THE RECTOR

CONSIDERING Law 9 May 1989, n. 168;
CONSIDERING Statuto dell’Università degli Studi di Milano;
CONSIDERING Law 30 December 2010, n. 240 “Rules concerning the organization of universities, academic staff and recruitment, and delegation to the Government to encourage quality and efficiency of university system”;
CONSIDERING in particular art. 22, that concerns awarding and development of fellowships;
CONSIDERING that minimum amount of fellowships is established by decree of Ministro dell’Istruzione, dell’Università e della Ricerca;
CONSIDERING that by Rector’s decree registered n. 0272623 on 24 February 2011 the Regulations for fellowships were issued, afterwards modified by Rector’s Decree registered n. 278223 on 12 April 2012;
CONSIDERING that, after the conclusion of process of internal University reorganization according to the new law and statute regulations, it was necessary to review the Regulations above mentioned;
CONSIDERING that the Senato accademico on 17 September 2013 approved the new Regulations for fellowships;
CONSIDERING that the Consiglio di amministrazione on 24 September 2013 gave approval to the Regulations, suggesting a modification of the text;
CONSIDERING that the Senato accademico on 22 October 2013 definitely approved of the new Regulations for fellowships;

ORDERS

To issue the University Regulations for fellowships according to art. 22 Law 30 December 2010, n. 240, according to the text enclosed in this decree, which is integral part of.

Regulations are in force on the first day after their publication on the University web site.

THE RECTOR
Gianluca Vago
REGULATIONS FOR FELLOWSHIPS

CHAPTER I
General Rules

Art. 1
Object and aims

1. Università degli Studi di Milano (hereinafter “University”) activates, according to Carta europea dei Ricercatori and Codice etico dell’Ateneo, the art. 22 of law 30 December 2010, n. 240 and the Ministry rules in force, in accordance with these Regulations:

- Fellowships financed by university budget, published regularly (usually not more than twice a year) by University and possibly co-financed by Departments with their own funds or by outside bodies (named “post doc - type A fellowships”);

- Fellowships financed by university structures (Departments/Centres), charged to research projects or other funds declared valid by the Consiglio di amministrazione, or financed within agreements and research contracts with outside bodies, which establish such aims (named “type B fellowships”). Type b Fellowships are published every time structures require it or economic resources are available.

2. University may activate fellowships with features corresponding to such types, aiming to particular objects, within specific research projects financed by public or private subjects. Ways by which University avails itself of this opportunity are established each time by the Consiglio di amministrazione, heard the Senato accademico.

3. Fellowships are awarded after public selections, inclusive of an interview, that ensure assessment of candidates and advertising of records, according to rules in the following articles.

CHAPTER II
Awarding Fellowships

Art. 2
Activation of post doc - type A fellowships

1. Depending on resources registered in the budget, the Consiglio di amministrazione, heard the Senato Accademico, each year establishes the number of post doc - type A fellowships that can be activated, dividing them among Departments, depending on programme choices of University and results of assessment, ex post of activity carried out by fellows each department availed itself of in previous years. Contextually the Consiglio di amministrazione, heard the Senato accademico, establishes contents and times of the competition notice, according to what established by these Regulations.

2. Within the number of fellowships received for the relevant year, each Consiglio di Dipartimento, within the date scheduled by University, establishes the number of post doc - type A fellowships to be published and the number of fellowships to be renewed among those expiring in the year, considering the reasons expressed by representative professors.

3. For new fellowships, the Consiglio di dipartimento shows the research policies it intends to develop with fellows, selecting them among those suggested by full professors and researchers of the Department, after verifying compatibility with aims of the department itself. Each policy must be suggested by at least two professors. Professors who have a documented scientific production,
with reference to three years before the request, and who ensure a number of years of service at least equal to the duration of the fellowship, can suggest research policies for the activation of fellowships. Research policies suggested must be supported by the Department, which must commit itself to guarantee the proper development of projects of candidates who are awarded the fellowship, by making available structures, instruments and staff.

