Rules for Professors of IST Austria

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1. Preamble

IST Austria (the “Institute”) was established by Federal Law on May 19, 2006 (Federal Law Gazette I No. 69/2006) (the “Law”), as a public-law body with its own legal personality. The Institute carries out world-class basic research and shall be guided according to § 2(2) of the Law by the following principles:

- Freedom of scientific research and teaching.
- Independence in all scientific matters, as well as in the fields of organization, management, and staff selection.
- Research based on the highest internationally recognized standards.
- Training of graduate and post-graduate research fellows.
- Worldwide recruiting of the most highly qualified research staff and research fellows.
- Support of the establishment of “spin-off” companies.
- Cooperation with Austrian and foreign universities, as well as with Austrian and foreign non-university scientific research institutions.

The following rules follow standards that are widely accepted in many research organizations in the world. In order to achieve its mission and to attract outstanding scientists, IST Austria must use the best scientific international research institutes as its “benchmarks”. Therefore, the content, spirit, and any interpretation of these rules should follow these international standards.

2. Categories of Employees at IST Austria

2.1 Scientific Staff

2.1.1 Professors

Every Professor leads the activities of a research group, which is expected to perform curiosity-driven basic research and publish its results according to the highest international scientific standards. Professors teach in the Graduate School and supervise PhD students. They are responsible for the operation of their research group, its budget and costs, and they are expected to play an active role in the acquisition of third-party research funds. Professors provide service to the international scientific community and take part in the further scientific development of the Institute and of the Graduate School. They are expected to provide administrative service to the Institute and may be members of the Professorial Committee.
2.1.2 Assistant Professors

Every Assistant Professor leads the activities of a research group, which is expected to perform curiosity-driven basic research and publish its results according to the highest international scientific standards. Assistant Professors teach in the Graduate School and supervise PhD students. They are responsible for the operation of their research group, its budget and costs, and they are expected to play an active role in the acquisition of third-party research funds. Assistant Professors provide service to the international scientific community and take part in the further scientific development of the Institute and of the Graduate School.

2.1.3 Staff Scientists and Senior Staff Scientists

Every Staff Scientist and Senior Staff Scientist is normally associated with a Scientific Service Unit (SSU), such as a research facility that is shared by multiple research groups. In rare cases, a Staff Scientist or Senior Staff Scientist may be shared by several research groups without being associated with an SSU. Staff Scientists and Senior Staff Scientists support the work of other scientists and the development of research facilities at the Institute. They pursue research projects together with professors, serving as collaborators with expertise normally not present within research groups. They may participate in the teaching activities of the Graduate School. A Staff Scientist or Senior Staff Scientist may also be the manager of an SSU.

Senior Staff Scientists are normally expected to have at least 10 years of relevant job experience after obtaining a PhD degree. Both Staff Scientists and Senior Staff Scientists may have a limited-term or an unlimited-term contract.

2.1.4 Postdoctoral Fellows

Postdoctoral fellows have completed their PhD studies and work within a research group. They play an active part in the performance of complex research tasks and may execute research projects to a large extent independently. They may participate in the teaching activities of the Graduate School.

2.1.5 PhD Students

PhD students are employed by IST Austria. Prior to the Transition Point within the PhD program (see Chapter 10), their activities consist of coursework, rotation projects within research groups, and preparation for a Qualifying Exam and/or Research Proposal. After the Transition Point, they perform research on their PhD thesis project within a research group, and they may assist in the teaching activities of the Graduate School.
2.1.6 Scientific Interns

Scientific interns are scientists in training who hold no PhD degree and are not enrolled in a PhD program of IST Austria. They are normally enrolled in a Bachelor's or Master's degree program at another institution while receiving training and/or performing research within a research group of IST Austria for a limited amount of time.

2.1.7 Visiting Scientists

Visiting Scientists are scientists who perform research within one or more research groups of IST Austria for a limited amount of time but whose primary affiliation is with another institution, or who are enrolled in a PhD degree program of another institution. A Visiting Scientist can be at any stage of their scientific career. Visiting Scientists who are experienced scientists from universities or other institutions or companies who temporarily perform research at IST while on a sabbatical leave or leave of absence from their home institution may carry the title of “Visiting Professor.”

2.2 Administrative Staff

2.2.1 Division Heads

Heads of larger and/or more important administrative units may be called Division Heads. They are responsible for the operation and performance of their unit, its resource planning, budget and costs.

2.2.2 Unit Heads and Team Leaders

Unit Heads lead, control, and supervise organizational units. They may be responsible for the operation and performance of their unit, its resource planning, budget and costs. Team leaders lead smaller entities within a unit or division.

2.2.3 SSU Managers

Managers of a Scientific Service Unit (SSU) are responsible for the operation and performance of the SSU, as well as for resource planning and costs within a defined budget. The Head of a SSU, who oversees the operation of the SSU and chairs its Users' Group, is a Professor or Assistant Professor who is appointed by the President for limited period of time. SSU Managers are often on the administrative track and do not pursue a scientific career at IST Austria. In some cases SSU Managers can be Staff Scientists or Senior Staff Scientists.
2.2.4 General Administrative and Technical Support Staff

Administrative and technical support staff in non-leadership functions are organized in job families, which require special expertise and knowledge, define main tasks and responsibilities, and determine corresponding staff development measures as well as salary ranges.

2.2.5 Technicians

Technicians are associated with one or more research groups and operate in a technical field with special knowledge. Each technical staff member is hired and paid for by their research groups, and supervised disciplinarily by the head of one of the groups. There are two different positions: Lab Technician and Project Technician. A lab technician is hired on an unlimited contract subject to individual approval by the President, while a project technician may be hired for up to six years on a limited-term contract. Each research group can employ at most one lab technician.

