

	Banat University of Agricultural Sciences and Veterinary Medicine "King Michael I" of Timisoara	Organism emitent Serviciul pentru Managementul Calității
	<b>Internal Rules Procedure</b>	Ediția 21Revizia 3
COD USAMVBT - PG 001- R046		

# Banat University of Agricultural Sciences and Veterinary Medicine "King Michael I" of Timisoara

## Internal Rules Procedure

### CONTENTS

#### HEAD. 1. GENERAL PROVISIONS

#### HEAD. 11. RIGHTS AND OBLIGATIONS OF UNIVERSITY AND EMPLOYEES. GENERAL RULES

##### 1. RIGHTS AND OBLIGATIONS OF THE UNIVERSITY

##### 2. RIGHTS Ș 1 OBLIGATIONS OF EMPLOYEES. BAN

##### 3. GENERAL RULES

##### 3.1. Rules of loyalty to the University of Agricultural Sciences and Veterinary Medicine of Banat 6

"King Michael I of Romania" from Timisoara

##### 3.2. Rules for special situations

##### 3.2.1. Rules for the cold season

##### 3.2.2. Rules for chic periods

##### 3.3. Rules on Material Resources

##### 3.4. Rules on employee status / skills and collaboration relationships

##### 3.5. Rules on vocational training

HEAD. 111. RULES ON COMPLIANCE WITH THE PRINCIPLE OF NON-DISCRIMINATION AND AL  
EXEMPTION OF ANY FORM OF BREACH OF DENMARK

HEAD. IV. RULES ON PROTECTION, HYGIENE AND SECURITY IN WORK IN  
FRAMEWORK OF THE UNIVERSITY OF AGRICULTURAL SCIENCES AND VETERINARY MEDICINE  
BANATULUI "MIHAI MIHAI 1 OF ROMANIA" FROM TIMIȘOARA

1. RULES ON HEALTH AND SAFETY AT WORK

2. RULES ON HYGIENE, HEALTH AND SAFETY PROTECTION OF EMPLOYEES

GRAVIDE AND MAME, LEAVES OR WHEATS 11

3. RULES ON THE PREVENTION AND FIRE EXTINCTION 11

4. RULES ON ENVIRONMENTAL PROTECTION 13

5. RULES ON ACCESS TO THE INSTITUTION 13

HEAD. V. PROCEDURE FOR SOLVING INDIVIDUAL REQUESTS OR REPRESENTATIVES OF EMPLOYEES

HEAD. VI. CONCRETE RULES ON THE LABOR DISCIPLINE IN

UNIVERSITY OF AGRICULTURAL SCIENCES AND BANATARY VETERINARY MEDICINE

"THE MILITARY KING OF ROMANIA" IN TIMIȘOARA 15

1. WORKING TIME AND TIME OF DEATH 15

2. COURTS 16

3. SALARIZATION 17

HEAD. ARE YOU COMING. DISCIPLINARY ABUSE AND APPLICABLE SANCTIONS 18

1. DISCIPLINARY LIABILITY 18

1.1. Disciplinary sanctions applicable to auxiliary teaching and research staff and non-teaching staff.  
19

1.2. Disciplinary sanctions applicable to teaching and research staff 20

2. PATRIMONIAL LIABILITY 21

Chapter VIII. CRITERIA AND PROCEDURES FOR PROFESSIONAL EVALUATION

THE EMPLOYEES 22

HEAD. IX. METHODS FOR APPLYING OTHER LEGAL PROVISIONS

SPECIFIC CONTRACT 23

CAP. X. FINAL PROVISIONS. 23

HEAD. 1. GENERAL PROVISIONS

Art. 1. (1) This Regulation is elaborated in accordance with the provisions of Law no. 53/2003 Labor Code, republished, as subsequently amended and supplemented, Law no. 477/2004 on the Code of Conduct for Contract Staff in Public Authorities and Institutions, Law no. 319/2006 on Safety and Health at Work, as subsequently amended and supplemented, the National Education Law no. 1/2011, as amended and supplemented, as well as other provisions in force, incidents in the matter.

(2) This Regulation establishes, in particular, provisions of an internal normative nature regarding the labor discipline at the "King Mihai I of Romania" University of Agricultural Sciences and Veterinary Medicine of Banat and, in general, provisions regarding the relations between this and its employees.

Art. 2. - (1) The provisions of this internal regulation shall apply to all employees, irrespective of the form and nature of the employment contract, their function or the manner in which the work is performed and which is mandatory.

(2) People outside the university operating on its premises, are obliged to respect, in addition to specific rules and internal provisions of this Regulation are applicable.

(3) The internal regulation has its effects on employees from the moment they are brought to their attention.

Art. 3. Students working in the faculties of the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara have the obligation to know and to observe, in addition to the provisions of the Student's Rights and Obligations Code, in their own regulations, and those of the discipline of work and behavior of this Regulation.

Art. 4. (1) The internal regulations contain the general procedures and regulations and the activity at the "King Mihai I of Romania" University of Agricultural Sciences and Veterinary Medicine of Banat in Timisoara.

(2) The job-specific activity of each employee is regulated by the job description and by the procedures and regulations developed for the faculty, department, department, department, office, compartment, etc., where each employee is employed.

Article 5 (1) This Regulation shall be periodically reviewed in accordance with legislative changes at the level of the employer.

(2) Given the dynamic development of the institution's work, it is possible that some provisions of this Regulation should be amended before its revision, in this case, decisions are binding University Senate.

## HEAD. 11. RIGHTS AND OBLIGATIONS OF UNIVERSITY AND EMPLOYEES. GENERAL RULES

### 1. RIGHTS AND OBLIGATIONS OF THE UNIVERSITY

Art. 6. In order to properly organize the work and to create the optimal conditions for the normal carrying out of the entire activity of the "King Mihai I of Romania" University of Agricultural Sciences and Veterinary Medicine of Banat, as well as for the strengthening of order and discipline in all activity sectors, the university mainly has the following rights:

a) establish through their own regulations and university charter organization and functioning of the University of Agricultural Sciences and Veterinary Medicine of Banat "King Michael I of Romania" the Timisoara;

- b) to determine the appropriate attributions for each employee, according to the law;
- c) to make binding provisions for each employee within the limits of the legality and according to the employees' job duties established in the job description;
- d) to exercise constantly control over the fulfillment by each employee of his / her duties as provided in the job description;
- e) to establish the occurrence of disciplinary deviations, material damages caused by employees and to apply appropriate sanctions according to the law;
- f) to set the individual performance objectives, as well as the evaluation criteria for their achievement.

Art. 7 The "King Mihai I of Romania" University of Agricultural Sciences and Veterinary Medicine of Banat is mainly responsible for the following obligations:

- a) to grant to employees all the rights deriving from the law, from this internal regulation and from the individual labor contracts;
- b) to inform the employees about the working conditions and the elements concerning the development of the working relations, specifying: the work norm, the work place, the duties and responsibilities of each, the individual work and work programs;
- c) to ensure the implementation of the rules on labor protection - safety and health at work;
- d) Ensure compliance with the principle of non-discrimination and the elimination of any form of denial;
- e) to ensure permanently the technical and organizational conditions envisaged in the elaboration of the working norms and the appropriate working conditions;
- f) to pay all contributions and taxes in his charge as well as to withhold and pay the contributions and taxes due by the employees, according to the law;
- g) to set up the general register of employees and to operate the records provided by the law;
- h) to issue, upon request, all documents evidencing the applicant's employment status;
- i) to ensure the confidentiality of the personal data of the employees, except in the cases stipulated by the legal provisions;
- j) to pay the salary of the basic position before any other monetary obligations.

