

*Agreement of February 22, 2019, of the Governing Council of the University of Zaragoza, **approving the new Regulations governing temporary contracts of employment of researchers for the realisation of specific scientific and technical research projects.***

The Organic Law 6/2001, of December 21, of Universities, allows in article 48, in its current wording, the recruitment by universities of research personnel for the development of scientific or technical research projects. Likewise, Article 20.1 of Law 14/2011 of 1 June 2011 on Science, Technology and Innovation establishes the modalities of employment contracts specific to research personnel, recognising in Article 20.2 the possibility of hiring research personnel by public universities, only when they are recipients of funds whose purpose includes the recruitment of research personnel or for the development of their own R & D & I programmes, through the modalities of employment contract established by the consolidated text of the Workers' Statute Law.

The Regulation of the University of Zaragoza on the recruitment of research personnel, approved by the Agreement of the Governing Council of 21 December 2011, in its article 4.3 establishes the different contractual modalities or categories for hiring exclusively research personnel on a temporary basis, as well as the selection and recruitment procedure, referring to the approval of specific regulations. It has recently been amended by Agreement of the Governing Council of 21 January 2019.

Next, it develops the regulations that regulate the procedures for hiring temporarily, in all its phases, and for the incorporation of the selected staff, as well as the guidelines for the elaboration of the objective evaluation criteria. The provisions of Law 39/2015 of 1 October 2015 on the Common Administrative Procedure of Public Administrations and Law 40/2015 of 1 October 2015 on the Legal Regime of the Public Sector have been taken into account.

Chapter I Subject matter of this legislation

Article 1. Scope of application

1. The rules contained in these regulations shall apply to the hiring of research personnel of a temporary nature, for the total or partial development of projects, agreements, contracts or research agreements, with funding managed by the University of Zaragoza, which is incorporated in Chapter VI of the Expenditure Budget, from:

- a) Specific research projects.
- b) Contracts regulated in Article 83 of Organic Law 6/2001 of 21 December 2001 on Universities.
- c) Agreements or collaboration agreements of the University of Zaragoza with public or private entities or organisations for the financing of research.
- d) Grants to research groups, university institutes, departments, centres or other R & D & I structures created in accordance with Article 25 of the Statutes of the University of Zaragoza.
- e) Grants to R & D & I activities of own calls of the University of Zaragoza.
- f) Agreements of corporate institutional chairs, including R & D & I actions.

2. Recruitment by competition, when the recruitment procedure is urgent, shall be governed by the provisions of Chapter IV of these regulations, in accordance with Article 8.6 of the Regulations of the University of Zaragoza on the recruitment of research personnel, approved by Agreement of the Governing Council of 21 December 2011.

Chapter II Procedure and guarantees

Article 2. Request for recruitment

1. Researchers responsible for recognised groups, directors of research institutes or researchers responsible for projects, agreements, contracts or research agreements that have funding managed by the University of Zaragoza, as referred to in Article 1, and who plan or have the need to hire research staff on a temporary basis from this funding, shall apply for recruitment in the form established, addressed to the Vice-Rector with competences in the field (hereinafter, corresponding Vice-Rector) detailing, at least:

- a) The characteristics of the contract, required qualification, job profile, centre of secondment of the place, evaluation criteria and, where appropriate, objective tests to be carried out and its form of assessment.
- b) The research activities to be developed.
- c) The expected dates of start and end of the contract.

2. In the light of the request, the unit managing the call shall inform the call in order to determine the conformity with the above-mentioned project, contract, agreement or research agreement and whether the applicant is listed as the researcher responsible for the funding funds; it will also assess the costs of the proposed contract.

3. The unit managing the funds with which the contract is to be financed shall certify the existence or not of budgetary availability to cover the costs of the procurement and, where appropriate, proceed to the withholding of the corresponding credit in the project, contract, agreement or research agreement. It shall also attach a supporting copy of the registration of the project, contract, agreement or agreement, containing at least the name, the principal investigator, the body or entity financing the contract and the dates of commencement and end of the contract. In the event that there are specific requirements that it is necessary to outline in the call or in the contract, a copy of the regulations in which these requirements are determined will be attached.

4. The corresponding Vice-Rector shall decide on the approval or rejection of the request to hire temporary staff and, if appropriate, proceed to the call for competition, by delegation of the Rector. In any case, if there is no credit to finance the costs of the contract, it will not be possible to authorise its invitation to tender and it will not be possible to make the contract.