2.2.6 Assistants to Professors (A2Ps)

A2Ps provide support in administrative and organizational matters to professors and, where appropriate, to their group members. They are typically shared between research groups and have an important function on the interface between the scientific and administrative staff of IST Austria. The pool of shared A2Ps is supervised disciplinarily by administrative staff and their cost is borne partially by the Institute, and partially by the research groups, according to a formula set by the management.

2.2.7 Apprentices

Apprentices receive professional training (“Lehrlingsausbildung”) at IST Austria, according to the Austrian rules and regulations for “Lehrlinge”. It is the aim that apprentices start a professional career at IST Austria after they completed their training.

2.3 Remuneration

The staff of IST Austria is paid according to salary scales that are detailed in salary tables for both scientific and administrative employees. The salary scheme and increases are set annually by the Executive Committee and approved by the Board of Trustees as part of the annual budget. The procedures for determining pay raises are also specified by the Board of Trustees. There are no performance bonuses for scientific staff at IST Austria.
3. Professorial Appointments

1. All new appointments of Professors and Assistant Professors, and all promotions of Assistant Professors to Professors, must be approved by the Professorial Committee. The President has a right of appeal to the Executive Committee. The composition and rules of the Professorial Committee are detailed in a separate document with the approval of the Executive Committee.

2. Professors are appointed for unlimited time, except in extremely unusual cases when a temporary appointment as a Professor may be offered by the President.

3. Assistant Professors are appointed for a limited period of six years, beginning normally with their arrival at the Institute. Usually during the fourth year of such an appointment, the President decides upon initiating the Tenure Procedure during the fifth year, or delaying it for one or two years. The Tenure Procedure must normally be completed no later than seven years after the start of the appointment of the Assistant Professor; it can be delayed further only in cases of childbirth or significant interruptions in the research of the Assistant Professor due to circumstances beyond their control. Whenever the Tenure Procedure is delayed, the employment contract of the Assistant Professor is extended until one year beyond the expected completion of the procedure.

4. The Tenure Procedure takes into account solely the professional performance of the Assistant Professor, not any strategic or financial consideration of the Institute. The procedure requires the solicitation of letters by outside experts and leads to a recommendation by the Professorial Committee of IST Austria. The detailed rules for the Tenure Procedure are laid out in the document “Procedures for Tenure Evaluations at IST Austria”.

5. If the President agrees with a positive recommendation of the Professorial Committee, the Assistant Professor is promoted and offered an unlimited contract as Professor of IST Austria. If the President agrees with a negative recommendation of the Professorial Committee, the Assistant Professor must leave the Institute by the end of their employment contract. If the President disagrees with the recommendation of the Professorial Committee, then the Chair of the Professorial Committee and the President present their cases to the Executive Committee of the Board of Trustees (the “Executive Committee”), which makes the final decision. The candidate has no right of internal appeal.

6. In rare and exceptional cases, the President, together with the Chair of the Professorial Committee and in agreement with the Assistant Professor, may decide to initiate the Tenure Procedure before the fifth year of the appointment of the Assistant Professor.
7. In case of childbirth by the Assistant Professor or their spouse, the appointment of the Assistant Professor may be extended, and the Tenure Procedure delayed, by a time period defined by the President (normally no more than one year per child), if the Assistant Professor so requests. Similar extensions may be granted by the President due to other special personal circumstances (e.g., serious illnesses or serious accidents of the employee or their immediate family). Whenever a Tenure Procedure is delayed past the ninth year of the appointment of an Assistant Professor, the delay must be approved by the Executive Committee.

8. An Assistant Professor may go through a Tenure Procedure at most once. An early or late start of the Tenure Procedure, for whatever reason, has no positive or negative consequences on the evaluation process or its outcome.

9. All Professors and Assistant Professors of IST Austria are expected to participate in the teaching activities of the Graduate School. Except in rare special cases, the Institute will not hire external lecturers.

4. Good Scientific Practice, Compliance, Ethics

1. All researchers and all employees of IST Austria are expected to be committed to the highest standards of scientific and academic integrity. Definitions of good scientific practice and of scientific misconduct are provided in the “Guidelines for Good Scientific Practice” of the Austrian Agency for Research Integrity, which are attached to this document. Every employee of IST Austria is obliged to comply with the standards laid out in this document.

2. Every Professor and Assistant Professor is responsible that their own activities as well as the work-related activities of their research group members comply with all applicable legal provisions and internal guidelines, and with all standard operating procedures (SOPs) for laboratory work at IST Austria. Every research group leader is responsible to ensure safe working conditions and appropriate training for all group members, as well as the documentation of such training prior to any activity in the research group that may pose a risk for humans and/or the environment. Where no SOP is in place, the Professor or Assistant Professor shall consult with the Environment, Health, and Safety (EHS) unit prior to an activity in order to implement all necessary safety measures. While scientists are supported in their compliance tasks by administrative units such as EHS and by the SSUs, this does not discharge group leaders from their responsibilities.

3. For members of SSUs, the responsibilities regarding compliance listed in the previous paragraph lie with the facility managers. For staff scientists, this is their own responsibility.
4. Two tenured Professors from different fields (at least one experimental) shall be appointed by the President as Ombudspersons of the Institute, for a limited period of time. The Ombudspersons can be addressed by the employees of the Institute if there are any grievances regarding scientific or academic behavior. In particular, they are the persons of contact for scientists who have questions regarding or wish to report a possible incidence of misconduct related to research, teaching, and/or scientific supervision.

5. A scientific member of the Executive Committee of the Board of Trustees shall be appointed by the Board of Trustees as Scientific Member Responsible for Research Integrity, to oversee the investigation of alleged cases of scientific misconduct.

6. Every employee and former employee of the Institute must inform one of the two Ombudspersons of any concrete suspicion of scientific or academic misconduct by another employee or visitor of the Institute. The report or its recording must be in writing, describing the facts and evidence. A preliminary investigation will be carried out by the Ombudsperson. In the course of the preliminary investigation, the concerned scientists are to be informed of the accusation and be given an opportunity to respond. The name of a whistle-blower shall not be disclosed at this stage.

