in this Article cannot be used for paying staff remuneration.

Article 12 Third-party Notional Share

- 1) The University's reward system also uses an item that measures self-financing and takes into account not only services on behalf of third parties referred to in Articles 3.1 and 3.2, but also a notional share that takes into account the activities of the partner entities.
- 2) The following items contribute to defining self-financing for the purposes of the University's reward system:
- a) Contracts entered into by departments for research, teaching or consultancy activities, regardless of the applicable deduction regime;
 - b) Sponsorship contracts;
 - c) Contracts entered into by Campuses and University Services, regardless of the applicable deduction regime, for the share pertaining to each department;
 - d) The revenue from the exploitation of copyrights managed by the appropriate University Service, for the share pertaining to each department;
 - e) Amounts paid by Politecnico's partners as managers of University Specializing Masters and Postgraduate Courses in accordance with the current Regulations on Specializing Masters.

- 3) In the calculation of the third-party notional share, the multiplier for the is 1under letters (a) to (d) of the preceding paragraph is 1, while the multiplier for the shares under letter (e) is 10.
- 4) The calculation of the third-party notional share is entrusted to the competent service of Administration and Finance

SECTION II **Staff Remuneration**

Article 13 **University Endowment Fund**

- 1) The University Endowment Fund (FCA) is established annually, as decided by the Board of Governors, up to a maximum of EUR 250,000 from the sum of the levies for FPS + FPC. The Board of Governors itself may decide on an additional share, above the aforementioned limit, to be charged to the bonus referred to in Article 15. The University Endowment Fund, thus constituted, is intended to activate measures in favour of workers to be defined in a supplementary agreement pursuant to Article 4 of the National Collective Labour Agreements ('CCNL') of 16.10.2008. In the event that a proposal for an agreement for using this fund is not signed by 30 June each year, the established amount shall be returned to its original funds, so that it can be redistributed to the technical and administrative staff in the manner provided for in these Regulations.

Article 14 **Technical and Administrative Collaborating and Support Staff Funds**

- 1) The Structures must inform the University Administration no later than 31 January of the amounts collected in the previous financial year, specifying any amounts for which the allocation is referred.
- 2) Levies for payments to Technical and Administrative Staff, as well as the costs of teaching and Technical and Administrative Staff engaged in the services, are inclusive of all statutory social security, welfare and contribution charges payable by the employer.

Article 15 **Incentives for the Structures**

- 1) Each year, when formulating the budget, the Board of Governors may set minimum target values to be achieved for the revenue from services on behalf of third parties of the individual Structures(LPD) To this end, the Rector shall submit a proposal agreed with the Heads of Structures, based on the comparison between the result of the monitoring of the revenue collected in previous years and the results of the economic management control.
- 2) Without prejudice to the obligation to set aside in advance all the levies referred to in Article 10, a Bonus Fund shall be implemented at the end of the annual financial year, funded by the levy allocated to the FPS Fund calculated on the portion exceeding the limit value established for the proceeds of each individual Facility (LPD); the use of the Bonus Fund shall be governed annually by the BoG, taking into account the relative contribution of the various Structures.

Article 16 **Allocation of the Technical and Administrative Collaborating and Support Staff Fund**

- 1) The Board of Governors decides on the share of the FPS to be allocated to payments for particular projects and/or functions; this share may not exceed 30% of the FPS.
- 2) For determining the percentages of participation of the various Structures in the distribution of the FPS, the Structures themselves are classified in relation to the average revenue earned per unit of their respective Technical and Administrative Staff (PM).
- 3) The revenue relates to the total amounts collected on behalf of third parties.
- 4) The number of Technical and Administrative Staff units belonging to the various Structures is related to the period of belonging, with periods equal to or exceeding 15 days being rounded up to a whole month.
- 5) Structures whose average revenue (per Technical and Administrative Staff unit) exceeds a certain upper limit (LS) shall proceed to determine the remuneration for their

