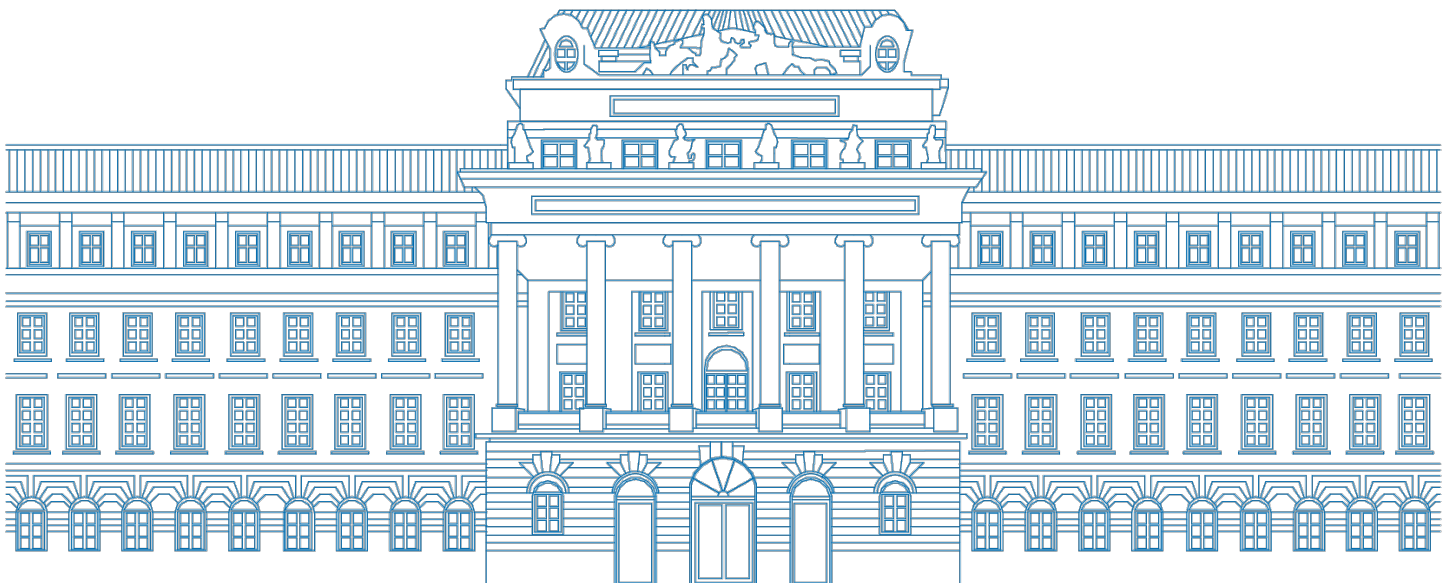




TECHNISCHE
UNIVERSITÄT
WIEN

Tenure Track Directive

Directive on tenure track posts and qualification
agreements



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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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1 Basis and objective

TU Wien is committed to an attractive tenure track model for highly qualified young researchers. Guided by the recommendations of the European Commission¹, framework conditions for tenure track development are created and a tenure track model for researchers is implemented. This means a clear commitment to procedures for tenure track positions in accordance with the highest international standards.

This guideline defines a standardised procedure for awarding tenure track positions and standards for the conclusion (in the sense of signing the qualification agreement) of qualification agreements. Based on the collective agreement for university employees (hereinafter referred to as "KV") and the development plan, it is intended to ensure a transparent and objective procedure for the allocation of tenure track positions and the promotion of young academics, taking into account the plan for the advancement of women and the equality plan.

2 Scope of application

- 1) This guideline applies to all tenure track position procedures at TU Wien.
- 2) The section of the statutes entitled Rules of Procedure for Collegial Bodies (GO für Kollegialorgane) and the section of the statutes entitled Biases (Befangenheiten) apply in a subsidiary manner. In the event of contradictions, the more specific provisions of this guideline shall take precedence.

3 Explanation of terms

3.1 Tenure track position

Tenure track posts are posts for which the conclusion of a qualification agreement is possible (Section 26 (8) KV). These must be designated as such in the job advertisement.

3.2 Qualification agreement

- 1) The qualification agreement is the agreement on qualification and performance targets that must be met within a specified period of time (qualification period) in order to be able to pursue a university tenure track as part of a permanent position. It regulates the use of resources and the support measures and links the fulfilment of the criteria to an objective performance assessment.

