

Selection procedure for the position of no. 1 researcher with a fixed term contact under article 24, comma 3, lett.a) of the Law 240/2010.

**Department of Institutions, Enterprise and the Market "Alessandro Cerrai"
Scientific macro-area 12/B1
Scientific Area IUS/04 Commercial Law
IUS/06 Maritime Law
Selection Code RIC 2011/6**

Protocollo I/1 0016895
Data 30/12/2011

THE CHANCELLOR

On the basis of the following:

- The Statute of the University of Pisa, issued by a decree from the chancellor on 30 September 1994, no. 196 and subsequent modifications;
- The Law of 30 December 2010, no. 240, in particular art. 24;
- The Ministerial Decree on Education, University and Research of 24 May 2011, no. 242;
- The University regulations regarding research grants with a fixed term contract under art. 24 of the Law 240/2010, issued with Regional Decree no. 8444 on 29 June 2011;
- The Ministerial Decree on Education, University and Research of 25 May 2011, no. 243, criteria and parameters for preliminary assessment of public procedure selection candidates for contracts under article 24, comma 2, letter c) of the Law December 30 2010, no. 240;
- Clause of the Ministry of Education, University and Research of 2 August 2011, prot. no. 3822, bearing "The Law of 30 December 2010, no. 240 – Application of art. 24 – Ministerial Decree 29 July 2011, no. 336, bearing: Determination of Admissions Examination Sectors, re-grouped into macro-sectors under article 15 of the Law 30 December 2010, no. 240";
- The resolution of the Department Committee of Institutions, Enterprise and the Market "Alessandro Cerrai" by which the activation of a fixed term contract is required under letter a) of art. 24, comma 3 of the Law 240/210 ('Junior contract') for research, teaching, integrated teaching and service to students for a duration of 3 years, for the Scientific Areas IUS/04 Commercial Law and IUS/06 Maritime Law;
- The resolution of Polo Universitario Sistemi Logistici Committee regarding didactic activity that the successful candidate is to carry out;
- Considering that the funding is guaranteed by the convention with Comune di Livorno, Provincia di Livorno, Fondazione Cassa di Risparmio di Livorno e Camera di Commercio di Livorno;
- The resolution on 21 dicembre 2011 by which the Academic Senate of this University has expressed favourably the issuing of a public announcement of the position for a full time researchers on a fixed term contract for the Scientific Areas IUS/04 Commercial Law and IUS/06 Maritime Law presented by the Department of Institutions, Enterprise and the Market "Alessandro Cerrai";
- The resolution on 16 dicembre 2011 by which the Administration Committee has approved the aforesaid proposal;

DECLARES

Art. 1

Admissions Examination Procedures

Under art. 24, comma 3, lett. a) of the Law 240/2010 and University Regulations for the position of researchers on a fixed-term contract under art. 24 of the Law 240/2010, the selection procedure for the position of no. 1 full time researcher on a fixed-term contract (denominated as 'Junior' contract) must be enacted for the setting up of the below-indicated three-year-duration research project.

Department of Institutions, Enterprise and the Market "Alessandro Cerrai"

Scientific macro-area 12/B1

Scientific Area IUS/04 Commercial Law

IUS/06 Maritime Law

Duration of contract: 3 years

AIM OF CONTRACT:

The fixed-term research assistant will carry out research activities, teaching activities, supplementary teaching activities and tutoring to undergraduate and graduate students

RESEARCH ACTIVITY:

The law of maritime and transportation undertakings, with particular regard to the forms of organizing and financing the same, the contracts and the securitization techniques of the relevant activities, as well as the law presiding their crisis management

ACTIVITY

Research activity is set out below:

The activity scope of the contract concerns research and teaching in the area of the law of maritime and transportation undertakings. The results of research activity shall be published on reviews and discussed within national and international conferences

PLACE OF ACTIVITIES:

Department of Institutions, Enterprise and the Market "Alessandro Cerrai"

Polo Universitario Sistemi Logistici - Livorno

DIDACTIC commitment:

The comprehensive annual commitment for didactic activity, integrative teaching and service to students has a duration of 350 hours.

