

## ***Regulations governing employment at the University of Bern (Employment Regulations)***

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Having regard to Article 51 (3), Article 61 (5), Article 69 (5), Article 71 (2), Article 73 (2), Article 76 (2), Article 78b (3), Article 78c (2), Article 83 (4), Article 83a (2 and 3), Article 85 (4) and Article 88 (2) of the University Ordinance of June 12, 2012 (UniV)<sup>1</sup>,

*The University Executive Board has decided the following:*

### **I. General provisions**

#### **Art. 1 Basic principles**

<sup>1</sup> The provisions of the cantonal Personnel Act of September 16, 2004 (PA)<sup>2</sup> and the Personnel Ordinance of May 18, 2005 (PV)<sup>3</sup> shall apply to employees, unless the Act governing the University of September 5, 1996 (UniG)<sup>4</sup> and the University Ordinance of September 12, 2012 (UniV) contain particular provisions under human resources law.

<sup>2</sup> These regulations supplement and elaborate on the provisions of the University Ordinance (UniV) regarding the employment of staff members and the recruitment process at the University of Bern.

#### **Art. 2 Planning**

<sup>1</sup> The faculties plan their number of staff.

<sup>2</sup> This planning includes, at the very least, planning full and associate professorships and assistant tenure-track professorships as well as lectureships. The planning indicates the number of qualification posts in relation to the total number of positions.

<sup>3</sup> The HR plan defined in Para. 2 has been approved by the Executive Board of the University of Bern. Its implementation is discussed with the faculties on an annual basis.

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<sup>1</sup> BSG 436.111.1

<sup>2</sup> BSG 153.01

<sup>3</sup> BSG 153.011.1

<sup>4</sup> BSG 436.11

### **Art. 3** Personnel management and support

<sup>1</sup> Employees in managerial roles are responsible for the selection, support and training and development of their members of staff.

<sup>2</sup> The University Executive Board develops the leadership skills of employees with managerial roles. It shall offer relevant training and further development opportunities.

<sup>3</sup> Together with the faculties, its institutes and other organizational units, the University Executive Board shall promote staff further training and development.

### **Art. 4** Gender equality and equal opportunities

<sup>1</sup> Gender equality is ensured.

<sup>2</sup> Issues regarding gender equality and equal opportunities must specifically be taken into account during the recruitment process.

## **II. General provisions regarding employment**

### **Art. 5** Overview

*Art. 48 UniV*

<sup>1</sup> Employees are:

- a* lecturers,
- b* teaching and research assistants,
- c* other employees.

*Art. 49 UniV*

<sup>2</sup> Lecturers are:

- a* full professors,
- b* associate professors,
- c* permanent lecturers,
- d* assistant professors with tenure-track contracts,
- e* assistant professors,
- f* assistant lecturers with tenure-track contracts,
- g* teachers,
- h* visitins lecturers,
- i* senior physicians I.

*Art. 50 UniV*

<sup>3</sup> Teaching and research assistants are

- a* post-doctoral students,
- b* senior physicians II,
- c* assistant human/dental medicine physcicians,
- d* veterinary-medicine assistants
- e* research assistants,
- f* employed PhD students,
- g* student assistants.

## **Art. 6 Recruitment**

*Art. 51 (1) UniV*

<sup>1</sup> The University Executive Board shall employ staff at the request of the responsible institute, faculty or another organizational unit.

<sup>2</sup> Employment is either temporary or permanent and governed in principle by a contract under public law.

<sup>3</sup> The following functions are always employed for a fixed period of time:

- a* assistant professors with tenure-track contracts,
- b* assistant professors,
- c* assistant lecturers with tenure-track contracts,
- d* teachers (with the exception of cases referred to in Article 80 (3) UniV),
- e* visiting lecturers,
- f* teaching and research assistants.

*Art. 86 (3) UniV*

<sup>4</sup> Senior physicians II may be employed on a permanent basis, provided that they primarily perform service tasks.

## **Art. 7 Employment under private law**

*Art. 28b UniG*

Employees financed by external funding can be hired under private law if, through the externally funded project, the university

- a* is in competition with private providers and
- b* is not fulfilling any legal mandate.

## **Art. 8 Employment financed by external funding**

*Art. 9 (3) UniG*

<sup>1</sup> Employees financed by external funding are those employees

- a* whose salary is not financed by the annual cantonal contribution nor by the basic or investment contributions from the federal government nor by tuition fees nor by contributions for students in accordance with intercantonal agreements and
- b* whose employment contract specifically states that their employment is of this nature.

<sup>2</sup> Employees financed by external funding or other term-limited funding shall be appointed for a limited period.

*Art. 28a UniG*

<sup>3</sup> The expiration of external funding shall be deemed valid grounds for termination in the case of employees financed by external funding.

## **Art. 9 Duration of contract**

*Art. 51a (1) UniV*

<sup>1</sup> Art. 16a (2) of the Personnel Act does not apply to

- a* assistant professors with tenure-track contracts,
- b* assistant professors
- c* assistant lecturers with tenure-track contracts,
- d* assistants in accordance with Art. 50 UniV,
- e* teachers,
- f* employees financed by external funding.

<sup>2</sup> A seamless series of multiple temporary employment relationships that, when added together, extend over a period of more than five years, shall not be deemed a permanent employment relationship in accordance with Para. 1.

#### **Art. 10** Employment contract and salary

*Art. 52 (1) UniV* <sup>1</sup> The University Executive Board shall set the employee's starting salary and their duties and responsibilities at the time of appointment.

*Cf. Art. 52 (3) UniV* <sup>2</sup> The employment contract of teachers may adopt regulations deviating from the Personnel Act in terms of salary, support allowance, dissolution dates, deadlines and reasons, secondary employment, holidays, annual leave, continued salary payment in the event of illness or an accident and paid maternity leave. The University Executive Board shall determine the tariffs for compensating teaching posts.

*Cf. Art. 52 (3) UniV* <sup>3</sup> The employment contract of visiting lecturers may adopt regulations deviating from personnel legislation in terms of dissolution dates, deadlines and reasons, secondary employment, holidays, annual leave, continued salary payment in the event of illness or an accident and paid maternity leave. The University Executive Board shall determine the compensation for visiting lecturers.

#### **Art. 11** Special salary rates

<sup>1</sup> The University Executive Board shall determine special salary rates for employees whose salary is financed by the Swiss National Science Foundation after consultation with the latter.

<sup>2</sup> It may also declare these salary rates applicable to other employees with comparable qualifications and positions.

*Art. 52 (2) UniV* <sup>3</sup> It may, in justified cases, set a one-off lump-sum salary instead of the starting salary.

#### **Art. 12** Employees' obligation to pay fees

*Art. 59 UniV* With the exception of student assistants enrolled as students, employees shall pay an annual fee of one-thousandth of their annual salary (13 monthly salaries, excluding family and support allowances) to support social and cultural organizations and university sports in accordance with Article 4 UniV.

#### **Art. 13** Pension fund

*Art. 54 (1) UniV* <sup>1</sup> University staff normally join the Bernische Pensionskasse.

*Art. 54 (2) UniV* <sup>2</sup> In the case of an exemption, the occupational pension scheme shall be based on the minimum required by the Federal Act of June 25, 1982 on Occupational Old Age, Survivors' and Invalidity Pension Provision

(OPA)<sup>5</sup>. It shall be held with an occupational pension scheme recognized by the OPA.

*Art. 54 (3) UniV* <sup>3</sup> Physicians can take out insurance with the Verband Schweizerischer Assistenz- und Oberärztinnen und -ärzte (VSAO).

*Art. 54 (4) UniV* <sup>4</sup> Staff have to contribute to the Bernische Pensionskasse

- a* after ten years of employment,
- b* upon assumption of a managerial function,
- c* upon employment as a lecturer.

#### **Art. 14** Notice periods and deadlines

*Art. 57 (1) UniV* <sup>1</sup> With the exception of the persons mentioned in paragraph 2, the notice period for university staff shall be three months.

*Art. 68 (3) UniV, Art. 74a UniV and Art. 117 UniV* <sup>2</sup> The notice period for full and associate professors, assistant professors with tenure-track contracts and the Administrative Director shall be six months.

*Art. 57 (2) UniV* <sup>3</sup> For all lecturers, notice of termination must be given to the end of a semester and, for all other employees, to the end of a month.

*Art. 57 (3) UniV* <sup>4</sup> For good cause, the senior person or body may grant a shorter notice period or a different withdrawal date.

*Art. 57 (4) UniV* <sup>5</sup> Notice periods and deadlines during the probation period shall be based on personnel legislation.

#### **Art. 15** End of employment relationship

*Cf. Art. 57 (2), Art. 68 (1) UniV* <sup>1</sup> For lecturers under Article 49 UniV, the employment relationship shall end at the end of the semester in which they reach the age of 65, with notice of termination or at the end of the agreed period.

*Cf. Art. 68 (2) UniV* <sup>2</sup> In exceptional cases, the University Executive Board may approve the resignation of full and associate professors to the end of the month in which the person in question turns 65. The faculty reaches decisions regarding resignations of this nature for all other lecturers.

*Art. 14 (1) PG* <sup>3</sup> The employment relationship of the other employees shall end no later than at the end of the month in which the person in question turns 65.

#### **Art. 16** Place of work

*Art. 8 (1) PV* <sup>1</sup> Employees generally carry out their work at their place of work.

<sup>2</sup> Where the operational requirements permit, a supervisor can approve work from home for no more than 50 percent of the employee's contractually stipulated workload. Art. 17 may apply for lecturers.

