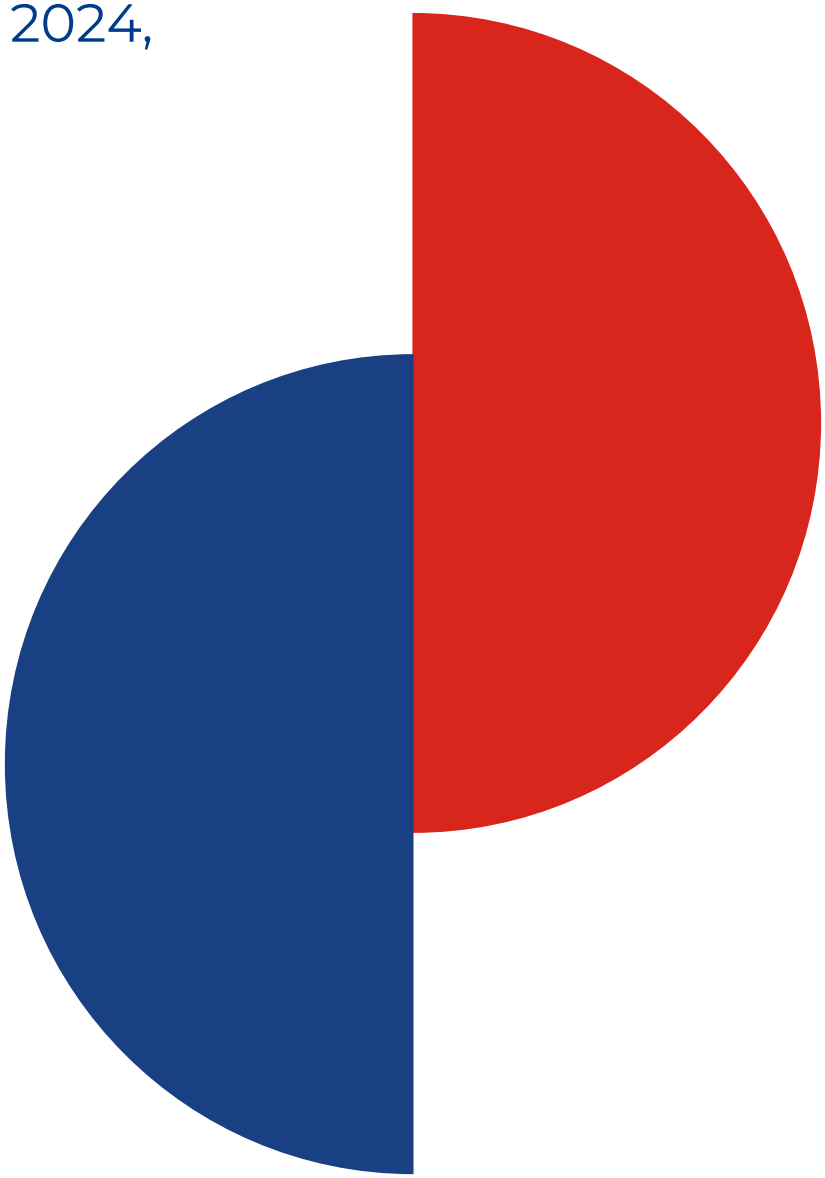
Instituto de Investigación Biomédica de Salamanca

IBSAL's OTM-R based recruitment procedure.

November 2024,



Scope and objective

The purpose of this manual is to establish the rules and guidelines for the recruitment of research and technical personnel for the execution of research activities within the Institute of Biomedical Research of Salamanca (IBSAL).

This manual shall apply to all recruitment of research staff who are linked to the institute through a relationship subject to employment law.

IBSAL may use all the modalities of contracting personnel contemplated in the Statute of Workers, in the Law of Science and other applicable regulations, and these may be contracts of indefinite or fixed duration, full or part-time.