## 2. RIGHTS AND OBLIGATIONS OF EMPLOYEES. PROHIBITION.

Art. 8. (1) The rights and obligations regarding the employment relations between the employee and the employer shall be established according to the law, as well as by collective and individual negotiation. The main legally established rights of employees are laid down in art. (1) of the Labor Code, supplemented by the rights provided by the National Education Law no. 1/2011, as subsequently amended and supplemented, as well as those stipulated in the Charter of the University and the decisions of its institutional bodies.

(2) Employees can not give up during the negotiation and subsequently to the rights that are recognized by law, any transaction in this sense being hit by absolute nullity.

(3) According to Law no. 53/2003 - Labor Code, republished, as subsequently amended and supplemented, the employees following the conclusion of the individual labor contract have mainly the following rights:

- a) the right to pay for the work done;
- b) the right to table break, daily and weekly rest;
- c) the right to legal holidays and to annual leave;
- d) the right to dignity at work;
- e) the right to equal opportunities and treatment;
- f) the right to safety and health at work;
- g) the right of access to vocational training;
- h) the right to information and consultation;
- i) the right to take part in determining and improving working conditions and the working environment;
- j) the right to collective and individual negotiation;
- k) the right to take part in collective actions organized under legal conditions;
- l) the right to form or to join a trade union;
- m) other rights provided by law.

Art. 9. The employee has the following obligations:

- a) to observe the established work schedule, using full and maximum working time efficiency;
- b) to fulfill the duties assigned to him according to the job description and the service provisions transmitted in a hierarchical manner;
- c) to perform his / her duties with responsibility, competence, efficiency, fairness and conscientiousness;
- d) to know the provisions of the normative acts, the code of university ethics, the regulations and any other normative provisions related to the duties and tasks related to the performed activity, according to them;
- e) to observe the official circuit of the documents, according to the approved procedures and regulations;
- f) to comply with the rules of conduct in relations with hierarchical heads, colleagues, subordinates, people outside the institution and to show honesty and fairness in their relations with them;
- g) Promote peer-to-peer relations and maintain good behavior within labor relations;
- h) to wear a decent work place in the workplace and to have a civilized and dignified behavior;
- i) refrain from expressing or manifesting personal political convictions;
- j) to respect the discipline of work, order and cleanliness at the workplace;

- k) to observe the safety and health measures of the work in the unit and those concerning the use of protective and work equipment, fire prevention or any other situation that could endanger the buildings, installations of the University of Agricultural Sciences and Veterinary Medicine of Banat "King Michael I of Romania" in Timisoara, or life, body integrity or the health of some people;
- l) not to use the work or protective equipment, as well as the facilities of the institution for personal benefit;
- m) to defend the assets of the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" from Timisoara, regardless of their location;
- n) inform the manager of the workplace of any disturbing or damaging situation; o) to carry out the medical check on hiring and periodically, during the execution of the individual labor contract;
- p) to notify the Human Resources Directorate about any change in personal data that occurred in his / her situation within 6 working days;
- q) to observe the secret of service;
- r) to observe the principles of impartiality and non-discrimination, university employees are obliged to have an objective, neutral attitude to any political, economic, religious or other interest in the exercise of the job-specific attributions;
- s) to patrimonially answer, under the rules and contractual civil liability, for material damage to the university in fault and in connection with its work;
- t) to be faithful to the university in the performance of his / her duties;
- u) to notify the manager of the place of work in the situation of receiving sick leave from the first day of incapacity for work;
- v) ensure the implementation, maintenance and improvement of the Quality Management System in its own activity;
- w) to be subject to alcohol control, the intoxication status being determined by the designated person and recorded in a protocol countersigned by at least two witnesses;
- x) submit to the higher hierarchical body for the disclosure of internal arrangements, internal notes or other communications made within the university;
- (y) comply with the management's regulation on the regulation of smoking in specially arranged places.

Art. 10. (1) The employee has the following prohibitions:

- a) performance during the work program of activities / works not related to the specific service duties;
- b) Childbirth at work;
- c) the consumption of alcoholic beverages at the workplace during the service, with the exception of the actions organized by the university management, as well as the organization of special events, based on the approval by the persons with senior positions in the university (rector, vice-rector, dean, vice-dean, department director, heads / services directors / directors involved, etc);

- d) misbehavior towards colleagues, preventing in any way other employees from performing their duties, committing deviations from the rules of morality and conduct during their program;
- e) unjustified refusal to comply with orders, judgments and orders transmitted by hierarchy in any way (written, verbal, etc.) or inciting others to do so;
- f) committing acts that could endanger the safety of other persons who work in the university or in their own person;
- g) unjustified termination of work and lack of motivation from work;
- h) introducing / selling / distributing or consuming in the premises of the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara of objects, substances / drugs whose effect may cause behavioral disorders or products prohibited by law;
- i) placing goods in the institution for the purpose of marketing them;
- j) leaving the workplace during the hours without the hierarchical chief approval;
- k) transmission to natural or legal persons of data that are not of public interest and are not related to them or personal data of other employees without their consent;
- l) using the name of the university, faculty, department, service for purposes that may cause prejudice to the institution;
- m) performing at the headquarters of the political propaganda institution;
- n) falsification of acts on the various records;
- o) removing or storing non-legal material goods within the university;
- p) request / offer / receive from other employees, students or foreign persons advantages for the exercise of their job duties;
- q) committing or instigating any act that disturbs the good performance of the university's activity;
- r) use in the personal interest or removal of the University's assets, except those for which there are the approval of the persons with leading positions;
- s) simulation of illness and / or non-observance of medical treatment during incapacity for work;
- t) the alienation of any goods brought into use or retention;
- u) introducing and / or facilitating the introduction of foreign persons outside university hours within the university;
- v) leaving the workplace, non-supervision of high-risk machinery / installations in operation;
- w) entering or leaving the university premises other than those established by the university management;
- x) the introduction into the University's premises of materials or products that could cause fires or explosions, except those used in the current activity;
- y) leaving the positions involving technical surveillance of I.S.C.I.R. of machinery or installations, or of jobs regulated by special laws;

z) the destruction and / or damage to inventory items specific to the performance of the service duties; aa) use of the quality of employee to obtain personal benefits; bb) the unjustified exit from the university during the program hours; cc) participation in acts of violence or provocation of acts of violence on campus; dd) delay in working hours; ee) sexual harassment; ff) parking of vehicles in places other than those established and duly marked by the university management; gg) the conduct of activities being in a state of incompatibility or conflict of interest with the university; hh) committing any other acts prohibited by the legal provisions in force;

(2) At the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara are prohibited audio recordings, filming, photography, photocopying by the participants:

(a) in meetings of the governing bodies and those of the university committees, without their prior written consent;

b) in the teaching activities (teaching, seminars, practical works, projects, clinics, etc.) carried out in the premises of the university, without the prior written consent of the teaching staff holding a course / seminar etc .;

c) in professional meetings or scientific, homage, roundtables, anniversaries, etc. carried out in the premises of the university, without the prior written consent of the organizers;

d) in the discussions between the members of the academic community or between them and other persons, in the premises of the university, without the prior written consent of the person (s) concerned.

(3) At the meetings of the management structures, the audio recording or the filming can be ordered by express announcement by the meeting head at the beginning of the meeting and recording in the minutes.

(4) The University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara is forbidden to disclose, broadcast, present or transmit, without right, conversations or images to another person or to the public, in the purpose of obtaining unlawfully evidence. Disclosure in public or in the press of such records is likely to defeat the idea of defending the legitimate rights and interests of a person while the jurisdiction to resolve legal disputes lies with the judicial authorities of the State.