The researcher must carry out, in the environment of institutional didactic commitment, up to a maximum of 60 hours teaching which can be derogated up to 10% of teaching for the academic year within the didactic syllabus as defined by the University regulations on the discipline of teaching positions. In the case where the contract is financed by external funds the above said didactic activity may be carried out only if expressly provided for within the accord with the financial body concerned.

Qualification of the research activity, integrative teaching and service to students has a duration of 1,500 hours annually for full time researchers.

Specific didactic activity of the contract:

Didactic activity at the Polo Universitario Sistemi Logistici - Livorno

The oral examination shall attest level in the language of english.

Candidates may present a maximum number of 12 scientific publications.

In the case of exceeding the maximum limit of publications, the Judging Panel will evaluate the above according to the order indicated in the list and the agreed-upon competition limits.

Art. 2

Admission requirements for selection

For selection, candidates (also those who are citizens not belonging to the European Union) are admitted to participate if they are in possession of the following:

–PhD or equivalent qualification, received in Italy or abroad;

–Qualification certificate in medical specialisation for the sectors concerned. In such a case the PhD or equivalent qualification would be preferred.

Up to the year 2015 a teaching degree or equivalent, together with a professional scientific cv suitable for research activity, is considered a valid qualification for admission.

Candidates not admitted for selection are Full or Associated University professors and presently employed research fellows on a permanent contract (even though the latter has lapsed due to retirement).

Furthermore candidates will not be admitted who have had contracts as salaried researchers and fixed-term research contracts under articles 22 and 24 or the Law 240/2010 at the University of Pisa or other Italian Universities, be they state, non-state or computerised as well as bodies under comma 1 of art. 22 of the Law 240/2010 for a period which, in summation of the duration provided by the contract, placed for public announcement, exceeds comprehensively the 12 years (even though non continuative). With the aims of the duration of the aforesaid contract periods of maternity leave or health problems are not observed under the present norms.

The contracts are conferred in accordance with the Ethical Code of the University. They cannot, in any way, be given to those who are related by birth or have affinity with a professor (up to the 4th grade) belonging to the structure from which the sum is assigned.

The applicant must be in possession of the requirements for gaining admission to the selection process at the termination date of the present application.

Art. 3

Applications for admission

Applications for comparative selection must be sent on penalty of exclusion, within the deadline of 30 days starting on the day after publication of this announcement being posted on the University general

register.

The application should be addressed to

MAGNIFICO RETTORE
UNIVERSITA' DI PISA
LUNGARNO PACINOTTI, 43
56126 PISA
Selection code **RIC 2011/6**

Applications will be accepted if they are sent by registered post with return receipt before the deadline indicated. The stamp of the accepting post office shall be considered proof.

Applications may be presented directly to the “Università Unità Protocollo”, Lungarno Pacinotti, 43, Pisa during the following times:

from Monday to Friday: 9:00 am – 1:00 pm

Tuesday and Thursday: 3:00 pm – 5:00 pm

In the application (see attachment A to be filled out) the candidate must declare, under his/her own responsibility, the following:

- 1.) Personal details, date and place of birth, residency;
- 2.) Selection code;
- 3.) Admission Examination Sector and the Disciplinary Scientific Sector;
- 4.) The department;
- 5.) An address for receiving communication relating to the present document: address with postal code, telephone number, e-mail address;
- 6.) Insurance number or Italian fiscal code number;
- 7.) The degree possessed with indication of the date and University from which it was awarded
- 8.) Citizenship;
- 9.) The enjoyment of civil and political rights in Italy or in the country of origin;
- 10.) To not be in possession of a criminal record or convictions, indicating details of the sentences and criminal procedures pending;
- 11.) Medical fitness necessary for the position;
- 12.) Only for male Italian citizens: position regarding military obligations;
- 13.) To not have been dismissed or retired from a Public Administration Body for persistent insufficient production of work; or to not have been declared decreased by a state employee under art. 127 of the “Test Unico” of dispositions concerning the statute of civilian employees of the state;
- 14.) To not presently hold the status or not have previously held the status of full professor or associate professor or of a permanent university research fellow;
- 15.) To not have exceeded comprehensively twelve years, (even non-continuously) including the set period of the present contract as a salaried research fellow or fixed-term contract researcher under articles 22 and 24 of the Law 240/2010 at the University of Pisa or at other Italian state or non-state or computational Universities respectively; as well as at bodies referred to under comma 1, of article 22 of the Law 240/2010;
- 16.) To be aware that he/she cannot proceed to the stipulation of the contract if he/she is

