

GUIDELINES FOR APPLYING THE PRINCIPLES OF OPEN, TRANSPARENT AND MERIT-BASED RECRUITMENT OF RESEARCHERS AT THE JAN KOCHANOWSKI UNIVERSITY IN KIELCE

I. INTRODUCTION

OTM-R (*Open, Transparent and Merit-based Recruitment of Researchers*) is one of the pillars of the European Charter for Researchers, in particular the Code of Conduct for the Recruitment of Researchers, launched in 2005 as a European Commission recommendation aimed at researchers, employers and entities funding research. Commission Recommendation 2005/251/EC of March 11, 2005 on the European Charter for Researchers and on the Code of Conduct for the Recruitment of Researchers (OJ L 75, dated March 22, 2005), implies that, among other things:

“The ultimate political goal of this recommendation is to contribute to the creation of an attractive, open and sustainable European labor market for researchers, where the framework conditions allow for the recruitment and retention of highly qualified researchers in environments conducive to efficient operations and productivity. Grant giving organizations or employers of researchers are responsible, as recruiters, for ensuring that selection and recruitment procedures for researchers are open, transparent and internationally comparable”.

The European Charter for Researchers describes the rights and obligations to which both researchers and the institutions that employ them as well as the organizations that provide research funding are subject. The Code of Conduct for the Recruitment of Researchers describes the principles for recruiting researchers that employers should follow in ensuring equal treatment of researchers in Europe. The implementation of the principles of the Charter and the Code by institutions is done on a voluntary basis, i.e. institutions that want to implement the principles of these documents at their place can enter the process at any time and apply for the European Commission's *HR Excellence in Research* logo. On August 2, 2016, the Rector of the Jan Kochanowski University in Kielce Prof. dr hab. Jacek Semaniak (PhD) signed the Declaration of support for the principles and recommendations adopted in the European Charter for Researchers and the Code of Conduct for the Recruitment of Researchers. On September 19, 2016, the University received the European Commission's official response to the previously sent Declaration. The Commission recognized the Declaration, encouraging the University to continue the procedure of implementing the principles of the Charter and the Code. The Jan Kochanowski University in Kielce has been included in the list of institutions that have expressed their support for the Charter and the Code. In order to ensure open, transparent, and internationally comparable personnel selection and recruitment procedures for academics at the Jan Kochanowski University in Kielce, the OTM-R policy has been developed and implemented, containing guidelines in this regard.

POLICY GOAL

The goal of the OTM-R policy at the Jan Kochanowski University in Kielce is to ensure the recruitment of researchers with the highest competence, guaranteeing equal opportunities and access for all candidates. This goal can be achieved by ensuring an open, transparent and merit-based recruitment process. It is important to eliminate so-called “academic nepotism” in the recruitment process, i.e. informal practices that ultimately favor candidates

in recruitment procedures and can be detrimental to scientific quality or discourage many of those who are considering starting an academic career.

These guidelines have been developed based on the guidance provided in the Report of the Working Group of the Steering Group of Human Resources Management under the European Research Area on the Open, Transparent and Merit-Based Recruitment of Researchers. In line with the HR Excellence in Research Award, the OTM-R policy at the Jan Kochanowski University in Kielce aims to build on the principles contained in the Code of Conduct for the Recruitment of Researchers, which will enhance the attractiveness of research careers and promote mobility and ultimately research quality.

When referring to “researchers”, the Jan Kochanowski University in Kielce refers to all researchers regardless of their career stage, whether full-time employees working in the research or research & didactic staff group or scholarship holders. The OTM-R policy, implemented at the Jan Kochanowski University in Kielce, encourages candidates to apply for employment at the Jan Kochanowski University in Kielce, in particular, through:

- 1) providing clear and transparent information on the entire selection process, including selection criteria and an indicative timetable;
- 2) posting clear and concise job advertisements with links to detailed information about required competencies and responsibilities, working conditions, entitlements, training opportunities, career development, gender equality policies, etc.;
- 3) ensuring that the required qualifications and competencies are in line with the needs of the position and do not constitute a barrier to entry the market, such as being too restrictive and/or requiring unnecessary qualifications;
- 4) keeping the administrative burden on the candidate to a minimum (proof of qualification, translations, number of copies required, etc.).

