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Gap Analysis

This document is a part of the *HR Strategy for researchers* of the [Institute of Mechanics](#), which belongs to the [Bulgarian Academy of Sciences](#) (IMech-BAS). It contains information about some discrepancies between policies and practices of the IMech-BAS and [the Principles of the European Charter for researchers and the Code of conduct for the recruitment of researchers](#). These principles are described in a table, as in the third column are proposed actions which implementation we expect to cohere the policies and practices at IMech-BAS with the principles.

In addition to the gap analysis, a survey was conducted among researchers at the Institute of Mechanics for their opinion about Charter and Code Principles. The inquiry form contains short explanation of each principle and two questions: “**Do you agree with this principle?**” and “**How much do you think this principle is respected in IMech?**” Individual responses are numerical, with meanings: 5-definitely yes; 4-rather yes; 3-no opinion or an average opinion; 2-rather not; 1-definitely not. Participation is anonymous and voluntary. All researchers of IMech were invited to participate. The answers are given in 4th column of the table.

Many documents are available in Bulgarian only, but not all.

Pages 3-34 are suitable for printing in A4-Landscape orientation of the sheets, but other pages – in Portrait one!

Abbreviations of laws and regulations

<p>ADAS-RB – Act for Development of Academic Staff in the Republic of Bulgaria (En)</p> <p>CNRA – Copyright and Neighbouring Rights Act (En)</p> <p>EC-BAS – Ethical Code of BAS</p> <p>EC-IMech – Ethical Code of IMech</p> <p>HEA – Higher Education Act (En)</p> <p>LBAS – Law of Bulgarian Academy of Sciences (En)</p> <p>LC-RB – Labour Code of Republic of Bulgaria (En)</p> <p>LM&GI – Law on Marks and Geographical Indications (En)</p> <p>LP&UMR – Law on Patents and Utility Model Registration (En)</p> <p>LSRP – Law on Scientific Research Promotion (En)</p> <p>NSSR – National Strategy of Scientific Research - 2020 (En)</p> <p>PG-PC – Package of Guidelines for Participation in Competitions</p> <p>RA-ADAS-RB – Rules for Application of the Act for Development of the Academic Staff in the Republic of Bulgaria</p>	<p>RCO-SD-AP-BAS – Rules on the Conditions and Order for acquisition of Scientific Degrees and Academic Positions at BAS</p> <p>RCO-SD-AP-IMech – Rules on the Conditions and Order for acquisition of Scientific Degrees and Academic Positions at IMech</p> <p>RE-ACM – Rules for the Election of Academicians and Corresponding Members</p> <p>RILP-IMech – Rules of Internal Labour Policy at the Institute of Mechanics</p> <p>RPA-BAS – Rules for Publishing Activity - BAS</p> <p>RRP-OIP-BAS – Rules for Registration, Protection and Use of Objects of Intellectual Property in the Bulgarian Academy of Sciences</p> <p>RSAIO-IMech – Rules for the Structure, Activity and Internal Order of the Institute of Mechanics at BAS</p> <p>SBAS – Statutes of the Bulgarian Academy of Sciences (En)</p>
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Gap Analysis

I. Ethical and professional aspects

1. Research freedom			
<p>Researchers should focus their research for the good of mankind and for expanding the frontiers of scientific knowledge, while enjoying the freedom of thought and expression, and the freedom to identify methods by which problems are solved, according to recognised ethical principles and practices. Researchers should, however, recognise the limitations to this freedom that could arise as a result of particular research circumstances (including supervision/guidance/management) or operational constraints, e.g. for budgetary or infrastructural reasons or, especially in the industrial sector, for reasons of intellectual property protection. Such limitations should not, however, contravene recognised ethical principles and practices, to which researchers have to adhere.</p>			
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Relevant legislation (permitting or impeding the implementation of this principle)	Existing Institutional rules and/or practices (In Bulgarian)	Actions required (Who, when)	Inquiry
<p>In the Law on Scientific Research Promotion /LSRP/ the basic principles and mechanisms are settled for implementation of state policy for promoting research in the Republic of Bulgaria, as a national priority, having strategic importance for the country's development, as research is based on the principles of ethics, transparency, openness, accessibility and relevance.</p> <p>In accordance with Law of Bulgarian Academy of Sciences /LBAS /, BAS is a legal entity representing a national autonomous research organization that encompasses academic institutes and other independent departments, and which brings together academicians and corresponding members of the country, habilitated scientists from academic institutes and foreign members.</p> <p>According to Statute of the Bulgarian Academy of Sciences /SBAS /, the academy sets its priorities for research activities, organizes and carries out fundamental and applied scientific research in accordance with national interests and priorities and global trends and encourage the application of results.</p>	<ul style="list-style-type: none"> • Rules for the Structure, Activity and Internal Order of the Institute of Mechanics at BAS /RSAIO-IMech/ • Rules of Internal Labour Policy at the Institute of Mechanics /RILP-IMech/ • Ethical Code of IMech /EC-IMech/ <p>The RSAIO-IMech regulates the structure of the Institute of Mechanics and contains the basic rules for its activities. Art. 12 views main duties of researchers, as well as rights related to the management of the institute. Art. 20 (1) recognizes the possibility of researchers to initiate and carry out scientific and /or practical activities (projects) in accordance with the mission, policies, scientific research plan of the Institute of Mechanics, as well as with the regulations. The possibility of free choice of section (scientific direction) is recognized by art. 33 (2) and the</p>	<ul style="list-style-type: none"> • Performing an internal analysis of the conformity between those principles and the regulations and practices of IMech. <i>(Completed)</i> • Development of strategy for researchers. <i>(Completed)</i> 	<p>4.9</p> <p>4.7</p>

<p>Issues related to intellectual property rights are regulated by the Copyright and Neighbouring Rights Act /CNRA/, Law on Patents and Utility Model registration /LP&UMR/ and Law on Marks and Geographical Indications /LM&GI/ .</p> <p>The Rules for Registration, Protection and Use of Objects of Intellectual Property in the Bulgarian Academy of Sciences /RRP-OIP-BAS/ regulate the procedure for registration, protection and use of intellectual property of BAS, created during duties arising from employment, as well as procedures for protection and use of intellectual property objects, which rights have been acquired by other means.</p> <p>In §3 of the transitional and final provisions of the RRP-OIP-BAS is stated that the regulations for the activity of the respective independent unit have to regulate the organization of activities related to registration, use and protection of owned intellectual property objects.</p> <p>In § 4 of the transitional and final provisions of the RRP-OIP-BAS is specified that the rules of internal labor policy of the institute have to regulate the rights and obligations of the parties in the employment relationship on the occasion of registration, protection and exploitation of owned by the unit intellectual property if it does not contradict with the current legislation.</p>	<p>ability to share and discuss the activity is treated in Art. 34.</p> <p>The <i>Rules for internal labour policy at IMech</i> considers the relationships between the institute and its employees (researchers).</p> <p>In April 2015 came into force <i>Ethical Code of scientists from the Institute of Mechanics</i>. See Principle № 2 for more information!</p> <p>Research activity is focused in six fields and the staff of each section organizes open seminars.</p> <p>In 2014, it was organized a General seminar in IMech. The workshop has a chairman, secretary and its own rules, approved by the Scientific Council of IMech. The protocols of the workshops are uploaded to the website of the institute.</p>	<ul style="list-style-type: none"> • Complete actualization of RILP-IMech. (Up to 3.2017; 7-12.2018) • Development Rules for intellectual property rights in IMech. (Up to 12.2016; 10-12.2017) 	
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2. Ethical principles

Researchers should adhere to the recognised ethical practices and fundamental ethical principles appropriate to their discipline(s) as well as to ethical standards as documented in the different national, sectoral or institutional Codes of Ethics.

