

# POLITICS OTM-R OF THE UNIVERSITY MIGUEL HERNÁNDEZ

## 1.- Introduction

Scientific research is an essential part of the university, as well as a basic pillar for main foundation in teaching and a primary tool for social development by transferring results to society, as is stated in article 1.1 of Spanish Organic Law 6/2001, on Universities (LOU). In recent years, the Miguel Hernández University (UMH) of Elche has significantly increased its research activity by funding projects from open calls with and competitive concurrence, agreements and research contracts. It is also a result of the institution's own policies to promote research.

Research activity management is regulated in Spain by a large number of laws and provisions. The following Spanish Organic Acts are applicable just on a legislative level: the Universities Act, the General Budget Act, the Budget Stability and Financial Sustainability Act, the Common Administrative Procedure Act for Public Administrations, the Legal System Act for the Public Sector Act, the Subsidy Act, the Contract Act, the Incompatibility Act and the Science Act, as well as the Worker's Statute, the Basic Statute for Public Employees and other lower-level provisions.

Specially relevant for managing human resources assigned to research activity is Law 14/2011, of 1 June, on Science, Technology and Innovation, which defines the concept of research staff. This law establishes three new specific modalities to recruit research staff which public universities can use by amending their corresponding legal regimes; its article 20.2 also empowers them to recruit research staff using the modalities established in Spanish Royal Legislative Decree 2/2015, of 23 October, which approves the consolidated text of the Worker Statute Act.

Furthermore, article 48 of Spanish Organic Law 6/2001, of 21 December, on Universities, expressly says that universities may recruit research staff, technical staff or any other type of staff using a contract for specified works or services in order to develop scientific or technical research projects.

Special attention must be paid to Spanish Royal Decree 103/2009, of 1 March, which approves the Statute of pre-doctoral research staff in training, which came into effect in March 2019.

**The UMH has obtained the HR Excellence in Research Award from the European Commission**, whose goal is to promote and improve recruitment, working conditions and research careers while contributing to the development of the European Research Area. For its appropriate management, **the Governing Board approved on 30 January 2019 the "Policy for the recruitment and selection of research staff of the Miguel Hernández University in accordance with the OTM-R strategy of the European Union"**.

The UMH uses the OTM-R strategy of the European Union in order to ensure that the best candidate is recruited for a certain position. Following an open, transparent and merit-based selection process encourages the international mobility of researchers and the flow and

exchange of knowledge, thus making a career in research become more appealing, which in turn increases the quality of the research.

✓ Advertising

Job offers will be published on the website of the UMH ([www.umh.es](http://www.umh.es)), and for research profiles, they will also be published on the jobs page of Euraxess (<https://euraxess.ec.europa.eu/jobs> ) at least 15 days before the application admission period ends.

The published offer will include the name of the position offered, the main duties to be performed, eligibility requirements and the criteria for the evaluation of applications.

✓ Transparency

Each call will establish the access requirements, the structure of the evaluation panel, the weight of each requirement, the list of candidates admitted and rejected as well as the reasons for being rejected, the evaluation of the candidates admitted in the process and the chosen person or people.

✓ Equality

The call will guarantee that nobody is left out, except when failing to meet the requirements established by the call. Calls will include a non-discrimination clause.

✓ Merit

The selection will be based on an assessment of the curriculum by way of a previously established scale, conducting interviews and/or technical and/or aptitude tests, or any other system that ensures the objectivity of the process.

✓ Impartiality, Independence, Professionalism

The Selection Committee will be composed of science professionals or technicians of the different departments and/or fields, who shall ensure that there is no conflict of interests with the candidates admitted in the selection process.

✓ Selection process

It will be conducted through tenders and may consist of two phases. First an evaluation of merits, and secondly an assessment of skills and a personal interview where appropriate.

The list of candidates who have applied will be published on the website of the staff service.

Candidates may submit a photocopy of the documents during the selection phase. They will then be requested to submit the originals if they are accepted, prior to the formalisation of the contract.

Once the eligibility of the candidates has been evaluated, a list of candidates included in the process will be published. Applicants will have five days to submit allegations.

Admitted candidates will be evaluated in accordance with the merit scale of the job offer.

Lastly, the UMH will publish the decision regarding the chosen candidate.

These regulatory developments and events have made it advisable to update the ways in which the staff can take part in the research activities conducted at the UMH, by approving new regulation that regulates them considering the new general framework.

On 24 March 2021, the **Governing Board of the UMH approved new regulation for the recruitment of research staff** and other staff that collaborates with research tasks.

