

## REGULATIONS FOR THE EMPLOYMENT OF PHD HOLDERS

Under the priorities established for the consolidation of the National Scientific and Technological System (NSTS), high priority is given to the employment of the most qualified human resources in Science and Technology, aiming at strengthening productive collaborations with the stakeholders of the NSTS and guaranteeing that the scientific community has, on a regular basis, the instruments to attract and retain in Portugal the best scientists, while promoting the desired mobility of researchers.

FCT considers that the best way to achieve this objective is to guarantee, annually and in a sustained manner, the possibility to integrate into the NSTS the most qualified PhD holders, to ensure the consolidation of scientific excellence in Portugal.

The typical profile of the FCT Researcher corresponds to highly motivated scientists seeking to develop, conduct and coordinate internationally competitive highly qualified scientific research activities.

FCT assures these postdoctoral researchers an employment contract and, whenever necessary and applicable, an initial funding for the development of an exploratory research project.

FCT considers that this program should not only be an acknowledgement of the merit of the best researchers applying to this competitive call, but also a clear stimulus for the institutions of the NSTS, intending to facilitate the integration of scientists of proven merit and therefore allowing for the desirable renewal and qualification at the highest level of their human resources.

The program now presented focuses on the researcher and his/her career development plan, to be demonstrated by original scientific proposals and well identified implementation indicators. It is essential to assure that the host institutions provide all means, including materials, sufficient critical mass and institutional policies that ensure the implementation of the scientific research project and the career development plan.



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## CHAPTER I

### GENERAL DEFINITIONS

#### Article 1

### Scope and subject

1. These regulations define the general principles, rules and procedures of the Program Investigador FCT that intends to promote the professional integration of postdoctoral researchers into the National Scientific and Technological System (NSTS), through funding or the celebration of the respective employment contracts, under the terms set forth in Article 12.
2. The Researcher FCT Program is funded by national funds through the Foundation for Science and Technology (FCT) and, where eligible, co-funded by the European Social Fund (ESF) through the Operational Program Human Potential (POPH), according to the provisions of the Specific Regulations of Type 4.2 – Promotion of Employment in Science.

#### Article 2

### Candidates

1. Candidates to the Program Investigador FCT are national or international postdoctoral researchers of any scientific area, who hold a scientific and professional curriculum vitae certifying that the applicant has the appropriate scientific capacity for the level he/she is applying to.
2. The call is aimed at postdoctoral researchers at three levels, stipulated according to the number of years after the award of the degree and the number of years worked as an independent researcher; independent researchers are scientist that have already established themselves as a research leader in their own right, often as Principal Investigators or Group Leaders, supervising a research team and by attracting funding in competitive grant applications by FCT or other national and international funding agencies:

- a. *“starting grants”* (equivalent to index 195 of the Scientific Research Career Remuneration Statute, corresponding to the first level of the category of Auxiliary Researcher), aimed at PhD holders with less than 6 years after the award of the degree, with no need for previous scientific independence;
  - b. *“development grants”* (equivalent to index 220 of the Scientific Research Career Remuneration Statute, corresponding to the first level of the category of Principal Investigator), aimed at PhD holders with more than 6 years and less than 12 years after the award of the degree, being independent researchers for less than 6 years;
  - c. *“advanced grants”* (equivalent to index 285 of the Scientific Research Career remuneration statute, corresponding to the first level of the category of Coordinating Researcher), aimed at PhD holders who are independent researchers for more than 6 years.
3. In adding up the time periods outlined above, a maximum margin of tolerance of 11 months is acceptable for this call, provided this is duly justified.
  4. In line with the public policies for the promotion of equality, exceptions to the previous number, such as career breaks, can be considered, provided they are duly documented.
  5. The following career breaks are eligible:
    - a. Maternity: the number of years after the award of the PhD degree and the number of years worked as an independent researcher is reduced by 18 months for each child born before and after the award of the degree;
    - b. Paternity: the number of years after the award of the PhD degree and the number of years worked as an independent researcher is reduced by the period of parental leave defined under current legislation, for each child born before and after the award of the degree;
    - c. Long term illness (more than 90 days): the number of years after the award of the PhD degree and of the number of years worked as an independent researcher is reduced by the period indicated in the medical certificate, provided that the illness occurred after the award of the PhD degree.

