

EUniAM

Enhancing University Autonomy in Moldova

ASSESSMENT OF THE EXISTENT SITUATION ON UNIVERSITY AUTONOMY IN MOLDOVA

HUMAN RESOURCES COMPONENT

Chişinău 2013

Content

- Working team
- Methodology
- Interface I. Government-University
- Interface II. Management – Staff
- Interface III. Staff – Students
- Interface IV. University – Business environment
- Interface V. Internationalization
- Results & Conclusions
- Bibliography

Working team:

Team leader:

Cernetchi Olga, SUMF

Team members:

- **Mogoreanu Nicolai, TUM**
- **Muravschi- Lişman Aliona, SUM**
- **Sadovei Nicolai, SUM**
- **Teaca Aliona, AESM**
- **Novac Tatiana, SUMF**
- **Sava Turita, AESM**
- **Lazar Angela, SUC**
- **Pojar Daniela, BSU**
- **Cara Maria, KSU**
- **Babara Elena, SUMF**

Methodology:

1. Data selection process:

Creation of a unique data base for all members of the working team, divided in several working folders, among which:

- International legislation
- National legislation
- Internal normative acts of higher education institutions.

2. Data analysis process:

Each member of the working group analyzed the data, unraveled some differences between the information, identified some case studies as a result of the reference to the legal regulation on the existing situation or the absence of such regulations. Case studies were identified from the current activity of educational institutions, being elucidated the specific problems for each type of interface.

The Declaration of European Universities (2007)

Human Resources University Autonomy implies a university's freedom to recruit and select qualified human resources, to contracting responsibility, setting of wages and salary increments, depending on the value of the human potential.

Interface I. Government – University

- Labor relations and other relations directly related to them are regulated by the *Constitution and the Labor Code of the Republic of Moldova*, as well as by other acts containing norms of the labor law.
- According to the acting legislation, the following categories of employees perform their activity in higher education institutions:
 - **Leading staff**
 - **Academic staff**
 - **Research staff**
 - **Staff with complex functions in the education area**

Interface I Government– University

Labor relations between higher education institutions and employees are regulated by the Individual Work Contract. There are different selection criteria at employment for various employee categories.

The academic functions are occupied according to the ***Regulation on the occupation of academic functions in higher education institutions.***

Problems

The national legal framework of the higher education is imperfect, no longer actual and requires many modifications and completions:

- Competition deadlines for teachers expire on various dates, which makes it difficult to legalize the procedure of the competition;
- ***The Instruction on the order of determining educational and scientific years active*** is outdated and does not clearly stipulate the activity of which positions is taken into account at determining educational and scientific years active.
- There are no any normative documents that would describe the order of elaboration of functions: preparation, establishment, verification, approval, coordination, etc.
- The qualification requirements on salary categories for the staff with complex competencies from budgetary institutions and organizations, are outdated and require modification and completion.

Interface II. Management-Staff

- The governing bodies of higher education institutions are: the Senate, the Scientific Council, the Administration Board, the Office of the Senate, the Faculty Council.
- The Rector of the higher education institution is elected by the Senate and confirmed in function by the Government.
- At faculty level, the managerial duties are performed by the Dean, who is elected on a competition base for a 5-year period.

Interface II. Management – Staff

- At department level, the leadership activity is exercised by the Head of the department, elected by the department's team on a competition base for a five-years period.
- At the level of other administrative subdivisions, the leadership function is exercised by its head, appointed and employed by the rector of the institution.

Problems

- The modality of Rector election, stipulated in the Regulation on the organization and development of the competition for rector position of the higher university education institution, states the obligation that the Senate elected candidate is confirmed by the Government, which is also considered to be Government's interference in university autonomy.

- *Staff motivation mechanisms* suppose the application of clear and non-discriminatory procedures to encourage the academic staff, as well as the application of sanctioning procedures within the limits set by law, focusing on personal responsibility of each University employee.