¹ Commission Recommendation of 11 March 2005 on the European Charter for Researchers and a Code of Conduct for the Recruitment of Researchers, Official Journal of the European Union (2005/251/EC), L 75/67

- 2) The qualification agreement must be in writing in accordance with § 27 para. 2 KV and is only effective if it is signed by the Rector and the employee.

4 Responsibilities and tasks

The responsibilities and tasks in connection with the allocation of tenure track positions and the conclusion of qualification agreements are described below.

4.1 The Rector

- 1) The Rector is responsible for the following tasks in accordance with the Universities Act 2002 (UG) and the KV:
- Appointment of the Advisory Board and the Evaluation Commission,
 - Deciding on the appointment of the tenure track position,
 - Conclusion of the qualification agreement,
 - Initiation of the final evaluation procedure,
 - Appointment of experts, and
 - Deciding on the fulfilment of the qualification agreement.
- 2) The Rector may also delegate these tasks to another member of the Rectorate in accordance with the Rectorate's rules of procedure.

4.2 The Rectorate

The tasks of the Rectorate include

- Determining the number of tenure track posts in the development plan,
- Dedication of tenure track posts at the suggestion of the respective faculty,
- Planning the tenure track positions as part of the target agreements with the faculties,
- Deciding on the establishment of the tenure track position, and
- Approval of the job advertisement text.

4.3 The Dean

The tasks of the Dean include

- Preparation of the draft job advertisement text,
- Nomination of the members of the advisory board,
- Chairing of the advisory board,
- Suggestion of five experts,

- Coordination of the draft qualification agreement with the immediate superior of the tenure track post holder,
- Nomination of the members of the evaluation committee, carrying out an interim analysis after 2 years of qualification,
- The carrying out of the final evaluation, and
- Possible conflict resolution.

4.4 The Advisory Board

Advisory boards are set up to ensure transparency in the allocation of tenure track posts and compliance with quality criteria when drawing up qualification agreements.

4.4.1 Composition

- 1) The advisory boards are each made up of 8 members:
 - Dean of the respective faculty,
 - 1 member to be nominated by the Faculty Council,
 - 1 university professor from the subject area to which the position is assigned,
 - Dean of Studies,
 - 1 relevant member from outside the university,
 - 1 representative of the Students' Union at TU Wien (HTU),
 - 1 member of the Equal Opportunities Working Group, and
 - 1 member of the Works Council for Academic Staff.
- 2) The members are divided into permanent and alternating members. The permanent members include the Dean, the Dean of Studies, the HTU representative and the member of the Equal Opportunities Working Group and the Works Council. The member of the Equal Opportunities Working Group and the member of the Works Council have no voting rights; they have an advisory function. The alternating members are appointed until the qualification agreement is concluded at the latest.
- 3) The Dean chairs the Advisory Board.
- 4) In interdisciplinary cases, the Dean can nominate a further guest member to the advisory board. In this case, the guest member also has the right to vote.
- 5) If the Dean is also a university professor in the subject area to which the position is assigned, he/she can also nominate another guest member to the advisory board, who does not have to belong to the group of university professors. This guest member has the right to vote.
- 6) The advisory board is authorised to call in informants.
- 7) If the Dean is the immediate supervisor of an applicant, the faculty council must nominate a university professor from the subject area and the Rector must appoint him/her as a member of the advisory board in place of the Dean. If another member of the Advisory Board is the immediate superior of an applicant, the Rector shall appoint another member of the Advisory Board in his/her place.
- 8) Advisory Board members who fulfil their function as employees of TU Wien must be in active employment with TU Wien (in the case of civil servants who are assigned to the office of TU Wien for permanent service). The Rector must be notified in writing by the Dean's Office of the resignation from the function and/or the retirement/emeritus of an Advisory Board member three months prior to the resignation from the

function/retirement/emeritus of the respective Advisory Board member. At the suggestion of the Dean, the Rector appoints another member of the Advisory Board with effect from the date of the member's resignation, and cancels the resignation of the previous member of the Advisory Board.

4.4.2 Appointment

- 1) The Rector appoints an Advisory Board for each procedure, which is made up of permanent and alternating members in accordance with Section 3.4.1.
- 2) The Dean draws up a proposal for the members of the advisory board in consultation with the above-mentioned committees and in accordance with the above-mentioned composition and forwards this to the Rector. The Rector appoints the members of the Advisory Board.