The formalisation of the contract shall be in writing, establishing a trial period in accordance with the regulations applicable to each type of contract and in any case in the Workers' Statute, and always in writing in the contract and, where appropriate, in the Workers' Statute.

Case law

All recruitment and selection processes shall respect and comply with the following following principles according to the regulations:

- OTM-R Code, Open, Transparent and Merit-based Procurement from
- Researchers
- Spanish Constitution
- Workers' Statute
- Law 14/2011, of 1 June, on Science, Technology and Innovation.
- Law 17/2022, of 5 September, amending Law 14/2011, of 1 June, on Science, Technology and Innovation.
- Law 14/2007, of 3 July, on Biomedical Research.
- Royal Decree 103/2019 of 1 March 2019, approving the Statute of pre-doctoral research personnel in training.
- Transparency Law
- Data Protection Act
- Law on Effective Equality between Women and Men. 17 July 2015
- Organic Law 2/2024 of 1 August on equal representation and balanced presence of women and men.

In conclusion, the aim of this OTM-R policy is to make more attractive the research career , ensuring equal opportunities and facilitate mobility.

Requirements for participation in a call for proposals

There are two types of requirements for participation in this type of contract:

On the one hand, formal requirements, which are common to all contracts and are regulated by state legislation. On the other hand, there are specific participation requirements linked to the type of profile and work to be carried out.

Formal requirements

- Have Spanish nationality, the nationality of a member country of the European Union or be a foreigner with a residence and work permit in Spain. In the case of persons

with non-EU nationality, the formalisation of the contract is linked to obtaining a work permit, in accordance with the provisions of Organic Law 4/2000, of 11 January, on the rights and freedoms of foreigners in Spain and their social integration and the applicable regulations. Law 14/2013, of 27 September, on support for entrepreneurs and their internationalisation.

- Not suffering from any illness or physical or mental limitation incompatible with the performance of the duties.
- Be at least sixteen years of age and not be over the maximum age for compulsory retirement.
- Fulfil the established qualification requirements. In the case of qualifications obtained abroad, proof must be if they have been recognised or are in the process of being recognised.

Categories Contract professionals

The recruitment of researchers may be processed under the following PROFESSIONAL CATEGORIES:

Research Trainee (R1)

Category description: early career researchers working under supervision. They are not PhDs. Their contractual position is transitory and defined (≤ 5 years). Their functions and requirements are those established in article 21 of Law 14/2011 of 1 June on Science, Technology and Innovation.

Examples: Marie Curie ITN (EC), Río Hortega (ISCIII), FPI (MINECO), PFIS (ISCIII), Competitive calls of the IIS, Non-Doctorate Researchers contracted to carry out projects, etc.

a) Postgraduate researcher without master's degree (R1)

- Educational level: University Degree/University Degree
- Functions: research tasks aimed at training the R1 researcher in the framework of the development of the execution of a research project, agreement or contract. In addition to the functions that have been described in the call.

b) Postgraduate researcher with Master's degree (R1)

- Educational level: University Degree + master's degree
- Duties: research tasks aimed at training the R1 researcher who is already specialised within the framework of the implementation of a research project, agreement or contract. In addition to the functions described in the call for proposals.

Emerging Researcher (R2)

Recognised New Research Staff (R2A)

Description of the category: researchers benefiting from programmes for the recruitment of PhDs for the development of research, innovation and scientific specialisation activities in a line of research, or researchers benefiting from calls for research projects, agreements and contracts aimed at university graduates holding a PhD degree, in both cases, under the leadership of another researcher.

Examples: researchers from the Sara Borrell or Río Hortega programmes with a PhD degree (ISCIII), Juan de la Cierva, Marie Skłodowska-Curie Actions, AECC, etc.

- Educational level: University Degree + Master's Degree + Doctorate + at least 5 years of research experience.
- Duties: research tasks aimed at specialising and perfecting the researcher's already acquired and consolidated knowledge. In addition to the functions that have been described in the call.