related by birth or has affinity with a professor (up to 4th grade) belonging to the department or to the structure that proposes the activation of the contract; or with the Chancellor, the General Director or any component member of the University Administration Governing Board.

Any lack in the application forms of declarations of which in the preceding points would result in exclusion of the selective process, an exclusion is made, only for foreign citizens, for the missing inclusion of Italian fiscal code.

The candidate's signature below the application form is not subject to authentication.

Any eventual variation of what is declared in the application form must be hastily communicated to the University. The University assumes no responsibility for loss of mail due to any incorrect addressing by candidates including lost or tardy communication of variation; or for any problems relating to the post office or telegram service; or problems due to third parties or any unforeseeable circumstances.

Art. 4 Documents to be attached

The following need be attached to the application forms:

- a.) C.V. of scientific and teaching activity of the candidate duly self-certified using attachment C of the present document.
- b.) Qualifications the candidate holds to be valid for the selection process and which will be presented according to art. 5 with the relative list.
- c.) Publications with relative list.

Furthermore a photocopy of Italian fiscal code and a document of identity are required.

Both the C.V., qualification list and publication list should be dated and signed by the candidate.

Art. 5 Presentation of qualifications and publications

Qualifications should be issued on plain paper.

Qualifications should be either the originals or in authenticated copies by utilising the declaration in substitution of a notarised act under art. 47 of D.P.R. (President of Republic Decree), 28/12/2000, no. 445, by filling out attachment B.

Candidates may also demonstrate possession of aforementioned qualifications through the form of autocertification by attaching the declaration in substitution of certification under art. 46 of the D.P.R. 445/2000 by filling out attachment C.

Non E.U. Citizen candidates resident in Italy can use sworn declarations with limit in cases of proving

conditions, facts and personal qualities certifiable or attestable from public or private Italian subjects under article 3, comma 2, of the Italian President of the Republic Decree of 28 December 2000, no. 445.

Certificates released by the competent foreign state authorities must be in accordance with the provisions in force in the same state and must also be legalised by the competent Italian consular authorities.

The Administration reserves the right to proceed with necessary controls on the veracity of the contents in the sworn affidavits.

Referral to documents or publications presented at this or other administration offices or to documents attached to other applications for another selection procedure is not consented.

Publications candidates intend to rely on for selection procedure, allowing for the maximum number indicated in the present document, must be presented together with their application and documents according to art. 4.

On the envelope containing the application and the relative qualifications as well as the publications) the following should be written: “Domanda titoli e pubblicazioni : procedura di selezione per contratto a tempo determinato,” and the following must be clearly indicated: selection code, indication of disciplinary scientific sector, the department for which the candidate intends to apply; as well as surname, name and address of the candidate.

Candidates may present their publications in their original form or as authenticated copies or photocopies by utilizing the declaration in substitution of a notarized act in attachment B.

Works printed abroad must bear the date and place of publications.

For works printed in Italy up until 01/09/2006 the obligations set out in art. 1 of the Vice-Regal Legislative Decree of 31 August 1945, no. 660 and later again in those set out by the Law of 15 April 2006, no. 106 and from the D.P.R. of 3 May 2006, no. 252 must be met.

Publications or texts accepted for publication according to the norms in force are considered assessable exclusively for the aims of the present selection; as well as essays inserted in collective works and articles edited in journals in paper or digital form, with the exclusion of internal notes or departmental reports, as well as doctoral theses or equivalent/equipollent qualification titles.

Art. 6 Exclusion from selection

Exclusion of participation in the procedure due to lack of requirements according to article 3 is set out with executive provision and notified to the candidate.

