



POLITECNICO
MILANO 1863

POLITECNICO DI MILANO

THE RECTOR

HAVING REGARD TO Italian Presidential Decree No 3 of 10.01.1957 'Consolidated text of the provisions concerning the status of the civil employees of the State - Statute of the civil employees of the State', and subsequent amendments;

HAVING REGARD TO Italian Presidential Decree No 686 of 3.05.1957 'Rules for the implementation of the Consolidated Text of the provisions on the Statute of the civil employees of the State', approved by Italian Presidential Decree no. 3 of 10.01.1957;

HAVING REGARD TO Italian Presidential Decree No 382 of 11.07.1980, 'Restructuring of university teaching, related training levels and organizational 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 Legislative Decree No 165 of 30.03.2001, 'General labour regulations for employees of public administrations', and subsequent amendments;

HAVING REGARD TO Law 04.11.2005, no. 230 'New regulations on university professors and researchers and delegation to the Government for the reorganization of the recruitment of university professors', and in particular Art. 1 para. 12 thereof, subsequent amendments;

HAVING REGARD TO Italian Law No 240 of 31.12.2010, 'Regulations on the organization 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 Italian Law No 76 of 20.05.2016 'Regulation of same-sex civil partnerships and regulation of cohabitation';

HAVING REGARD to Italian Decree-Law No 76 of 16.07.2020, "Urgent measures for simplification and digital innovation", in particular Article 19 "Simplification measures concerning the organization of the university system", converted with amendments by Italian Law No 120 of 11.9.2020;

HAVING REGARD TO the Statute of Politecnico di Milano in force;

HAVING REGARD TO the General University Regulations in force;

HAVING REGARD TO the current Code of Ethics and Conduct of Politecnico di Milano;

HAVING ACKNOWLEDGED the resolutions adopted by the Academic Senate and the Board of Governors, in their respective meetings on 18 and 26 September 2023, in order to approve the new 'Regulations on assignments for untenured professors';

HAVING NOTICED that it is therefore necessary to issue Regulations governing assignments to untenured professors;

HEREBY DECREES

Art. 1

the Regulations governing assignments to untenured professors to be issued hereby issued, the text of which is an integral part of this Decree, for the reasons stated in the preamble.

Regulations governing formal offers for untenured professors

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Title I General Principles

Art. 1

Purpose and Field of Application

- 1) In order to carry out specific research programmes, Politecnico di Milano may enter into agreements with companies or foundations, or with other public or private entities, providing for the temporary establishment of untenured professor positions pursuant to Art. 1, para. 12, of Law 230/2005.
- 2) These Regulations govern the selection procedures, legal status and remuneration of untenured professors.

Art. 2

Type of Assignments

- 1) Untenured professor assignments shall have a maximum of three years and are renewable, subject to the conclusion of a new agreement or the renewal of a pre-existing one.
- 2) The total duration of assignments may not, in any case, exceed six years.
- 3) Assignments shall be conferred on a fixed-term commitment basis only.
- 4) The assignment may in no case extend beyond the end of the academic year in which the person concerned reaches the age limit for retirement of full professors.

Art. 3

Financial Coverage

- 1) The costs arising from the activation of the procedures shall be borne in full by the companies or foundations or other public and private entities involved, subject to the conclusion of special agreements. Where the funding entity chooses to pay the amount in several instalments, at the time of signing the agreement it must sign an appropriate bank or insurance guarantee corresponding to the non-disbursed amount.
Specifically, these agreements are of the 'cattedra convenzionata' (chair with special agreement) type or are university agreements including the provision of specific funding for the post to be activated.
- 2) The special agreements referred to in the preceding paragraph shall state:
 - a. the relevant scientific-disciplinary group;
 - b. the duration of the assignment and, where appropriate, the duration of the agreement;
 - c. The Department involved;
 - d. if the funding entity chooses to pay the amount in several instalments, the number of instalments.
- 3) The financial resources needed for fulfilling the financial commitments for the various posts must exist as early as on approval of the agreement by the Board of Governors and must also include the gross deductions to be paid by the Employee and the charges to be paid by the University.

