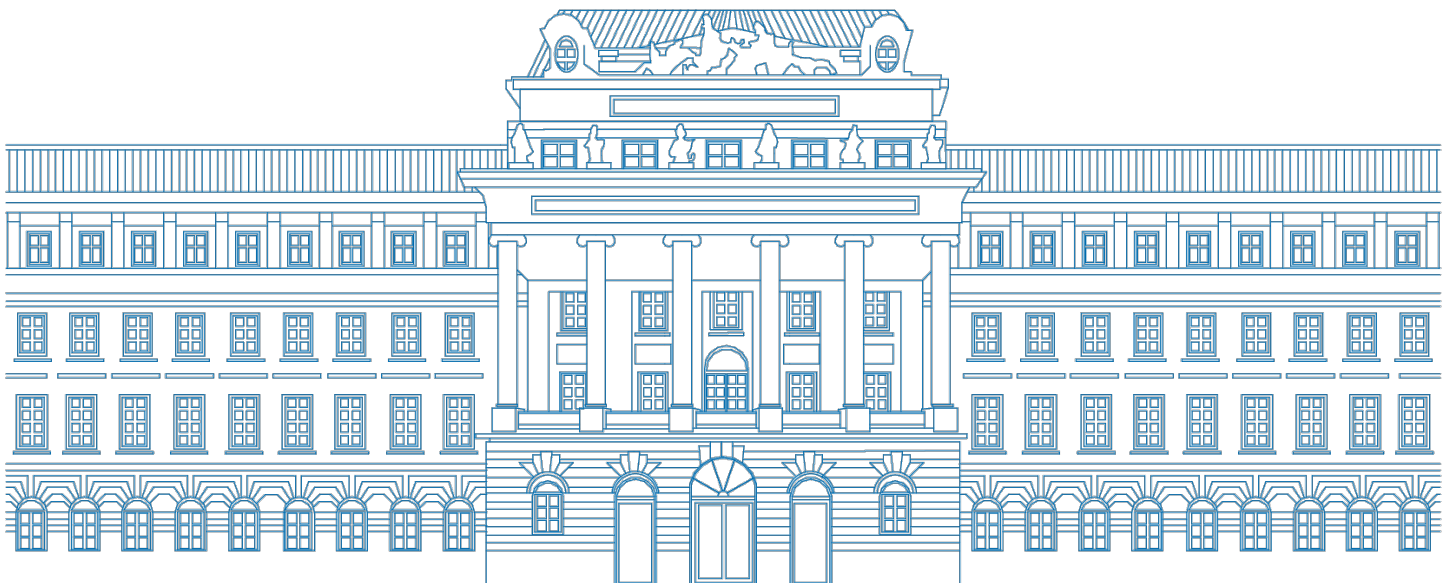




TECHNISCHE
UNIVERSITÄT
WIEN

Biases

Part of the statutes regarding bias



(online 26/06/2025)

Announcement in the MBl no. 26/2025 of 26 June 2025 (no. 256)

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Enquiries regarding appointment and tenure-track procedures should be directed to the FB Berufungsservice (content) or the FB Recht (legal). Enquiries regarding habilitation procedures should be addressed to the Studienabteilung.

Note: The German version is the only valid version. The English version provided is intended as a service for our international staff members and does not replace the German version.

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Preamble

The Technische Universität Wien is committed to appointment, tenure-track position and habilitation procedures in accordance with the highest international standards. The consideration of bias serves the goal of ensuring the best possible decisions in procedures in which persons are selected or evaluated. In order to avoid the appearance of bias in procedures or decisions, members and substitute members, as well as other participants of appointment and habilitation committees, selection committees according to § 99 (1) UG, advisory committees according to § 99a, advisory boards and evaluation committees in tenure-track position procedures, as well as the experts to be consulted, must be aware of bias for their own person, but also for the entire committee.

Scope of application

The part of the statutes on *bias* applies to all appointment procedures, in particular in accordance with §§ 98, 99 para. 1, 99 para. 4 and 99a UG, as well as to tenure-track position and habilitation procedures at TU Wien.

Definitions

Participants are all persons working in commissions, committees and advisory boards (hereinafter collectively referred to as *committees* or *boards*), such as in particular the voting members and substitute members of the committee, the persons providing information, the representatives of the AKG and the works council as well as other functionaries.

Other functionaries are persons who are members of a body by virtue of their function.

An **applicant** is understood to be both an applicant in an appointment procedure and an applicant or assistant professor in a tenure-track position procedure as well as a habilitation applicant in a habilitation procedure.

Procedures with several applicants are appointment procedures pursuant to § 98 UG, § 99 (1) UG and § 99 (4) UG (the latter for several applicants) as well as tenure-track position procedures (the latter until the position is awarded).

Procedures with one applicant are appointment procedures according to § 99a UG and § 99 (4) UG (the latter for one applicant), habilitation procedures and tenure-track position procedures (the latter in the qualification phase with an assistant professor).

