

**Please refer to the Italian version of the present
announcement as the official one (D. R. n. 16 del 22/01/2018)**

**UNIVERSITY OF UDINE
RECTORAL DECREE**

RE: Public selection procedure for the position of Full professor at the Department of Law in the competition sector 12/E2 Comparative Law pursuant to art. 18, clause 1, of Law no. 240 of 30.12.2010

THE RECTOR

in consideration of

Law n. 241 of 7 August 1990 regarding the new norms governing access to administrative documents and subsequent amendments and additions;

and of

Law n. 125 of 10 April 1991 concerning "positive action for the creation of equality between men and women in the workplace";

and of

the Sole Text of legislative and regulation dispositions regarding administrative documentation, enacted with Presidential Decree n. 445 of 28 December 2000, published in the Official Gazette n. 30 on 20.02.2001 and subsequent amendments;

and of

the decree law of 21 June 2013, n. 69, converted into Law August 9, 2013, n. 98, concerning "Urgent provisions for economic recovery", and in particular art. 42, paragraph 1, point d) repealing the provisions relating to the requirement of a certificate of physical fitness in order to be employed in the public sector;

and of

the resolution by the Board of Governors on 28 November 2002 that established that the candidate should partly refund the secretarial expenses, determining the amount thereof;

and of

the resolution by the University Senate on 12 January 2005 concerning "Competition procedures: return of documentation";

and of

Law n. 240 of 30.12.2010 art. 24 and subsequent amendments and additions, with special reference to articles 18, clauses 1 and 4, and 29, clause 8;

and of

the Ministerial Decree n. 662/2016 concerning "Definition of correspondence tables between Italian and foreign posts pursuant to article 18, clause 1 letter b) of Law 240/2010", published in the Official Gazette n. 43 on 21/02/2017 and subsequent amendments and additions;

and of

the Ministerial Decree n. 855/2015 concerning "the reassessment of macro and competition sectors";

and of

the European Charter for Researchers and Code of Conduct for the Recruitment of Researchers;

and of

the regulations for the appointment of full and associate professors, issued with Rectoral Decree n. 252 of 8.06.2012;

and of

the resolution of the Board of the Department of Law of 9/11/2017 which announces the opening of a public selection, pursuant to clause 1 of art. 18 of the National Law n. 240 of 2010, for the recruitment of a University Full Professor – competitive sector 12/E2 Comparative Law;

and of

the resolutions by the University Senate on 12/12/2017 and by the Board of Governors on 15/12/2017 authorizing the announcement of the procedure;

considered that

the resolution of the Board of Governors mentioned above provides that the procedure has been initiated following the extension of the use of the recruitment resources assigned for the years 2017 and 2016;

seen

the law n. 205 of 27.12.2017 concerning "State Budget for the financial year 2018 and multi-year budget for the three-year period 2018-2020" which in art. 1, paragraph 1148, letter d), provides for the extension of the deadline for the use of the recruitment resources assigned for the years 2016 and 2017;

having ascertained

the need to fill the post by immediately issuing the announcement,

HEREBY DECREES

Article 1

A public selection is hereby announced, by means of a comparative assessment, for the position of Full professor pursuant to art. 18 clause 1 of Law n. 240 of 30.12.2010, based on the following specifications:

Department of Law Competition Sector: 12/E2 Comparative Law

Scientific-disciplinary sector: IUS/21 Comparative Public Law

Place of employment: University of Udine – Department of Law

Specific functions that must be performed by the winner of the competition and the type of education and science commitment:

The winner must carry out didactic and research functions in accordance with the law in the areas related to the disciplinary scientific sector IUS / 21 - Comparative public law, such as comparative public law, comparative and European administrative law, comparative law of the public administration, regional Italian and European law, regional Italian law and Comparative Local Authorities, Law from Eastern countries and other subjects of the same sector and related sectors.

