

University of Mitrovica “Isa Boletini”  
Human Resources Manual



**University of Mitrovica “Isa Boletini”**

**HUMAN RESOURCES**

**MANUAL**

Mitrovica, December 2019

## **HUMAN RESOURCES MANUAL**

### **INTRODUCTION**

The Human Resources Manual aims to provide a set of policies and rules on:

Rights and responsibilities, recruitment processes, supervision, performance appraisal, promotion, support processes and professional development for academic and administrative staff.

The manual will be accessible to all academic and administrative staff.

This manual is not intended to replace the laws and other by-laws or internal acts of the University of Mitrovica "Isa Boletini" for academic or administrative staff but will be a facilitating tool in the use of staff to be informed and make individual decisions regarding all processes that follow academic and administrative staff.

The manual consists of two main parts:

- I. Rights and responsibilities, recruitment processes, supervision, performance evaluation, promotion, support processes and professional development for academic staff.
  
- II. Rights and responsibilities, recruitment processes, supervision, performance appraisal, promotion, support processes and professional development for administrative staff.

#### **I. RIGHTS AND RESPONSIBILITIES, RECRUITMENT PROCESSES, SUPERVISION, PERFORMANCE EVALUATION, PROMOTION, SUPPORT PROCESSES AND PROFESSIONAL DEVELOPMENT FOR ACADEMIC STAFF.**

### **The rights and responsibilities of academic staff**

The rights and responsibilities of the academic staff are set out in the UMIB Provisional Statute (Articles 165 - 170):

1. Academic staff has freedom of expression. They have the freedom to question and test acquired knowledge and express new ideas, dissenting or unpopular opinions without putting themselves at risk of losing their jobs or any privileges they may have with the University.
2. Academic staff shall have the freedom to publish the results of their research and creative work subject to the regulations of this Statute concerning the use of intellectual property rights for the benefit of the university.
3. The academic staff of the University is obliged to respect:
  - The spirit of humanism;
  - University autonomy;
  - Freedom of scientific and artistic creativity;
  - University acts and decisions based on them;
  - Principles of professional and scientific honesty;
  - Code of Ethics;
  - University reputation and improve it.
3. The academic staff of the University during the educational process is obliged to fulfill the following duties:
  - To prepare and deliver lessons, seminars, exercises and other forms of lecture;
  - Prepare university textbooks and relevant literature for study within the subject structure;
  - Supervise seminar papers, bachelor's and master's degrees, doctoral dissertation papers and other student research;
- 1.4. Ensure unobstructed examinations during the exam deadline.
4. Personnel shall regularly attend meetings of bodies and committees designated as members and perform such duties with dedication and sincerity.
5. In the event of a conflict of interest regarding the content, delegated staff members shall not attend meetings of the University's governing bodies.
6. Staff has the right to peaceful assembly and the right to form trade unions, staff unions or professional unions to represent their collective interests before the authorities of the University and for other purposes provided by the Law on Higher Education of Kosovo.
7. Academic and non-academic staff has the right to challenge decisions made by University bodies, academic units or organizational units about their rights, obligations and responsibilities.

## **Academic staff**

Based on the Provisional Statute, the academic staff of the University shall be persons engaged in:

- Academic teaching;
- Scientific research;
- Artistic creativity.

The academic staff consists of:

- Full Professors;
- Associate Professors;
- Assistant Professors;
- Temporary lecturer. This call (rank) will only be temporary for the founding stage;
- University assistant;
- Lecturers.

The official abbreviations for academic staff are:

- Full Professor - Prof. Dr.;
- Associate Professor - Prof. Assoc. Dr.;
- Assistant Professor - Prof. Ass. Dr.;
- University assistant - Ass.

## **Recruitment of academic staff**

The recruitment of academic staff is a transparent process and the appointment is made through public competition (Article 153, paragraph 4 of the Provisional Statute of UMIB). Based on the Provisional Statute of UMIB and Administrative Instruction (MLSW) No. 07/2017 on the regulation of public competition procedures in the public sector, the University of Mitrovica has issued Regulation no. 1201 dated 11.09.2018, which sets out the procedure and criteria for the selection, promotion and appointment of academic staff. This regulation also regulates matters concerning the procedures and appointment of academic staff which are not expressly regulated by the UMIB Provisional Statute.

## **Criteria for appointment to academic call**

The evaluation procedure for promotion or appointment to the academic call is based on the criteria arising from the following activities:

- Research activity
- Scientific activity and
- Professional activity

In order to advance or nominate candidates for the respective academic call, the minimum criteria set forth in the UMIB Provisional Statute are required (Article 155 - Full Professor, 156 - Associate Professor, 157 - Assistant Professor, 158 - Lecturer, 159 – University assistant and 160 – Lecturer of foreign languages) as well as the criteria provided by Regulation no. 1201 dated 11.09.2018, which sets out the procedures and criteria for the selection, promotion and appointment of academic staff, respectively the publication of a certain number of scientific papers in international journals depending on the academic call.

### **Equivalence of degrees**

The basic or equivalent ranks of academic staff in some subjects at the Faculty of Education, for appointment to academic degrees, are as follows:

1. For the appointment to the post Full Prof., Associate Prof. or Assistant Prof., dr. of science degree (for theoretical subjects) or equivalent Mr./Ma degree in arts (for art subjects);
2. For the appointment to the assistant or co-repetiteur degree, Mr./Ma degree of arts.

