

REGULATION FOR THE SELECTION PROCESS OF PERSONNEL AT THE INTERNATIONAL CENTRE FOR NUMERICAL METHODS IN ENGINEERING (CIMNE) CONSORTIUM

BACKGROUND AND LEGAL FOUNDATIONS

The International Centre for Numerical Methods in Engineering (CIMNE) Consortium is a public law entity attached to the Government of Catalonia and governed by the financial, accounting and control regulations applicable to the said Government, taking into consideration the specific legal framework that applies to the research centres of Catalonia (CERCA centres) on account of its autonomy regime **and the specific regime affecting their personnel**, in particular the Science, Technology and Innovation Act 14/2011 of 1 June; Act 7/2011 of 27 July on fiscal and financial measures of Catalonia, and other specific regulations applicable to research centres.

Regarding Act 7/2011, the following articles are worth noting:

“Article 54

*The CERCA and ICREA centres have **complete autonomy** in the development of their human resources policy, which **includes the selection, recruitment**, the system of remuneration, establishing compatibilities of personnel, as well as conditions under which to develop their activities and selection of recruitment of the director of the highest body of collegiate government of the entity.*

Article 55

***Rules on personnel expenses, restrictions on recruitment** or other restrictive measures aimed specifically at the sector as a whole **are not applicable** to the CERCA and ICREA centres.*

Following the current statutes of the entity, approved by resolution GOV/160/2015, of 13 October 2015, and published in the DOGC n. 6976 on 15 October 2015, the CIMNE may recruit its own personnel according to article 11 of the Basic Statute of Public Employees (EBEP).

“Contract employees are those who provide paid services for the public administration under a written employment contract in any of the personnel recruitment modalities foreseen in the labour legislation. Depending on the duration of the contract, it can be permanent, indefinite or temporary.”

The purpose of selection is to find the **most suitable personnel** among the selected applicants to perform the functions entrusted to the professional category and/or specialty of the offered job position within the framework of the **constitutional principles of equality, merit and capacity, as well as public access to civil service.**

Following the instructions of the General Intervention of the Government of Catalonia with regard to the selection of personnel in CIMNE contained in the report CO-18/2015, the centre must ensure that, in the process of selection of personnel, article 55 of the EBEP is fulfilled.

"1. All citizens have the right to access public employment according to the constitutional principles of equality, merit and capacity, and in accordance with the provisions of this Statute and in the rest of the legal system.

2. The Public Administrations, entities and bodies referred to in article 2 of this Statute shall select their civil servants and labour personnel through procedures in which the constitutional principles expressed are guaranteed, as well as those set forth below:

- a) **Publicity of the calls and their bases***
- b) **Transparency***
- c) **Impartiality and professionalism of the members of the selection bodies.***
- d) **Independence and technical discretion in the actions of the selection bodies.***
- e) **Adequacy between the content of the selection processes and the functions or tasks to be developed.***
- f) **Agility, without prejudice to objectivity, in the selection processes.***

Considering at the same time the specificities of research personnel under article 2.2 of EBEP in relation to article 16 of the "Science, Technology and Innovation Act 14/2011 of 1 June."

*1. The procedures of selection of research personnel shall guarantee the constitutional principles of **equality, merit and capacity**, and shall be conducted in compliance with Act 7/2007, of 12 April, and in the rest of the legal system, in a way that facilitates a **transparent, open, equal and internationally-recognised professional development.***

(...)

2. The selection processes for research personnel shall respect the principles of:

- a) **Publicity of the calls and their bases***
- b) **Transparency***
- c) **Impartiality and professionalism of the members of the selection bodies.***
- d) **Independence and technical discretion in the actions of the selection bodies.***

e) Adequacy between the content of the selection processes and the functions or tasks to be developed.

f) Agility, without prejudice to objectivity, in the selection processes.

g) Eventual interruptions during the research career and their effects on the curricula of candidates shall not be considered.

*3. In the internal promotion selection processes of Public Research Organisations of the General State Administration and of other Research Organisations of other Public Administrations, **the quality and relevance of the results of the research activity shall be examined and, if appropriate, their said application.***

Therefore, to ensure compliance of all these premises, the **REGULATION FOR THE SELECTION PROCESS OF PERSONNEL AT THE INTERNATIONAL CENTRE FOR NUMERICAL METHODS IN ENGINEERING CONSORTIUM**, which is presented below, has been established.