7. If a preliminary investigation substantiates the suspicion of scientific misconduct, the President and the Scientific Member Responsible for Research Integrity shall be informed by the Ombudsperson, accompanied by a written report. After consulting the President, the Scientific Member Responsible for Research Integrity may decide on a more detailed internal investigation and/or to forward the case to the Austrian Agency for Research Integrity, with the request to initiate a formal investigation. In case the President is accused of misconduct, or has a conflict of interest in the matter, the Chair of the Board of Trustees will assume all duties that are assigned to the President. Once a formal investigation is commenced, the name of a whistle-blower shall be disclosed only if the accused persons would otherwise be unable to defend themselves properly, or if the whistle-blower’s credibility or motives need to be examined. This is intended to ensure that whistle-blowers can be heard without fear of repression.

8. In case of demonstrated scientific misconduct the Institute shall enforce disciplinary and other consequences. In particular, the employment contract of an employee may be terminated.
5. Intellectual Property and Conflicts of Interest

The rules regarding Intellectual Property (IP) and Conflicts of Interest at IST Austria are regulated by an Authorized Person (see subparagraph 11). The following rules will serve the Authorized Person as general guidelines until a more detailed set of rules and regulations is determined by the Board of Trustees. In cases of ambiguity or incompleteness, the interpretation and mode of application of the rules in this section is entirely in the hands of the Authorized Person, subject to decisions of the Board of Trustees, within the framework of the law.

1. All rules and regulations regarding IP and Conflicts of Interest apply to all employees who perform research at IST Austria (including professors, staff scientists, PhD students, postdoctoral fellows, scientific interns, visiting scientists, and academic visitors) as well as to all other employees (technical and administrative).

2. All IP developed at IST Austria belongs to the Institute. Only the Institute can apply for patents, issue licenses, enter into negotiations, and reach any agreements with third parties (such as companies, financial organizations, etc.) regarding the exploitation of its IP.

3. Every employee who develops IP that may be patentable or otherwise used commercially must inform the Authorized Person as soon as possible. The Institute's policy is to try to exploit such IP, while rigorously preserving the rules of free scientific research and the right for publication of any results. Publication can be withheld only with the consent of the inventor(s). The Authorized Person must inform the employee within three months after receiving the declaration of an invention whether a patent application will be submitted or any other action be taken by the Institute. If all parties have agreed to withhold publications during that period, then all parties are committed to strict confidentiality.

4. All books, articles, letters, and recorded work (audio and video), as well as all IP that is not related to scientific work (e.g., music), belong to the employee. In case of doubt, the employee should make a full disclosure to the Authorized Person, who will decide whether such IP is related to the employee's scientific work. The employee may receive payments (e.g., royalties) for such IP, but may be requested by the Authorized Person to disclose any payment agreements.

5. IST Austria scientists and other employees may serve other institutions, companies, and agencies in various capacities, such as consultants, lecturers, advisors, advisory board members, directors or trustees, only after full disclosure of all agreements and after receiving written permission from the Authorized Person, independent of whether the service is remunerated or not. Such disclosure must include time commitments and, if requested by the Authorized Person, remuneration arrangements.
6. IST Austria employees who spend time performing research for other institutions or for companies must not sign any agreement releasing any IP with these institutions or companies without written permission from the Authorized Person. The same rule applies to all agreements with funding agencies.

7. An employee of IST Austria must declare every potential situation in which a Conflict of Interest may arise between any activity in which he is engaged, or any property which he may possess, and the interests of the Institute. The employee’s loyalty in every such case must be entirely to the Institute, and the conflict or potential conflict must be resolved either by eliminating it or in any other way agreed to by the Authorized Person.

8. Every new employee at IST Austria must provide, upon commencing their employment, a full disclosure of all existing IP connected with their research prior to joining the Institute, and all holdings of equity or any other financial consideration emanating from such IP. IST Austria has no claims to any IP achieved before the employee joined the Institute. However, the employee may continue research related to such pre-existing IP at IST Austria only after receiving written permission from the Authorized Person and subject to all rules and limitations included in that permission.

9. In any patent or any other IP belonging to IST Austria, the inventor or the group of inventors will receive a fixed total percentage of all financial net income of all kinds (royalties, equity, license fees, and any other form of payment or property, after deducting all direct expenses related to same IP). The total percentage is, uniform in all cases, 40%. The division of the income between the inventors, within a given group, must be determined in a written agreement by the inventors at the time of applying for the patent or issuing the IP for licensing. If the members of the group cannot agree, then the distribution is determined by the Authorized Person.

10. The Authorized Person may allow exceptions to any rules whenever unusual circumstances arise. In minor cases, such exceptions do not require approval by the Board of Trustees. In major cases and in cases which may become a precedent to many other cases, an exception requires approval by the Board of Trustees or approval by a committee authorized by the Board of Trustees. Any decision of the Authorized Person may be appealed by the relevant employee to an Appeals Authority appointed by the Board of Trustees.

11. For now, the rights and obligations of the Authorized Person are given to the President; a committee consisting of the Chair of the Board of Trustees, the Chair of the Executive Committee, and the President serves as the Appeals Authority. This committee decides by a majority vote. Later, as the Institute grows and a more detailed set of rules will be formulated, there will probably be a Vice President in charge of Technology Transfer who will be the
Authorized Person, and the Board of Trustees will decide in which cases the President is the Appeals Authority and in which cases a higher authority is needed.

6. Research Grant Applications

1. Grant proposals to outside funding agencies are normally submitted by Professors and Assistant Professors. A proposal may be jointly submitted by a Professor or an Assistant Professor together with someone else within the Institute or external. A PhD student or postdoctoral fellow of the Institute may submit a proposal to support their salary and expenses only if agreed upon by a Professor or Assistant Professor who offers to host the student or postdoctoral fellow within their research group. Any other scientist can submit a proposal for an outside grant only in extremely unusual cases and with a special written approval by the President, on a case by case basis.