Art. 4

Requests from Departments

- 1) A session of the Department Board restricted to full professor shall resolve the activation of the formal offer procedures for untenured professors, subject to the favourable opinion of the Schools in which the untenured professor shall operate, with the favourable vote of the absolute majority of those entitled to vote, and shall decide for and properly justify the use of one of the following conferment procedure:
 - a) formal offer following a selection procedure;
 - b) formal offer for direct conferment.

Art. 5

Subjective Requirements for the Conferment of Assignments

- 1) Untenured professorships may be conferred to:
 - a) scholars holding the national scientific qualification as full professor in accordance with Article 16 of Law 240/2010 for the relevant competition sector or for one of the competition sectors included in the same macro-sector, or for the relevant scientific-disciplinary group;
 - b) candidates that pursuant to Law 210/1998 are qualified for the role corresponding to the one for which the notice is issued, limited to the period of its duration;
 - c) individuals who are highly qualified in scientific and professional terms for the research project that is the subject matter of the agreement, including scholars permanently engaged abroad in university-level research or teaching activities in an academic position corresponding to that of full professor on the basis of the equivalency tables of Italian and foreign academic positions referred to in Article 18, paragraph 1, letter (b) of Law no. 240 of 30 December 2010.

Title II

Formal Offer for Untenured Professors following a Selection Procedure

Art. 6

Selection Procedure

- 1) The resolution activating the procedure must contain the following data:
 - a) number of posts;
 - b) the modes of financial coverage referred to in Article 3;
 - c) the scientific-disciplinary group, as referred to in Article 15 of Law 240/2010, for which the procedure is requested;
 - d) specification of one or more scientific disciplinary fields, where appropriate;
 - e) the specific research needs relating to the research programme covered by the agreement, as well as the type of teaching commitment, taking into account the necessary language skills, in accordance with the University Regulations on teaching commitment;
 - f) indication of the methods for assessing the proficiency in English language;
 - g) any indication of the methods for assessing candidates' language skills other than English, also in relation to the teaching requirements of courses delivered in a foreign language.
- 2) The selection procedure shall be carried out following a call issued by the Rector, published on the University website and publicised on those of the relevant Ministry and the European Union; notice of the call shall also be given on Gazzetta Ufficiale (Official Journal).
- 3) The call shall remain published for at least 30 consecutive days as of the day following its publication in Gazzetta Ufficiale (Official Journal).
- 4) The call must specify:
 - a) the role for which the procedure is activated;
 - b) number of places;
 - c) the Department involved;
 - d) the place of employment;
 - e) the scientific-disciplinary group, as referred to in Article 15 of Law 240/2010, for which the post is requested;
 - f) specification of one or more scientific disciplinary fields, where appropriate;
 - g) the specific research needs relating to the research programme covered by the agreement, as well as the type of teaching commitment, taking into account the necessary language skills, in accordance with the University Regulations on teaching commitment;
 - h) that employment is on a fixed-term basis;
 - i) financial and social security arrangements;

- j) the deadline and methods for submitting applications;
- k) the subjective requirements for admission to the procedure;
- l) indication of the assessment criteria to be followed by the Board pursuant to Article 8 of these Regulations;
- m) indication of a maximum number of publications, which may not be less than twelve;
- n) indication of the methods for assessing the proficiency in English language;
- n) any indication of the methods for assessing candidates' language skills other than English, also in relation to the teaching requirements of courses delivered in a foreign language.