### **Duration of appointment and restrictions on appointment**

1. All appointments for titles and the duration of employment shall be in accordance with the relevant provisions of the Provisional Statute of the University of Mitrovica.
2. Advancement is not an automatic process, but it is competitive and deserved for all positions.
3. The first call received at UMIB for the category of teacher is Assistant Prof., and during the advancement process it is not allowed to override the calls foreseen by the UMIB Statute.
4. The call received at UMIB may be revoked only in the following cases:
  - Falsification or fraud during the assessment or exam;
  - Plagiarism or copyright infringement in the preparation of a diploma or other written work;
  - Other unethical practice.
5. The age criterion set forth in Article 159 of the UMIB Provisional Statute shall apply to candidates applying for the establishment of a regular employment relationship and shall be considered until the closing date of the competition. If a candidate has been engaged at the University of Mitrovica as an external associate or with an honorarium before the age set forth in Article 159 of the Statute, this does not mean that the age criterion provided for in the Statute does not apply to the same at the time of establishment of a regular employment relationship.
6. At the University of Mitrovica recruitment/hiring of candidates is not allowed within any of the basic organizational structures (department /branch or program), if within those

structures candidates have a close family member employed or hired (in the spousal relationship, parent-child, brother-sister, sister-sister, brother-brother and vice versa).

7. Foreign nationals and stateless persons in the Republic of Kosovo shall establish employment in accordance with the Labor Law, under the conditions and criteria set out in a separate law on employment of foreign nationals and in accordance with international conventions.

### **Manuscripts in publication**

Manuscripts of papers that have been accepted by scientific journals but are in the process of publication are accepted if the candidate submits confirmation of acceptance of the paper.

### **Personnel engaged**

The criteria set for the appointment of full-time academic staff at the University are the same for the staff engaged, exceptionally if in competition there is no candidate who meets these criteria.

### **Competition procedures**

1. The selection procedure for appointment, reappointment or promotion shall be carried out in a transparent manner with the announcement of a public competition for the position.
2. The competition for appointment, reappointment and promotion shall be announced by a decision of the Senate, after the approval of the proposals of the Faculties.
3. Faculties may not apply for vacancies related to full time staff that has less than 12 months until retirement, unless the accreditation of the respective program is at risk.
4. The competition is announced on the University website. The duration of the competition is fifteen (15) calendar days.
5. Applicants must submit the required documents in printed form (hard copy) and electronically.
6. The printed documentation (hard copy) should be submitted to the relevant Faculty and the electronic version at the official address of the University of Mitrovica ([punësimi.akademik@umib.net](mailto:punësimi.akademik@umib.net)).

### **Evaluation Committees**

1. The Faculty is obliged to appoint an evaluation committee for each position announced in the Competition.
2. Within (10) days after the competition is opened, the Dean of the Faculty shall convene a meeting of the Faculty Council in which a decision is made to establish the evaluation committees and the appeals committee consisting of 3 (three) members.
3. The management bodies of the faculty and relevant departments as well as the members of the evaluation committees may not be members of the appeals committee.

4. The evaluation committee is proposed by the professors at the department / branch or program level and approved by the faculty council.
5. Evaluation committees are bodies of high professional, academic and ethical credibility.
6. Evaluation committees must have at least 2 (two) members from the narrow field of subjects for which the competition has been announced.
7. The members of the evaluation committee should have higher academic calling or at least the same position as the candidate applied for.
8. The member of the evaluation committee with the highest academic call automatically is the chairman of the committee. In cases where more than one member of the commission has the highest calling respectively, in cases when all the members of the commission have the same calling as the position for which the candidate has applied, the oldest member shall be the chairman respectively the member appointed by consensus.
9. In the absence of sufficient number of professors as in 6 and 7, professors from other departments may be appointed as part of the evaluation committee, but in this case the chair of the committee should be from the professors of the department for which they are evaluating applications.
10. The members of the evaluation committee may also be from other universities in the country and abroad. In this case, at least 1 (one) committee member is internal - from the University. In cases when the evaluation committee has two (2) external members, the internal member is automatically the chairman of the committee.
11. In the absence of members in regular employment relations as in 6, 7 and 9, the members of the evaluation committee may be retired persons who have the necessary academic backgrounds in the relevant field and who have not reached the age of 70 years old.
12. In the case of justified reasons, the member of the commission may, within five (5) days after the establishment of the evaluation committee, declare in writing his withdrawal from the commission. In this case, the Dean of the Faculty within 7 (seven) days convenes the meeting of the Faculty Council and in case of resignation, requests from the Council to complete respectively the formation of the other evaluation committee.
13. The faculty administration should provide all the necessary documentation to the evaluation committee.
14. The chairman of the evaluation committee is obliged to call the other members of the committee and to draft the evaluation report.
15. The evaluation committee is obliged to submit the evaluation report to the candidates who have applied for the assigned position within 15 (fifteen) days after the closing of the competition.
16. The relevant Faculty Council has the right to change the composition of the evaluation committee, respectively to form a new commission if it is found that the committee has not respected the deadlines set forth in this regulation in relation to the evaluation report.