4.4.3 Tasks

The tasks of the advisory board include

- The carrying out of the selection procedure,
- Preparation of the appointment proposal,
- Commenting on the draft qualification agreement,
- Decision on the involvement of persons providing information, in particular the immediate superior as a person providing information, and
- Any decision on obtaining expert opinions for the tripartite proposal.

4.5 Administrative services

The Advisory Board and the Evaluation Commission are supported in the fulfilment of their tasks and in communication during the procedure by expert administrative staff from the Dean's Office.

4.6 The immediate superior

The tasks of the immediate supervisor include

- Drafting the qualification agreement together with the employee,
- Providing the resources required to realise the qualification objectives,
- Conducting status discussions as part of the annual employee appraisal,
- Preparing an annual status report to the Dean and (from the appointment of the Evaluation Commission) to the Chair of the Evaluation Commission,
- Commenting on the self-evaluation report for the final evaluation, and
- Making a statement on the final report of the evaluation commission.

4.7 Mentors

4.7.1 Appointment

The employee can name a mentor within six months of concluding the qualification agreement. This mentor is appointed by the Dean. The appointed mentor must sign a confidentiality agreement regarding all information that becomes known to them in the course of their role.

University professors, associate university professors and associate professors of TU Wien may be considered as mentors, whereby the appointment of persons above them in their position is not permitted. The mentor may not be a member of the advisory board/evaluation commission and may not be involved in the procedure as a member of a body participating in the procedure (e.g. works council, AKG).

4.7.2 Tasks

The tasks of the mentor include

- Accompanying and supporting the employee during the qualification period,
- Co-determination in the status meeting and the status report. Co-determination means that the mentor's opinion is to be taken into account. If there are any inconsistencies between the immediate superior and the mentor, the opinion of the immediate superior is to be regarded as decisive and the opinion of the mentor is to be documented,
- Providing information during the final evaluation.

4.8 The evaluation committee

4.8.1 Composition

- 1) The evaluation commission is made up of the following members:
 - Dean,
 - Dean of Studies,
 - Chairperson of the Faculty Council, and
 - Head of Institute.
- 2) The evaluation committee elects a chairperson from among its members.
- 3) At the request of the employee, a member of the works council and/or the AKG may be invited to the meetings of the evaluation commission.
- 4) The evaluation commission is authorised to call in informants.
- 5) If the Dean is the employee's immediate supervisor, the faculty council must nominate a university professor from the subject area and the Rector must appoint him/her as a member of the evaluation commission instead of the Dean. If another member of the evaluation committee is the direct superior of the employee, the Rector shall appoint another member of the evaluation committee in his/her place.
- 6) Members of the Evaluation Commission must be in active employment with TU Wien (in the case of civil servants who are assigned to the Office of TU Wien for permanent service). The Rector must be notified in writing by the Dean's Office of the resignation and/or retirement/emeritus of a member of the Evaluation Commission at three months prior to the resignation/retirement/emeritus of the respective member. The Rector shall appoint another member of the Evaluation Commission at the suggestion of the Dean with

effect from the date of resignation and shall decree the resignation of the previous member of the Evaluation Commission.

4.8.2 Appointment

- 1) The Rector appoints an evaluation commission for each procedure, which is made up of the members listed in Section 3.8.1.
- 2) The Dean draws up a proposal for the members of the evaluation commission in consultation with the above-mentioned committees and in accordance with the above-mentioned composition and submits it to the Rector. The Rector appoints the Evaluation Commission.

4.8.3 Tasks

The tasks of the evaluation commission include

- The carrying out of the final evaluation,
- Preparation of the final report to the Rector, and
- Deciding on the involvement of informants, in particular the immediate superior as an informant.

5 Dedication of tenure track positions

The allocation of the number of tenure track positions specified in the development plan is carried out in connection with the preparation of the development plan and is bindingly agreed in the target agreements between the faculty and the Rectorate.

The participation rights of the Works Council in accordance with § 98 ArbVG remain unaffected.

6 Allocation of tenure track posts

6.1 Advertising procedure

- 1) According to § 107 para. 1 UG, tenure track positions must be advertised publicly and internationally and labelled as such in the advertisement text.
- 2) The Dean prepares a draft text for the job advertisement in consultation with the head of the institute for whose institute the tenure track position is dedicated, as well as with the head of the research department or a scientist close to the subject.

The Rectorate gives the final approval of the call for applications.