Art. 11. (1) Failure to observe the obligations and prohibitions specified in art. 9 and art. 10 is a disciplinary offense and will be disciplined, materially, civilly or criminally sanctioned, as the case may be. The rights and obligations of teaching and research staff and teaching and auxiliary staff are complemented by the provisions of the National Education Law no. 1/2011, with the subsequent amendments and completions.

(2) The prohibitions under art. 10 are listed as exemplary, constituting disciplinary deviation any other act that meets the constitutive elements required by law to be qualified as such.

### 3. GENERAL RULES

3.1. Rules of Loyalty to the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara



Art. 12. Employee status requires the use of professional knowledge and skills at the University of Agricultural Sciences and Veterinary Medicine of the Banat "King Mihai I of Romania" in Timisoara, where they work to make the necessary efforts to promote their interests.

### 3.2. Rules for special situations

#### 3.2.1. Rules for the cold season

Art. 13. The heating installations, the heating plants, the pipes, the bodies and the heating elements shall be controlled before the cold season starts and, if necessary, the established faults will be removed. Directorate General Administrative - Technical Service Public Procurement Investments Maintenance for non-fulfillment of these obligations.

Art. 14. The components of the water extinguisher (hydrants) that are exposed to frost will be protected, being responsible for p.s.i.

Art. 15. The access roads, the evacuation and the intervention areas, the parking spaces within the institution, shall be cleared, being responsible the General Administrative Directorate - - Technical Service Public Procurement Investments Maintenance.

Art. 16. If temperatures fall below -200 for a period of at least 2 consecutive days, correlated with intense wind conditions, the following measures will be taken to improve working conditions:

- a) ensuring the appropriate climate in the offices, other rooms and on the campus;
- b) providing first aid and providing emergency medical assistance in the event of a health impairment during working hours caused by low temperatures.

#### 3.2.2. Rules for chic periods

Art. 17. If the temperatures exceed +370 for a period of at least 2 consecutive days, the following measures will be taken to improve working conditions:

- a) ensuring daily 2 l of mineral water per person;
- b) reduction of work schedule, intensity and rhythm of physical activity.

Art. 18. The provisions of this section shall be supplemented by the provisions of O.U.G. no. 99/2000 on measures that can be applied during periods of extreme temperatures for the protection of persons employed.

### 3.3. Rules on Material Resources

Art. 19. The material resources at the disposal of the employees are the assets of the university and can not be used for personal purposes.

### 3.4. Rules on employee status / skills and collaboration relationships

Art. 20. (1) The document attesting to the status of university employee is the card. It must be targeted by the Human Resources Department of the university. Loss of it should be announced as soon as possible.

(2) The employees of the university have the obligation to announce within 6 (six) working days and submit documents to the Human Resources Department - the Personal Office, on any change regarding: the address and the telephone number;

- marital status; changing the identity document;
- graduate studies or courses.

Art. 21. (1) The competences (the limits within which the employee can make decisions) are those stipulated in the job description. The employee and the employer will ensure that they do not exceed the skills assigned to their job.

(2) Employees have the obligation to fulfill on a timely basis and in good conditions all the tasks entrusted to them and to observe the decisions of the university or faculty management, or of the department manager, department, office, department, etc.

### 3.5. Rules on vocational training

Art. 22. Employee training has the following main objectives:

- adapting the employee to the requirements of the job or the job;
- obtaining a professional qualification;
- updating the specific knowledge and skills of the post and the job and improving the vocational training for the basic occupation;
- professional reconversion caused by socio - economic restructuring;
- acquiring advanced knowledge, modern methods and procedures necessary for carrying out professional activities;
- promotion and career development.

Art. 23. The professional training and evaluation of the knowledge of the employees of the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara can be achieved through the following forms:

- participation in courses organized by the university or other competent institutions;
- internships and specializations in the country and abroad;
- other agreed forms of training provided by the legislation in force.

Art. 24. (1) For the teaching staff, auxiliary, research, leadership, guidance and control staff, continuous training is a right and an obligation.

2. The continuing training of teaching, management, mentoring and control staff shall be based on developments in the field of education and training, including national curricula and personal development needs and needs.

### HEAD. 111. RULES ON COMPLIANCE WITH THE PRINCIPLE OF NON-DISCRIMINATION AND AL EXEMPTION OF ANY FORM OF BREACH OF DENMARK

Art. 25. (1) At the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara, in working relations, the principle of equal treatment applies to all employees, the principle of non-discrimination as well as the principle equality between women and men. Labor relations are based on the principle of consensus and good faith.

(2) The University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara respects the principle of freedom of choice of the workplace, of the profession, of the profession or of the work to be performed by the employee.

(3) The refusal to hire a person on the grounds that it belongs to a race, nationality, ethnic group, religion, social category or disadvantaged category, or because of beliefs, age, gender, or sexual orientation, is totally inconsistent with the university policy human resources.

4. All employees are recognized: the right to equal pay for equal work, the right to collective bargaining, the right to protection of personal data and the right to protection against collective redundancies.

(5) All employees are granted the right to freedom of thought and expression, respecting the rule of law and good morals.

(6) Breach of the rules on the observance of the principles of non-discrimination and the abolition of any form of violation of dignity constitutes a disciplinary offense.

Art. 26. (1) Within the relations between the employees of the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara, as well as of the relations between the employees and other natural persons with whom they come into contact in fulfilling their attributions service, it prohibits any behavior that by its effects disfavors or subjects to an unfair or degrading treatment a person or a group of persons.

(2) Any direct or indirect discrimination against an employee based on sex, sexual orientation, genetic characteristics, age, nationality, race, color, ethnicity, religion, political option, social origin, disability, family situation or responsibility, membership or union activity is forbidden. (3) Direct acts and acts of exclusion, difference, restriction or preference, based on one or more of the criteria set out in paragraph (2), which have the purpose or effect of not granting, restricting or abolishing the recognition, use or the exercise of the rights provided by labor law.

(4) Indirect discrimination acts and acts apparently based on criteria other than those mentioned in paragraph (2), but which produce the effects of direct discrimination.

Art. 27. (1) The University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" from Timisoara will actively involve in the elimination of all forms of discrimination through:

- a) to prevent any discrimination, by introducing special measures, including affirmative actions, in order to protect disadvantaged people who do not enjoy equal opportunities;
- b) mediation through amicable settlement of conflicts arising from the commission of acts / acts of discrimination;
- c) informing all employees of the prohibition of harassment and sexual harassment at the workplace;
- d) sanctioning discriminatory behavior of employees that violates the personal dignity of other employees by creating degrading, intimidating, hostile, humiliating or offensive environments through discriminatory actions.

(2) Where complaints or complaints concerning breach of the principle of non-discrimination are formulated, they shall be settled by a commission-mandated commission in accordance with the legal provisions in force.

(3) The rules on observance of the principle of non-discrimination and the abolition of any form of violation of dignity are supplemented with the provisions of Law no. 48/2002 approving the Government Ordinance no. 137/2000 on the prevention and sanctioning of all forms of discrimination and with the provisions of the legislation in force.

#### HEAD. IV. RULES ON THE PROTECTION, HYGIENE AND SECURITY AT WORK IN THE UNIVERSITY OF AGRICULTURAL SCIENCES AND THE VETERINARY MEDICINE OF BANAT "THE MILITARY KING OF ROMANIA" FROM TIMIȘOARA

##### 1. RULES ON HEALTH AND SAFETY AT WORK

Art. 28. (1) For the purpose of applying and observing within the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara the general principles regarding the prevention of occupational hazards, protection of health and safety of workers, elimination of the factors risk and injury, information, consultation, training of workers and their representatives, as well as general directions for the implementation of these principles, rules on health and safety at work are established.