Maximum number of publications to be presented: fifteen

Article 2

Requirements for admission to the comparative assessment

The procedure is open to

a) candidates who have obtained the national scientific qualification pursuant to art. 16 of Law 240/2010 for the competition sector or for one of the competition sectors included in the same macro-sector and for the functions covered by the procedure; they can also participate those who are in one of the situations provided for in art. 4 DM 855/2015 of a restatement of competition sectors;

b) candidates who have attained professional qualifications pursuant to Law 210/1998 at the corresponding level and for the scientific sector relevant to the competition sector or one of the competition sectors included in the macro-area, within the period of validity for such qualifications.

c) Full professors working at other universities;

d) foreign based researchers and university teachers in positions equal to that of the announcement – as determined by the correspondence chart set out in the Ministerial decree 662 on 1/09/2016 and subsequent amendments and additions

(http://attiministeriali.miur.it/media/303091/allegato_dm_662.pdf)

(<http://www.miur.gov.it/documents/20182/676451/D.M.+n.+372+del+01.06.2017.pdf/eb962d70-c6b9-416f-b866-c5b6cedf7149?version=1.1>)

The following categories are excluded from the comparative assessment:

- those who have any degree of family relationship or affinity, up to the fourth degree, or are connected by marriage, with a professor or permanent or fixed term researcher belonging to the Department proposing to issue the contract (<http://www.uniud.it/cercapersona.htm?struttura=000005>), or with the Rector, the

Administrative Director or any component of the University Board of Governors (<http://www.uniud.it/ateneo/organizzazione/organi/composizione.htm>);

- those who are excluded from civil and political rights;
- those who have been dismissed or dispensed from a position at a Public Administration due to a persistent unsatisfactory performance;
- those who have been dismissed from another State position pursuant to art. 127 letter d) of Presidential Decree n. 3 of 10/1/1957;
- those who have criminal convictions incompatible with the standing of a public employee; a situation which would force the University, who has announced the competition, to withdraw all rights and reject the applications pursuant to art. 127, first clause, letter d) of the D.P.R. 10/01/1957, no. 3.

The requirements must be possessed on the date when the deadline for presenting the application for admission to the procedure expires.

Candidates are admitted to the comparative assessment only conditionally, and exclusion from the procedure due to a lack of the requirements is decided by a justified decree by the Rector, and notified to the candidate concerned.

The Administration guarantees equality and equal opportunities to men and women for access to and treatment in the workplace.

Article 3 **Application for admission**

Application for admission to the comparative assessment must necessarily be drawn up following the outline shown in attachment "A" for Italian candidates and attachment "B" for foreign candidates, which must be filled in in every part and signed personally by the candidate, otherwise the candidate will be excluded.

The application must be addressed to the University of Udine – Area Organizzazione e Personale – Ufficio Concorsi – Via Palladio 8, 33100 Udine.

The application must be presented within the established, non-extendible deadline, that is, within 30 days from the day following the publication of the announcement in the Official Gazette of the Republic of Italy. Otherwise the candidate will be excluded. If the deadline expires on a holiday, it is postponed to the first working day thereafter.

The options for presenting the application are as follows:

- hand in to the protocol Office (Ufficio Protocollo) (from Monday to Friday 9.00 – 11.30);
- send by registered post with notification of receipt within the established deadline. For this purpose the date of the post mark of the Post Office that accepts the application shall be the accepted date.
- send by Italian mailbox "Posta Elettronica Certificata (PEC) to the address amce.postacert.uniud.it. The application and all the attachments are to be signed with a digital signature or a scanned written signature accompanied by a copy of the identity card in PDF/A or Adobe PDF format. In case of a scanned written signature the mailbox of the electronic PEC will be that of the applicant.

The candidate who sends documentation via PEC need not subsequently send documents on paper.

Any application transmitted by a non-certified electronic mail address, or not in conformity with the dispositions of this clause, shall not be considered.

All publications must be numbered and the title of each file containing publications must include the relative enumeration of the documents and preferably not exceed 30 characters.

The maximum size supported by PEC is 20 MB. If the applicant wishes to present a number of attachments which exceeds that limit, he/she will have to submit the application with a first dispatch, enclosing a message to specify that part or all of the attachments will follow in successive dispatch(es), always before the deadline for the submission of the application. Each Certified Mail must include reference to the competition procedure. The University Administration declines all responsibility if the files sent by PEC are illegible.

Candidates are required to pay a contribution of €50 to the current account n. 000040469443 (ABI 02008 CAB 12310 CIN R IBAN IT23R0200812310000040469443 BIC UNCRITM1UN6) at UNICREDIT BANCA Spa - Udine, in the name of the University of Udine, and must indicate as cause of payment: "Contribution for selection – Competition sector ..."

