

## *Università degli Studi di Napoli "Parthenope"*

Pos. RRVIPSII

Decr. n. 244

### **The Rector**

#### **GIVEN**

art. 18 of Law 30/12/2010, n. 240 including "rules on the organization of universities, of the academic staff and recruiting, as well as delegation to the Government to encourage the quality and efficiency of the system university "and, in particular paragraph 6 which provides that for" the participation in research projects funded by the European Union or other foreign, international or supranational institutions, and to carry out the relative activities, the rules provided for by the relative calls are applied ";

#### **GIVEN**

the current University Statute in particular, art. 41 paragraph 2 where it is foreseen that "The University participates, with its own staff and structures, in research initiatives and programs, with the collaboration of local organizations and businesses; to this end, it may stipulate agreements which may include, among other things, the establishment of grants. The modalities of participation in research collaborations are governed, from time to time, by the Board of Directors, subject to the opinion of Academic Senate ";

#### **GIVEN**

the current Regulation for the awarding of post-graduate study grants for research activities financed by Italian, foreign or private entities (issued with D.R. 869 of 11.11.2016);

#### **GIVEN**

the current Regulations, the awarding of research fellowship for the collaboration in research activities (issued with D.R.n.341 of 14.06.2011);

#### **APPLIED**

the need to adapt the aforementioned Regulation;

#### **EXAMINED**

the text of the Regulations prepared for the purposes to which referred above;

#### **GIVEN**

the resolution of the Board of Directors and the Academic Senate in the respective sessions of 20.02.2019 and 06.03.2019 in which the amendments to the aforementioned Regulation were approved.

### **DECREES**

Art. 1 The Regulation for the assignment of research fellowships for collaboration with research activities whose attached text represents a substantial and integral part of this decree;

Art. 2 This Regulation becomes effective immediately from the date of publication;

Art.3 The Regulation referred to in Art. 1 repeals and replaces the regulation referred to in DR 341/2011.

THE RECTOR

Prof. Alberto Carotenuto

**REGULATION FOR RESEARCH FELLOWSHIPS MENTIONED IN ART. 22 OF  
L.240/2010**

**Article 1  
(Purpose - object)**

1. The University of Naples "Parthenope", pursuant to art. 22 of law 240/10, confers research fellowships following public selection, within the limits of budget availability, with the aim to encourage the training and development of specific professional skills.
2. The research fellowship has the object of scientific training through the creation of a research program or a phase thereof, under the supervision of a Principal Investigator identified by the structure (tutor). The research activity presents characteristics of flexibility responding to the needs of the activity itself, continuous, temporally defined, not purely occasional, and in coordination with the overall activity of the structure; the activity will be carried out in conditions of autonomy, only within the limits of the program prepared by the tutor, without predetermined working hours.

**Article 2  
(Funding and activation of research fellowships)**

1. The structures assigned to research and its coordination which intend to activate research fellowships funds from the University budget must submit a request to the Academic Senate.
2. The requests referred to in the previous paragraph must:
  - a) indicate the research program or programs to which the collaboration activity will be finalized;
  - b) indicate the Head of the research;
  - c) indicate the amount of the loan;
  - d) establish the minimum curricular requirements that the fellowship holder must possess in order to carry out the collaboration activity;
  - e) designate the members of the evaluation commission referred to in the following art. 6.
3. On the basis of the proposals made, and with reference to the availability of the University budget, the Board of Directors, after obtaining the favorable opinion of the Academic Senate, allocates funding for the activation of the research fellowships.

4. The structures can independently activate research fellowships with research funds paid by their own financial statements, also deriving from agreements with external entities; in this case the persons in charge of the structures themselves will notify the Academic Senate.

### **Article 3 (Requirements)**

1. The holders of research fellowships must be in possession of:

1.1.) University degree (course of study lasting no less than 4 years, according to the regulations prior to the D.M. 3 November 1999 n. 509), or a Master's degree ("Laurea specialistica" - Article 3, paragraph 1, letter b), D.M. 3 November 1999 n. 509), or a Master's degree ("Laurea Magistrale" - art.3, paragraph 1), lett. b), D.M. 22 October 2004, n. 270);

1.2.) professional scientific curriculum suitable for carrying out the specific activity of Research.