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A. PUBLICITY AND TRANSPARENCY

The labour personnel at the service of CIMNE shall have to access to their positions following a public call. CIMNE will publicise its calls on the website of the entity and may optionally also publish them in the “Feina Activa” (Active Work) site of the Government of Catalonia, as well as, if applicable, in portals of community and international scope like EURAXESS JOBS. Without prejudice to the aforementioned media, the centre may use any other advertising medium that it deems appropriate to increase the publicity of the offer.

In the mentioned offer, the selection process to be followed by the candidates, as well as the merits to be evaluated by the selection board shall be stated.

The selection processes may include tests on theoretical and practical knowledge, including questionnaires of professional skills, interviews and others that, in an objective manner, help determine the merits and capacity of the suitable applicants in relation to the position to occupy.

B. CALL FOR PERSONNEL

The calls shall be published by the Human Resources Department at CIMNE, upon request by the department that needs to fill the vacancy or vacancies and with the approval of the management of the centre. The record must include a certificate of credit adequacy issued by the Financial Management of the entity.

The calls must contain the following information:

- 1- The determination of the total number of vacancies to be filled
- 2- The professional category and, where appropriate, the specialty
- 3- The functions of the job position
- 4- The location and work centre where they are to be carried out.
- 5- The requirements demanded to the applicants in order to participate, specifying the required oral and written level of Catalan and, if applicable, of foreign languages.
- 6- The entity to which the applications for participation must be addressed, the way in which they must be presented and the documentation to enclose.
- 7- The deadline for submitting the applications (which will be a minimum of 3 working days and a maximum of 60).
- 8- The selective system (the tests that shall be carried out and the merits that shall be valued).
- 9- The qualification system (score scales and forms of accreditation).

As regards the **selective system**, the following aspects must be taken into consideration:

i. Academic degrees

These shall be evaluated whenever relevant to the job position to fill, in accordance with what is established in the corresponding call. Lower academic qualifications necessary to achieve the degrees required in the call or other higher qualifications that could be taken as a merit shall not be valued.

ii. Training and development

Only the training dealing with subjects specifically related to the functions of the advertised position shall be evaluated in terms of its duration, difficulty, programme and existence of qualifying tests.

iii. Professional experience

Experience working in the same sector or category as the position to be filled would be an asset, as well as the degree of similarity between the technical content of the positions previously filled by applicants and the job positions offered.

Professional experience in public Administration positions shall be accredited with the certificate of the competent organ for personnel-related issues, whereas experience in the private sector shall be demonstrated with a company document certifying the functions performed. It may also be proved by a declaration of responsibility of the applicant. In this case, CIMNE may verify, at its own initiative or at the request of either party, the veracity of the alleged merits by any means it deems appropriate, causing the falsehood of the declaration to be automatically excluded.

iv. Catalan language skills

The score for this concept will be at least 10% of the maximum score.

It shall be accredited by means of an official certificate issued by the Directorate-General for Language Policy, by other competent bodies or with a test in accordance with article 42 of the Legislative Decree 1/1997, of 31 October, which approves the consolidation into a single text of the provisions of certain legal texts on public function in force in Catalonia.

In the case of calls for research personnel with a pronounced international character, the call shall indicate if this accreditation is voluntary but it will always be a merit to evaluate under articles 9 and 11 of Act 1/1998 of Language Policy.

v. Foreign language skills (if relevant)

In case they are relevant for the position, foreign language skills could be an asset. These skills shall be accredited with the corresponding official certificates or the pertinent test.

vi. Selective tests:

If deemed appropriate, selective tests, which could be eliminatory, may be held.

Each of these 6 criteria may have a different weighting in each call according to the needs of the centre and the characteristics of the position to be filled. In any case, all the criteria and their weighting must be included in the text of the call. Any merits that have not been parameterised in the aforementioned call shall not be assessed.

According to article 24 of the Workers' Statute (Estatuto de los trabajadores), seniority of CIMNE employees interested in the offered position will be valued as a merit for vacancies that represent an internal promotion within the centre. The CIMNE personnel that applies to a position for internal promotion will also have to comply with all the training and education required for the vacancy.

CALL FOR PERSONNEL WITHIN THE FRAMEWORK OF RESEARCH PROJECTS FINANCED OR CO-FINANCED BY OTHER ENTITIES AND ORGANISATIONS

CIMNE, as a Research entity, participates regularly in research projects and aids awarded by other public entities and research organisations at the Catalan, Spanish, community and, sometimes, international level.

When recruiting personnel within the frameworks of these projects, the selection process established in the relevant calls shall be applied preferably and, in addition, the present policy shall be applied when the relevant calls do not provide any information.

