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## **B.14**

### **Regulations for the recruitment of human resources at the Fondazione Edmund Mach<sup>1</sup>**

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<sup>1</sup> Regulations introduced with a resolution of the Board of Directors at the meeting of 18 November 2014

## **Section I**

### **Application and principles**

#### **Article 1**

##### **Scope of application**

1. These regulations shall be applicable to recruitment procedures and methods of access to the Foundation for human resources, respecting the provisions of Provincial Law 14/2005 and subsequent amendments and the Provincial Law of 14 April 1997, no. 7, specifically Article 7, paragraph 4 bis, and the directives issued by the Autonomous Province of Trento.
2. These regulations shall be applicable to staff hired on a permanent and temporary basis, including staff in the agricultural sector, in relation to the provisions of Article 19. These regulations also apply to project workers.

#### **Article 2**

##### **General principles**

1. Recruitment shall be based on the principles of impartiality, information and transparency.
2. Recruitment shall be carried out in such a way as to allow utilisation by homogeneous areas, except when it is necessary to identify specific professional abilities or skills, in order to encourage greater participation and at the same time make the procedure more economical.
3. In order to encourage the training of human resources and their subsequent placement on the external market, implementing the provisions issued by the provincial government with Resolution no. 1551 of 8 September 2014, the Foundation shall exclude those who have already had employment or freelance contracts with the Foundation for the duration established in the recruitment notice from participating in the recruitment of both temporary and project workers.
4. The recruitment procedure shall normally conclude within 6 months of publication of the recruitment notice.

#### **Article 3**

##### **Exclusions**

1. These regulations shall not apply:
  - to teaching staff, for whom specific regulations are adopted, according to Article 19, paragraph 11, of the Regulations for the Organisation and Operation of the Foundation;
  - to the highly specialised staff with important professional skills provided for by Article 19, paragraph 7, of the Regulations for the Organisation and Operation of the Fondazione E. Mach, in the event of permanent jobs or contracts with gross pay not lower than the remuneration levels for R2 and T2 posts, with a duly motivated decision;
  - to project workers for a duration of less than 12 months, so long as the contracts are not renewable or extendable, and at all events with gross pay not higher than the remuneration levels for R2 and T2 posts;
  - to collaboration started up following the acquisition of projects from external calls for tenders, provided that they are procured by the worker himself;
  - to temporary contracts to fill strictly trust-based posts, with a maximum limit of one person;
  - to rehiring or re-awarding of assignments for resources already recruited who have terminated their contracts; in the event of specific professional skills and proven competitive external proposals, they may be given better positions than those previously filled;
  - to compulsory hiring according to Law no. 68/1999;
  - to staff redeployed/ on secondment from other organisations.

## **Section II**

### **Recruitment process**

#### **Article 4**

### **Starting up of recruitment**

1. Having verified the priorities, compliance with organisational needs and financial cover, the starting up of recruitment shall take place on the request of the Director of the division making the request. Within 10 days of receiving the request, the central division responsible for human resources will evaluate the compliance of the request with similar figures present at the Foundation and compatibility with the actions adopted by the organisation, in particular with the recruitment plan stated in Article 2, paragraph 2, section h) of the Organisational Regulations of the Fondazione E. Mach.