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<p>The provision of Art. 2 (1) of <i>Law of BAS</i> foresee the research in the academy to be consistent with universal human values, national traditions, interests and priorities identified in the <i>National Research Strategy /NRS/</i>.</p> <p>The activity of employees of BAS is performed in compliance with the principles of legality, impartiality, competence, responsibility, integrity, collegiality and civility, openness and transparency and confidentiality.</p> <p>In 2009, the management of BAS adopted a Code of Ethics in BAS /EC-BAS/ which regulates the ethical rules and principles that should be respected by employees in the BAS system.</p> <p>In §1 of the transitional provisions of the EC-BAS is determined that the rules of the Code are a mandatory part of the labour relations of employees of BAS and § 8 stated that each independent unit within the BAS system may develop and introduce its ethical code, based on the EC-BAS.</p>	<ul style="list-style-type: none"> • Rules of Internal Labour Policy at the Institute of Mechanics • Ethical Code of IMech • Ethics committee <p>The RILP-IMech considers some issues relating to ethical and unethical behaviour in the performance of official duties. For example: honest and conscientious implementation the tasks; compliance with working time; documenting and reporting on work performed; maintaining order, cleanliness etc.</p> <p>In 2014, the institute set up an Academic Ethics Committee to deal with matters relating to the unethical and ethical behaviour of researchers. This committee prepared the Ethical Code of IMech, approved by the General Assembly of Scientists on 22.04.2015.</p> <p>The EC-IMech was developed complying with many similar documents including the Charter and Code Principles. The code describes in detail the actions, considered as academic ethics violations.</p>	<ul style="list-style-type: none"> • Complete actualization of RILP-IMech. (Up to 3.2017; 7-12.2018) • Development of ethical code of IMech. (Completed, 4.2015) 	<p>4.9</p> <p>4.3</p>

3. Professional responsibility

Researchers should make every effort to ensure that their research is relevant to society and does not duplicate research previously carried out elsewhere. They must avoid plagiarism of any kind and abide by the principle of intellectual property and joint data ownership in the case of research carried out in collaboration with a supervisor(s) and/or other researchers. The need to validate new observations by showing that experiments are reproducible should not be interpreted as plagiarism, provided that the data to be confirmed are explicitly quoted. Researchers should ensure, if any aspect of their work is delegated, that the person to whom it is delegated has the competence to carry it out.

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<p>The Labour Code of Republic of Bulgaria /LC-RB/ governs labour relations between employee and employer. Upon receipt of work, every employee should be familiar with it and consequently an integral part of his contract is his job description.</p> <p>The Law on Scientific Research Promotion /LSRP/ settle principles and mechanisms for implementation of state policy for promoting research in Bulgaria. The research is a national priority and has strategic importance for the country's development.</p> <p>Research activity is promoted under the <i>Law on Scientific Research Promotion</i> and in line with the National Strategy for Scientific Research till 2020 /NSSR/.</p> <p>According to LBAS, respectively SBAS, the Bulgarian Academy of Sciences participate in the development of science in accordance with universal values, national interests and objectives set out in the NSSR.</p> <p>Legislation relating to the intellectual property rights is mentioned above, under 1st principle.</p>	<ul style="list-style-type: none"> • Rules of Internal Labour Policy at IMech • Ethical Code of IMech • <i>Academic Ethics Committee</i> in IMech <p>Many situations, characterized by a responsible or irresponsible performing of research, are considered in the <i>Ethical Code of IMech</i>. It is on the website of the Institute. When considering any allegations of violations of professional ethics, the existing <i>Academic Ethics Committee</i> of IMech can rely on the texts of the Ethical Code.</p>	<ul style="list-style-type: none"> • Instruction on the rules in the Ethical Code of IMech. (Human Resources. <i>Upon receipt of a job!)</i> • Promoting the rules of the Ethical Code of IMech as well as good and bad practices of professional conduct by the general seminar of IMech. (Academic Ethics Committee. Human Resources office. <i>Once a year!</i> <i>Participation if the newly hired is mandatory!)</i> • Control of researchers' ethical behaviour by the (Academic Ethics Committee. <i>Upon receipt of signals to the Committee)</i> 	<p>4.7</p> <p>3.6</p>

4. Professional attitude

Researchers should be familiar with the strategic goals governing their research environment and funding mechanisms, and should seek all necessary approvals before starting their research or accessing the resources provided. They should inform their employers, funders or supervisor when their research project is delayed, redefined or completed, or give notice if it is to be terminated earlier or suspended for whatever reason.

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<p>National policy on research is conducted by the Council of Ministers by Minister of Education and Science in accordance with the <i>National Strategy for Scientific Research</i>.</p> <p>The support of projects and activities for the promotion of research is carried out by National Science Fund /NSF/ at the Ministry of Education and Science. The release of earmarked funds is done on the basis of competition held under the terms and conditions of the <i>Law on Scientific Research Promotion</i>.</p> <p>Statutes of BAS exhaustive lists the purposes for which the money is spent from the budget of BAS: funding research and publishing, training of personnel, development and maintenance of facilities, sustantation of common academic and other nonprofit activities.</p> <p>Relevant applicable regulations at national and institutional levels NSSR, LC-RB, LSRP, SBAS, Regulations for allocation of funds by lot "development" for co-funding and credit-like provision of working capital for participation in projects of independent units of BAS.</p>	<p>Mission and priorities of the Institute of Mechanics are specified in Art. 2 para. 4 and 5 of the Rules for structure, activity and internal labor order of IMech-BAS. Its six research areas are described in details. There are "structural units" (sections) of researchers for each scientific field. The activity of each section is focused on its direction by planning and implementing "internal" projects, i.e. - financed from the budget of the institute. Methods for funding are considered in VIth chapter.</p>	<ul style="list-style-type: none"> • Introduction of young scientists to the ways for carrying out research activities. <i>(Their supervisors, After starting work and whenever it is necessary)</i> 	<p>4.9</p> <p>4.1</p>

5. Contractual and legal obligations

Researchers at all levels must be familiar with the national, sectoral or institutional regulations governing training and/or working conditions. This includes Intellectual Property Rights regulations, and the requirements and conditions of any sponsor or funders, independently of the nature of their contract. Researchers should adhere to such regulations by delivering the required results (e.g. thesis, publications, patents, reports, new products development, etc) as set out in the terms and conditions of the contract or equivalent document.

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<p>With regard to this principle, please see the notes to the principles № 1, 2 and 3.</p> <p>LC-RB Higher education act LBAS, SBAS Act for the Development of the Academic Staff in the Republic of Bulgaria /ADAS-RB/ Rules for the election of academicians and corresponding members /RE-ACM / Rules on Conditions and Order for the acquisition of Scientific Degrees and Academic Positions at BAS /RCO-SD-AP-BAS/ LP&UMR, CNRA, LM&GI RRP-OIP-BAS</p>	<ul style="list-style-type: none"> • RSAIO-IMech, • RILP-IMech, • Rules on Conditions and Order for the acquisition of Scientific Degrees and Academic Positions at IMech /RCO-SD-AP-IMech/ • Package of Guidelines for Participation in Competitions /PG-PC/ <p>The <i>Rules for Structure, Activity and Internal Order of the Institute of Mechanics – BAS</i> lists only 3 rights (</p> <ol style="list-style-type: none"> 1. To elect and be elected in leadership positions and councils ... 2. To receive information ... 3. To submit proposals, reports and objections), <p>but obligations of researchers are not listed.</p> <p>The <i>Rules on Internal Labour Policy - IMech</i> has a section "Main duties of employees" but it doesn't contain - "Rights" and lists only the rights for "rest and leave."</p>	<ul style="list-style-type: none"> • IMech Internet site-availability and actualization of national laws, research trends and local regulations treating education and work. <i>(Regularly)</i> • Mention in the job descriptions of the specific (for the position) rights and obligations. <i>(Upon appointment or updating job descriptions)</i> • Recruitment contract-specification of the main laws and regulations to be observed by the employee. <i>(Upon appointment)</i> • Actualization of RSAIO-IMech and RILP-IMech regarding the rights and obligations of employees. 	<p>4.9</p> <p>4.1</p>

6. Accountability

Researchers need to be aware that they are accountable towards their employers, funders or other related public or private bodies as well as, on more ethical grounds, towards society as a whole. In particular, researchers funded by public funds are also accountable for the efficient use of taxpayers' money. Consequently, they should adhere to the principles of sound, transparent and efficient financial management and cooperate with any authorised audits of their research, whether undertaken by their employers/funders or by ethics committees.

