



GUIDELINES FOR THE RECRUITMENT OF RESEARCHERS AND PROFESSORS^{1 2}

1. 'THE PROCEDURE FOR THE EMPLOYMENT OF UNIVERSITY LECTURERS AND RESEARCHERS

The employment procedure shall be open to all Slovenian and foreign candidates and will be completely transparent. The selection of the candidate shall be based solely on the assessment of the capability, qualifications and of the academic achievements of the candidates.

The employment procedure for the classified vacancy shall be managed by the UL faculty that will employ the university lecturer or researcher.

1.1 PUBLIC INTERNATIONAL VACANCY ANNOUNCEMENT

We guarantee the openness of the employment by inviting candidates to apply to vacancies through the issuing of a public international vacancy announcement.

The application deadline shall be 60 days.³

The Human resources unit of the UL member shall prepare the international vacancy announcement in Slovenian and English, and:

- in the case of a vacancy announcement for a university lecturer post, submit it to the UL Rectorate who shall publish it on the UL website and on international platforms (EURAXESS, the UNICA network, EURES,...);
- in the case of a vacancy announcement for a researcher post, publish it on the UL member website and on international platforms (EURAXESS, the UNICA network, EURES,...), as well as submit it to the Human resources unit of the UL Rectorate that shall publish it on the UL website.

¹ Latest update; Administrative Board of the University of Ljubljana on 20 February 2017

^{2 2} The part of Chapter 1.1. which regulates the conditions for the application to vacancies shall apply mutatis mutandis also for the employment of associates.

³ Except for fixed-term employment of researchers for projects, if between the project approval and the beginning of the implementation of the project there is insufficient time to carry out an employment procedure within the 60-day deadline by issuing a public international vacancy announcement, and that this could compromise the approval/access to funds, the deadline can be shortened by as many days as necessary to carry out the employment procedure; the 60-day deadline shall be always ensured if there is the possibility to carry out the employment procedure with a 60-day deadline by issuing a public international vacancy announcement before the beginning of the implementation of the project, and for employments of researchers for an indefinite period

If the employment is financed by EU funds, it shall be reported in the announcement. Due to strategic EU objectives⁴ and the Slovenian legislation, the announcement shall contain the following clause: "UL promotes gender equality in the context of employment and work, therefore we strongly encourage applications from female candidates."

In relation to habilitation, the announcement shall include that candidates fulfil all the requirements for employment if they have the following qualification:

- a valid UL academic title⁵ or - a valid academic title of visiting professor or visiting researcher at UL.⁶

Candidates who at the time of application fulfil the quantitative and qualitative criteria for the appointment to the title, but do not hold a title, can also apply to the vacancy. In this case their application shall include the certificates that prove that they fulfil the quantitative and qualitative criteria for the appointment to the title⁷ or for the recognition of the title⁸. The candidate shall enclose a statement that confirms that in case the commission selects him, his application shall be processed also as an application for the appointment to the title or the recognition of the title. The employment contract shall be concluded only with a candidate that fulfils the criteria for the vacancy. The above mentioned shall be included in the vacancy announcement.

In relation to the publishing of the announcements for university lecturer posts, only the announcement published by the University Human Resources office is valid.

Candidates shall send the applications to the UL faculty.

1.2. INFORMATIVE VACANCY ANNOUNCEMENT FOR UNIVERSITY LECTURERS

The Rector may decide to publish annual informative non-bidding announcements that promote the participation and the presentation of candidates for the post of university lecturer for the single UL faculty that wishes to participate, or for the whole university. The informative announcements shall include the basic expectations regarding the fulfilment of the requirements, e.g. a PhD, active knowledge of at least one global language, proof of scientific references ...

The informative announcements shall be dedicated also to candidates for the post of university lecturer who do not have the suitable habilitation, however, they fulfil the criteria for appointment to the titles of university lecturer at UL or the criteria for the appointment of

⁴ E.g. Open, Transparent and Merit- based Recruitment of researchers.

⁵ Until the beginning of the implementation of the Criteria for Appointment to the Titles of University Teacher, Researcher and Associate at the University of Ljubljana which are in line with the UL Statutes, candidates fulfil the requirements also if they hold a valid title from another institution and if in the process of assessing the equivalence of the title (Article 217.a until 217.d of the "old" UL Statutes) it is established that their title is equivalent to a UL title.

⁶ In this document the terms "visiting professor or visiting researcher" refer to a visiting professor or visiting researcher in accordance with Article 166 of the UL Statutes and Article 25a of the Criteria for Appointment to the Titles of University Teacher, Researcher and Associate at the University of Ljubljana.