Art. 7

Selection Board

- 1) The Selection Board shall be appointed by Rectoral Decree on the proposal of the Department Board which requested the filling of the post; it shall be composed of three full professors (even not belonging to Politecnico) from the scientific-disciplinary sector covered by the procedure and in such a way to ensure adequate gender representation. Professors in service at foreign Universities belonging to the scientific sector covered by the call may also be appointed in the Selection Board, provided that they are in an academic position equivalent to full professor according to the equivalency tables of Italian and foreign academic positions referred to in Article 18, paragraph 1, letter (b) of Law no. 240 of 30 December 2010.
The Department Board may also put forward a proposal on the composition of the Selection Board at the same time as the procedure is activated.
- 2) The Selection Board cannot include:
 - a) professors who are current members of the National Qualification Board in the reference session for the same competition sector or for one of the competition sectors included in the same macro-sector or for the same scientific-disciplinary group;
 - b) professors who obtained a negative assessment pursuant to Article 6 - paragraph 7 of Italian Law 240/2010;
 - c) professors who are in a conflict of interest with a candidate or have with them a relationship of marriage or kinship or affinity up to and including the 4th degree, or a same-sex civil union relationship as regulated by Article 1 of Italian Law No 76 of 20.05.2016, or are in a state of de facto cohabitation as regulated by Article 1 - paragraphs 37 et seq. of Italian Law No 76 of 20.05.2016.
 - d) professors who have been convicted, even with a sentence that has not been finalised, of the offences referred to in Chapter I of Title II of Book II of the Italian Penal Code;
 - e) those who find themselves in a situation of conflict of interest or in a situation for which the grounds for abstention referred to in Article 51 of the Code of Civil Procedure exist with the candidates or other members of the Board;
 - f) professors who are co-authors with one or more candidates, in a proportion of more than 50%, of the publications these candidates have submitted for assessment;
 - g) professors who have already been appointed, in the same calendar year, to 2 local Boards of Politecnico di Milano relating to selection procedures for untenured professors pursuant to Art. 1, para. 12, of Italian Law 230/2005. Appointments relating to selection procedures that were unsuccessful due to the absence of eligible candidates and those followed by withdrawal or resignation shall not be considered.
- 3) Candidates have 30 days from the date of publication to submit the Rector any objections regarding the Board members.
- 4) Members of the Selection Board are automatically required to take part in the work, except in cases of force majeure. In the event a Board member does not participate in the selection work and his/her non-participation is ascertained by Rectoral Decree, this Board member shall be excluded from the Selection Board. Renunciation of the appointment or resignation of a Board member due to unforeseen impediments must be adequately justified and documented, and shall take effect only after the Rector has issued a decree of acceptance.

- 5) The Boards shall choose from among its members a president and a secretary to take the minutes; these roles cannot be held by one individual only.
- 6) The Board shall perform its work in the presence of all its members and take its decisions by a majority of them.
- 7) The Board may use telematic tools for formal meetings and carry out all its sessions remotely. The manner in which a session is held must be adequately recorded in the minutes. Sessions involving interviews with candidates must be held face-to-face.

Art. 8

Selection Procedure

- 1) Where declared by applicants for participation, the Boards shall verify their actual fulfilling the requirement of high scientific and/or professional qualification relevant to the research project covered by the agreement.
- 2) The Boards shall assess the candidates admitted to the selection under this Title II on the basis of:
 - a. curriculum;
 - b. scientific publications;
 - c. teaching activity.
- 3) Candidates must submit, under penalty of exclusion from the selection procedure, all the documents required for assessment in accordance with the procedures indicated in the call for applications.
- 4) Exclusion from the selection procedure shall be ordered by reasoned decree of the General Director and notified to the person concerned.
- 5) The Boards, for the themes relevant to the profile for which the call has been issued and related interdisciplinary topics, shall use the following criteria:
 - a) quality of the scientific production, and/or project, assessed on the basis of criteria and parameters recognised in the relevant international scientific community;
 - b) teaching activities carried out at national and foreign Universities or Institutions;
 - c) scientific responsibility for funded research projects;
 - d) (where applicable) achievements in technology transfer in terms of participation in the creation of new companies (spin-offs), development, use and commercialisation of patents.
- 6) The Boards shall select for each post, by a majority of their members and from among the candidates judged eligible, the best qualified candidate to fulfil the specific research requirements relating to the research programme covered by the agreement, as well as the type of teaching commitment for which the procedure has been initiated.