Junior Research Doctor Leader (R2B)

Description of the category: postdoctoral researchers who, having completed the criteria required in the R2A professional category, start to be principal investigators of their own grants and who sign their publications as main author (first author, last signatory or corresponding author). They are project PIs or have been project PIs in their previous research career.

Examples: researchers from the Miguel Servet (ISCIII), Ramón y Cajal (MINECO), Joan Rodés (ISCIII), Marie Skłodowska-Curie, AECC, etc. programmes.

- Educational level: University Degree + Master's Degree + Doctorate + at least 5 years of research experience.
- Duties: research tasks aimed at specialising and perfecting the researcher's already acquired and consolidated knowledge. In addition to the functions that have been described in the call.

Senior Research Doctor (R3)

Category description: researchers who have completed the stabilisation programme (R2B) and researchers who, by means other than the aforementioned stabilisation programme, have obtained I3/R3 (or equivalent) certification, understood as that established in Article 22 and in the sixteenth additional provision of Law 14/2011, of 1 June, on Science, Technology and Innovation. Their contractual positions are permanent. They are PIs with a high level of independence, who have assumed the direction and coordination of one or several lines of research with autonomy, responsibility and independence, and demonstrate the capacity to coordinate a group of researchers.

Examples: stabilised researchers from the Ramón y Cajal, Joan Rodés, Miguel Servet or SNS (ISCIII) programmes, etc.

- Educational level: University Degree + Master's Degree + Doctorate + with more than 5 years of research experience.
- Functions: research tasks aimed at specialising and perfecting the researcher's already acquired and consolidated knowledge; the Senior Doctoral Researcher must start applying for research projects within competitive calls. In addition to the functions that have been described in the call.

Principal Investigator (R4)

Category description: researchers who, in addition to fulfilling the competencies required for R3 researchers, demonstrate a high level of research leadership based on their contributions to science, are skilled in project management and leadership, in the coordination and career development of other researchers, and have a proven ability to attract significant resources.

- Educational level: University Degree + Master's Degree + Doctorate + with leadership in a research group.
- Duties: carrying out research tasks and coordinating a research group and the equipment of the facilities, programming the activities of the team and applying for research projects. In addition to the functions described in the call for proposals.

Technical management staff in research:

Technical Staff:

- Research Assistant Technician
- VET Research Technician
- Research Nurse
- Graduate Research

UTG Management Staff:

- IBSAL Higher Management Graduate
- Graduate in Management IBSAL
- Administrative Management IBSAL
- Management Officer IBSAL

Recruitment procedure for research staff

Needs identification process and selection system

The preferred selective system is the public call for merit for the filling of vacancies. This call for applications must be carried out in accordance with the principles of equality, merit, capacity and publicity.

Funding

A precondition for launching a call for proposals is that full funding for the contract, including social security costs if applicable, is available.

Proof of willingness to finance must be provided in one of the following ways:

1. Resolution of a public body or private entity awarding funding for a research project that includes a differentiated personnel section or, failing that, does not establish the impossibility of hiring from the project.
2. Agreement with a public body or private entity that includes the dedication of part of the budget to personnel or, failing that, does not establish the impossibility of contracting.
3. Finalist contribution to the contract assigned to the activity.

Recruitment needs

The principal investigator of the project to be carried out will identify the recruitment needs, sending a project report and submitting a request to the IBSAL Management, specifying the characteristics of the vacancy to be advertised, identifying the qualification required, functional area, professional group and category, working day, type of contract, duration, place of work, and the project or work to which the vacancy is linked in the case of fixed-term contracts. This model includes a declaration of responsibility to be signed by the PI and the appointment of the Selection Panel (*Minimum two people from the service and one from the Technical Management Unit)*

The appointment of the Selection Board shall ensure that the selection process is conducted in a uniform and even-handed manner, ensuring a level playing field for all candidates.

Call for applications

The selection and recruitment process for research and technical staff will consist of three phases:

a) Publicity phase and receipt of applications.
b) Evaluation and selection phase.
c) Recruitment and on-boarding phase.