<sup>3</sup> Employees have no entitlement to work from home.

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<sup>5</sup> SR 831.40

#### **Art. 17** Place of work for lecturers

<sup>1</sup> Lecturers generally carry out their work on the university's premises. If they carry out the work to be performed at a place of work that they choose themselves, they need to be able to reach the University of Bern within a short period of time.

<sup>2</sup> Objective reasons are required for absences of more than five consecutive days during the lecture period. In this case, the Dean may approve consecutive absences of up to ten workdays at most.

<sup>3</sup> During the lecture period, the place of work may be changed for no more than ten workdays. For good cause, the Dean may grant exceptions for a total of no more than 15 workdays. Of these, no more than ten workdays may be granted consecutively (Para. 2).

<sup>4</sup> Any absences during the lecture period that exceed a total duration of 15 workdays and any consecutive absences of more than ten workdays must be approved by the Rector.

#### **Art. 18** Holiday and time credits

<sup>1</sup> The rules of the cantonal personnel law shall generally apply for holidays and time credits.

<sup>2</sup> The particular provisions of Article 19 shall apply to lecturers.

#### **Art. 19** Lecturers' vacation time

<sup>1</sup> Lecturers shall normally take their holiday outside of lecture periods.

<sup>2</sup> At the request of the faculty, the Rector shall make decisions on requests for exceptions submitted by lecturers.

#### **Art. 20** Long-term annual leave account

<sup>1</sup> To document unused vacation days, permanent employees may keep a long-term annual leave account ("Langzeitkonto"), which is an individual account kept exclusively in terms of time (number of workdays). Details are regulated in the cantonal Personnel Act.

<sup>2</sup> The employees covered by Art. 95 of these regulations do not keep a long-term annual leave account.

#### **Art. 21** Breaks

*Cf. Art. 127 PV*

<sup>1</sup> Employees are entitled to a paid break of 15 minutes each in the morning and afternoon. This also includes smoking breaks.

<sup>2</sup> Breaks are intended as an opportunity to relax and for eating and drinking.

<sup>3</sup> Breaks should be scheduled for and taken in the middle of the employee's working hours. They cannot be shifted to the start or end of the working hours or taken retroactively.

### **III. Special provisions governing employment by function**

#### **1. Lecturers**

##### **1.1. Full and associate professors**

##### **1.1.1. General provisions**

##### **Art. 22 Tasks**

- Art. 65 (1) UniV* <sup>1</sup> Full and associate professors shall perform their tasks in teaching, research and promotion of early career researchers within the framework of their teaching and research assignment independently and responsibly and shall participate in the self-administration of the university.
- Art. 65 (2) UniV* <sup>2</sup> They may provide services relating to teaching and research. A service obligation shall only exist within the framework of a particular service assignment.
- <sup>3</sup> Full and associate professors normally head up an institute or another organizational unit.
- Art. 65 (3) UniV* <sup>4</sup> The employment contract shall specify, in particular, the teaching and research assignment and any continuous service assignments.

##### **Art. 23 Contributing to the pension fund**

- Art. 66 (1) UniV* <sup>1</sup> In exceptional cases, the University Executive Board may grant full and associate professors a contribution to the Bernische Pensionskasse fund upon appointment.
- Art. 66 (2) UniV* <sup>2</sup> The contribution to the Bernische Pensionskasse fund shall be granted as an interest-free loan from the university.
- Art. 24 (2) UniG* <sup>3</sup> The contribution may not exceed CHF 200,000 or the amount paid in by the person to be appointed themselves.
- <sup>4</sup> Further matters are regulated in Article 24 of the Act governing the University of September 5, 1996 (UniG) and in Article 66 UniV.

##### **1.1.2. Recruitment procedure**

##### **1.1.2.1. Principles for the recruitment procedure for full and associate professors**

##### **Art. 24 Principles for professorship**

The creation, amendment, dissolution or refilling of professorships shall be based on the university's policy and planning tools, in particular

- a* the university's policy,
- b* the service agreements between the University Executive Board and faculties,
- c* the professorship planning of the faculties,
- d* the annual policy between the University Exekutive Board and faculties and
- e* the policy tools of the faculties.

## **Art. 25** Procedural principles

<sup>1</sup> Recruitment procedures shall always follow the principles of transparency, correctness and traceability.

<sup>2</sup> Candidates are selected on the basis of their quality and potential; this is to be substantiated.

<sup>3</sup> The report to the University Executive Board shall traceably illustrate the selection procedure followed. Minority proposals and proportions of votes are to be included.

<sup>4</sup> The Office for Equal Opportunities must be included in the recruitment process. It must be provided with any necessary information.

### **1.1.2.2. Structural stage**

## **Art. 26** Structural committee

<sup>1</sup> For the preparation of the structural report, the faculty in question shall set up a structural committee.

<sup>2</sup> The faculty's regulations determine the composition of the structural committee. It may stipulate the inclusion of members from different departments or universities. Emeritus staff may participate provided that they do not have any connection with the position to be filled.

<sup>3</sup> The following minimum requirements must be met when putting together the faculty's structural committee:

- a* the legal requirements, in particular regarding codetermination rights,
- b* a departmental representative from another university,
- c* at least one representative of each gender
- d* a person from the faculty familiar with equality- and gender-related aspects. The Office for Equal Opportunities may participate in the committee's work; if this is not the case, it shall be given an opportunity to comment on the structural report.

<sup>4</sup> It must be ensured that the subject area<sup>6</sup> in question is adequately represented. To that end, no more than half of the university's members (not including student representatives or representatives of the lecturers and assistants) may come from the subject area concerned.

<sup>5</sup> The Chair of the committee shall not belong to the discipline in question.

<sup>6</sup> Should members of the committee be in an employment relationship with one another, the circumstances shall be disclosed and justified.

<sup>7</sup> The Dean may become an ex officio member of a committee at any time.

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<sup>6</sup> The content and delimitation of the subject area concerned are determined by the faculty-specific usages.



**Art. 27** Structural committee concerning professorship for units in areas of strategic importance

<sup>1</sup> In the case of professorships for units in areas of strategic importance in accordance with Art. 48 of the University Statute, the structural committee is composed in the same way as specified in Art. 26 (2) to (7).

<sup>2</sup> The University Executive Board shall instruct the faculty in question to put together a structural committee.

<sup>3</sup> If the professorship is not a faculty structural position and it is funded by the unit in accordance with the service mandate, two representatives of the unit concerned as well as one representative appointed by the University Executive Board shall sit on the structural committee.

<sup>4</sup> If the professorship is a faculty structural position that makes a material contribution toward the functioning of the unit concerned in areas of strategic importance, the administration of the faculty and the University Executive Board will discuss the possibility of an addition to the structural committee within the meaning of Para. 3.

**Art. 28** Structural committee for interfaculty professorships

<sup>1</sup> In the case of professorships attached to two or more faculties (interfaculty professorships), the structural committee is composed in the same way as specified in Art. 26 (2) to (7).

<sup>2</sup> The faculties concerned implement a joint structural committee. It must be ensured that both faculties concerned are represented equally.

**Art. 29** Structural report

<sup>1</sup> The faculty shall prepare a structural report for the University Executive Board, which the latter can use as a basis for deciding on the creation, dissolution or refilling of or amendment to a professorship.

<sup>2</sup> The structural report shall include the relevant principles of a professorship, in particular:

- a* The importance of the professorship in light of the faculty and University's policy and structure including professorship planning and policy discussions within the faculty,
- b* The reasons for the creation, dissolution or refilling of or amendment to a professorship,
- c* the context and perspectives of the professorship.

<sup>3</sup> The corresponding templates provided by the University Executive Board are to be used for structural reports.

**Art. 30** Structural decision

<sup>1</sup> The University Executive Board shall check the structural report and decide on the creation, dissolution or refilling of or amendment to a full or associate professorship at the request of and in consultation with the faculty.

<sup>2</sup> The criteria under Article 24 shall be decisive for the decision-making process.

### **Art. 31** Announcement

Art. 62 (2 and 3)  
UniV

<sup>1</sup> Professorships to be filled shall be announced. An announcement may be waived in exceptional cases if:

- a* a person is to be promoted internally to a full or associate professorship, or
- b* the university has a heightened interest in recruiting an exceptionally qualified person for the professorship.

<sup>2</sup> The announcement is normally open rank. It is made both within Switzerland and abroad in relevant professional publications.

<sup>3</sup> The wording of the announcement is approved by the Rector; at minimum, it must contain information about the field, tasks, qualifications, third-party funding, gender equality and, if necessary, job sharing.

#### **1.1.2.3. Recruitment stage**

### **Art. 32** Faculty Selection Committee

<sup>1</sup> For the preparation of the recruitment request, the faculty in question shall set up a Faculty Selection Committee.

<sup>2</sup> The faculty's regulations determine the composition of the Selection Committee. They may stipulate the inclusion of members from other departments. Emeritus staff may participate provided that they do not have any connection with the position to be filled.

<sup>3</sup> The following minimum requirements must be met when putting together the Faculty Selection Committee:

- a* Consideration of legal requirements, namely the participation rights of lecturers, teaching and research assistants students,
- b* a departmental representative from another university
- c* at least one representative of each gender,
- d* a person from the faculty responsible for equality and gender matters,
- e* generally a member of the Office for Equal Opportunities of the University of Bern.

