



LEGAL BULLETIN

Of NICOLAUS COPERNICUS UNIVERSITY IN TORUŃ

2017

Resolution No 177

of the Nicolaus Copernicus University in Toruń Senate

of 19 December 2017

on Personal Policy, Rules and Mode of Academic Teachers Employment at the Nicolaus Copernicus University in Toruń

On the basis of §116(6), the Nicolaus Copernicus University Statute of 22 October 2013, (NCU Legal Bulletin of 2017, item 252 with further changes), having regard to the provisions on a recommendation of the Commission of the European Communities of 11 March 2005 on the European Charter for Researchers and the Code of Conduct during recruitment of scientists (OG No L, 2005 No 75, page 67)

it is resolved as follows::

Chapter 1 **General provisions**

§ 1

1. The Resolution defines:
 - 1) The rules of conduct of personal policy towards academic teachers at the Nicolaus Copernicus University in Toruń, herein referred to as ‘the University’;
 - 2) Specific rules and mode of academic teachers employment at the University;
 - 3) Appropriate authorities for personal policy realization at the University.
2. Rules and mode referred to in paragraph 1, point 1 and 2 are regulated by:
 - 1) Act of 27 July 2005 Higher Education Law (Journal of Laws of 2016, item 1842, with further changes), herein referred to as ‘Act’;
 - 2) Act of 26 June 1974 Labour Code (Journal of Laws of 2016, item 1666, with further changes), herein referred to as ‘Labour Code’;
 - 3) Nicolaus Copernicus University in Toruń Statute of 22 October 2013 (NCU Legal Bulletin of 2017, item 252, with further changes), herein referred to as ‘Statute’;
 - 4) Nicolaus Copernicus University in Toruń Strategy for 2011-2020, annexed to the Resolution No. 59 of the NCU Senate of 21 June 2011 (NCU Legal Bulletin No.5, item 147, with further changes), herein referred to as ‘Strategy’.
3. During the determination of the rules and mode referred to in paragraph 1, point 1 and 2, recommendations of the Commission of the European Communities of 11 March 2005 on the European Charter for Researchers and the Code of Conduct during recruitment of scientists (OG No L, 2005 No 75, page 67) are taken into account.

4. Whenever in the Resolution there is a mention of the Faculty Council and the Dean, it should be also interpreted as the Scientific Council of the Centre for Modern Interdisciplinary Technologies and its Head.

§ 2

The basic goal of the personal policy conducted towards academic teachers is the realization of objectives resulting from the Strategy, especially undertaking actions aimed at:

- 1) Constant, dynamic scientific development of the University;
- 2) Gaining new entitlements for awarding academic degree of doktor habilitowany;
- 3) Preserving so called 'minimum academic staff complement' necessary for high quality didactic process realization at the University;
- 4) Supporting every activity of researchers at the University which aim for their artistic and scientific development;
- 5) Scientific cooperation with national and international institutions.

§ 3

1. Within personal policy at the University, especially:

- 1) Undertakes activities in order to guarantee continuous professional development of researchers, research and didactic and didactic employees;
- 2) Determines specific requirements of employment on particular positions taking into account the specifics of particular University's faculties;
- 3) Undertakes actions in order to improve the stability of the employment conditions of didactic and scientific employees;
- 4) Undertakes actions in order to provide representative gender equality on every level of research and didactic staff development;
- 5) Provides scientific and didactic employees with a possibility of benefiting from using own research and development results, on every level of career, through legal protection especially protection of intellectual property rights;
- 6) Provides balance, in order to enable the scientific development, scientific and didactic responsibilities of the employee;
- 7) Provides clear standards and criteria deciding on employment at the University.

2. In order to fulfill the objectives of personal policy determined in the paragraph 1, the University in particular:

- 1) Implements policy of equal opportunities at the recruitment level and other levels of researcher's professional career simultaneously ensuring experience and qualifications appropriate for the position;
- 2) Ensures regarding mobility, non-formal qualifications and cross sectorial experiences of the candidate during the recruitment of researchers, research and didactic and didactic employees;
- 3) Implements system of employee evaluation serving a regular evaluation of the results and professional development;
- 4) Ensures taking into account of the employee recruitment process:
 - a) A general potential of the candidate as a researcher,
 - b) Candidate's creativity,
 - c) Level of independence of the candidate,
 - d) Experience in terms of mobility;
- 5) Uses effective and clear recruitment and promotional procedures that guarantee a possibility of comparison of candidates on an international level.

Chapter 2
Proper authorities for conducting personal policy at the University

§ 4

1. The directions of personal policy at the University are determined by the University Senate.
2. Personal policy at the University is realized and coordinated by the Rector.
3. The directions of personal policy of the Faculty are determined with reference to § 2 and § 3 art. 1 by the Faculty Council.
4. Personal policy of the Faculty with reference to the actions referred to in § 2 and § 3 art. 2, is realized by the Dean.