- staff using only their FPC, without receiving any supplement from the FPS (self-supporting Structures).
- 6) The Structures (with the exception of the University Administration Structures and the Campuses), whose average revenue (per unit of Technical and Administrative Staff) does not reach a certain lower limit (LI), determine the remuneration for their staff using both funds: the FPC plus the supplement from the FPS.
 - 7) For the Structures (with the exception of the University Administration Structures and the Campuses) whose average revenue (per unit of Technical and Administrative Staff) is between the LI and LS values, the supplement to their FPC from the FPS shall be made with a percentage participation share (between 100% and 0%) which decreases linearly as the average revenue increases.
 - 8) By subtracting from the total the staff units pertaining to the self-supporting Structures and to the Structures that for various reasons receive a supplement from the FPS and deducting these supplements from the FPS, the average remuneration (per unit of Technical and Administrative Staff) pertaining to the University Administration and Campuses is determined.
 - 9) The allocation of the FPS between the University Administration Structures and the Campuses is done by the General Director on the basis of the number of related staff units and according to their relative placement in the University professional model, taking into account salary positioning choices functional to the strategic and organisational objectives of the University. The General Director may also take into account the availability, on the part of the individual Structures, of any other revenue intended for remuneration of staff.
 - 10) The amount of the LI and LS values of the average revenue (per unit of Technical and Administrative Staff) as well as the maximum percentage participation share of Structures in the FPS supplement shall be established annually by the Board of Governors based on the result of the monitoring of the proceeds collected and the results of the economic management control in general.
 - 11) By April of each year, the Board of Governors shall decide:
 - a) the share of FPS to be allocated to remuneration for particular functions;
 - b) the amount of LI and LS limit values of the average revenue;
 - c) the maximum percentage of the Structures' participation in the supplement from the FPS;
 - d) any share of the Bonus Fund referred to in Article 15- paragraph 2 to be allocated to the FCA;
 - e) the percentage of allocation of the Bonus Fund, net of the FCA share, between the General Director and the Structures.
 - 12) The Structure has the right to allocate part of its share of FPS + FPC , even in addition to other funds, to the financing of support activities, or for the establishment of fixed-term employment relationships. This is with the aim of achieving coordinated and optimised management of human resources, also in relation to the alternative between the acquisition of new employees and the assignment of further (paid) activities to current employees.

Article 17

Article 17 Determination of Remuneration for Technical and Administrative Collaborating and Support Staff

- 1) The criteria for determining the budget and remuneration from both the FPS and the FPC must be uniform and valid for all Structures, including those of the University Administration, and linked to performance evaluation systems based on guidelines defined by the General Director. Proposals for allocation must be communicated to the individual concerned before being disbursed by the competent University Administration Structure.
- 2) The gross remuneration of the Technical and Administrative Staff cannot exceed the limit of 200% of the total gross annual remuneration of the highest category staff and the maximum economic position envisaged by the National Collective Labour Agreements ('CCNL').
- 3) It is up to the General Director to set an annual limit of less than 200% for technical and administrative staff.
- 4) By April of each year, each individual Structure shall be notified the share of FPS allocated to them based on the considerations verified and collected by the University Administration.

- 5) By May of each year, all Structures shall submit their allocation proposals to the Administration.

Article 18

Upper Limit of the Accumulation of Remuneration to Technical and Administrative Staff

- 1) The overall value of the remuneration paid annually to Technical and Administrative Staff cannot exceed the upper limit defined by current legislation.
- 2) The relevant Structures shall monitor all additional payments made to Technical and Administrative Staff. Processing of this monitoring is sent annually to the Heads of Structures, Facility Managers, University Unitary Trade Union Representatives and Trade Unions.

Article 19

Remuneration of Teaching Staff

- 1) On the proceeds deriving from the activities governed by these Regulations, after deducting the levies provided for in Article 10 and any other expenses necessary to fully perform a contract, payment can be made to teaching staff upon proposal of the contract manager; this proposal shall be submitted every April and subject to resolution of the Structure's collegial body.
- 2) An advance payment can be made to teaching staff from collected amounts upon request of the contract manager.
- 3) The gross payment made may not exceed 200% of the gross annual total remuneration of a full-time full professor at the highest salary level and in any case may not exceed the upper limit provided for by the regulations in force.

CHAPTER III - FINAL PROVISIONS

Article 20

Forms

- 1) Economic Framework diagrams are available in IPRA

Article 21

Filing

- 1) All documentation relating to services on behalf of third parties and documentation relating to remuneration paid to Teaching Staff and Technical and Administrative Staff shall be filed in the archive by the secretary of the Structure involved. Heads of Administration Areas, and Department and Campus Managers, shall ensure accessibility and availability of the said documentation.
- 2) Politecnico ensures the conservation of the documentation relating to services on behalf of third parties for a minimum period of ten years, starting on the supply of the product to the Client or to the market.

Article 22

Abrogative Provisions, Transitory Provisions and Entry into Force

- 1) As from the entry into force of this Regulation, any rules contrary to or incompatible with it shall be repealed.
- 2) ***These Regulations apply to contracts entered into on or after 1 January 2021 and to the allocation of related remuneration.***
- 3) ***The amendments made to Article 11 - paragraph 1 - letter (g) of these Regulations comes into force on the day following the date of issue of the Rectoral Decree published on the University website <https://www.normativa.polimi.it/>.***

THE RECTOR

Professor Ferruccio Resta

Signed digitally in accordance with the eGovernment Code