2. The employer shall ensure that each employee receives adequate and appropriate training in the field of occupational safety and health, in particular in the form of job-specific information and work instructions, and his / her job in the following situations:

1. on employment;
2. Changing the job or the type of work;
3. the introduction of new work equipment or modifications of the existing equipment;
4. resuming the activity after a break of at least 6 months;
5. introducing any new technology or work procedures;
6. for the execution of special works;
7. to change the legislation in the field.

(3) The training referred to in paragraph 2 shall be

a. Adapted to the evolution of risks or the emergence of new risks; b. Periodic and whenever necessary.

(4) The University, as an employer, shall ensure that its employees, or those who work temporarily or carry out various activities within its premises, receive appropriate instructions on occupational safety and health risks during the course of their activities.

Art. 29. In order to ensure the safety and health conditions at work and to prevent accidents at work and occupational diseases, the university has the following obligations:

a) to prepare a prevention and protection plan consisting of technical, sanitary, organizational and other measures, based on the risk assessment, to which it shall apply accordingly to the specific working conditions of the institution;

b) obtain authorization for operation from the point of view of safety and health at work, before starting any activity, according to the legal provisions;

c) to establish, for the employees, through the job description, their duties and responsibilities in the field of safety and health at work, corresponding to the functions exercised;

d) to draw up, in the spirit of the present law, instructions for completing and / or applying health and safety regulations at work, taking into account the particularities of the activities and the jobs under their responsibility;

e) to ensure and control the knowledge and the application by all employees of the measures provided for in the preventive and protective plan established, as well as of the legal provisions in the field of safety and health at work, by the designated employees, by their own competence or by external services ;

f) to take measures to provide materials for informing and training employees such as posters, leaflets and films on safety and health at work;

g) to ensure that every person is informed, prior to employment, of the risks to which he is exposed at the workplace and of the necessary preventive and protective measures;

h) to take measures for the authorization to practice the professions and professions provided by the specific legislation;

(i) employ only those persons who, following the medical examination and, where appropriate, psychological testing of the skills, are in charge of the work they are to perform and provide regular medical checkup and, where appropriate, regular psychological control, ;

j) to keep an account of the high and specific risk areas referred to in art. 7 par. (4) 'lit. e) of Law no. 3 19/2006 on health and safety at work, with subsequent amendments and completions;

k) to present the documents and to give the contacts requested by the labor inspectors during the control or the investigation of the events;

l) to ensure the measures taken by the labor inspectors on the occasion of the control visits and the investigation of the events;

m) to designate, at the request of the labor inspector, the employees to participate in the control or the investigation of the events;

(n) not to alter the state of fact resulting from the occurrence of a fatal or collective accident, except in cases where the maintenance of this condition would generate other accidents or would endanger the life of the injured party or other person;

o) ensure the assessment of the risks of occupational disease in all workplaces;

p) to establish the appropriate protection measures for the workplaces and the assessed risk factors;

q) to consider the ability of employees to perform their duties in relation to health and safety at work;

r) to communicate research, registration and declaration on the basis of recorded records of accidents at work and occupational diseases - External Service for SSH prevention and protection

Art. 30. (1) Every employee is obliged to ensure the application of the measures related to his / her safety and health as well as to the other employees.

(2) In order to ensure the safety and health at work, the employees have the following obligations:

- a) to acquire and observe the norms and instructions for labor protection and the measures for their application;
- b) to carry out the activity in such a way that the person and other persons involved in the work process are not exposed to the danger of injury or professional illness; c) correctly use machinery, equipment, tools, transport equipment, hazardous substances and other means of production;
- (d) not to disconnect, change or arbitrarily move its own security devices, machinery, equipment, tools, technical installations and buildings and to use these devices correctly;
- e) to notify the manager of the workplace of any technical deficiencies or other situations that constitute a danger of injury or professional illness;
- f) to inform the manager of the workplace as soon as possible of the work accidents suffered by his / her own person or other employees;
- g) to maintain cleanliness in the halls and access gates, stairways and common sanitary groups;
- h) to attend the medical visit on recruitment and the medical examination periodically;
- i) to check, clean, maintain and store properly the equipment, tools and tools used during the work;
- j) to ensure adequate ventilation and uniform illumination at the workplace;
- k) to stop the work from occurrence of an imminent danger of an accident and to immediately inform the manager of the work place;
- l) to participate in the training organized by the institution in the field of safety and health at work;
- m) Smoking is allowed only in specially designated and appropriately marked places, without affecting the proper functioning of the institution.

Art. 31. (1) The Occupational Safety and Health Committee shall operate on the basis of its own regulation.

(2) The purpose of the Occupational Safety and Health Committee is to ensure the involvement of employees in the development and implementation of decisions in the field of labor protection.

(3) The rules of safety and health at work at the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara shall be completed with the provisions of Law no. 319/2006 on health and safety at work, with subsequent amendments and completions and the provisions of the legislation in force.

## 2. RULES ON HYGIENE, HEALTH PROTECTION AND SECURITY IN EMPLOYMENT

### GRAVIDE AND MAMMAL WOMEN, LUGGAGE OR WOMEN

Art. 32. The rights and obligations of the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara and of the employees regarding the rules on hygiene, protection of health and safety at work of pregnant workers and mothers, nursing circumscribe the provisions of GEO no. 96/2003, on the protection of maternity at work, with subsequent amendments and completions.

## 3. RULES ON PREVENTION AND FIRE EXTINGUISHING

Art. 33. For the purpose of applying and observing the rules on prevention and extinguishing fires, the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara has the following obligations:

- a) establishes by written provisions the responsibilities and organization of the fire protection within the institution;
- b) appoints one or more persons responsible for the implementation, control and surveillance of fire protection measures, in correlation with the nature, complexity, volume and fire risks presented by the activities carried out, and ensures to such persons the necessary time for execution assigned duties;
- c) Ensure the entry in the job descriptions of the duties and responsibilities of the persons designated by written provisions to carry out fire prevention and fire-fighting tasks and to inform them of their obligations; d) ensure the elaboration of the fire protection plans and verify, through the designated specialists, the knowledge and the capacity to implement them;
- e) ensure the training of its own employees and external collaborators, by checking through the designated persons, how to know and observe the rules and measures for prevention and extinguishing the fires specific to the activities they carry out;
- f) periodically check the knowledge and observance of the specific fire prevention and fire-fighting rules through the fire prevention and fire-fighting technical staff or the other appointed specialists;
- g) analyzes the way of organizing and carrying out the fire protection activity on a semi-annual basis;
- h) determines by decision the persons who will carry out the introductory training at the employment as well as the regular training on the job. Instructions will be compulsory for any person employed in the institution regardless of the nature of the occupied position.

Art. 34. In order to ensure compliance with p.s.i rules and measures, each employee, regardless of the nature of the employment, has the following main duties in the process of work:

- a) to know and to observe the general rules of p.s.i. from the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara and the tasks of prevention and extinction specific to the work place;
- b) to fulfill on time all the measures established for the prevention and extinction of fires;
- c) to use, according to instructions given by the institution or the persons designated by it, dangerous substances, installations, machinery, equipment and work equipment;
- d) not to carry out maneuvers and unauthorized modifications of the technical means of protection or intervention for the extinction of fires;
- e) at the end of the program to check and take all measures to remove the causes that may cause fires;
- f) in no way affect the functionality of the access and evacuation paths in buildings;
- g) immediately communicate to hierarchical officers and fire prevention and fire-fighting personnel any situation they are entitled to regard as a fire hazard, as well as any malfunctioning of the fire protection or intervention systems.