Article 3. Calls

1. The recruitment of research staff by the University of Zaragoza will be carried out through the call for the corresponding competitions.

2. The bases of the calls will be in accordance with the legal and regulatory regulations that are applicable to them and to this Regulation. These bases, which may be general for all calls, will be approved by the Rector, after negotiation with the trade union representative bodies of the PDI, and will be published in the Official Gazette of Aragon. Once the general bases have been published in the Official Gazette of Aragon and the need to hire research personnel is justified immediately or due to urgent needs, it will be sufficient to publish the call for each place or a set of places in the official electronic board of the University of Zaragoza (hereinafter, e_TOUZ).

These specific calls will be published by resolution of the Rector who may delegate to the corresponding Vice-Rector.

3. The call will indicate, at least, the number and characteristics of the competition places, the specific duration of the corresponding contract, as well as the possible renewal of the contract subject to the existence of financing, where appropriate.

The call will inform about the deadlines, terms and stages of the development of the competitions, the

way in which the applications are to be submitted, the requirements of the applicants and the documentation to be provided.

4. The call will also detail the requirements and profile of the applicants, the objective tests, if any, to be carried out, the evaluation criteria and the composition of the selection committees.

5. When two or more places linked to the same project, contract, agreement or agreement corresponding to the same contractual figure, of the same profile and category, have the same profile and category, it will be considered to be a single place for the purposes of the selection, even if they are linked to different centres of assignment, adjusting the call to these budgets.

6. The call shall establish a period of 20 calendar days for the submission of applications, starting from the day following the publication of the call for tenders.

7. The acts derived from the call that require publicity will be published in the e_TOUZ, serving as a notification to the interested parties, for all purposes.

With regard to the processes derived from these regulations, the acts and documents to be issued will be made by means of electronic documents, with electronic signature, of the authorities or public employees of this University that intervene, to the extent possible, in accordance with the provisions of Circular No. 1, of 30 September 2016, of the Management and of the General Secretariat of the University of Zaragoza, concerning the entry into force of Laws 39 and 40 of 2015, in their relationship with the electronic administration. In particular, the documents to be published in the e_TOUZ will be carried out by this means.

Article 4. Lists of admitted and excluded

1. After the deadline for submission of applications, Rector, who may delegate to the corresponding Vice-Rector, will approve the provisional list of candidates admitted and excluded, which will be published in the e_TOUZ. This provisional list shall be published within a period of 10 working days to remedy defects which would have led to the exclusion or omission of the list of admitted persons.

Once the correction period has expired, the Rector, who may delegate to the relevant Vice-Rector, shall publish the final list of candidates admitted and excluded, at the place indicated in the previous section.

2. The publication of these acts in the e_TOUZ will serve as a notification to the interested parties, for all purposes.

3. If at any time during the procedure it becomes known to the University that any of the admitted applicants does not meet the legal requirements for admission to the competition, the Rector shall agree to its exclusion, after hearing the interested party, without prejudice to the responsibilities in which it may have incurred.

Article 5. Composition, constitution and action of the Selection Commissions

1. The composition of the selection commissions of temporary research staff will be formed by the researcher requesting the contract, who will act as president, and two researchers linked to the University of Zaragoza with a profile related to the research activity to be developed, at the proposal of the researcher requesting the contract, and who will act as secretary and vocal.

In the event that the applicant researcher does not have a permanent link with the University of Zaragoza, a member of the selection committee who meets the latter requirement shall act as chairperson. Likewise, whoever acts as secretary will be required to have permanent links with the University of Zaragoza.

2. Proposals shall include the same number of full and alternate members. All proposed members shall

meet the requirements for membership of the selection panel and shall be appointed by the Rector.

The composition of the selection committees must comply with the provisions of Article 60 of the recast text of the Law on the Basic Statute of Public Employees, approved by Royal Legislative Decree 5/2015 of 30 October 2015.

3. The appointment as a member of the selection committee is irrevocable, except where the reasons for abstention and recusal provided for in Articles 23 and 24 of Law 40/2015 of 1 October 2015 on the Legal Regime of the Public Sector apply.

4. If during the competition a member who is entitled to leave will automatically be replaced by an alternate member.

5. The selection panel shall be established within 5 working days of publication of the final list of successful and excluded applicants. In the act of constitution, the selection committee shall adopt all the arrangements relating to the organisation of the selection process and in particular all those related to the application of the objective assessment criteria and, where appropriate, to the objective tests and the interview, as provided for in the call.