Methods of collection and analysis, the outputs and, where applicable, details of the data should be open to internal and external scrutiny, whenever necessary and as requested by the appropriate authorities.

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<p>The Law on financial management and control in the public sector regulates the scope and implementation of financial management and control as well as the principles and requirements for financial management and control in public organizations.</p> <p>The heads of the organizations are responsible for the financial management and control in all of these structures, programs, activities and processes in compliance with the principles of legality, sound financial management and transparency.</p> <p>The managers at all levels in the organizations are responsible and accountable to the higher manager for their activities in terms of financial management and control in the structures and units they lead.</p>	<p>There are forms for planning and reporting the internal-financed projects performed in IMech.</p> <p>Researchers fill reporting forms at the end of each year. In 2015 began using a web-based system SONIX for reporting the scientific and expert activity in BAS. It greatly facilitates the aggregation of information.</p>	<ul style="list-style-type: none"> • Following the established practices (preparation of annual report and evaluation/appraisal forms) <i>(Existing activity)</i> • Recording the performed work and results by protocols etc. Keeping copies for the expenses. This information has to be used during preparation of the reports. <i>(Recommendation to researchers)</i> 	<p>4.9</p> <p>4.4</p>

7. Good practice in research			
<p>Researchers should at all times adopt safe working practices, in line with national legislation, including taking the necessary precautions for health and safety and for recovery from information technology disasters, e.g. by preparing proper back-up strategies. They should also be familiar with the current national legal requirements regarding data protection and confidentiality protection requirements, and undertake the necessary steps to fulfil them at all times.</p>			
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<p>Employees are required to comply with described in the <i>Labour Code of Republic of Bulgaria</i> obligations for healthy and safe work, keeping carefully the entrusted property and respecting internal rules.</p> <p style="text-align: center;">Relevant applicable regulations</p> <p>LC-RB, <i>Rules for Registration, Protection and Use of Objects of Intellectual Property in the Bulgarian Academy of Sciences,</i> Law on safety and secondary legislation</p>	<ul style="list-style-type: none"> Rules on Internal Labour Policy at IMech-BAS <p>Caution should be exercised on the need of confidentiality when disseminating the results of some projects.</p> <p>See RRP-OIP-BAS, VI chapter.</p>	<ul style="list-style-type: none"> Actualisation of RILP-IMech Development of Regulations of IMech-BAS for intellectual property and for commercialization of results. 	<p style="text-align: center;">4.9</p> <p style="text-align: center;">4.1</p>
8. Dissemination, exploitation of results			
<p>All researchers should ensure, in compliance with their contractual arrangements, that the results of their research are disseminated and exploited, e.g. communicated, transferred into other research settings or, if appropriate, commercialised. Senior researchers, in particular, are expected to take a lead in ensuring that research is fruitful and that results are either exploited commercially or made accessible to the public (or both) whenever the opportunity arises.</p>			
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<p>CNRA, LP&UMR, LM&GI, RRP-OIP-BAS</p> <p>See the notes under the 1st principle, about RRP-OIP-BAS.</p> <p>Only the bearer of rights recognized under existing intellectual property legislation can use created by him work/invention and to allow its use by third parties.</p> <p>The order for publication of research results by scientists from BAS is regulated by the Rules for Publishing Activity of BAS /RPA-BAS/. An <i>Expert council for publishing</i> at the Managing Board of BAS manages and controls the publishing activity.</p>	<p>The research results are shared and distributed through presentations at seminars, reports on conferences, publications in scientific journals, publication of books, patenting and collaboration with researchers from other organizations.</p> <p>Some of the projects are applied, i.e. a company participates in their implementation and the results of the project could lead to improved or new products.</p>	<ul style="list-style-type: none"> Recruitment contracts should provide requirements about dissemination of results. Development of a regulation for implementation of results (Up to 12.2016; 10-12.2017) 	<p style="text-align: center;">4.7</p> <p style="text-align: center;">3.7</p>

9. Public engagement			
Researchers should ensure that their research activities are made known to society at large in such a way that they can be understood by non-specialists, thereby improving the public's understanding of science. Direct engagement with the public will help researchers to better understand public interest in priorities for science and technology and also the public's concerns.			
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<p>According to <i>Law of BAS</i> and <i>Statutes of BAS</i>, the Bulgarian Academy of Sciences, as a national research organization, is involved in the scientific development in accordance with the universal values, national interests and goals.</p> <p>Academy organizes and implements its fundamental and applied research in line with global trends and encourage the application of results.</p> <p>The BAS' president submits to the National Assembly by 30 April of the following year an annual report on the activities of the Academy and its units that contains reports for:</p> <ol style="list-style-type: none"> 1. Research activity; 2. Financial activity; 3. International activity. <p>The National Assembly resolution on adoption of the annual report of the Bulgarian Academy of Science is published in the State gazette. Within 10 days of the promulgation of the decision, the annual report of the Bulgarian Academy of Sciences is published on the website of BAS.</p> <p>BAS participate in pan-European initiative "Researchers' Night".</p>	<p>The website of IMech contains information, in Bulgarian and English, for the main research areas (fields) and the research staff of each section. There are brief summaries of the financed by IMech projects as well as titles and heads of externally financed projects. This information should be updated every year, but there are cases of outdated information.</p> <p>There is <i>Open doors day</i> once a year.</p>	<ul style="list-style-type: none"> • Actualization of the IMech Internet site. <i>(Regularly)</i> • Participation in the “<i>European Researchers’ Night</i>” (ERN) and organization of an <i>Open doors day</i>. <i>(Once a year)</i> • Keeping relationships with journalists from leading media. <i>(Prof. N. Vitanov, Upon ask or twice a year at least)</i> 	<p>4.5</p> <p>3.3</p>

10. Non discrimination			
Employers and/or funders of researchers will not discriminate against researchers in any way on the basis of gender, age, ethnic, national or social origin, religion or belief, sexual orientation, language, disability, political opinion, social or economic condition.			
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<p>Art. 4 of the Law on Protection against Discrimination stipulates general proscription about any form of direct or indirect discrimination based on sex, race, nationality, ethnicity, human genome, citizenship, origin, religion or faith, education, beliefs, political affiliation, personal or public status, disability, age, sexual orientation, marital status, property status or any other sign.</p> <p>In LBAS, respectively SBAS legislature has determined that BAS and its departments operate based on and in accordance with the laws of the Republic of Bulgaria.</p>	<p>The hypothesis of possible discrimination is addressed in the EC-IMech where art. 13 indicates that "Violations ... include ... as well as discrimination of any kind."</p>	<p>No actions are required.</p>	<p>5.0</p> <p>4.4</p>

11. Evaluation/ appraisal systems			
Employers and/or funders should introduce for all researchers, including senior researchers, evaluation/appraisal systems for assessing their professional performance on a regular basis and in a transparent manner by an independent (and, in the case of senior researchers, preferably international) committee.			
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<p>According to <i>Law on Scientific Research Promotion</i>, research activity of scientific organizations is evaluated periodically based on the criteria and terms and conditions specified in a regulation issued by the Minister of Education and Science.</p> <p>According to <i>Act for Development of Academic Staff in Bulgaria</i>, the procedures for academic positions, in accredited by the <i>National Agency for Assessment and Accreditation</i> professional fields and specialties, are opened by a decision of the scientific organization for competition.</p> <p>The achievements of scientists in BAS are evaluated periodically by a procedure established in Method for conducting employee appraisal at BAS that is supplemented with a regulation of the scientific unit. A decision on the timing and deadlines of the attestation is taken by the Director of the unit.</p>	<ul style="list-style-type: none"> • Criteria and rules for evaluation of employees in IMech-BAS. • <i>Attestation Committee</i> 	<ul style="list-style-type: none"> • Evaluation / Appraisal of employees in IMech. <p><i>(Periodically, next - 2017)</i></p>	<p>4.3</p> <p>3.6</p>