Art. 35. The rules on the prevention and extinguishing of fires shall be completed with the provisions of Law no. 307/2006 on fire protection, as amended and supplemented and the legislation in force.

Art. 36. (1) The legal provisions regulating smoking or its prohibition in the institution are mandatory for both its employees and students, as well as for the persons occasionally on the premises of the institution.

(2) In the closed premises of the institution, as defined by the provisions of Law no. 349/2002 on the prevention and combating of the effects of tobacco products consumption, as amended and supplemented, smoking is prohibited. Places where smoking is allowed will be delimited by marking with "Smoking spots".

(3) The rules established at the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timișoara regarding smoking / smoking ban are supplemented with the provisions of Law no. 349/2002 on the prevention and combating of the effects of tobacco products consumption, with subsequent amendments and completions and with the provisions of the legislation in force.

#### 4. RULES ON ENVIRONMENTAL PROTECTION

Art. 37. (1) For the prevention of ecological risks and damages, the employees of the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" from Timisoara have the following obligations:

a) comply with the handling rules for chemicals or other toxic substances in different packages; a) to deposit the garbage only in containers for this purpose and in the specially arranged places;

b) to protect green areas, hedges, trees, etc. from all universities, to improve the quality of the environment.

(2) The provisions related to the environmental protection rules shall be completed with the provisions of the legislation in force.

#### 5. RULES ON ACCESS TO THE INSTITUTION

Art. 38. (1) Access to the premises of the institution is allowed only through the control points, access (gate), specially designed and marked to the affluence of the employees, students or other persons.

(2) Access to the university for employees shall begin at 700 hours and end at 2000 according to the work schedule, except where the work program takes place outside this interval.

(3) For occasional activities, the presence of the employees in the institution shall be with the approval of the direct head.

Art. 39. The access of students and other persons to hostels belonging to the university shall be carried out in compliance with the general provisions of this Regulation and the special provisions of the Regulation on the organization and functioning of student hostels, approved by the Senate of the University.

Art. 40. The access to vehicles within the university premises and to the parking spaces related thereto shall be in compliance with the following rules:



- a) the access of the university staff to their own cars, as well as to the machines of the university car park, is based on the service card;
- b) the machines of the firms cooperating with the university have access only after checking the documents accompanying the goods and the preliminary telephone confirmation for access to the building in question;
- c) cars belonging to the central and local public administration authorities have free access if they are recognized by the security guards;
- d) the access of motor vehicles arriving in the interest of service (eg electricity, gas, water, etc.) is only allowed after the prior call has been requested by the structure requesting the intervention;
- e) access for students to their own cars is based on the student's student card.

Art. 41. The parking of motor vehicles in the spaces reserved for the university is allowed to its employees and students, within the limits of the places for this purpose, in compliance with the parking rules. Attention should be paid to avoiding the blocking of other vehicles as well as access roads to the university buildings.

Art. 42. (1) Failure to observe the parking spaces, as well as parking and parking rules within the institution, entitles the institution to dispose of motor vehicles.

(2) The university's board of directors may propose to the Senate procedures or regulations, detailing the provisions regarding the access to the institution.

#### HEAD. V. PROCEDURE FOR SOLVING INDIVIDUAL REQUESTS OR REPRESENTATIVES OF EMPLOYEES

Art. 43. Insofar as it will prove that a right has been breached, any employee concerned may refer the employer for the provisions of the internal regulation in writing, expressly stating the infringing provisions and the legal provisions which consider the employee to be so violated.

Art. 44. (1) To the employees of the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara is recognized and administratively guaranteed - besides the constitutional recognition and guarantee - the right to address the persons and / leadership of the institution, state bodies, non-governmental organizations, the press, etc. petitions (requests, complaints, complaints, memos, and others) targeting the institution and / or members of the academic community of the institution.

(2) The employees of the institution have, implicitly, the obligation to exercise the right from par. 1 in good faith and deontology and reflect the reality.

Art. 45. (1) The University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara shall settle, in accordance with the legal provisions - supplemented with its internal regulations, the valid petitions addressed to him, sense, research and detailed analysis of all the issues raised.

(2) Such notification shall be recorded in the General Register of Entry-Exits of the University and shall be solved by the person specifically empowered by the institution in accordance with the attributions stated in the job description or specified in the individual labor contract.

(3) Anonymous petitions / petitions or those in which the petitioner's identification and contact details are not passed are not taken into account and ranked. Acts that, by rationally interpreting

their content, are not complaints / petitions / complaints but proposals, do not have the regime set forth in this chapter.

Article 46. (1) The referral shall be settled and the reply shall be made within maximum 30 days, after examining all the circumstances leading to the correct assessment of the state of affairs, and shall bear the visa to the management of the university.

(2) Where the matters referred to in the petition require further investigation, the term referred to in paragraph (1) may be extended by a maximum of 15 days.

Article 47. 1) If a petitioner addresses several petitions to the university, referring to the same issue, they will be linked, the petitioner receiving a single answer that must refer to all the petitions received.

(2) If, after sending the reply, a new petition is received from the same petitioner or from a wrong public authority or institution, with the same content, it is ranked, with the original number mentioning that it was answered.

Article 48. The reply shall be communicated to the employee who made the complaint / complaint immediately, in the following ways:

personally, under the signature of receipt, specifying the date of receipt; by post, in case the employee could not personally receive the answer, by registered letter with acknowledgment of receipt.

Art. 49. Employees have the right to request an audience with the head of the institution as well as with persons with leading positions.

#### HEAD. VI. CONCRETE RULES ON THE LABOR DISCIPLINE IN THE UNIVERSITY OF AGRICULTURAL SCIENCES AND VETERINARY MEDICINE OF BANAT "THE KING OF MIHAI 1 OF ROMANIA" FROM TIMIȘOARA

##### 1. WORKING TIME AND REST TIME

Art. 50. Working time is any period during which the employee performs the work, is at his disposal and performs his duties and duties. For full-time employees, the normal working time is 40 hours per week.

Art. 51. (1) For the teaching staff, the organization of working time respects the provisions of the National Education Law no. 1/2011 on the didactic norm.

established (2) by For the staff of the teaching staff of the auxiliary and non-academic institution, it is usually the time between work hours start 73 and 1530 'ends except the hours

sectors / laboratories / workshops, etc., whose activity requires another approved interval. (3) In cases where the daily working time is longer than 6 hours, employees are usually entitled to a 30-minute break within the working hours. The hourly break for the meal break will be determined by the head of the department / service concerned, depending on the specificity of the activity.

(4) Within the time period stipulated in paragraph (2), the employees are in the working hours, having the obligation to observe the rules regarding the work discipline in the unit and to perform the necessary activities for performing the job duties.

Art. 52. (1) The working schedule and the way of its distribution per day for non-teaching and auxiliary teaching staff are brought to the attention of the employees by the care of the chief of the work place.

(2) The teaching and research staff have the obligation to draw up the daily activity record and the attendance at the service that will be submitted to the department manager for approval.

(3) The employee who, through the duties of the service, draws up the collective record of attendance and those who sign it are answerable according to the law, the reality and the accuracy of the data recorded therein, as well as the submission to the Human Resources Division of the collective identity card the first working day of the following month.

(4) The entries of false data on presence or in collective identity cards constitute a disciplinary offense and shall be sanctioned in accordance with the provisions of this Regulation and the legislation in force.

Art. 53. The Human Resources Department keeps records of sick, study and unpaid leave and, separately, of holidays according to planning received from faculties, departments, etc.

