

Strengthening university autonomy and increasing accountability and transparency of Western Balkans Universities (STAND)

Legislation on University autonomy for staff recruitment in Italy

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The concept of **AUTONOMY** can be declined under various aspects, all of which are extremely important and strongly connected to each other:

REGULATORY AUTONOMY statutes and regulations

ORGANIZATIONAL AUTONOMY

FINANCIAL AND ACCOUNTING AUTONOMY

TEACHING AND SCIENTIFIC AUTONOMY

To summarize the process of change towards Italian university autonomy, it is necessary to highlight the time span and the most significant stages:

Law 168/1989 on autonomy that we can consider the milestone

Law 341/1990 Reform of didactic systems

Law 537/1993 Financial autonomy

Laws 59 and 127/1999 and DM 509/1999 Didactic discipline

Law 210/1998 Revision of the teacher recruitment system

In compliance with the autonomy recognized to universities, the recruitment procedures for access to university careers, both for teaching staff and administrative technical staff, are managed directly by the universities through local competitions.

The university career related to research and teaching activities is carried out by the following figures:

Full professor

Associate professor

Permanent researcher (role until exhaustion).

University assistants (role until exhaustion).

Type B Fixed-term researcher referred to in Article 24, paragraph 3, letter b) of Law 240 of 2010.

Fixed-term researcher referred to in Article 24, paragraph 3, letter a) of Law 240 of 2010.

Research fellow. Each individual contract can have a minimum duration of one year and a maximum of three years. The overall duration of the relationships as research fellow of the individual subject cannot in any case exceed six years.

In Italy, the main rules governing the profession in the university environment are contained in law no. 240 of 30 December 2010 (so-called Gelmini Reform).

Law no. 240/10 made the figure of the permanent researcher until exhaustion and established two new categories of university researchers:

a) Type A fixed-term researcher (RTDA) who has a three-year subordinate contract that can be extended for a further two years. At the end of the contract, type A researchers will have to win a competition as type B researcher (or as associate professor if in possession of National Scientific Qualification) to remain in university. These are contracts with a duration of 3 years, renewable for a further two 2 years.

b) the type B fixed-term researcher (RTDB), who has a three-year subordinate contract that cannot be extended, but in tenure track (i.e., with the possibility of changing roles without the need to win a public competition).

In particular, type B researchers can become associate professors (with permanent contract) if during the three years they have obtained the National Scientific Qualification as associate (or full) professor and if they receive the approval of the structure upon expiry of the contract. where they work.

These are three-year non-renewable contracts at the end of which it is possible to directly access the role of associate professor, if in possession of the National Scientific Qualification, and following a positive evaluation by the university.

To access a competition as a type A researcher, you must have a PhD.

To access a competition as a type B researcher, it is necessary to have:

Ph.D

three years of career as a type A researcher or as a research fellow (a parasubordinate contract) or already in possession of the National Scientific Qualification

have not accumulated more than 9 years of career * between research grants and years of contract as an RTDA.

* According to the current rules, the career of a researcher cannot exceed the maximum limit of 12 years to which the different types of contracts compete: research grants (cumulative in turn up to a maximum of 6 years), RTDA (3 years + 2 years extension) and RTDB (3 years). After 12 years, the researcher must leave the profession.

Public universities have a certain degree of autonomy in determining their curriculum.

However, the State remains the main authority for the definition of degrees, job positions and salaries because, according to the Italian constitution, universities belong to the public sector and academic positions are civil service positions.

The **'HR Strategy for Researchers'** supports research institutions and funding organizations in the implementation of the Charter & Code in their policies and practices.

The implementation of the Charter & Code principles by research institutions render them more attractive to researchers looking for a new employer or for a host for their research project.

The European Commission recognizes with the **'HR Excellence in Research Award'** the institutions which make progress in aligning their human resources policies to the 40 principles of the Charter & Code, based on a customized action plan/HR strategy.

Access to the role of university professors

Law 240/2010 established that for access to the position of university professors (full and associated) it is necessary to acquire a national scientific qualification, which allows you to participate in the call procedures organized by individual universities.

The only exception called direct, as per art. 1, co. 9, of Law 230/2005

The national scientific qualification

The national scientific qualification - introduced by art. 16 of Law 240/2010 - certifies the scientific qualification necessary for access to the role of professors and provides for different requirements for the range of full professors and for that of associate professors.

The procedures for obtaining the qualification are carried out by competition sectors which, based on art. 15 of the same Law 240/2010, are grouped into competition macro-sectors and can be divided into scientific-disciplinary sectors.