Art. 7
The Panel and selection procedure

The panel, nominated via a decree by the Chancellor consists of at least three members from the structure prospering the contract.

The panel must conclude its work before four months of the nominal decree. The Chancellor, for proven and exceptional reasons noted by the president of the panel, may postpone the conclusion of the panel's work only one time and for no longer than two months.

In the first sitting the panel establishes the criteria and modality of candidate's assessment according to the parameters set out by the ministerial decree of 25 May 2011, no. 243, as well as marks to be attributed to qualifications and publications.

Selection is carried out by a preliminary evaluation of the candidates with motivated analytic judgement on their qualifications, CV and on their scientific production, including their doctoral theses.

Following preliminary evaluation the comparatively more meritorious candidates, between 10 and 20 percent of the original number (and no less than 6 in number) are admitted for an interview on the basis of their qualifications and scientific position. All candidates will be admitted for the interview if their total number is equal to or less than 6.

Candidates will be notified via registered post with return receipt 20 days before the interview if they are to attend based on their qualifications and publications. The lack of presence at the interview will be considered an explicit and definitive manifestation of the candidate's voluntary wish to renounce taking part in the selection procedure.

During the interview on the candidates' qualifications and publication there will be an oral examination to assess the candidates' language levels as indicated in this document.

Following the interview a marking system will be attributed to the qualifications and to each publication presented by the successful candidates. For assessment of qualifications and publications the panel can ask for the aid of referees as established in the first meeting.

When the results of the selection procedure have been concluded, based on a comprehensive point system, the panel will set out a list of scores designating the winner or declaring the absence of any winners.

The panel will carry out a motivated assessment followed by a comparative evaluation, referring to the specific Admission Examination sector and to the profile defined via indication of one or more disciplinary-scientific sectors, C.V. and the following properly documented qualifications of the candidates:

- a.) PhD or equivalent, or , for the interested sectors, a certificate of medical specialization or equivalent awarded in Italy or abroad;
- b.) Any university teaching activity in Italy or abroad;
- c.) Documented training or internship activity or research at established Italian or foreign institutes;
- d.) Documented clinical activity relating to the Admission Examination Sector requesting such competences;

- e.) Experience of project activity as stated in the Admission Examination Sector's requirements.
- f.) Organization, management and coordination of national or international research groups or participation in the above;
- g.) Patent titles as stated in the Admission Examination Sector's requirements.
- h.) Speaker at national or international congresses or conventions;
- i.) National or international prizes or recognition for research;
- j.) European certificate of specialization recognized by international boards as stated in the Admission Examination Sector's requirements;

Assessment of each qualification indicated by comma 1 is effected by considering specifically the significance the latter has in order of quality and quantity of the research activity carried out by the single candidate.

The panel will effect comparative assessment of the publications on the basis of the following criteria:

- a.) Originality, innovation, rigorous methodology and relevance of each scientific publication;
- b.) Congruence of each publication with the Admission Examination Sector for which the selection procedure is effected and with any profile, defined exclusively via indication of one or more disciplinary-scientific sectors, or with interdisciplinary themes correlated to the latter;
- c.) Scientific relevance of editorial collocation of each publication and its circulation within the scientific community;
- d.) Analytic determination, also on the basis of recognized criteria in the referred international scientific community, of individual bearing of the candidate in case of participation in collaboration work;

The panel must also evaluate the consistent complexity of the candidate's scientific production, the intensity and temporal continuity of the same (subject to periods adequately documented of non-voluntary distancing from the research activity) with particular attention to parenting functions.

In the arena of the Admission Examination Sector wherein international standards are used for assessing publications, the following indicators are used (referring to the candidate deadline dates):

- a.) Total number of citations;
- b.) Average number of citations per publication;
- c.) Total impact factor
- d.) Average impact factor per publication;
- e.) Combination of previous parameters for assessing the impact of the candidate's scientific production (Hirsch index or similar).

Art. 8 Validation of the acts

The procedural acts are consigned from the panel to the procedure authorities.

The Chancellor, within thirty days of notification, shall attest with his own decree the formal validity of the acts and the result of the procedure, which will be rendered public via publication on the official University register and on the University web site. The proposition of any appeals to the selector's

decision and their terms will be given on the date the register is issued with the result.