II. Recruitment

12. Recruitment			
Employers and/or funders should ensure that the entry and admission standards for researchers, particularly at the beginning at their careers, are clearly specified and should also facilitate access for disadvantaged groups or for researchers returning to a research career, including teachers (of any level) returning to a research career. Employers and/or funders of researchers should adhere to the principles set out in the Code of Conduct for the Recruitment of Researchers when appointing or recruiting researchers.			
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Relevant legislation (permitting or impeding the implementation of this principle)	Existing Institutional rules and/or practices	Actions required (Who, when)	Inquiry
<p>ADAS-RB Rules for implementation of ADAS-RB. LBAS SBAS RE-ACM RCO-SD-AP-BAS</p> <p>General conditions for candidates that acquisition scientific degree or academic positions at the institutes of the Academy are regulated by Rules for application of ADAS-RB and <i>Rules on Conditions and Order for acquisition of Scientific Degrees and Academic Positions at BAS</i>.</p> <p>The choice of academicians, corresponding members and foreign members in science, culture and art is done according to terms and conditions determined by the <i>Rules for Election of Academicians and Corresponding Members</i>.</p>	<ul style="list-style-type: none"> • RSAIO-IMech • RCO-SD-AP-IMech • PG-PC • Ethical code-IMech <p>The rules about the academic growth that are specific for IMech are formulated in RC-SD-AP-IMech.</p> <p>There is a <i>Package of Guidelines</i> for drafting all necessary documents for <i>Participation in Competitions</i>, which is available on the website (in Bulgarian).</p>	<ul style="list-style-type: none"> • The package of guidelines for participation in competitions to be available in both Bulgarian and English. <p style="text-align: center;">(Vice. Director 6.2017)</p>	<p>4.9</p> <p>4.4</p>

13. Recruitment (Code)

Employers and/or funders should establish recruitment procedures which are open, efficient, transparent, supportive and internationally comparable, as well as tailored to the type of positions advertised. Advertisements should give a broad description of knowledge and competencies required, and should not be so specialised as to discourage suitable applicants. Employers should include a description of the working conditions and entitlements, including career development prospects. Moreover, the time allowed between the advertisement of the vacancy or the call for applications and the deadline for reply should be realistic.

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<p>SBAS regulates the structure and managing authorities of BAS and its institutes, as well as basic conditions for conducting competitions.</p> <p>In RE-ACM-BAS is written a procedure for noticing the competitions for academicians and corresponding members. The competition notice, containing relevant areas of science and the number of seats, is published in a daily newspaper with a large circulation and on the website of the Academy.</p> <p>Rules for admission and training of Ph.D. in BAS, as well as regulations for acquisition of academic positions at the Academy, are consistently spelled out in chapters three and five of RCO-SD-AP-BAS.</p> <p style="text-align: center;">Applicable regulations</p> <p>ADAS-RB Rules for application of ADAS-RB LBAS, SBAS, RE-ACM-BAS RCO-SD-AP-BAS</p>	<ul style="list-style-type: none"> • RSAIO-IMech • RCO-SD-AP-IMech • PG-PC • EC-IMech <p>RCO-SD-AP-IMech and PG-PC are available on the IMech's website. The specific procedures and all necessary documents are described there, but only in Bulgarian.</p> <p>Actual information about all kind of procedures (announced, ongoing and completed) is visible on the web-site, but only in Bulgarian.</p> <p>The competitions are announced in the State gazette as well as in a Bulgarian daily newspaper.</p> <p>There is no practice for pronouncement of the competition notices in specialized internet sites.</p>	<ul style="list-style-type: none"> • To announce vacancies on external specialised sites in English, for increasing transparency. <p style="text-align: center;"><i>(When competitions are announced)</i></p>	<p style="text-align: center;">5.0</p> <p style="text-align: center;">4.6</p>

14. Selection (Code)

Selection committees should bring together diverse expertise and competencies and should have an adequate gender balance and, where appropriate and feasible, include members from different sectors (public and private) and disciplines, including from other countries and with relevant experience to assess the candidate. Whenever possible, a wide range of selection practices should be used, such as external expert assessment and face-to-face interviews. Members of selection panels should be adequately trained should be realistic.

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<p>ADAS-RB, Rules for application of ADAS, Law of BAS, Statutes of BAS, RE-ACM, RCO-SD-AP-BAS</p> <p>The evaluation of theses for acquiring degrees and of candidates for academic positions "assistant professor", "associate professor" and "professor" is performed by scientific juries (selection committees). For any particular procedure the composition of the scientific jury is approved by the Scientific Council [Rules for application of ADAS].</p> <p>The members of the scientific jury have to be Bulgarian citizens or established foreign scientists, with academic rank in the scientific field and, if possible - specialty. In interdisciplinary announced competition or topic of the thesis, at least one member of the jury must be from another scientific field to which the announced theme is relevant. The selection is performed by two separate groups - external and internal members of the scientific organization [Rules for application of ADAS].</p>	<p>Common rules for the operation of the selection committees are defined in Chapter 1, II section of the <i>Rules on the Conditions and Order for acquisition of Scientific Degrees and Academic Positions at IMech.</i></p>	<p>• Careful selection of members of the selection committees. (Department leaders, Scientific Council of IMech; Upon contests)</p>	<p>4.6</p> <p>3.7</p>

15. Transparency (Code)

Candidates should be informed, prior to the selection, about the recruitment process and the selection criteria, the number of available positions and the career development prospects. They should also be informed after the selection process about the strengths and weaknesses of their applications.

1	2	3	4
<p>The general principles for appointment to academic positions are described in the <i>Act for Development of Academic Staff in Republic of Bulgaria</i> and the <i>Rules for application of ADAS-RB</i>.</p> <p>RE-ACM-BAS and RCO-AD-AP-BAS explicitly provide disclosure of the acts announcing competitions for filling the scientific staff of the Academy, as well as their minimum necessary content.</p> <p>Within 14 days after the election, each candidate admitted to the contest shall be notified in writing of the outcome [Rules for application of ADAS-RB].</p>	<p>The website of the Institute of Mechanics has a section "Open positions" where in addition to all legislation (<i>Rules on the Conditions and Order for acquisition of Scientific Degrees and Academic Positions at IMech</i>, guidelines etc.) there is information for announced competitions (i.e. open positions) and also for current and completed competitions of all kinds.</p> <p>Information is only in Bulgarian.</p>	<ul style="list-style-type: none">Improving transparency by announcing vacancies in Bulgarian and English on external internet sites, for example www.euraxess.bg	<p>4.9</p> <p>4.1</p>

16. Judging merit (Code)

The selection process should take into consideration the whole range of experience of the candidates. While focusing on their overall potential as researchers, their creativity and level of independence should also be considered. This means that merit should be judged qualitatively as well as quantitatively, focusing on outstanding results within a diversified career path and not only on the number of publications. Consequently, the importance of bibliometric indices should be properly balanced within a wider range of evaluation criteria, such as teaching, supervision, teamwork, knowledge transfer, management of research and innovation and public awareness activities. For candidates from an industrial background, particular attention should be paid to any contributions to patents, development or inventions.

1	2	3	4
<p>The regulations for selection of scientific staff of BAS provide an opportunity for applicants to submit with competitive documentation a description of their scientific writings, and a brief indication of most important achievements, as well as other materials.</p> <p>Normative acts ADAS-RB, Rules for application of ADAS-RB, LBAS, SBAS, RCO-SD-AP-BAS</p>	<ul style="list-style-type: none"> Rules on the Conditions and Order for acquisition of Scientific Degrees and Academic Positions at IMech. <p>The selection procedure cannot take into account such qualities, but the selecting committee could. In addition to the CV could be applied any documents supporting the claimed qualities, skills and accomplishments.</p>	<ul style="list-style-type: none"> Comprehensive evaluation of applicant's skills and achievements. <i>(From selecting committees, during evaluation of applicants)</i> It seems reasonable, the numerical indicators to be considered as recommendatory rather than mandatory, when further achievements are proven. 	<p>4.5</p> <p>3.6</p>

17. Variations in the chronological order of CVs (Code)

Career breaks or variations in the chronological order of CVs should not be penalised, but regarded as an evolution of a career, and consequently, as a potentially valuable contribution to the professional development of researchers towards a multidimensional career track. Candidates should, therefore, be allowed to submit evidence-based CVs, reflecting a representative array of achievements and qualifications appropriate to the post for which application is being made.

