



Ca' Foscari University of Venice

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Rector Decree No. 255/2024

Prot. No. 70791 on 12 March 2024

Subject: Procedure for the public selection of a fixed-term tenure-track researcher pursuant to Article 24 of Law 240/2010 as amended by Law 79/2022, academic recruitment field 12/B1 (Business Law), academic discipline IUS/04 (Business Law).

THE RECTOR

**Having regard
Having regard**

to the Regulations referred to in Article 14 of this call;
to the D.M. 14 May 2020, n. 83 concerning Piano Straordinario 2020 for the recruitment of researchers referred to in Article 24, Paragraph 3, letter b);

Having regard

to the resignation starting from 1 December 2023 of the candidate selected for the position as fixed-term researcher letter b) of Italian Law No. 240, 30 December 2010, for the academic recruitment field 12/B1 (Business Law), academic discipline IUS/04 (Business Law); founded according to the Plan mentioned;

Considered

Min. Decree 83/2020 claiming that, after the resignation of a researcher, the funds assigned for that position could be appointed in the recruitment of a new researcher until 30 November of the year following the resignation. It is therefore possible to proceed with a new call for applicants. The winner will have to begin their service within 30 November 2024;

Having regard

to the modifications to law 240 introduced with law 79/2022 presenting the position of fixed-track researcher;

Having regard

to the resolution dated 24/1/2023 by means of which the Department of Economics requested the announcement of the public selection of a fixed-term tenure-track researcher and approved the specifics of the call;

Having ascertained

the financial coverage provided by the resources as per DM 83/2020;

Having acknowledged

the proposing structure has certified this call's compliance with Italian Law and University Regulations

DECLARES

CONTENTS

Art. 1 Announcement of the public selection procedure	2
Art. 2 Requirements for admission to the selection procedure	3
Art. 3 Application procedure	5
Art. 4 Publications	7
Art. 5 Exclusion from the selection procedure	8
Art. 6 Composition of the Examining Board	8
Art. 7 Role of the Examining Board	9
Art. 8 Validity of the proceedings	9
Art. 9 Announcement and appointment of winner	10
Art. 10 Conclusion of the Contract	10
Art. 11 Incompatibilities	11
Art. 12 Information about the processing of personal data	11
Art. 13 Supervisor of the procedure	11
Art. 14 Reference legislation	12
Art. 15 Final Provisions	13

Art. 1 Announcement of the public selection procedure

A public selection procedure is hereby opened for no. 1 fixed-term tenure-track researcher (RTT) with a six-year full-time contract, pursuant to Article 24 of Law no. 240 of 30 December 2010, as amended by Law no. 79/2022:

Academic Recruitment field	12/B1 (Business Law)
Academic Discipline	IUS/04 (Business Law).
Department	Department of Economics
Workplace	Department of Economics – Cannaregio 873, Fondamenta San Giobbe, 30121 Venezia
Planned teaching activities, including supplementary ones, services provided to students and research activities	Teaching commitment will be as specified in the regulation enforced at Ca' Foscari University of Venice. In particular, it may be necessary to guarantee courses included in the relative academic discipline (Business law), both at the undergraduate and the graduate level, with reference to English-taught courses as well.

	<p>The teaching load is equal to 90 academic hours per year. Courses may change according with the Department's teaching schedule approved from year to year.</p> <p>Research activities:</p> <p>The scientific research will be focused on the topics included in the statement of the academic discipline IUS/04 (Business law), focusing on company law.</p>
Foreign languages to be assessed during the interview	----
Language of the interview	Italian
Maximum number of publications to be submitted, in addition to the PhD dissertation	12
Notification of interview date and admitted candidates	15 May 2024

Art. 2 Requirements for admission to the selection procedure

EU and non-EU citizens are eligible to participate in the selection procedure, as long as:
- they hold **a PhD or an equivalent qualification, awarded in Italy or abroad,**

and

- they have attended PhD courses or performed research activities under a formal assignment for at least 36 months, even cumulatively, excluding free-of-charge activities, at Italian or foreign universities or research institutes, other than Ca' Foscari University

Applicants must have been awarded their PhD by the deadline of this call.