### **Article 5**

#### **Recruitment notice procedure**

1. On the basis of the request to start up the recruitment process, within 30 days of receipt of the request, the central division responsible for human resources shall prepare a specific recruitment notice, in agreement with the Director of the proposing division.
2. The recruitment notice must contain:
  - the type and number of positions to be filled;
  - the access requirements requested;
  - the subjects that are the object of the written test, the interview alone, or both; the content of any practical tests in relation to the specific professional skills required; the minimum score required to pass the individual tests; in the event of recruitment on the basis of curriculum and/or qualifications, indication of the training and professional programmes, the qualifications evaluated and the evaluation criteria;
  - should any pre-selection test be provided for, indication of the criteria for carrying out this test;
  - indication of knowledge of any foreign languages required for the role which is the object of the notice, specifying the level of knowledge required and the methods used to ascertain this;
  - indication of knowledge of any IT hardware and/or software applications required for the role which is the object of the notice, specifying the level of knowledge required and the methods used to ascertain this;
  - indication of knowledge of any equipment required for the role which is the object of the notice, specifying the level of knowledge required and the methods used to ascertain this;
  - the schedule and location of the tests and/or the interview, or the methods and deadline for communicating the schedule and location;
  - gross remuneration;
  - documentation to be presented in the event of hiring and the relative deadlines;
  - deadline for the presentation of applications and deadline for notification of conclusion of the recruitment procedure;
  - methods for presenting the application.
3. The deadline for the presentation of applications, starting from the date the recruitment notice is published, must be:
  - no less than 10 days for the recruitment of temporary staff and project workers;
  - no less than 20 days for the recruitment of permanent staff.
4. In the case of research staff, the recruitment notice may require candidates to provide explicit indications of the names of employers and other qualified parties who may be called on to give a written assessment of the professional profile of the candidate in relation to the job, following a request from the Selection Committee.

### **Article 6**

#### **Publication of the recruitment notice**

1. The recruitment notice shall be published for at least 20 days in the specific section of the Foundation's web site, at the web site of the Autonomous Province of Trento and at the site of the Agenzia del Lavoro. Publication may also take place in newspapers or specialist magazines and at specialist web sites.
2. In the case of temporary jobs or project workers, the period of publication may be reduced to 10 days.

## **Article 7**

### **Methods for sending in applications**

1. Applications must be presented using the methods provided for in the recruitment notice, accompanied by a detailed curriculum. Applications and curricula not meeting the requirements established in the recruitment notice cannot be assessed.
2. The application or curriculum must also contain the candidate's authorisation to handle his personal data according to d.lgs. 196/2003.
3. The application must reach the central division responsible for human resources at the Foundation in the manner and by the deadline indicated in the recruitment notice.

## **Article 8**

### **Pre-selection**

1. The recruitment notice may also provide for forms of pre-selection, carried out by companies specialising in the recruitment of personnel, as established in the notice.
2. The recruitment notice shall establish the minimum score required to pass the pre-selection phase, or may establish the maximum number of participants admitted to subsequent stages of the recruitment process.

## **Article 9**

### **Recruitment methods**

1. The methods adopted for recruitment shall be indicated in the recruitment notice and may consist of one or more of the following:
  - a) a written test consisting of special predetermined multiple choice questions, questions requiring brief answers or an essay; the content may relate to both technical-practical aspects and aptitudes, or purely to either technical-practical aspects or aptitudes;
  - b) a practical test designed to ascertain the candidate's abilities in relation to the specific professional skills required;
  - c) an oral interview designed to ascertain the candidate's knowledge of the matters which are the subject of the interview and the skills and aptitudes of the candidate with reference to the activities he will be called on to carry out. If necessary, the interview may also be carried out via videoconference.
  - d) presentation of the curriculum and the activities carried out or to be carried out in relation to the recruitment process, also in front of an audience;
  - e) evaluation of the curriculum and qualifications as indicated in the recruitment notice; in the event of permanent posts, work experience at the Foundation will be evaluated.

## **Article 10**

### **Schedule for tests and/or interviews**

1. The test schedule may be indicated in one of the following ways:
  - a) directly in the recruitment notice;
  - b) by direct communication to the candidates;
  - c) using other methods specified in the recruitment notice;
2. The test and interview schedule shall be communicated to the candidates at least ten days before the beginning of the tests and the interview. The date for presentation of the curriculum must be communicated at least 10 days earlier.
3. The notification for presentation at the tests and interview shall be communicated via publication at the Foundation's web site, if this is provided for in the recruitment notice.
4. The list of candidates admitted to subsequent tests or the interview shall only be published at the Foundation's web site if this is provided for in the recruitment notice.