1	2	3	4
<p>According to the <i>Rules on the Conditions and Order for acquisition of Scientific Degrees and Academic Positions at BAS</i>, candidates for academic positions apply to their documents list of publications, inventions and other scientific and applied developments.</p> <p>According to the <i>Rules for Election of Academicians and Corresponding Members at BAS</i>, wishing to participate in the competition submit all their scientific works, as well as a brief description of their most important achievements, as well as other materials documenting the assessment in the country and abroad on the results of their activities.</p> <p>Legislative acts ADAS-RB, Rules for application of ADAS-RB, Law of BAS, Statutes of BAS, RE-ACM-BAS, RCO-SD-AP-BAS</p>	<ul style="list-style-type: none"> Rules on the Conditions and Order for acquisition of Scientific Degrees and Academic Positions at IMech <p>When applying for any position or degree in IMech, a curriculum vitae is submitted containing information about the history of professional development. In addition to the CV could be applied some documents supporting achievements and qualifications, that are suitable for the position.</p>	<p>Specific actions are not necessary.</p>	<p>4.7</p> <p>4.5</p>

18. Recognition of mobility experience (Code)

Any mobility experience, e.g. a stay in another country/region or in another research setting (public or private) or a change from one discipline or sector to another, whether as part of the initial research training or at a later stage of the research career, or virtual mobility experience, should be considered as a valuable contribution to the professional development of a researcher.

1	2	3	4
See the notes in № 17.	See the notes in № 17.	<ul style="list-style-type: none"> • Updating the IMech's regulations recognizing (thematic or spatial) mobility: <ul style="list-style-type: none"> - Attestation card; - RCO-SD-AP-IMech 	<p style="text-align: center;">4.5</p> <p style="text-align: center;">4.3</p>

19. Recognition of qualifications (Code)

Employers and/or funders should provide for appropriate assessment and evaluation of the academic and professional qualifications, including non-formal qualifications, of all researchers, in particular within the context of international and professional mobility. Researchers should inform themselves and gain a full understanding of rules, procedures and standards governing the recognition of such qualifications and, consequently, explore existing national law, conventions and specific rules on the recognition of these qualifications through all available channels.

1	2	3	4
<p>The procedure for recognition of acquired abroad scientific degree is described in the <i>Rules on the Conditions and Order for acquisition of Scientific Degrees and Academic Positions at BAS</i>.</p> <p style="text-align: center;">See the notes in № 17.</p>	<p>IMech's specific rules, procedures and standards relating to the acquisition of qualifications as Ph.D., associate professor, professor, etc., are clearly stated in the RCO-SD-AP-IMech.</p> <p>The website of the Institute of Mechanics, under "Open positions" contains instructions and forms for each type of procedure.</p>	<p style="text-align: center;">Specific actions are not necessary.</p>	<p style="text-align: center;">4.9</p> <p style="text-align: center;">4.2</p>

20. Seniority (Code)

The levels of qualifications required should be in line with the needs of the position and not be set as a barrier to entry. Recognition and evaluation of qualifications should focus on judging the achievements of the person rather than his/her circumstances or the reputation of the institution where the qualifications were gained. As professional qualifications may be gained at an early stage of a long career, the pattern of lifelong professional development should also be recognised.

1	2	3	4
See the notes in № 17.	<p>In the <i>Rules on the Conditions and Order for acquisition of Scientific Degrees and Academic Positions at IMech</i> are given the specific for IMech "additional" requirements for gaining academic positions.</p> <p>See notes to № 12 and № 13.</p>	Nothing is required.	<p>5.0</p> <p>4.2</p>

21. Postdoctoral appointments (Code)

Clear rules and explicit guidelines for the recruitment and appointment of postdoctoral researchers, including the maximum duration and the objectives of such appointments, should be established by the institutions appointing postdoctoral researchers. Such guidelines should take into account time spent in prior postdoctoral appointments at other institutions and take into consideration that the postdoctoral status should be transitional, with the primary purpose of providing additional professional development opportunities for a research career in the context of long-term career prospects.

1	2	3	4
See the notes in № 17.	<p>The RCO-SD-AP-IMech contains some specific for IMech "additional" requirements for gaining academic positions as senior assistant and higher ones.</p> <p>See notes to № 12 and № 13.</p>	Specific actions are not necessary.	<p>5.0</p> <p>4.5</p>

III. Working conditions and social security

22. Recognition of the profession			
All researchers engaged in a research career should be recognized as professionals and be treated accordingly. This should commence at the beginning of their careers, namely at postgraduate level, and should include all levels, regardless of their classification at national level (e.g. employee, postgraduate student, doctoral candidate, postdoctoral fellow, civil servants).			
1 Relevant legislation (permitting or impeding the implementation of this principle)	2 Existing Institutional rules and/or practices	3 Actions required (Who, when)	4 Inquiry
<p>BAS' employee is entitled to a work environment that allows full expression of his abilities, freedom from any form of harassment, intolerance or discrimination.</p> <p>The employer is obliged to keep the dignity of the employee during the performance of his duties.</p> <p>Requirements for academic positions are settled in the following legislation: ADAS-RB Rules for applying ADAS-RB, Law of BAS, Statutes of BAS, RE-ACM, RCO-SD-AP-BAS Labour Code-RB Ethical Code-BAS</p>	<ul style="list-style-type: none"> • RSAIO-IMech • RILP-IMech • EC-IMech <p>Art. 12 (3) of <i>Rules for the Structure, Activity and Internal Order of the Institute of Mechanics at BAS</i> lists for researchers the following rights:</p> <ol style="list-style-type: none"> 1. To elect and be elected in managing positions and councils ...; 2. To receive information ...; 3. To submit proposals, reports and objections.... <p>According to <i>Rules of Internal Labour Policy at IMech</i>, "The employer is obliged to keep the dignity of the employee during the performance of work on employment."</p> <p>In <i>Ethical Code of IMech</i> are described numerous rules of conduct, including - related to doctoral students and young scientists.</p>	<p>Specific actions are not necessary.</p>	<p style="text-align: center;">4.5</p> <p style="text-align: center;">3.9</p>

23. Research environment

Employers and/or funders of researchers should ensure that the most stimulating research or research training environment is created which offers appropriate equipment, facilities and opportunities, including for remote collaboration over research networks, and that the national or sectoral regulations concerning health and safety in research are observed. Funders should ensure that adequate resources are provided in support of the agreed work programme.

1	2	3	4
<p>Law on scientific research promotion, Law on Bulgarian academy of sciences, Statutes of the Bulgarian academy of sciences.</p> <p>According to <i>Labour Code of Republic of Bulgaria</i> /in compliance with the Regulations for internal labour policy/ a part of the employer's obligations is to provide the employees with normal working conditions providing workplace and safe and healthy working conditions, in accordance with the nature of the work.</p>	<p>According to RILP-IMEch, the employer is obliged to deliver a job description to the employee, to instruct him about his obligations and to provide "normal labour conditions.</p>	<ul style="list-style-type: none"> Updating the <i>Regulation for internal labour policy in IMech</i> with requirements to heads of the 6 sections, project managers and supervisors of laboratory equipment aimed optimizing the research environment. 	<p>4.9</p> <p>3.4</p>

24. Working conditions

Employers and/or funders should ensure that the working conditions for researchers, including for disabled researchers, provide where appropriate the flexibility deemed essential for successful research performance in accordance with existing national legislation and with national or sectoral collective-bargaining agreements. They should aim to provide working conditions which allow both women and men researchers to combine family and work, children and career. Particular attention should be paid, *inter alia*, to flexible working hours, part-time working, tele-working and sabbatical leave, as well as to the necessary financial and administrative provisions governing such arrangements.