In the case where evidence of faults occur the Chancellor will re-send, with motivated provision, the acts to the panel until they comply with regulations within the following twenty days.

Art. 9 Call proposal

The department will communicate the winner within 60 days of validation of the acts.

The deliberation is valid if approved by an absolute majority favourable vote of the full and associate professors afferent to the structure.

Non adoption of the deliberation call, within the deadline under comma 1, will result in the impossibility of the structure invoking this document, to request a new selection procedure for the same sector for a period of one year.

The deliberation containing the call proposal is subject to approval of the Administration Governing Board.

In the case whereby the winner renounces the position before the signing of the contract the department can proceed to a new call taken from the score list of candidates.

Art. 10 Work relation

The successful candidate will engage in a working relation with the University of Pisa for a fixed-term contract via the stipulation of a private subordinate contract undersigned by the Chancellor and regulated by the University Regulations for the employment of research post graduates on a fixed-term contract under art. 24 of the Law 240/2010 cited in the introduction of this document and published on the University of Pisa website.

Disciplinary competence is regulated by art. 10 of the Law 240/2010.

The successful candidate must present, according to the stipulation of the individual contract of work, all the documentation requested under the norms in force for the engagement of a working relation on a fixed-term contract, for research.

The contract is subject to all obligations set out for the remaining work relations stipulated with the University of Pisa.

The regime of incompatibility and the effectation of other positions is regulated by art. 14 of the above cited University Regulations for the employment of research post graduates on a fixed-term contract under art. 24 of the Law 240/2010.

Art. 11
Postponement of contract

The contract may be postponed for only two years and for only one time only under conditions of motivated demands for completion of the research program, to be authorized with deliberation of the Department Committee approved by the Academic Senate.

Art. 12
Salary

The salary stipulated in the wording of the contract is equal to 35,220 Euro (yearly gross) including a “thirteenth month” end-of-year bonus, for the entire duration of the contract, corresponding to the expected salary of the post graduate researcher (confirmed as class O) on a full time contract.

Inflation and career index-linked pay adjustments are not applied to fixed-term post graduate researchers.

Art. 13
Return of documentation

At the end of the selection procedure, elapsing 60 days after the publication of the Chancellor’s decree (validating the acts) in the official University Register, the University shall return to those applicants, who specifically so requested, their original documents attached to their application forms unless there be any legal acts binding. The documents must be collected by the applicant within 30 days of the expiry of the stipulated termination date. Beyond this date the University is no longer responsible for the keeping and returning of the above documentation.

Art. 14
Protection of personal data

The protection of personal data is subject to the “Protection of personal data” legislative decree of 30 June 2003, no. 196 published in the Official Register of 29 July 2003, general series no. 174, ordinary supplement no. 123 L.

Any data provided by applicants will only be used for the purposes of the present announcement.

Such data must be provided for the requisites for participation. If they are not so provided the applicant shall be disqualified.

Applicants enjoy the right of the above cited law, including the right to access any data that regards them, and also have the right to rectify, update, complete or delete any erroneous and incomplete data; or any data collected under terms not conforming with the law.

Art. 15
Person in charge of the proceedings.

In accordance with the article 5 of Law no. 241 of 7 August 1990, the person in charge of the present announcement is Dott.ssa Laura Tangheroni, Teaching and Technical Staff Recruitment Office – University of Pisa – Lungarno Pacinotti 43/44 – Pisa – tel. 050/2212240/147/530 – fax: 050/2212167 – e-mail: l.tangheroni@adm.unipi.it

Art. 16
Publication

The present decree is published in the Official Register, special IV series “Admission examinations”.

THE CHANCELLOR
Prof. Massimo Augello

Example application form

Appendix (A)

Al Magnifico Rettore dell'Università di Pisa
Lungarno Pacinotti, 43
56126 PISA
Selection code RIC 2011/6

The undersigned applicant, born in _____ (day, month, year) in
_____ (town, country) and _____ resident in
_____ (street number, street) _____ (town)
_____ (postal code).

