



TECHNISCHE
UNIVERSITÄT
WIEN



Career Position Guidelines

Guidelines of the Rectorate relating to career positions and qualification agreements

Decision of the Rectorate of 27.08.2019

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1 BASIS AND OBJECTIVES

The Guidelines set forth a standard procedure for granting career positions as well as standards for entering into qualification agreements.

TU Wien commits itself to an attractive career model for highly qualified academic career starters. Guided by the recommendations of the European Commission¹ framework conditions for career development are to be created and a career model is to be implemented for researchers.

The Guidelines are meant to guarantee on the basis of the collective bargaining agreement for university staff (hereinafter “CBA” for short) and the development plan, taking account of the career advancement plan for women and equal opportunities plan, a transparent and objective procedure for granting career positions as well as for promotion of academic career starters.

career advancement plan for women and equal opportunities plan

2 DEFINITIONS

2.1 CAREER POSITION

Career positions are positions for which the signing of a qualification agreement can be considered (section 26(8) CBA). They are to be designated as such in the vacancy announcement.

2.2 QUALIFICATION AGREEMENT

(1) The qualification agreement is the agreement relating to qualifications and achievement targets which must be met within a specific period of time (qualification period) in order to be able to make a university career in the framework of indefinite employment. It regulates the deployment of resources and the promotion measures and ties the fulfilment of criteria to an objective evaluation of achievements.

(2) The qualification agreement according to section 27(2) CBA must be in written form and only has legal effect if it has been signed by the Rector and the employee.

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

3 RESPONSIBILITIES AND TASKS

Here below the responsibilities and tasks in connection with the granting of career positions and entering into qualification agreements are described.

3.1 THE RECTOR

(1) The Rector is according to the Universities Act 2002 (UG) and CBA responsible for the following tasks:

- Appointment of the advisory commission
- Decision on appointment
- Completion of the qualification agreement
- Initiation of the procedure for final evaluation
- Decision on meeting the qualification agreement

(2) The Rector may, according to the rules of procedure of the Rectorate, delegate these tasks to another member of the Rectorate.

3.2 THE RECTORATE

The tasks of the Rectorate include:

- Determining the number,
- Allocation of career positions at the proposal of the faculty in question, and
- Clearing of the vacancy announcement text.

3.3 THE DEAN

The tasks of the Dean include:

- Producing the draft of the vacancy announcement text
- Nominating the advisory commission
- Managing the advisory commission
- Voting on the draft of the qualification agreement with the immediate supervisor.

3.4 THE ADVISORY COMMISSION

To guarantee transparency in granting career positions, complying with the qualification criteria in implementing the qualification agreements and the setting of a standard, advisory commissions are set up.

3.4.1 Composition

(1) Each commission is composed of eight members:

- The Dean of the faculty in question
- One member to be appointed by the faculty committee
- One university professor of the academic discipline to which the position is allocated
- The dean of studies
- One member of the academic discipline from outside the university.
- One representative of the Student Union of TU Wien (SU), and
- One member of the working group on equal opportunities, and
- One member of the academic staff works council.

(2) The members are divided into permanent and alternating members. The permanent members include the Dean, the dean of studies, the SU representative as well as the member of the working group on equal opportunities and the works council. The member of the working group on equal opportunities and the member of the works council are not entitled to any votes, they have a merely advisory function.

The alternating members are appointed only until the completion of each evaluation procedure. In addition, the Dean may invite the head of research unit of the field to which the position is allocated to join the advisory commission as a permanent information person.

(3) In interdisciplinary cases, the Dean may nominate an additional guest member to the advisory commission. In that case the guest member is also entitled to the right to vote.

(4) If the Dean is at the same time a university professor of the academic discipline to which the position is allocated, then he may likewise nominate an additional guest member to the commission who need not belong to the group of the university professors. This guest member is entitled to a vote.

(5) The Dean chairs proceedings of the commission.