2. Every grant proposal that involves an employee of IST Austria in any capacity, and every offer to host at the Institute a PhD student or postdoctoral fellow or visitor with an outside grant, has to be endorsed by the Grant Office. The Grant Office must verify in advance that, in case the proposal will be approved by the outside agency, or the student or postdoctoral fellow or visitor will accept the offer, the Institute will have the infrastructure needed for the research, and that the contract with the outside agency is consistent with the Institute's policies regarding Intellectual Property, freedom of research, and all other Institute rules. The President may overrule any decision of the Grant Office.

7. Research Group Budgets, Overhead, Charges for Facilities and Services

1. Every research group is headed by a Professor or Assistant Professor and has a budget. The group budget consists of one or more sub-budgets. Every research grant and project has its own sub-budget, there is a general sub-budget, and there can be separate sub-budgets for specific purposes such as start-up funds or investments. The Professor or Assistant Professor is responsible for all cost centers that are related to the budget of their research group.

2. The expenditures on all sub-budgets of a research group or any other unit must comply with all financial rules and regulations of the Institute, in particular, with its Rights of Signature and its Internal Procurement Guidelines. The expenditures on each grant-specific sub-budget are governed, in addition, by the rules of the funding agency. In cases of two relevant sets of rules, both must be obeyed. Normally, conflicts between different sets of rules will not occur, because
the Grant Office is expected to be aware of such conflicts before a grant is approved. In cases where such conflicts arise nevertheless, the Grant Office, possibly overruled by the President, will determine the result. The head of a unit is authorized to transfer funds between sub-budgets, provided that this is consistent with the regulations of the Institute and of the funding agencies.

3. No sub-budget at any unit within the Institute may earn bank interest. All such interest, if any, belongs to the general Institute budget. All sub-budgets are accounted in Euro based on the value of any income or expenditure on the date of the transaction.

4. Technicians, secretaries, and other support staff working for one or several units can be selected by the head of the unit(s), subject to the availability of sufficient funds for the salary of the person and subject to a short list of requirements for each type of position, with or without advertisement. The requirements may include academic degrees, professional courses, language fluency, etc. Exceptions can be allowed by the management of IST Austria. The Rights of Signature of the Institute apply to the signing of any employment contract. While administrative and technical support staff may report functionally to the head of a research group, all administrative staff of the Institute reports disciplinarily to the head of a division or unit within the administration of IST Austria.

5. An employee of IST Austria must not supplement their salary by funds from a research grant. In case a research grant allows for covering a fraction of the salary of a Professor or Assistant Professor, the Institute may choose to use these funds to cover part of the salary, and the President may or may not approve a special extra allocation from the Institute to the general sub-budget of the research group.

6. If a funding agency has no special rules for overhead charges, the Institute charges an internal uniform overhead of 25% on top of every external research grant and donation of any kind designated for one or more research groups. This means that 20% of every incoming Euro goes to the general Institute budget and 80% goes to the grant-specific sub-budget of the research group performing the project, or to the general sub-budget of the research group receiving the donation. The standard percentage of overhead charges will be reviewed periodically in light of developments at funding agencies and standards at other institutions.

7. If a funding agency has special rules for overhead charges, these must be approved by the President on a case by case basis. Blanket approval may be given by the President for research grants from common sources such as FWF and the European Union.

8. Every research facility (e.g., equipment facilities, animal facilities) either belongs to a research group or to an SSU, which serves multiple research groups. In general, every research group is
charged the full cost of the services that it receives from other units within the Institute (SSUs, high-performance computing, machine shop services, etc.). The cost of using SSUs and of all other services within the Institute will be determined by the management of IST Austria and, if the management decides to subsidize a facility or service, it will be done by charging the actual cost to the project-specific sub-budget and then separately crediting the general sub-budget of the research group with the subsidy. In this way all internal reporting is identical to the reports delivered to outside funding agencies and reflects the true cost of services.

9. As long as IST Austria receives government funding that is conditioned upon third-party funding, every research group that receives such funds on a competitive basis will receive a bonus of 30% of the government matching funds from the Institute, which will be allocated to the general sub-budget of the group. In this way, if an external grant of EUR 100'000 and related overhead of EUR 25'000 results in EUR 125'000 of government matching funds to the Institute, then EUR 37'500 of the matching funds will be given to the general sub-budget of the research group.

10. If the third party that provides the research funds pays an overhead of less than 25%, then the matching funds from the government are reduced by an amount that compensates the Institute for the lost overhead before the 30% bonus for the research group is calculated. In particular, if a funding agency pays a reduced overhead of EUR 10'000 on a grant of EUR 100'000 and the government provides EUR 110'000 in matching, then the research group receives EUR 28'500 of the matching funds; if the funding agency pays no overhead and the government provides EUR 100'000 in matching, then the research group receives EUR 22'500 of the matching funds.

11. If a third party pays all or part of a salary directly to an employee of IST Austria, in the form of a fellowship or otherwise, then for the duration of the employment, in lieu of overhead, the Institute may charge the third party or the research group of the employee a Visitor Fee. The Visitor Fee is set by the President and may depend on the career stage of the employee.

8. Professional Leaves, Joint Appointments, Consulting for Professors

1. Professors at IST Austria are entitled to a sabbatical leave for one year after every six years of service, paid partly by the Institute spending up to 75% of the amount of their annual salary. The purpose of a sabbatical leave is to focus on research, teaching, and/or professional development during an extended stay at one or more academic institutions or corporate research divisions. As the professor receives a partial salary from IST Austria, all personnel and financial supervisory duties concerning the research group continue during a sabbatical leave. A sabbatical leave can be taken in one or more installments, during which the salary received
from IST Austria may be distributed unevenly and supplemented, up to combined full-time employment, by the host institutions of the sabbatical visitor. Assistant Professors are not entitled to a sabbatical leave; however, if they become Professors, their years of service as an Assistant Professor will be included in the calculation of the years that entitle them to a sabbatical leave. The President must approve the modalities of each sabbatical leave, especially concerning IP regulations, and may delay a requested sabbatical leave in order to ensure the efficient operation of the Institute.