17. After changing the composition of the evaluation committee, the Faculty Council gives the committee another 10 (ten) additional days to draft and submit the report on the candidates presented in the competition.
18. The evaluation committee is obliged during its work to comply with the provisions of the Law on Higher Education, University Statute, internal regulations, competition conditions and other applicable laws and by-laws.
19. The evaluation committee is obliged to give priority to candidates who meet the necessary criteria and who, based on their overall evaluation of their scientific / artistic, professional and academic activity, are better than the other candidates. The Commission should justify the recommendation made in the spirit of this paragraph.
20. The report of the evaluation committee should make clear the proposal for the nomination, reappointment or promotion of the candidates in the required number with the competition and to distinguish it from the proposal for the candidates who have not been selected.
21. The evaluation committee is obliged to write a report on candidates who meet the minimum requirements but who are not nominated. For candidates who do not meet the minimum requirements, it is sufficient to state the conditions that have not been met.
22. After drafting and signing the report by all three (3) members, the chair of the evaluation committee is obliged to submit the report to the relevant Faculty Council.
23. If any member of the evaluation committee has a different opinion on the proposal for the nomination, reappointment or promotion of the candidate, that member is obliged to submit a "separate proposal" to the relevant Faculty Council. The assessments in the report shall be made in accordance with the criteria and requirements set out in the Statute and detailed in the internal regulation. In such cases, the Faculty Council discusses both proposals and submits to the Rectorate the proposal that has been approved by the Council, including information on dissenting opinions. The Faculty Council reserves the right to reject both proposals, but cannot approve both proposals for the same position.
24. The report of the Faculty Council should make clear the proposal for the appointment, reappointment or promotion of the candidates in the number required by the competition.
25. The members of the evaluation committee shall have legal, disciplinary and ethical responsibility for the truthfulness of the data stated in the evaluation report and for the recommendations they make shall be sanctioned in accordance with the code of ethics and other applicable legal provisions, if they are clearly contrary to UMIB Statute and internal regulation.

#### **Procedure after submission of the report by the evaluation committee**

1. The Faculty Council, after submitting the report by the evaluation committee, is obliged that in the next meeting, not later than 7 (seven) days, to review the report and ascertain the performance of the work in relation to the report of the evaluation committee.



2. The Council of the relevant Faculty, after holding the meeting and ascertaining the status of the evaluation reports, shall within 3 (three) days forward the evaluation reports in electronic version to the University Academic Affairs Office.
3. The University Academic Affairs Office is obliged, within 7 (seven) days after receiving the evaluation reports from the Faculty Councils, to compile the bulletins and publish them on the University website.
4. Bulletin must remain published on the University Website for a period of 15 (fifteen) days from the date of publication.
5. The Office of Academic Affairs, if it finds that any of the reports submitted by the relevant Faculty Council are inaccurate with documentation, should then request the Vice Rector for Learning to oblige the relevant Faculty to complete the documentation before it appears in the Bulletin .
6. During the publishing phase of the evaluation committee reports in the Bulletin, dissatisfied candidates have the right to submit a complaint to the relevant Faculty Council.
7. Candidate complaints should be submitted to the administration of the Faculty concerned.
8. The Faculty Council is obliged, after the expiration of the Bulletin deadline, within 10 (ten) days, to evaluate the reports of the evaluation committees and to decide whether or not to approve those reports.
9. In reviewing the reports, the Faculty Council is also obliged to review the report of the complaints committee regarding the complaints of the candidates submitted at the stage of publication of the Bulletins and to provide written responses to the complaints.
10. The Faculty Council is obliged to submit to the University Academic Affairs Office, within 3 (three) days, after reviewing and approving or not the reports of the evaluation committees, the relevant decision and other details regarding the review of appeals.
11. The Office of Academic Affairs, if it finds that there is any omission in the material submitted by the respective Faculties, is obliged to inform the Vice-Rector for Teaching and the Vice-Rector for Teaching to request the Dean of the respective Faculty to complete the subjects.

### **Review of the proposals of the Faculty Council in the Senate**

1. The Committee on Studies shall serve as an advisory body to the Senate.
2. Proposals of academic unit councils for the election of members of the academic staff are first considered by the Committee on Studies, which recommends the Senate to accept or reject the proposal.
3. If the proposal is rejected by the Senate, it shall be referred back to the Academic Unit Council for reconsideration.
4. If the Academic Unit Council makes the same proposal, after reconsideration, the Senate shall make a final decision.

5. The decision of the Senate to approve or reject the proposal of the Faculty Council shall be made within 60 (sixty) days. In case the Faculty Council referred back the proposal for reconsideration, the decision in the Senate is taken within 30 (thirty) days.

### **Decision on election, period of appeal and duration of competition**

1. The procedure for voting in the Senate for the election of members of the academic staff shall be in accordance with the Rules of Procedure of the Senate.
2. In case the member of the academic staff does not receive the necessary votes for promotion, he / she shall be reappointed to his / her calling.
3. The decision of the Senate may be appealed to the Senate Appeals and Complaints Committee no later than 15 (fifteen) days after receipt of the notification of the decision.
4. The competition for the appointment, reappointment or promotion of academic staff must be concluded by the relevant decisions of the UMIB Senate for all places announced not more than 175 days after its publication.
5. For special cases before the proposal is submitted to the Senate, upon the request of the Rector, the entire procedure may be extended to a maximum of 30 (thirty) days.
6. If the competition is not carried out in whole or in part within the deadline set forth in paragraph 4 of this Article, then the relevant unrealized places may be re-announced in the next competition as requested by the faculty.

### **Employment contract**

Pursuant to Article 149 of the Provisional Statute all jobs will be based on full-time and part-time contracts.

On the basis of the decisions on call selection, contracts for teachers will be issued for 4 (four) years and assistant contracts will be issued for 3 (three) years.