The contracting of research personnel shall be governed by the conditions of the respective calls for applications, subject to the principles of publicity, competition, objectivity, merit and capacity, as established in the current employment regulations of the IBSAL.

a) Publicity phase and receipt of applications.

Following the principles established by the HSR4R Quality Seal, the HR department, together with the principal investigator, will draw up an offer that is as clear and precise as possible, including

- Data or information
- Job profile, job title and number of vacancies offered:
- Unit publishing the offer and research group if applicable
- For contracts where this is required, the research project(s) to be financed shall be indicated.
- Professional category
- Description of tasks to be performed by the candidate, and if possible, whether it is a full time or number of hours of contract.
- Title of the post offered, the field of research in which it is to be carried out, the language in which the work is to be carried out and the expected starting date.
- Candidate requirements: mandatory and optional
- Criteria for the selection of candidates
- Conditions of employment offered: type of contract, gross annual salary range, working hours, expected duration in months, place of work, special conditions of the post.
- Information on the procedure for sending the application, by telematic means

- Final date for admission of applications, which should generally be at least 10 calendar days from the publication of the vacancy or indicate whether the vacancy will be open until the desired candidate is found.
- Details of the HR department to handle any clarification on the offer.

In addition, candidates must be able to register:

- Their membership in disadvantaged groups
- The justification for the leaps in his professional career.

Other information which must be included in the offer, but which may be available in hyperlinks: (included in the call for proposals)

- Assessment criteria on qualifications and experience, scale to be followed for prioritisation of candidates
- Composition of the selection committee, composed of the research staff of the project, the staff of the human resources department, ensuring gender parity in its composition.
- Career opportunities within the institution; careers
- Specific reference to policy
- Specific reference to the Institute's equal opportunities policies
- Express reference to personal data protection
- Mechanisms were established for appealing the decision on the selection of the candidate.
  The scale is in the call for proposals

While maintaining the same recruitment procedure, the differences between the job offers for the positions offered will lie in the corresponding scales for each contractual figure and area of performance and in the composition of the selection board.

Publication of tenders

The offers will be written in English and Spanish and will be published on the IBSAL website in the employment section and in EURAXESS JOBS of the European Commission.

The Technical Unit of IBSAL, through its Human Resources department, will be in charge of the management of recruited personnel and the publication of the offer. This process will last for an estimated period of one month, from the time the advertisement of the offer is requested until the selected person is hired.

All applicants must receive an e-mail, sent either automatically or manually, confirming that the communication has been received.

The Human Resources Department will be responsible for receiving all applications and will forward them to the members of the Selection Board within 5 working days from the day following the closing date of the selection process.

Evaluation

The publication of the offer will include the constitution of the Selection Board that will carry out the selection of the candidate. The PI/Head of Service will be the Chairperson of the Selection Board and will be responsible for appointing the person who will accompany him/her on the Selection Board as a Vocal Member, together with a person from Human Resources of the Institution who will act as Secretary. The Selection Board will follow the principles of professionalism, objectivity and impartiality and must have received training on how to conduct interviews.

The Selection Board may at any time request the incorporation of experts, who must be selected from among the members of the IBSAL Scientific Committee. In the case of the recruitment of R3 and R4, the presence of an expert will be a compulsory condition.

Each member of the Selection Board will sign a declaration of responsibility before the start of the selection process, declaring that he/she is not subject to any cause of incompatibility or conflict of interest and that he/she is committed to the confidentiality of the process.

1st Phase of the process:

All applications received will be evaluated, although in the first phase, applications that do not meet the requirements of the offer and that cannot be rectified in any case may be discarded. For those applications that can be rectified, candidates will be contacted so that they can rectify the situation within three calendar days.

This phase shall be conducted between the President of the Court and the Registry.

2nd Phase of the process:

The members of the Selection Board will have the documentation of the selection process at their disposal, so that they can analyse it.