At the Jan Kochanowski University in Kielce, there is a belief that the OTM-R policy is a necessary instrument for attracting and retaining the best researchers. Therefore, measures are being taken to enhance the attractiveness of research careers, to promote geographic, interdisciplinary, as well as inter-sectoral mobility of researchers.

II. BASIC PRINCIPLES

Acting in support of the implementation of the EU's human resources strategy, the procedures used in the selection and hiring of personnel are governed by a set of basic principles that guarantee all interested parties equal access to employment in accordance with constitutional principles of equality, respect for Polish law (the Labor Code, the Law on Higher Education and Science, the Law on the Polish Language) and international regulations in this area, in particular the European Charter for Researchers and the Code of Conduct for the Recruitment of Researchers.

At the Jan Kochanowski University in Kielce, the principles set forth in the Labor Code are observed, in particular, Article 18^{3a} § 1, according to which: *“Employees should be treated equally as regards starting and ending employment, employment conditions, promotion and access to training to improve their professional qualifications, in particular irrespective of sex, age, disability, race, religion, nationality, political opinion, trade union membership, ethnic origin, belief, sexual orientation, as well as on the basis of temporary or permanent employment, or full-time or part-time employment”*. Information for employees in the above regard, in the form of an excerpt from the Labor Code, can be found on the website linked below:

https://www.ujk.edu.pl/Informacja_dla_pracownikow_dotyczacarownego_traktowania_w_zatrudnieniu.html

The Jan Kochanowski University in Kielce has an internal anti-mobbing and anti-discrimination policy. Currently, the rules for counteracting mobbing and discrimination are set forth in the Regulations for Counteracting Mobbing and Discrimination introduced by Order No. 80/2021 of the Rector of the Jan Kochanowski University in Kielce dated June 7, 2021, link: https://bip.ujk.edu.pl/zarzadzenie_nr_80_2021.html

The principles of equal treatment of women and men have been implemented at the Jan Kochanowski University in Kielce (Appendix No. 1 to the Work Regulations at the Jan Kochanowski University in Kielce), link:

https://bip.ujk.edu.pl/get_file.php?id=535&x=3fe222161c6b9524ca577abdbcc53e76

The rules for establishing an employment relationship with an academic teacher are set forth in Article 119 of the Law on Higher Education and Science of July 20, 2018 (Journal of Laws of 2021, item 478 as amended) and § 232 of the Statute of the Jan Kochanowski University in Kielce. These rules state that the first employment relationship with an academic teacher, for an indefinite period or a definite period longer than three months, on a time basis exceeding half of the full-time working time, shall be entered into following an open competition. The rules referred to in the preceding sentence do not apply to the employment of an academic teacher:

- 1) referred to work at the University on the basis of an agreement concluded with a foreign research institution;
- 2) being a beneficiary of an undertaking, program or a competition announced by the Polish National Agency for Academic Exchange, National Center for Research and Development, National Science Center or an international competition for the implementation of a research project;
- 3) for the duration of a research or teaching project funded:
 - a) with funds from the budget of the European Union;
 - b) by another entity awarding the grant.

Researchers play a leading role in the development of science and innovation, so they should have a certain set of skills. This policy defines four profiles of employees in the group of research and research & didactic employees:

- 1) R1 – First Stage Researcher – holding a professional degree of Master of Science, Master of Engineering or equivalent, up to completion of a PhD program;
- 2) R2 – Recognized Researcher – having at least a PhD degree and having relevant scientific or artistic achievements and presenting active participation in scientific or artistic life, presentations of artistic work manifested, in particular, in speeches at conferences, symposia or significant achievements in professional work;
- 3) R3 – Established Researcher – having at least a PhD degree and significant achievements: scientific or artistic – in the case of research staff, or scientific, artistic or didactic – in the case of research & didactic staff, and having achievements in the training of scientific personnel, moreover:
 - a) experience in leading research teams or projects or in conducting projects independently or
 - b) achievements in obtaining research funding from external sources – in the case of research and research & didactic employees;
- 4) R4 – Leading Researcher – holding the title of professor and having significant achievements in the field of:
 - a) training of research personnel or
 - b) experience in leading research teams or projects or running projects independently or

- c) obtaining funds for research from external sources. Researchers conducting research in their own area.