## **Article 11**

### **Acquisition and transmission of applications**

1. Once the period established for the receipt of applications has expired, the central division responsible for human resources will transmit all the applications to the Selection Committee

**Article 12**  
**Selection Committee**

1. The Selection Committee, nominated by the Director General following the proposal of the division manager concerned, shall be made up of at least three members, and specifically:
  - a) by the Chairperson, chosen from the managerial staff or those responsible for 2<sup>nd</sup> level divisions;
  - b) by two to four experts in the matters which are the object of the recruitment process, with professional skills relating to the relevant role.
2. An employee chosen from 4<sup>th</sup> level staff or corresponding figures shall act as secretary. One of the experts provided for in the previous paragraph may also act as secretary.
3. The presence of a staff member from the central division responsible for human resources is normally guaranteed, either as a committee member or secretary.
4. The following may not belong to the committee: persons with political and institutional roles belonging to administrative organs or control bodies of the organisation, trade union and professional association directors, representatives or designated officials, or other individuals who are in positions which could lead to a conflict of interest. At least a third of the committee members, excluding the secretary, shall be female; failure to respect this threshold must be justified when the committee is nominated.
5. One or more substitutes may be nominated for each member of the committee, including the secretary. These shall participate in meetings of the committee in the event of absence or impediment of the nominated member.
6. Additional members may be added to the committee for tests related to specific subjects. These shall only attend the meetings at which the relative knowledge is ascertained.

**Article 13**  
**Incompatibility**

1. Before beginning the competitive tests, the committee and the secretary, having checked the list of those admitted to the recruitment process, shall proceed to verify that there is no incompatibility between the committee members and the candidates, according to article 51 of the civil code; this check and the results of verification shall be recorded in the minutes.
2. The existence of any incompatibility shall give rise to the withdrawal of the Chairperson, committee member or secretary concerned: withdrawal shall also take place should the cause of the incompatibility arise during the recruitment process.

**Article 14**  
**Activities of the Selection Committee**

1. All activities shall be carried out respecting the principles of fairness and equal treatment for candidates.
2. Minutes of all the activities carried out by the Selection Committee shall be drawn up.
3. The committee will first of all check that the candidates have the requirements provided for in the recruitment notice. Candidates who do not have the necessary requirements shall be excluded from participation in the recruitment process and shall be advised of the reasons for exclusion in the most appropriate manner.
4. The committee shall then proceed:
  - 1) to carry out any pre-selection process established in the notice;
  - 2) to identify the criteria for evaluation of qualifications and the way in which the test and/or interview will take place;
  - 3) to evaluate of the curricula and qualifications presented if applicable;
  - 4) to carry out the tests and interviews provided for in the recruitment notice;
  - 5) to draw up the results of the recruitment process.
5. In order to guarantee the efficiency and rapidity of the recruitment process, the committee may decide to carry out the written and/or practical test before evaluation of the curricula or qualifications presented.
6. Before carrying out the tests and evaluation interview, the candidate shall be identified and asked to complete a declaration, if this has not already been presented, stating:
  - that he has the requirements indicated in the notice;

- that there are no reasons for incompatibility provided for by the law or linked to interests of any kind with reference to the scope of the employment;
- that he has no criminal convictions and is not subject to measures related to the application of prevention measures, civil decisions and administrative provisions registered in the criminal record;
- the truthfulness of the declarations made in the application/ curriculum and an undertaking to communicate any subsequent changes.

### **Article 15**

#### **Validation of the results of the recruitment process**

1. In order to check the correctness of the procedure, the minutes of the committee shall be approved by the Director General.

