

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

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)¹,

The University Executive Board has decided the following:

Note:

colored in gray = taken from the University Ordinance (UniV) of September 12, 2012

I. General provisions

Art. 1 Basic principles

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

² In addition to the UniV provisions under human resources law, these Regulations shall govern the details of the University of Bern's employment of staff members.

³ In the area of personnel, the University Executive Board is laying down further details in separate regulations, guidelines and instructions.

⁴ Where an employment relationship exists with Insel Gruppe AG, such as in the capacity of a senior physician or assistant physician, the provisions of the Hospital Act shall apply.

¹ BSG 436.111.1

² BSG 153.01

³ BSG 153.011.1

⁴ BSG 436.11

⁵ For the fulfillment of tasks in service and management within the framework of Insel Gruppe AG, the Employee shall be subject to its authority.

Art. 2 Planning

¹ The faculties plan their number of staff.

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

³ The personnel planning is approved by the University Executive Board. Its implementation is discussed with faculties on an annual basis.

Art. 3 Personnel management and support

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

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

³ 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

¹ Gender equality is ensured.

² The promotion of women is to be taken into account in the recruitment procedure.

Art. 51 (1) UniV

Art. 5 Recruitment

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

Art. 51 (2) UniV

² The employment is temporary or permanent by public law contract.

³ 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,
- g* PhD students.

Art. 86 (3) UniV

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

Art. 6 Positions financed by external funding or other limited resources

¹ Employees financed by external funding or other term-limited funding shall be appointed for a limited period. The Administrative Director shall decide on exceptions in consultation with the Legal Services Office.

Article 56 UniV

² When terminating fixed-term employment contracts in research and teaching that are financed by external funding, the expiry of the external funding shall be considered a valid reason within the meaning of the personnel legislation.

Article 55 UniV

³ The university may conclude daily allowance insurance for employees financed by external funding. Employees financed by external funding participate in the bonus to the same extent as the other employees.

Cf. Art. 51a (1) UniV

Art 7 Employment contracts in research and teaching

Article 16a (2) shall not apply to employment contracts in research and teaching. Therefore, a continuous string of several fixed-term employment contracts lasting over five years in total shall not count as a permanent employment contract.

Art. 52 (1) UniV

Art. 8 Employment contract and salary

¹ The University Executive Board shall set the employee's starting salary and their duties and responsibilities at the time of appointment.

² 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.

³ 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. 9 Special salary rates

¹ 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.

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

Art. 52 (2) UniV

³ It may, in justified cases, set a one-off lump-sum salary instead of the starting salary.

⁴ If teaching and research assistants spend at least 20 percent of their working hours conducting their own research or continuing their education, the salary may be paid as a lump sum.

⁵ In addition to the provisions of personnel legislation, the University Executive Board may adopt regulations for on-call, night or weekend shifts.

Art. 57 (1) UniV

Art. 10 Notice periods and deadlines

¹ With the exception of the persons mentioned in paragraph 2, the notice period for university staff shall be three months.

Articles 68 (3), 74a and 117 UniV

² 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

³ 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

⁴ For good cause, the senior person or body may grant a shorter notice period or a different withdrawal date.

Art. 57 (4) UniV

⁵ Notice periods and deadlines during the probation period shall be based on personnel legislation.

Art. 11 Holidays and time credits

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

² The particular provisions of Article 15 shall apply to lecturers.

³ Details shall be governed in the University of Bern's Working Hours Regulations.

Art. 54 (1) UniV

Art. 12 Pension fund

¹ University staff normally join the Bernische Pensionskasse.

Art. 54 (2) UniV

² 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)⁵. It shall be held with an occupational pension scheme recognized by the OPA.

Art. 54 (3) UniV

³ Physicians can take out insurance with the Verband Schweizerischer Assistenz- und Oberärztinnen und -ärzte (VSAO).

Art. 54 (4) UniV

⁴ 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.