2. A Professor or Assistant Professor may request a leave without pay. Such a leave and its modalities, especially concerning IP regulations, must be approved by the President. Typical reasons for a leave without pay is temporary work for a company or service organization. In special cases professors on leave may keep a small part of their salary from IST Austria if they continue to serve in an administrative, educational, and/or supervisory role during the leave. Normally, a leave without pay will be approved for up to one year, and in rare cases, for a second year. Leaves without pay must not be combined or alternated with sabbatical leaves unless the combined total absence from the Institute does not exceed eighteen months within any consecutive period of seven years. The President may approve longer absences in exceptional cases only, which must be reported to the Executive Committee.

3. A Professor or Assistant Professor at IST Austria cannot have a joint appointment with another institution. However, if approved by the President, a Professor or Assistant Professor ready to join IST Austria may keep joint appointments with their previous institution(s), provided that he obtains in writing permissions for leaves without pay from such institutions. Such joint appointments will be approved only if the Professor or Assistant Professor agrees, in writing, on a definite date for the termination of all previous appointments, which must be no more than two years from the date on which employment with IST Austria commences.

4. Professors or Assistant Professors may have a title of Adjunct or Honorary Professor or temporary Guest appointments at other institutions with the approval of the President. Preconditions for such an approval are that the appointment is not a substitute or a placeholder for a regular appointment at the other institution, the Professor or Assistant Professor does not have a research group or administrative duties at the other Institution, the appointment complies with the Intellectual Property and Conflicts of Interest rules of IST Austria, and any time commitment (such as teaching) and remuneration at the other institution are consistent with the rules for outside consulting or Sabbatical leaves.

5. A Professor or an Assistant Professor at IST Austria is expected to work at the Institute for at least nine months every year. Their total absence due to outside visits, conferences, summer schools, and vacations must not exceed 90 days (including weekends and holidays) per year,
of which at most five weeks can be vacation. Short trips including up to three working days are not included in counting time away from the Institute; all longer trips need to be reported to the Institute. Any time away beyond three months requires special permission by the President or granting a leave without pay.

6. Extensive service of a Professor or Assistant Professor to the scientific community (editorial work, conference organization, membership on scientific boards, membership on reviewing committees, and the like) has to be reported to the President. While normally such service does not require any approval, the President may prohibit the activity if it is deemed to raise a Conflict of Interest or to be detrimental to the interests of IST Austria. No reporting is necessary for standard service to the scientific community (membership on conference program committees, peer review for grant applications, publications, recruitments, promotions, etc).

7. A Professor or Assistant Professor at IST Austria is allowed to perform consulting services, remunerated or not, to other institutions, companies and agencies, subject to the Intellectual Property and Conflicts of Interest rules, and devoting per year no more than 400 hours to these tasks. If a consulting service is remunerated, then the related costs such as travel expenses must not be charged to the Institute.

9. Extension of Service for Professors

1. The normal age of retirement for Professors at IST Austria is 67 years. A Professor may retire at any time between the age for receiving an Austrian state pension and the age of 67.

2. In order to be attractive to the best scientists, IST Austria has a flexible set of rules for “Extension of Service” beyond age 67, which allows for specific decisions in each particular case.

3. At age 65 every Professor will be asked by the President to submit a "Phasing-out Plan" for their continued scientific work during the three years beyond the standard retirement age, specifying the continuation or termination of research projects and PhD theses, as well as needs for personnel, laboratory and office space and use of infrastructure. The Phasing-out Plan will not be similar to a grant proposal; it will mainly describe projected resources and their gradual phasing out over two to five years. The Professor will be asked if he wishes to obtain an "Extension of Service" beyond the age of 67.

4. If IST Austria already has an internal structure with academic departments or faculties, then the head of the corresponding department or faculty will comment on the proposed Phasing-out Plan and on the application for Extension of Service.
5. Based on the above information, the President or an Institute-wide Committee of Professors appointed by the President will consider such an extension for a period of up to three years from the standard date of retirement. In normal cases the extension will be granted. An Extension of Service will be denied only if the scientific productivity of the applicant has been very low in the preceding several years or if another major scientific reason exists. The President or the Committee will determine the resources available to the Professor during their Extension of Service. These resources will normally follow a gradual process of phasing out of the Professor's research group. Once a Professor retires, whether after an Extension of Service or not, any remaining budget of their research group will be returned to the Institute.

6. The final decision regarding the status of Extension of Service and regarding internal resources such as laboratory and office space, funding of group members, additional budgets, use of Institute infrastructure, and any other items, will be made by the President, who will inform the Professor before their date of standard retirement.

7. During the period of Extension of Service, the Professor keeps their full academic rights within the Institute. They may supervise PhD students, submit grant proposals to outside agencies, and be a full member of the Institute’s various committees. During the period of Extension of Service, the Professor shall receive a salary from IST Austria equal to 75% of their salary during the last year of normal service. Needless to say, this salary will be in addition to any pension to which the Professor is entitled.

8. At the end of a three-year Extension of Service, the Professor may request additional extensions of one year at a time. Such extensions will only be approved in rare and unusual cases, in which an exceptionally outstanding and active research program may be otherwise compromised. The ability of the Institute to accept younger professors will depend on its older professors retiring, and any system of repeated extensions would seriously damage the Institute. In the rare cases that the President approves an extension beyond the first three years after normal retirement, they must inform the Board of Trustees and the Scientific Board of their decision and the arguments in favor of this decision.