Pursuant to the Labor Law in force, a contract for a specified period that is renewed clearly or self evidently for a period of employment longer than ten (10) years shall be deemed to be a contract for an indefinite period of time.

### **Performance evaluation**

The evaluation of the academic staff is done in accordance with the work plan of the office for quality assurance and the quality assurance guide, at least on a formal annual basis and includes: self-assessment; evaluation by direct managers; student evaluation at the end of each semester,. A report with general findings is made public, and in specific cases based on the results, the dean of the academic unit discusses the findings with the staff and jointly makes an improvement plan.

### **Criteria for advancement**

As noted above in this manual, the evaluation procedure for advancement or appointment to an academic degree is based on the following criteria:

- Research activity
- Scientific activity and
- Professional activity

### **Promotion, support processes and professional development of academic staff**

UMIB has approved the Personnel Development Plan. The plan is based on three strategic objectives:

1. Development and promotion of academic staff;
2. Supporting academic staff in scientific research and
3. Support academic staff in publishing publications.

The Academic Staff Development Plan is intended for full time academic staff at UMIB faculties, with the aim of developing and advancing teachers in research and pedagogy, in order to ensure quality academic performance in study programs. The plan for the development of academic staff also has a great deal of financial support from UMIB's financial resources. A number of activities specified under the academic staff development plan are related to activities carried out by the Ministry of Education, Science and Technology and joint programs with other public universities in the framework of cooperation, as well as projects where UMIB is a beneficiary and does not require budgeting from UMIB.

Upon hiring new staff, they will be offered maximum support from subject professors and management, ranging from the head of department to the dean. He / she will be provided with all internal documents and regulations that will serve as an initial orientation to ensure familiarity with the institution and the services provided by the institution. Through this Human Resources Manual he / she will be introduced to the rights and responsibilities of staff as well as the opportunities for professional development of academic staff. He / she will also be provided with a student handbook in order to have an initial knowledge of students' rights and responsibilities, study rules, ways of teaching and student assessment. As part of the implementation of the student handbook, he / she will also gain initial knowledge on the electronic management of student files OFFICIAL MANAGEMENT SYSTEM (SMU). The staff will also be part of the department meetings so that in joint meetings with the academic staff, through the induction process, it is incorporated as soon as possible into all the developments taking place in the programs and the priorities set by the institution regarding development of the department where he is appointed. In the case of new staff in the capacity of assistant, each of the assistants also has a mentor teacher for the subject areas for which the assistant is appointed.

## **Disciplinary procedures**

Regulation xxxx dated xxx on disciplinary measures and procedures against academic staff defines disciplinary procedures and measures applicable in cases of disciplinary liability of UMIB academic staff, in accordance with the University Statute, Code of Ethics and other acts of laws and by-laws applicable on the University.

The alleged violation is initiated at the disciplinary committee of the relevant academic unit, respectively the UMIB Ethics Council, depending on the nature of the disciplinary violation.

The Disciplinary Committee of the respective academic unit evaluates slight violations. The Disciplinary Committee has 3 (three) members, at least one of whom should have the title of professor.

The violation deemed to be a severe violation fell within the exclusive competence of the Ethics Council. The decision of the Ethics Council must be confirmed in the University Senate, respectively the Governing Council, depending on the legal and statutory competences. The Ethics Council is comprised of four members of academic units with four-year mandates and a representative of Student Parliament with two-year mandate.

Competent entities in identifying and reporting suspected slight disciplinary violations are:

- Dean of the academic unit;
- Heads of departments of the academic unit;
- Academic staff should contact the dean of the academic unit for the alleged violation.

To the Ethics Council for disciplinary violations may address:

- Academic unit councils based on violations found by their disciplinary committees appointed by academic unit councils;
- Dean of the academic unit;
- Rector of UMIB;
- Governing Council, and
- Other stakeholders as defined by the Code of Ethics.

Disciplinary violations are classified into:

- Slight violations; and
- Severe violations.

### **Slight violations**

A slight disciplinary violation is considered a low-risk violation that does not substantially affect the employment relationship for university staff. These violations include:

- Unjustified disrespect of working hours;
- Within the calendar year three unreasonable absences of one day duration;
- Failure to keep records and official data's related to work duties on a regular basis;
- Failure to organize and hold the exams according to the schedule and publish the results of the exams according to the deadlines;
- Non-implementation of decisions made by the academic unit management, including transparency, evaluation level and management level decisions;
- Other violations caused by negligence.

If the slight offenses are repeated and for which there are at least 3 (three) decisions of disciplinary measures, then such violation constitutes in itself a severe violation.

### **Severe violations**

Serious disciplinary violation is considered, the violation which fundamentally affects the employment relationship for university staff. These violations include:

- Severe violation of the Code of Ethics;
- Any legal infringement that runs counter to the university's activities;
- Providing false data, concealing or falsifying official documents and not presenting it to the relevant body ex officio;
- Manipulation of evaluation processes and other scientific work;
- Intentional, unlawful gain in connection with the process of evaluating academic performance;
- Processing decisions of university bodies, without going through the legal voting procedure;
- Exercising physical violence, psychological pressure, harassment or any discrimination against university staff or students by abusing dignity that causes hostility or fear in the workplace;
- Willful damage to the institution's property;
- Working under the influence of narcotic or alcoholic substances;
- Deliberate failure to perform the duties and responsibilities set forth in the contract or decision;
- Deliberate failure to comply with rules relating to the safety and health of personnel;
- Failure to respect copyright and ethics in scientific publications;
- False statement of conflict of interest;
- Misuse, respectively unauthorized use of public funds for personal gain or in the interest of third parties;
- Carrying out activities that conflict with the interests of the university;
- Actions that impede or disable others in the performance of their official duties;
- Hiding facts for official purposes or disclosing confidential information;

- Deliberate concealment of facts in the process of recruiting and promoting academic staff;
- Abuse of university authority and name for personal gain outside the university;
- Abusing a managerial position by favoring or discriminating against and denying the rights of academic staff, contrary to the criteria and legal procedures of the university which are guaranteed by the constitution or applicable laws;
- If within a period of one (1) year there are 3 (three) slight violations imposed by the Disciplinary Committee that receive final status in administrative proceedings;
- Severe disciplinary violations can only be committed through direct will, which must be justified.