<sup>4</sup> It must be ensured that the subject area<sup>7</sup> in question is adequately represented. To that end, no more than half of the university's members (not including student representatives or representatives of the lecturers and assistants) may come from the subject area concerned.

<sup>5</sup> The Chair of the committee shall not belong to the discipline in question.

<sup>6</sup> Should members of the committee be in an employment relationship with one another, the circumstances shall be disclosed and justified.

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<sup>7</sup> Also see comment 6.

<sup>7</sup> The Dean may become an ex officio member of a committee at any time.

**Art. 33** Selection committee concerning professorship for units in areas of strategic importance

<sup>1</sup> In the case of professorships for units in areas of strategic importance in accordance with Art. 48 of the University Statute, the Selection Committee is composed in the same way as specified in Art. 32 (2) to (7).

<sup>2</sup> The University Executive Board shall instruct the faculty in question to put together a Selection Committee.

<sup>3</sup> If the professorship is not a faculty structural position and it is funded by the unit in accordance with the service mandate, two representatives of the unit concerned as well as one representative appointed by the University Executive Board shall sit on the Selection Committee.

<sup>4</sup> If the professorship is a faculty structural position that makes a material contribution toward the functioning of the unit concerned in areas of strategic importance, the administration of the faculty and the University Executive Board will discuss the possibility of an addition to the Selection Committee within the meaning of Para. 3.

**Art. 34** Selection Committee for interfaculty professorships

<sup>1</sup> The Selection Committee for professorships attached to two or more faculties (interfaculty professorships) is composed in the same way as specified in Art. 32 (2) to (7).

<sup>2</sup> The faculties concerned implement a joint Selection Committee. It must be ensured that both faculties concerned are represented equally.

**Art. 35** Duties of the Faculty Selection Committee

<sup>1</sup> The Faculty Selection Committee

- a* assesses the applications for the announced professorship with regard to the formal requirements and academic quality based on previously defined criteria and taking the recommendations of the DORA Declaration into account,
- b* assesses the teaching ability of selected candidates in courses,
- c* assesses the qualification for managing,
- d* evaluates the other conditions as well as the intentions and objectives of the candidates in interviews and
- e* prepares the recruitment request.

<sup>2</sup> If the selection procedure does not give rise to a satisfactory selection of candidates, the Selection Committee may decide to also include people who have not applied in the selection procedure.

**Art. 36** Recruitment request

<sup>1</sup> The faculty shall draw up a recruitment request to be submitted to the University Executive Board.

<sup>2</sup> The recruitment request normally includes a proposal of the three most suitable candidates for the post. Exceptions must be substantiated in detail.

<sup>3</sup> In the case of open-rank announcements, the foreseen rank of the professorship is to be indicated for every listed candidate.

<sup>4</sup> The following must be included in the recruitment request:

- a* A report of the Committee about the selection procedure, including the result of votes in the faculty's Selection Committee and any minority proposals,
- b* The candidates' CVs and lists of publications,
- c* Information about the external funding acquired by the candidates
- d* at least two external assessments in accordance with Article 38 of these Regulations,
- e* the accompanying report from the Office for Equal Opportunities, where available.

### **Art. 37** Ranking

<sup>1</sup> The candidates are ranked on the basis of a comprehensive assessment.

<sup>2</sup> The assessment is to take account of the following in particular:

- a* the academic achievements and potential, taking the DORA Declaration into account,
- b* suitability for the advertised position,
- c* teaching work,
- d* external funding acquired,
- e* further competencies, such as leadership and social skills, the ability to work well in a team, service, public outreach, etc.

<sup>3</sup> Career breaks or a reduction in gainful employment due to pregnancy and family caregiving responsibilities must not put applicants at a disadvantage.

<sup>4</sup> An assessment may be conducted for positions with exposed managerial responsibilities.

<sup>5</sup> As a general rule, preference will be given to women if they are equally qualified for the post.

### **Art. 38** Assessments

<sup>1</sup> The faculty shall normally gather at least two external assessments before concluding the committee work, but no later than when the faculty makes a decision.

<sup>2</sup> The assessors shall be put forward by the faculty's Selection Committee.

<sup>3</sup> The assessments shall comment on the performance of the candidates, normally on the basis of an international comparison. The assessments shall compare candidates with each other, specifically also by taking the candidates' academic age into account.

<sup>4</sup> The experts are obliged to disclose any vested interests they may have particularly those relating to the candidates.

#### **Art. 39** Job interview

*Cf. Art. 63 (3) UniV* <sup>1</sup> The interview shall be led by the Rector or a Vice-Rector appointed by them.

*Art. 63 (4) UniV* <sup>2</sup> The Dean of the relevant faculty shall normally participate in the interview.

<sup>3</sup> If required, the Rector shall include further parties concerned, in particular representatives of the relevant institute/department or the Chair of the Faculty Selection Committee.

#### **Art. 40** Recruitment agreements

<sup>1</sup> The recruitment documents (minutes of the job interview, employment contract and entry agreements) will be sent to the relevant people, particularly the candidate as well as the Dean's Office of the faculty in question.

<sup>2</sup> The entry agreements shall be binding for four years initially. They can then be amended based on overriding interests.

#### **Art. 41** Travel costs and subsistence expenses

Candidates will normally be reimbursed travel costs and subsistence expenses to a reasonable extent.

#### **Art. 42** Appointment and information

<sup>1</sup> Upon conclusion of the job interview and acceptance by the candidate, the University Executive Board shall appoint the candidate as a full professor or associate professor.

<sup>2</sup> The faculty's Selection Committee shall treat the procedure as confidential; it shall be considered an official secret.

*Art. 63 (5) UniV* <sup>3</sup> Following the appointment, the Rector shall inform the public.

<sup>4</sup> The candidates shall be informed at an appropriate time by the faculty or a person nominated by the faculty.

### **1.2. Permanent lecturers**

#### **Art. 43** Permanent lecturers

<sup>1</sup> Permanent lecturers shall have a full-time or part-time contract. Their level of employment is normally at least 50 percent.

<sup>1a</sup> Full-time lecturers are usually appointed on a permanent basis. *[Version from December 12, 2023]*

*Art. 69 (1) UniV* <sup>2</sup> Permanent lecturers shall perform their tasks in teaching, research or service within their institute or another organizational unit.

Art. 69 (2) UniV

<sup>3</sup> They are independent and responsible for their teaching and research assignment.

#### **Art. 44 Recruitment**

<sup>1</sup> Permanent lecturers are appointed in consideration of the faculty's basis for planning under Article 2.

<sup>2</sup> The faculty shall prepare a descriptive report on which the University Executive Board shall base its decision regarding the filling of a lectureship. This report shall set forth the reasons for the creation, dissolution or refilling of the lectureship as well as its context, financing and responsibilities.

<sup>3</sup> The University Executive Board shall appoint permanent lecturers on the basis of a request submitted by the faculty.

Art. 69 (3) UniV

<sup>4</sup> The position requires a PhD.

#### **Art. 45 Announcement and procedure**

Art. 69 (4) UniV

<sup>1</sup> The faculty is responsible for the announcement.

<sup>2</sup> Recruitment procedures shall follow the principles of transparency, correctness and traceability.

<sup>3</sup> Candidates are selected on the basis of their quality and potential; this is to be substantiated. As a general rule, preference will be given to women if they are equally qualified for the post.

#### **Art. 45a Committee** *[Version from December 12, 2023]*

<sup>1</sup> The faculty concerned appoints a committee to prepare the request for employment.

<sup>2</sup> The composition of the committee must comply with the following minimum requirements:

- a* at least one representative of every gender,
- b* a person from the faculty familiar with equality- and gender-related aspects.

<sup>3</sup> The chair of the committee does not come from the subject area concerned.

<sup>4</sup> If members of the committee are in an employment relationship with each other, the details thereof must be disclosed and justified.

#### **Art. 45b Request for employment** *[Version from December 12, 2023]*

<sup>1</sup> The faculty must submit a request for employment for the attention of the University Executive Board.

<sup>2</sup> The request for employment usually contains a proposal of the two candidates who appear most suitable for the position.

<sup>3</sup> The following must be enclosed with the request for employment:

- a a report from the committee about the selection procedure, including the voting result in the committee as well as any minority motions,
- b the CV as well as a list of publications, if any,
- c an overview of students supervised and, if applicable, doctoral students, if any,
- d at least one external appraisal in accordance with Article 38(2-4) of these regulations,
- e a summary of the external funding obtained, if any.

#### **Art. 46 Lectureship**

<sup>1</sup> The tasks, responsibilities and incorporation of lectureships shall be laid out in concrete terms and listed in the faculty's descriptive report prior to the appointment.

<sup>2</sup> Unless a regulation provides otherwise, permanent lecturers shall normally report to the Executive Director of their institute or organizational unit on a functional and administrative basis.

<sup>3</sup> The Executive Director may delegate this task to a full or associate professor from the corresponding academic field.

### **1.3. Assistant professors with tenure-track contracts**

#### **2.4.1. General provisions and the recruitment procedure**

#### **Art. 47 Tasks**

*Art. 70 (1) UniV*

<sup>1</sup> The assistant tenure-track professorship is for the purpose of academic qualification with a view to taking on an existing or new associate or, in exceptional cases, full professorship.

*Art. 70 (2) UniV*

<sup>2</sup> Assistant professors with tenure-track contracts shall undertake tasks in research and teaching within their institute or another organizational unit. They are independent and responsible within their research and teaching assignment, taking into account the qualification criteria.