⁷ In accordance with the UL Statutes and the Criteria for Appointment to the Titles of University Teacher, Researcher and Associate at the University of Ljubljana.

⁸ In accordance with Article 157 of the UL Statutes.

visiting university lecturer or the criteria for the recognition of the title in accordance with the UL Statute and the Criteria for Appointment to the Titles of University Teacher, Researcher and Associate at the University of Ljubljana.

The informative announcement shall be published also in a foreign language, as described in the chapter "Public international announcement".

1.3. THE SELECTION PROCEDURE AND APPOINTMENT OF THE COMMISSION

The selection procedure is carried out by the UL faculty. After the expiration of the deadline the Human resources unit shall assess whether the candidates' applications are complete (whether they include all the required information and certificates). The selection procedure shall be carried out by a selection commission that shall be appointed by the Dean.

The commission shall have at least three members, in accordance with the following principle: one of the members shall be an employee of the UL faculty that will carry out the employment (the supervisor of the selection commission), one of the members shall be an employee of another UL faculty and one of the members shall not be an employee of UL. All the commission members shall have an academic background from a relevant scientific field. In case the commission has more than three members, the Dean shall select the remaining members at his own discretion. The structure of the commission shall have a balanced gender representation. In case the commission cannot be formed in the above mentioned way due to the specificity of the scientific field, its formation shall be the responsibility of the UL faculty's Dean who shall provide adequate justification for his decision.

After the evaluation of the candidates' applications the members of the selection commission shall inform the Dean whether there are any circumstances that could represent a conflict of interest during the selection procedure. Such circumstances arise if a commission member is a relative of a candidate or if he is related to a candidate in any other way.⁹

Shall the Dean deem that such circumstances have arisen, he shall appoint a new commission member. The decision on the replacement of a member shall be documented and issued in writing.

The commission shall evaluate whether candidates who submitted complete applications fulfil the requirements set out in the vacancy announcement. Candidates who fulfil the requirements shall be classified according to their references and the commission shall propose to the Dean a candidate for employment. The proposal shall be motivated by a written report and documented by the references of the three best candidates according to the commission, or of one or two candidates, if fewer than three candidates applied to the vacancy.

⁹ In accordance with the Regulations on preventing conflicts of interest and on the conditions for working outside UL.

The Dean shall select the proposed candidate, another candidate or no candidate. His decision shall be made in writing. If the Dean does not select any of the candidates, the selection procedure is concluded.

In the case of a vacancy announcement for a university lecturer post, the Dean shall inform the Rector about the selection/non-selection of a candidate. If the Dean selects a candidate for the post of university lecturer, he shall submit to the Rector the proposal of a selection decision, the decision on the appointment of the selection commission, the selection commission report, the possible written justification of the Dean's change of selection, and the references of the selected candidate and of the two best non-selected candidates.

The Rector may request that the Dean provides additional explanation regarding the selected candidate. The Rector may accept the Dean's proposal for the employment of the selected candidate, reject it, or request another selection procedure by the UL member. Where the Rector accepts the Dean's proposal for the employment of the selected candidate, the Human resources unit of the Rectorate and the proposed candidate shall sign an employment contract that shall be prepared by the Human resources unit of the UL faculty that will employ the candidate. Where the Rector rejects the Dean's proposal for the employment of the selected candidate, the selection procedure shall be concluded. The rejection of the candidate shall be issued in writing. Where the Rector resubmits the Dean's proposal for the employment of the selected candidate to the UL faculty and requests another selection procedure, the Dean may issue a new proposal in accordance with the above-mentioned procedure.

All non-selected candidates shall be informed about the non-selection within 8 days from the selection procedure.

All participants in the selection procedure shall observe the principles of confidentiality and of protection of personal data when managing documents and candidates' data, in accordance with the legislation regulating the protection of personal data and UL regulations.

2. SPECIAL PROVISIONS REGARDING THE EMPLOYMENT OF ALIENS¹⁰¹¹

An alien or a stateless person can conclude an employment contract if he fulfils the conditions set out in the Employment Relationship Act and the conditions set out by the act that regulates the employment of aliens (Employment, Self-employment and Work of Aliens Act (Official Gazette of the Republic of Slovenia no. 47/15; ZZSDT)) (first paragraph of Article 23 of the Employment Relationship Act).