### **Measures for disciplinary violations**

For violations set forth in the Code of Ethics and regulations, employees shall be subject to one of the following penalties:

- Verbal warning;
- written warning;
- halting of daily wage;
- denial of involvement in evaluation committees for the next 3 years;
- denial of involvement in teaching at all levels for the next 1 (one) year;
- demotion - degradation;
- non-promotion for up to 3 (three) years;
- reduction in academic call;
- revocation of a scientific degree;
- termination of employment.

Punitive measures: verbal warning, written warning, halting of daily wage, and denial of involvement in evaluation committees for the next 3 years, will be imposed for slight violations in accordance with applicable laws and by-laws. These disciplinary measures are imposed by the Disciplinary Commission of the academic unit.

Punitive measures: denial of involvement in teaching at all levels for the next 1 (one) year, demotion, non-promotion for up to 3 (three) years, reduction in academic call, revocation of a scientific degree and termination of employment are pronounced for severe violations of duties and other provisions that contravene applicable laws and by-laws. These disciplinary measures are proposed by the University Ethics Council for approval by the Senate, respectively the Governing Council.

## **Right of appeal**

The decision of the Disciplinary Committee, in the case of slight violations, may be appealed to the Ethics Council.

The decision of the Ethics Council as a second instance for slight violations is final in the competent bodies of UMIB.

The Senate's decision as a first instance for severe violations can be appealed to the UMIB Governing Council.

A party dissatisfied with the final decision of the competent authority within the UMIB may open an appeal procedure with the relevant inspectorate or even a judicial-administrative dispute procedure against such a decision under administrative conflict legislation.

### **I. RIGHTS AND RESPONSIBILITIES, RECRUITMENT PROCESSES, SUPERVISION, PERFORMANCE ASSESSMENT, PROMOTION, SUPPORT PROCESSES AND PROFESSIONAL DEVELOPMENT FOR ADMINISTRATIVE PERSONNEL**

#### **Administrative staff**

According to the Provisional Statute of UMIB, Article 152 "The non-academic staff of the University shall be persons who are engaged in: Leadership and professional duties; Administration and Technical Affairs. The specific responsibilities and qualifications for each position will be determined by the job description in accordance with the legislation in force.

Based on Law no. 03 / L-149 on the Civil Service of the Republic of Kosovo and the bylaws regulating the procedures

- recruitment,
- probation work,
- appointment
- salary supplements and other allowances,
- working hours,
- holidays,
- evaluation,
- job descriptions,
- career development and advancement,
- code of conduct,
- disciplinary procedures,
- resolving of disputes and complaints,
- complaints procedures to the Independent Oversight Board for the Kosovo Civil Service,
- transfer etc,

UMIB administration employees are civil servants.

There are two categories of employees in the Kosovo Civil Service:

- the positions of career civil servants - who exercise their functions on a permanent basis to achieve overall institutional objectives; and
- positions of non-career civil servants - who exercise functions of limited duration up to two (2) years, for implementation of certain projects, temporary replacement of permanent civil servants and in cases of overloading.

The admission procedures for the positions of career and non-career civil servants are based on the same principles.

Personnel employed in the Civil Service are divided into four (4) functional categories:

- senior management civil servants;
- management level civil servants;
- professional civil servants;
- civil servants of technical-administrative level.

### **Rights and obligations of administrative staff**

In accordance with the legislation in force Law no. 03 / L-149 on the Civil Service of the Republic of Kosovo and the Law on Public Officials no. 06 / L-114 of the Republic of Kosovo, the rights and responsibilities of non-academic staff - administration are:

Rights of administrative staff:

- The right to appropriate working conditions;
- The right to salary and fair remuneration;
- The right to join unions and professional associations;
- The right to strike;
- Political rights;
- The right to education and vocational training;
- The right to information and bias.

Obligations of administrative staff - public official:

- Obligation to respect the law, protect the state interest and human rights;
- Obligation to execute professional duties and orders and to reject illegal orders;
- Obligation of good management of state property;
- Obligation of accountability;
- Obligation to declare and avoid conflict of interest;
- Obligation of transparency and confidentiality;



- Obligation for professional development.

### **Recruitment of administrative staff**

Recruitment procedures are regulated by Regulation no. 02/2010 on Civil Service Recruitment Procedures. This Regulation establishes unique recruitment rules and procedures in the Kosovo Civil Service in accordance with the Law on the Civil Service of the Republic of Kosovo.

All recruitment procedures are aimed at implementing the annual staff plan of the University, in accordance with the authorization of these positions by DCSA / MPA and foreseen in the budget of the Republic of Kosovo.

Admission to the Kosovo Civil Service is done in accordance with the principles of merit, professional ability, impartiality, equal opportunities, non-discrimination and equitable representation, based on public competition and after verification of the candidate's ability to act.