1	2	3	4
<p>The <i>Labour Code in Republic of Bulgaria</i> describes rules that guarantee a special protection of disabled workers and women.</p>	<p>There are no regulations of the institute governing the possibilities for flexible working time. However, there are cases of people working part-time, and the desire of management to hear and consider a variety of proposals.</p>	<p>Facilitating access for people with disabilities by building a ramp or lifting device.</p> <p>(Assistant Director 12.2017)</p>	<p>4.9</p> <p>4.1</p>

25. Stability and permanence of employment

Employers and/or funders should ensure that the performance of researchers is not undermined by instability of employment contracts, and should therefore commit themselves as far as possible to improving the stability of employment conditions for researchers, thus implementing and abiding by the principles and terms laid down in the *EU Directive on Fixed-Term Work*.

1	2	3	4
<p>Terms and conditions for gaining academic positions are regulated in <i>Act for Development of Academic Staff in Republic of Bulgaria</i>, the Regulation for implementation of ADAS-RB, RCO-SD-AP-BAS and others.</p> <p>According to Article 15 (2) of ADAS-RB, the academic positions are filled by labour relationships. Depending on the type of academic position, the legislature has defined relevant requirements for its occurrence. It can occur following a competition or election. The <i>Labour Code in Republic of Bulgaria</i> settles the basic conditions for origination and termination of labour relationships, following a competition or selection.</p> <p>Article 57 of <i>Statutes of BAS</i> determines that "scientists, working outside the BAS system, as well as acquired an academic degree or academic position at the academy for the first time, sign a fixed-term contract". After expiry of the period, the Scientific Council takes a decision whether it to continue as a new fixed-term contract or as a permanent contract or to be terminated.</p> <p style="text-align: center;">Legislation</p> <p>Labour Code in RB, ADAS-RB, Regulation for application of ADAS-RB, Law of BAS, Statutes of BAS, RCO-SD-AP-BAS</p>	<ul style="list-style-type: none"> • <i>Rules on the Conditions and Order for acquisition of Scientific Degrees and Academic Positions at IMech-BAS</i> 	<ul style="list-style-type: none"> • As far as possible, the policy of permanent or temporary employment should be in conformity with the principles and conditions of the Directive 1999/70/EC. 	<p>4.7</p> <p>3.9</p>

26. Funding and salaries

Employers and/or funders of researchers should ensure that researchers enjoy fair and attractive conditions of funding and/or salaries with adequate and equitable social security provisions (including sickness and parental benefits, pension rights and unemployment benefits) in accordance with existing national legislation and with national or sectoral collective bargaining agreements. This must include researchers at all career stages including early-stage researchers, commensurate with their legal status, performance and level of qualifications and/or responsibilities.

1	2	3	4
<p>Mandatory provisions of the <i>Labour Code</i> provide that the passed work under an employment contract is payable.</p> <p>In order ensuring the right to remuneration, the LC-RB foresees a minimum remuneration in an amount of 60 percent of the gross salary, but not less than the minimum salary. The difference to the full amount of remuneration remains required and paid together with a statutory interest.</p>	<p>Over the past over 20 years, financial conditions in BAS' institutes are not good and it is no secret to anyone.</p> <p>The management of IMech provides payment in accordance with the law, but it does not guarantee "attractive" financing conditions.</p> <p>The IMech's regulation for salaries is not updated since 2011.</p>	<ul style="list-style-type: none"> • Updating the <i>Internal rules for formation of salaries</i>. <p>(Chief Accountant, Human Resources Office 1-3.2017; 1-3.2019)</p>	<p>4.9</p> <p>2.7</p>

27. Gender balance

Employers and/or funders should aim for a representative gender balance at all levels of staff, including at supervisory and managerial level. This should be achieved on the basis of an equal opportunity policy at recruitment and at the subsequent career stages without, however, taking precedence over quality and competence criteria. To ensure equal treatment, selection and evaluation committees should have an adequate gender balance.

1	2	3	4
<p>The provisions of Chapter Two of the <i>Protection Against Discrimination Act</i> oblige employers to provide equal working conditions regardless of the features recited in art. 4 (1) of the Act.</p>	<p>Documents dealing with the gender balance were not found.</p> <p>There are no restrictions on women in application and development.</p> <p>The <i>Scientific Council</i> of the Institute of Mechanics consists of 17 people, including 5 women, i.e. 29%.</p>	<ul style="list-style-type: none"> • Actualisation of RILP-IMEch 	<p>4.9</p> <p>4.4</p>

28. Career development

Employers and/or funders of researchers should draw up, preferably within the framework of their human resources management, a specific career development strategy for researchers at all stages of their career, regardless of their contractual situation, including for researchers on fixed-term contracts. It should include the availability of mentors involved in providing support and guidance for the personal and professional development of researchers, thus motivating them and contributing to reducing any insecurity in their professional future. All researchers should be made familiar with such provisions and arrangements.

1	2	3	4
<p>Article 228a (1) of the <i>Labour Code</i> imposes an obligation on the employer to provide conditions for maintaining and enhancing the professional qualifications of employees to perform their obligations under the employment relationship in accordance with the requirements of the work performed and their future careers.</p>	<p>The order for professional development is described in the <i>Rules on Conditions and Order for the acquisition of Scientific Degrees and Academic Positions at Institute of Mechanics-BAS</i>. This regulation is in line with the ADAS-RB, RA-ADAS-RB, RCO-SD-AP-BAS and it is expected that it threats all matter relating to the professional development of researchers at the Institute of Mechanics! Therefore, the preparation of another document (strategy) on vocational development seems to be not necessary.</p> <p>Doctoral students have a head, and in many cases, they have a consultant.</p>	<ul style="list-style-type: none"> Updating the RCO-SD-AP-IMEch and/or <i>Rules of Internal Labour Policy at the Institute of Mechanics</i> with requirements to the heads of sections for their role as mentors. 	<p>4.6</p> <p>3.6</p>

29. Value of mobility

Employers and/or funders must recognize the value of geographical, intersectoral, inter- and trans-disciplinary and virtual mobility as well as mobility between the public and private sector as an important means of enhancing scientific knowledge and professional development at any stage of a researcher's career. Consequently, they should build such options into the specific career development strategy and fully value and acknowledge any mobility experience within their career progression/appraisal system. This also requires that the necessary administrative instruments be put in place to allow the portability of both grants and social security provisions, in accordance with national legislation.

1	2	3	4
<p>The foregoing is largely enshrined in <i>National Strategy for Scientific Research until 2020</i>. Parallel to this are the actions aimed at overcoming the negative trends of reducing the inflow of young people into science and incentives for their retention for the realization of scientific careers; as well as special care ensuring penetration of the scientific approach in secondary education. It is important to ensure the free flow of intellectual capital as the government strives to create a supportive environment.</p>	<p>There is a practice, some young scientists having "appropriate leader" to gain experience by mobility many times, but other scientists - never participated in a mobility.</p> <p>No IMech's regulations about this issue.</p> <p>However, by the Scientific Secretary and email, all employees of IMech receive information on possible "collaborations" involving mobility.</p>	<ul style="list-style-type: none"> • Regulating and recognition of the potential benefits of mobility in the following documents: <ul style="list-style-type: none"> - The criteria for attestation - RCO-SD-AP—IMech <p>(<i>N. Vitanov, V. Vassilev</i> 3.2017)</p>	<p>4.6</p> <p>4.3</p>

30. Access to career advice

Employers and/or funders should ensure that career advice and job placement assistance, either in the institutions concerned, or through collaboration with other structures, is offered to researchers at all stages of their careers, regardless of their contractual situation.