In the case of a PhD awarded abroad, it is necessary to be in possession of either:

- **“Equipollenza”**. i.e. decree of academic recognition of the title, pursuant to Art. 74 of Presidential Decree No. 382/1980. Ca' Foscari University of Venice provides the academic

recognition of foreign doctoral qualifications, when the latter are equivalent to PhDs held at Ca' Foscari University. For further information see www.unive.it/pag/11122/
For doctorate courses that are not held at Ca' Foscari University of Venice, candidates should contact other universities.

or

- "**Equivalenza**", i.e. measure of recognition of the PhD for the purposes of participation in calls for researchers in universities and public research organisations, pursuant to Legislative Decree 206/2007 - amended by Legislative Decree 15/2016 (for EU qualifications) - and to Presidential Decree 394/99, art. 49 (for non-EU qualifications). In order to obtain this equivalence of their foreign doctoral degree, candidates must submit an application. Instructions are available on:

[https://www.mur.gov.it/it/aree-tematiche/universita/equipollenze-equivalenza-ed-equiparazioni-tra-titoli-di-studio/titoli-1 \[ITA\]](https://www.mur.gov.it/it/aree-tematiche/universita/equipollenze-equivalenza-ed-equiparazioni-tra-titoli-di-studio/titoli-1 [ITA])

The Prime Minister's Office - Civil Service Department - in charge of recognising qualifications for competition purposes, concludes the recognition procedure only in respect of the winner of the selection, who will have to notify the Department and the Ministry of Universities and Research of the publication of the rankings by using the appropriate form.

The winner of the procedure who has obtained his or her doctorate abroad must be in possession of the declaration of equivalence when signing the contract, under penalty of forfeiture of the right to employment.

The following are excluded from the procedures:

- Full professors, Associate Professors and University researchers already hired with a permanent employment contract, even if no longer in service;
- persons who have already benefited from the contracts referred to in this call for at least three years;
- those who have a family relationship or affinity, up to the fourth degree, with professors belonging to the recruiting Department or with the Rector, the General Director, or any member of the Board of Governors.

The following cannot apply:

- Those who have been denied their civil and political rights;
- Those who have been dismissed or relieved from their role in a Public Administration for consistently inadequate performance;
- Those who have been dismissed or relieved from any other public employment, pursuant to Art. 127, letter d) of Presidential Decree No. 3 of 10 January 1957.

Applicants must be in possession of the requirements at the deadline for submission of the application to the selection. The Board evaluates the qualifications required for admission;

exclusion from the selection procedure may take place at any time and by means of a motivated order issued by the Rector.

This Administration guarantees fairness and equal employment opportunity or conditions to men and women.

Art. 3 Application procedure

The application shall be submitted exclusively via the web procedure at the following address:

<https://apps.unive.it/domandeconcorso-en/accesso/rtt2024-ius04>

The application must be submitted within 30 days of publication of this call in the "Gazzetta Ufficiale" of the Italian Republic, no later than 1.00 p.m. (Central European Time). Beyond this deadline, the link will be deactivated, and it will no longer be possible to complete or edit the application.

You can access the platform using your Italian Tax Identification Code (Codice Fiscale). Foreigners with no Italian Tax Identification Code may generate it, for the sole purpose of the procedure, using the link in the bottom right corner of the online application form (click on "Calculate Italian Tax Identification Code").

The following personal data are required to generate the tax identification code: Name; Surname; Gender; Date of birth (dd/mm/yyyy); Place of birth.

Please note that:

1 – As your place of birth you should indicate your **country** of birth, which must be written in Italian and in capital letters (e.g.: STATI UNITI, SPAGNA, REGNO UNITO) and selected from the scroll-down menu.

The tax identification code must have 16 characters.

The procedure does not allow saving in draft mode. The application shall be completed in all its required fields and then submitted. A unique alphanumeric code will then be generated and sent to the e-mail address entered in the application; the code may be used to edit the application and replace the attached files, within the deadline.

No other form of submission of the application is allowed.

It is advisable to start the application procedure well in advance of the deadline.