Selection of candidates

The selection process will be divided into two phases:

1st Phase: Evaluation of merits: 0-45

Example of criteria to be evaluated: i) International mobility; ii) Knowledge transfer; iii) Publications; iv) Research experience; v) Knowledge of techniques...:

- Training and knowledge applicable to the post offered
- Professional experience: Aimed at determining the level at which the candidate, throughout his/her professional career, has carried out the tasks related to the post offered
- Publications, certificate of attendance at congresses, courses, etc.
- Training and skills for the job
    - Management of IT environments
    - Reading, spoken and written English

Any training in subjects related to the activities involved in the execution of the job offer will be an asset.

In the event that professional experience is valued, it must be valued positively and never be a reason for exclusion from a call for applications. Specifically, professional experience in similar positions with the same category and functions will be valued.

After the 1st phase, the selection board will include the result of this phase in the scale.

2nd Phase: Personal interview:

At least the three candidates with the highest score in Phase 1 will be called for interview, provided that the score in Phase 1 is more than half plus one, the Selection Board may call more candidates for interview. The Selection Board may propose that the call for applications be declared void if no candidate is suitable for the post. The interview may take place either in person or online.

This interview will cover the requirements set out in the call for applications.

After the interview, the Selection Board will include the result of the 2nd Phase in the Scores and will draw up the minutes after the evaluation of the process, and will proceed to sign them.

The minutes together with the Scale will be published on the website and will include the score of each of the candidates, together with the person selected. Candidates will be identified by means of a list with their initials and part of their DNI, thus anonymising the list.

If the selection board considers that none of the candidates is suitable for the post, the vacancy may be declared void.

The Human Resources Department of IBSAL will contact the candidates to inform them of the result of the selection process within a maximum period of 3 working days from the signing of the Act.

Optionally, comments on the strengths and weaknesses of the application may be sent to the rejected candidates.

Candidates may submit any complaints or claims within 5 calendar days, which will be dealt with within 5 calendar days.

Recruitment and on-boarding

Once the selected person has been notified, the Human Resources Department will begin the incorporation process, requesting the necessary documentation for recruitment.

Merit accreditation

The main documentary evidence of qualifications and merits is documentary. These documents include (among others):

- Official academic degree(s)
- Official certificates issued by the centres or bodies in which you have received further training.

- Professional experience
- Language accreditation
- Certificates of having benefited from grants and participation in research projects.
- Copies of publications, certificates of attendance at conferences, courses and the like, etc.
- Degrees obtained in countries other than Spain: Royal Decree 967/2014, of 21 November, 3 establishes the requirements and procedure for obtaining recognition of foreign higher education studies.

Reception of foreign staff

Recruitment of EU citizens

Workers' rights

Citizens of member countries of the European Union or the European Economic Area have the right to freedom of movement in Spanish territory. Free movement is one of the fundamental freedoms guaranteed to these citizens and implies that EU and EEA workers have the right to move freely to Spain to seek employment, work and reside in the country without discrimination on grounds of nationality and has certain implications:

Right to work: EU and EEA nationals have the right to work in Spain without the need to apply for a specific work permit. They can access the Spanish labour market under the same conditions as nationals, provided they comply with the specific requirements and conditions of employment.

No work visa: EU workers do not need to obtain a work visa before entering Spain. They only need a valid identity document, such as a passport or national identification card issued by their country of origin.

Labour rights: EU workers are entitled to enjoy the same working conditions and rights as national workers. This includes the minimum wage, working conditions, paid holidays, social benefits and other labour rights protected by Spanish law.

Right of residence: EU workers may reside in Spain for a period of more than three months if they have employment or sufficient means of subsistence for themselves and their families. It is not necessary to obtain a residence permit for the first three months of stay.

Family members: Immediate family members of an EU worker, who are also EU or EEA nationals, have the right to join them in Spain and enjoy the same residence and work rights.

Recognition of qualifications: Degrees and professional qualifications obtained in other EU or EEA countries must be recognised in Spain, facilitating entry into regulated professions.