The provisions of the Employment, Self-employment and Work of Aliens Act do not apply for aliens who:

¹⁰ Under the current legislation in force on 4 February 2016

¹¹ note: We have submitted a proposal to the Syndicate (and the Ministry of Education, Science and Sport) regarding the classification of a special post of fixed-term visiting university lecturers. In the draft amendment to the third paragraph of Article 8 of the Higher Education Act (ZViS), which regulates which content can be carried out in foreign languages by higher education institutions, we proposed the elimination of the word "visiting" in the third indent "- study programmes or parts of study programmes if they are implemented in collaboration with foreign visiting university lecturers, or if a significant number of foreign students are enrolled therein". The proposed text was in conflict with article 62 of the Higher Education Act, which states that a visiting professor can collaborate only in the implementation of parts of courses or in parts of the course field.

- work as lecturers at organised experts' meetings, promote scientific achievements or occasionally contribute to their implementation, aliens who are accompanying technical staff, and aliens who are carrying out temporary research work (sabbatical year);
- carry out research work in the Republic of Slovenia on the basis of a host agreement with a research organisation in the Republic of Slovenia, aliens who carry out research programmes with a duration of up to three months in the Republic of Slovenia and hold a residence permit for researchers in another EU member state, and aliens who hold the status of young researchers in the Republic of Slovenia.

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It shall be admissible to conclude a fixed-term employment contract in the case of an employment of an alien or a stateless person who holds a single permit as set out by the act that regulates the conditions of entry and residence of third-country nationals, and the permit for seasonal work, as set out by the act that regulates the employment, self-employment and work of aliens, except for cases when the single permit is issued on the basis of a consent to employment, self-employment or work (fourth indent of the 1st paragraph of Article 54 of the Employment Relationship Act).

¹² However, they have to obtain a temporary residence permit in accordance with the Aliens Act ((Official Gazette of the Republic of Slovenia no. 45/14 – official consolidated text 90/14, 19/15 in 47/15 – Employment, Self-employment and Work of Aliens Act; Aliens Act - ZTuj-2)).

Article 38

(temporary residence permit for research and higher education purposes)

(1) A temporary residence permit may be issued to a researcher, university lecturer or university staff member wishing to reside in the Republic of Slovenia for the purpose of research or education in the higher education sector if he has concluded a hosting agreement with a research organisation or a higher education institution of the Republic of Slovenia and if he fulfils the other conditions referred to in this Act for the issuing of a residence permit.

(2) An initial temporary residence permit shall be issued to a researcher, university lecturer or university staff member for the duration of work specified in the hosting agreement, but not for a period exceeding one year.

The permit may be extended for a validity of up to one year until the work carried out under the hosting agreement is concluded.

(3) The application for a residence permit may be lodged by a researcher, university lecturer or university staff member or a research organisation or higher education institution. The researcher, university lecturer or university staff member shall lodge an application for a first temporary residence permit with a diplomatic or consular representative of the Republic of Slovenia abroad while the research organisation or higher education institution may lodge an application with the diplomatic or consular representative of the Republic of Slovenia abroad or with the competent authority in the Republic of Slovenia.

(4) A researcher, university lecturer or university staff member who has concluded a hosting agreement and has been issued with a residence permit for a researcher, university lecturer or university staff member in another EU Member State and who wishes to reside in the Republic of Slovenia for a definite period of up to three months in order to perform specific work under the hosting agreement may enter the Republic of Slovenia and reside therein for a period of up to three months based on the permit issued in the other EU Member State or until the expiry of the permit if this period is shorter.

(5) A researcher, university lecturer or university staff member who has been issued with a residence permit for a researcher, university lecturer or university staff member in another EU Member State and wishes to perform research or education work in the Republic of Slovenia for a period longer than three months must, in order to reside in the Republic of Slovenia, acquire a residence permit for a researcher, university lecturer or university staff member based on the hosting agreement concluded with the domestic research organisation or higher education institution and fulfil the other conditions defined in the first paragraph of this Article. The researcher, university lecturer, university staff member or research organisation or higher education institution may lodge the application for an initial temporary residence permit with a diplomatic or consular representative of the Republic of Slovenia abroad or with the competent authority in the Republic of Slovenia within three months of the arrival of the researcher, university lecturer or university staff member to the Republic of Slovenia or prior to the expiry of the residence permit issued in another EU Member State if this period is shorter. The competent state authority shall issue a certificate attesting to the prompt filing of the application to a researcher, university lecturer and university staff member, which shall serve as a temporary residence permit until a final decision is taken regarding the application. The researcher, university lecturer or university staff member who lodged the application for a first temporary residence permit with the competent authority of the state shall be served the permit in person by the issuing authority.

(6) If the researcher, university lecturer or university staff member with whom a research organisation or a higher education institution in the Republic of Slovenia has concluded a hosting agreement resides illegally in the Republic of Slovenia while the agreement is in force or six months following the expiry of the agreement, the research organisation or the higher education institution shall cover the costs of his accommodation, return or deportation provided that the researcher, university lecturer or university staff member does not possess his own resources.