Chapter 3
Rules for conducting personal policy at the University

§ 5

1. At a position of an academic teacher, a person who meets the conditions determined in the Act and who has predispositions to scientific and didactic work may be employed.
2. At a position of an academic teacher, a person who meets the conditions specified in the Act as well as who has experience in other public and private sectors or succeeded in obtaining patents, developing inventions or presents activity in preparing opinions, expertise at the request of external entities may be employed.

§ 6

1. Academic teachers are employed for didactic activities resulting from the necessity of the realization of the curriculum and programmes of education at the first and second degree studies, uniform MA studies, third degree studies and postgraduate studies in full-time and part-time studies.
2. Academic teachers are employed in order to conduct research and realize scientific programmes, artistic projects and grants.
3. Applications for employment connected with awarding new job positions may be considered only when current personal possibilities of the faculty at given fields of studies are fully capitalized.

§ 7

1. Employment of an academic teacher is possible as far as the University is a fundamental workplace as defined in the Act.
2. In justified cases, the Rector may employ an academic teacher for whom the University is not a fundamental workplace.

Chapter 4
Rules for employing academic teachers at the University

§ 8

At the University academic teachers may be employed as:

- 1) Researchers and research and didactic employees at the position of:
 - a) Full professor,
 - b) Associate professor,
 - c) Visiting scholar,
 - d) adjunct,

- e) assistant;
- 2) Didactic employees at the position of:
 - a) Senior lecturer,
 - b) Lecturer,
 - c) Lector,
 - d) Instructor;
- 3) Qualified librarians as well as qualified employees for documentation and scientific information at the position of:
 - a) Older qualified custodian and older qualified documentalist,
 - b) Qualified custodian and documentalist,
 - c) Library adjunct and documentation and scientific information adjunct,
 - d) Library assistant and documentation and scientific information assistant.

§ 9

1. At the position of an associate professor, a person who has a significant position in a given field of study (art) and has achievements in educating scientific staff confirmed with being awarded with an academic title may be employed .
2. At the position of a full professor, a person who has a significant (also creative) achievements in scientific work (or artistic) as well as achievements in didactic work and educating young staff confirmed with being awarded an academic degree of doctor habilitowany and further scientific, didactic and organizational achievements may be employed.
3. During employment at the positions referred to in art.1 and art.2, achievements in search for funding for scientific research from external sources as well as being active in cooperation with external stakeholders is taken into account.
4. At the position of a visiting scholar referred to in art. 114(3) of the Act, a person who was an employee of a different University and who was awarded with an academic degree of professor or doktor habilitowany or is a PhD along with significant and artistic achievements in scientific, professional or artistic work confirmed by the proper Faculty Council in a form of a resolution by proceedings set in this scope the Faculty Council may be employed.
5. At the position of an adjunct a person to be employed has:
 - 1) A degree;
 - 2) A proper, documented scientific (artistic) achievements; for a position of an adjunct in clinical departments specialization on a given or other discipline necessary in the department is mandatory;
 - 3) Takes an active part in scientific (artistic) and organizational life;
 - 4) Received an opinion on qualifications and predispositions to scientific and didactic work from the Head of an organizational unit (a Head of an Institute, a Head of a Department, clinic, laboratory) .
6. At the position of an assistant, a person who has a degree of PhD or MA/MSc or Doctor as well as presents predispositions to research and didactic work confirmed with an opinion of a promoter, scientific supervisor or a head of a department in which the person is to be hired may be employed.
7. At the didactic positions persons who meet the qualification criteria determined in § 118 paragraphs 1 - 3 of the Statute may be employed.
8. At the positions of qualified librarians and qualified documentalists and scientific information employees, people who meet the qualification criteria determined in separate regulations may be employed.

§ 10

1. The employment relationship with an academic teacher is established by appointment or by an employment contract.
2. Only an academic teacher who has an academic title of professor may be employed by appointment. Employment by appointment is in full-time and on the condition that the academic teacher provides a declaration, in writing, that the university is his/her fundamental workplace within the meaning of the Act.
3. The employment by appointment or an employment contract may be a fixed-term employment contract or for an indefinite period.
4. Periods of employment at a specific positions may be repeated depending on didactic and scientific needs of the University with preservation of appropriate regulations of the Act, Statute and the Labour Code.
5. Establishing an employment relationship with an academic teacher, for a fixed-term of indefinite period exceeding half of the full-time of work, occurs after conducting an open contest. The mode and conditions of conducting the contest are determined by the Statute.
6. Paragraph 5 is not valid in a situation of employment of an academic teacher for a fixed-term:
 - 1) directed to work at a University on the basis of a contract with a foreign scientific institution;
 - 2) being a beneficent of a national competition announced by National Science Centre or by the National Centre for Research and Development or international contest for scientific project realization connected with an area of education;
 - 3) employed for the period of financial project implementation:
 - a) from funds from the European Union,
 - b) from other entity awarding grants;
 - 4) at the same position if the previous employment lasted not less than 3 years..
7. Academic teacher who gained pension rights may be employed again at the same position without a contest.