The candidates shall declare, under their own responsibility:

Personal data:

1. surname and name
2. date and place of birth
3. e-mail address and telephone number
4. residence and domicile address

General statement:

5. where information about this call was found
6. citizenship

7. candidates with disabilities shall specify if they require any support in order to attend the interview
8. that they have not been convicted of a criminal offence, and are not aware of any criminal proceeding pending against them; if not, indicate any previous convictions (the date and the judicial authority that issued it) and pending criminal proceedings
9. that they are or are not employed by a public administration
10. that they have not been dismissed from any office in the Italian Public Administration for consistently poor performance
11. that they have not been dismissed or relieved from their role in a public employment pursuant to Art. 127, letter d), of Presidential Decree No. 3 of 10 January 1957
12. that they are aware that all communications to candidates will be posted on the University website as a notification for all intents and purposes.
13. 13.1 (if Italian) that they are registered in electoral rolls, motivating, if applicable, the reason for non-registration or cancellation from them; that they have fulfilled their military obligations (to be specified by candidates born before 1985 only)
13.2 (if foreign) that they exercise civil and political rights in their country or give the reasons for failure to do so and that they have adequate knowledge of the Italian language (depending on the specifications) or that they do not have adequate Italian language skills but they commit to achieve them.
14. that they have or have not taken a non-voluntary leave from the research activity, with particular reference to parental duties, indicating the periods of such leave, if applicable
15. that they are physically fit for the position

Specific declarations

16. that they hold a PhD awarded in Italy or abroad
17. that they know the languages required by the call
18. that they have attended PhD courses or performed research activities on the basis of a formal assignment at Italian or foreign universities or research institutes other than Ca' Foscari University, excluding free-of-charge activities, also cumulatively, for at least **36 months**.
19. that they do not hold the office of full or associate university professor or permanent university researcher, even if no longer in service.
20. that they have not signed any tenure track researcher contracts for at least three years
21. that they do not have any family relationship or affinity, up to the fourth degree, with professors belonging to the recruiting Department, nor with the Rector, the General Director, or any member of the Board of Governors.

The University Administration declines all responsibility for any failed notification due to the incorrect communication of the candidates' contact details.

PDF copies of the following shall be attached to the application:

- A valid identity document;
- A curriculum vitae listing academic outputs and teaching activities, written both in Italian and in English. The cv must be signed and submitted with an affidavit, as provided in Arts. 46 and 47 of Presidential Decree 445/2000. The signature can be handwritten or digital. In line with the actions envisaged by the University as part of the "Human Resources Strategy For Researchers" (HRS4R), applicants are invited to attach a motivation letter.
- a signed list of qualifications to be submitted (signature can be handwritten or digital), and related documents;

- a numbered, signed list of the publications to be submitted, for the purposes of Art. 1 of the Regulations of this Call (signature can be handwritten or digital);
- Publications (see Art. 4) and, if required, their PhD dissertation.

The term “Qualifications” refers to academic and professional qualifications, specialisations, licences, training, update and similar titles.

European Union citizens may:

- submit scanned certified copies of their qualifications (certified by a self-declaration affidavit as provided in Art. 19 and 47 of Pres. Decree 445, 28 December 2000 - Attachment A). Candidates must provide an Italian translation of the documents, and the translation must be certified by an embassy or an official translator.

or

- Declare that they meet the requirements using a self-executed certificate or self-declaration affidavit (Attachment A). This document is compulsory if the qualifications are issued by other Public Administrations.

Non-EU citizens with a valid residence permit may submit scanned certified copies of their qualifications. The affidavits must be used in accordance with the procedure laid down for EU citizens whenever it is necessary to provide proof of status, facts or personal qualities certifiable or confirmable by Italian public agencies or if the production of self-executed certificates takes place under international agreements between Italy and the applicant's country of origin.

Non-EU citizens without a regular residence permit may submit scanned copies of qualifications, authenticated or true certified copies of the original. Certificates issued by the relevant authorities of the applicant's Country of origin must be submitted together with a translation into Italian authenticated by the Italian consular authority certifying conformity with the original.

The Administration shall carry out a verification process on the contents of self-declarations contained in the curriculum vitae.

Documents and publications previously submitted to this or other administrations, or documents previously attached to application forms of other selection procedures cannot be merely mentioned, they must be attached.

Reference may not be made to documents submitted to this or other administrations, or to documents attached to the application for participation in another selection procedure

For any clarifications and information on the procedure, and in the event of difficulties in filling in the application form, please contact the Settore Concorsi of the Teaching Staff Office tel. +39 041/2348217, -8269, -8268, -8135 e-mail: pdoc.concorsi@unive.it.