#### **Art. 48 Time limit**

*Art. 74 (1) UniV*

<sup>1</sup> Assistant professors with tenure-track contracts shall be employed for four years initially.

*Art. 74 (2) UniV*

<sup>2</sup> The appointment may be continued for a further two years. A positive evaluation based on the qualification criteria is a decisive factor.

#### **Art. 49 Professional requirements**

*Art. 72 (1) UniV*

Appointment as an assistant professor with a tenure-track contract requires

- a a normally completed habilitation or equivalent academic qualification,
- b an excellent academic performance record and

- c a placement of at least one year at another, preferably foreign, university or highly qualified professional activity lasting several years.

#### **Art. 50** Structural requirements

*Art. 71 (1) UniV*

An assistant tenure-track professorship contract requires a structural report from the faculty with a request to the University Executive Board regarding the position of an associate or full professorship.

#### **Art. 51** Recruitment procedure and announcement

*Art. 72 (2 and 3)  
UniV*

<sup>1</sup> The recruitment procedure shall be governed by the provisions on the recruitment procedure for full and associate professors set out in Articles 24 et seq. of these Regulations.

<sup>2</sup> The faculty is responsible for the announcement. The Rector approves the announcement text; they receive, at the very least, information about the discipline, professorship ranking, duties, qualification, external funding and equality.

#### **Art. 52** Evaluation Committee and Advisory Board

<sup>1</sup> For every assistant tenure-track professorship, the faculties shall set up an evaluation committee and an advisory board. A person may not sit on both boards.

<sup>2</sup> The Evaluation Committee shall be made up of at least three and no more than five members.

<sup>3</sup> The Evaluation Committee shall assess the assistant tenure-track professorship for the entire duration of the qualification stage.

<sup>4</sup> The Advisory Board comprises a maximum of three professorial members.

<sup>5</sup> The Advisory Board shall be available to the assistant professors with tenure-track contracts if they have any questions about the fulfillment of their obligations.

### **2.4.2. Evaluation and reporting**

#### **Art. 53** Evaluation

*Art. 73 (1) UniV*

<sup>1</sup> The performance of the assistant professors with tenure-track contracts is regularly assessed. Pre-defined qualification criteria that are to be met with regard to the envisaged professorship shall form the basis for this assessment.

<sup>2</sup> The faculty shall determine the qualification criteria. These shall be submitted to the Rector in advance for checking and approval.

<sup>3</sup> The performance of the assistant professors with tenure-track contracts shall be evaluated by the Evaluation Committee before the end of two and four years.



<sup>4</sup> Should the result of the evaluation of an assistant professor with a tenure-track contract on the basis of the qualification criteria be negative, the University Executive Board shall, at the request of the Evaluation Committee, convert the professorship into one without a tenure-track contract or the employment shall terminate at the end of the appointment as per the employment contract.

#### **Art. 54 Reporting**

<sup>1</sup> The Evaluation Committee shall draw up the evaluation report.

<sup>2</sup> The report shall comment on the type, extent and quality of

- a* Publication activity (including work that is complete but has not yet been published),
- b* Teaching activities (the result of teacher evaluations are to be included),
- c* External funding acquired,
- d* Further activities, such as the organization of academic events, participation in the self-administration of the university and the fulfillment of service duties.

#### **Art. 55 Request**

<sup>1</sup> The Evaluation Committee's report shall contain a request. Depending on the result of the evaluation, this shall state:

- a* continuation of the assistant tenure-track professorship without conditions,
- b* termination of the assistant tenure-track professorship,
- c* Within the framework of the first evaluation: continuation of the assistant tenure-track professorship under certain conditions; these are to be listed in detail.

<sup>2</sup> The evaluation report and the application shall be brought to the attention of the faculty. The latter may submit an opinion on the matter.

<sup>3</sup> If the termination of the assistant tenure-track professorship is requested, the University Executive Board shall decide

- a* whether the assistant tenure-track professorship should be converted into an assistant professorship (without a tenure-track contract),
- b* whether the employment relationship with the assistant professor should be continued within the framework of another employment category or
- c* whether the employment relationship should be discontinued.

#### **Art. 56 Final evaluation and conversion of the professorship**

<sup>1</sup> The University Executive Board shall convert the assistant tenure-track professorship into an associate or full professorship when the qualification criteria have been met and no later than after six years.

- Cf. Art. 74 (3) UniV* <sup>2</sup> If sufficiently substantiated, the time limit under paragraph 1 may be extended by a maximum of two years, particularly in the event of illness, an accident, pregnancy, military or civil service or familial care duties.
- <sup>3</sup> If maternity leave pursuant to Art. 60 PV was taken during employment as an assistant professor with tenure track, there is an entitlement to an extension of employment for the duration of the maternity leave. The maximum duration of employment pursuant to Para. 2 must not be exceeded overall, even if several grounds for extension apply simultaneously.
- <sup>4</sup> To prepare for the conversion request under paragraph 1, the Evaluation Committee shall draw up a final report no later than before the six years in total comes to an end, which shall in particular comment on the fulfillment of the qualification criteria.
- <sup>5</sup> The request to the University Executive Board shall subsequently contain the following at the very least:
- a* Two external assessments of the qualification of the candidate,
  - b* A list of publications and a CV,
  - c* an evaluation of the teaching performance,
  - d* a summary of acquired external funding,
  - e* an overview of supervised PhD students.
- <sup>6</sup> The final report and the application shall be brought to the attention of the faculty. The latter may submit an opinion.

#### **1.4. Assistant professors (without tenure-track contracts)**

##### **1.4.1. General provisions for assistant professors**

###### **Art. 57 Tasks**

- Art. 75 (1) UniV* <sup>1</sup> Assistant professors shall undertake tasks in research and teaching within their institute or another organizational unit with a view to academic qualification for a career in academia.
- Art. 75 (2) UniV* <sup>2</sup> They are independent and responsible for their research and teaching assignment.
- Art. 75 (3) UniV* <sup>3</sup> They are permitted and obliged to spend half of their working time conducting their own research.

###### **Art. 58 Professional requirements**

- Art. 77 (1) UniV* Appointment as an assistant professor requires
- a* a habilitation, an equivalent academic qualification or a promising habilitation project and
  - b* a placement lasting normally one year at another, preferably foreign, university or a highly qualified professional activity lasting several years.

### 1.4.2. Recruitment procedure

#### **Art. 59** General provisions

<sup>1</sup> The provisions of Clause 1.4.2 are minimum requirements.

<sup>2</sup> The faculties may issue their own regulations, which are to be approved by the University Executive Board.

#### **Art. 60** Structural requirements and announcement

*Art. 76 (1) UniV*

<sup>1</sup> An assistant professorship requires the faculty to make a structural decision in accordance with Article 30 as well as to submit a justified request to the University Executive Board.

*Art. 77 (2) UniV*

<sup>2</sup> The faculty is responsible for the announcement.

#### **Art. 61** Recrutement request

<sup>1</sup> The recruitment request is to be prepared by a body of the faculty (the Faculty Council, Heads of Faculty or the Faculty Board or Committee) and submitted to the University Executive Board.

<sup>2</sup> The recruitment request normally includes a proposal of the three most suitable candidates for the post. Exceptions must be substantiated in detail.

<sup>3</sup> The recruitment request must contain the following as a minimum:

- a* detailed reasoning for the establishment or filling of an assistant professorship,
- b* a statement on the potential and research orientation of the candidates,
- c* a statement on the teaching skills of the candidates,
- d* a CV and list of publications,
- e* an external assessment of the first-placed candidate.

### 1.4.3. Time limit and extension

#### **Art. 62** Time limit

*Art. 78 (1) UniV*

<sup>1</sup> The duration of the employment as an assistant professor is limited to four years, regardless of the level of employment.

*Art. 78 (2) UniV*

<sup>2</sup> Following evaluation by the faculty, it may be extended for no more than an additional two years in justified cases, specifically in the event of illness, accident, pregnancy, military service, community service or family caregiving responsibilities.

#### **Art. 63** Requirements for an extension

<sup>1</sup> The requirements for an extension shall be met if the evaluation by the faculty revealed that the assistant professor:

- a* has an excellent track record in research,
- b* is successful in the area of teaching and

c has a good chance of qualifying for a professorship soon given their performance record.

<sup>2</sup> The faculty shall submit a substantiated extension request to the University Executive Board no later than six months before the four-year assistant professorship comes to an end, unless unforeseeable reasons require the extension after expiry of this deadline.

<sup>3</sup> In the event of pregnancy, family caregiving responsibilities, illness or an accident, an extension for the benefit of the person concerned is normally considered justified.

<sup>4</sup> If maternity leave pursuant to Art. 60 PV was taken during employment as an assistant professor, there is an entitlement to an extension of employment for the duration of the maternity leave. The requirements specified in Para. 1 are irrelevant in this case. The maximum duration of employment pursuant to Art. 62 (2) must not be exceeded overall, even if several grounds for extension apply simultaneously.

<sup>5</sup> Furthermore, an extension can be justified if the assistant professor is involved with time-consuming work in line with their position.

## **1.5. Assistant lecturers with tenure-track contracts**

### **1.5.1. General provisions and the recruitment procedure**

#### **Art. 64 Tasks**

*Art. 78a (1) UniV*

<sup>1</sup> The assistant lecturer with a tenure-track contract position is for the purpose of academic qualification with a view to taking on an existing or new permanent lectureship.

*Art. 78a (2) UniV*

<sup>2</sup> Assistant lecturers with tenure-track contracts shall undertake tasks in teaching, research and service within their institute or another organizational unit.