3.4.2 Appointment

- (1) The Rectorate sets up a commission for each procedure per faculty which is to be composed of permanent and alternating members in accordance with item 3.4.1.
- (2) The Dean will, in consultation with the governance bodies cited above and in accordance with the composition cited above, produce a proposal for the commission and submit it to the Rector. The Rector will appoint the members of the commission.
- (3) For the composition of the advisory commission, care should be taken that a balanced numerical ratio of men and women is achieved.

3.4.3 Tasks

The advisory commission is charged with the following tasks:

- Conducting selection procedures and producing an appointment proposal
- Giving an opinion on the draft for the qualification agreement
- Taking note of the annual status report for meeting the qualification targets
- Carrying out the evaluation procedure
- Production of the final report
- Giving an opinion in procedures for conflict resolution

3.4.4 Rules of procedure

- (1) For carrying out the advisory commission's tasks, the rules of procedure for TU Wien collegial bodies will apply (MBI no 20/2019, only German)² unless these Guidelines provide otherwise.
- (2) In a departure from the rules of procedure for collegial bodies of TU Wien, the Dean will at all times chair the advisory commission.

3.5 ADMINISTRATIVE SERVICES

When carrying out tasks as well as in communicating during the procedure, the advisory commission will be supported by qualified administrative employees.

²https://www.tuwien.at/fileadmin/Assets/dienstleister/Datenschutz_und_Dokumentenmanagement/Geschaeftsordnung_Kollegialorgane.pdf

3.6 THE IMMEDIATE SUPERVISOR

The immediate supervisor has the following tasks:

- Production (jointly with the employee) of the draft for the qualification agreement
- Conducting status talks
- Production (jointly with the employee) of a status report
- Giving an opinion on the self-evaluation report
- Giving an opinion on the final report.

4 ALLOCATION OF CAREER POSITIONS

The allocation of the number of career positions set forth occurs in the development plan in connection with production of the development plan.

The rights of the works council to participate under section 98 of the Work Constitution Act (ArbVG) remain unaffected.

5 GRANTING OF CAREER POSITIONS

5.1 VACANCY ANNOUNCEMENT PROCEDURE

(1) Career positions are to be announced publicly and internationally under section 107(1) UG and must be specifically designated as such.

(2) The Dean will produce a draft for a vacancy announcement text in consultation with the head of the institute to which the career position is allocated as well as with the head of research unit or with academics close to the subject.

The final clearing of the vacancy announcement is done by the Rectorate.

5.2 SELECTION CRITERIA

(1) Career positions are directed exclusively at persons who can demonstrate a relevant doctorate or PhD studies from a recognised domestic or foreign university or an equivalent academic or artistic qualification.

(2) The assessment of academic potential occurs on the basis of academic or artistic reputation and international visibility set in relation to academic age and which is shown, among other things, in the criteria

- a. Academic or artistic publication work
- b. Teaching experience in the relevant discipline including lecturing and presentation practice
- c. National and international research collaborations
- d. Practical experience in grant recruitment (measured by the standards of the discipline) and
- e. Academic or artistic work outside of TU Wien

(3) To assess the candidates, comparative expert appraisals can be obtained for the three-name short list.

(4) No expert appraisal is in any case required if the applicant has applied in connection with the TU Wien excellency programme (cf. Item 5.4).

(5) The application for a career position must contain at least the following documents:

- a. Presentation of the achievements in academic research or development and development of the arts
- b. Presentation of experience and work in teaching and graduate tutoring
- c. Proof of recruitment of grants
- d. A strategy for future plans in research and teaching and for contribution to the academic or artistic profile of the faculty or university.

5.3 SELECTION PROCEDURE

(1) The advisory commission conducts the selection procedure and produces an appointment proposal which must contain the three most suitable candidates for filling the career position.

(2) The university professors in the relevant discipline are to be given the opportunity to express their opinion (section 99(5) UG).