9. Extension of Service can be awarded only to a Professor and not to any other employee.

10. According to IST Austria rules, no one is allowed to accept new PhD students or to sign grant contracts if the foreseen end of the thesis work or the grant is beyond their end of service at the Institute. These rules apply also to Professors in Extension of Service.
10. PhD Students

1. Students may join IST Austria as PhD students only with the prior approval of the Dean of the Graduate School, and only after having completed a Master's degree or a Bachelor's degree, or a degree that is deemed equivalent by the Dean of the Graduate School.

2. The Graduate School of IST Austria may offer several PhD programs. Every student must be associated with a PhD program. All PhD programs are clearly divided into two stages, separated by a "Transition Point", which marks the passing of a Qualifying Exam and/or the approval of a Thesis Proposal. Stage I, prior to the Transition Point, consists mostly of coursework, rotation projects with research groups, and preparation for the Qualifying Exam and/or Research Proposal. Stage II consists primarily of the thesis research and ends with the Thesis Defense. The detailed rules for the Transition Point and the Thesis Defense are specified as part of a comprehensive set of rules and regulations ("Rules of the Graduate School at IST Austria") that governs the Graduate School and its PhD programs and is approved by the Scientific Board.

3. PhD students are employed by the Institute for a limited period of time. A student may stay in Stage I of a PhD program for a maximum of two years or less. For students who enter the PhD program with a Master’s degree, the total time to graduation may not be more than 5 years from the start date in the PhD program, unless the Dean of the Graduate School approves an extension. Extensions beyond 6 years must additionally be approved by the President. Students who enter the program with a Bachelor’s degree have one additional year as compared to students entering with a Master’s degree. Stricter time limits may be enforced by a PhD program.

4. Every student in Stage II of a PhD program must have a primary thesis supervisor and may have one or more co-supervisors. The primary supervisor must be a Professor, an Assistant Professor, or an Adjunct Professor of the Institute. The co-supervisors may be scientists from other institutions, or Institute scientists of a possibly lower rank. If the primary supervisor is an Adjunct Professor, then the chair of the respective PhD program must designate a representative from the faculty of IST Austria, who is normally a co-supervisor, to oversee the student’s progress and report to the Graduate School. The responsibility towards the Graduate School of the Institute lies always with the primary thesis supervisor, in case of an Adjunct Professor together with the designated faculty representative.

5. Being a PhD student of IST Austria is a full-time occupation. All students are employees of the Institute and their remuneration is determined by the salary table for PhD students of IST Austria. If a student receives a scholarship from a third party, this is transferred to the research
group or other unit that pays the employee's salary. In case the scholarship exceeds the corresponding salary level, the salary of the PhD student is increased accordingly for the duration of the scholarship.

6. PhD students in Stage II of a PhD program may perform external, temporary internships in academia and industry for up to three months per year, if approved by the supervisor. Longer internships must be approved by the Dean of the Graduate School. If an internship is remunerated, then the student is put on a minimal employment contract at IST Austria for the duration of the internship.

7. PhD students must not apply for external grants other than scholarships to support their own salary and research expenses. Unless approved by the President, a PhD student must not receive any remuneration for services from third parties other than external scholarships for studying at IST Austria and approved external internships.

8. The employment contract for PhD students gives the Institute the right to terminate the contract for the following reasons: (i) the student fails to fulfil the PhD program requirements, including passing the Transition Point and finding a primary thesis supervisor within the deadlines specified by the PhD program; (ii) the student fails to make “Reasonable Progress” towards the PhD degree as evaluated in regular, formal progress reviews overseen by the program faculty; (iii) the student has successfully defended and filed a thesis. Every PhD student in Stage II is evaluated once or twice a year for “Reasonable Progress”. Reasonable Progress and the detailed procedures of the evaluation are defined by the Rules of the Graduate School and its PhD programs.

9. Upon a successful defense and filing of a thesis, the PhD degree is awarded by the Institute and the diploma is signed by both the President and the Dean of the Graduate School. The PhD degrees conferred by IST Austria do not refer to any scientific discipline or other specialization.

10. The rules and regulations of the Graduate School and its PhD programs may, at any time, refine the requirements for PhD students and introduce additional requirements and procedures. The President and the Dean of the Graduate School may set specific maternity/paternity guidelines for PhD students.

11. If all or part of the salary of a PhD student comes from a third-party source, then the student must comply with all rules of the funding source in addition to complying with all rules for PhD students of IST Austria. If there is a conflict of rules, then the decision whether to waive an IST rule or not accept the source of funding must be made by the Dean of the Graduate School.
12. When there is no Dean of the Graduate School, the duties and rights of the Dean are in the hands of the President.

11. Scientific Interns

1. While the primary educational mission of IST Austria is to train scientists within its PhD programs, the Institute permits its research groups to also hire, for a limited period of time, predoctoral researchers who are not enrolled in a PhD program of IST Austria. Such predoctoral researchers in training are called Scientific Interns. They include students who are enrolled in a Bachelor’s or Master's degree program at another institution, as well as students who have finished their Bachelor's or Master's degree program and are preparing to apply or enter a PhD program, at IST Austria or elsewhere. The head of the research group(s) (Professor or Assistant Professor) decides on the hiring of a Scientific Intern, subject to the availability of sufficient funds for the salary of the intern and subject to a formal technical approval by the Academic Affairs division.

2. A Scientific Intern is normally appointed for a maximum period of one year. The appointment can be extended for up to six additional months subject to approval by the Academic Affairs division.

12. Postdoctoral Fellows

1. A postdoctoral fellow is associated with one or more research groups and is appointed for an initial period of up to four years. The appointment is decided by the head(s) of the research group(s) (Professors and/or Assistant Professors), subject to the availability of sufficient funds for the salary of the postdoctoral fellow and subject to a formal technical approval by the Academic Affairs division, which must verify that the person has indeed completed their PhD studies or an equivalent degree. A postdoctoral appointment may be terminated for lack of scientific progress, or if the head of the research group leaves the Institute. If requested by the postdoctoral fellow, approved by the head of the research group, and subject to the availability of sufficient funds, the appointment may be renewed up to a maximum total of five years. Only in rare cases will the employment of a postdoctoral fellow be renewed beyond a total length of five years, and this always requires the written approval by the President.