Article 59 UniV

Art. 13 Obligation of staff to pay fees

With the exception of student assistants enrolled as students, employees shall pay an annual fee of one-thousandth of their annual salary (13

⁵ SR 831.40

monthly salaries, excluding family and support allowances) to support social and cultural organizations and university sports in accordance with Article 4 UniV.

II. Individual specifications by category

1. Overview

Article 48 UniV

Art. 14 Overview

¹ Employees are:

- a lecturers,
- b teaching and research assistants,
- c employed PhD students,
- d other employees.

Article 49 UniV

² 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 visiting lecturers,
- i senior physicians I.

Article 50 UniV

³ Teaching and research assistants are

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

2. Lecturers

2.1. Common provisions on lecturers

Art. 53 (1) UniV

Art. 15 Holidays and time credits

¹ Lecturers shall normally take their holiday outside of lecture periods.

Art. 53 (2) UniV

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

Art. 53 (3) UniV

³ Lecturers shall be exempt from the regulation concerning the financial compensation of holidays and time credits under Article 129a and 129b

and concerning long-service accounts under Article 160a et seq. of the Personnel Ordinance of May 18, 2005 (PV)⁶.

Art. 16 Place of work

¹ 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.

² Should objective reasons require absence during the semester's lecture period for more than five consecutive working days, the Dean may approve up to ten consecutive working days.

³ During the semester's lecture period, the place of work may be relocated for a maximum of ten working days. For good cause, the Dean may approve exceptions of up to a maximum of 15 working days in total. Absences in excess of this must be submitted to the Rector.

cf. Art. 68 (1 and 3) UniV **Art. 17** End of the employment relationship

¹ For lecturers under Article 14 (2), 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.

Art. 68 (2) UniV ² In exceptional cases, the University Executive Board may approve the resignation at the end of the month in which the person in question reaches the age of 65.

2.2. Full and associate professors

2.2.1. General provisions

Art. 65 (1) UniV **Art. 18** Tasks

¹ 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 ² They may provide services relating to teaching and research. A service obligation shall only exist within the framework of a particular service assignment.

³ Full and associate professors normally head up an institute or another organizational unit.

Art. 65 (3) UniV ⁴ The employment contract shall specify, in particular, the teaching and research assignment and any continuous service assignments.

Art. 66 (1) UniV **Art. 19** Contributing to the pension fund

⁶ BSG 153.011.1

¹ 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

² The contribution to the Bernische Pensionskasse fund shall be granted as an interest-free loan from the university.

Art. 24 (2) UniG

³ The contribution may not exceed CHF 200,000 or the amount paid in by the person to be appointed themselves.

⁴ Further matters are regulated in Article 24 of the Act governing the University of September 5, 1996 (UniG)⁷ and in Article 66 UniV.

2.2.2. Recruitment procedure

2.2.2.1. Principles for the recruitment procedure for full and associate professors

Art. 20 Principles for professorships

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 discussions between the University Executive Board and faculties and
- e the policy tools of the faculties.

Art. 21 Procedural principles

¹ Recruitment procedures shall always follow the principles of transparency, correctness and traceability.

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

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

⁴ The Department for Equal Opportunities is to be incorporated into the appointment procedure. It must be provided with the necessary information.

2.2.2.2. Structural stage

Art. 22 Structural committee

¹ For the preparation of the structural report, the faculty in question shall

⁷ BSG 436.11

set up a structural committee.

² 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.

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

- a the legal requirements, in particular regarding co-determination rights,
- 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. The Department for Equal Opportunities may participate in the committee's work; if this is not the case, it shall be given the opportunity to comment on the structural report.

⁴ Adequate representation of the relevant discipline is to be⁸ ensured. A maximum of half of the university members (excluding student representation) may belong to the discipline in question.

⁵ The Chair of the committee shall not belong to the discipline in question.