Art. 4 Publications

Candidates must upload their publications in pdf, dividing them into the appropriate **four** fields of electronic procedure of the capacity of 50 MB each (please note that **you can upload more than one publication in each field, zipped in one folder**. The names of each file folder must not be more than 20 characters long, and it must start with the number corresponding to the publication in the list you have submitted).

Publications that are not uploaded with the application in the manner and by the deadline of this call shall not be taken into consideration by the Examining Board.

Links to publications or works saved in online storage clouds or webpages will not be considered as valid for the evaluation.

Should the number of publications exceed the maximum number indicated in the call, the Board will evaluate the works in the order listed by the candidate, up to the limit provided.

For the purposes of this selection procedure, only published works, texts accepted for publication, essays in anthologies and articles published in hard copy or digital format magazines in accordance with the current law will be assessed, while internal notes or departmental reports are excluded.

Texts or articles accepted for publication within the deadline of this call must be submitted with the acceptance letter by the publisher.

For joint-authored publications the candidates may include a statement declaring the incidence of their contribution. Otherwise, joint-authored publications may be evaluated provided it is possible to identify the individual contribution of the candidate on the basis of its coherence with their overall academic activity.

The Examining Board will have access to the publications in digital format only for purposes connected to this call, in consideration of the existing legislation concerning publishing and copyright.

Art. 5 Exclusion from the selection procedure

Candidates are conditionally admitted to the selection procedure and may be excluded from the procedure at any time for failure to meet the requirements. The exclusion is ordered by a motivated decree signed by the Rector and notified to the candidate concerned using the email address listed in the application.

Art. 6 Composition of the Examining Board

The Board, made up of at least three members chosen among the tenured Professors, mainly from other universities, including foreign ones, shall be proposed by means of a resolution passed by the Department Board and appointed by a Rector's Decree. In order to ascertain the language proficiency of the candidate, the Board may draw upon the support of one or more experts.

The appointment of the Examining Board shall be carried out in compliance with Art. 7 of Regulations governing the public selections of fixed-term tenure-track researchers.

The appointment of the Board is published online on the University website.

The Board may use telematic tools for team work at all stages of the procedure.

The Board shall conclude its activities within three months after the date of the appointment decree, unless otherwise specified. The deadline may be postponed due to proven and exceptional circumstances indicated by the Chair of the Board. Should the Board fail to complete the activities within the set deadline, the Rector shall issue a decree concerning the replacement of members responsible for the delay as well as fixing a new closing date for the completion of activities.

Art. 7 Role of the Examining Board

For the purposes of admission to the procedure, the Board shall verify, the Board shall verify that the candidates are in possession of the requirements, as follow:

- they hold a PhD;
- they have attended PhD courses or performed research activities under a formal assignment for at least 36 months, even cumulatively, excluding free-of-charge activities, at Italian or foreign universities or research institutes, other than Ca' Foscari University;

The evaluation procedure takes place in two stages:

1) Preliminary assessment:

The Board proceeds to the preliminary assessment of the candidates who meet the requirements, with a reasoned analytical judgement on the qualifications, the curriculum and the academic outputs, including the doctoral thesis, according to the criteria and parameters, also recognised internationally, identified by Ministerial Decree no. 243 of 25 May 2011.

Following the preliminary assessment, the Board admits to the public discussion of their titles and academic outputs the comparatively best, by between 10 and 20 per cent and in any case not less than six; all candidates will be admitted to the discussion if the number is equal to or less than six.

On 15 May 2024, this University will publish on its website at <http://www.unive.it/bandi-ric240> the date of the selection interview and the list of admitted candidates, or news of any postponement of such communications.

The above publication has the value of notification for all intents and purposes. Therefore, candidates admitted to the interview are required to attend the meeting, without prior notice, on the day and at the time indicated in the notice. Failure to appear will be considered as an explicit and definitive withdrawal from the selection.

2) Interview

The second stage consists of the public interview on the qualifications and academic outputs. The procedure does not involve any additional written exams or oral examinations, except for the oral test to assess the foreign language proficiency required by this notice.

Applicants shall present a valid identity document.

In the case of an online interview, the Board shall identify the platform to be used and send the relevant invitation (link) for participation to the candidates admitted, well in advance.

Following the discussion, the Board will identify the winner of the selection and place the other successful candidate(s) on a comparative merit scale.