(3) The appointment proposal is to be forwarded by the Dean to the Rector (eventually motivated in case of a two-person short list).

(4) The Rector will decide on filling the announced career position.

5.4 APPLICATIONS IN CONNECTION WITH THE EXCELLENCY PROGRAMME

(1) Applicants applying for the particular announced position in connection with TU Wien's excellency programme (e.g. ERC, START, Elise Richter \geq 36 months, Herta and Paul Amirian Programme, among others) have already gone through a qualification selection procedure by means of which their academic qualifications

exceeding the qualifications of other applicants were unambiguously determined. In such cases, the Dean forwards the application documents with the opinion to the Rector.

(2) The Rector will seek the views of the university professors of the particular discipline (section 99(5) UG).

(3) After obtaining the opinion, the Rector may continue the selection procedure by waiving the requisitioning of the appraisal under item 5.2, due to the special academic qualifications and suitability of the applicant and offering the latter the signing of an employment contract after the working group on equal opportunities has dealt with it under section 42 UG.

6 QUALIFICATION AGREEMENTS

(1) The qualification agreement sets forth the qualification targets as well as the period of time in which the agreed qualifications must be achieved. The qualification agreement constitutes an integral component of the employment contract.

(2) If TU Wien wishes to make the employee selected for the career position an offer of entering into a qualification agreement, it must do so, at the latest, by two years after commencement of work (section 27(2) CBA). TU Wien endeavours to offer the employee selected a qualification agreement within one-and-a-half years after commencement of employment.

(3) With fixed term employment, its term is extended by periods in which employment is prohibited under sections 3 through 5 of the 1979 Maternity Leave Act (MSchG), any leave under MSchG or the Paternity Leave Act (VKG) or any military service, training or civilian service (section 20(3) letter 1 CBA).

(4) The draft of the individual qualification agreement will be worked out between the immediate supervisor and the employee in consultation with the Dean and submitted to the advisory commission for its opinion.

The Dean then forwards the qualification agreement with the opinion of the advisory commission to the Rector.

(5) The Rector is responsible for completion of the qualification agreement.

(6) Upon completion of the qualification agreement, the employee is given an employment contract as "assistant professor" (ass prof). The assistant professor is placed in salary level A 2 in accordance with section 49(2) CBA and has a teaching burden of four semester hours as per section 49(7) CBA. The extent of holiday leave is increased pro rata in the current calendar year, with a minimum of one working day and comes in the following calendar year to 30 working days (section 19(7) CBA).

(7) If within two years no offer of a qualification agreement is made or if no qualification agreement comes about in that period of time, then TU Wien may terminate employment after a total period of three

years while complying with advance notice periods under section 21(2) CBA, even if employment was entered into for a fixed term (section 27(4) CBA).

7 CONTENTS OF THE QUALIFICATION AGREEMENT

(1) The qualification targets are to be set such that they can generally be achieved within four years (cf. 27(2) CBA). In doing so, care must be taken that target achievement and evaluation are possible in fixed term employment during the period of the employment contract's validity.

(2) The qualification targets must be defined such that they meet the following criteria:

S	Specific	Targets must be unambiguously defined
M	Measurable	Targets must be measurable (measurability criteria)
A	Accepted	Targets must be accepted by the recipients (appropriate, attractive, doable and demanding)
R	Realistic	Targets must be possible
T	Time-framed	It must be possible to meet the targets within the qualification period.

(3) The qualification agreement must contain qualification targets from the following clusters:

From the clusters of "research," "teaching" and "supervision and management" qualifications must be set in any case (mandatory clusters). From the clusters of "outside experience," "collaboration in university management and administrative duties," "scientific community service" and "public community service" two qualification clusters must be selected (optional clusters) and corresponding targets must be agreed.