6.2 Selection criteria

- 1) Tenure track positions are aimed exclusively at persons who have completed a relevant PhD programme at a recognised domestic or foreign university or who can provide evidence of an equivalent academic/artistic qualification.
- 2) Scientific potential is assessed on the basis of scientific/artistic reputation and international visibility related to scientific age, which is expressed, among other things, in the following criteria
 - a) scientific/artistic publication activity,
 - b) relevant teaching experience including lecture and presentation practice,
 - c) national and international research collaborations,
 - d) practical experience in acquiring third-party funding (measured against the standards of the discipline),
 - e) scientific/artistic activity outside TU Wien.
- 3) In order to assess the candidates, the Advisory Board may decide to obtain comparative expert opinions for the three-person proposal.
- 4) No assessment is required in any case if the applicant has applied within the framework of the TU Wien Excellence Programme (cf. point 6.4).
- 5) The application for a tenure track position must contain at least the following documents
 - a) Presentation of achievements in scientific research/development and development of the arts,
 - b) Presentation of experience and activities in teaching and supervision of junior researchers,
 - c) Proof of acquisition of third-party funding,
 - d) Concept for future plans in research and teaching and contribution to the academic/artistic profile of the faculty or university.

6.3 Reviews and appointment of reviewers

- 1) If the Advisory Board decides that comparative reviews are to be obtained for the three-person proposal, the Dean will submit a five-person proposal for the reviewers to be appointed to the Rector within three weeks. From these, the Rector appoints two reviewers within one week.
- 2) The Dean forwards the application documents of the candidates from the three nominees to the reviewers without delay.
- 3) A deadline of one month must be set for the preparation of the reviews.
- 4) In any case, two reviews must be obtained.

6.4 Selection procedure

- 1) The Advisory Board conducts the selection procedure and draws up a proposal for the appointment of the three most suitable candidates for the position.
- 2) The university professors of the relevant faculty must be consulted on the outcome of the selection procedure (§ 99 para. 5 UG).

- 3) The appointment proposal is to be forwarded by the Dean to the Rector (with detailed justification in the case of a proposal of fewer than three suitable candidates apart from positions of excellence), whereby a proposal from a single candidate is to be regarded as an absolute exception.
- 4) Irrespective of the appointment of the reviewers from the five proposed by the Dean, the Rector may obtain a comparative review of the candidates to support the appointment decision. The Rector is responsible for selecting the reviewer.

6.5 Applications within the framework of the Excellence Programme

- 1) Applicants who fulfil the requirements of the TU Wien Excellence Programme and are applying for the advertised position have already undergone a qualified selection procedure that has clearly established their academic qualifications, which go beyond the qualifications of other applicants. In these cases, the Dean forwards the application documents and statement to the Rector.
- 2) The Rector shall consult the university professors of the faculty concerned (§ 99 para. 5 UG).
- 3) After obtaining the opinions, the Rector may continue the selection procedure by waiving the requirement to obtain expert opinions in accordance with Section 6.2.3 on the basis of the applicant's particular academic qualifications and suitability and - after consulting the Equal Opportunities Working Group in accordance with Section 42 UG - offering the applicant an employment contract.

6.6 Referral back or discontinuation of the procedure

If the Rector, after hearing the relevant Dean, is of the opinion that the appointment proposal does not contain suitable candidates or does not contain the most suitable candidates, he/she must refer the appointment proposal back to the Advisory Board, stating the reasons, or discontinue the procedure.

6.7 Appointment decision

The Rector decides on the appointment to the advertised tenure track position.

7 Qualification agreements

- 1) The qualification agreement defines the qualification objectives and the period of time within which the agreed qualification objectives are to be achieved. The qualification agreement forms an integral part of the employment contract.
- 2) If TU Wien wishes to make an offer to the employee selected for the tenure track position to enter into a qualification agreement, it must do so no later than 2 years after the position has been taken up (§ 27 para. 2 KV). TU Wien endeavours to offer the selected employee a qualification agreement within 1 ½ years of the start of the employment relationship.
- 3) In the case of fixed-term employment relationships, this period is extended by periods of a ban on employment in accordance with §§ 3 to 5 of the 1979 Maternity Protection Act (MSchG), parental leave in accordance with the MSchG or the Paternity Leave Act (VKG) or military, training or civilian service (§ 20 para. 3 no. 1 KV) or periods of part-time parental leave in accordance with the MSchG or the VKG in accordance with the extent of employment.