The civil service has the right to hire adult citizens of the Republic of Kosovo who are fully capable of acting, possess civil rights, have the necessary educational background and the professional ability to perform executive, managerial or implementation of administrative functions and who have the physical abilities required for the position.

Admission to the Kosovo Civil Service can be completed up to 1 (one) year before the retirement age.

In accordance with European principles of free movement of workers and non-discrimination, foreigners who possess the necessary qualifications for the job can be admitted to the Kosovo Civil Service. The government defines some basic state functions (related to state sovereignty) that can be restricted to Kosovo citizens only.

### **Announcing recruitment**

Recruitment for vacancies should be announced publicly. Recruitment procedures, which take place without the publication of the recruitment announcement or, which are conducted in cases where the announcement is not approved by the MPA, are invalid.

### **Content of the announcement - the competition**

Announcement - competition contains:

Name of the recruiting institution; job title and reference number; the functional category and rank of the position based on the job classification standards used in the Kosovo Civil Service; determining the location of the position; a brief outline of job descriptions describing the purpose of the job, as well as key duties and responsibilities; conditions for participation in the recruitment process; if the competition procedure is open to external candidates as well as existing civil servants or if it is an internal procedure only to existing civil servants; necessary

educational qualifications, specific skills and prior work experience; a brief description of the selection as well as a description of the existing regulations governing the recruitment issue; the duration of the appointment, as well as a description of whether the position is fixed-term or permanent (career), as well as the length of the probationary period after the appointment; the closing date of the competition and information on the last date of submission of applications which must be at least fifteen (15) days from the date of publication of the notice; the place where and when the application forms can be obtained and the place where the full address of the institution is to be submitted; if there are any specific health or physical requirements for performing the duties, including the requirement for medical evaluation.

Candidates are invited to apply through the application forms which are published on the UMIB website.

### **Selection of candidates**

Selection of candidates is done through review and evaluation of applications submitted by interested candidates for participation in the recruitment process in the Civil Service.

Candidates must submit applications with accurate data. In case of failure to comply with these requirements or provide false information, the application is rejected.

Candidate selection procedures are conducted ad hoc by the SCCS (Selection Committee in the Civil Service). The SCCS is made up of members who hold positions higher than the position to be recruited, but one member may hold the same position, be multiethnic and gender representative. The SCCS develops recruitment procedures for career and non-career positions.

The SCCS members evaluate applications based on the following criteria: vocational education and training; work experience; dexterity and skills and other elements of merit.

The maximum number of each criterion is 20 points. The maximum number of points is 80, while the minimum for the continuation of the candidate in the further procedures is 40 points. Candidates who do not reach the minimum number of points are excluded from other selection stages. On the basis of this evaluation, the SCCS compiles a short list of candidates to proceed to other selection procedures. If it is not ensured that there are at least three candidates on the short list, the position is resubmitted. The shortlisted candidates are notified and invited to participate in the other stages of the selection process. Other stages of selection are written testing and oral interviews.

### **Written test and interviews**

Written testing consists of the following parts: General knowledge part; the part of general and personality skills; the part of knowledge related to the workplace; knowledge of foreign

languages (this section is developed for candidates who are applying for positions requiring knowledge of a foreign language). Candidates who successfully pass the written test or achieve at least 50% of the maximum score set by the SCCS are admitted to the oral test. Candidates who do not pass the written test are excluded from other stages of the competition for the relevant Civil Service position.

Candidates who successfully pass the written test are subject to oral testing, which consists of the following parts: the part for testing personality and professional plans; the part for testing general institutional and economic knowledge; the part for testing knowledge related to the workplace.

Selected candidate is found to have achieved the highest total number of points in written and oral testing. Following the complaints procedures, the selected candidate is issued a nomination act for the position.

### **Complaint procedure**

A candidate who has been refused a recruitment procedure and a candidate who thinks that the refusal is unreasonable or contrary to existing rules and procedures, he / she may file a written complaint to the Disputes and Appeals Commission, which shall review and decides on the complaint. A candidate who has not been selected as a successful candidate may also appeal. Complaints are addressed to the Dispute Resolution and Appeals Commission and are filed within 30 days of being notified.

### **Job description for the position**

Unique procedures for the preparation, content, format, amendment, approval and use of job descriptions for administrative staff - civil servants are regulated by Regulation no. 03/2010 on job descriptions in the Civil Service of the Republic of Kosovo.

The job description for each job in the administration contains the following:

- Name of the institution where the job is located;
- Job title;
- Budget code of the relevant job;
- Functional category and grade of the job;
- Whether the job is permanent or fixed-term;
- The title and rank of the direct supervisor to whom he reports;
- A brief description of the job and what the job is intended to achieve;
- A brief description of the tasks and responsibilities of the job listed in order of importance;
- Information on the degree of responsibility, complexity, supervision, financial responsibility, skills required, qualifications and experience required;

- Information on any unusual circumstances in the work environment that present a health risk or other adverse effects resulting from the nature or location of the workplace.

The job descriptions are prepared in the separate form provided in the above regulation.

Upon appointment to a position, the administration employee is given a job description as an appendix to the act of appointment.

### **Performance evaluation**

The evaluation of the performance of the administration employees is done in the manner prescribed by Regulation no. 19/2012 on the evaluation of the performance of civil servants.

Evaluation based on this regulation is based on measuring the performance of the employee's objectives and abilities.