MANDATORY:

- a) **Research:** e.g. publications, post-doctoral dissertations, lectures, presentations (conferences, congresses), recruitment of grants
- b) **Teaching:** e.g. giving of courses (independent teaching), tutoring of academic work, participation in qualification measures (didactics)
- c) **Supervision and management:** e.g. supervision of employees, participation in seminars, advance training (management and supervision seminars), collaboration in commissions, governance bodies or working groups, assumption of elected offices

OPTIONAL (at least two qualification clusters must be selected):

- a) **Outside experience:** e.g. research stays of medium length at university or non-university research facilities (domestic or foreign)
- b) **Collaboration in university management and administrative duties:** e.g. work in governance bodies, working groups, elected offices, collaboration in quality management, etc.
- c) **Scientific community service:** e.g. organisation for congresses and other academic events, collaboration in relevant discipline governance bodies, etc.
- d) **Public community service:** e.g. girls' day, children's university, university meets public, etc.

(4) The organisational unit to which the assistant professor is allocated must provide the resources for achievement of the agreed qualification targets. It must grant sufficient time for achievement of the qualification targets and must promote qualification accordingly. Should the assistant professor during the qualification period be of the view that the resources required to achieve the qualification targets are not being provided or not being adequately provided, the assistant professor is under an obligation to inform the advisory commission of this on time. If no appropriate solution can be found, the rules for conflict cases will be applied.

(5) During the period agreed for achievement of the qualification targets, termination of the assistant professor (even with fixed term employment) is only allowed for the reasons provided for in section 22(2), letters a), b), c) and f) CBA, failing which it has no legal force.

(6) The qualification period is extended by periods of any prohibition of employment under the 1979 Maternity Protection Act (MSchG) and/or any leave under MSchG or the Paternity Leave Act (VKG). Such extension periods under section 20(3) CBA may together not exceed three years.

(7) In specially justified cases, the qualification period may be extended on application by the position incumbent. The application for extension must contain a justification as well as an opinion by the immediate supervisor and the head of institute. The Rector decides on extension of the qualification period.

8 MEASURES FOR THE PROMOTION OF WOMEN

In the vacancy announcement for career positions, care must be taken of gender sensitive phrasing.

When setting qualification targets, no criteria may be applied which constitute any discrimination due to gender.

9 ANNUAL EVALUATION - STATUS BRIEFING AND REPORT

9.1 STATUS BRIEFING

In the course of the status briefing between the immediate supervisor and the employee, the progress of the targets set in the qualification agreement is to be discussed. The current status of work, the progress achieved as well as a forecast about timely achievement of targets are to be discussed. In addition, estimates are to be undertaken in regard to resources and adopted support measures.

9.2 STATUS REPORT

The immediate supervisor must annually produce, jointly with the employee, a status report on the progress of qualification targets and forward the report to the advisory commission. The status report must in particular also take into account the results of course evaluations (student surveys and any eventual results of evaluation procedures).

The annual status report is to be forwarded to personnel administration department, service group university staff in science for the personnel file.

10 FINAL EVALUATION

The achievement of the targets set in the qualification agreement is subject to a final evaluation.

10.1 EVALUATION OF THE QUALIFICATION TARGETS

10.1.1 Evaluation of research and teaching

(1) To assess the achievement of targets in the research and teaching clusters, two expert appraisals must be obtained.

(2) In the case of applications in connection with the excellency programme, the appraisals for the evaluation are to be applied from the particular grants. If in such appraisals, teaching achievements have not be taken into account, then in addition an appraisal for the teaching cluster must be obtained.

10.1.2 Evaluation of supervision and management as well as individually agreed targets

The evaluation of target achievement in the supervision and management cluster as well as the achievement of individually agreed targets will be done by the advisory commission on the basis of the status report and the written opinion by the immediate supervisor and after hearing the head of institute.

Relevant advanced education courses are to be taken into account in the evaluation.

10.2 INITIATION OF THE PROCEDURE

(1) The evaluation procedure commences at the latest six months prior to the end of the qualification period (= fixed term employment). In any case, a period of time must be chosen that ensures that the final evaluation is completed prior to the end of fixed term employment and that a corresponding decision can be reached.