4. For each research policy suggested, in order to establish the scientific area in which it is placed, the Consiglio di dipartimento must specify the relevant area, by choosing it among the 25 panels ERC, and show from minimum one to maximum five under areas ERC (not necessarily all belonging to the same Panel). The Consiglio, moreover, for each policy must show the relevant professors, by specifying for each one the belonging competition area and scientific area, and names of five experts, outside University, belonging to other universities or public or private bodies, in order to establish the subcommittee according to following paragraph 8.

5. In particular, competition notice shows:
   a) The total number of fellowships that can be awarded and research policies constituted by Departments with reference to relevant professors;
   b) Duration and amount of fellowships;
   c) Admission requirements as from art. 4;
   d) Cases of incompatibility;
   e) Ways of participation in the selection and standards for evaluating candidates and their research projects, qualifications and publications presented by each one;
   f) Ways of developing interviews, where research projects suggested by candidates will be discussed.

   Competition notice is published, a part from the University web site, on the web site of the Ministero dell’Istruzione, dell’Università e della Ricerca and on the European Portal for researchers mobility. Minimum duration of competition notice publication cannot be less than thirty days.

6. Application forms for the selection must be presented within the deadline decided by the competition notice, by means of the proper on-line procedure established by Administration. The candidate must enclose the description of a research project referred to a research policy among those suggested by the competition notice, according to what established by the competition notice itself. Moreover the candidate must enclose scientific-professional curriculum, the integral text of PhD thesis or the abstract (also in draft, if the thesis has not been discussed by the competition notice deadline), possible publications and any other qualification which, according to the candidate, can be useful to prove his/her qualification and scientific production and his/her aptitude to research activity.

7. For the purpose of the selection, the Rector, heard Senato accademico, establishes a University Commission with the aim of Guarantee (hereinafter named “Commissione di Garanzia”), made up of at least one member for each scientific area present in University, which aims to ensure the proper development of assessment procedures, verify the results and express a ranking for each research policy. Members of the Commission are selected among professors employed in University or in other universities.

8. In order to support the Commissione di Garanzia activities, after presentation of application forms, the Rector by decree establishes a subcommittee for each research policy, made up of the Director of the Department interested in the research policy or of a representative, an area representative within the Commissione di Garanzia, who stands as President, and the two outside experts, chosen at random by the Commissione di Garanzia among the five suggested by the Department and of a substitute member. The subcommittee must examine applications and establish interviews according to paragraph 5. In order to evaluate scientific-professional curriculum of candidates possible specialization degrees, post-graduate courses attendance in Italy or abroad, research activities, properly documented, in public or private bodies, publications, fellowships and other appointments, in Italy and abroad, will be considered.

9. According to duties established by law and in order to avail itself of specific scientific competences, the subcommittee can possibly acquire, without further burdens charged to public
finance, the supplementary advise of experts of high qualification, outside University, Italian or foreign. The names of the experts consulted are published at the end of activities.

10. In order to evaluate candidates the subcommittee uses a hundred marks, part for the qualifications and research project and the other for the interview. The subcommittee uses the marks according to what established by the competition notice. Evaluation of qualifications and of research project takes place before the beginning of interviews. Results are communicated to candidates before the interviews, according to what established in the competition notice.

11. Depending on curricula and qualifications presented by candidates, the subcommittee gives a mark to each candidate according to standards established in the competition notice, considering scientific experience and qualification, as from the scientific-professional curriculum, project efficiency and its adequacy within the research policy concerned. Candidates who achieve in the qualifications and in the project a total evaluation over 50% of marks achievable are admitted to the interview.

12. The interview aims at evaluating the project suggested by the candidate and scientific competences developed by him/her. The interview proves successful if the candidate achieves an assessment over 50% of the marks achievable. Candidates admitted to the interview, permanently resident abroad, can take advantage of procedure for participating in interviews, as ruled by the competition notice.

13. Once the tests are over, the subcommittee establishes the reports by transmitting them to the Commissione di Garanzia which establishes the ranking of candidates judged qualified for each research policy and declares the winners, after verifying requirements belonging to all qualified candidates as from the competition notice. Reports by the Commissione di Garanzia are public. The results of the selections are approved by Rector’s decree and published on the University web site.