6. The chairman or secretary of the selection committee shall forward the minutes of constitution, together with the agreements adopted to be published in the selection process, to the unit that manages the call. Upon receipt of this documentation, the unit that manages the call will formally deliver the documentation submitted by the admitted applicants, which will remain in the custody of the selection commission until the delivery of the recruitment proposal, being able to begin to evaluate the applicants.

The unit managing the call shall publish the agreements adopted by the selection committee in the e_TOUZ, within 24 hours of receipt.

7. For what is not provided for in these regulations and in the bases of the respective calls, the provisions of Law 39/2015, of 1 October, on the Common Administrative Procedure of Public Administrations, as well as in the aforementioned Law 40/2015.

Article 6. Development of the competition

1. The selection of temporary research staff will be carried out through public tenders, with respect to the principles of equality, merit and capacity.

2. The selection committee may hold an interview with the admitted candidates and carry out the objective tests, where this has been established in the call.

The non-concurrence of the interview by any of the contestants called to it does not mean that he renounces his right to be valued and even proposed for the square.

3. The decision of the selection panel shall, in any event, be reasoned in accordance with the assessment criteria previously established and, where appropriate, with the objective tests and the interview; it will be binding and include the ranking of the selected candidates, indicating the score obtained.

4. The selection committee may declare that any or all candidates admitted to the competition are not suitable. That declaration shall contain the reasons and grounds for declaring the lack of suitability.

5. The selection committee may declare the place subject to the competition deserted if all the candidates have been considered unsuitable.

6. Where a single candidate is admitted, the selection board may propose directly to that candidate, without the need to give him a score, provided that it considers it appropriate.

Article 7. Duration of the procedure

1. The maximum period to terminate the competition shall be 30 calendar days, counted from the day following the publication of the final list of candidates admitted and excluded. For this purpose, this period may be suspended or extended in accordance with the provisions of Articles 22 and 23 of Law 39/2015.
2. This period may be extended by 15 calendar days, by decision of the Rector who may delegate to the relevant Vice-Rector, if the number of candidates admitted is very high, at the reasoned request of the Chairman of the selection committee made during the first week from the day following the publication of the final list of candidates for the position.

Article 8. Procurement proposal

1. The selection commission will propose for the recruitment of the candidate who obtains the highest score. In the case of calls where there is more than one allocation, these will be allocated in the order of priority shown in the proposal. In the event that the contracts are linked to different secondment centres, the candidates proposed shall choose in the order of priority of the proposal.
2. Following the recruitment proposal, the chair or secretary of the selection committee shall deliver to the unit which manages the call for the recruitment proposal and the other documentation of the selection process, as well as the documentation of the applicants.
3. The Selection Committee's proposal will be published solely and exclusively in the e_TOUZ. The publication on the aforementioned bulletin board shall serve as a notification to the interested parties for all purposes. The publication of the procurement proposal will be carried out by the unit that manages the call.

Article 9. Guarantees

1. Successful applicants may lodge a complaint against the recruitment proposal made by the selection committee within 6 working days from the date of publication, before the Rector. If the complaint is filed in a place other than that of the General Registry of the University, the complainant will send a copy of the first page, where the record in question appears, to the fax number or e-mail address indicated in the call.

The complaint will be submitted, preferably, by electronic means, through the electronic headquarters of the University of Zaragoza (<https://sede.unizar.es><https://sede.unizar.es/>) by means of the electronic register (<https://regtel.unizar.es/>) if the interested party has a digital ID certificate, or electronic administrative identification of the University of Zaragoza (NIP and password). If it is submitted by other means, a copy with the entry registration stamp or that of the Post Office must be sent in "PDF" format to the e-mail address of the administrative unit determined in the terms of the call.

For this purpose, applicants will have access to the file in the unit that manages the call for applications for the entire period and at least from 9:00 a.m. to 14:00 p.m., Monday to Friday.

Those who access the file and consult data of other applicants must keep their reservation and may only make use of such data for the purpose of arguing or raising both the complaint and the allegations that may arise, where appropriate. In accordance with the provisions of Organic Law 3/2018, of December 5, on the Protection of Personal Data and guarantee of digital rights, any disclosure of the data outside the file may imply the requirement of responsibilities of all kinds for those who violate this rule.