1	2	3	4
	<p>There are no regulations concerning possible advice in relation to employment.</p>	<ul style="list-style-type: none"> • Consultations provided by <i>the Human Resources office</i>. 	<p>4.6</p> <p>4.1</p>

31. Intellectual Property Rights

Employers and/or funders should ensure that researchers at all career stages reap the benefits of the exploitation (if any) of their R&D results through legal protection and, in particular, through appropriate protection of Intellectual Property Rights, including copyrights. Policies and practices should specify what rights belong to researchers and/or, where applicable, to their employers or other parties, including external commercial or industrial organisations, as possibly provided for under specific collaboration agreements or other types of agreement.

1	2	3	4
<p>Issues related to intellectual property rights are regulated by the CNRA, LP&UMR and LM&GI.</p> <p>The <i>Rules for Registration, Protection and Use of Objects of Intellectual Property in the Bulgarian Academy of Sciences</i> regulates the procedure for registration, protection and use of intellectual property of BAS, created during duties arising from employment, as well as procedures for protection and use of intellectual property objects, which rights have been acquired by other means.</p> <p>In § 3 of the transitional and final provisions of the RRP-OIP-BAS is stated that the regulations for the activity of the respective independent unit have to regulate the organization of activities related to registration, use and protection of owned intellectual property objects.</p> <p>In § 4 of the transitional and final provisions of the RRP-OIP-BAS is specified that the rules of internal labor policy of the institute have to regulate the rights and obligations of the parties in the employment relationship on the occasion of registration, protection and exploitation of owned by the unit intellectual property.</p> <p>Only the bearer of rights , recognized under existing intellectual property legislation, has the exclusive right to use the work/invention created by him and to allow its use by third parties.</p> <p>The order for publication of research results by scientists from BAS is regulated by the <i>Rules for publishing activity of BAS</i>. An <i>Expert council for publishing</i> at the Managing Board of BAS manages and controls the publishing activity.</p>	<ul style="list-style-type: none"> • Rules of Internal Labour Policy at the Institute of Mechanics <p>According to Art. 3 (4) of RILP-IMech, "scientific and applied developments in IMech are used in accordance with intellectual property policy of BAS and its regulations for the registration, protection, management and commercialization of intellectual properties"</p> <p>"The Scientific Council", article 10 (1) 17., "approves the policy for intellectual property rights and regulations for the registration, protection, management and commercialization of the products of intellectual property, resulting from research activities of the Institute."</p> <p>The director decides about the material and intellectual property of the institute, as well as for participation in companies, which decisions shall be approved by the Scientific Council (Art. 15 (2), 5-6.).</p> <p>Institute of Mechanics carries on business in accordance with ... and RRP-OIP-BAS (Art. 39 par. 1).</p> <p>This RILP-IMech does not treat rights or obligations of the researchers concerning the intellectual property.</p>	<ul style="list-style-type: none"> • Preparation of a separate regulation(s) about intellectual property and commercialization of research results in IMech-BAS. <p>(K. Kostadinov, D. Ignatova)</p>	<p>4.9</p> <p>3.9</p>

Employees are required to know the legal framework for relations arising from the creation, protection and use of intellectual property.			
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32. Co-authorship			
Co-authorship should be viewed positively by institutions when evaluating staff, as evidence of a constructive approach to the conduct of research. Employers and/or funders should therefore develop strategies, practices and procedures to provide researchers, including those at the beginning of their research careers, with the necessary framework conditions so that they can enjoy the right to be recognised and listed and/or quoted, in the context of their actual contributions, as co-authors of papers, patents, etc, or to publish their own research results independently from their supervisor(s).			
1	2	3	4
Under the mandatory provisions of <i>Copyright and Neighbouring Rights Act</i> , the author of product carries the copyright in a work of science, literature or art. The law defines the contents of copyright and explicitly stipulates that only the author has the exclusive right to use the work, created by him, and to seek recognition of his authorship.	<p>RSAIO-IMech and RILP-IMech had not considered issues related to authorship.</p> <p>According to Art. 6 of <i>Ethical Code of IMech</i>:</p> <p>(2) The authorship of scientific work is based on a real contribution to the study, as all authors are fully responsible for the content of the publication unless there are expressly specified individual responsibilities of each author;</p> <p>(3) The arrangement of the authors in a publication is agreed between all authors;</p> <p>(4) The contribution of scientists and technicians who are not authors should be marked appropriately;</p>	No actions are required.	<p>4.6</p> <p>4.5</p>

33. Teaching

Teaching is an essential means for the structuring and dissemination of knowledge and should therefore be considered a valuable option within the researchers' career paths. However, teaching responsibilities should not be excessive and should not prevent researchers, particularly at the beginning of their careers, from carrying out their research activities. Employers and/or funders should ensure that teaching duties are adequately remunerated and taken into account in the evaluation/appraisal systems, and that time devoted by senior members of staff to the training of early stage researchers should be counted as part of their teaching commitment. Suitable training should be provided for teaching and coaching activities as part of the professional development of researchers.

1	2	3	4
<p><i>Labour Code.</i> According to Article 242, any work, has done under an employment contract, is payable. The structure and organization of wages and wage bargaining are governed by regulations adopted by the Council of Ministers.</p>	<ul style="list-style-type: none"> • IMech criteria and regulations for staff evaluation/appraisal • <i>Internal Rules for formation of remunerations in IMech-BAS</i> <p>During attestation, the evaluation accrues points for scientific and administrative work, as well as for teaching, doctoral student, graduates and postgraduates.</p>	<p>Specific actions are not necessary.</p>	<p>4.5</p> <p>4.2</p>

34. Complaints/ appeals

Employers and/or funders of researchers should establish, in compliance with national rules and regulations, appropriate procedures, possibly in the form of an impartial (ombudsman-type) person to deal with complaints/appeals of researchers, including those concerning conflicts between supervisor(s) and early-stage researchers. Such procedures should provide all research staff with confidential and informal assistance in resolving work-related conflicts, disputes and grievances, with the aim of promoting fair and equitable treatment within the institution and improving the overall quality of the working environment.

1	2	3	4
<p>The researchers carry out their work under an employment contract. Complaints regarding labour relations are governed by the <i>Labour Code</i>, which provides that labour disputes have to be considered by the court.</p>	<ul style="list-style-type: none"> • Ethical code – IMech-BAS • Rules of <i>Academic Ethics committee</i> – IMech-BAS • <i>Appellate Commission</i> <p>IMech has an <i>Academic ethics committee</i>, which deals with complaints from researchers on many questions of academic activities, as defined in the EC-IMech, EC-BAS, ADAS-RB and the <i>Law on Prevention and Disclosure of Conflict of Interest</i>.</p> <p>There is an <i>Appellate Commission</i>, which considers complaints about decisions of the <i>Evaluation Commission</i>.</p>	<p>No actions are required.</p>	<p>4.8</p> <p>4.4</p>

35. Participation in decision-making bodies

Employers and/or funders of researchers should recognize it as wholly legitimate, and indeed desirable, that researchers be represented in the relevant information, consultation and decision-making bodies of the institutions for which they work, so as to protect and promote their individual and collective interests as professionals and to actively contribute to the workings of the institution.