Problems

- Lack of basic indicators for the differential payment of wages. In this case, institutions are free to develop their own indicators, this creating confusion and determining the leaders to give salaries based on personal criteria.

If the University determines and approves well-defined criteria based on employee professionalism, continuous improvement, organizational, functional and personal capacity, the employees with best performances will be promoted.

- Lack of real levers to fight corruption in the University
- Moral Code (Ethic Code) of the University

Interface IV. University – Business Environment

Which is the University's «interest» package?

- Research and innovation activity funding;
- Practical implementation of research and innovation results;
- Development of the material base of the educational process;
- Professional traineeships for young academic staff;
- Places of study practice for students;
- Updating of technological and professional requirements to the content of young professionals preparation, as well as of the research topics.

Interface IV. University – Business Environment

Which is the “interest” package of the Business environment?

- Increase the efficiency of national economy components and, particularly, of the real sector.
- Cover the needs of specialists with appropriate professional training according to current requirements.
- Modernization of enterprises' technologies and equipment.
- Ensure professional improvement of enterprises' employees.
- Inform the University on the content of specialists' training process.

Framework - Regulation
on the organization of the graduation exam for the higher license education

- To guide the elaboration of license projects (thesis) departments confirm their license projects (thesis) leaders. Professors, associate professors and senior lecturers from specialized departments, highly qualified scientists from research and design institutions, as well as **specialists-practitioners from national economy** may be appointed as **leaders of license projects** (thesis).
- It is allowed **to include**, within the License commission, **a highly qualified specialist practitioner, with a rich experience and professional authority**.
- Specialists in the respective field (professors, associate professors, researchers who hold honorary titles, highly qualified specialists-practitioners), not working in the institution concerned, may be appointed as **chairperson of the License Commission**.

Interface V. Internationalization

Employment of the academic staff

- ***Education Law, No. 547 of 21.07.1995***
- ***Labor Code of the Republic of Moldova, 2003.***
- ***The Law on the legal status of foreign citizens and stateless persons in the Republic of Moldova no. 275 of 10.11.1994.***

Interface V. Internationalization

- As part of the *Bologna Process*, the Republic of Moldova also subscribed to the ***promotion of academic mobility of the academic staff***. At declarative level, the Government recognized that the objective of improving the mobility of lecturers and researchers, as established in the *Bologna Declaration*, is of a high importance, and confirmed its engagement to support the elimination of obstacles on the way of the ***free circulation of lecturers and researchers***, stressing the social dimension of the academic mobility of the university staff.

Interface V. Internationalization

Regulation on the mobility of students and teachers in higher education institutions, adopted by the Ministry of Education,

adapting the national legal framework in the education area to the requirements contained in the commitments assumed by the Republic of Moldova on building the European space of Higher Education according to the principles of the Bologna Process.

Interface V. Internationalization

- *The academic mobility of the academic staff can be organized under different support:* inter-university **agreements and conventions; mobility projects and programs** of international and regional institutions and organizations; mobility programs, offered by different states; **individual contracts** of the educational university departments.

- *University autonomy in the staff area* represents the right of the university community to establish its own institutional strategy on the organization and management of university human resources, by promoting educational and research priorities, institutional flexibility and the security of labor relations of the employed staff, assuring the respect of the acting legislation.

Bibliography:

- **Legal framework:** Constitution of the Republic of Moldova of 29.07.1994; Labor Code of the Republic of Moldova no. 154 of 28.03.2003; Code on science and innovation of the Republic of Moldova no. 259 of 15.07.2004; Education Law no. 547 of 21.07.1995; the Decision of Government of the Republic of Moldova no. 854 of 21.09.2010 on the approval of the Regulation on the occupation of the didactic functions in higher education institutions; Regulation on the occupation of leading functions in higher education institutions of the Republic of Moldova Annex to order no. 697 of 04 November, 2011, internal normative acts of the higher education institutions.