14. Each Director of Department, heard the winner of the fellowship and the professors who suggest the research policy concerned, selects the project representative, by choosing him/her among professors shown in the competition notice. The winner of the fellowship, in agreement with the representative professor, communicates to administrative offices the activities concerning the research project to carry out during the duration of the fellowship. The development of such activities is verified regularly according to means established by the individual contract.

15. Contract relationship of winners of the fellowships starts from the first day after the month following the signing of the contract, except for justified request of postponement, anyway not more than ninety days. In case the winner of the fellowship does not present himself/herself, within terms established by Administration, to the offices for the stipulation of the contract, or in case of renounce, qualified candidates who follow in the ranking for research policy where the winner is missing will be called. The ranking is valid up to not more than sixty days after approval of records. Registration in useful position in rankings of fellowships does not give right to declarations of qualification to be used in following selections.

16. In case there are no winners for a certain research policy or no qualified candidate accepts the fellowship or the winner renounces within sixty days since starting the activities, the fellowship can be activated again by the Department in the following competition notice as supplementary research policy.

Art. 3
Type B Fellowships

1. Activation of type B fellowships is authorized by Rector’s decree, according to rules in these Regulations. Proposal for activation of the fellowship is made by the representative professor of the research project within which the fellowship must be used and approved by the Consiglio di Dipartimento of the professor. The proposal must specify as follows:

- the duration of the fellowship, specifying if renewable and the amount;
- Funds the amount of the fellowship bears upon and related burdens;
- Title and summary description of the research programme, specific aims and duration of the activity, scientific area interested;
- Name of the representative professor and the list of professors who participate in research activities;
- A summary of the activity carried out within the programme and the list of publications produced;
- Requirements and activities to assign to the fellow and purposes that the fellow must attain;
- Possible National and International ongoing collaborations;
- The proposal of composition of the judging Commission, as established in following paragraph 4.

The proposal must be integrated by the competition notice form established by the Administration, filled in by the professor proposing it as far as he/her is concerned.

2. Within thirty days since receiving the request of activation of a new type B fellowship, filled in as from paragraph 1 and integrated by decision of the Consiglio di Dipartimento concerned, Administration issues the competition notice for the selection. The competition notice is published on the University web site, on the web site of Ministero dell’Istruzione, dell’Università e della Ricerca and on European Portal for researchers mobility. Terms for presentation of applications cannot be less than twenty days. Competition notices must show, in particular:
- duration and amount of the fellowship, and the number if the competition notice concerns more fellowships;
- Requirements for admissions indicated in art. 4;
- Department concerned;
- Scientific area within which the research activities concerning the fellowship are carried out;
- Research title and programme;
- Activities to be carried out by the fellow;
- Competences required;
- Representative professor of the activities of the fellow;
- Standards for evaluating curriculum, qualifications and publications of candidates;
- Ways and date for the interview.

3. Each candidate must enclose in the application form, to be presented within the deadline established by the competition notice, the scientific-professional curriculum, publications and any other qualification that may be useful to prove his/her qualification related to research activities suggested. In curriculum evaluation specialization degrees and post graduate courses, in Italy or abroad, research activity carried out in public or private bodies, publications , fellowships or appointments, in Italy and abroad, are considered.

4. Selection procedures are completed by a Commission nominated by the rector by decree and made up of Director of Department concerned or a representative, representative professor and two members suggested by the Consiglio di Dipartimento, one as substitute member. Commission nominates the President. In case of fellowships to be activated within agreements or contracts with private subjects, Commission can be integrated with an outside member, with proven abilities, selected by the body itself in agreement with the representative professor. Commission must complete its activities within twenty days since expiry date for presentation of applications.