Art. 54. Periodic periodic rests are granted in the following forms:

- lunch break and daily rest;
- Weekly rest for two consecutive days, usually on Saturdays and Sundays;
- legal holidays.

Art. 55. (1) The days of legal holiday in which no work is done shall be those established by the provisions of art.

139 of the Law no. 53/2003 - Labor Code, republished, with subsequent amendments and completions.

(2) The provisions of paragraph 1 does not apply to workplaces where the activity can not be interrupted due to the nature of the production process or the specificity of the activity.

Art. 56. (1) In the case of special family events, employees are entitled to paid paid days not included in the duration of the holiday leave, as follows:

- a. the employee's marriage 5 working days;
- b. marriage to a child 3 working days;
- c. brothers / sisters' marriage 3 business days;
- d. birth of a child 5 working days + 10 working days if he / she followed a course of puericulture;
- e. husband, wife, parents, father-in-law, children, brothers, sisters or grandparents 5 working days;
- f. change of place of work with change of residence / residence 5 working days;
- g. change of residence 3 working days;

(2) If the special events mentioned in par. 1 occurs during the holiday leave, it is suspended and will continue after the paid days are paid.

Art. 57. Compensation of overtime is done through free-of-charge pay or by payment with bonuses according to the law. Art. 58. (1) Work done between 22.00 and 6.00 is considered night work. (2) The night employee shall be:

a) the employee who performs night work at least 3 hours of his / her daily working time;

b) the employee who carries out night work at least 30% of his monthly working time.

Art. 59. - (1) The normal working time for the night employee shall not exceed an average of 8 hours per day, calculated over a reference period of maximum 3 calendar months, in compliance with the legal provisions regarding the rest weekly.

(2) The normal length of working time for night workers whose work is under special or special working conditions established according to the legal provisions shall not exceed 8 hours during any 24-hour period in which they perform the work nightly.

3. Staff who perform at least 3 hours of night work during normal working hours and do not benefit from reduced hours shall benefit from an increase of 25% of the basic salary.

## 2. THE COURTS

Art. 60. (1) The right to annual paid annual leave is guaranteed to all employees.

(2) The right to annual leave may not be the object of any assignment, renunciation or limitation. The rest leave is granted to the employees in accordance with the legal provisions, the minimum period of annual leave is 20 working days and is established in proportion to the activity performed in a calendar year.

(3) In the case of employees working in difficult, dangerous or harmful conditions, the blind, other disabled persons and the young persons under the age of 18, the duration of the leave is 23 working days.

4. For employed persons during the year, the duration of the holiday leave shall be determined in proportion to the period of employment since the end of the calendar year concerned.

Art. 61. (1) For auxiliary and non-teaching staff, rest leave shall be granted, depending on the length of service, as follows:

Old age in work

> up to 5 years

> between 5 and 15 years > over 15 years Leave of rest 21 working days 23 working days \* 24 working days

28 business days

\* the employees referred to in art. 60 paragraph 3

(2) The auxiliary and non-teaching teaching staff of the institution shall benefit from an additional leave of between 5 and 10 working days, according to the law. The exact duration of the supplementary leave is established in the joint commission at the level of the institution.

(3) Teachers from the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" from Timisoara benefit from the 45-day rest leave.

Art. 62. (1) Recreational leave shall be carried out each year.

(2) By way of exception from the provisions of paragraph (1), the leave in the following year is allowed only in cases expressly provided by law

(3) The University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara is obliged to grant leave until the end of the following year to all employees who in one calendar year have not fully completed the holiday leave at which were entitled.

(4) Compensation in cash of the unpaid leave is allowed only in case of termination of the individual labor contract, in proportion to the actual working period. Art. 63. (1) Recreation holidays shall be made annually, based on collective or individual scheduling, set by the university in consultation with employees' representatives or with the consultation of the employee.

(2) Scheduling of rest leave shall be done at the end of the year for the following year by the unit management, at the proposal of the department manager or hierarchical head, with the approval of the university senate.

(3) The order of rest leave shall be established in staggered manner throughout the year, taking into account the good performance of the activity, as well as the interests of the staff.

Art. 64. - (1) When determining the holiday allowance, the employee shall be entitled to a leave allowance, which may not be less than the basic salary, indemnities and bonuses of a permanent nature due for the respective period stipulated in the individual labor contract .

(2) Employees who, besides the basic function, fulfill - by cumulation - another full-time function, are entitled to rest leave paid only for the basic function, ie from the unit in which they have the basic function.

Art. 65. (1) In order to solve personal situations, employees are entitled to receive unpaid leave upon request.

(2) Unpaid leave may be granted for a period of maximum 1 year with the agreement of the university management, taking into account both the interests of the employee and the need to ensure the functioning of the respective service.

(3) For the teaching staff the provisions of art. 304 of the National Education Law no. 1/2011, as subsequently amended and supplemented, regarding the unpaid leave granted by the institution.

Art. 66. (1) Employees have the right to receive, on request, vocational training leave. (2) Training leave may be granted with or without payment.

(3) The application for unpaid leave, to which the hierarchical head is concerned, shall be submitted to the general registry of the institution and shall be subject to the approval of the management of the institution.

### 3. SALARIZATION

Art. 67. (1) For the work done under the individual labor contract, each employee is entitled to a salary in cash.

(2) The salary shall include salary, bonuses, merit, compensations and other supplements, depending on the contract staff: didactic and research, didactic and auxiliary research and administrative-non-academic staff.

(3) The remuneration of teaching and research staff, auxiliary teaching and research staff and non-teaching staff shall be in accordance with the legislation in force and the decisions of the university senate.

(4) Salaries related to the basic function shall be paid prior to any other obligations of the employer.

Art. 68. (1) Vacancies or temporary vacancies, reserved are covered with priority by the titular staff of the institution or associate teaching staff, by paying with the hour, according to the law.

(2) The titular teachers may perform teaching activities with the hour upon the proposal of the department with the approval of the Faculty Council by decision of the rector.

(3) The associate teachers and the retired teachers may perform teaching activities in the payment of the hour upon the justified proposal of the Faculty Council, with the approval of the university senate by decision of the rector.

## VII. DISCIPLINARY ABUSE AND APPLICABLE SANCTIONS

### 1. DISCIPLINARY LIABILITY

Art. 69. (1) According to the "King Mihai I of Romania" University of Agricultural Sciences and Veterinary Medicine of Timisoara, disciplinary offense is defined as an act related to work, including conduct at work, and which consists in an action or inaction committed by the employee, by which the employee violated the legal norms, the provisions of the internal regulation, respectively other internal regulations of the institution, the individual labor contract or the applicable collective labor contract, the norms of behavior prejudicial to the interest of the education and the prestige of the institution, the orders and legal provisions of hierarchical leaders.

(2) The University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara has disciplinary prerogatives with the right - according to the law - to apply disciplinary sanctions to the employees whenever they find that they have committed a disciplinary offense.

(3) The employees of the university have the duty to fulfill their obligations at the work place in a timely manner. They have the duty to act conscientiously in order to increase the efficiency of work, to fulfill the obligations arising from the work contract, the university charter, the regulations of organization and functioning of the university.

Article 70. 1. Any breach of the obligations and prohibitions provided for in this Regulation shall constitute disciplinary offense.

(2) Disciplinary dismissal of the individual labor contract shall be applied if the employee has committed a serious misconduct or repeated deviations by which he has breached the legal norms, the provisions of the internal regulation or other internal regulations of the institution, the individual labor contract or the contract applicable collective labor, rules of conduct that harm the interest of the institution's education and prestige, the orders and legal provisions of hierarchical leaders.