#### **Art. 65 Professional and structural requirements**

<sup>1</sup> Assistant lecturers with tenure-track contracts are appointed in consideration of the faculty's basis for planning under Article 2.

<sup>2</sup> The faculty shall prepare a report on which the University Executive Board shall base its decision on the position of an assistant lectureship with a tenure-track contract. This report shall set forth the reasons for the creation, dissolution or refilling of or amendment to the lectureship as well as its context.

<sup>3</sup> The University Executive Board shall appoint assistant lectureships with tenure-track contracts on the basis of a request submitted by the faculty.

*Art. 78b (1) UniV*

<sup>4</sup> The position of assistant lecturer with a tenure-track contract requires a PhD.

#### **Art. 66** Announcement and procedure

*Art. 78b (2) UniV*

<sup>1</sup> The faculty is responsible for the announcement.

<sup>2</sup> The recruitment procedure shall be governed by the provisions on the recruitment procedure for permanent lecturers set out in Article 45 ff. of these Regulations. *[Version from December 12, 2023]*

#### **Art. 67** Assistant tenure-track lectureship

<sup>1</sup> The tasks, responsibilities and incorporation of assistant tenure-track lectureships are to be set out in concrete terms and captured in the faculty's report before the appointment.

<sup>2</sup> Unless a regulation provides otherwise, assistant lecturers with tenure-track contracts shall normally report to the Executive Director of their institute or organizational unit on an administrative basis.

<sup>3</sup> The Executive Director may delegate this task to a full or associate professor from the corresponding academic field.

### **1.5.2. Time limit, evaluation and reporting**

#### **Art. 68** Time limit

*Art. 78d (1) UniV*

<sup>1</sup> Assistant lecturers with tenure-track contracts shall be employed for three years initially.

*Art. 78d (2) UniV*

<sup>2</sup> The appointment may be continued for a further year. A positive evaluation based on the qualification criteria is a decisive factor.

#### **Art. 69** Evaluation

*Art. 78c (1) UniV*

<sup>1</sup> The performance of the assistant lecturers with tenure-track contracts is regularly assessed. Pre-defined qualification criteria that are to be met with regard to the envisaged lectureship shall form the basis for this assessment.

<sup>2</sup> The faculty shall determine the qualification criteria. These shall be submitted to the Rector for approval before the appointment.

<sup>3</sup> The performance of the assistant lecturers with tenure-track contracts shall be evaluated by a board set up by the faculty before the end of two years.

#### **Art. 70** Evaluation: Responsible board

<sup>1</sup> The faculty shall set up an Evaluation Board. This shall be made up of three to five members.

<sup>2</sup> The Evaluation Board shall assess the assistant tenure-track lectureship for the entire duration of the qualification stage.

#### **Art. 71** Reporting

<sup>1</sup> The Evaluation Board shall draw up the evaluation report.

<sup>2</sup> On the basis of the job description and the qualification criteria, the report shall comment on their fulfillment and the quality of the work.

#### **Art. 72** Request and statement of the faculty

<sup>1</sup> The Evaluation Board's report shall contain a request. Depending on the result of the evaluation, this shall state:

- a* continuation of the assistant tenure-track lectureship without conditions,
- b* continuation of the assistant tenure-track lectureship under certain conditions,
- c* termination of the assistant tenure-track lectureship.

<sup>2</sup> The University Executive Board shall decide on the continuation or termination of the assistant tenure-track lectureship.

<sup>3</sup> Should the assistant tenure-track lectureship be continued with conditions, the employment duration under Article 62 (1) may be extended by one year. In this case, a second evaluation shall be conducted before the decision on a possible continuation of the assistant tenure-track lectureship is made.

<sup>4</sup> The evaluation report and the application shall be brought to the attention of the faculty. The latter may submit an opinion on the matter.

#### **Art. 73** Final evaluation and conversion of the lectureship

*Art. 78d (3) UniV*

<sup>1</sup> The University Executive Board shall convert the assistant tenure-track lectureship into a permanent lectureship when the qualification criteria have been met and no later than after four years. Article 66 (3) shall remain reserved.

*Art. 78d (3) UniV*

<sup>2</sup> If sufficiently substantiated, the time limit under paragraph 1 may be extended by a maximum of two years, particularly in the event of illness, an accident, pregnancy, military or civil service or familial care duties.

<sup>3</sup> If maternity leave pursuant to Art. 60 PV was taken during employment as an assistant lecturer with tenure track, there is an entitlement to an extension of employment for the duration of the maternity leave. The maximum duration of employment pursuant to Para. 2 must not be exceeded overall, even if several grounds for extension apply simultaneously.

<sup>4</sup> To prepare for the conversion request under paragraph 1, the Evaluation Board shall draw up a final report no later than before the four years in total comes to an end, which shall in particular comment on the fulfillment of the qualification criteria.

<sup>5</sup> The request to the University Executive Board shall subsequently contain the following at the very least:

- a* an external assessment of the qualification of the candidate,
- b* a CV,
- c* an evaluation of the teaching performance,

- d* an overview of supervised students, including any PhD students,
- e* a list of publications, if available
- f* a summary of acquired external funding, if applicable.

<sup>6</sup> The final report and the application shall be brought to the attention of the faculty. The latter may submit an opinion on the matter.

## 1.6. Teachers

### Art. 74 Teaching assignment

*Art. 80 UniV*

- <sup>1</sup> Teachers have a teaching assignment at the university.
- <sup>2</sup> A teaching assignment is awarded for a limited period of a semester or an academic year.
- <sup>3</sup> A permanent teaching assignment may be awarded in justified cases.

## 1.7. Visiting lecturers

### Art. 75 Visiting lecturers

*Art. 81 UniV*

- <sup>1</sup> Visiting lecturers are lecturers from other, particularly foreign, universities that are working at the University of Bern on a temporary basis.
- <sup>2</sup> For the duration of their stay, visiting lecturers that are paid for their work will be placed in a salary grade or shall be granted a paid teaching assignment or fixed amount.

## 1.8. Adjunct researchers

### Art. 76 Adjunct researchers

- <sup>1</sup> Faculties may introduce the status of an adjunct researcher.
- <sup>2</sup> The University Executive Board shall decide on the introduction of the status at interdisciplinary centers.
- <sup>3</sup> The status is issued by the head of the relevant organizational unit to which the researcher is to be affiliated.
- <sup>4</sup> The University Executive Board shall govern the details, in particular concerning the rights and obligations related to the position, in separate guidelines.

## 1.9. Senior physicians I

### Art. 77 Tasks

*Art. 79 (1) UniV*

- <sup>1</sup> Senior physicians I shall perform their tasks in teaching, research or service within their institute or another organizational unit.

*Art. 79 (2) UniV*

- <sup>2</sup> They are independent and responsible for their teaching and research assignment.

*Art. 79 (3) UniV*

- <sup>3</sup> The position requires a habilitation or PhD.

## 2. Teaching and research assistants

### 2.1. Common provisions

#### Art. 78 Objective

*Art. 82 UniV*

The purpose of the teaching and research assistant position is the acquisition of professional experience in an academic environment and further academic qualification.

#### Art. 79 Time limits and exceptions

*Cf. Art. 83b (1) UniV, 86 (1) UniV, Art. 87 (2) UniV, Art. 89 (2) UniV*

<sup>1</sup> Employment as a teaching and research assistant is time-limited. Regardless of the level of employment, the time limit shall be as follows:

- a* for a post-doctorate position – a maximum of six years in total,
- b* for a senior-physician II position – six years,
- c* for research assistants without a dissertation – four years,
- d* for assistant human/dental medicine physicians – six years,
- e* for veterinary-medicine assistants – six years,
- f* for student assistants – four years,
- g* four years for employed PhD students.

<sup>2</sup> The combined duration of employment as a research assistant without a dissertation and as an employed PhD student may not exceed four years. An extension pursuant to Para. 4 is possible for employed PhD students.

*Cf. Art. 83 (3) UniV*

<sup>3</sup> In exceptional cases, the University Executive Board may extend the employment of teaching and research assistants for the following reasons: in the event of an accident, illness, pregnancy and familial care duties, military and civil service. It shall not be possible to extend the employment as a research assistant with no dissertation or as a student assistant.

*Cf. Art. 83 (2) UniV*

<sup>4</sup> The University Executive Board may extend the duration of employment of assistants on an exceptional basis, specifically in the case of accident, pregnancy, military service, community service or family care-giving responsibilities. It shall not be possible to extend the employment of a research assistant with no dissertation or of a student assistant.

<sup>5</sup> If maternity leave pursuant to Art. 60 PV was taken during employment as an assistant in accordance with Art. 50 UniV (subject to employment as a research assistant with no dissertation or student assistant), there is an entitlement to an extension of employment in the corresponding function for the duration of the maternity leave. The maximum duration of employment pursuant to Paragraphs 3 and 6 must not be exceeded overall. This also applies if there are several grounds for extension and extensions in different functions.

*Cf. Art. 83 (2) UniV*

<sup>6</sup> The extension period is limited to two years for the entire assistantship duration. Configurations in which this time limit appears unfair



in view of the circumstances or would not be in line with the requirements of the Swiss National Science Foundation (SNSF) or other funding agencies shall remain reserved.