Art. 9

Conclusion of the Procedure

- 1) The Boards shall conclude their work within three months from the date of publication of the Rectoral Decree of appointment on Albo Ufficiale di Ateneo (University Official Register).
- 2) The Rector may extend the deadline for the conclusion of the procedure once and for maximum one month, for proven reasons reported by the president of the Board. In the event that the procedure is not concluded within the established deadline, the Rector shall issue a justified decision to dissolve the Board and appoint a new one to replace the previous one. In the event that the Rector finds irregularities in the performance of the procedure, he/she shall issue a justified decision and send the relevant proceedings to the Board and assign it a deadline to make any changes.
- 3) For each of the Board's sessions, special report must be drawn up and signed by all the members; reports and related attachments may be drafted either in Italian or in English. If drawn up exclusively in English, before the decree approving the proceedings is issued, the procedure manager shall arrange for a specific sworn translation of all the reports and their attachments into Italian.
- 4) The proceedings of the selection procedure shall be approved by decree of the General Director within 60 days of the delivery of the minutes to the competent Administration office. When a certified translation into Italian has to be provided, the time limit runs from the day the translation is delivery to the procedure manager

- 5) The decree referred to in the preceding paragraph shall be published on the University website.

Art. 10

Formal Offers to Candidates

- 1) At the end of the selection procedure and within two months from the approval of the proceedings, the Department Board shall propose the Board of Governors to notify the formal offer to the successful candidate or candidates and issue the consequent resolution, or it shall decide not to do so and justifying this decision. Adoption of the resolution for proposal shall be adopted by an absolute majority of full professors.
- 2) The successful candidate shall sign the employment contract within 30 days of the Board of Governors' decision approving the proposed formal offer.

Title III

Formal Offers for Untenured Professors following Direct Conferment

Art. 11

Direct Conferment

- 1) After having heard the School in which the untenured professor shall operate, the Department Board shall, by an absolute majority of the full professors, propose to Board of Governors to confer the untenured professor assignment directly to scholars who meet one of the following requirements:
 - they have been awarded high scientific recognitions in the international arena;
 - they have held executive positions in qualified research institutes for at least three years.
- 2) The resolution of the Department Board shall state the reason for which the direct conferment is proposed and shall be forwarded to the Central Administration together with the Curriculum Vitae and certificates of the scholars concerned.
- 3) The successful candidate shall sign the employment contract within 30 days of the Board of Governors' decision approving the proposed formal offer.

Title IV

Rules governing the Employment Relationship

Art. 12

Conferring the Assignment

- 1) The assignment is conferred by concluding an individual fixed-term employment contract.
- 2) The contract must indicate:
 - a) the start and end date of the employment relationship;
 - b) the required services;
 - c) the Department involved;
 - d) the relevant scientific-disciplinary group;
 - e) the remuneration.
- 3) The employment contract shall be signed by the holder of the assignment contractor and the General Director.
- 4) The communication concerning the taking up of duties shall be signed by the Head of the Department.
- 5) The probationary period is three months of actual service and shall be assessed by the Head of the Department.

The probationary period shall be suspended in the event of sick leave. In such cases, the holder of the assignment will be entitled to retain their post for maximum three months, after which the relationship will terminate automatically, with no need for communication in this regard and with no entitlement to prior notice or other compensations. After the probationary period has elapsed without the employment relationship being terminated by either party, the holder of the assignment shall

be deemed to be confirmed in service and shall be accorded seniority from the day of his/her first recruitment, for all purposes.

- 6) In the event of termination, remuneration shall be paid up to the last day of actual service.

Art. 13

Educational and Institutional Tasks

- 1) Untenured professors have the same teaching duties of part-time tenured professors, may be members of Degree Examination Boards and may operate as thesis supervisors and/or co-supervisors, in accordance with the University regulations on Laurea (equivalent to Bachelor of Science) and Laurea Magistrale (equivalent to Master of Science) programmes.
- 2) Untenured professors shall participate in Study Programme Boards and are invited to attend Department Board meetings, without voting rights.