(3) Within the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara are serious disciplinary misconduct and may be sanctioned with the disciplinary dissolution of the individual labor contract:

(a) harassment of the employing institution, members of its governing bodies, other employees and its students through repeated or continuous acts or actions having as their object, effect or effect:

1. denigration of the institution or other employees / students;

A.2. touching on human / professional dignity or the personal rights of employees / students, or damage to the reputation and image of the institution;

a.3. altering working conditions by creating an intimidating, hostile or offensive environment.

b) the refusal to perform the teaching activity according to the state function;

c) repeated, unmotivated absences from the workplace - 10 hours unmotivated during a month or absent from the workplace 7 times in seven weeks;

d) refusal to fulfill or observe the decisions / legal decisions of the university's governing bodies;

e) making false reports, distorting or destroying important acts for the purpose of producing or covering a fraud;

f) failure to present, at the request of the management, the removal of the consequences of accidents, damages, fires, in order to restore the activity within the institution;

g) failure to comply with occupational health and safety, fire prevention and extinguishing rules, where the life, physical integrity or health of persons have been endangered, or have resulted in the destruction of the premises, facilities or other property of the institution;

h) Repeated behavior of aggressive, inadequate or uncivilized behavior (eg injuries, insults, offenses) to colleagues, students, visitors and other persons within the institution;

i) falsification of the service documents or any document issued by the institution;

j) leaving the workplace, non-supervision of the equipment / installations with high degree of danger in operation;

k) participation in acts of violence or provocation of acts of violence within the institution;

l) presence at work under the influence of alcohol or drugs; m) the deeds of the employee who incur criminal responsibility committed within the institution or during the performance of the service duties outside the institution;

n) other facts expressly provided for by the law and / or the regulations in force within the institution.

(4) If the deeds are committed under such conditions that, according to the law, they constitute contraventions or crimes, the criminal and criminal liability of the perpetrator shall be undertaken in parallel with the disciplinary liability.

Art. 71. (1) Disciplinary sanctions and the procedure for their application have a differentiated legal regime, established by law, according to the status of the disciplined employee, respectively:

a) disciplinary sanctions applicable to auxiliary and non-teaching teaching and research staff;

b) disciplinary sanctions applicable to teaching and research staff.

(2) When establishing the disciplinary sanction, account shall be taken of the circumstances in which the deed was committed, the degree of guilt of the employee, the consequences of the disciplinary deviation, the general behavior of the employee and the disciplinary sanctions previously suffered by the employee.

1.1. Disciplinary sanctions applicable to teaching and research and non-teaching research staff

Art. 72. (1) The disciplinary sanctions applied by the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara in the case of disciplinary misconduct, didactic and auxiliary and non-didactic teaching staff are:

a) written warning;

b) relegation from the position, with the salary corresponding to the function in which the relegation was ordered for a duration not exceeding 60 days;

c) reduction of basic salary for 1- 3 months by 5 - 10%;

d) reduction of the basic salary and / or, as the case may be, of the driving allowance for a period of 1 - 3 months by 5-10%;

e) Disciplinary dissolution of the individual labor contract;

(2) The disciplinary sanction shall be lawfully expelled within 12 months from its application, unless the employee is subject to a new disciplinary sanction within this term. The elimination of disciplinary sanctions is determined by a decision of the institution issued in written form.

Art. 73. (1) Under the sanction of absolute nullity, no measure, except the one stipulated in art. 72 par. 1 lit. a, can not be ordered without prior disciplinary research.

(2) Any employee who is subject to disciplinary research, enjoys the presumption of innocence, being respected

the rights of the defense, in accordance with the provisions of this Regulation and the legislation in force.

(3) In order to carry out the preliminary disciplinary investigation, the employee shall be summoned in writing by the institution empowered to carry out the research, specifying the subject, date, time and place of the meeting.

(4) Non-presenting of the employee at the convocation made under the conditions stipulated in paragraph (3) without objective reason, entitles the institution to order sanctioning, without carrying out prior disciplinary research.

(5) In the course of the prior disciplinary investigation, the employee has the right to formulate and support all defense in his favor and to provide the commission conducting the inquiry with all the evidence and motivation it deems necessary and the right to be assisted by a representative of the union whose member he is.

(6) The Commission for Research examines the facts presented by the parties and proposes the disciplinary sanction for approval to the Board of Directors.



Art. 74. (1) The institution shall order the disciplinary sanction to be enforced by a written decision, within 30 calendar days from the date of acknowledgment of the disciplinary misconduct, but no later than 6 months from the date of its commencement scene.

(2) Under the sanction of absolute nullity, the decision shall include: a) the description of the act constituting a disciplinary offense;

b) specification of the provisions of the Staff Regulations, the internal regulation, the individual labor contract or the applicable collective labor contract, which have been violated by the employee;

c) the reasons for removing the defense formulated by the employee during the preliminary disciplinary investigation or the reasons for which, under the conditions provided by art. 73 par. 4, the research was not carried out;

d) the legal basis on which the disciplinary sanction is applied;

e) the period within which the sanction may be challenged;

f) the competent court to which the sanction may be challenged.

(3) The sanctioning decision shall be communicated to the employee within maximum 5 calendar days from the date of issue and shall take effect from the date of communication.

(4) The communication shall be handed over personally to the employee, with signature of receipt, or, in case of refusal of receipt, by registered letter, at the domicile or residence communicated by him.

(5) The sanctioning decision may be challenged by the employee at the competent courts within 30 calendar days from the date of communication.

## 1.2. Disciplinary sanctions applicable to teaching and research staff

Art. 75. (1) Disciplinary sanctions, which can be applied to teaching and research staff are:

a) written warning;

b) reduction of basic salary, cumulative, where appropriate, with management, mentoring and control allowance;

c) suspended, for a limited period of time, the right to enroll in a competition for a higher teaching position or a management, mentoring and control position as a member of doctoral, master or license boards;

d) dismissal from the management position in education;

e) Disciplinary dissolution of the employment contract.

(2) If the disciplined person did not commit disciplinary irregularities within one year after the sanction, by improving his / her activity and behavior, the authority that applied the disciplinary sanction may order the lifting and deletion of the sanction, with the corresponding mention in the personal service - the personal file of the person concerned.

Art. 76. (1) The proposal for disciplinary sanction shall be made by the director of department or unit of research, design, microproduction by the dean or rector or at least 2/3 of the total number of the members of the department, of the faculty council or of the Senate, as the case may be.

They act upon a received notification or self-report in the case of a directly detected offense.

(2) The disciplinary sanctions provided in art. 75 par. (1) lit. a) and b) shall be determined by the faculty councils. The disciplinary sanctions provided in art. 75 par. (1) lit. c) - e) are established by the University Senate of the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara.

(3) The Dean or Rector, as the case may be, shall apply disciplinary sanctions.

Article 77. (1) The disciplinary sanction shall be applied only after the investigation of the deed, the hearing of the person concerned and the verification of the defense made by him / her.

(2) The analysis commissions made up of 3-5 members, teachers having at least the same teaching function as the one who committed the offense and a representative of the trade union organization shall be appointed as follows:

a) Rector, with the approval of the university senate;

b) the Ministry of National Education and Scientific Research, for the USAMVBT managerial staff and for resolving the appeals concerning the decisions of the university senate. Art. 78. (1) In the investigation of the presumed violation, the facts and their consequences shall be established, the circumstances in which they were committed, the existence or non-existence of the guilt, as well as any other conclusive data.

(2) The hearing of the person under investigation and the verification of his defense are mandatory.

(3) The refusal of the interviewee to appear at the hearing, although notified in writing, as well as to make written statements, shall be recorded by minutes and shall not prevent the completion of the investigation.