## 2.2. Post-doctoral students

### Art. 80 Requirements and duties

- Art. 83a (1) UniV* <sup>1</sup> The post-doctorate position requires a PhD.
- Art. 83a (2) UniV* <sup>2</sup> The purpose of the post-doctorate is further academic qualification upon completion of the PhD.
- Art. 83a (3) UniV* <sup>3</sup> Post-doctoral students shall spend at least half of their working hours, calculated on a full-time basis, on their own academic qualification.
- <sup>4</sup> Post-doctoral students with service duties in the medical and veterinary medicine field shall spend at least 20 percent of their working hours, calculated on a full-time basis, on their own academic qualification.
- Art. 83a (4) UniV* <sup>5</sup> Post-doctoral students also work in teaching, research and, where appropriate, in the service of their institute or another organizational unit.
- Art. 83a (5) UniV* <sup>6</sup> The post-doctorate position may not be combined with another university position. This also applies for employment as a teacher. [Version from December 12, 2023]

### Art. 81 Time limit

- Cf. Art. 83b UniV* <sup>1</sup> The duration of the post-doctorate position is normally limited to three years at first. It can be extended. The minimum duration of employment is one year; the maximum duration is six years.
- <sup>2</sup> Other positions at the university after conclusion of the PhD and before appointment as a post-doctoral student will be counted towards the maximum duration of the postdoctorate.

### Art. 82 Type of post-doctoral students

- <sup>1</sup> Post-doctoral students may be employed as:
- a* Early post-docs; this position is mainly for the purpose of working on a project and the acquisition of grants as well as research mobility.
  - b* Advanced post-docs; this position is for the purpose of consolidating the position as a scientist with a view to qualifying for a professorship.
  - c* Senior research assistants; this position is for the purpose of taking on an increased number of tasks in teaching and research as well as management responsibility and service.
- <sup>2</sup> The duties, responsibilities and incorporation of post-doctoral students must be specified in an agreement. A job description can also be written.

<sup>3</sup> The post-doctoral students will be regularly evaluated by managers within the framework of annual appraisals.

<sup>4</sup> The managers shall decide on the type of appointment as a post-doctoral student based on the employee's qualifications.

<sup>5</sup> The decision to switch from an Early Postdoc to an Advanced Postdoc is made based on an evaluation performed by the supervisor, but after four years at the latest.

### **Art. 83** Level of employment

<sup>1</sup> The minimum level of employment is normally 80 percent.

<sup>2</sup> The University Executive Board can, in justified exceptions, approve employment with a lower level of employment; the level of employment must not be less than 50 percent.

## **2.3. Senior physicians II**

### **Art. 84** Scope

*Cf. Art. 50 (2) UniV* Unless they are subject to hospital legislation, senior physicians II shall fall under the scope of UniV and these Regulations.

### **Art. 85** Requirements and duties

*Art. 84 (2) UniV* <sup>1</sup> The senior physician II position requires a Swiss medical degree, a master's degree from the faculty or an equivalent degree and normally the completion of specialist medical training.

*Art. 85 (1) UniV* <sup>2</sup> Senior physicians II work in teaching, research and, where appropriate, in the service of their institute or another organizational unit.

*Art. 85 (3) UniV* <sup>3</sup> Senior physicians II shall pursue their specialist further qualification. Subject to normal operations being ensured, they are entitled to complete the training and further education needed for the specialist qualification during working hours.

## **2.4. Research assistants (no dissertation)**

### **Art. 86** Requirements and duties

*Art. 87 (1) UniV* <sup>1</sup> The research assistant position requires a master's degree or equivalent degree from a university.

*Art. 88 (1) UniV* <sup>2</sup> Research assistants work in teaching, research and, where appropriate, in the service of their institute or another organizational unit.

*Art. 88 (2) UniV* <sup>3</sup> In exceptional cases, they can author a dissertation. A minimum of one-third of their working hours can be spent on this work.

<sup>4</sup> The application of paragraph 3 for individuals or categories of persons requires the faculty to have sent a justified request to the University Executive Board. When making its decision, the University Executive Board takes account of extraordinary circumstances at the respective

faculty, in particular the availability of funds for doctorate positions and the situation on the labor market.

## **2.5. Assistant human/dental medicine physicians and veterinary-medicine assistants**

### **Art. 87 Scope**

*Art. 50 (2) UniV* Unless they are subject to hospital legislation, assistant human/dental medicine physicians shall fall under the scope of UniV and these Regulations.

### **Art. 88 Requirements and duties**

*Art. 84 (3) UniV* <sup>1</sup> The assistant human/dental medicine physician and veterinary-medicine assistant positions require a Swiss medical degree, a master's degree from the faculty or an equivalent degree.

*Art. 85 (1) UniV* <sup>2</sup> Assistant human/dental medicine physicians and veterinary-medicine assistants work in teaching, research and, where appropriate, in the service of their institute or another organizational unit.

*Art. 85 (3) UniV* <sup>3</sup> Assistant human/dental medicine physicians and veterinary-medicine assistants shall pursue their specialist further qualification. Subject to normal operations being ensured, they are entitled to complete the training and further education needed for the specialist qualification during working hours. Further regulations of the University Executive Board must be observed.

## **2.6. Employed PhD students**

### **Art. 89 Recruitment and salary**

*Art. 89 (2) UniV* <sup>1</sup> The purpose of the PhD student position is academic qualification through the authoring of a dissertation.

*Art. 89 (2) UniV* <sup>2</sup> The duration of the doctorate position is limited to a maximum of four years.

*Art. 89 (3) UniV* <sup>3</sup> The University Executive Board shall determine the salary rates in accordance with the provisions laid down by the Swiss National Science Foundation (SNSF).

### **Art. 90 Additional tasks**

*Art. 89 (1) UniV* <sup>1</sup> The PhD student position is in principle equivalent to a full-time workload.

*Art. 89 (1) UniV* <sup>2</sup> Within the framework of their position, PhD students may, outside of their own research work, participate in the teaching and research of their institute or another organizational unit at a maximum employment level of ten percent.

*Cf. Art. 89 (4) UniV* <sup>3</sup> In addition to their position as a PhD student, they may also work as a research assistant, for example, at a maximum employment level of 25 percent.

<sup>4</sup> An additional position can only be approved if this does not endanger or delay the student's own research work. It is subject to supervisor approval.

#### **Art. 91 Requirements**

<sup>1</sup> Appointment as a PhD student requires enrolment as a PhD student at the University of Bern.

<sup>2</sup> Appointment as a PhD student is tied to the fulfillment of regulatory requirements, specifically with regard to the admittance into and successful completion of a doctoral program. These are established in the regulations on PhD or doctoral programs of the faculties and the plan of studies of the relevant PhD programs.

### **2.7. Student assistants**

#### **Art. 92 Requirements**

*Art. 90 (1) UniV*

The student assistant position normally requires a bachelor's degree from a university or an equivalent degree from a university and normally enrolment as a student at the University of Bern.

## **IV. Annual working time**

### **1. Fundamentals**

#### **Art. 93 Basic principles**

<sup>1</sup> Generally speaking, the working time model based on annual working time shall apply for university employees.

<sup>2</sup> The relevant timeframe for calculating annual working time is the calendar year.

<sup>3</sup> Annual working time should enable as much flexibility as possible. The working hours should be adapted to any fluctuations in workload that occur during the year as well as to employees' different needs.

#### **Art. 94 Part-time work**

<sup>1</sup> The annual working hours model applies for full-time and part-time employees.

<sup>2</sup> Generally speaking, the key figures set out in Art. 101 of these regulations shall apply regardless of the level of employment, including to part-time employees. Supervisors can specify arrangements that deviate from this.

**Art. 95** Exception from working time recording and long-term annual leave account

*Cf. Art. 53a UniV*

<sup>1</sup> Lecturers (in accordance with Art. 49 UniV), post-doctoral students, senior physicians as well as PhD students in principle are excluded from the requirement to record working hours as well as regulations concerning the financial compensation of vacation and time credits and do not keep a long-term annual leave account.

<sup>2</sup> The other assistants in accordance with Art. 50 UniV only record their working hours if instructed to do so on an exceptional basis; they do not keep a long-term annual leave account.

<sup>3</sup> Student assistants keep a record of their working hours. They do not keep a long-term annual leave account.

<sup>4</sup> The Rector may, as an exception and in response to a justified request from an organizational unit, exclude additional people or functions from the obligation to record working hours and keep a long-term annual leave account.

<sup>5</sup> The individuals specified in Paragraphs 1, 2 and 4 are responsible for ensuring their own compliance with the regular working hours, which generally amount to 42 hours per week at a level of employment of 100 percent.

**Art. 96** Responsibility for taking vacation

<sup>1</sup> The individuals specified in Art. 95 (1) and (4) are responsible for ensuring that they take the vacation days to which they are entitled. *[Version from December 12, 2023]*

<sup>2</sup> No vacation day balance can be claimed.

<sup>3</sup> If accrued vacation could not be taken in a calendar year – whether due to work-related reasons, illness or accident – the annual entitlement of at most the current calendar year, taking into account any vacation reductions (Art. 146 PR) as well as the minimum entitlement (Art. 149 and 149a (2) and 3 PR), can be carried over to the next calendar year or, as an exception, paid out in the event that the employee leaves. If accrued vacation is carried over to the following year, it must be taken in full during the following year.

<sup>4</sup> The application for transfer or compensation of accrued vacation in accordance with Para. 3 must be submitted to the Rector via the Human Resources Department by the supervisor or, for lecturers, in accordance with Art. 49 University Ordinance (UniV), by the Managing Director. The request must contain a justification. *[Version from December 12, 2023]*

**Art. 97** Duration and distribution of working hours

*Cf. Art. 124 PV*

<sup>1</sup> At a level of employment of 100 percent, the working hours amount to 42 hours per week. Deviations from this are defined in separate regulations by the University Executive Board.