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

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

Art. 23 Structural committee concerning professorships for units in areas of strategic importance

¹ This provision shall govern the establishment of a structural committee for professors from units in areas of strategic importance under Article 48 of the University Statute, provided that the professorship is not a faculty structural position and it is funded by the unit in accordance with the service assignment.

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

³ The composition of the structural committee shall be based accordingly on Article 21 (2 to 7). In addition, the structural committee shall comprise two representatives of the unit concerned and one representative appointed by the University Executive Board.

Art. 24 Structural report

¹ 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,

⁸ The content and limitation of the relevant discipline shall be based on faculty-specific customs.

dissolution or refilling of or amendment to a professorship.

² 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.

Art. 25 Structural decision

¹ 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.

² The criteria under Article 20 shall be decisive for the decision-making process.

Art. 62 (2 and 3)
UniV

Art. 26 Announcement

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

- a someone is to be internally promoted from a teaching and research assistant or adjunct professorship to an associate professorship or an associate professorship to a full professorship,
- b time is pressing due to the university's particularly high interest in the recruitment of a certain person for the professorship.

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

³ The rector approves the announcement text; they receive, at the very least, information about the discipline, duties, qualifications, external funding and equality.

2.2.2.3. Recruitment stage

Art. 27 Faculty Selection Committee

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

² 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.

³ 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 and 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* normally one member of the University of Bern's Department for Equal Opportunities.

⁴ Adequate representation of the relevant discipline is to be⁹ ensured. A maximum of half of the university members (excluding student representation) may belong to the discipline in question.

⁵ The Chair of the committee shall not belong to the discipline in question.

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

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

Art. 28 Selection committee concerning professorships for units in areas of strategic importance

¹ This provision shall govern the establishment of a selection committee for professors from units in areas of strategic importance under Article 48 of the University Statute, provided that the professorship is not a faculty structural position and it is funded by the unit in accordance with the service assignment.

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

³ The composition of the Selection Committee shall be based accordingly on Article 27 (2 to 7). In addition, the Selection Committee shall comprise two representatives of the unit concerned and one representative appointed by the University Executive Board.

Art. 29 Duties of the Faculty Selection Committee

¹ The Faculty Selection Committee

- a* assesses the applications for the announced professorship with regard to the formal requirements and academic qualification,
- b* assesses the teaching ability of selected candidates in courses,
- c* assesses the qualification for managing, in particular in the event of professorships with a service assignment,
- d* determines the other conditions as well as the intentions and objectives of the candidates in discussions and

⁹ See note 8.

e prepares the recruitment request.

² 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. 30 Recruitment request

Art. 63 (1) UniV

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

Cf. Art. 63 (2) UniV

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

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

⁴ 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 32 of these Regulations,
- e the "Equal opportunities in the recruitment procedure" checklist and the accompanying report from the Department for Equal Opportunities.

Art. 31 Ranking

¹ The candidates are ranked on the basis of a comprehensive assessment.

² The assessment is to take account of the following in particular:

- a academic achievements and potential,
- b suitability for the advertised position,
- c teaching work,
- d external funding acquired,
- e further competencies, such as leadership and social skills, team-working ability, etc.,
- f childrearing and care duties.

³ Career breaks or reduced gainful employment due to maternity and family responsibilities must not disadvantage applicants.

⁴ An assessment may be conducted for positions with exposed managerial responsibilities.

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

Art. 32 Assessments

¹ 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.

² The assessors shall be put forward by the faculty's Selection Committee.

³ The assessments shall comment on the performance of the candidates, normally on the basis of an international comparison. The assessments compare the candidates with one another.

⁴ The experts are obliged to disclose any vested interests they may have, particularly those relating to the candidates.

Art. 33 Job interview

cf. Art. 63 (3) UniV

¹ The interview shall be led by the Rector or a Vice-Rector appointed by them.

Art. 63 (4) UniV

² The Dean of the relevant faculty shall normally participate in the interview.