## 2.- Improve the efficiently of recruitment processes

The development of regulation and certain events make it advisable to update the ways that staff participates in research activities conducted at the UMH, by approving new regulation that regulates them taking into account the new general framework. On 24 March 2021, the Governing Board of the UMH approved this new regulation. In order to improve the efficiency of the recruitment processes, its chapter II regulates the following aspects: Recruitment proposal (art. 6), staff selection (art. 8), extraordinary recruitment procedure (art. 9) and contract formalisation (art. 10). It is worth mentioning the specific regulation of the extraordinary recruitment procedure in its art. 9.1: "As an exception, when conducting research activity requires the urgent addition of staff with highly specific duties, an extraordinary recruitment procedure may be applied in connection to the activity's requirements". Its article 9.2 says that: "The researchers in charge must justify the urgent nature of the recruitment and the specificity of the activities to be conducted". And article 9.3 adds that: "Said extraordinary process will entail the urgent recruitment of the proposed candidate after reviewing the reasoned reports".

### Art. 6. Recruitment proposal

Researchers in charge of research activity who have funding to develop research activities and who have planned to recruit research staff or staff that collaborates with research tasks with said funding must request it in writing, detailing the specifics and duration of the contract, the participation requirements, the merits that will be assessed, the scale applicable to each of these merits in line with the general scale attached as Annex II, the centre they will be affiliated to and the remuneration that the chosen candidates will receive.

To do so, said document shall be sent to the Department of Administrative and Services Staff of the UMH, attaching a document indicating that the amount equal to the total sum of the proposed contract is to be withheld, as well as a proposal of members from the Assessment Committee included in article 8 of this regulation.

### Art. 8 Staff selection

1. The Department of Administrative and Services Staff, once the period to submit applications has ended, will send the documentation provided by the candidates so they may be assessed and selected.

2. The selection of the research staff and staff that collaborates with research tasks will be performed by assessment committees. Each assessment committee will be comprised by at least three full members and one alternate member, of a category higher or equivalent to

the position on offer. This guarantees their impartiality as well as their suitability and professionalism regarding the knowledge of the functional content of the profile that will be chosen, while, to the extent possible, guaranteeing a balanced participation of men and women.

The committee members will ensure that there are no conflicts of interests with the applications admitted in the selection process, making use of the channels of abstention and/or recusal available in current regulation.

**This committee will perform an assessment of said applications in accordance with the scale established in the call, which will be governed by the general scale approved by the Governing Board of the UMH attached in Annex II.** They may also establish that candidates must perform technical tests or any other system that ensures the objectivity and transparency of the process. This assessment may be completed by performing an interview if the committee so considers. If this is the case, they must clearly and with due publicity establish the criteria that will be followed in each of the competences that will be assessed to gauge the candidate's suitability.

Furthermore, the assessment committees may consider candidates' personal circumstances due to time off, leaves of absence due to the birth of a child or other long-term leaves of absence as long as objective and reasoned criteria are applied, which must be detailed in the corresponding record.

The assessments conducted by the committees must be guided by academic quality criteria and based on equal opportunity while rejecting all discrimination due to gender, ethnicity or religious beliefs or lack thereof.

3. After completing their duties, the Assessment Committee will send a record to the Department of Administrative and Services Staff with the corresponding candidate assessments and the chosen candidates. Said record will order all candidates based on the scores obtained, identifying those who surpassed the minimum score established in each case. Based on their positions on said list we will be able to call the persons concerned if any of the selected persons withdraw.

4. Lastly, the Department of Administrative and Services Staff will send the rectoral resolution naming the person chosen by the Assessment Committee to the Vice-rectorate with competences on the issue, stating that the contract will begin on the fifth business day following the publication of said resolution on the notice boards of the UMH.

Those who had taken part in the selection process may request a revision of their assessment in the first five days following the publication, without prejudice to the relevant proceedings under Spanish Law 39/2015, of 1 October, and jurisdiction law where appropriate.

5. If the person chosen is an EU national, they must submit the EU certificate of residence in accordance with relevant regulation.

6. If the person chosen is a non-EU national, the following process will begin:

6.1. A report describing the activity or programme to be developed and its duration will be issued along with the selection proposal.

6.2. After receiving it, the Department of Administrative and Services Staff will produce a recruitment proposal that will be sent to the interested party to be signed, in order to process the corresponding documentation to request a residence permit to perform the research. This documentation must be submitted to the electronic office of the

Department of Large Companies and Strategic Groups (UGE in Spanish) of the Ministry of Inclusion, Social Security and Migration along with any additional documentation required by the latter.