### **Article 16**

#### **Results of the recruitment process**

1. The recruitment process shall be valid for the purpose of filling the posts provided for in the recruitment notice. The Foundation will have the right to use the results of the recruitment process to fill further positions, also disregarding their placement in relation to specific skills, in the 36 months following the date on which the recruitment procedure concluded, so long as there is a link between the post to be filled and the skills ascertained in the recruitment process, and that this does not lead to a more remunerative position than that filled by the winner.
2. In the event that a candidate selected does not take up a post, this may offered to suitable candidates situated in subsequent positions in the classification.
3. In the event of no valid candidates in the selection, it is possible to use the results of recruitment procedures carried out at other organisations, so long as these are not permanent positions at the Foundation, and the principles of these regulations have been applied. Only in the case of temporary jobs for technicians with 5<sup>th</sup> level operational roles and 4<sup>th</sup> level technical/administrative workers or similar figures for non-specific positions is it compulsory to give priority to the results of competitive examinations or selection processes carried out by the Autonomous Province of Trento. The results of the recruitment process shall be communicated to the candidates on termination of the recruitment procedure, individually or through publication of the results, if provided for by the recruitment notice.

### **Article 17**

#### **Renewal and extension of contracts**

1. Without prejudice to the limitations provided for by the regulations – including the directives of the Autonomous Province of Trento – and collective agreements, and respecting the principle stated in Article 2, paragraph 3, to encourage the training of human resources and their subsequent positioning on the external market, proposals to extend existing contracts or renew contracts must be carried out with respect for the directives and criteria adopted by the Board of Directors and in any case subject to verification of financial cover in the budget.

### **Article 18**

#### **Stabilisation**

1. With the exception of the provisions of article 5, paragraph 4-quater, of the D. Lgs. of 6 September 2001, no. 368 and subsequent amendments and other legal provisions, respecting the directives issued by the provincial government, these regulations shall also apply in the case of permanent hiring of staff who work for or have worked for the Foundation.

### **Article 19**

#### **Recruitment of farm office and manual workers**

1. The hiring of farm office workers shall take place according to the provisions in these regulations.
2. The hiring of permanent farm labourers shall take place according to the provisions in these regulations, or alternatively with stabilisation of the position of employees with a significant length of service in relation to the post to be filled and with positive assessment of their performance.
3. The hiring of new temporary farm labourers, also on a seasonal basis, shall take place through evaluation of the job applications presented to the Foundation, giving priority to those with training

in the field of agriculture or corresponding experience. Following identification of the criteria, a special committee nominated by the Director General shall draw up a classification.

4. The hiring of temporary or seasonal farm labourers, already taken on the previous year, shall take place in accordance with the contractual regulations in force.

### **Section III**

#### **Entry into force and transitory provisions**

##### **Article 20**

###### **Information and efficacy**

1. These regulations shall come into force immediately. They shall not apply to procedures completed according to the previous regulations. For procedures underway at the time they come into force, they will be applied in so far as they are compatible with these regulations. These regulations will be published at the Foundation's web site.

##### **Article 21**

###### **Transitory provisions**

1. Within a year of these regulations coming into force, and respecting the directives issued by the provincial government and the recruitment plan for permanent staff approved by the Board of Directors, research and technological staff, or personnel involved in activities to promote research and technological transfer, also as project workers, with contracts about to expire or already expired, who win or have qualified in currently valid competitive public employee selection processes and have at least 24 months' service within the Foundation on 31 December 2014, either as employees or project workers, can be taken on to fill permanent jobs requiring skills directly linked to the recruitment process carried out.
2. Within the same term stated in the previous paragraph, in order to avoid losing the knowledge and specialist skills indispensable for carrying out institutional tasks, respecting the directives issued by the provincial government, the Foundation may select permanent research or technological staff, limited to highly specialist positions of interest to the organisation filled by research and technological personnel or project workers recruited through international competitive public recruitment processes, with all the access requirements and who by 31 December 2014 had at least 24 months' research experience within the Foundation. The provisions in this paragraph are subject to verification that these positions do not involve the duplication of existing skills.
3. Article 17 shall apply to contractual relationships expiring by 30 June 2015, notwithstanding the limit stated in article 3, third paragraph.