(2) The Rector or the particular member of the Rectorate with responsibility under the applicable rules of procedure or the particular members of the Rectorate will start the evaluation procedure with a request to the assistant professor to produce a self-evaluation report. The evaluation procedure must be initiated at any time at the request of the assistant professor.

(3) Simultaneously, the order is issued to the advisory commission to conduct the evaluation procedure.

10.3 CONDUCT OF THE PROCEDURE

(1) The advisory commission will for final evaluation produce a final report on the basis of the self-evaluation report, any additions to the self-evaluation report, the appraisals as well as the opinion.

(2) In addition, all documents on research and teaching achievements of the assistant professor must be provided to the advisory commission.

10.3.1 Self-evaluation report

(1) The self-evaluation report must be written in English and must in any case contain a listing of the research and teaching achievements and all other targets set in the qualification agreement. Any eventual prizes or awards must likewise be included in the self-evaluation report.

(2) It must in particular emerge from the self-evaluation report to what extent the agreed targets were achieved or not achieved. Moreover, the achievements made in the qualification period in each of the segments under item 7 must be listed in an informal presentation, as well as the completion of agreed advanced training courses.

(3) The self-evaluation report must make reference to internal code numbers. Data available to TU Wien in this context will be made available to the assistant professor.

(4) The complete self-evaluation report must be sent by the assistant professor to the advisory commission within one month.

10.3.2 Appraisals and appointment of referees

(1) For the referees to be appointed, the advisory commission will within three weeks send the Rector a short list of five names. From these names, the Rector will within one week appoint two referees.

(2) The advisory commission will without delay forward the qualification agreement and the self-evaluation report to the referees as well as forwarding the self-evaluation report to the immediate supervisor for their opinions.

(3) A deadline of two months must be set for producing the appraisals.

10.3.3 Addition to the self-evaluation report

(1) The appraisals must be forwarded without delay to the assistant professor.

(2) The assistant professor has the right within one month of receipt of the latest appraisal or the final opinion to make any eventual additions to the self-evaluation report.

10.4 FINAL REPORT

(1) At the latest two months prior to the end of the qualification period, the advisory commission must produce a final report to the Rector.

(2) The final report must discuss and in summary establish whether the agreed qualification targets have been achieved.

(3) This final report must at the same time be sent to the assistant professor and to the immediate supervisor. Both may announce their opinions thereon in writing within two weeks.

10.5 DECISION BY THE RECTOR

(1) At the latest one month prior to expiry, the Rector must make a decision whether the qualification targets are to be considered achieved or not.

(2) The assistant professor must be notified demonstrably and without delay of this decision.

11 TERMINATION OF THE QUALIFICATION PERIOD

(1) If the Rector or the responsible member of the Rectorate determines that the qualification targets have been achieved, then the employee is with effect as from the following calendar month to be placed in a salary level according to section 49(2), letter a) CBA and then bears the title “associate professor” (assoc prof.). The employment contract must accordingly be adapted to the new tasks (section 27(6) and (7) CBA). Any previously fixed term employment must be converted to indefinite employment unless the employee objects to its continuation.

(2) If the Rector or the responsible member of the Rectorate determines that the qualification targets have not been achieved, then the previous fixed term employment ends at the expiry of the agreed

period of time. If employment as an assistant professor is indefinite, then it may immediately be terminated while complying with advanced notice periods and deadlines under section 21(2) CBA.

12 CONFLICT RESOLUTION

The advisory commission has jurisdiction over any cases of conflict in connection with the grant of career positions, drawing up of the qualification agreement as well as the evaluation procedure. In that case, the parties involved in this situation must be heard. The advisory commission and the immediate supervisor must propose appropriate measures.

13 ENTRY INTO FORCE

The amendment to the Guidelines enters into force on the day after its publication.