Art. 8 Validity of the proceedings

The proceedings of the Board are attested in the minutes of the meetings with their attachments, and shall be sent to the Ufficio Personale Docente - Settore Concorsi within 7 days after the conclusion of the Board activities. They will be assessed and approved by means of a Rector's Decree, within 30 days.

Once the minutes have been approved, the proceedings are sent to the Director of the recruiting Department and published on the University website at the following address <http://www.unive.it/bandi-ric240>. This posting will be announced by a notice in the Gazzetta

Ufficiale/Official Gazette - IV Special Series. The deadline for any appeal starts from the date of publication of such notice.

In line with the legislation on access to documents and with the provisions of Law no. 4 dated 9 January 2004, the request for access to the documents can be sent to Ca' Foscari University Settore Concorsi via email (pdoc.concorsi@unive.it), via certified email (PEC) at the address protocollo@pec.unive.it or according to the indications available at <https://www.unive.it/pag/11143>.

Art. 9 Announcement and appointment of winner

Within 40 days from receiving the approved proceedings, the Department Board shall deliberate on the proposal to nominate the candidate who, based on the Examining Board's evaluation, resulted to be the best, comparatively. In case of an ex aequo, the selection criteria will be as follows:

- Coherence with the call;
- Intensity, continuity and quality of the scientific production
- Ability to teach Business Law.

The resolution shall highlight, in any case, the precise reasons for the choice of the candidate, according to the criteria laid down in the call.

Art. 10 Conclusion of the Contract

The contract is stipulated within the mandatory deadline of 90 days from the conclusion of the selection procedure. When drawing up the individual fixed-term employment contract, the Administration shall invite the person concerned to submit the documentation required by the provisions in force and by the notice within 30 days, in particular the *equipollenza* or *equivalenza* of the PhD qualification obtained abroad.

The contract shall be drawn up by the Rector or her/his representative on behalf of the University.

The selected candidate will be requested to sign either a paper contract (hand-written signature) or an e-contract (digital signature).

The candidates are therefore invited to verify whether they already have the necessary device for digital signatures in line with AGID-Agenzia per l'Italia Digitale – Digital Italy Agency (<https://www.agid.gov.it/it/piattaforme/firma-elettronica-qualificata/prestatori-di-servizifiduciari-attivi-in-italia>). In case they do not have it, they are invited to set up this device in time for the stipulation of the contract.

The employment is governed by the individual contract and by the regulations in force also regarding the tax, welfare, social treatment for employee income.

The gross annual pay for a fixed-term **full-time** researcher corresponds to the initial remuneration of the full-time researcher, raised by 20% (currently € 44.640,91).

The contract will specify the causes of termination. In case of annulment of the selection procedure, the contract will be terminated.

The appointment is proposed by the Department referred to in Article 1 based on the research and teaching requirements, and according to the available funds and any other legal constraints.

Should circumstances arise hindering recruitment - whether for legal, organisational or financial reasons - prior to the completion of the selection procedures, this Administration reserves the right not to hire or to defer recruitment.

Considering the resources available for planning, starting from the conclusion of the third year and for each of the subsequent years of the contract, and no later than 120 days before the expiry of the contract, Ca' Foscari University of Venice evaluates, upon request of the holder of the contract who has obtained the national academic qualification referred to in art. 16 of Law 240/2010, his or her appointment as Associate Professor, in accordance with art. 24 paragraph 5, Law 240/2010. The evaluation involves the performance of a teaching test.

Art. 11 Incompatibilities

The incompatibilities for public administrations employees and in particular those resulting from the regulatory provisions of Article 53 of Legislative Decree 165/2001 shall apply to the employment contract.

The contract is incompatible with:

- (a) any other employment relationship with public or private entities, even part-time or fixed-term, without prejudice to the last paragraph of this Article;
- (b) contracts and research grants also at other universities or public research institutions;
- (c) doctoral and post-doctoral fellowships in general, with any fellowship in any capacity awarded by national or foreign institutions, unless it is for the purpose of international mobility for research purposes.

For matters not provided for in this Article, the applicable laws and regulations shall apply to incompatibilities and authorisations to perform external assignments.

Pursuant to Article 24, paragraph 9-bis of Law No. 240/2010, for the entire duration of the contract, the public employee is placed on leave or in a position of non-tenure track, without any allowance or social security contributions, if foreseen by the position the candidate holds.