It is important to note that the right to free movement also implies duties, such as respecting the laws and regulations of the host country and the obligation to contribute to the country's tax and social security system. In addition, free movement is subject to certain exceptions, such as temporary measures for reasons of public security or public health.

Residence requirements for EU citizens in Spain

Taking into account the premise of free movement within the EU, the requirements for hiring an EU foreigner were tightened as of 11 July 2012, in the case of residence for more than three months. This new regulation was based on Directive 2004/38/EC of the European Parliament and of the Council, which establishes the rights of EU citizens and their family members to move and reside freely within the Member States.

1. **Stay of less than three months:**

In this case, the possession of a valid passport or identity document by virtue of which entry into Spanish territory has been effected shall be sufficient, and such stay shall not be counted for the purposes of residence status.

This shall also apply to non-EU family members who are in possession of a valid and valid passport and who have fulfilled the entry requirements.

1. **Stay of more than three months:**

If your stay will be longer than three months, you will have to follow the steps explained below:

Registration in the Central Register of Foreigners:

Registration in the Central Register of Foreigners is one of the requirements for hiring an EU foreigner. EU citizens who wish to reside in Spain for a period of more than three months must register in the Central Register of Foreigners. This registration is obligatory and must be done in person at the Foreigners' Office in the province where they intend to reside or at the Police Station. This application must be submitted within three months from the date of entry into Spain, and a registration certificate will be issued immediately, stating the name, nationality and address of the person registered, their foreigner identity number, and the date of registration.

The documentation to be submitted is as follows:

- Application form for entry in the Central Register of Foreigners - EU Residence (Form EX18)
- Proof of payment of tax model 790 Code 012.
- Valid and valid passport or national identity card, as well as documentation accrediting compliance with the requirements for registration established in 7 of Royal Decree 240/2007. In the event that this document has expired, a copy of this and the renewal application must be provided.

The supporting documentation referred to in article 7 of RD 240/2007 is as follows:

1. (a) Employed persons shall provide a declaration of employment from the employer or a certificate of employment. These documents must include, at least, data relating to the name and address of the company, tax identification and contribution account code. In any case, the presentation of the employment contract registered in the corresponding Public Employment Service or document of registration, or situation assimilated to registration, in the corresponding Social Security scheme will be accepted, although it will not be necessary to provide this documentation if the interested party consents to the verification of said data in the files of the General Treasury of the Social Security.

2. b) Self-employed workers shall provide proof that they are self-employed. In any case, registration in the Census of Economic Activities or justification of its establishment by means of registration in the Companies Register or the document of registration or situation assimilated to registration in the corresponding Social Security scheme, self-employed contribution account code, will be accepted, although it will not be necessary to provide this documentation if the interested party consents to the verification of said data in the Files of the General Treasury of the Social Security or the Tax Agency.

Other formalities to be carried out

To hire a worker from the European Union (EU) in Spain, the formalities may vary depending on the specific situation of the employer and the worker. In addition to the registration in the general register of foreigners that we have already explained, we explain other requirements for hiring a foreigner from the EU:

Offer of employment: The employer must offer an employment contract to the EU worker that complies with the appropriate working conditions and salaries, in accordance with Spanish labour laws and regulations.

Obtaining a Foreigner Identification Number (NIE): EU workers must obtain a Tax Identification Number (NIE) in Spain. The NIE can be applied for directly in Spain or at the Consular Office of the place of residence of the interested party. The NIE processed through the Consular Offices allows you to carry out procedures before the Spanish Public Administrations, but it is not valid for residence nor does it accredit residence in Spain. For stays in Spain of more than 3 months, the NIE application must be processed directly at the immigration offices.

Affiliation and registration with social security: The employer must register the worker with the Spanish Social Security and obtain an affiliation number for the worker (NAF). Once this procedure has been completed, the company can proceed to register the worker with the social security system.