2. The Academic Senate or, in the case of fellowships activated independently by the individual structures, the Council of the structure, may determine that the PhD or equivalent qualification obtained abroad are a mandatory requirement for the admission to the call; in absence of such indication, the aforementioned qualifications represent a preferential title for the purposes of assigning fellowships.

3. Research fellowships cannot be assigned to permanent employees of the universities, institutions and public research and experimentation bodies, of the National Agency for new technologies, energy and sustainable economic development (ENEA) and the Italian Space Agency (ASI), as well as the institutions whose scientific specialization diploma has been recognized equivalent to the title of PhD in accordance with Art.74, fourth paragraph of Presidential Decree 382/1980.

4. The general requirements for the admission to public selections and any additional requirements must be held on the expiry date of the relative selection notices.

### **Article 4 (Duration and renewals)**

1. The contracts for the awarding of research fellows can have a duration between one and three years.

2. Contracts can be renewed upon expiry for a total duration which cannot exceed the six years, excluding the period in which the fellowship was used to coincide with the Ph.D within the maximum legal duration of the relative course.

3. The renewal cannot last less than one year.

4. The renewal is in any case subject to a positive evaluation of the activity carried out by the responsible for the research and the Evaluation Commission referred to in the following art. 6 in addition to the effective availability of budget funds.

5. The training of the fellowship holder may include an appropriate period of study abroad, according to a program to be defined with the reference structure.

### **Article 5 (Amount, tax and social security treatment, travel)**

1. The annual salary of the fellowships is proportionate to the scientific-professional level required by the minimum access requirements indicated in the call for applications. Pursuant to art. 22,

paragraph 7 of the Law 240/2010, this salary cannot in any case be lower than the minimum established by Ministerial Decree no. 102, of 09 March 2011, that is € 19,367.00 per year, net of charges borne by the University. The maximum salary coincides with the salary corresponding to the researcher's remuneration pursuant to art. 24 c. 3 let. A of Law 240/10, unless otherwise provided by the research project.

2. The Board of Directors or, in the case of fellowships activated independently by the individual structures, the Council of the structure, determines the amount of the allowance based on the requirements related to the typicality of the research:

- a) the extent of the activities to be carried out.
- b) the complexity and difficulty of the research;
- c) the existence of particular requirements of scientific competence and professionalism useful for the achievement of the objectives contemplated by the research activity announced;
- d) the need for proven research experience;
- e) scientific production congruent with the subject of the research;
- f) knowledge of foreign languages.

3. The salary for the fellowship must be indicated in the call for applications and will remain unchanged for the whole duration of the contract, subject to subsequent regulatory provisions. The aforementioned salaries are attributed to the beneficiaries in monthly installments.

4. The holder of the fellowship has the right to reimbursement of travel expenses in Italy and abroad, if this is relevant to the research activity covered by the fellowship and is previously authorized by the structure. The funds for the reimbursement are paid by the structure which authorized the mission. In tax matters, the provisions of art. 4 of the Law 476/1984 are applied; in social security matters, those referred to in art. 2, paragraphs 26 et seq. of Law 335/1995, and subsequent amendments; in the matter of compulsory leave for maternity, the provisions of the decree of the Minister of Labor and Social Security n.28057 / 2007; in the matter of leave due to illness, art. 1 paragraph 788 of Law 296/2006 and subsequent amendments are applied.

## **Article 6 (Selection of candidates)**

1. The Academic Senate or, in the case of fellowships activated independently by the individual structures, the Council of the structure, may provide for the possibility of awarding research fellowships through the use of one of the following two procedures for comparative public selection of candidates:

### **-typology A**

Publication of a single call for the assignment of research fellowships, identifying the scientific areas of interest.

This notice will be published for at least thirty days in the Official Register of the University, in the Registers of proposing structures, on the website of the Ministry of Education, University and Research as well as on the European Union website and must contain, in addition to detailed information about specific functions, the rights and duties relating to the position and about the economic and social security treatment owed by the research fellow, also the following elements:

1) an abstract of the research project relating to each of the scientific areas indicated in the call, in order to allow the candidate to submit her/his own project describing the procedures with which the project is expected to develop the research activity;

2) the qualifications assessable by the Commission: scientific curriculum, degree, master, courses of postgraduate degree, PhD, publications consisting of a scientific curriculum, anything else considered necessary for the purpose of identifying the suitable candidate to develop the research activity.