5. Commission carries out the public selection of candidates on the grounds of the curricula and of qualifications presented by them and of results of an interview as from paragraph 2, assessing scientific qualification, research aptitudes and competences required. Commission can use up to 100 marks, 50 for the qualifications and 50 for the interview. Marks are given to qualifications according to standards established in the competition notice. Commission expresses a general evaluation for each candidate and, at the end of the activities, elaborates a ranking on the grounds of the sum of the marks achieved by each candidate, and appoints the winner candidate or candidates, when there are more fellowships. The results of the selection are approved by Rector’s decree and
published on the University web site. Commission records are public. Candidates admitted to the interview, permanently resident abroad, can take advantage of the same procedure as for applicants for Type A Fellowships.

6. Winners lose their rights if they do not stipulate the contract within terms established by the administration. In this case the candidate that follows immediately in the ranking will succeed. The ranking is valid up to not more than sixty days since approval of records. The registration in useful position in fellowship rankings does not give right to declarations of qualification to be used in following selections.

7. If nobody shows up at the competition or if there is no winner, upon request of the structure concerned, to be formulated within thirty days since the end of Commission’s activities, the fellowship can be activated again by announcing a new competition notice. A competition notice and selections are not announced as from paragraph 5, in case there is only one candidate and he/she has been already selected within proper public selections announced by Ministeri, or by European Union bodies that expressly establish the possibility for the winner to carry out research activity at university institutions with a collaboration contract. This exception applies also in case of competitive procedures with the same features, promoted by other public or private non-profit bodies, which establish among their aims financing of research, announce selections of candidates based on peer review and properly publish their competition notices.

Art. 4
Admission requirements

1. Candidates for the fellowships must have pursued graduate studies and have a proper scientific-professional curriculum for carrying out research activities.

2. Phd or equivalent degree earned abroad, or, for areas concerned, a degree in medical area integrated by proper scientific production, is mandatory to take advantage of post doc - type A fellowships, and preferential qualification to be awarded type B fellowships. For post doc - type A fellowships the degree must be earned within the date of stipulation of the individual contract and anyway within the date established in the competition notice.

3. University can reserve an amount of fellowships to Italian or foreign researchers who earned the Phd, or equivalent degree, abroad or to foreign researchers who earned the Phd in Italy.

4. Those who are relatives up to the fourth grade inclusive with a professor member of the Department or the Centre which require activation of the fellowship or with the Rector, the General Director or a member of University Consiglio di amministrazione, cannot participate in competition notices for fellowships.

TITOLO III
Contract management

Art. 5
Duration and amount

1. Post doc type A fellowships last two years and can be renewed for two further years.

2. Type B fellowships can last between one and three years and can be renewed within limits established by law and by the following paragraph and by art. 10 of these Regulations.

3. The total lasting of relationships established according to these Regulations, inclusive of possible renewals, cannot exceed four years, except for the period when the fellowship was enjoyed in coincidence with attendance of a Phd course without scholarship, within the maximum limit of legal duration of the course. In order to establish the duration of the fellowships maternity leaves and illness are not considered according to laws in force.
The total gross amount for post doc type A fellowships is established yearly by the Consiglio di amministrazione within the budget, considering the minimum gross amount established by decree of Ministero dell’Istruzione, dell’Università e della ricerca. The amount of type B fellowships is established by Consiglio di dipartimento or Centro that requires the fellowship according to financial programme of the research project which bears the expense. The amount is paid in monthly postponed instalments.

5. The fellow has a right to travel allowance, living allowance and other allowances for expenses in Italy and abroad, counting upon contributions for scientific research made available to Dipartimento or Centro concerned, according to what established by Regulations on missions and reimbursements.

6. If the scientific activities of the post doc Type A fellow imply prolonged stays abroad, on proposal of the Department concerned, the amount of the fellowship can be increased on funds made available by the Department itself counting upon research projects in course, according to financial rules and expense limits established by the projects themselves.

7. In order to encourage the recruitment of those who come from very far away places, Università makes available for winners of fellowships who fall in this situation, for the period of the contract, resources and support measures, also as mobility allowance. The competition notice specifies the ways and the amount of the contribution.