After obtaining the authorisation in an estimated period of 20 days after being submitted, the person selected will carry out, from their country of residence, the necessary procedures to obtain the visa and for their subsequent transfer to Spain to finally formalise the recruitment.

6.3. In order to formalise the corresponding work contract, if the person selected comes from non-EU countries, they must provide proof of having processed a request to recognise a foreign qualification or an equivalent procedure to the Ministry, and must communicate the decision to the UMH when it is made:

If the work contract is formalised by providing proof of processing the request but the decision is to not recognise it or an equivalent ruling, the work contract will be cancelled.

If they are work contracts that require the worker to have a doctorate degree, candidates must provide its recognition as being equivalent to the Spanish doctoral degree from a public Spanish university.

#### Art. 9. Extraordinary recruitment procedure

1. Exceptionally, when performing the research activity requires the urgent recruitment of staff with tasks that have a high degree of specificity, an extraordinary recruitment procedure may be applied in connection to the activity's needs.
2. The responsible researchers must justify the urgency of the recruitment and the specificity of the activities to be performed.
3. Said extraordinary process will entail the urgent recruitment of the proposed candidate in accordance with the reasoned reports detailed in sections 1 and 2 of this article.

#### Art. 10 Contract formalisation

1. The persons selected in accordance with the procedure established in this regulation will formalise the contract at the Department of Administrative and Services Staff of the UMH.
2. The contract must be formalised in writing, will accurately and clearly specify the nature of the recruitment as well as adequately identify the work or service that is to be conducted.
3. It may be a full-time or part-time contract, setting its duration, the number of hours and their distribution.

If several part-time contracts are formalised with different people in the framework of the same project, the responsible researcher will communicate said circumstance and justify the need and/or suitability of these part-time contracts with different people in the framework of said project as opposed to gathering tasks in a single candidate to create a full-time contract.

4. The contract may be formalised to perform up to two clearly defined research activities which can be funded with special-purpose funds from up to two different projects, as long as the specific applicable rules allow it. The number of hours to be spent on each project must be stated in the contract.

### 3.- Adapt the Research staff regulation followed by selection committees so it includes parity criteria.

The Governing Board of the UMH approved new regulation for the recruitment of research staff and other staff that collaborates with research tasks (24 March 2021). Specifically, its article 8.2 expressly says that “the selection of research staff and other staff that collaborates with research tasks will be conducted by assessment committees. Each assessment committee will be comprised by at least three full members and one substitute, of an equal or higher status than the position on offer. This guarantees their **impartiality**, suitability and professionalism regarding their knowledge on the functional content of the profile of the person who is to be selected, as well as guaranteeing a **balanced participation of men and women**. The people who comprise the committee will ensure that there is **no conflict of interests** in the applications admitted in the selection process, using the abstention and/or disqualification channels available in current regulation”.

### 4.- Recruitment guide that includes merits.

Article 8.2 of the recruitment regulation approved by the Governing Board on 24 March 2021 **expressly addresses the inclusion of merits to be assessed by the recruitment committees**. Each committee will assess the applications according to the scale established in the call, which will be governed by the general scale approved by the Governing Board of the UMH, detailed in **Annex II** of said regulation, and may require performing technical tests or any other system while ensuring the objectivity and transparency of the process. This assessment may be completed with an interview if established by the committee. They must clearly establish and duly advertise the criteria that will be taken into account in each skill that will be assessed in order to consider a candidate’s suitability.

### 5.- Ensure research staff recruitment regulation takes into account personal circumstances for extended leaves of absence.

Article 8.2 of the recruitment regulation approved by the Governing Board on 24 March 2021 expressly addresses the consideration of personal circumstances for long-term sick leaves and the respect for minorities: “Assessment committees may assess personal circumstances for sick leaves, leaves of absence due to births or long-term sick leaves of the candidates, as long as objective and reasoned criteria are applied, which must be included in the corresponding record. **The assessments conducted by the committees must be governed by academic quality criteria, based on equal opportunities and must reject any discrimination based on sex, ethnicity or religious belief or non-belief.**

## 6.- Promote and recognise mobility among research staff.

Article 20 of the recruitment regulation approved by the Governing Board on 24 March 2021 expressly addresses the promotion and recognition of mobility for the research staff. Thus, research staff recruited by the UMH, **in order to develop their research and/or professional career, may perform temporary stays in other national or foreign centres as supplementary activities directly connected to the research project they are working on**, in order to complete their research training. They must have prior authorisation by the person responsible for the research, which must include a favourable report on the interest of the stay and the approval of the management team of the Department/Institute and of the Vice-rectorate with responsibilities on research, and may last no more than **90 days**. Likewise, the general scale for the selection of research staff approved by the Governing Board on 25 June 2020 adds stays that researchers have conducted at other universities and research centres as an assessable criterion (code A6 of said scale).