§ 11

1. An employment relationship with an academic teacher with a professor title employed at a position of a full professor or associate professor is terminated with the end of the academic year in which the employee is at the age of 70.
2. An employment relationship of an appointed academic teacher without a title of professor is terminated with the end of an academic year in which the employee reached the general retirement age, accordingly to a proper regulation of the Act, if he/she acquired the right for retirement. If the person did not acquire the right for retirement, the termination of employment relationship occurs at the end of an academic year during which he/she acquires this right.
3. On account of the necessity to sustain the entitlements to award degrees or meeting the 'minimum academic staff complement' necessary to provide first and second degree studies or uniform MA studies, it is possible to employ a professor referred to in the paragraph 1, having reached the age of 70, and an academic teacher referred to in the paragraph 2 after reaching general retirement age, by employment contract with a fixed term not longer than 33 months.
4. In particularly justified and objective cases on the University's side, the Rector after consulting it with a Dean, may employ persons referred to in the paragraph 1 and 2 for the period exceeding 33 months if concluding the contracts for fixed-term in a given case serves meeting a real, temporary need and is necessary in this range in the light of any circumstances of concluding the contract.
5. If there are didactic needs, a Dean may offer to conduct didactic classes under the civil law contract to persons referred to in the paragraphs 1 and 2.

6. Other academic teachers who have gained the right for retirement by general retirement age may be employed again; however, no longer than until the end of an academic year during which they have reached the age of 70 regardless of position held and legal basis of employment. Paragraph 4 in the part concerning the employment exceeding 33 month period as well as paragraph 5 is applied accordingly.

§ 12

1. The period of employment on a position of an adjunct of a person without a degree of doktor habilitowany cannot last longer than 8 years with reservation for paragraphs 2 and 3.
2. Total period of employment on the position of adjunct academic teacher without a degree of doktor habilitowany, employed at the University at this position before 1 October 2011, cannot exceed 12 years.
3. Total period of employment at the position of academic teacher, without a degree of doktor habilitowany, employed at the University at the position of an adjunct after 1 October 2011 and before 1 October 2013, cannot exceed 10 years.

§ 13

1. The period of employment at the position of an assistant, of a person without PhD degree, cannot last longer than 8 years with reservation for paragraph 2.
2. Total period of employment of an academic teacher without PhD degree, employed at the position of an assistant before 1 October 2011, cannot exceed 9 years.

§ 14

1. Periods of employment before 1 October 2013 are not included to periods of employment referred to in § 12 and § 13.
2. The gap connected with situations described beneath is not included to periods of employment referred to in § 12 and § 13 :
 - 1) maternity leave, a leave on the conditions of a maternity leave, paternity leave, parental leave granted by the regulations determined by the Labour Code;
 - 2) collecting medical benefit, rehabilitation benefit connected with incapacity to work including caused by a disease requiring medical rehabilitation.

§ 15

In case of not obtaining a degree during the period referred to in § 12 and § 13, further employment is possible on a position determined by the Rector, upon Dean's request or after hearing a Faculty's opinion.

Chapter 5

Mode of academic teachers employment at the University

§ 16

1. the Rector appoints an academic teacher on a position of full or associate professor upon a Dean's request submitted after approval of a proper Faculty Council after hearing the University's Senate opinion.
2. The appointment of a person with an academic title of professor to a full or associate professor is for an indefinite period of time.
3. At the position of an associate professor, a person without an academic title of professor, first time entering to employment at this position at the University as his/her fundamental

workplace is hired by the Rector by employment contract, upon Dean's request submitted after approval of an appropriate Faculty Council after hearing the University's Senate opinion .

§ 17

1. Subject to § 15, the decision concerning an employment by employment contract with respect to all research and didactical, research and didactical positions as well as librarians and qualified documentalists are made by the Rector upon Dean's request (the head of an interdepartmental or institution-wide unit) after hearing an opinion of appropriate Faculty Council (a council of an appropriate organisational entity). In case of lack of a interdepartmental or institution-wide council, the decision is made by the Rector upon the request of a Head of this organizational unit.
2. Conditions of employment, including a period of employment, are determined by the Rector in consultation with Dean or a Head of an interdepartmental or institution-wide unit requesting for employment.
3. The period of employment referred to in the paragraph 2 should be determined so as to provide the employee with optimum conditions of meeting the requirement for career progression.

§ 18

Detailed proceedings on employment of an academic teacher at a particular position, including the mode of conducting the promotional procedure of an academic teacher at the University will be determined by the Rector in a form of Resolution.

Chapter 6 **Final provisions**

§ 19

The Resolution No. 9 of the NCU Senate of 22 January 2013 on personal policy, rules and mode of employing academic teachers at the Nicolaus Copernicus University in Toruń (NCU Legal Bulletin No.1, item 10, with further changes) is repealed.

§ 20

This resolution comes into force on 19 December 2017

President of Senate

prof. dr hab. Andrzej Tretyn
R e c t o r