1 Principles of impartiality

All panellists and reviewers must maintain the necessary distance from the applicants to ensure an **objective assessment**.

All contributors and reviewers must disclose any circumstances that may give rise to the appearance of bias to the respective panel **immediately** and **on their own responsibility** and have them documented in the minutes of the respective panel.

Criteria that may give rise to the appearance of bias and in any case lead to exclusion or an individual decision are listed under point 4.

Former or current holders of the professorship to be filled and applicants are in any case biased and excluded from the outset as contributors or reviewers. The change of contributors or reviewers to the role of an applicant and vice versa is excluded.

The exclusion of a biased member or substitute member of a panel precludes a change to the role of respondent in the procedure; this does not apply in the tenure-track position procedure if the panel has passed a corresponding resolution.

2 Exclusion

If a criterion from the *exclusion* list (point 4.1) is met, contributors and experts must be excluded from the assessment, evaluation and decision of the applicant by resolution of the panel at the meeting. This does not apply to persons providing information who take part in the procedure *ex officio*. They participate in the procedure without restriction even if they are excluded, whereby the chairperson of the panel is authorised to withdraw their right to speak.

2.1 Procedure with one candidate

If only one applicant is being dealt with in the procedure, persons to whom an exclusion criterion applies are excluded from the outset as participants or reviewers.

2.2 Procedures with several applicants

If several applicants are dealt with in a procedure, both contributors and reviewers to whom an exclusion criterion applies are considered biased with regard to this applicant, but are not immediately excluded from the procedure.

When dealing with the applicant who is subject to an exclusion criterion, the participants concerned must temporarily leave the meeting (the room or the online meeting). In this case, a member can transfer their vote to another member of the same group of people or a functionary can transfer their vote to another functionary.

If there is a criterion for exclusion, the members concerned shall leave the meeting and be replaced:

- in the appointment procedure, if the applicant concerned is to be invited to a hearing
- In the tenure-track position procedure, if the applicant concerned is included in the appointment proposal

In the case of an exclusion criterion, the assessor does not assess the applicant concerned, but all other applicants.

3 Individual decision

If there is a criterion from the list *Individual case decision* (point 4.2), the panel decides at the meeting whether or not participation is permitted, disclosing the relevant criterion. If participation is not permitted, the procedure is the same as for exclusion.

If participation in a meeting is permitted, the following generally applies to the participant concerned: The chairperson of the panel is authorised to withdraw the right to speak from the affected participant in the panel.

3.1 Procedure with several candidates

The biased contributor must leave the room or the online meeting during the discussion of the candidate (proxy voting is possible). In a subsequent discussion, a comparative discussion or a discussion of the overall project, the affected contributor may participate and may comment on the affected applicant but may not vote.

4 List of bias criteria

4.1 Criteria that lead to exclusion

- (1) First-degree kinship, siblings, marriage, civil partnership and cohabitation
- (2) Own economic interests in the decision on the applicant or those of persons mentioned under 4.1.(1) within the last three years
- (3) Current close academic or artistic co-operation with the applicant, which is to be understood as a joint project and an associated joint publication
- (4) Direct official dependence up to three years after termination of the relationship ¹
- (5) Supervision relationship (first supervisor to supervisee or vice versa) up to six years after termination of the relationship

4.2 Criteria that lead to an individual case decision

- (1) Relationships that do not fall under 4.1.(1), other personal relationships or conflicts
- (2) Economic interests of persons mentioned under 4.2.(1)
- (3) Academic or artistic co-operation with the applicant through joint projects and/or joint publications within the last three years
- (4) affiliation or imminent change of the committee member to the same research group or research area (if no research group has been established) to which the advertised position is to be assigned within TU Wien

¹ Does not apply to direct superiors in the tenure-track position procedure. Although they may not be a member of the panel, they may be consulted as a person providing information by decision of the panel (see point 1, last sentence).

- (5) Affiliation or imminent change of the panel member to the same research group or research area (if no research group has been established) of the applicant's current academic institution
- (6) Simultaneous activities in advisory bodies of the employer or other bodies to which the applicant belongs, e.g. in scientific advisory boards
- (7) Preparation of a proposal or realisation of a project with a closely related research topic in the case of a competitive situation
- (8) Acting as a reviewer for the applicant's habilitation within the last three years²
- (9) Participation in mutual reviews in the past 12 months

5 Entry into force

The amendment to the statutes section MBI. 2025, 26th edition, no. 256 [Note: this is the bulletin in which this amendment is published] enters into force on the day after its publication in the bulletin.

6 Transitional regulation

For bodies that are already constituted on the day after the announcement of the amendment to the statute section MBI. 2025, 26th edition, no. 256 [Note: this is the bulletin with which this amendment is announced], the statute section Bias, bulletin no. 20/2023 (no. 227) of 25 May 2023, GZ 3002.07/002/2023 continues to apply.

² Does not apply in the tenure-track position procedure