## 7.- Adapt the research staff regulation regarding the career development of researcher.

Article 14 of the regulation expressly says that the principal investigators in charge of the activities of the people recruited will implement the necessary measures to meet the obligations generated by the agreements regulated by this regulation. Likewise, they must promote the research career of the research staff and their international mobility by applying, at all times, the regulation of the Committee for Ethics and Integrity in Research (CEII). Furthermore, three articles have been added to the regulation to favour the development of the research career of research staff: Art. 18, Art. 19 and Art. 20, which regulate collaborating with teaching, collaborating with other activities and mobility, respectively.

### Article 18.- **Collaborating with teaching**

In general, for the development of their academic-research career, and as long as the project's conditions allow it, the research staff of the UMH may collaborate with teaching tasks under supervision and in the framework of academic tutelage, on issues connected to their research activity. This may not entail a decline in the teaching loads at the department that assigns the collaboration, which may last a maximum of 80 hours a year while in no case detracting from the research purpose of their connection to the UMH. Specifically, the pre-doctoral research staff in training may collaborate with teaching tasks under supervision in the context of academic tutelage, on issues connected to their research activity, as long as it does not entail a decline in the teaching loads at the department that assigns the collaboration, which may last a maximum of 180 hours for the duration of the pre-doctoral contract, and no more than 60 hours a year. The department or institute connected to the official doctoral programme they are enrolled in will facilitate performing these collaborations for the research staff that so

requests, with equal opportunities and within the established limits. The teaching will be certified, on petition of the interested person, by the General Secretariat of the UMH.

#### **Article 19.- Participating in other activities**

The research staff with a contract for work and service may collaborate with activities that are regulated in article 83 of the Spanish Organic Universities Act, as long as they have a full-time contract and their participation is related to the activity for which they were recruited and within the framework of the same project. If this is the case, the activity will be considered of special performance. The research staff in training may collaborate in activities regulated by article 83 of the Universities Act, as long as the specific provisions of the aid that the contract derives from do not prevent it. The research staff and collaborating staff, in order to develop their professional career, may perform occasional collaborations in congresses, seminars, conferences or courses of a professional nature for up to 75 hours a year.

#### **Article 20.- Mobility**

Pursuant, where relevant, to the specific provisions of the aid that the contract is derived from, the research staff recruited by the university may, in order to develop their research and/or professional career, perform temporary stays in other national or foreign centres as supplementary activities in order to complete their research training, as long as it is directly connected to the research project they are conducting and for no more than 90 days.

As well as the mentioned regulation, the UMH has approved an academic-research career document whose main goal is to provide incentives and calls that allow their researchers to develop their careers.

In 2020, all temporary research staff belonging to the Research Institutes of the UMH had access to the Curricular Manager tool, where they could insert their annual research productivity data. It is the responsibility of the heads of the Institute to communicate to these researchers every year that this tool is available to them, allowing them to evaluate their research productivity.

The Vice-Rector for Research notified all the heads of Research Institutes of the UMH of this improvement, both in the Research Committee and in an email, providing the necessary instructions for its implementation.

## **8.- Basic Researcher Training Plan**

The Basic Plan for the Training of Researchers of the Miguel Hernández University has been prepared by qualified technical personnel belonging to the different vice-rectorates, offices and services involved in the training, management and dissemination of research.

Its objective is to train, both in transversal and specific competences, the research staff of the UMH and, in particular, the research staff in training who have just started their research career. This event was born as an initiative promoted by the Vice-Rectorate for Research of the Miguel Hernández University (UMH) and is part of the UMH-HR4R Action Plan.

To achieve this goal, a blog has been designed with all the essential contents that are updated periodically. This format allows researchers to carry out the training at any time of the

academic year as well as to update their knowledge and acquire the necessary competences throughout their research career.

## 9.- Have update code of good scientific practice and disseminate it across the fields of knowledge.

The departments and staff involved in creating the Code of Good Scientific Practice of the UMH and the creation of the Research Ethics and Integrity Committee of the UMH were defined following comprehensive work gathering the procedures and policies conducted at the UMH relative to good scientific practice and the ethical codes of other international institutions. This document was sent via email by the Vice-Rector for Research to the entire university community, and is available on the website of the Office for Responsible Research. Said code has been implemented for all the branches of knowledge of the UMH.