- 4) The draft of the individual qualification agreement is drawn up between the immediate superior and the employee in consultation with the Dean and submitted to the advisory board for comment. The Dean then forwards the qualification agreement together with the advisory board's statement to the Rector.
- 5) The Rector is responsible for concluding the qualification agreement.
- 6) Upon conclusion of the qualification agreement, the employee receives an employment contract as an "Assistant Professor" (Assistenzprofessor_In, Ass.Prof.). The assistant professor is assigned to salary level A 2 in accordance with § 49 para. 2 KV and has a teaching obligation of 4 semester hours in accordance with § 49 para. 7 KV. Their holiday entitlement is increased pro rata in the current calendar year, but at least by one working day, and amounts to 30 working days from the following calendar year (§ 19 para. 7 KV).
- 7) Upon conclusion of the qualification agreement, the assistant professor is authorised to nominate a mentor in accordance with Section 3.7.1.
- 8) If no offer to conclude a qualification agreement is made within 2 years or if no qualification agreement is concluded during this period, TU Wien may terminate the employment relationship after a total period of 3 years in compliance with the deadlines pursuant to § 21 para. 2 KV, even if it was concluded for a fixed term (§ 27 para. 4 KV).

8 Qualification targets

- 1) The qualification targets must be set in such a way that they can normally be achieved within 4 years (see § 27 Para. 2 KV). Care must be taken to ensure that the achievement of objectives and the evaluation of fixed-term employment contracts are possible during the term of the employment contract.
- 2) The qualification targets must be defined in such a way that they fulfil the following criteria:

Specific	Objectives must be clearly defined
Measurable	Objectives must be measurable (measurability criteria)
Accepted	Objectives must be accepted by the recipients (appropriate, attractive, feasible and challenging)
Realistic	Achievement of objectives must be possible
Time-bound	Objectives must be achievable within the qualification period

- 3) The qualification agreement must contain qualification objectives from the following areas:

In any case, qualification objectives must be defined from the areas of "Research", "Teaching" and "Leadership and Management" (MUST areas). From the areas of "External experience", "Participation in university management and administrative tasks", "Scientific community service" and "Public community service", 2 qualification areas must be selected (TARGET areas) and also agreed as mandatory objectives.

MUST:

- a) **Research:** e.g. publications, habilitations, lectures, presentations (conferences, congresses), acquisition of third-party funds to an extent customary for assistant professors

- b) **Teaching:** e.g. independent teaching of full-semester courses², supervision of academic work, participation in qualification measures (didactics)
- c) **Leadership and management:** e.g. leading groups of employees, participation in seminars, further training (management and leadership seminars), participation in commissions, committees or working groups, assumption of functions

TARGET (at least 2 qualification areas must be selected):

- a) **External experience:** e.g. research stays of medium duration at universities or non-university research institutions (in Germany and abroad)
 - b) **Collaboration in university management and administrative tasks:** e.g. committee work, working groups, functions, collaboration in quality management, etc.
 - c) **Scientific Community Service:** e.g. (co-)organisation of congresses or other scientific events, participation in subject-specific committees, etc.
 - d) **Public Community Service:** participation in regular activities, e.g. Daughters' Day, Children's University, University meets Public, etc.
- 4) The Deans can implement the general regulations of this guideline on the qualification objectives to the requirements of their faculty and define faculty-specific standards. Faculty-specific standards must be defined for points 8 (3) a) (MUST) and 8.3 d) (SHOULD). These standards require the approval of the Faculty Council and must be published appropriately in the faculty.
 - 5) The organisational unit to which the assistant professor is assigned must provide the agreed resources to achieve the defined qualification objectives. It must grant sufficient time to achieve the qualification and promote the qualification accordingly. If, during the qualification period, the assistant professor is of the opinion that the resources required to achieve the qualification objectives are not or not sufficiently provided, he/she is obliged to inform the immediate superior and the Dean in good time. If no appropriate solution can be found, the rules for conflict situations apply.
 - 6) During the period agreed for achieving the qualification objectives, the assistant professor may only be dismissed (even in the case of a fixed-term employment relationship) for the reasons set out in Section 22(2)(a), (b), (c) and (f) KV, otherwise the dismissal shall be legally invalid.
 - 7) The qualification period shall be extended by
 - any periods of a ban on employment under the Maternity Protection Act 1979 (MSchG),
 - any periods of parental leave in accordance with the MSchG or the Väter-Karenzgesetz (VKG) and periods of early parental leave for fathers (Papamonat),
 - any periods of part-time parental leave under the MSchG or the VKG in accordance with the extent of employment.
 These extension periods may not exceed a total of 3 years in accordance with § 20 Para. 3 KV.
 - 8) In particularly justified cases, the qualification period can be extended at the request of the job holder. The application for an extension must include a statement of reasons together with a statement from the immediate superior and the head of the institute. The Rector decides on the extension of the qualification period.