(7) The competent issuing authority shall give priority to processing applications for the issuing of residence permits to researchers, university lecturers or university staff members.

A) EU member states citizens, EEA member states (Norway, Liechtenstein, Iceland) citizens and Swiss confederation citizens

- Free access to the labour market

Citizens of EU member states, EEA member states and the Swiss Confederation and their family members (if they hold a temporary residence permit for a family member or a long-term visa) have the right to free access to the Slovenian labour market. **The right to free access to the labour market** shall mean the right of an alien to take up employment, self-employment or work in the Republic of Slovenia without a work permit.

In relation to employment or seeking employment they have the same rights as national workers.

For more information please visit the website of the:

- Ministry of Labour, Family, Social affairs and equal opportunities, URL: http://www.mddsz.gov.si/si/delovna_podrocja/trg_dela_in_zaposlovanje/delovne_migracije/prost_pretok/, (18 March 2015)

- Conditions of entry and residence of citizens of EU member states and their family members, and family members of Slovenian citizens.¹³

Article 118 of the Aliens Act states that an EU citizen may enter the Republic of Slovenia with a valid identity card or a valid passport (he shall not require any entry permit – a visa or residence permit).

An EU citizen who enters the Republic of Slovenia with a valid identity card or a valid passport can reside in the territory of the Republic of Slovenia without having to register the residence for 90 days from the day of entering the state. **If he wishes to reside in the territory of the Republic of Slovenia for more than 90 days, he has to register at the administrative unit in the area where he resides prior to the expiry of the 90-day period.**

The administrative unit shall issue to the EU citizen a receipt stating that an application was submitted for issuing a residence registration certificate which allows residence until the final decision on the application is taken. The competent authority for issuing a residence registration certificate shall be the administrative unit in the area of the EU citizen's residence.

An EU citizen issued with a residence registration certificate and a family member issued with a temporary residence permit must register temporary residence in the Republic of Slovenia, pursuant to the act regulating registration of residence.

An EU citizen issued with a permanent residence permit and a family member issued with a permanent residence permit must register temporary residence in the Republic of Slovenia, pursuant to the act regulating registration of residence.

B) Employment of citizens of Bosnia and Herzegovina (BiH) and Croatia

Since 1 March 2013 the employment of citizens of Bosnia and Herzegovina in Slovenia is possible only pursuant to the agreement that comprehensively regulates the conditions and procedures of employment. Pursuant to the Agreement on the employment of citizens of Bosnia

¹³ The field is regulated by Chapter XIII of the Aliens Act (ZTuJ-2).

and Hercegovina, BiH citizens still require the necessary work permits issued by the Employment Service of Slovenia in order to work in Slovenia. This work permit will be deemed as consent to the single permit issued by the administrative unit.

Croatian citizens can be employed within the first two years of legally residing in Slovenia on the basis of an employment permit issued by the Employment Service of Slovenia. This is valid for Croatian citizens who are entering Slovenia or have been residing in Slovenia for less than two years. They can be employed only by the employer who obtained an employment permit for them. They can carry out only the work for which they have been issued a permit.

Croatian citizens who have been legally residing in Slovenia for a continuous period of at least two years have the right to free access to the Slovenian labour market. This means that after legally residing in Slovenia for a continuous period of two years, they can be employed under the same conditions as Slovenian citizens.

Croatian citizens can be employed in the first two years of legally residing in Slovenia without the employment permit if they:

- are of Slovenian descent within the direct second degree of relationship,
- hold a permanent residence permit in Slovenia,
- reside in Slovenia on the basis of family reunification with a Swiss citizen, a citizen of a European Economic Area (EEA) member state or an EU member state (except Croatia),
- have obtained at least a higher education degree or completed a research programme in Slovenia within the last two years,
- have been appointed for the representation of a legal person or a sole trader, in this case they have to be registered in the appropriate register.

Similarly, Croatian citizens and their family members who are self-employed or work in Slovenia on the basis of civil law contracts do not require an employment permit. They are subject to the same conditions as Slovenian citizens.

C) Citizens of third countries

Citizens of countries that are not EU members can be employed or work in Slovenia only if they have previously obtained a **single permit** (except for some categories of aliens referred to in the second paragraph of Article 2 of the Employment and Work of Aliens Act, who have free access to the labour market). The single residence and work permit is a temporary residence and work permit that allows aliens to enter, reside and work in the Republic of Slovenia (Article 37 of the Aliens Act).