A description of each researcher profile is provided in the table attached as Appendix No. 1 to these guidelines.

The rules for the recruitment of candidates to the Doctoral School run at the Jan Kochanowski University in Kielce, based on § 188 of the Statute of the Jan Kochanowski University in Kielce, are determined by the Senate. Current rules are available on the Doctoral School website, link: <https://sd.ujk.edu.pl/>

III. STAGES OF RECRUITMENT OF ACADEMIC TEACHERS IN THE GROUP OF RESEARCH OR RESEARCH & DIDACTIC EMPLOYEES:

Recruitment of employees through open competition includes the following stages (§ 232-233 of the Statute of the Jan Kochanowski University in Kielce):

STAGE I: COMPETITION ANNOUNCEMENT AND SUBMITTING APPLICATIONS

1. Announcement of the competition:

The competition may be announced by the Rector or other persons specified in the Statute of the Jan Kochanowski University in Kielce. Information about the competition is published on the University's website (link: https://bip.ujk.edu.pl/konkursy_na_stanowiska_pracy.html) in the Public Information Bulletin (BIP), on the website of the minister responsible for higher education and science, and on the website of the European Commission on the European portal for mobile researchers EURAXESS at least 30 days before the end of the recruitment. In the case of competitions announced for projects funded by the National Science Center (NCN), information about the competition is also published on the NCN website.

2. The competition announcement should include, in particular:

- 1) determination of the position for which the competition is held (including the number of positions, job description, task description and place of work);
- 2) conditions (requirements) to be met by a candidate;
- 3) required documents to be submitted by a candidate;
- 4) the deadline for proposing candidates and the deadline for submitting documents;
- 5) the planned date of the announcement of results of the competition;
- 6) any other information of significant importance to a candidate (including type of employment contract, working time);
- 7) the required clauses provided by the relevant legislation;
- 8) contact details of the person providing information regarding the competition.

In order to ensure transparency and good practices in competition announcements, these guidelines include Appendix 2 – a standard template for competition announcement, which is recommended for recruitment.

The Jan Kochanowski University in Kielce does not set any specific requirements with regard to the nationality or country of residence of applicants. However, applicants coming from outside the EU or with a diploma issued abroad must meet the conditions set by the law in force in the Republic of Poland. Information on the rules for foreigners applying for work in Poland is available on the website of the Polish National Agency

for Academic Exchange: link: <https://nawa.gov.pl/en/recognition/recognition-for-professional-purposes>

3. Application procedure

In order to reduce the administrative burden on applicants, it is recommended that applications can be submitted in person, by mail or electronically. Unless otherwise specified in the competition announcement, original documents and proof of qualifications are required at the stage of employment. If the terms and conditions of the competition or special regulations do not provide otherwise, it is recommended that a candidate have the opportunity to make a statement in which he/she undertakes to provide original documents after the recruitment process is completed. It is recommended that the announcement of the competition require a candidate to submit a form according to the model attached to the relevant order of the Rector. Current Order No. 118/2020 of the Rector of the Jan Kochanowski University in Kielce dated May 29, 2020 on the model form submitted by candidates in open competitions organized by the Jan Kochanowski University in Kielce for the positions of university professor or assistant professor in the group of didactic, research & didactic or research employees; link: https://bip.ukj.edu.pl/zarzadzenie_nr_118_2020.html

4. Communication with applicants

Information about the next stage (being qualified or not) should be received by all applicants. Applicants whose applications meet the requirements of the competition announcement should be informed of the further recruitment process, in particular regarding the date, place and time of the interview, if required. When scheduling an interview, make sure that candidates have the opportunity to plan their travel and prepare for the interview. The above information should be indicated in the competition announcement, and in case this is not done, it is recommended to communicate it to applicants in a way that ensures effective communication, i.e. by telephone or e-mail, based on the data indicated in the competition documentation submitted by a candidate. The information should be sent by the organizer of the competition. In the event of subsequent significant changes or delays in the process, applicants invited to the next stage of recruitment should be informed of these changes in time allowing candidates to adjust to the changes.