Art. 6
Incompatibility

1. The fellowship is not compatible with enrolment in degree course, graduate studies, phd courses with scholarship and specialization schools in medical area, in Italy or abroad. The fellowship is also incompatible with enrolment in other school or course that establishes compulsory attendance, except for justified advice by the professor-in-charge and by the board of the structure concerned; it is moreover incompatible with the appointment of professor on contract.

2. Fellowships cannot be awarded to employed staff in universities and institutions and public research and experimentation bodies, in Agenzia Nazionale per le nuove tecnologie, l’energia e lo sviluppo economico sostenibile (ENEA) and in Agenzia spaziale Italiana (ASI), and in institutions where the degree is recognized equivalent to the degree of Phd according to art. 74, paragraph 4, D.P.R. 11 July 1980, n. 382. The fellowship implies, for those employed in public administrations different from those mentioned above, to be put on leave without salary for the period of duration of the fellowship.

3. The fellowship cannot be cumulated with scholarships awarded except for those awarded by national or foreign institutions which contribute to integrate, with stays abroad, research activities of fellows. The fellowship cannot be cumulated with employed work, with other contracts of collaboration or with income from self-employed work, carried out in continuous way, except for what established by the following paragraph and only if work does not interfere with primary research activity.

4. The fellow can carry out limited self-employed work, upon agreement with the professor-in-charge and written communication to the administrative offices, only if such activity is declared, by the structure where he/she operates, compatible with research activities and does not imply interest conflict. As a whole, self-employed work cannot exceed income limits established by the Consiglio di amministrazione.

5. Activities in seminars, conferences and freelance journalist are compatible with fellowship.

6. According to Regolamento generale di ateneo, the fellow can carry out tutoring activity and participate as subject expert in examinations and receive the payment established by Consiglio di amministrazione; such amounts sum themselves with other possible income from self-employed work and must remain within the income limit established in previous paragraph 4.
Stipulation of contract

1. The fellowship is awarded by means of stipulation of a contract of private law between University and the winner from the following month after the contract has been signed. The contract does not establish employed work and does not give right to access to university employed staff.

2. Fellowships are tax free; for what concerns fiscal matter, rules as from art.4 law 13.8.1984 n. 476 and following modifications and integrations, for social security matter, rules as from art. 2, paragraph 26 and following law 08.08.1995 n. 335 and following modifications and integrations apply.

3. University provides public liability insurance and industrial accident insurance.

**ART. 8**

Rights and duties of fellows

1. The fellow is bound to carry out research activities established by the individual contract and has the right to avail himself/herself, for such purpose, of the structures and instruments of Department or Centre concerned. Research activities can also be carried out in external structures, only upon expressed authorization by the representative professor, heard the board of the structure concerned; Administrative offices must be informed.

2. Fellows have free access to all University structures; a representation participates in meetings of the boards of the structure concerned according to what established by Statuto and Regolamento generale diAteneo.

3. Research activities must be carried out continuously, within limits established by research programmes and according to indications given by the representative professor, who must also verify them. Activities must be interrupted during maternity leave. They can also be interrupted for serious illness or serious family reasons, or for parent leave. Periods of interruption, except for maternity leave, which according to laws in force implies automatic postponement of the contract, can be recovered at the end of the natural expiry of the contract, upon agreement with the representative professor and according to limits imposed by financing available. It is not considered interruption, and therefore it must not be recovered, a whole period of justified absence not over thirty yearly working days.

4. During the period connected with delivery, fellows have the right to maternity allowance paid by INPS according to laws in force and to Decreto del Ministro del Lavoro e della Previdenza Sociale 12.7.2007. In case of illness for more than four days, fellows have a right to an illness daily allowance within limits established by law 27.12.2006 n. 296. During maternity leave, allowance paid by INPS, according to art. 5 of the above mentioned decreto 12.7.2007, is integrated by University up to the whole amount of the fellowship.

5. The fellow is bound to present to the board of the structure concerned an yearly report dealing with activities carried out, approved by the representative professor, and to show the final results of his/her activities in a proper seminar or in forms established by the structures where he/she operated. Scientific validity of the results achieved by the fellow is proved by the board of the structure within one year since expiry of the contract.