The receipt of payment must be attached with the application.

The application must include an address where the candidate can receive correspondence regarding the public selection. Should the candidate give an Italian mailbox "Posta Elettronica Certificata (PEC)", all messages regarding the public selection will be sent to that address.

The office to which the application was made must be informed of any change in address as soon as possible.

The University Administration declines all responsibility if the candidate cannot be found and if communications are lost, due to an inexact indication of the address by the candidate, or due to a late communication, or non-communication, of any change in address as indicated in the application. The University Administration also

declines all responsibility for any late delivery, or non-delivery, of communications relating to the competition for reasons not imputable through gross negligence to the Administration but to postal or data transmission errors, to third parties, to fortuitous events or to force majeure.

The documents attached to this application will be evaluated in accordance with art. 7 of the notice.

The candidate must attach with the application:

- 1) photocopy of ID;
- 2) photocopy of Tax Code;
- 3) curriculum drawn up according to attachment "D", signed personally by the candidate and with the following attachments:
 - a) list of qualifications;
 - b) list of scientific publications to his/her name;
 - c) list of scientific publications presented for the selection process (maximum number fifteen as established by art. 1 of the announcement);
 - 4) documents and qualifications that the candidate considers useful for the purposes of the selection;
 - 5) publications point 3) letter c) that the candidate considers useful for the purposes of the selection (within the maximum number of fifteen as established by art. 1 of the announcement);
 - 6) receipt of payment of €50.

If the application is sent in paper form, the application, documents, qualifications and publications are to be placed also on an optical or electronic storage medium, e.g. a CD or a USB stick, in PDF/A or Adobe PDF format. The applicant shall vouch, on his own responsibility, that this corresponds to the paper documentation.

It is not allowed to present attachments to the application in the form of links to files residing on "storage/online file sharing services" or Web pages.

The documents coming from abroad by foreign authorities must be legalized by the Italian diplomatic or consular representatives abroad and, if written in a foreign language, endorsed with a certified translation into Italian of the foreign text by the competent diplomatic or consular office or by an official translator.

Italian and EU citizens may:

- send the original qualifications, authenticated copies or copies declared in conformity with the original (also in PDF/A or Adobe PDF format) with a substitute declaration pursuant to arts. 46 and 47 of the Presidential Decree 445/2000, completing attachment C;
- otherwise, a substitute certification declaration or affidavit may be sent, completing the curriculum in conformity with attachment D.

Non-EU citizens authorized to stay in Italy pursuant to current norms, may use substitute declarations pursuant to arts. 46 and 47 of the Presidential Decree 445/2000, but only to the extent that they are used to prove conditions, facts and personal qualities that can be certified or attested by Italian public bodies.

Non-EU citizens not authorized to stay in Italy must document conditions, facts and personal qualities using certificates or statements issued by the competent authority of the foreign State.

Such documents must be legalized by the Italian diplomatic or consular delegations abroad: if written in a foreign language, they must also have the Italian translation, certified as being in conformity with the foreign text, by the competent diplomatic or consular delegation or by an official translator.

If the subject of the substitute declaration is not well identified in its nature, duration, temporal placement and body concerned, then the adjudicating commission may not take it into account.

Pursuant to the dispositions of art. 15 of Law n. 183 of 12.11.2011, the Administration does not accept certificates issued by Italian Public Administrations with regards to status, personal qualities and facts: these must always be substituted by substitute certification declarations or affidavits pursuant to arts. 46 and 47 of the Presidential Decree 445/2000.

It is not allowed to make reference in the present application to documents or publications already presented to this or other Administrations, or to documents and publications already enclosed to a different application for a different competition.

Applications that do not arrive within the deadline established by the announcement will not be taken into consideration, and no additional documentation will be admitted.

Article 4
Publications

The candidate produces his/her publications, maximum fifteen as established by art. 1 of the Announcement in the original copy (also in PDF/A or Adobe PDF format) or declaring that the copy is in conformity using a substitute declaration of the affidavit, completing attachment "C".

The publications must include the date and place of publication.