<sup>2</sup> Based on a 42-hour week, target working hours per day for full-time employees amount to 8 hours and 24 minutes per day.

<sup>3</sup> ... *[Version from December 12, 2023]*

<sup>4</sup> ... *[Version from December 12, 2023]*

<sup>5</sup> ... *[Version from December 12, 2023]*

<sup>6</sup> ... *[Version from December 12, 2023]*

<sup>7</sup> The target working hours per year for full-time employees are calculated and published on an annual basis by the Cantonal Human Resources Office. The target working hours per year for part-time employees are equal to the target working hours per year for full-time employees, adjusted to the level of employment.

## **Art. 98** Work-related needs and office hours

<sup>1</sup> When managing annual working hours, work-related needs and possibilities take priority.

<sup>2</sup> The head of the organizational unit defines the office hours during which it should be possible to contact the organizational unit. Office hours do not apply to specific individuals, rather the organizational unit.

## **2. Managing and balancing working hours**

### **Art. 99** Responsibilities

<sup>1</sup> The head of the organizational unit

- a* is responsible for the legally correct handling of the provisions regarding annual working hours,
- b* specifies a person responsible who, in consultation with the supervisor, carries out any presence and absence checks needed,
- c* conducts, together with the points of contact, periodic inspections of all time records and absences and takes any appropriate measures.

<sup>2</sup> Employees are responsible for correctly entering the hours worked and arranging their absences with supervisors and colleagues.

### **Art. 100** Responsibility of supervisors

<sup>1</sup> Supervisors are responsible for ensuring that annual working hours are applied without any problems and that duties are fulfilled. Specifically, they must guarantee that available HR capacities are brought in line with work-related needs.

<sup>2</sup> The supervisors are responsible for checking and reviewing time recording as well as the attendance of their employees. *[Version from December 12, 2023]*

### **Art. 101** Traffic light system

<sup>1</sup> Over the course of the year, employees' working hours are managed using something referred to as a traffic light system.

<sup>2</sup> The traffic light system is used to define warning thresholds which, if exceeded, require supervisors and employees to jointly discuss the situation regarding their working hours.

<sup>3</sup> The head of the organizational unit defines the deviations from these warning thresholds.

<sup>4</sup> Depending on the employee's actual time balance, different phases can arise in the traffic light system that require different approaches:

Phase	Positive balance	Negative balance
Green	0 to +60 hours → Employee's responsibility	0 to -60 hours → Employee's responsibility
Yellow	from +60 to +100 hours → Overtime only possible in consultation with the supervisor	from -60 to -100 hours → Undertime only possible in consultation with the supervisor
Red	more than 100 hours → Steps must be taken in consultation with the superior to reduce overtime	more than -100 hours → Steps must be taken in consultation with the superior to reduce undertime

<sup>5</sup> While fluctuations can in principle cause the red thresholds to be exceeded over the course of the year, the supervisor and employee must discuss how to reduce overtime and undertime if this happens.

### **Art. 102** Scheduling working hours

<sup>1</sup> Employees' presence or absence from work must be agreed between and/or planned by the superior and the employee.

<sup>2</sup> The timing and amount of time off in lieu shall be agreed in advance between the supervisor and the employee.

<sup>3</sup> Time off can also be taken if the balance on the account is negative. In this case, the working time that corresponds to the compensation must be performed at a later date.

### **Art. 103** Balance carried over

<sup>1</sup> The payroll period for annual working hours is the calendar year.

*Art. 136b (1) PV*

<sup>2</sup> At the end of the calendar year, a balance amounting to no more than 100 hours of overtime or undertime may be carried over to the next calendar year. *[Version from December 12, 2023]*

*Art. 136b (2 and 3) PV*

<sup>3</sup> If the maximum defined account balance of 100 hours of overtime is exceeded at the end of a calendar year, monetary compensation will be provided for all hours in excess of 50 overtime hours if a request for

payment is submitted by the supervisor via the Human Resources Department and the Rector approves the payment. If approval is denied, any overtime that exceeds the maximum permissible balance shall expire without compensation. Instead of monetary compensation, the time credit can be carried over to the subsequent year under the same conditions. In this case, a reduction agreement must be reached concerning the hours in excess of the maximum permissible balance.

*Art. 136b (4) PV*

<sup>4</sup> If the balance at the end of the calendar year exceeds the specified maximum number of undertime hours as detailed in Para. 2, the supervisor and employee can agree to have any undertime hours that exceed the balance be offset by means of a salary deduction. *[Version from December 12, 2023]*

*Art. 136b (5) PV*

<sup>5</sup> If undertime hours are not offset in accordance with Para. 4, an agreement must be reached stipulating when any undertime hours in excess of the balance will be worked in the subsequent year.

*Cf. Art. 136c PV*

<sup>6</sup> Where possible, any positive or negative balance must be eliminated prior to moving to a different organizational unit or ending the employment relationship. Financial compensation is paid in situations in which it was impossible to reduce a positive balance due to work-related reasons, illness or accident. If the balance is negative at the time of leaving, the final salary will be reduced or any excess salary paid will be reclaimed. *[Version from December 12, 2023]*

### **3. Working time recording and absences**

**Art. 104** Paid leave for absences due to doctor's and dentist's appointments as well as for physician-prescribed therapeutic treatments

*Art. 156b (1) PV*

<sup>1</sup> For doctor's and dentist's appointments, the time actually required, but not more than one hour per appointment and day of work, will be counted as working hours, regardless of the level of employment of the employees concerned.

*Art. 156b (2) PV*

<sup>2</sup> For longer medical and physician-prescribed therapeutic treatments, the time needed for the treatment can be counted as working hours with the supervisor's approval.

<sup>3</sup> Doctor's or dentist's appointments and therapeutic treatments are only counted as part of your working hours if they cannot be scheduled during time off.

*Art. 156b (3) PV*

<sup>4</sup> On workdays when doctor's and dentist's appointments or therapeutic treatments are counted as working hours, the target working hours per day or the agreed working hours must not be exceeded.

### **Art. 105 Absences**

<sup>1</sup> Personal tasks are not considered working hours as a matter of principle.

<sup>2</sup> The following absences are classified as working hours:

*a* vacation



- b* paid leave
- c* illness
- d* accident
- e* military service
- f* civil defense and security.

<sup>3</sup> Absences in accordance with Para. 2 must be recorded stating the working hours based on the target working hours per day in accordance with Art. 97. Short leave in accordance with Art. 156 PV is classified as working hours. It is accounted for based on the target working hours and in accordance with the level of employment. Vacation can only be taken in half or whole days. If the level of employment is reduced based on a medical certificate, the total number of absences credited as well as the number of hours worked per week must not exceed the target working hours for the week in accordance with Art. 97.

<sup>4</sup> In the case of absences related to personal training and further education, the rules of the Personnel Ordinance shall apply.

<sup>5</sup> Business trips and further education prescribed by the employer must be recorded together with the number of hours actually worked. The time traveled from the place of employment to the respective place of work and back shall be deemed working time. No more than the target working hours per day can be credited as a matter of principle. This rule also applies to part-time employees, regardless of their level of employment.

<sup>6</sup> For end-of-year events (Christmas dinners, end-of-year dinners, etc.) as well as for receptions and similar work-related events, no more than one hour of working time may be credited.

#### **Art. 106** Time recording and individual working hours account

<sup>1</sup> An individual working hours account is kept for all employees. Steps must be taken to ensure that employees are informed of the status of their working hours accounts. *[Version from December 12, 2023]*

<sup>2</sup> Mandatory entries include: the start of work, the end of work, interruptions of work as well as any absences in accordance with Art. 105 (2) and (3). The head of the organizational unit is responsible for deciding whether to record work-related absences (external meetings, tours, business trips, etc.).

<sup>3</sup> The Human Resources Department provides a suitable instrument or tool for time recording which must be used by all organizational units and employees. Exceptions from this are only possible for organizational units with permanent services in accordance with Art. 110 UniV and require a justified application to the Director of Administration. *[Version from December 12, 2023]*

<sup>4</sup> ... *[Version from December 12, 2023].*

## **Art. 107** Reporting working hours and absences

<sup>1</sup> Time off taken as a result of accrued vacation as well as absences due to military service, civil defense, civilian service, illness and accident as well as due to paid leave must be documented by all employees in the time recording system. [Version from December 12, 2023]

<sup>2</sup> Time off taken as a result of time balances in connection with the annual working hours must be documented in the time recording system by all employees with the exception of those listed in Art. 95. [Version from December 12, 2023]

<sup>3</sup> The time and absence balances recorded for each employee in accordance with these regulations are to be reported to the Human Resources Department once per year for the purpose of university-wide HR analysis.

## **V. Night and weekend work**

### **Art. 108** Night and weekend work

*Art. 130 (1) PV* <sup>1</sup> Night work is deemed to be any work performed between the hours of 8 p.m. and 6 a.m. Work performed until 11 p.m. pursuant to Art. 125 (1) PV shall remain reserved.

*Art. 130 (2) PV* <sup>2</sup> Weekend work is deemed to be any work performed between the hours of 6 a.m. and 11 p.m. on Saturday, Sunday and public holidays.

<sup>3</sup> The provisions of the Personnel Act shall apply with respect to extra pay for night and weekend shifts as well as for time credited for night work. Subject to Art. 109.