Art. 14

Arrangements for the Employment Relationship

- 1) The holder of the assignment shall operate as agreed with the Head of the relevant Department.
- 2) Self-certification of teaching, supplementary teaching, student service and research activities is defined by the specific University Regulations pursuant to Article 6 - paragraphs 7 and 8 of Italian Law No 240 of 30.12.2010.
- 3) The holder of the assignment shall be subject to the health checks provided for by Italian Legislative Decree No 81/2008, at the University's expense.
- 4) Disciplinary matters are governed by Article 10 of Italian Law No 240 of 30.12.2010.
- 5) Untenured professors cannot vote and cannot run for the offices envisaged by the Statute of Politecnico di Milano.
- 6) The holder of the assignment may not request internal mobility or a change of commitment regime.
- 7) The holder of the assignment is entitled to the provisions of Italian Legislative Decree No 151 of 26.03.2001 on the protection and support of maternity and paternity rights, of Italian Law No 104 of 05.02.1992 on welfare, social integration and the rights of disabled persons, and of Articles 37, 40 and 68 of Presidential Decree No 3 of 10.01.1957, and subsequent amendments, on extraordinary leave and sick leave. Sick leave may not exceed 18 months, the first 12 of which shall be paid in full and the remaining 6 at 50%.
- 8) No other forms of leave of absence are recognised.

Art. 15

Termination of the Employment Relationship

- 1) Termination of the employment relationship is determined by the expiry of the term or by the withdrawal of one of the parties and by any other cause of termination provided for by the legislation in force.
- 2) During the first three months, either party may terminate the contract at any time without notice or compensation in lieu of notice. Termination is effective from the time of communication to the other party.
- 3) After the period referred to in paragraph 2 of this article has elapsed and until the expiry of the term, the contract may still be terminated if there is a cause which, pursuant to Article 2119 of the Civil Code, does not allow for the relationship to continue, even on a temporary basis.
- 4) In the event of withdrawal communicated in writing after the end of the probationary period, the holder of the assignment is required to give 90 days' notice. In the event of failure to give the said notice, the Administration has the right to withhold an amount corresponding to the employee's salary for the period of notice not given. Funds not used for the contract shall be made available to the funding entity.

Art. 16

Incompatibility and Other Assignments

- 1) The rules in force for untenured professors concerning incompatibility and conflict of interest also apply to untenured professors.
- 2) No assignment can be conferred to those who have a relationship of kinship or affinity, up to the 4th degree inclusive, with a professor belonging to the Department that has requested the procedure to be activated or notifies the formal offer to the professor, or with the Rector, the General Director or members of the University's Board of Governors.
- 3) Full and associate university professors and researchers already employed on a permanent basis at Politecnico di Milano, even if they have left the service, are not eligible for selection.
- 4) Untenured professors shall be applied the provisions contained in the Regulation on the external appointments of professors and researchers.
- 5) The assignments referred to in these Regulations do not give rise to any right of access to University posts.

Art. 17

Legal, Financial, Social Security and Insurance Arrangements

- 1) Untenured professors shall be applied the same legal and financial arrangements as those for tenured full professors, for the entire duration of the employment relationship.
- 2) The total basic salary is equal to that established for class 0 full professors. Possible financial supplements to the basic salary may be provided for from the funds of the agreement. The basic salary shall remain unchanged for the duration of the contract.
- 3) The employment relationship established between Politecnico di Milano and the holder of the agreement is governed by the provisions in force on the subject, also as regards the social security and insurance arrangements provided for income from employment.
- 4) The University also provides insurance cover against accidents at work and occupational diseases and against civil liability.

Title VII Final provisions

Art. 18

Transitional and Final Provisions - Entry into Force of the Regulations

- 1) Until the adoption of the Decree referred to in Article 15, paragraph 1, of Law No. 240 of 30 December 2010, references to the scientific-disciplinary groups are to be interpreted as relating to the competition sectors in accordance with the rules in force on 29/06/2022.
- 2) Participation in the activities of the Boards appointed pursuant to these Regulations does not give rise to any remuneration.
- 3) For all matters not expressly governed by these Regulations, reference is made to Italian Law and to the legislation in force on the subjects concerned.
- 4) These Regulations enter into force on 1 November 2023 and are published on the University website <http://www.normativa.polimi.it>.

THE RECTOR
Prof. Donatella Sciuto

Digitally signed in accordance with the eGovernment Code and subsequent amendments and additions.