³ 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. 34 Recruitment agreements

¹ 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.

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

Art. 35 Travel costs and subsistence expenses

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

Art. 36 Appointment and information

¹ 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.

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

Art. 63 (5) UniV

³ Following the appointment, the Rector shall inform the public.

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

2.3. Permanent lecturers

Art. 37 Permanent lecturers

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

Art. 69 (1) UniV

² Permanent lecturers shall perform their tasks in teaching, research or service within their institute or another organizational unit.

Art. 69 (2) UniV

³ They are independent and responsible for their teaching and research assignment.

Art. 38 Recruitment

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

² The faculty shall prepare a report on which the University Executive Board shall base its decision on the filling of a lectureship. This report shall set forth the reasons for the creation, dissolution or refilling of or amendment to the lectureship as well as its context.

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

Art. 69 (3) UniV

⁴ The position requires a PhD.

Art. 69 (4) UniV

Art. 39 Announcement and procedure

¹ The faculty is responsible for the announcement.

² Recruitment procedures shall follow the principles of transparency, correctness and traceability.

³ 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. 40 Lectureships

¹ The tasks, responsibilities and incorporation of lectureships shall be laid out in concrete terms and captured in the faculty's report before the appointment.

² 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.

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

2.4. Assistant professors with tenure-track contracts

2.4.1. General provisions and the recruitment procedure

Art. 70 (1) UniV

Art. 41 Tasks

- ¹ 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* ² 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. 74 (1) UniV* **Art. 42 Time limit**
- ¹ Assistant professors with tenure-track contracts shall be employed for four years initially.
- Art. 74 (2) UniV* ² The appointment may be continued for a further two years. A positive evaluation based on the qualification criteria is a decisive factor.
- Art. 72 (1) UniV* **Art. 43 Professional requirements**
- 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 a highly qualified professional activity lasting several years.
- Art. 71 (1) UniV* **Art. 44 Structural requirements**
- 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. 45 Recruitment procedure and announcement**
- ¹ The recruitment procedure shall be governed by the provisions on the recruitment procedure for full and associate professors set out in Articles 20 et seq. of these Regulations.
- Art. 72 (2 and 3) UniV* ² 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. 46 Evaluation Committee and Advisory Board**
- ¹ 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.
- ² The Evaluation Committee shall be made up of at least three and no more than five members.

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

⁴ The Advisory Board comprises a maximum of three professorial members.

⁵ 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. 73 (1) UniV

Art. 47 Evaluation

¹ 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.

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

³ 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.

Art. 73 (4) UniV

⁴ 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. 48 Reporting

¹ The Evaluation Committee shall draw up the evaluation report.

² 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 results 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. 49 Request

¹ 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.

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

³ 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. 74 (3) UniV

Art. 50 Final evaluation and conversion of the professorship

¹ 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.

Art. 74 (3) UniV

² 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.

³ 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.

⁴ 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.

⁵ The final report and the application shall be brought to the attention of the faculty. The latter may submit an opinion.

2.5. Assistant professors (without tenure-track contracts)

2.5.1. General provisions for assistant professors

Art. 75 (1) UniV

Art. 51 Tasks

¹ 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

² They are independent and responsible for their research and teaching assignment.

Art. 75 (3) UniV

³ They are permitted and obliged to spend half of their working time conducting their own research.

Art. 77 (1) UniV

Art. 52 Professional requirements

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.

2.5.2. Recruitment procedure

Art. 53 General provisions

¹ The provisions of Clause 2.5.2 are minimum requirements.

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

Art. 76 (1) UniV

Art. 54 Structural requirements and announcement

¹ An assistant professorship requires the faculty to make a structural decision in accordance with Article 25 as well as to submit a justified request to the University Executive Board.

Art. 77 (2) UniV

² The faculty is responsible for the announcement.

Art. 55 Recruitment request

¹ 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.

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

³ 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.