² This does not exclude block courses.

9 Measures for the advancement of women

When advertising tenure track positions, attention must be paid to gender-sensitive wording.

No criteria that constitute discrimination on the basis of gender may be used when determining qualification objectives.

10 Annual evaluation - status interview and status report

10.1 Status interview

Over the course of the status review between the immediate superior and the employee, which is to be embedded in the annual employee appraisal, the progress of the objectives defined in the qualification agreement is to be discussed. Any mentor must be involved in the status meeting in the form of a right to have a say. The current status of the work on the qualification objectives, the progress made and a forecast of the timely achievement of the objectives must be discussed. Assessments must also be made regarding resources and the support measures taken.

10.2 Status report

- 1) The result of the status discussion must be summarised by the immediate supervisor together with the employee and any mentor in an annual status report on the progress of the qualification objectives and this must be forwarded to the Dean and (from the appointment of the evaluation committee) to the chairperson of the evaluation committee. In particular, the status report must also take into account the results of course evaluations (student survey and any results of evaluation procedures).
- 2) The annual status report is to be forwarded by the Dean's Office to the Human Resources Administration, Department of Academic Personnel for the personnel file.

11 Interim analysis

- 1) An interim analysis must be carried out after two years of the qualification agreement. This serves to determine the progress of qualification, as well as the proportionality of performance in teaching and research on the one hand and resources on the other. The interim analysis is carried out on the basis of the status reports from years one and two by the Dean with the involvement of the Dean of Studies, the chair of the faculty council and the head of the institute, whereby the Dean has the deciding vote in the event of a tie. At the request of the tenure track post holder, a member of the works council must be consulted in an advisory capacity for the interim analysis.
- 2) The Deans can define faculty-specific standards for the interim analysis. These standards require the approval of the Faculty Council and must be published appropriately in the faculty.

12 Final evaluation

- 1) The achievement of the objectives set out in the qualification agreement is subject to a final evaluation.
- 2) The final evaluation is carried out by the evaluation commission under the direction of the chairperson of the evaluation commission. The immediate superior may be consulted by the evaluation commission as a respondent to the final evaluation; if the immediate superior is consulted, any mentor must also be consulted as a respondent.

12.1 Initiation of the procedure

- 1) The evaluation procedure is initiated as follows
 - a) by the Rector or the respective member of the Rectorate responsible on the basis of the applicable rules of procedure of the Rectorate at least 6 months before the end of the qualification period (= fixed-term employment relationship) or
 - b) at the request of the assistant professor, whereby an application can be submitted at any time.
- 2) In any case, a period must be chosen that ensures that the final evaluation can be completed before the end of the fixed-term employment relationship and a corresponding decision can be made.

12.2 Implementation of the procedure

- 1) The Dean, the Dean of Studies, the chairperson of the faculty council and the head of the institute to which the tenure track position is assigned shall jointly conduct the final evaluation in accordance with the criteria set out in this guideline. At the request of the tenure track post holder, a member of the works council shall be involved in an advisory capacity.
- 2) The final evaluation is carried out on the basis of the status reports, the self-evaluation report, any supplements to the self-evaluation report, the expert opinions and any comments.

12.2.1 Self-report

- 1) The self-evaluation report must be written in English and must include a list of research and teaching achievements and all other objectives set out in the qualification agreement. Any prizes or awards must also be included in the self-evaluation report.
- 2) In particular, the self-evaluation report must indicate the extent to which the agreed objectives have been achieved/not achieved. In addition, the services provided during the qualification period in the respective sub-areas in accordance with point 8, as well as the completion of agreed further training courses, must be listed in a free presentation.
- 3) The self-evaluation report must refer to internal key figures. Data available to TU Wien in this context shall be made available to the assistant professor, the Dean and the evaluation committee.
- 4) The complete self-evaluation report must be submitted by the assistant professor to the Dean and the chairperson of the evaluation commission within one month of the initiation of the evaluation procedure.