6. The maximum period of career breaks foreseen in the preceding number may not exceed five years and six months.

### Article 3

## Host institutions

The following institutions, whether or not they have legal personality, are eligible as host institutions:

- a. Public or private Higher Education Institutions, their institutes and R&D centers;
- b. Associate Laboratories;
- c. State Laboratories;
- d. Private non-profit institutions with S&T activities as their main purpose;
- e. Public and private companies with R&D activities;
- f. Other public and private non-profit institutions that carry out or participate in scientific research activities.

## CHAPTER II

### APPLICATIONS

### Article 4

## Call launch

1. The institution responsible for the call launch is FCT.
2. The period during which the call for applications is open shall be defined in the Announcement of the call published by FCT.
3. The call shall be announced on FCT portal, without prejudice to the dissemination through other means deemed appropriate.
4. FCT reserves the right to not fill all the vacancies announced in the official Announcement of the call.

## Article 5 Proposals

1. Proposals must be written in English using the appropriate FCT application portal online provided for that purpose.
2. The curriculum vitae must be completed electronically at the portal provided for that purpose by FCT.
3. Applications in all scientific areas are eligible, provided the fundamental ethical principles are respected, namely the protection of physical and moral integrity of the human being, the welfare of animals and the freedom of choice of the scientific research project by the researcher.
4. Each applicant may only submit one application in each call.
5. In case one applicant submits an application for more than one level, his/her applications will be excluded from the call.

## Article 6 Supporting documents

1. Besides the specific documentation required in the Announcement of the call and at FCT portal, the application files must include the following documentation:
  - a. Documents certifying that the applicant fulfils the requirements for the submission of the application, laid down in Article 2 (to be submitted online and, in hard copy, originals or certified copies, in case the application is evaluated favourably);
  - b. Scientific research project (online submission only);
  - c. Career development plan (online submission only);
  - d. Curriculum Vitae of the candidate (online submission only);
  - e. Formal acceptance of the host institution in which it explicitly agrees to the application and guarantees to provide the necessary and sufficient conditions to ensure the implementation of the scientific research project and the career development plan proposed.

#### Article 7

### Elegibility of the proposals

1. The verification of the formal eligibility requirements of the proposals shall be carried out by FCT.
2. The list of eligible and non-eligible proposals will be published at FCT website.
3. Non-eligible proposals are excluded and the decision will be duly substantiated and notified to the candidates.

#### CHAPTER III

### EVALUATION AND DECISION PROCESS

#### Article 8

### First stage of the evaluation of applications

1. The first stage of the evaluation of applications consists in determining the adequacy of the submitted applications to the level the candidate is applying to; 30% of the applicants will be chosen, based on the curricular elements and the implementation indicators presented in the form and taking into account the terms of the Evaluation Guide.
2. The verification and selection referred to in the previous number is carried out by the scientific councils of FCT, which will be assisted, where necessary, by panels appointed by the respective chairperson.
3. The applications not admitted to the second evaluation stage will be excluded and the decision will be duly substantiated and notified to the candidates.

#### Article 9

### Second stage of the evaluation of applications

1. The Single Evaluation Panel is appointed by the FCT Board of Directors.
2. The Evaluation Panel is composed by international experts of recognized merit of the four scientific areas corresponding to the scientific councils of FCT.

3. Each application is evaluated by at least two external evaluators.
4. The candidates and the host institutions will be informed of the result of the evaluations within a maximum of 6 months after the deadline for submission of proposals.

#### Article 10

### Mandatory evaluation criteria

1. Without prejudice to the criteria specifically laid down in the Announcement, the following evaluation criteria are mandatory:
  - a. Merit of the candidate;
  - b. Scientific research project;
  - c. Career development plan stating the integration in the NSTS and in the host institution.
2. The evaluation is governed by the Evaluation Guide.

#### Article 11

### Approval of the decision

The decision for funding or the celebration of the employment contract shall be approved by the competent supervising authority.

#### CHAPTER IV

### GENERAL CONDITIONS UNDER WHICH CONTRACTS ARE GRANTED

#### Article 12

### Type of employment contract

1. The employment contracts shall be subject to the legal regime for fixed-term employment applicable at the time the contract is concluded.