Single permit application procedure¹⁴

On 1 September 2015 a single residence and work permit for aliens in Slovenia was introduced, issued by the administrative unit in a single procedure. The Employment Service of Slovenia shall issue consent to the single permit if the conditions for issuing the particular type of consent are fulfilled.

¹⁴ source: http://www.ess.gov.si/delodajalci/zaposlovanje_in_delo_tujcev/postopek_enotno_dovoljenje

a) Application for the single permit:

The application for issue or extension of the single permit can be lodged by the alien or by the employer.

The alien shall lodge the application for a first single permit with a diplomatic or consular representative of the Republic of Slovenia in his country.

The employer may lodge the application for a first single permit at:

- an administrative unit in Slovenia, or
- an Embassy or consulate of the Republic of Slovenia in his country.

b) Consent to the issue of the single permit:

In the procedure of issue of the single permit which is handled by the administrative unit, the Employment Service of Slovenia shall give consent to the issue of the permit. The consent shall be given if all the legal conditions for the particular type of consent are fulfilled.

The procedure of issue of the single permit shall begin at the request of the administrative unit, on the basis of an application for the issue of the single permit and the enclosed documents. The application also has to include the certificates of fulfilment of the legal conditions for the issue of the consent to the single permit.

The administrative unit shall begin the procedure of obtaining the consent ex officio.

The Employment Service of Slovenia shall check whether the legal conditions for the issue of the consent are fulfilled and shall decide whether to give the consent. Should the consent to the employment be issued, the Employment Service of Slovenia shall first check whether there is already a suitable unemployed person registered at the Employment Service, and only after that shall it check whether all the other conditions referred to in Article 17 of the Employment, Self-employment and Work of Aliens Act are fulfilled. On the request of the administrative unit the Employment Service shall issue its consent within 15 days from the receipt of the application for the issue of the single permit.

The consent to the issue of the single permit confirms that the applicant fulfils the legal conditions for the purpose of employment or work in Slovenia.

c) Issue of the single permit:

The single residence and work permit shall be issued by the administrative unit in the form of a card.

The first single permit shall be issued to the alien for the period of validity of his employment or work contract, but not for a period exceeding one year.

After the expiration of the validity, the single permit can be extended if the alien or employer submits a timely request for the extension of the permit and the legal conditions for the extension are fulfilled. The permit shall be extended for the period of validity of the employment or work contract, but not for a period exceeding two years.

The Employment Service may withdraw the consent to the issue of the single permit if the alien or the employer does not begin to work, or if the employer does not register the alien for compulsory social security insurance within the legal deadline, i.e. 10 or 15 days from the day of service of the single permit.

d) Written authorisation

During the period of validity of the single permit the alien may take up another post with the same employer, change employer, be employed by two or more employers or conclude a new work contract. In order to do that he shall request a written authorisation, which is issued by the administrative unit in the form of a decision. The decision may be issued at the request of the alien or of the employer, after the administrative unit obtains the consent by the Employment Service ex officio. The decision regarding the consent shall be issued within 15 days from the receipt of the application that has to include the certificates of fulfilment of legal conditions.

The written authorisation which shall be issued by the administrative unit in the form of a decision is obligatory also for EU blue card holders¹⁵ who want to change employer or take up another post with the same employer within the first two years of being legally employed. The decision may be issued on the request of the alien or of the employer. The request for the authorisation to change employer or post shall be submitted to the administrative unit which shall obtain the consent of the Employer Service ex officio. The Employer Service shall issue the decision regarding the consent within 15 days from the receipt of the application that has to include the certificates of fulfilment of legal conditions. If the legal conditions for the consent of the written authorisation are not fulfilled, the Employment Service shall notify the administrative unit which shall reject the application for a written authorisation by issuing a decision.

After the first two years of being legally employed the EU blue card holder may change employer without the written authorisation of the administrative unit, however, he has to notify the administrative unit about the change of employer before the change itself.

Euraxess Service centre

Foreigners can access information regarding their mobility and living in Slovenia at the *Euraxess Service centre*, which operates within Cmeplus (<http://www.cmeplus.si/visokosolsko-izobrazevanje/euraxess/>), and is dedicated also to foreign researchers. The information provided by the Service centre include the conditions and procedure of entry into the country, information about formal procedures for obtaining residence and work permits, and advice and information about everyday life in Slovenia.

¹⁵ The EU Blue Card is an authorisation for temporary stay for the purposes of highly qualified employment, issued by an EU Member State for the purposes of highly qualified employment for an alien who is a third-country national, entitling him to enter, reside and work in an EU Member State. The consent to the issue of the EU blue card shall be issued by the Employment Service, if the conditions referred to in Article 20 of the Employment, Self-employment and Work of Aliens Act are fulfilled.