REQUESTS

To be admitted for participation in the selection procedure for the position of no. 1 fixed-term -contract postgraduate researcher, under art.24, comma 3, lett. A of the Law 240/2010, to collaborate on the research project entitled:

Scientific macro-area _____

Scientific Area _____

which announces the post on the Official University Register - special series of no.

At the Department of _____

Aware of his/her responsibility the applicant declares the following:

1. fiscal code, if any (*obligatory for Italian citizens and foreigners with residence in Italy*)
2. to elect domicile for the effects of this application at-----.
3. to be in possession of a degree certificate from an Italian University according to the “vecchio ordinamento”/ an Italian “specialista” degree (2 year post-bachelor degree) ex. D.M. 509/99 / an Italian “magistrale” degree ex. D.M. 270/04 in _____ graduating on _____ (date) from the University of _____ with a mark of _____ or of the following study certificate from abroad _____ graduating on _____ from the University of _____ with a mark of _____.
4. to be in possession of the following citizenship: _____

5. to enjoy the political and civil rights of his/her country of origin :
6. to not be in possession of a criminal record or convictions , indicating details of the sentences and criminal procedures pending.
7. to have the physical fitness necessary for the position
8. only for male Italian citizens: position regarding military obligations.
9. to not have been dismissed or retired from a Public Administration body for persistent insufficient production work; or to not have been declared deceased by a state employee under art.127 of the ‘Test Unico’ of dispositions concerning the status of civilian state employees.
10. To not presently hold or not have previously held the status of full or associate professor or of permanent university research fellow
11. to not have exceeded comprehensively twelve years (even non-continuously), including the set period of the present contract in the role of a salaried researcher or fixed-term contract researcher under articles 22 and 24 of the Law 240/2010 at the University of Pisa or at any other Italian state or non-state or computational university respectively; as well as at bodies referred to under comma 1, of article 22 of the Law 240/2010
12. To be aware that he/she cannot proceed to the stipulation of the contract if he/she as related by birth or has affinity with a professor (up to 4th grade) belonging to the department or to the structure that proposes the activation of the contract; or with the Chancellor, the General Director or any component member of the University Administration Governing Board.
13. To authorise the University of Pisa with processing of personal data under art.11 of the assessment procedure notice.

I, the undersigned attach the following to the application forms:

- 1) C.V. of scientific and teaching activity , dated and signed
numbered list of dated and signed qualifications presented

numbered list of dated and signed publications presented
a photocopy of fiscal code and identity document
qualifications and publications

The undersigned declares he/she understands that false declarations are punishable in accordance with the penal code and related laws.

The undersigned agrees to inform the university administration of any subsequent variations and acknowledges that the administration is not liable for loss of any communications due to any incorrect addressing by candidates; or due to late changes of address from those indicated in the application. Nor is the administration liable for post office or telegraph problems, problems due to third parties or any unforeseeable circumstances.

Date _____

Signature _____
(not to be authenticated ex art. D.P.R 445/2000)

Attachment B

SUBSTITUTE DECLARATION OF CERTIFICATION

Art. 46 of DPR 445 of 28/12/2000

I, the undersigned _____, born in _____ province of
_____ on the _____ resident in
_____ province of _____ street/square
_____ no. _____

Acknowledging the penal responsibility set out in Arts. 75 and 76 of the DPR 445/2000 regarding the hypothesis of falsehood in records and false declarations,

DECLARE

Date _____

The Applicant _____

No validation of signature required. No stamp duty required.

SUBSTITUTE DECLARATION OF NOTARY ACT

Article 19 and 47 of the DPR dated 28/12/2000

I, the undersigned _____, born in _____ province of
_____ on the _____ resident in
_____ province of _____ street/square
_____ no. _____

Acknowledging the penal responsibility set out in Arts. 75 and 76 of the DPR 445/2000 regarding the hypothesis of falsehood in records and false declarations,

DECLARE

(as exemplified: that all the information contained in my CV presented is true. Or : that the copies of my qualifications or publications presented conform to the originals)

Date _____

The Applicant _____

No validation of signature required. No stamp duty required.