The selection will take place, after identifying the general criteria, on the basis of the evaluation of:

- the research project for which 50 points are reserved;
- the qualifications and publications for which 50 points are reserved.

The selection will be considered passed if the minimum score of 30 is reached in each one of the selective areas.

The overall mark is established by the sum of the points obtained in the evaluation of project, as well as titles and publications. The selection procedure for candidates is carried out by a Commission which must be appointed by decree of the Rector or Director of the Institution, in the case of fellowships activated by the latter, and will consist of three members chosen among the teaching and research staff. At least one of them must be full professor. The President of the Commission will be a full professor. The Commission is obliged to conclude the work without delay within 90 days following the notification of the appointment. The results of the final evaluation will be communicated by the Commission through special report, to be sent to the Rector or to the Director of the Institution who activated the research fellowships, in order to approve the acts. The results of the evaluation will be publicly disclosed by posting it in the register of the headquarters structure of the research project, as well as on the University website. The results of the selection will be personally communicated to the selected ones by the structure hosting the research project. The comparative evaluation procedure ends with a decree of the Rector or the Director of the Institution that activated the fellowship: it approves a ranking list for each of the interested areas. A complaint to the Rector or the Director of the Institution, within 15 days from the date of publication, is possible.

#### **- type B**

Publication of calls for proposals for specific research programs with their own funding. This notice will be published for at least thirty days in the Official Register of the University, in the Registers of proposing structures, on the website of the Ministry of Education, University and Research as well as on the European Union website and must contain, in addition to detailed information about specific functions, the rights and duties relating to the position and about the economic and social security treatment owed by the research fellow, also the qualifications assessable by the commission which consist of scientific curriculum, degree, masters, advanced courses, PhDs, publications and anything else considered necessary for the purpose of identifying the suitable candidate to carry out the research activity. In this case, the selection will take place on the basis of qualifications and an interview. The assessment of qualifications, after identifying the general criteria, is carried out before the interview. 60 points are reserved for qualifications, 40 points for the interview. The selection will be considered passed if, in the evaluation of qualifications, the minimum score of 40 is obtained and, in the evaluation of the interview, the minimum score of 20 is obtained. The results of the final evaluation will be communicated by the Commission through special report, to be sent to the Rector or to the Director of the Institution which activated the research fellowship, in order to approve the acts. The results of the evaluation will be publicly disclosed by posting it in the register of the structure hosting the research project as well as on the University website. The results of the selection will be

personally communicated to the selected ones by the structure hosting the research project. The comparative evaluation procedure ends with a decree of the Rector or the Director of the Institution that activated the fellowship: it approves the ranking list of the selection relative to the assignment of the research fellowship. A complaint to the Rector or the Director of the Institution, within 15 days from the date of publication, is possible. The selection procedure for candidates is carried out by a commission of experts of the subject which is designated by the competent body of the Institution leading the research project: precisely it is composed by three members of which at least one is a full professor. the Head of the research in which the holder of the fellowship will collaborate takes part to the Commission. The Commission is appointed by decree of the Rector or of the Director of the Institution which has activated the fellowship and is required to conclude the work without delay within 90 days from the notification of the appointment.

### **Article 7** **(Formalization of the relationship)**

1. Research fellowships are assigned through research collaboration contracts stipulated with the structure that activated the fellowship. Contracts do not in any way establish an employment subordinate relationship and do not give rise to rights regarding the access to University positions.
2. If the winner renounces to sign the contract within the term that will be communicated by the structure, the ranking list will be scrolled.
3. The starting date of the contract is set on the first day of the month following the date of subscription. In the presence of situations involving short-term overlaps between the fellowship and other incompatible activities, the tutor may request the Rector or the Director of the Institution that activated the fellowship for a reasoned postponement of the starting date of the contract.
4. The Director of the involved Institution will notify the Central Administration about the contracts conferred and any changes made to them.