Its achievement does not constitute a qualification title, no right for recruitment in the role or for promotions, except in the context of the procedures provided for by art. 18 and 24, co. 5 and 6, of the same Law 240/2010.

The duration of the qualification - originally envisaged as 4 years - has been raised to 6 years by art. 14 of the D.L. 90/2014 (Law 114/2014), which also reported this increase to the qualifications obtained in the 2012 and 2013 rounds.

Subsequently, following the changes made to Article 16 of Law 240/2010 by the aforementioned art. 14 of the D.L. 90/2014, the procedure was changed from annual to a "counter" procedure.

The following have been envisaged:

the elimination of the foreign commissioner;

definition of criteria and parameters for the attribution of the qualification;

the definition of the period in which it is forbidden to submit a new application, in case of failure to obtain the qualification;

Recruitment by universities

The calling of first and second level professors is governed by the universities with their own regulations.

In particular, the following may be admitted to the call procedure:

scholars in possession of the qualification;

first and second level professors already in service;

scholars permanently engaged abroad in research or teaching activities

at university level in positions of the same level as those covered by the

announcement, on the basis of correspondence tables defined, every

three years, with ministerial decree issued last Ministerial Decree 1 June

2017, n. 372.

Direct call from professors and researchers

Universities, within the scope of the relative budget availability, can proceed to fill the positions of full and associate professor and researcher by directly calling:

- scholars engaged abroad for at least three years in university research or teaching activities, who hold an equivalent academic position in foreign university or research institutions.
- scholars who have already carried out a period of at least 3 years of research and teaching in Italian universities through a direct call authorized by the Ministry, "brain return program" and have achieved scientific results consistent with the required position.
- scholars who have been successful in specific highly qualified research programs funded by the EU or the Ministry

Advancement from a category to another is possible only through comparative procedures and the possession of the national scientific qualification.

University regulations establish self-evaluation and checking methods in order to verify that professors and researchers effectively carry out the required teaching activities. Research activities are verified according to criteria established by the National agency for the evaluation of university and research (Anvur).

In case of negative assessment, professors and researchers cannot participate in evaluation bodies and commissions and are excluded from carrier progression.

Periodically, professors and researchers submit a report of all activities carried out, for the request of advancement in the salary scale.

Universities are responsible of the evaluation according to their own regulations. In case of negative assessment, the request of economic advancement can be submitted only after one academic year. In case of no advancement, the relevant economic amount is allocated to the university fund for rewarding professors and researchers.

Researchers with a three-year no renewable contract (type-b contract) and with the national scientific habilitation can undergo a specific evaluation process in the final year of their contract. In case of positive evaluation they advance to the 'associate professor' position.

Accessibility for Non-Nationals

In general, Italian universities are difficult to access for non-nationals, mainly because of the language barrier, since most courses are still in Italian.

Nevertheless, with the recent changes, the hiring mechanisms are becoming more accessible to non-nationals, even though the language barrier and the low pay still provide a strong disincentive for non-nationals, or even for nationals working abroad, to apply for or accept jobs at Italian universities.

Towards the reform of the Gelmini law



On 15 June 2021 the Chamber of Deputies approved the draft law no. 2285 relating to research and the recruitment of researchers

The most important reform of the Gelmini law will consist in the **elimination of the distinction between type A and type B researcher,** with the arrival of a single figure of fixed-term researcher with a contract **of seven years and not renewable**

In paragraph 1-bis, "each University, within the three-year program, **binds resources corresponding to at least 1/3 of the amounts for contracts** for candidates who, for at least 36 months, have attended PhD courses or carried out research activities , excluded free of charge, at universities or research institutes, Italian or foreign, other than the one that issued the competition notice "

paragraph 9-quater, according to which "the teaching and scientific activity carried out by researchers contributes to the evaluation of recruitment policies, carried out by the National Agency for the Evaluation of Universities and Research (ANVUR), for the purposes of accessing the of bonus funding from the Fund for the ordinary funding of universities pursuant to art. 60, paragraph 1, of the decree law 21 June 2013, n. 69, converted, with amendments, by law 9 August 2013, n. 98".

Universities can hire, with a direct call, for the purposes of being classified as associate professor, the holders of a fixed-term researcher contract provided for in this article, provided that they have been in service for at least three years with public research bodies and in possession of the national scientific qualification referred to in art. 16 of the law of 30 December 2010, n. 240 “

the single portal for competitions will be introduced in which universities and public research bodies are required to publish, under penalty of the selection procedure being invalid on the Ministry's institutional website before the deadline for submitting applications, the calls for selection procedures

Thank you for the attention!



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