2. The letter of complaint shall contain the requirements laid down in the article

2.1 of Law 39/2015 and, in particular, clearly, the facts, reasons and request in which the complaint is

made, within the meaning of point (c) of that provision. If the claim meets the above requirements, the Rector will admit it to process and will be announced in the e_TOUZ, otherwise the Rector will issue a resolution inadmitting the claim, which will be notified to the interested party. When the notice of complaint has been published, the other applicants may submit comments to the complaint within a maximum of six working days from the day following the publication of the notice of complaint; for this purpose, within this period, they will be able to access the content of the complaint and the file of the position claimed at the headquarters of the administrative unit determined on the basis of the call.

3. In any case, claims that are submitted after the deadline will not be declared admissible.
4. It is for the Rector to resolve complaints lodged against the proposals of the selection committees. To this end, it must obtain a report from the Vice-Rector concerned, which may hear the selection committee. It must also ensure that the remaining successful candidates have been able to make arguments.

Article 10. Resolution of competitions, recruitment and incorporation of the contracted researcher

1. Upon receipt of the contract proposal, and after the deadline for the submission of claims without any submission, the Rector, who may delegate to the corresponding Vice-Rector, will issue a resolution endorsing the contract proposal. That decision shall contain the order of priority of the proposed procurement.
2. The resolution of the contests will be made public in the e_TOUZ. The publication in the e_TOUZ will serve as a notification to the interested parties for all purposes.
3. The signature of the contract by the proposed candidate shall take place within a maximum period of 10 working days from the day following the publication of the resolution of the call.

In cases duly justified by the proposed candidate, the investigator responsible may authorise an extension of that deadline.

The incorporation to the job may not be carried out before the signature of the corresponding contract and its effects may not be earlier than the date of signature, resulting in null and void any action contrary to the above. The date of incorporation may not be earlier than that indicated by the researcher responsible in his application.

4. In the event that the claim has been declared admissible within the time limit, and pending its resolution, the proposed candidate will be hired, including in the contract a termination clause conditional on the resolution of the complaint. If the termination confirms the proposed candidate, the contract shall remain in force; otherwise, it will be terminated with effect from the day before the date on which the new candidate is incorporated. In the latter case, the contract of the new candidate may not have effect, of any kind, prior to the date of the termination of the complaint, or the date of signature of the contract.

Article 11. Waiting lists

1. Suitable candidates in the order of priority of the selection committee's proposal shall become part of a waiting list, per place, in order to satisfy the possible eventuality in the event of a resignation of the proposed candidate or definitive withdrawal for any other reason. This waiting list shall be valid for a maximum of one year from the date of commencement of the relevant contract.
2. If it is necessary to fill a position, for the reasons mentioned in the previous section, the applicants on the corresponding waiting list will be called to sign the contract by the administrative services of the University. The call will be made by electronic means to the e-mail address that the interested parties have indicated in their request, and telephone communication may also be used, as well as the number they have entered. Interested parties should respond to the appeal within a maximum of two days from

the time the appeal was made by electronic means. If you do not do so within this period, or reject the appeal within the specified deadline, the next candidate will be called on the corresponding waiting list. The same criterion will be followed with those who, answering affirmatively to the contract offer, do not subscribe to the contract within 24 hours, in accordance with the rule of computation established in Article 30.1 of Law 39/2015, of October 1.

Chapter III

Guidelines for the development of objective evaluation criteria

Article 12. Objective endpoints

1. The selection commissions of research staff will resolve competitions according to the suitability of the curricula of the candidates admitted to the profile of the research activity of the competition, by applying objective criteria and, where appropriate, interview and objective tests, previously established in the call for recruitment, in accordance with the guidelines provided for in this Chapter.

For the purposes of the previous paragraph, the profiles of the places shall correspond to the objectives, the research tasks to be carried out and the work plan established in the projects, agreements, contracts or research agreements that finance the contract.

Depending on the characteristics of the position, the selection of applicants may also be carried out by carrying out objective tests, in a complementary or alternative way to the assessment of the candidates' curricula. In the event that it chooses to incorporate objective evidence into the selection process, such tests must be established in the call, both in terms of the form of performance and the purpose of the tests, as well as in their assessment. If the objective evaluation tests are complementary to the assessment of the curricula, the call must establish their impact on the final assessment.

2. In the event that the interview takes place, the interview may not be awarded any score, but as a result the selection committee may adjust the assessment of the merits of the applicant included in its curriculum.

Article 13. Structure of objective endpoints

1. The evaluation criteria for temporary research positions may include the following sections:

- a) Academic training, degree, specialisation, etc.
- b) Publications, patents, etc.
- c) Participation in research projects and contracts, etc.
- d) Research or professional experience, adaptation to the profile of the place, research stays in national or foreign centers, instrumental techniques that master, etc.
- e) Other merits related to research activity: attendance at conferences, congresses, courses, etc.
- f) Other merits: languages, etc.