The main objective of any evaluation system is to review the work and potential of employees. Both the manager and the clerk benefit from the evaluation by improving performance, making it easier to identify strengths and weaknesses and identifying adequate training and development. Through the evaluation process, employees and their managers are involved in dialogue about work as well as the development and setting of meaningful objectives that are measurable and achievable. The evaluation process is an ongoing process throughout the evaluation period and not an annual event. Managers monitor the performance of their staff on a daily basis, provide advice and guidance to help them meet standards and improve performance.

The objectives are the priorities of the employee's work and include activities to be completed by the end of the assessed period. The evaluation of the achievement of the objectives by the civil servant is done based on the description of his / her job duties.

Employee skills include the professional skills and personal skills shown in the performance of duties and the exercise of responsibilities at work, depending on the position held by the officer.

In addition to the regular annual evaluation by the direct manager, as mentioned above, the University will also carry out two types of tests to evaluate administrative staff, both by students and by academic staff. The evaluation results of these two tests, after their completion, will be taken into account in the process of evaluating administrative staff, and will have a direct impact on the promotion of their administrative staff and their final evaluation. In advance, based on the test results, the quality assurance office will make recommendations regarding the evaluation.

## **Promotion - development and career advancement, support processes and professional development of administrative staff**

Career advancement of civil servants is based on the basic principles set out in the Law on Civil Servants, but other principles will be applied also as set out in Regulation no. 21/2012 on career advancement of civil servants, as follows:

- Career Development: is a permanent process aimed at supporting civil servants in building their careers. Career development is done through the use of appropriate methods for managing human resources and, at the same time, providing opportunities for professional development and improvement;
- Award of merit: is the process of establishing and consolidating a professional Civil Service consisting of civil servants who are promoted on the basis of merit and stimulated on the basis of good results;
- Career advancement on a competitive basis: career advancement in the Civil Service is done in a transparent, fair, unified, objective and based on the merit of the respective candidates;
- Career advancement on a non-automatic basis: civil servants are promoted on the basis of a regulated procedure and only if they meet the specific conditions set out in the relevant legal acts and on the basis of merit. Therefore, promotion is not done automatically, but only after a certain period of time. Promotion on the basis of seniority or other criteria not based on the principle of merit is prohibited.

Career advancement is done through internal vacancy procedures.

### **Announcement for advancement**

Announcement for promotion is made by the personnel unit within the relevant institution in appropriate places where all civil servants have access. If fewer than three candidates who meet the criteria set out in the relevant regulation apply for the vacancy, the personnel unit shall advertise at the institution level. The announcement must be open at least 8 calendar days from the date of publication. The announcement should contain: Name of the institution, name of the organizational unit, job title, functional category and rank of position, location of job, brief job description, job criteria, place where application requirements can be obtained.

Candidate selection procedures, as in the case of external recruitment candidates, are conducted ad hoc by the SCCS. The written test is held in the event of promotion from one category to the highest functional category and if the vacancy is two ranks higher than the rank of civil servants who applied for promotion within the same functional category.

### **Criteria for career advancement**

The criteria for career advancement of a civil servant are:

- Passing the minimum time for promotion from a lower rank to a higher rank or from a lower functional category to a higher functional category, is 3 years when the performance of the civil servant is evaluated well and very well, while 2 years when his / her performance is rated excellent;
- Completion of professional requirements and qualifications required for the respective position;
- Successful passing of written and oral testing;
- The results of the evaluation at work should be: good, very good or excellent;
- Not be subject to disciplinary proceedings;
- Not to be punished with any disciplinary action in the last 3 years;
- No criminal proceedings have been initiated.

The civil servant, in case of dissatisfaction with the promotion procedure, has the right to appeal in accordance with Regulation no. 05/2011 on Dispute Settlement Procedures.

Other provisions for the promotion of the career of civil servants shall apply analogously to the provisions of Regulation no. 02/2010 on Civil Servants Recruitment Procedures.

### **Support processes and professional development of administrative staff**

As mentioned above, the career development of staff is a permanent process aimed at supporting civil servants in building their careers. Career development is done through the use of appropriate methods for human resource management and, at the same time, by providing opportunities for professional development and improvement.

### **Supervising and identifying training needs**

The direct supervisor respectively the assessor, based on the skills of the employee shown in the annual assessment process, indicates the need to enhance the skills of the employee, specifying in forms for areas where training is needed. The institution's staff unit collects all data on the training needs of the institution's staff, based on the needs identified in the evaluation forms, and draws up the institution's training needs plan. The training plan becomes part of the annual administrative staffing plan, as a summary of the individual training plans, drawn up by direct managers' proposals. Training of administrative staff is organized by KIPA (Kosovo Institute of Public Administration). Staff training is free of cost to the University. Annual training plans are drafted by January 31 of each year, according to standard forms. The institution's training needs plan is sent to the MPA / Department of Civil Service Administration (DCSA), which is responsible for drafting the training needs plan at the Civil Service level within March of each year.

## **Disciplinary procedures**

By Regulation no. 04/2011 on Disciplinary Procedures in the Civil Service defines the classification of violations of duties, disciplinary procedures and measures imposed in the disciplinary procedure against civil servants.

Violations of job duties are divided into: slight violations; and severe – serious violations.

Slight disciplinary violations are considered:

- slight violations of the Code of Conduct for civil servants;
- failure to keep the identification card;
- two unreasonable absences of one day duration within the calendar year;
- disregard for dress and appearance norms;
- failure to maintain official records and official data related to work duties on a regular basis;
- disrespect of working hours; and
- lack of information on absenteeism.