STAGE II: SELECTION AND EVALUATION

1. Transparency, equal opportunities

In order to ensure that the best person is hired for the position, the selection process should be conducted according to merit-based rules, in a transparent manner with equal opportunity and non-discrimination. In particular, candidates are to be evaluated without any discrimination, taking into account the aforementioned provisions of Article 18 ^{3a} and Article 18 ^{3b} of the Labor Code.

2. Competition committees

Competition committees are appointed by the Rector or other persons indicated in the Statute of the Jan Kochanowski University in Kielce. The competition committee is composed of: the director of the institute, the head of the department, the head of an interdepartmental, extra-departmental or university-wide unit, a research & didactic employee from another discipline within a specific field, and at least 2 persons designated by them. They identify the chairperson of the committee.

They themselves can also perform this function. If the competition is for the position of professor, University professor or visiting professor, the persons comprising the competition committee should represent the same or a related scientific discipline and hold at least a degree of doctor habilitatus (in Polish: doktor habilitowany). The following should be taken into account when appointing a competition committee:

- 1) composition of the committee – a minimum of 4 members, including the director of the institute, head of the department or head of the university unit;
- 2) members should not have any conflict of interest;
- 3) maintaining gender balance, if possible;
- 4) the committee should have the necessary experience, qualifications and competence to evaluate candidates;
- 5) the committee should be familiar with the principles of the European Human Resources Strategy for Researchers (HRS4R) and OTM-R.

The competition committee may not include a person who is a spouse or blood relative or close relative up to the second degree inclusive of the person concerned by the competition proceedings, or is in such a legal or factual relationship with him/her that it may raise reasonable doubts about his/her impartiality. If the circumstances referred to in the preceding sentence are discovered after the competition committee has been appointed, the director of the institute or department head shall make the appropriate change in its composition; the competition committee in its new composition may consider as valid the actions performed by the competition committee acting in its previous composition.

In the case of recruitment of employees who are beneficiaries of a project, program or competition announced by the Polish National Agency for Academic Exchange, National Center for Research and Development, National Science Center or an international competition for the implementation of a research project, or for the duration of a research or didactic project funded:

- 1) with funds from the budget of the European Union;
- 2) by another entity awarding the grant;

the recruitment process is carried out in accordance with the guidelines of the funding institution. If the funding institution requires a competition, and there are no guidelines in this regard, the competition committee is appointed by the Rector at the request of the project manager or the coordinator of tasks carried out by the University, in the case of projects in which the University acts as a partner in a consortium. The committee is composed of the project manager as chairperson and at least two members designated by him/her with appropriate scientific or professional qualifications.

The competition committee is responsible for conducting the competition proceedings, including evaluating the candidates and recommending the final candidates selected. Committee members should be available to fully and consistently participate in the entire recruitment process and carry out the duties assigned to them by the committee chairperson. Members of the committee are obliged to maintain absolute confidentiality in order to protect the privacy of candidates and maintain the integrity of the entire recruitment process. Each member of the committee is obliged to maintain the confidentiality of the information obtained in the recruitment process and not to communicate any information regarding the recruitment of candidates to persons who are not members of the committee, in accordance with the generally applicable laws and internal regulations of the University.

Minutes are taken of committee meetings. The minutes shall be signed by all members of the committee present at the meeting, subject to the provisions of Order No. 141/2021 of the Rector of the Jan Kochanowski University in Kielce of October 1, 2021 on the determination of detailed rules for conducting meetings of collegial entities remotely using information technology and the rules for adopting resolutions in a circular mode, by correspondence or electronic means at the Jan Kochanowski University in Kielce. The competition procedure concludes with the issuance of an opinion on the suitability of the candidate for employment. The competition committee identifies the candidate for the position in question

by secret voting by an absolute majority of votes. The result of the competition does not imply the establishment of an employment relationship. The decision on employment is made by the rector.

Initial evaluation and interviews

The procedure of candidate selection is competitive, and it is recommended that it consists of two stages: first, performance evaluation based on the application, and second, skills evaluation based on the interview. In the first of the above stages, the committee should check all submitted applications for compliance with the requirements of the competition announcement. When analyzing documents, special attention should be paid to: education of a candidate; experience in the given field, including publications; career development; qualifications (courses, diplomas). Candidates whose applications meet the requirements of the competition are invited to the second stage. For this purpose, the Committee should determine which applications are complete and whether they were submitted on time, compile a list of candidates who meet the formal conditions and whose applications were submitted on time, and organize and conduct interviews with candidates to verify their knowledge and skills. It is permissible to conduct the interview using means of direct remote communication, that is, tele- or videoconferencing, in accordance with the rules applicable at the University, provided that it is technically possible to provide the connection.