1	2	3	4
<p>The <i>General Assembly of Scientists</i> in each BAS' institute elects members of the Academy's <i>General Assembly</i>. They must have academic rank. The assistants and doctoral candidates also have a representative in the General Assembly of BAS, for each scientific field.</p> <p>The members of the <i>Executive Council</i> of BAS are chosen associates, actual and corresponding members of the Academy on employment contract in it.</p> <p>The members of the Scientific Councils of each BAS' institute must be doctors of sciences, professors, corresponding members or academicians.</p>	<p>According to RSAIO-IMEch, the institute is managed by its <i>General Assembly of Scientists</i>, a <i>Scientific Council</i> and a <i>Director</i>.</p> <p>The General Assembly of Scientists includes all individuals who are in possession of academic ranks and degrees, on employment contract in IMech.</p> <p>The Scientific Council is a collective body of scientific guidance of the Institute for four years. Its members should be not less than 15 and no more than 25 people.</p> <p>The RSAIO-IMEch describes a detailed procedure for electing the Scientific Council members and a procedure for selection of representatives of the IMECh in the General Assembly of BAS.</p> <p>There are 6 scientific structural units (branches, sections) in IMech, whose leader is elected by scientists in the respective unit.</p>	<p>They are not necessary.</p>	<p>5.0</p> <p>4.6</p>

IV. Training

36. Relation with supervisors Researchers in their training phase should establish a structured and regular relationship with their supervisor(s) and faculty/departmental representative(s) so as to take full advantage of their relationship with them. This includes keeping records of all work progress and research findings, obtaining feedback by means of reports and seminars, applying such feedback and working in accordance with agreed schedules, milestones, deliverables and/or research outputs.			
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Relevant legislation (permitting or impeding the implementation of this principle)	Existing Institutional rules and/or practices	Actions required (Who, when)	Inquiry
<p>To the Executive Council of BAS are created Advisory Councils for each scientific field (direction). Their activity is under a regulation, where the following tasks are defined:</p> <ol style="list-style-type: none"> 1. to analyse and summarize the scientific policies and capabilities of independent research units in the direction; 2. to propose a common strategy for the whole field, consistent with the strategies of individual institutions; 3. to evaluate research on the units, involved in the direction, and make suggestions for improvement; 4. to propose to the Executive Council structural changes in the direction; 5. make proposals for the development of scientific staff in the direction; 6. make proposals for cooperation and interaction of the units in the direction in order to develop comprehensive joint research projects, and on the joint construction, management and use of the facilities (incl. Scientific equipment); 7. make proposals for cooperation and collaboration with educational and cultural organizations; 8. to propose the implementation of international cooperation and interaction; 9. make proposals for a more efficient use of facilities. <p>The employees of BAS are required to assist in the training of their colleagues, to share their experience with them and contribute to their specialization and improvement /Ethical Code of BAS/</p>	<p>The activity of IMech includes training of specialists through postgraduate, doctoral and post-doctoral training (art. 3, para. 3, item 5 of RSAIO-IMech).</p> <p>The procedures for doctoral training are described in detail in the RCO-SD-AP-IMech. Ph.D. At the end of the second, third and fourth (if any) year of doctoral, the students report at the annual scientific session of the Institute of Mechanics.</p> <p>Art. 10 of the EC-IMEch sets requirements for scientists who train graduate or doctoral students and young scientists.</p> <p>The idea that "data should be collected, stored and interpreted in a transparent and accessible way," is formulated in the principle "Objectivity", explained the EC-IMEch.</p>	<p>See the actions planned for principles 28 and 37.</p>	<p>4.9</p> <p>4.5</p>

37. Supervision and managerial duties

Senior researchers should devote particular attention to their multi-faceted role as supervisors, mentors, career advisors, leaders, project coordinators, managers or science communicators. They should perform these tasks to the highest professional standards. With regard to their role as supervisors or mentors of researchers, senior researchers should build up a constructive and positive relationship with the early-stage researchers, in order to set the conditions for efficient transfer of knowledge and for the further successful development of the researchers' careers.

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<p>The employees of BAS are required to assist in the training of their colleagues, to share their experience with them and contribute to their specialization and improvement.</p> <p>/Ethical Code of BAS/</p>	<p>The EC-IMech contains the principle “<i>Responsibility for the scientific development of students, graduate students and young scientists</i>”, according to which - as scientific leaders, consultants and/or teachers, the IMech’s scientists should endeavour to train and guide students, graduate and Ph.D. students as well as young scientists in the manner and in accordance with standards that encourage to the greatest extent their scientific development.</p> <p>Relationship <i>doctoral student – supervisor</i> is construed in article 10 of the Ethical Code of IMech.</p>	<ul style="list-style-type: none"> Updating the <i>Rules of Internal Labour Policy at the Institute of Mechanics</i> with requirements to the senior researchers for their role as advisors of the early-stage researchers. 	<p>4.9</p> <p>4.2</p>

38. Continuing Professional Development

Researchers at all career stages should seek to continually improve themselves by regularly updating and expanding their skills and competencies. This may be achieved by a variety of means including, but not restricted to, formal training, workshops, conferences and e-learning.

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<p>The <i>Labor Code</i> imposes an obligation on the employer to provide conditions for maintaining and enhancing the professional qualifications of employees to perform their obligations in accordance with the requirements of the work performed and their future careers.</p>	<p>IMech organizes every 4 years a <i>National Congress of Theoretical and Applied Mechanics</i>, the last is held in 2013.</p> <p>There is an all-institute seminar at IMech, having a permanent chairman, secretary and rules which can be convened easily by initiative of the researchers.</p> <p>Researchers have a library, computers and Internet access.</p>	<p>No actions are required.</p>	<p>4.9</p> <p>4.5</p>

39. Access to research training and continuous development

Employers and/or funders should ensure that all researchers at any stage of their career, regardless of their contractual situation, are given the opportunity for professional development and for improving their employability through access to measures for the continuing development of skills and competencies. Such measures should be regularly assessed for their accessibility, take up and effectiveness in improving competencies, skills and employability.

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<p>The <i>Labor Code</i> imposes an obligation on the employer to provide conditions for maintaining and enhancing the professional qualifications of employees to perform their obligations in accordance with the requirements of the work performed and their future careers.</p> <p><i>Law on Scientific Research Promotion</i></p> <p>Encouraging scientific studies is done by releasing the target funds based on a competition held under the terms and provisions of this law /Article 24 /.</p> <p>Under this law was created a “National Science Fund”, which financially supports:</p> <ul style="list-style-type: none"> - Professional development of scientists and researchers /Art. 22 item 11 /; - Research and professional development of young scientists, Ph.D. students and post-docs /Art. 23 item 4 /. <p>"The continuous training opportunities are of great significance, including distance learning in higher education, improvement of scientific employees' qualification and skills and realization of joint programmes for scientific training and practice between academic and business communities"- a conclusion of the "<i>National Research Development Strategy 2020</i>". In parallel, it provides actions aimed at:</p> <ul style="list-style-type: none"> - Overcoming the negative trends of reducing the inflow of young people into science and incentives for their retention for realization of scientific careers; - Easy opportunities for additional remuneration of scientists, including and graduate students, post-doctoral students and young scientists through program-project financing; -Free movement of intellectual capital as the government strives to create a favorable environment - legal, social and material with a view to turning the scientific career in attractive and sought occupation. 	<p>The opportunities to support skills and competencies are listed to 38th principle.</p> <p>There is a Learning Centre of BAS, which offers a variety of courses, for Ph.D. students mainly, but not only for them.</p>		<p>4.9</p> <p>4.2</p>

40. Supervision

Employers and/or funders should ensure that a person is clearly identified to whom early-stage researchers can refer for the performance of their professional duties, and should inform the researchers accordingly. Such arrangements should clearly define that the proposed supervisors are sufficiently expert in supervising research, have the time, knowledge, experience, expertise and commitment to be able to offer the research trainee appropriate support and provide for the necessary progress and review procedures, as well as the necessary feedback mechanisms.

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<p>According to <i>Statutes of BAS</i>, the General Assembly of Scientists in each independent research unit adopts Regulation for the activity. The director of the unit has an obligation to acquaint the appointed persons with all internal regulations and thus to guarantee them conditions for the implementation of their work.</p>	<p>In the <i>Rules for the Structure, Activity and Internal Order of the Institute of Mechanics at BAS</i> is said that scientific departments at the institute have an appointed by the Director manager. Temporary structural units, with their own leader, also can be formed.</p> <p>Doctoral students have a supervisor and sometimes - consultant.</p> <p>According to <i>Rules of Internal Labour Policy at IMech</i>, the main responsibilities of employees include:</p> <ul style="list-style-type: none"> - To perform fast and accurate orders of their supervisor and employer; - To plan, document and report their work, through annual and current work plans and reports; - Promptly notify their supervisor of occurrence of irregularities or difficulties, in order not to disrupt the organization of work; - Loyalty to IMech and observing the Ethical Code of the Institute. 	<p>See actions listed at principles 28 and 37!</p>	<p>4.9</p> <p>4.3</p>