12.2.2 Reviews and appointment of reviewers

- 1) The Dean submits a five-person proposal for the experts to be appointed to the Rector within three weeks. From these, the Rector appoints two reviewers within one week.

- 2) The Dean forwards the qualification agreement and the self-evaluation report immediately to the reviewers and the self-evaluation report to the immediate supervisor for comments.
- 3) A deadline of one month must be set for the preparation of the expert reports.
- 4) In any case, two expert reports must be obtained.
- 5) Irrespective of the appointment of the reviewers from the five suggested by the Dean, the Rector may obtain an additional review. The choice of the reviewer is the responsibility of the Rector.

12.2.3 Supplement to the self-evaluation report

- 1) The reviews must be forwarded to the assistant professor without delay.
- 2) The assistant professor has the right to supplement the self-evaluation report within one month of receiving the last review or statement.

12.2.4 Evaluation of the qualification objectives

12.2.4.1 Evaluation of research and teaching

- 1) Two expert opinions are obtained to assess the achievement of objectives in the areas of research and teaching.
- 2) In the case of applications under the Excellence Programme, the reviews from the respective grants can be used for the evaluation. If teaching performance was not taken into account in these reviews, an additional review must be obtained for the area of teaching.

12.2.4.2 Evaluation of leadership and management as well as individually agreed objectives

- 1) The assessment of the achievement of objectives in the area of leadership and management as well as the achievement of individually agreed objectives is based on the self-report and the written statement by the immediate supervisor.
- 2) Relevant further training must be taken into account in the evaluation.

12.3 Final report

- 1) At the latest 2 months before the end of the qualification period, the evaluation commission prepares a final report for the Rector.
- 2) The final report must discuss and summarise whether the agreed qualification objectives have been achieved.
- 3) This final report must be sent to the assistant professor and the immediate superior at the same time. They can comment on it in writing within two weeks.

12.4 Rector's decision

- 1) At the latest 1 month before the expiry of the fixed term, the Rector must decide whether the qualification objectives are considered to have been achieved or not.
- 2) The assistant professor must be informed of this decision immediately and verifiably.

13 Termination of the qualification period

- 1) If the Rector or the responsible member of the Rectorate determines that the qualification objectives have been achieved, the employee shall be classified in the salary grade pursuant to § 49 para. 2 lit. a KV with effect from the following calendar month and shall bear the title "Associate Professor". The employment contract must be amended to reflect the new duties (Art. 27 para. 6 and 7 KV). A previously fixed-term employment relationship is to be converted into an indefinite one if the employee does not object to the continuation.
- 2) If the Rector or the responsible member of the Rectorate determines that the qualification objectives have not been achieved, a previously fixed-term employment relationship shall end at the end of the agreed period. If the employment relationship as an assistant professor is indefinite, it can be terminated immediately in compliance with the deadlines and dates in accordance with § 21 para. 2 KV.

14 Conflict settlement

The Dean is responsible for any conflicts that arise in connection with the allocation of tenure track positions, the preparation of the qualification agreement, the procedure for implementing the qualification agreement and the evaluation procedure. The parties involved in this situation must be consulted. The Dean can use established mechanisms at TU Wien to resolve conflicts (including the company agreement on partnership-based behaviour and anti-discrimination in the workplace³). At the request of the employee, the mentor can be consulted in the event of a conflict. The Dean, together with the immediate supervisor, must propose suitable measures to the parties involved; the decision on how to proceed is ultimately made by the Dean.

15 Entry into force and transitional provisions

- 1) The amendment to the directive MBl. 2025, 25. Stück, lfd Nr. 252 comes into force on the day after its publication in the MBl.
- 2) For tenure track position procedures that are already pending and for which a qualification agreement has already been concluded by 28 September 2023, the Tenure Track Positions Directive in the version MBl. 2019, 30. Stück, lfdNr. 314 applies.
- 3) For tenure track post procedures that are already pending and for which a qualification agreement has already been concluded between 29 September 2023 and the entry into force of this guideline, the guideline for tenure track posts in the version of MBl. 2023, 39th edition, applies.
- 4) For pending tenure track position procedures for which a qualification agreement has not yet been concluded, the amendment to Directive MBl. 2025, 25th edition, no. 252 and the statute section on biases MBl. 2025, 25th edition, no. 248 shall apply.

³ [Company agreements | TU Vienna](#)