6. During the period when the contract is in force, if the fellow does not carry out regularly research activities without justified reason, or is responsible of serious and repeated errors, the procedure for the termination of the contract is started, according to artt. 1453 and following of the Civil Code, upon request by the representative professor, in case the non- fulfilment continues, although the fellow received from the professor a first oral rebuke, followed by a written one with the indication of a reasonable deadline (at least fifteen days) to start again the activities according to contract obligations. The contract terminates, without notice, if the rules for incompatibility are broken. Loss and termination of the contract are established by Rector’s decree.

**Art. 9**
Termination by fellows

1. The fellow who intends terminating the contract is bound to give written communication to the Rector and to the structure concerned at least thirty days in advance. The lack of communication implies the withholding of the remuneration compared with the period without notice.

CHAPTER IV
Renewable fellowships

Art. 10
Renewal of post doc - type A fellowships

1. The request to renew a fellowship must be presented by the fellow to the Director of the Department where he/she carried out activities at least three months before the expiry of the contract. The request must be integrated by a final report dealing with activities carried out, together with an overall evaluation by the representative professor from which results that the fellow accomplished the tasks established and attained the purposes established.

2. The Consiglio di dipartimento evaluates all requests of renewal received by formulating a ranking, and proposes to the Commissione di Garanzia the fellowships to be renewed, in the amount of positions for renewals decided by Consiglio itself. For requests of renewal not accepted, the Consiglio di Dipartimento is bound to specify the reasons of the rejection in the decision.

3. The Commissione di Garanzia in office evaluates each project for which the renewal is proposed considering in particular the following elements:
   - research activities to be carried out during the period related to renewal;
   - The report dealing with the activities already carried out by the fellow;
   - Scientific work or publications written by fellow as author or co-author, related to research project. Works must be published or anyway accepted by the publishing house within date of expiry of the fellowship;
   - Participation in conferences, courses and other scientific activities.

4. The Commissione di Garanzia expresses for each fellow an overall evaluation, after verifying that the fellow produced at least one publication or a scientific work during the contract period related to the fellowship, and writes a report. The reports concerning the renewal of contract are approved by Rector’s decree, after verifying that the fellow maintained qualifications established by law. The fellow is bound to stipulate the contract concerning the renewal within the month before the expiry of the contract in force, otherwise he/she loses rights.

5. If the positions for renewal of fellowships decided by the Consiglio di Dipartimento with reference to a certain year were not all covered, fellowships not used, upon request of the Department concerned, can be activated for two years, not renewable, in the first competition notice established for the following year after the year concerned, in addition to new fellowships as from paragraph 2 of art.2 of these Regulations.

Art. 11
Renewal of type B fellowships

1. The request to renew type B fellowships, together with a report dealing with the activities carried out, written by the fellow, must be sent to Administrative Offices, at least thirty days before the expiry of the contract, by the representative professor, after acquiring favourable advise by the board of the structure concerned and after positive evaluation expressed by Commission as from following paragraph. In the request for renewal the purposes to be attained must be specified in order to continue the research project and that justify the request for renewal. The fellow is bound to stipulate the contract of renewal within the month before the expiry of the contract in force,
otherwise he/she loses rights.

2. Commission which must examine the request of renewal is made up by the same members of the commission which did the assessment of candidates in order to award the fellowship. In case one or more members of this Commission are not available, for loss or impediment, they are substituted by Rector’s decree.

Art. 12
Final and temporary rules

1. These Regulations accomplish what established by law, Statuto and Regolamento generale d’Ateneo, except for better treatment established by individual contract.

2. According to what established by art. 20 of Statuto, Regulations, approved by Senato accademico, upon favourable advice by the Consiglio di amministrazione, and issued by Rector’s decree, come in force the day following their publication on the University web site. Since the same day the previous Regulations dealing with fellowships and adopted by Rector’s decree 12.4.2013 n. 278223 are cancelled, except for rules established by art. 10 of the Regulations that apply, temporarily, with the purpose of renewal of the post doc type A fellowships awarded within the year 2012 competition notice.