### **Article 8** **(Evaluation of the research fellow's activity)**

1. The holder of the fellowship must prepare six-monthly reports on the research activity he/she collaborates with, which are reviewed by the Principal Investigator.
2. Upon expiry of the contract, having examined the final report of the fellowship holder, the Principal Investigator prepares a short report on the activity carried out and reports to the Commission referred to in previous art. 6 about the overall evaluation of the research carried out by the aforementioned research fellow.

### **Article 9** **(Forfeiture, suspension, termination and withdrawal)**

1. The contract and the disbursement of the fellowship, at the request of the interested party, must be suspended in periods of absence due to compulsory maternity leave or documented illness. In such cases the duration of the relationship is extended to an extent which is equal to the period of suspension, in order to allow the implementation of the research program. In the event that this

postponement exceeds the term of the project to which the collaboration is connected and this is an obstacle for the achievement of the related goals and commitments, the termination of the disbursement of the fellowship and the related early termination of the contract can be arranged, on motivated opinion of the Principal Investigator.

2. If the contract holder does not continue the activity foreseen by the research program without justified reason or is responsible for serious or repeated failures, the termination of the contract, on the motivated request of the Principal Investigator and with a resolution of the competent bodies of the research structure, can be established.

3. The measures of suspension and termination are ordered by the Rector or by the Director of the Institution that activated the fellowship.

4. The holder of research fellow has the right to withdraw from the relationship, giving notice at least thirty days before. In this case, the research fellow will be regularly paid up to the time of termination. If otherwise the notice is not communicated in time, the amount relating to the lack of notice will be retained.

5. Those who have not signed the relative contract by the deadline communicated in a document by the Institution, will lose their right to the research fellowship, except for reasons of health or unavoidably circumstances adequately proven.

6. Those who provide false declarations or are responsible of omitted communications about the information whose content is described in Art. 10 will be excluded as well, without excluding further sanctions provided by current regulations and laws.

## **Article 10**

### **(Prohibition of accumulation, incompatibility, expectations)**

1. Accumulation of the fellowship with fellowships and grants awarded for any reason is not allowed, except those granted by national or foreign institutions useful for integrating the research activity of the research fellows with stays abroad.

2. The fellowship is not compatible with participation to Bachelor and or Master's degree courses, University post-lauream Masters, research Doctorate with grant, in Italy or abroad, and results in placement on unpaid leave for the employee serving at public administrations other than those referred to in art. 3 paragraph 3.

3. About incompatibility, the provisions of art. 18, co. 1 letter b) and c) of L. 240/2010 are applied.

4. The ownership of the research fellowship is also incompatible with the ownership of contracts of coordinated and continuous job collaboration as well as occasional collaboration conferred by the University of Naples "Parthenope".

5. Carrying out self-employed or subordinate work activities is compatible with the research fellowship only if previously authorized by the Board of the Institution, or body delegated by the Board itself, after obtaining the tutor's motivated opinion.

6. For the purposes of the prohibitions of accumulation, of the incompatibilities and leaves referred to in this article, upon signing the contract, the winner makes a specific declaration of self-certification, undertaking to communicate to the structure any variation with respect to what has been declared, at the same time as the variation itself occurs.

**Article 11**  
**(Ph.D)**

The research fellow can attend PhD courses without the right to a grant, notwithstanding the passing of the admission tests and, if required, the payment of the contribution for the access to courses.

**Article 12**  
**(Insurance coverage)**

The University guarantees the research fellows, in carrying out their research activities, against the insurance risk deriving from civil liability towards third parties. It remains, however, the fellow's responsibility to provide for any insurance coverage against the risk of accidents that may occur during the performance of these activities.

**Article 13**  
**(Transitional discipline)**

1. This Regulation takes effect on the day following the date of registration of the Rector's emanation decree and will be included in the official collection of University Regulations.
2. The implementation of this Regulation determines the abrogation of the regulation formerly governing the same subject.

**Article 14**  
**(Final rule)**

For matters not covered by these Regulation, the provisions issued in this regard by art. 22 of Law no. 240/2010 are applied.