Slight violations, if repeated, are considered severe violations.

Severe – serious violations are considered:

- severe - serious violations of the Code of Conduct for civil servants; theft;
- fraud; falsification of official documents;
- the exercise of physical violence or psychological pressure on another civil servant, party or other person within the institution;
- severe mistreatment or discrimination;
- willful damage to the institution's property;
- serious discrediting and compromising of the civil servant;
- coming to work under the influence of alcohol or drugs, or using them during working hours;
- breach of duties that have consequences for the party and the state body;
- serious violations of the rules related to the health and safety of the employee;
- failure to declare or make a false statement regarding the conflict of interest;
- uninformed and unreasonable absence for two (2) consecutive business days;
- misuse or unauthorized use of trusted public funds for personal gain or in the interests of other persons;
- conduct or threat that disables, impedes or makes it difficult the successful performance of official duties;
- failure to provide professional assistance within the competencies and duties to civil servants, public officials and parties in the exercise of their legal rights;
- concealment of official facts, evidence or data when required for official purposes;

- the act or omission that leads to the disclosure of confidential data or information;
- sexual harassment of any other civil servant, public official or party, defined as physical or verbal conduct of a sexual nature, which violates the dignity of the female or male at work and which is undesirable or offensive to the person;
- if within a period of one (1) year three (3) written warnings are issued by the direct manager;
- if within a period of one (1) year, two (2) written warnings are issued by the highest administrative manager of the institution.

The following disciplinary measures may be imposed for slight violations:

- verbal warning by the direct supervisor is issued in proportion to the consequences caused, and is intended to advise and warn the employee of other, more severe disciplinary measures in the event of a repeat violation;
- the written warning by the direct supervisor is issued in proportion to the consequences caused and placed in the personal file of the civil servant;
- written warning and inscriptions in the personal file of the civil servant shall be issued by the highest administrative head of the relevant institution.

The following disciplinary measures may be imposed to civil servant for severe - serious violations:

- preventive suspension with payment for up to three (3) months pending an investigation, which must be proposed by the direct supervisor and approved by the body responsible for personnel management in the institution;
- suspension of the duties and halting of 1/3 of the salary for a period of up to two (2) months by the disciplinary commission upon request by the direct supervisor;
- removal from office and transfer to another location with similar duties and prohibition of promotion for up to five (5) years by the disciplinary commission;
- termination of employment in the Civil Service by the disciplinary commission, without impairing or reducing the right to retirement;
- early retirement of civil servants who have two (2) years left until the date of retirement.

In determining appropriate measures, the commission must bear in mind that the purpose of the disciplinary procedure is to improve and encourage good behavior and to condemn misconduct.

In case of initiation of criminal procedure, arrest and in case of obstruction of the workplace investigation, the civil servant shall be imposed the measure of preventive suspension in accordance with the legal provisions.

Each public administration institution, which employs civil servants, establishes a disciplinary commission to take disciplinary action in the event of severe - serious violations of its duties.



The chairman and the members of the disciplinary commission are appointed by the highest administrative leader of the institution.

The Disciplinary Committee is composed of three (3) members who are civil servants, two of whom have a two-year mandate with the possibility of extension and one who is elected on a case-by-case basis who must have knowledge of the area where the violation has occurred.

The Chairperson and members of the Disciplinary Committee are among the top civil servants with a high school background and should reflect the diversity of Kosovo society, including in particular gender diversity.

In cases where any member of the commission has a conflict of interest, he / she will be replaced by the highest administrative leader of the institution concerned for that particular case, such as: when the member of the commission is in the position of direct leader to the offender suspected or related to the alleged offender by family, marriage, or is his relative or is in personal social relationships; when the commission member has been harmed by the alleged offender or is related to the victim by family, marriage, or is a relative of his or is in personal social relations.

Members of the Disciplinary Committee may not be members of the Dispute Resolution and Appeals Commission of the respective institution.

Verbal or written warnings may be issued for slight violations established by the direct supervisor or senior administrative officer without being presented to the disciplinary committee for review.

### **Dispute and Appeal Settlement Procedures**

By Regulation no. 05/2011 on Dispute and Appeal Settlement Procedures are defined procedures for resolving disputes and appeals from civil servants' employment relationships and the competencies and criteria for appointing members of the Dispute and Appeal Settlement Commission.

Civil servants have the right to appeal against an administrative decision or any breach or omission of rules or general procedures affecting and pertaining to their employment relationship.

Persons who have applied for a regular recruitment procedure also have the right to appeal to the Commission.

The Dispute and Appeal Settlement Commission is established within the University, established by the highest administrative leader. The commission is composed of three members who are civil servants, two of whom have a two-year mandate with the possibility of extension and one who is elected on a case-by-case basis who must have knowledge of the area where the violation has occurred. Committee members must have superior schooling.

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Dispute and Appeal Settlement Procedures: When complaints are received, the commission initially commits itself to resolving the dispute by inviting both parties, the appellant and the party against whom an appeal is filed, to reach a compromise. In the event of an impossibility to reach a compromise between the parties then the Commission shall examine the complaint under the provisions of the abovementioned regulation and issue a decision on the complaint.

**This manual is designed by the UMIB Personnel and Academic Affairs Office and will serve as a facilitator in the use of staff to be informed and make individual decisions regarding all processes that follow academic and administrative staff. The manual will be published on the UMIB website.**