If the worker does not have a NIE, there is the possibility of temporarily registering with the passport and then communicating the NIE to the TGSS:

1. A) In person, by presenting a copy of your passport and an APPLICATION FOR AFFILIATION NUMBER (FORM TA.1) at the Social Security Treasury Registry in the city where you live.
2. B) By INTERNET, without having a digital certificate, by accessing the TA.1 form, filling it in and sending it following the instructions through the social security access .

Subsequently, the social security will reply to the e-mail address you have entered in the previous step, with the affiliation number. Sometimes they may request additional information by e-mail (portal.noreply@ser-social.es), usually the following:

- Form TA-1 duly filled in (correcting errors)
- Certificate of registration as a member of the European Union or, in the case of not having it, Pre-contract or employment contract, or any other document that accredits that they are going to carry out professional activity in our country or, failing that, the TA-1 form signed and stamped by the company.
- Valid identification document: Passport or identity card of the country.

Employment contract: The employer and the worker must sign an employment contract that meets the legal requirements and sets out the working conditions, salary, working hours and other relevant aspects. The contract must be registered with the SEPE as it would be for any national worker. If the worker does not have a NIE and the company decides to register a worker with a passport, an authorised person should physically go to the corresponding SEPE offices, so that they can assign the worker (EU citizen) a provisional code in order to be able to communicate the contract. Subsequently, when the worker finally had the NIE, he/she would have to communicate it again to the office so that it could be assigned to replace the provisional code referred to above.

Notification of tax situation to the Inland Revenue: Once the NIE has been applied for, the worker must also apply for registration in the Census of Tax Obligated Persons of the AEAT and provide: Form 030.
Important: If there is a spouse and both make the application simultaneously, a single form may be used, marking the boxes in the cause of presentation corresponding to the interested party and the spouse. In these cases, the form must be signed by both spouses.

1. Foreigner's identity number (NIE) card

From that moment onwards, the worker may prove their tax residence in Spain by means of a certificate issued by the AEAT (Spanish Tax Agency). The period of validity of these certificates is extended to one year.
Recognition of qualifications (if necessary): If the job requires specific professional qualifications, the EU worker must ensure that his or her diplomas and qualifications are recognised in Spain in order to exercise the corresponding profession.

Recruitment of non-EU foreigners

(we will put you in contact with workers who have completed the procedures).

Article 72 of Law 14/2013 provides for applications for residence for training, research, development and innovation.

Information on the online submission (online submission via the Ministry's website is mandatory) of applications for residency regulated by Law 14/2013 can be found at the following website:

https://extranjeros.inclusion.gob.es/UnidadGrandesEmpresas/es/solicitudes/index.htm

1. Foreigners who intend to enter Spain, or who, being holders of a residence and stay permit, wish to carry out training, research, development and innovation activities in public or private entities, must be in possession of the corresponding visa or residence permit for training or research, which shall be valid throughout the national territory, in the following cases:

a) Research personnel referred to in Article 13 and the first additional provision of Law 14/2011 of 1 June 2011 on Science, Technology and Innovation.

b) Scientific and technical personnel who carry out scientific research, development and technological innovation work in business entities or R&D&I centres established in Spain.
c) researchers hosted under an agreement by public or private research organisations.
d) Lecturers employed by universities, higher education and research bodies or centres, or business schools established in Spain.

-The application form can be found at this link:
http://extranjeros.inclusion.gob.es/es/ModelosSolicitudes/ley_14_2013/index.html

An application is submitted and a fee is paid for each family member.

You will find the form 038 for the payment of the fee for the processing of the residence permit regulated by law 14/2013 at the Internet address:

https://sede.inclusion.gob.es/-/autorizaciones-de-trabajo-y-residencia-tasa-038#

Here you will find a model for the granting of representation that can be adapted to the law 14/2013:
http://extranjeros.inclusion.gob.es/ficheros/Modelos_solicitudes/mod_comunicaciones/DESIGNACION_DE_REPRESENTANTE.pdf
The deadline for the resolution of the application will be 20 working days (Saturdays, Sundays and public holidays are not taken into account).