2.5.3. Time limit and extension

Art. 78 (1) UniV

Art. 56 Time limit

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

Art. 78 (2) UniV

In justified cases and following an evaluation by the faculty, this can be extended for a maximum of two further years.

Art. 57 Requirements for an extension

¹ 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.

² 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.

³ In the event of pregnancy, familial care duties, illness or an accident, an extension for the benefit of the person concerned is normally considered justified.

⁴ Furthermore, an extension can be justified if the assistant professor is involved with time-consuming work in line with their position.

2.6. Assistant lecturers with tenure-track contracts

2.6.1. General provisions and the recruitment procedure

Art. 78a (1) UniV

Art. 58 Tasks

¹ 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

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

Art. 59 Professional and structural requirements

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

² 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.

³ 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

⁴ The position of assistant lecturer with a tenure-track contract requires a PhD.

Art. 78b (2) UniV

Art. 60 Announcement and procedure

¹ The faculty is responsible for the announcement.

² The recruitment procedure shall be governed by the provisions on the recruitment procedure for permanent lecturers set out in Article 39 of these Regulations.

Art. 61 Assistant tenure-track lectureship

¹ 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.

² 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.

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

2.6.2. Time limit, evaluation and reporting

Art. 78d (1) UniV

Art. 62 Time limit

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

Art. 78d (2) UniV

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

Art. 78c (1) UniV

Art. 63 Evaluation

¹ 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.

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

³ 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. 64 Evaluation: Responsible board

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

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

Art. 65 Reporting

¹ The Evaluation Board shall draw up the evaluation report.

² 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. 66 Request and statement of the faculty

¹ 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.

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

³ 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.

⁴ 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. 78d (3) UniV

Art. 67 Final evaluation and conversion of the lectureship

¹ 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

² 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.

³ 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.

⁴ 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.

⁵ The final report and the application shall be brought to the attention of the faculty. The latter may submit an opinion on the matter.

2.7. Teachers

Article 80 UniV

Art. 68 Teaching assignment

¹ Teachers have a teaching assignment at the university.

² A teaching assignment is awarded for a limited period of a semester or an academic year.

³ A permanent teaching assignment may be awarded in justified cases.

2.8. Visiting lecturers

Article 81 UniV

Art. 69 Visiting lecturers

¹ Visiting lecturers are lecturers from other, particularly foreign, universities that are working at the University of Bern on a temporary basis.

² 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.

2.9. Adjunct researchers

Art. 70 Adjunct researchers

¹ Faculties may introduce the status of an adjunct researcher.

² The University Executive Board shall decide on the introduction of the status at interdisciplinary centers.

³ The status is issued by the head of the relevant organizational unit to which the researcher is to be affiliated.

⁴ The University Executive Board shall govern the details, in particular concerning the rights and obligations related to the position, in separate guidelines.

2.10. Senior physicians I

Art. 79 (1) UniV

Art. 71 Tasks

Senior physicians I shall perform their tasks in teaching, research or service within their institute or another organizational unit.

Art. 79 (2) UniV ² They are independent and responsible for their teaching and research assignment.

Art. 79 (3) UniV ³ The position requires a habilitation or PhD.

3. Teaching and research assistants

3.1 Common provisions

Article 82 UniV **Art. 72 Objective**

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

cf. Article 86 UniV **Art. 73 Time limit and exceptions**

¹ 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,

cf. Articles 83b (1),
86 (1) and 87 (2)
UniV

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.

cf. Art. 83 (3) UniV ² The assistantship duration may not exceed 10 years or 12 years with the extension under paragraph 3. To calculate the assistantship period, positions in the various assistant categories are added together, with the exception of student assistant positions.

cf. Art. 83 (2) UniV ³ 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.

Art. 83 (2) UniV ⁴ 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.

3.2 Post-doctoral students

Art. 83a (1) UniV **Art. 74 Requirements and duties**

¹ The post-doctorate position requires a PhD.