2. The researchers will be hired under the requirement of exclusive dedication; no other paid activity in the public or the private sector, as well as the exercise of the liberal professions, shall be allowed.
3. Exceptions under the regime of exclusive dedication are remunerations related to:
  - a. Copyrights;
  - b. Industrial property rights;
  - c. Conferences and presentations, short vocational courses and similar activities;
  - d. Per diems;
  - e. Travel allowances;
  - f. Production of studies or reports carried out on behalf of the governing body responsible for the FCT or in the framework of commissions set up on its appointment;
  - g. Performance of tasks in bodies of the host institution;
  - h. Participation in advisory bodies of other institutions, provided the host institution gives its prior consent;
  - i. Participation in selection boards or evaluations under the scientific research career or higher education teaching careers;
  - j. Participation in evaluation panels or committees and production of opinions on behalf of national or international bodies;
  - k. Teaching in a higher education institution, with prior authorization of FCT and without prejudice to the proper exercise of the scientific research duties for which they were hired, and only where the teaching activity does not exceed a maximum of four hours a week on an annual average.

### Article 13

## Eligible costs

1. The contracts are celebrated according to the remuneration level defined under no. 2 of Article 2 and the announcement of the call, in compliance with the current legislation.
2. The researchers of the level corresponding to no. 2, point a) of Article 2 may also be granted an initial funding for the development of their research project, which shall not violate no. 3 of Article 12.
3. The amount to be awarded as initial funding is proposed by the FCT Board of Directors, according to available budget resources.
4. The host institution shall be responsible for the management of the initial funding, being applicable mutatis mutandis the regulations governing access to funding for scientific research and technological development projects — 2010 (with 2011 amendments), published in Diário da República, 2nd series – no. 176 – 9 September 2010, with amendments in accordance with Aviso no. 8484/2011, Diário da República, 2nd series, no. 68 – 6 April 2011.

### Article 14

## Conditions of payments

1. Processing of the funding of the employment contract or the salary shall begin once the respective contracts have been celebrated.
2. The transfer of the salary costs is made monthly.
3. Where the host institution is a company, fifty percent of all the headings related to salary costs shall be reimbursed to FCT by the host institution, under the terms laid down in the Community Rules and other applicable legislation.
4. Should the employment contracts be rescinded, the financial support will cease forthwith, and the researcher shall return any funds unduly received.

## Article 15

### Obligations of the host institutions

1. Host institutions shall be obliged to:
  - a. Guarantee the necessary conditions so that the researchers FCT may carry out their activities according to the plans presented in the proposal;
  - b. Define, together with the candidate, the contractual terms regarding Intellectual Property Rights;
  - c. Sign a program contract with FCT committing themselves to provide the appropriate host conditions for the career development plan and to guarantee, where applicable, that the initial funding is fully allocated to the research project;
  - d. In case the partner to the program contract referred to in point c) is a company, the contract shall, additionally, include the commitment to ensure the payment of fifty percent of the salary costs;
  - e. Send an activity report until the end of each contract year, including a detailed description of the research implemented and the results achieved, together with an opinion of the head of the host department;
  - f. Notify FCT of any change or occurrence that challenges the conditions for the implementation of the scientific research project and the career development plan;
  - g. Provide to FCT, or to other entities designated by FCT, and to entities charged with monitoring, any information or documents they might request, as well as allow access to the facilities where the contract is carried out;
  - h. Respect the European Charter for Researchers.
2. The contract program referred to in point c) of the previous number must be signed and initialed by someone who is legally authorized and duly appointed for that purpose.

## Article 16 Publicity

1. In the field of publicity, the researchers and their host institutions must, if applicable, comply with the provisions of Art. 34 of Regulatory Law 84-A/2007 and ensure that reference is made to the funding of the European Social Fund and the Operational Program Human Potential, particularly by including the national banner and the banner of the European Union, in the case of:
  - a. Announcements published or edited by any means of communication;
  - b. Seminars, workshops, training activities or other events.
2. Additionally, the researcher FCT logo available at FCT website must be displayed in all dissemination activities set out in the previous number.

## Article 17 Failure to fulfil contractual obligations

Should the researcher or the host institution fail to fulfill their contractual obligations, FCT may terminate the contract under the terms of the law.

### CHAPTER V

### FINAL PROVISIONS

## Article 18 Revision

1. These regulations may be subject to revision whenever deemed necessary.
2. All revisions must be approved by the Secretary of State.

## Article 19 Subsidiary legal provisions

Anything not specifically covered in these regulations shall be governed by the provisions set forth in applicable Portuguese and European legislation.

Article 20  
**Entry into force**

These regulations shall enter into force immediately.