3. Evaluation of achievements

The Committee, when evaluating the suitability of a candidate, should take into account, as appropriate to the position, in addition to the requirements of the Law on Higher Education and Science and the Statute of the Jan Kochanowski University in Kielce, the following qualification criteria:

- 1) the scientific or artistic achievements of a candidate;
- 2) the didactic achievements of a candidate – in the case of a group of research & didactic employees;
- 3) human-resource needs of the unit in this regard.

The evaluation criteria should be in accordance with the requirements of the position with regard to research activities and didactic activities – in the case of a group of research & didactic employees. The criteria for selecting researchers should focus on both the candidates' past achievements and their potential. The Committee should evaluate, both qualitatively and quantitatively, the achievements of each candidate.

Candidates' achievements should be evaluated not only on the basis of the number of publications. Experience and skills in teamwork, knowledge transfer, research management and innovation, language skills, teaching and supervision skills and social awareness should also be evaluated. Mobility experiences, such as completing an internship in another country/region or in another research environment (public or private) should be considered a valuable contribution to a researcher's professional development.

It is recommended that a candidate evaluation questionnaire be prepared for each candidate (according to the model attached as Appendix 3a or 3b to these guidelines). In the area of staff promotion, the scientific councils of institutes and the councils of departments functioning at the Jan Kochanowski University in Kielce have determined, in addition to statutory requirements, the rules for promoting academic teachers to the positions of university professor or assistant professor in the group of didactic, research & didactic or research staff at the Jan Kochanowski University in Kielce in particular scientific disciplines.

4. Feedback

Information about the completion of the recruitment process should be sent to all candidates who have met the formal criterion. Expressing thanks for taking part in the recruitment process is a rule that should always be followed. The information for each candidate shows respect for those who have taken the time to contact the University. The information is prepared on the basis of a questionnaire for the evaluation of the candidate. It should also include information on the maximum score obtained by the person(s) recommended for employment.

STAGE III: NOMINATION PHASE

The competition procedure should be completed within 6 months from the date of the rector's approval of the competition. The result of the competition does not imply the establishment of an employment relationship. The decision on employment is made by the rector.

In case when:

- 1) none of the candidates received a positive opinion from the competition committee;
- 2) the committee did not make a selection;
- 3) no candidate reported at the appointed date;
- 4) the competition has not been resolved by the indicated deadline,

after the approval of the rector, further competitions for the position may be announced under the rules set forth in the Statute of the Jan Kochanowski University in Kielce, link:

https://bip.ukj.edu.pl/statut_uczelni.html

Employment of the candidate selected by the competition committee is carried out in accordance with the procedure and rules set forth in the Law and the Statute of the Jan Kochanowski University in Kielce. The Jan Kochanowski University is governed by the Work Regulations of the Jan Kochanowski University in Kielce, which define the organization and order of the work process and the related rights and obligations of the employer and employees at the University. The current Regulations were introduced by Order No. 83/2020 of the Rector of the Jan Kochanowski University in Kielce dated

April 7, 2020 on the introduction of Work Regulations at the Jan Kochanowski University in Kielce (as amended) and is available on the University's website in the Public Information Bulletin, link: https://bip.ukj.edu.pl/zarzadzenie_nr_83_2020.html

The Jan Kochanowski University is governed by the Remuneration Regulations for the Employees of the Jan Kochanowski University in Kielce, defining the conditions for remuneration for work and other work-related benefits and the rules for their award at the Jan Kochanowski University in Kielce. The current regulations were introduced by Order No. 160/2020 of the Rector of the Jan Kochanowski University in Kielce dated August 11, 2020 on granting the Remuneration Regulations for the Employees of Jan Kochanowski University in Kielce and are available on the University's website in the Public Information Bulletin, link: https://bip.ukj.edu.pl/zarzadzenie_nr_160_2020.html