SELECTION COMMITTEE

For each call, the Management of the centre shall appoint a selection committee composed of an uneven number of members representing different CIMNE Departments. According to article 60 of the EBEP, this committee shall be a collegiate body and its composition shall be in line with the principles of impartiality and professionalism of its members. Gender parity shall also be promoted. In any case, this committee will be composed of a Chairman, a Secretary and at least two spokespersons.

At the discretion of the Management of the centre, the appointment of a technical selection body on a general, permanent basis or by types of positions (PDI, PAS¹) can be determined. Similarly, the technical bodies may also collaborate with external advisers when deemed necessary.

The members of the selection committee will have the necessary information and documentation to know widely the characteristics and functions of the called positions.

To validly constitute the selection committee, for the purpose of conducting sessions, deliberations and taking agreements, the attendance of the Chairman, of the Secretary and at least of half of its full or alternate members is required. Membership of the selection bodies must always be on an individual basis and never on behalf of other parties.

All the members of the selection committee shall be entitled to speak and vote with the exception of the Secretary, who acts as a certifying officer. However, this person will be entitled to speak and vote provided he or she is also a member of the selection committee, counting as a single vote. The decisions of the selection committee shall be adopted by a majority of the votes of present members, resolving, in the event of a tie, the vote of the person acting as Chairman.

The selection committee may decide the incorporation of specialist advisers for all or some of its tests. These advisers shall be limited to collaborate with the selection committee according to their different technical expertise and shall not vote.

The functioning of the selection committee will comply with the rules of the collegiate bodies, contained in chapter II, Title II of Act 30/1992, of 26 November (LRJPAC).

All the members of the selection committee will have to sign a declaration of responsibility assuring that they are not in any situation of interest² with any of the applicants.

¹ PDI stands for research and teaching staff (in Spanish, personal docente e investigador) whereas PAS stands for administration and services staff (in Spanish, personal de administración y servicios).

² Conflict of interests are understood as a situation in which the members of the selection committee have, either directly or indirectly, a financial, economic or personal interest that may seem to compromise their impartiality and independence in the context of the personnel selection procedure.

The composition of the tribunal will be published together with the call.

DEVELOPMENT OF THE PROCESS

The personnel selection process consists of the following steps:

- 1 - The corresponding Department detects one or more vacancies to fill and informs the Management of the centre.
- 2 - The Management of the centre, after assessing the necessity to fill the vacancy, requires the financial management of the centre to reconfirm the availability of sufficient credit to recruit and verifies, if applicable, the eligibility of the expenditure with the Projects Department.
- 3 - Transfer to the Human Resources Department at CIMNE so that it, jointly with the Department that proposes the recruitment and the Projects Department, if relevant, they can draft the call for the selection process at the same time as the members of the selection committee are appointed.
- 4 - The call for personnel and the deadline for the submission of applications are published on the CIMNE website and on the relevant platforms.
- 5 - Once the deadline for the submission of applications has passed, the Human Resources Department at CIMNE will make available to the proposing department all the applications received.
- 6 - The proposing department will issue a reasoned report shortlisting of a minimum of 3 and a maximum of 10 applications per vacancy which the selection committee will have to approve in a private or telematic session.
- 7 - The shortlisted applicants will be summoned by email for the selection test or for the interview announced in the corresponding call for personnel.
- 8 - After concluding the tests, the selection committee will issue a recruitment proposal to the management of the centre, which will include the list of applicants to conclude a contract of employment that, in any case, may exceed the number of called positions. Any approval proposal that contravenes what has been previously established shall be null and void.
- 9 - To approve the final recruitment proposal, the selection committee may require the reports, external advice or clarifications to the applicants considered suitable.
- 10 - The Management of the centre will submit, if applicable, the recruitment proposal to the Director of the entity to issue the relevant reasoned recruitment resolution that shall be published on the CIMNE website.
- 11 - The applicants will not be entitled to any remuneration until the contracts conclusion and their incorporation to the workplace.

RESERVATION OF EMPLOYMENT FOR DISABLED PEOPLE

In accordance with *Decree 86/2015, of 2 June, on the application of the reserve quota of 2% in favour of people with disabilities in companies with 50 or more employees and alternative measures of an exceptional nature to compliance thereof* and under the first Additional Provision of Royal Decree 364/2005, CIMNE shall call for appropriate reserved positions for people with an accredited disability in line with the evolution of its employees.

INTERPRETATION AND SUPPLEMENTARY PROVISIONS

The provisions of this policy shall be interpreted in accordance with the provisions of the EBEP and Legislative Decree 1/1997, of 31 October, which approves the consolidation into a single text of the provisions of certain legal texts on public function in force in Catalonia applicable to personnel, the Science Law, the Worker's Statute and other legislation applicable to the CERCA centres of the Government of Catalonia.