### **Art. 109** Time credits

The University Executive Board can, on a case-by-case basis if deemed necessary for operational reasons, offer a time credit of 20 percent to individual functions of an organizational unit for work actually performed between the hours of 11 p.m. and 6 a.m.

## **VI. Performance and behavior evaluation and individual salary increase**

### **1. Performance review**

#### **Art. 110** Performance review, performance and behavior evaluation

*Art. 161 (2) PV* <sup>1</sup> The performance review is a management, quality and employee development tool.

*Art. 52a (1) UniV* <sup>2</sup> Supervisors conduct a stock-taking meeting with each employee periodically, but at least once per year.

*Art. 52a (2) UniV* <sup>3</sup> Crucial points discussed in the performance review are the target agreement, working conditions, working environment, professional development and professional outlook as well as the performance and behavior evaluation.

*Art. 52a (4) UniV* <sup>4</sup> No performance reviews are performed for:

- a* the Rector
- b* the Vice-Rector
- c* the Director of Administration
- d* full and associate professors
- e* assistant professors with tenure-track contracts
- f* assistant professors
- g* assistant lecturers with tenure-track contracts
- h* teachers
- i* visiting lecturers.

<sup>5</sup> In the case of new hires, a performance and behavior evaluation is conducted in the year in which they were hired if they started working at the university on or before August 1.

#### **Art. 111 Audits of performance reviews**

*Art. 52b (1) UniV* <sup>1</sup> Employees who feel that the performance and behavior evaluation is unfounded or incorrect may demand that the evaluation be audited by the supervisor's immediate superior within ten days of receiving the written results of the performance review.

*Art. 52b (2) UniV* <sup>2</sup> This audit in accordance with Para. 1 takes place within the scope of a discussion, the results of which must be documented in writing.

*Art. 52b (3) UniV* <sup>3</sup> If the reviewed person disagrees with the outcome of the audit, they can submit a written statement to be filed in the personnel file.

#### **Art. 112 Tools**

The Human Resources Department shall provide tools for preparing and conducting performance reviews.

#### **Art. 113 Evaluation**

*Art. 163 (1) PV* <sup>1</sup> The performance and behavior evaluation is performed in particular on the basis of the agreed objectives and the specified performance and quality standards (expectations) defined for the fulfillment of the main tasks as defined in the job description.

*Art. 163 (2) PV* <sup>2</sup> The comprehensive, non-mathematical overall assessment is performed using the following rating matrix:

- a* A++: Objectives or expectations clearly exceeded in all key areas (outstanding performance)
- b* A+: Objectives or expectations exceeded in key areas (very good performance)
- c* A: Objectives and expectations met in full (good performance)

- d B: Objectives and expectations met in part (adequate performance)
- e C: Objectives or expectations not met in key areas (inadequate performance).

<sup>3</sup> Reasons are to be provided for the evaluation of the employee's performance and behavior as well as the overall evaluation.

#### **Art. 114 Results**

- Art. 164 (1) PV* <sup>1</sup> The material results of the performance review shall be documented in writing. All parties involved in the review must acknowledge these results either by signing them or by confirming them in an electronic document that will stand up in court.
- Cf. Art. 164 (1a) PV* <sup>2</sup> They will be filed either physically or electronically in the employee's personnel file with the respective organizational unit.
- Art. 164 (2) PV* <sup>3</sup> The employees receive a copy of the filed documents.

## **2. Individual salary increase**

#### **Art. 115 Policy**

- Art. 44 (1) PV* <sup>1</sup> Advancement is possible within a salary grade through the granting of salary steps. There is no entitlement to additional salary steps.
- Art. 44 (2) PV* <sup>2</sup> Advancement through salary steps depends on the performance and behavior evaluation in accordance with Art. 110 and can be granted as follows to the extent that funds are available:
- a for outstanding performance (evaluation grade A++): up to ten salary steps per year
  - b for very good performance (evaluation grade A+): up to seven salary steps per year
  - c for good performance (evaluation grade A): up to four salary steps per year
- Art. 44 (3) PV* <sup>3</sup> No salary steps can be granted for adequate performance (evaluation grade B) or inadequate performance (evaluation grade C).
- Cf. Art. 52d (1) UniV* <sup>4</sup> The Director of Administration and lecturers in accordance with Art. 49 (a) to (g) UniV are granted salary steps without a performance and behavior evaluation.
- Cf. Art. 52d (2) UniV* <sup>5</sup> The University Executive Board defines the number of salary steps to be granted to employees each year in accordance with Para. 4. When doing so, it takes the salary development of employees with performance and behavior evaluations into account.
- <sup>6</sup> Furthermore, the individual salary increase is based on the requirements of the Personnel Act.

## **VII. Sabbatical and educational leave**

### **Art. 116 Policy**

*Art. 53f (1) UniV*

The University Executive Board may grant a leave of absence to lecturers by mutual agreement with the relevant faculty, so that they can pursue academic work free of teaching obligations.

### **Art. 117 Leave of absence after expiration of a term of office**

*Art. 118a (1) UniV*

<sup>1</sup> The Department of Education and Culture may grant an extraordinary leave of absence to the Rector or Vice-Rector after expiration of their term of office.

<sup>2</sup> The University Executive Board may grant an extraordinary leave of absence to the Dean after expiration of their term of office.

### **Art. 118 Duration of the leave of absence**

The duration of a leave of absence is basically six months.

### **Art. 119 Coordination and process**

<sup>1</sup> The faculty coordinates its lecturers' leave requests and guarantees that all teaching, research, service and administrative duties are fulfilled.

<sup>2</sup> Lecturers must submit their leave request to the University Executive Board through the proper channels at least six months prior to the start of the leave of absence.

<sup>3</sup> The request must contain a justification for the leave of absence and, in particular, provide information regarding the projects planned. It must include a statement from the faculty head.

<sup>4</sup> Once the leave of absence is over, a report must be submitted for the attention of the University Executive Board.

<sup>5</sup> Requests for leaves of absence submitted by lecturers working at a University hospital must include an approval from the management of the hospital concerned.

### **Art. 120 Prerequisites and use at a later date**

<sup>1</sup> The prerequisites for a leave of absence to be granted are (cumulative):

- a* a level of employment of 50 percent or higher
- b* permanent employment at the time the request is submitted and
- c* at least six complete years of service.

<sup>2</sup> For full and associate professors, a deviation from the prerequisites as specified in Para. 1 is possible for good cause.

<sup>3</sup> When determining the length of time until the next leave of absence can be taken, ordinary and extraordinary leaves of absence are not counted toward the length of service.

<sup>4</sup> As a matter of principle, the last leave of absence must begin by no later than three years prior to retirement. The University Executive Board may approve a later start for good cause.

#### **Art. 121** Reduction in salary

A lecturer's monthly salary – including the salary for the 13th month – is reduced by ten percent during a leave of absence. Family and care allowances are not reduced.

#### **Art. 122** Deputy

<sup>1</sup> In agreement with the institute or another organizational unit and the faculty, the lecturer shall ensure that a deputy is appointed.

<sup>2</sup> Deputies must be financed through the reduction in salary pursuant to Art. 121 as well as other funds available to the institute, another organizational unit or the faculty.

<sup>3</sup> A point-free teaching assignment of two semester hours per week can be financed using the funds made available through the reduction in salary.

#### **Art. 123** Postponement

If the leave of absence of full and associate professors needs to be postponed for a good reason, the period of time until the next leave of absence can be shortened or extended accordingly.

#### **Art. 124** Repayment obligation, principle

<sup>1</sup> Prior to the start of the leave of absence, the lecturer must promise in writing to repay any salary received (not including family and care allowances), either in part or in full depending on the date of departure, during the leave of absence if the employment relationship is terminated either during the leave of absence or within a period of two years following the leave of absence.

<sup>2</sup> The repayment obligation ceases to apply in the case of an extraordinary leave of absence or in the event of the lecturer's death or disability.

#### **Art. 125** Repayment obligation, scope

The amount to be repaid in accordance with Art. 124 is to be paid as follows:

- a* If the lecturer resigns during the leave of absence: 100 percent
- b* If the lecturer resigns during the first year following the leave of absence: 50 percent
- c* If the lecturer resigns during the second year following the leave of absence: 25 percent.

**Art. 126** Exemption from the repayment obligation

If the repayment obligation constitutes a particular hardship for the lecturer, the University Executive Board can waive the clawback either in part or in full.

**Art. 127** Recognition of previous teaching and research activities

When hiring full and associate professors, previous teaching and research activities can be recognized accordingly and counted towards the required length of service for the first leave of absence, but up to a maximum of three years of service.

**VIII. Transitional provisions and entry into force**

**Art. 128** Transitional provisions

For persons who were appointed under old law before these Regulations entered into force, the appointment shall still be subject to the provisions of the previous law until the maximum employment duration of the respective function.

**Art. 129** Entry into force

These Regulations shall enter into force on January 1, 2023. They replace the Regulations governing employment at the University of Bern (Employment Regulations) dated January 25, 2019, and the Regulations Governing Annual Working Time dated August 1, 2017.

Bern, November 29, 2022 /  
December 12, 2023

On behalf of the Executive Board of the University of Bern

Prof. Dr. Christian Leumann

**Modifications**

Modifications / changes from December 12, 2023, enter into force on January 1, 2024

This document is a translation that is provided for information purposes only. It is not legally binding. In the event of a dispute about the interpretation of an article, the text of the original German version will therefore always prevail.