Only publications or texts accepted for publication according to current norms will be taken into consideration, plus essays contained in miscellaneous works and articles in journals in paper or digital form, excluding internal notes or departmental reports.

For works printed in Italy the filing requirements pursuant to Law n. 106 of 14.4.2004 must be respected, and the fact must be certified by suitable documentation or by a substitute declaration (attachment C) to be attached with the application.

If the candidate presents a greater number of publications as those required, the adjudicating commission will make an assessment of them the same a number equal to the limit referred to above and in the order listed in the "List of presented publications" by the candidate. In case the candidate does not present such a list, in a number equal to the above limit, there will be taken into account the most recent publications.

Article 5
Withdrawal from procedure

Notification of withdrawal from the selection process, duly signed and dated, must be given as soon as possible to the University of Udine following the procedure outlined in art. 3.

Article 6
Adjudicating Commission

The adjudicating Commission will be established in accordance with article 4 of the "Regulations for the appointment of full and associated professors", enacted with Rectoral Decree n.252 of 8.06.2012, and appointed by the Rector, working with the Department that is advertising the post, within two months from the expiry of the announcement, following the resolution of the board of the aforementioned department

If the candidates have any objection to one or more of the members of the adjudicating Commission, these must be made to the Rector within the non-extendible deadline of thirty days from the publication in the online Noticeboard of the notification of this announcement.

Any details will also be made available on the site:

<https://www.uniud.it/it/ateneo-uniud/concorsi-bandi-uniud/concorsi>

Article 7
Evaluation

The commission shall select the candidate best qualified to carry out the didactic-scientific functions for which the position has been announced, through a comparative assessment made on the basis of the scientific publications, curriculum and didactic activity of the candidates.

The criteria on which the assessment is made will be determined.

For the assessment of teaching activity, integrative teaching and service to students, the criteria of the following aspects are covered:

- a) number of modules/courses held and continuity thereof;
- b) participation in commissions set up for examinations;
- c) quantity and quality of seminar activities, practical lessons and tutoring of students, including the preparation of dissertations in the first and second level degrees, and of Doctorate theses.

Assessment of scientific research will be made on the following basis:

- a) organization, direction and coordination of research groups both at a national and international level or participation in such groups
- b) application for ownership of patents
- c) participation as speakers in conferences, both national and international
- d) Awards and appreciation for research activities both national and international

The adjudicating commission shall evaluate the overall consistency of the candidate's scientific production, its intensity and continuity over time, taking into account any periods, properly documented, which the candidate involuntarily spent away from research, with particular reference to parenting.

The comparative assessment of the presented publications is based on the following criteria:

- a) originality, innovation, methodological rigour and relevance of each scientific publication;

- b) congruency of each publication with the nature of the Full professorship advertised or with inter-disciplinary themes closely connected thereto;
- c) scientific relevance of the editorial location of each publication and its diffusion inside the scientific community;
- d) analytical determination, also based on criteria recognized in the relative international scientific community, of the individual contribution of the candidate if he/she participates in collaborative work.
- e) within the framework of the competition sectors where there is a consolidated use thereof at an international level, the commission shall also make use of the following indicators, referred to the date of expiry of the period specified in the notice for the submission of the applications:
 - 1. total number of citations;
 - 2. average number of citations per publication;
 - 3. total impact factor;
 - 4. average impact factor per publication;
 - 5. combination of the previous parameters able to optimize the impact of the candidate's scientific production (Hirsch index or similar).

The adjudicating Commission, in respect of current norms concerning author's rights, shall use the publications presented by the candidate exclusively for reasons of the present application.

Article 8 Validity of the records

The commission will finish its work within four months from the publication of the announcement by the rector. The records of the adjudicating commission consist of the minutes of the meetings and the attachments thereto, and the report summarizing the work performed.

If the rector finds any irregularities in the procedure, the papers shall be returned to the adjudicating commission and a deadline will be set to regularise them.

The records are approved with a Rectoral decree within thirty days of the records being handed in and will be made public on the University's on-line noticeboard and web site.

Within sixty days of the records being approved, the Department shall convey the proposal to call the successful candidate to the Board of Governors.

Upon a favourable vote by the Board of Governors, and approval of the vote by the University Senate, the candidate will be appointed with a Rectoral decree.