2. The initial appointment of a postdoctoral fellow who received their PhD degree at IST Austria can be for at most two years, and can never be extended beyond a total of three years.
3. All postdoctoral fellows are full-time researchers and employees of the Institute. Their remuneration is chosen by the head of the research group from the salary table for postdoctoral fellows of IST Austria. If a postdoctoral fellow receives a scholarship from a third party, this is transferred to the research group that pays the employee's salary. In case the scholarship exceeds the chosen salary level, the salary of the postdoctoral fellow is increased accordingly for the duration of the scholarship. If approved by the head of the research group, a postdoctoral fellow may be a part-time employee both of IST Austria and another research institution, in which case the sum of both appointments must be equivalent to full-time employment.

4. Postdoctoral fellows must not be the main applicant for external grants other than fellowships to support their own salary and research expenses. A postdoctoral fellow may be a co-applicant on a research grant whose primary applicant is a Professor or Assistant Professor, but only if the grant application does not violate the maximal time limit that the postdoctoral fellow can stay at IST Austria. Unless approved by the President, a postdoctoral fellow must not receive any remuneration for services from third parties other than external fellowships for working at IST Austria, and approved part-time employment by another research institution.

5. If all or part of the salary of a postdoctoral fellow comes from a third-party source, then the postdoctoral fellow must comply with all rules of the funding source in addition to complying with all rules for postdoctoral fellows at IST Austria. If there is a conflict of rules, then the decision whether to waive an IST rule or not accept the source of funding must be made by the President.

6. The President may set specific maternity/paternity guidelines for postdoctoral fellows.

7. Postdoctoral fellows are encouraged to participate in the teaching activities of the Graduate School.

13. **Staff Scientists and Senior Staff Scientists**

1. The common scientific positions at IST Austria are Professors, Assistant Professors, PhD students, and postdoctoral fellows. However, sometimes the need arises for a scientific position that does not fall into these categories, for example, for operating a large or specialized research equipment facility. For such purposes, the positions of staff scientists (with the titles Staff Scientist or Senior Staff Scientist) exist. These positions are not a standard career path for postdoctoral fellows, and a clear necessity must be demonstrated for such a position in every individual case.
2. Appointments of Staff Scientists and Senior Staff Scientists are normally made for a maximum period of five years. Each appointment of a staff scientist is normally proposed by the head(s) of the SSU(s) or research group(s) with which the staff scientist is associated and must be approved by the Staff Scientist Committee of IST Austria. The Staff Scientist Committee consists of Professors and Assistant Professors of the Institute and has representatives from the major experimental and computational disciplines of research that are present at the Institute. The Staff Scientist Committee is appointed by the President. A condition for the appointment of a staff scientist is the availability of sufficient funds for the salary of the staff scientist within the relevant budget(s) of the Institute.

3. After five years, a staff scientist may be offered an unlimited-term contract, but this is neither automatic nor common. Every promotion from a limited-term to an unlimited-term contract, and every hiring of a staff scientist on an unlimited-term contract, must be approved by the tenured Professors on the Staff Scientist Committee of IST Austria and the President.

4. The title of a staff scientist (Staff Scientist or Senior Staff Scientist) is independent of whether the staff scientist has a limited-term or unlimited-term contract, but is based on the professional experience of the staff scientist. Senior Staff Scientists are normally expected to have at least ten years of relevant job experience after obtaining a PhD degree. Every appointment of a Senior Staff Scientist, and every promotion of a Staff Scientist to a Senior Staff Scientist, requires letters by outside experts.

5. No staff scientist may be employed at the Institute on a temporary contract, as a Staff Scientist or Senior Staff Scientist, for more than a total combined period of six years. Every staff scientist with an unlimited-term contract must undergo periodic scientific evaluations. The employment contract of a Staff Scientist or Senior Staff Scientist, even if for unlimited time, may be terminated by the Institute if the Institute decides to close the relevant SSU, if the outcome of a scientific evaluation of the staff scientist is negative, or if the contributions to the salary of the staff scientist by SSUs and/or research groups are insufficient.

6. A Senior Staff Scientist could, on very rare occasions, become a Professor, but the procedure must be extremely difficult and the scientific achievement absolutely exceptional.

7. A staff scientist may be a co-applicant on grant applications whose primary applicant is a Professor or Assistant Professor, or the primary applicant on a technical grant, but only if the grant application does not violate any time limit imposed by the employment contract of the staff scientist. A staff scientist may supervise student interns and serve as a co-supervisor of PhD students, but must not supervise postdocs nor be the main supervisor of PhD students, nor the main applicant on research grants that include salaries for PhD students and/or postdocs.
14. Scientific Visitors

1. Scientific Visitors of all ranks are normally affiliated with a university, another scientific institution, or a company. They may hold any or no academic degree and, depending on their scientific experience, may give lectures or courses, receive training, collaborate on research projects, and/or perform independent research.

2. Scientific Visitors are classified either as Guests, Academic Visitors, or Visiting Scientists. Visiting Scientists are employees of IST Austria, while Academic Visitors and Guests have no employment contract with the Institute. Guests stay for up to 30 days; Academic Visitors stay longer.

3. Except in rare cases, the length of stay for a Scientific Visitor is no more than one year. If the Scientific Visitor is a PhD student at another institution, then a longer stay can be approved by the Dean. All other visiting arrangements that exceed the duration of one year must be approved by the President.

4. Experienced Visiting Scientists and Academic Visitors who perform research at IST Austria while on sabbatical leave or leave of absence from a university or another scientific institution or company may hold the title of Visiting Professor. That title can be bestowed only by the President on recommendation by the chair of the Visiting Scientist Committee and is normally reserved for visitors who hold a PhD degree and are employed as professors or hold a position of comparable rank at their home institution. For Visiting Professors, the President determines the visitor’s remuneration.