2. The evaluation criteria shall specify how to apply and assess the sections that are established, giving minimum and maximum values.

Article 14. Assessment of merits according to their direct and immediate relationship with the specific tasks of the square

The evaluation criteria will weigh the score to be awarded to merits that are not directly and immediately

related to the specific profile of the position, and may specify, where appropriate, the correction factors applicable on the merits of the profile of the more or less related position. If there is no express pronouncement, it will be understood that all merits are likely to receive punctuation.

Article 15. Weighting of the score awarded in the sections or subsections of the evaluation criteria

The evaluation criteria may decide how to award the score in the event that one of the candidates exceeds the maximum foreseen for a section or sub-section. In the absence of a pronouncement, the candidate who has obtained the highest score in a section or subsection will be awarded the maximum score, proportionally reducing the score of the other candidates.

Article 16. Documentation to be accompanied by recruitment proposals made by selection committees

1. The documentation in the file will allow you to know the section or subsection in which the respective selection committee has assessed each merit, as well as whether it has used correction factors to reduce or cancel the score of each merit.
2. In any event, the score corresponding to each of the merits adduced by the candidates must be deducted from this documentation.

Chapter IV Emergency procedure

Article 17. Assumptions

1. The rules contained in this Chapter shall be applied to cover the needs for the incorporation of research personnel, on a temporary basis, arising from the immediate need to carry out research tasks or in situations of temporary incapacity, leave, maternity, paternity, special services, secondment or other circumstances arising from research personnel.
2. For this purpose, the following immediate needs shall be considered:
 - a) Urgent need for research personnel to carry out activities of the work plan set out in the project, contract, agreement or research aid financed by the contract.
 - b) Specific finalist funding, linked to the recruitment of staff for a fixed duration.
 - c) Need to recruit staff at the final stage of project development, contract, agreement or research agreement.
 - d) Other possible circumstances reasoned by the investigator responsible.
3. The provisions of Chapter II of these regulations shall apply to the urgency procedure, in everything that is not specifically regulated in this Chapter IV.

Article 18. Request for recruitment, call and development of the competition

1. Researchers responsible for recognised groups, directors of research institutes or researchers responsible for projects, agreements, contracts or research agreements that have funding managed by

the University of Zaragoza referred to in Article 1 and who have planned or need to hire research personnel, on a temporary basis, from this funding, shall apply for recruitment in the form established, addressed to the Vice-Rector concerned. In the light of the request and the reasons for it, the Vice-Rector concerned shall decide, within a maximum period of 3 working days on whether or not the application of the urgency procedure is appropriate.

2. After completing the procedures established in articles 2.2 and 2.3 of these Regulations, the corresponding Vice-Rector, within a maximum period of 3 working days, will decide on the approval or refusal of the request to hire temporary staff and, if applicable, proceed to the call for competition. In any case, if there is no credit to finance the costs of the contract, it will not be possible to authorise its invitation to tender and it will not be possible to make the contract.

Article 19. Reduced deadlines

1. Specific deadlines are laid down in the urgency procedure for certain formalities referred to in Chapter II of this legislation, in accordance with the following paragraphs.

2. The deadline for submitting applications by applicants will be 5 working days from the publication of the call.

3. To approve the provisional list of candidates admitted and excluded, a maximum period of 5 working days is available. This provisional list shall be published for a maximum period of 3 working days to remedy defects which have led to the exclusion or omission from the list of admitted persons. And to approve the final list of candidates admitted and excluded, a maximum period of 5 working days is available.

4. The maximum period to resolve the competition by the selection committee, including the proposed recruitment, shall be 5 working days, counted from the day following the publication of the final list of candidates admitted and excluded.

5. Against the contract proposal, a complaint may be submitted within a maximum period of 3 working days, counted from the one following the publication of the contract proposal.

6. The signature of the contract by the proposed candidate shall take place within a maximum period of 5 working days, from the day following the publication of the decision of the position.

Derogatory provision

The Agreement of 26 January 2012 of the Governing Council of the University of Zaragoza approving the Regulations governing temporary contracts of employment of researchers for the realisation of specific scientific and technical research projects is hereby repealed.

Final provision. Entry into force

These regulations will enter into force on the day following their publication in the Official Gazette of Aragon.