- Art. 83a (2) UniV* ² The purpose of the post-doctorate is further academic qualification upon completion of the PhD.
- Art. 83a (3) UniV* ³ Post-doctoral students shall spend at least half of their working hours, calculated on a full-time basis, on their own academic qualification.
- ⁴ 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* ⁵ 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* ⁶ The post-doctorate position may not be combined with another university position.

Article 83b UniV **Art. 75** Time limit

- ¹ The duration of the post-doctorate position is normally limited to three years at first. That term shall be extendable. The maximum employment term is six years.
- ² 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. 76 Types of post-doctoral students

- ¹ 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.
- ² The tasks, responsibilities and incorporation of post-doctoral students are to be laid out in concrete terms and captured in a job description.
- ³ The post-doctoral students will be regularly evaluated by managers within the framework of annual appraisals.
- ⁴ The managers shall decide on the type of appointment as a post-doctoral student based on the employee's qualifications.
- ⁵ The managers shall make a timely decision on a change in the type of appointment as a post-doctoral student. There shall be no entitlement.

3.3 Senior physicians II

cf. Art. 50 (2) UniV **Art. 77** Scope

Unless they are subject to hospital legislation, senior physicians II shall fall under the scope of UniV and these Regulations.

Art. 84 (2) UniV

Art. 78 Requirements and duties

¹ The senior physician II position requires a Swiss medical degree, a faculty degree or an equivalent degree and normally the completion of specialist medical training.

Art. 85 (1) UniV

² Senior physicians II work in teaching, research and, where appropriate, in the service of their institute or another organizational unit.

Art. 85 (3) UniV

³ 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.

3.4 Research assistants (no dissertation)

Art. 87 (1) UniV

Art. 79 Requirements and duties

¹ The research assistant position requires a master's degree or equivalent degree from a university.

Art. 88 (1) UniV

² Research assistants work in teaching, research and, where appropriate, in the service of their institute or another organizational unit.

Art. 88 (2) UniV

³ In exceptional cases, they can author a dissertation. A minimum of one-third of their working hours can be spent on this work.

⁴ 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.

3.5 Assistant human/dental medicine physicians and veterinary-medicine assistants

Art. 50 (2) UniV

Art. 80 Scope

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

Art. 84 (3) UniV

Art. 81 Requirements and duties

¹ The assistant human/dental medicine physician and veterinary-medicine assistant positions require a Swiss medical degree, a faculty degree or an equivalent degree.

Art. 85 (1) UniV ² 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 ³ 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.

3.6 Student assistants

Art. 90 (1) UniV **Art. 82** Requirements
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.

4. Employed PhD students

Art. 83 Recruitment and salary

¹ The purpose of the PhD student position is academic qualification through the authoring of a dissertation.

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

³ In cases of hardship, the University Executive Board may extend the term of employment by a reasonable period.

Art. 89 (3) UniV ⁴ The University Executive Board shall determine the salary rates in accordance with the provisions laid down by the Swiss National Science Foundation (SNSF).

Art. 84 Additional functions

cf. Art. 89 (1) UniV ¹ 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.

Art. 89 (4) UniV ² In addition to their position as a PhD student, they may also work as a research assistant at a maximum employment level of 25 percent.

Art. 85 Requirements

¹ Appointment as a PhD student requires enrolment as a PhD student at the University of Bern.

² The appointment as a PhD student is tied to the fulfillment of regulatory requirements with regard to the existence of a doctorate or doctorate programme that are established in the doctorate or promotion regulations of the faculties and the curricula of the relevant doctorate programme.

5. Transitional provisions and entry into force

Art. 86 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. 87 Entry into force

¹ These Regulations shall enter into force on February 1, 2019.

² The provisions concerning post-doctoral students shall enter into force on August 1, 2019.

Bern, January 25, 2019

On behalf of the Executive Board of the University of Bern

Prof. Dr. Christian Leumann

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