Art. 12 Information about the processing of personal data

The processing of personal data provided by candidates or otherwise acquired by the University is aimed only for the purposes of the selection procedure and will be managed in compliance with national and EU legislation (Legislative Decree 196/2003 and EU Regulation 2016/679). The provision of data is necessary to evaluate candidates' requirements and qualifications.

See the "Information on the Processing of Personal Data" attachment for further details.

The Data Controller is Ca' Foscari University Venice, with head office in Dorsoduro n. 3246, 30123 Venice - PEC protocollo@pec.unive.it.

Art. 13 Supervisor of the procedure

Supervisor of the procedure: dott.ssa Monica Gussoni, Manager of the Human Resources Area (for information: Settore Concorsi tel. + 39 041/2348217, -8269, - 8268, -8135 e-mail: pdoc.concorsi@unive.it).

Art. 14 Reference legislation

This call is issued according to the following regulations:

- Law No. 168 of 9/05/1989;
- Law No. 241 of 7/08/1990 as amended and supplemented;
- Presidential Decree No. 487 on 9/05/1994 as subsequently amended and supplemented;
- Presidential Decree No. 445 on 28/12/2000 as subsequently amended and supplemented;
- Personal Data Protection Code enacted by Legislative Decree no. 196 of 30/06/ 2003;
- Regulation 2016/679/EU;
- Digital Administration Code enacted by Legislative Decree No. 82 of 7/03/2005;
- Ca' Foscari University of Venice Personal Data Protection Regulations issued by R.D. no. 190 of 22/02/2021;
- Ca' Foscari University of Venice regulations on the right to documental, simple and generalised civic access;
- Law No. 4 of 9/01/2004 '*Provisions to facilitate access to IT tools for disabled people*' and its amendments and additions;
- Law No. 106 of 15/04/2004 and the relevant Presidential Decree No. 252 of 3/05/2006
- Article 1, par. 105 of Law No. 311 of 30/12/2004, which provides for the three-year planning of staff requirements;
- Ministerial Decree 363/1998 and Legislative Decree 81/2008 as amended and supplemented in the field of safety at work;
- University Code of Ethics and Conduct;
- University Statute;
- General Director's Decree No. 78/2024;
- Law No. 240 of 30/12/2010 and in particular Article 24 as amended by Law 79/2022;
- Ministerial Decree no. 242 of 24/05/2011, "Criteria and parameters for the evaluation of teaching and research activities carried out by contract holders as per Art. 24 of Law no. 240/2010";
- Ministerial Decree no. 243 of 25/05/2011 concerning: "Criteria and parameters recognised, also at international level, for the preliminary assessment of candidates receiving contracts as per Art. 24 of Law 240/2010";
- Presidential Decree no. 232 of 15/12/2011 containing the Regulations governing the remuneration of university professors and researchers, pursuant to Article 8, paragraphs 1 and 3 of Law no. 240 of 30/12/2010;
- University Regulations for self-certification and verification of the teaching and student service duties of professors and researchers pursuant to Article 6, par. 7 of Law No 240/2010;
- Prime Ministerial Decree of 8/01/2023 on the ISTAT adjustment of the remuneration of non-contractual personnel;
- Resolution of the Board of Directors of 8/09/2014 determining the remuneration of researchers on fixed-term contracts pursuant to Article 24, paragraph 3, letter b) of Law 240/2010;
- Legislative Decree No. 49 of 29/03/2012 concerning: 'Regulations for the planning, monitoring and evaluation of the budgetary and recruitment policies of universities';
- Prime Ministerial Decree of 24/06/2021 on 'Guidelines for university staff planning and provisions for compliance with limits on staff expenditure and borrowing costs by universities for the three-year period 2021-2023'.
- Ministerial Decree No. 855 of 30/10/2015 concerning the redetermination of macro-sectors and competition sectors;

- Ministerial Decree no. 456 of 10/05/2023 concerning the definition of the tables of correspondence between Italian and foreign academic positions referred to in Article 18, paragraph 1, letter b) of Law no. 240/2010;
- University regulations governing public selections for the recruitment of researchers on fixed-term contracts pursuant to Article 24 of Law 240/2010 as amended by Law 79/2022.

Art. 15 Final Provisions

For all matters not provided for in this call and insofar as they are compatible, the current university regulations and those on access to employment in the public administration apply.

THE RECTOR
Prof. Tiziana Lippiello