The corresponding training actions are conducted through the *Nanocursos* platform of the UMH.

## 10.- Produce a researcher welcome manual

A researcher welcome manual has been created which includes information structured around six axes: i) institutional information, ii) financing, iii) working conditions, iv) training, v) prevention of occupational hazards and vi) other information of interest.

## 11.- Have an update data protection plan.

The UMH has produced a dynamic Data Protection Protocol that is regularly updated to adapt it to European, national and regional regulation.

The goal is to have staff trained on the issue of data protection. To do so, the head of data protection of the UMH organises regular training sessions on this issue. Training actions were suspended in 2020 due to the COVID-2019 pandemic. Specific training actions have been planned for 2021.

## 12.- Produce a diversity plan

In 2019, the UMH **created a new Vice-rectorate for Inclusion, Sustainability and Sports with direct competences in equality and social inclusion.**

An **ambitious Equality, Diversity and Inclusion Plan was approved in 2020.** This Plan was sent to the entire university community via email from the Vice-rectorate for Inclusion, Sustainability and Sports. Likewise, it was sent to the media by the Rector of the UMH, the Vice-Rector for Inclusion, Sustainability and Sports, the Vice-Rector for Culture and the head of the Department of Equality of the UMH. Specific training actions have been planned for 2021.

## 13.- Develop a support service for researchers with disabilities.

The UMH has created the Department of Attention to Diversity and Disability listed in its new regulation for the inclusion of people with disabilities.

The goal of the department is to guarantee full participation in activities pertaining to the university community and to tend to the needs of people with disabilities, especially specific needs of educational support.

This functional department takes on the responsibility of gathering accurate information to propose relevant action measures, acting as the intermediary between the users and all involved administrative services or units. Said functional department is responsible for tending to the needs regarding attention to diversity and disability of the entire university community, including research staff with special needs.

## 14.- Disseminate the duties of the research staff ombudsman and those of the commission in the case of complaints and /or conflict.

The University Ombudsman is the member of the university community appointed by the Miguel Hernández University and chosen by the university staff, who guarantees the respect and protection of the legitimate rights and interests of its members, as well as compliance with the Statutes, by supervising all university activities. The ombudsman's main tasks are:

1 – To organise their activity with total freedom and to manage the budget and resources assigned to them explicitly in the annual budget of the university, so that they can carry out their tasks.

2 – To receive the complaints issued by any identified member of the university community, or by anyone who is not identified when the complaint is issued by members of the university bodies that represent said person.

3 – To implement the proposals they see fit for the appropriate solving of cases brought to their attention.

4 – To submit an annual report that includes their actions in an extraordinary and joint session of the university staff and the Governing Board. Afterwards, the university staff may approve proposals pertaining to any of its items, which will be binding.

All the information and annual reports of their activity are available to the entire university community and society as a whole on the following link: <https://defensor.umh.es/>

The harassment protocols of the UMH have been approved by the Governing Board and can be downloaded from the following website: <https://prevencion.umh.es/protocolos/>

The person responsible for the Department of Occupational Hazard Prevention at the UMH, Mr Francisco Hernández, regularly conducts training sessions on this issue aimed at the entire university community. These were conducted in a telematic manner through the Google Meet platform of the UMH in 2020 due to the COVID-19 pandemic.

## 15.- Create a manual for project directors and supervisors.

This Guide of Good Scientific Practice aimed at research project directors and supervisors is a document that compiles, in a clear and concise way, some of the rules, recommendations and commitments that favour the quality and integrity of research conducted by researchers of the Miguel Hernández University, and is framed within the Code of Good Scientific Practice at the UMH.

The Office for Responsible Research (OIR) conducts the corresponding training actions through the Nanocursos platform of the UMH.

## 16.- Translate regulations and protocols related to research activity and recruiting processed into English and publish them online.

The following regulations and protocols have been translated into English:

Code of Good Scientific Practice of the UMH

Researcher Welcome Manual

Data Protection Protocol

Equality, Diversity and Inclusion Plan

Regulation for the inclusion of people with disabilities

Dissemination of the Tasks of the University Ombudsman document

Harassment protocols of the UMH

Good Scientific Practice Guide aimed at research project directors and supervisors

Basic Training Course for Researchers

Science Dissemination Plan

Regulation for the Recruitment of Research Staff

Academic-Research Career document of the UMH (in process).