(4) Teaching and research staff have the right to know all the papers of the research and to bring evidence to support the defense.

Art. 79. (1) At the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara, the sanctions shall be communicated in writing to the didactic and research staff, as well as to the auxiliary teaching and research staff by the Human Resources Department.

(2) The right of the disciplined person to appeal to the courts shall be guaranteed.

(3) The jurisdiction of the courts, as well as the term within which the sanctioned person may bring the matter before the court, shall be those regulated by Law no. 53/2003 - Labor Code, republished, with subsequent amendments and completions.

## 2. PATRIMONIAL LIABILITY

Art. 80. (1) The University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara is obliged, under the rules and principles of contractual civil liability, to compensate the employee in the situation in which he suffered a material damage caused by the fault of the institution during the performance of the service obligations or in connection with the service.

(2) If the institution refuses to compensate the employee, he may address the competent courts with complaint.

Art. 81. (1) Employees are liable patrimonial, under the rules and principles of contractual civil liability, for material damage to the institution in fault and in connection with their work.

(2) The employee who has received an undue sum from the institution is obliged to return it.

(3) If the employee has received goods which were not due to him and which can no longer be returned to him in kind or if he has been rendered services to which he was not entitled, he shall be obliged to bear the price thereof. The value of the goods or services in question is determined by their value from the date of payment.

Art. 82. (1) When the damage was caused by several employees, the amount of each person's liability shall be determined in relation to the extent to which each contributed to its production.

2. If the extent to which it has contributed to the loss can not be determined, the liability of each shall be determined in proportion to his net salary as of the date on which the damage was ascertained and, where appropriate, the actual time worked since his last inventory .

(3) The amount set for the coverage of claims shall be retained in monthly installments of the salary rights payable to the person concerned by the institution to which he is employed.

4. The rates may not be higher than one third of the net monthly salary, and may not exceed half of that salary, together with the other deductions.

Art. 83. The patrimonial responsibility of the entire staff of the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara is established according to labor law. Measures for the recovery of damages and damages are taken according to labor law.

#### HEAD. VIII. CRITERIA AND PROCEDURES FOR PROFESSIONAL EVALUATION OF EMPLOYEES

Art. 84. (1) The professional activity of the contractual staff of the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara shall be evaluated annually by the hierarchically superior leader of the evaluated person.

2. The evaluation period shall be between 1 and 31 January of each year. The assessed period is from 1 January to 31 December of the year preceding that in which the assessment is made.

(3) The professional activity is appreciated as a result of the evaluation of the individual professional performances, by granting one of the qualifiers: "very good", "good", "satisfactory", or "unsatisfactory".

(4) The criteria for evaluation of individual professional performances are in accordance with the Law no. 284/2010 the following:

- a) knowledge and experience;
- b) complexity, creativity and diversity of activities;
- c) judgment and impact of decisions (for management positions);
- d) influence, coordination and supervision (for management positions);
- e) contacts and communication;
- f) working conditions;
- g) special incompatibilities and regimes.

(5) Where appropriate, depending on the specificity of the activity of the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara, additional evaluation criteria may be established by the employer.

(6) Based on the elements mentioned in paragraph 4, the person who will carry out the evaluation procedure shall issue notes from 1 to 5, for each criterion in the assessment sheet of each employee. The final grade of the evaluation is the arithmetic mean of the grades given for each criterion.

(7) The final evaluation score shall be established on the basis of the final note as follows:

a) between 1.00 - 2.00 = unsatisfactory;

b) between 2.01 - 3.50 = satisfactory;

c) between 3.51 - 4.50 = good;

d) between 4.51 - 5.00 = very good.

Art. 85. (1) After informing the evaluated person of the records made by the evaluator in the evaluation sheet, it shall be signed and dated by the evaluator and the evaluated person.

(2) If there are differences of opinion between the evaluated person and the evaluator on the records made, the comments of the evaluated person shall be recorded in the evaluation sheet. The evaluator may modify the evaluation sheet if a common view is reached.

(3) The evaluation sheet shall be forwarded to the contractor. He has the quality of counselor as the hierarchical superior of the evaluator, according to the organizational structure of the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara. If the rating of the institution has the rating of the institution, the evaluation sheet does not countersign.

Art. 86. (1) The evaluation sheet may be modified according to the decision of the countersignor in the following cases:

a) the recorded assessments do not correspond to reality;

b) between the evaluator and the evaluated person there are differences of opinion that could not be solved by mutual agreement.

(2) The evaluation sheet modified under the conditions of par. 1 shall be made known to the evaluated person.

Article 87. (1) Employees dissatisfied with the outcome of the evaluation may appeal to the Rector of the University. It will resolve the appeal on the basis of the evaluation sheet, the report drawn up by the evaluated person and the report drawn up by the evaluator and endorsed by the counterparty.

(2) The appeal shall be filed within 5 working days from the acknowledged assessment person's assessment note and shall be settled within 10 working days from the expiry of the deadline for filing the appeal. The result of the contestation shall be communicated to the evaluated person within 5 working days of the settlement of the appeal.

(3) Employees dissatisfied with the way of settling the appeal formulated according to par. 1 may address the competent court, according to the law.

(4) Employees assessed directly by the rector of the university, who are dissatisfied with the outcome of the evaluation, may address the competent court, according to the law.

Article 88. (1) If the employee receives the qualification "unsatisfactory" for the evaluation, it shall be considered as not satisfying the requirements of the job and shall be done in accordance with the provisions of the labor legislation in force.

(2) The evaluation sheets shall be handed over by the person who has the capacity of evaluator to the Human Resources Department for filling in the personal file of the employee.

#### HEAD. IX. METHODS FOR APPLYING OTHER SPECIFIC LEGAL AND CONTRACTUAL PROVISIONS

Art. 89. In order to ensure the application of all legal provisions in the field of labor relations at university level, the following principles apply:

- a) permanent informing the management of the institution about the occurrence or changes of the legal framework in the field of labor relations;
- b) immediate informing employees about the new regulations in the field of labor relations, especially the specific sanctions;
- c) Immediate application of legal norms involving changes in the labor relations regime at university level;
- d) the appropriation and application of all incumbent legal norms to the specificity of the university's activity.

#### HEAD. X. FINAL PROVISIONS

Art. 90. (1) The management of faculties, department heads, heads of services, offices, departments, departments, departments, etc. shall have the duty to inform all subordinated employees about the provisions of these internal regulations.

(2) Employees must prove the appropriation of the provisions of this internal regulation by signing the minutes drawn up during the training.

(3) For an employee who has been absent at the time of informing about the provisions of the present Internal Regulation, the notification shall be made on the first day after the resumption of the activity by the faculty leaders, department heads, heads of services, offices, compartments, departments, departments, etc., and the minutes should follow the same procedure outlined above.

(4) For the new employees, the processing of the Internal Regulations shall be made on the first day of activity at the university by the faculty heads, department heads, heads of services, offices, compartments, departments, departments, etc., 2.

Art. 91. (1) The internal regulations are displayed on the official website of the university - [www.usabttm.ro](http://www.usabttm.ro) and communicated to the departments, departments, departments, faculties etc. in electronic form.

(2) The content of the internal regulation is the result of consultation with representatives of the Trade Union of the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" in Timisoara.

(3) The present Regulation was approved at the session of the Senate of the University of Agricultural Sciences and Veterinary Medicine of Banat "King Mihai I of Romania" from Timișoara

from 20.12.2012 and was modified at the meetings of the university senate dated 06.06.2014, 31.10.2014 and 27.04.2016.

RECTOR,

Prof. univ.dr. Cosmin Alin Popescu