Article 9 Return of documents and publications

Documents and publications attached to the application will be returned by post to those candidates who so request, 180 days after the publication of the decree approving the records and within the following 30 days.

Publications presented as originals for which no request for return is made shall be sent to the Inter-Departmental Libraries Centre, to further increase the University book stocks.

All the remaining documentation shall be eliminated according to legal norms.

The candidate must indicate, when he/she applies, whether he/she wishes the documentation to be returned.

Article 10 Documents required for drawing up the contract

The successful candidate is called by the Rector.

The candidate, if not already a professor or university researcher at an Italian University, will need to present the appropriate documents required for the appointment.

If he/she is an Italian or other EU citizen, the successful candidate must send the following documentation within the deadline established by the Administration, otherwise the appointment shall lapse:

- 1) Declaration pursuant to Presidential Decree 445/2000, attesting:
 - a) that the candidate was in possession of his/her civil and political rights on the expiry date of the announcement;
 - b) any lawsuits pending on the expiry date of the announcement;
 - c) family unit;
 - d) that he/she has no other positions working for the State, local Bodies, other public administrations or private bodies or, otherwise, that he/she opts for the new position.

If not an EU citizen, the candidate must present the following documents, within the deadline established by the Administration and according to the provisions of clauses 2, 3 and 4 of art. 3 of Presidential Decree 445/2000, otherwise the appointment lapses:

- 1) Birth certificate.

- 2) Certificate equivalent to the general certificate of the judicial register issued by the competent Authority of the State where the foreign candidate is a citizen. If normally living in Italy pursuant to art. 3 of Presidential Decree 445/2000, as well as the above certificate, the foreign candidate must also self-certify that he/she has no penal convictions or pending charges.
- 3) Certificate of nationality.
- 4) Certificate attesting that the candidate was in possession of his/her civil and political rights on the expiry date of the announcement.

Documents as per 2), 3) and 4) must be dated no earlier than six months from the date the result of the competition was published.

Certificates issued by the competent Authorities of the State where the researcher is a citizen must be legalized by the Italian diplomatic or consular delegations abroad; if written in a foreign language, they must also have the Italian translation, certified as being in conformity with the foreign text, by the competent diplomatic or consular delegation or by an official translator.

Article 11 **Rights and duties / pay and welfare**

The successful candidate will be appointed by Rectoral decree.

Pay and social security are as of existing legislation.

Rights and duties are disciplined by current dispositions regarding the judicial status of a university professor. The rules regarding incompatibility for public-sector workers and university professors provided for by art. 53 of Legislative Decree 165/2001 and by the University Statute will be applied to the employment contract resulting from this call for applications.

Article 12 **Processing of personal data**

Pursuant to art. 13 of Legislative Decree 196/2003, candidates are informed that the data contained in the applications is processed for the purposes of managing the selection procedure, any eventual work contract and the subsequent relationship with the University. The data will be processed by computer and using paper archives for the relative records. The information may be communicated only to the public Administrations directly involved in the juridical and economic position of the candidate.

Candidates are reminded that it is obligatory to provide the data requested and should this be refused, the candidate shall not be admitted to the procedure.

Candidates enjoy all the rights pursuant to art. 7 of Legislative Decree 196/2003.

The Holder of the processing rights is Prof. Alberto Felice De Toni, Rector of the University of Udine.

The person in charge of processing is Ms. Angela Luretigh, Head of Organization and Personnel.

Article 13 **Responsibility for the method**

The person responsible for the method used in the public selection is Ms. Silvia De Liddo - Organization and Personnel.

Article 14 **Publication**

The present announcement is published on the University website at the following address:

<https://www.uniud.it/it/ateneo-uniud/concorsi-bandi-uniud/concorsi>

and on those of the Ministry of Education, Universities and Research and of the European Union.

The announcement is published in the Official Gazette of the Republic of Italy.

Article 15 **Final dispositions**

For any other matters not established by this announcement, the following laws shall be applied: Law n. 240 of 30.12.2010 and the "Regulations for the appointment of full and associated professors", enacted with Rectoral Decree n.252 of 8.06.2012.

THE RECTOR
Prof. Alberto Felice De Toni