14.1 Guests

1. Scientific Visitors are Guests of the Institute if they meet all of the following requirements: (i) the length of the stay at the Institute is no more than 30 days; (ii) the visitor receives no remuneration or salary from the Institute; (iii) the Institute does not support the visitor in obtaining any visa except possibly a tourist visa; (iv) the Institute does not provide any resources to the visitor except possibly keys and IT access, as well as the permission to use a desk and other resources within the research group that hosts the visitor.

2. A Guest must be hosted by a research group or by another unit, and the head of the research group or unit is the Host of the Guest. The Host invites a Guest, may provide group resources to the Guest, and decides on the terms of the visit, including what kind of travel reimbursement, key, IT access, and desk (if any) should be provided to the Guest.
3. Guests may receive travel reimbursement according to the rules for business travel at IST Austria, as well as discounted accommodation and/or meals on campus. For each Guest, the Host decides which of these benefits are given to the Guest and the Host's budget must have sufficient funds to cover all expenses related to the Guest.

14.2 Academic Visitors

1. Academic Visitors are Scientific Visitors who stay at the Institute for more than 30 days or more but have no employment contract with IST Austria. They normally have an employment contract with another institution and/or receive a scholarship for training.

2. An Academic Visitor is normally hosted by one or more research groups, whose head(s) are the Host(s) of the visitor. Exceptions are possible only if the visit is in the general interest of the Institute and approved by the President. Because of the length of their stay, Academic Visitors usually need broad access to the Institute's infrastructure.

3. For every Academic Visitor, the terms of the visit, including all financial and resource contributions by the Institute, must be proposed prior to the visit by the Host(s) and must be approved by the Academic Affairs division. The terms of the visit must set a definite time limit for the visit and they must include the visitor's written consent to the Institute's Intellectual Property rules. Academic Visitors may receive financial travel reimbursement according to the rules for business travel, discounted accommodation and/or meals on campus, office and/or laboratory space, and the like. All such benefits are normally covered by the Host's budget and group resources. Academic Visitors are subject to a Visitor Fee for the duration of their visit, which is to be covered by the Host's budget, by the visitor, or by a third party that pays for the visitor. The Visitor Fee is set by the President and may depend on the career stage of the visitor.

14.3 Visiting Scientists

1. Visiting Scientists are Scientific Visitors who have an employment contract with IST Austria for a limited amount of time. They must hold a PhD degree (Postdoctoral Visiting Scientist or Visiting Professor) or be enrolled in a PhD level program at another institution (Predoctoral Visiting Scientist).

2. A Visiting Scientist is normally hosted by one or more research groups, whose head(s) are the Host(s) of the Academic Visitor. Exceptions are possible only if the visit is in the general interest of the Institute and approved by the President.
3. The salary of a Visiting Scientist will take into account their remuneration from their home institution(s) and must not exceed the remuneration offered to similar scientists at the Institute. All benefits are normally covered by the Host's budget and group resources, except in cases where the visit is in the general interest of the Institute or when the costs are covered by the Visiting Scientist Budget of the Institute. In all cases where the Visiting Scientist Budget covers all or part of the costs for a Visiting Scientist, the visit and its terms must be approved by the chair of the Visiting Scientist Committee. In all cases where the general Institute budget is expected to pay for such costs, the visit and its terms must be approved by the President.

4. Visiting Scientists who hold a PhD degree but are not granted the title of Visiting Professor are usually paid according to the IST Austria salary scale for postdoctoral fellows. All other remuneration arrangements must be approved by the President.

5. Visiting Scientists who hold no PhD degree are usually PhD students at another institution who move with a professor to IST Austria, or join a research group to participate in a research project. They are not enrolled in and will not graduate from the Graduate School of IST Austria. They receive remuneration based on the IST Austria salary scale for PhD students.

15. Closure of Research Groups

1. If a Professor or Assistant Professor leaves the Institute, their research group will be closed. The President may grant the professor a leave of absence for a transition period of up to one year. During this time, the physical lab and research group will be wound down, but the professor may continue to serve as Principal Investigator of research grants and scientific supervisor of group members. Once the employment ends, any remaining budget of the professor’s research group will be returned to the Institute.

2. If a professor leaves the Institute, all members of the research group are encouraged to move with their supervisor if this is possible. PhD students who do not move with their supervisor must either graduate within one year or find a different primary supervisor at the Institute; otherwise their employment contract will be terminated. The employment contracts of all other group members will be terminated at the earliest possible date after the head of the research group leaves.

3. If a PhD student in Stage II of a PhD program leaves the Institute together with their supervisor, the student may choose to remain in the Graduate School and obtain a PhD degree from IST Austria. In such cases, the supervisor may keep the title of Adjunct Professor of IST Austria.
until the last supervised student in the Institute’s Graduate School successfully files a thesis or drops out of their PhD program.

16. Business Travel and Related Expenses, Entertainment Expenses

1. This section applies to business expenses, which are expenses that are incurred in connection with the performance of job-related duties and business trips. Detailed rules may be worked out and put into place by the President and the Managing Director.

2. The rules of this section apply independently of the source of the funds that are used. If the expenses are covered by the Institute through funds provided by a funding agency or other organization, then the rules of that agency or organization have to be applied in addition to the Institute rules.

3. Business expenses will be reimbursed by IST Austria to the extent they have been approved in advance by the person in charge of the corresponding budget, can be documented, and are not covered directly by third parties.

4. Business travel: An employee is considered to travel on business if they leave their place of work in order to carry out a job-related task. For this purpose, the place of work shall be the municipal area of Klosterneuburg. However, the employee will not receive any compensation for business travel to Vienna and back, unless explicitly granted otherwise by the employer.

5. Flights: Flights are to be restricted to a minimum and should be booked at the earliest possible time. The least costly arrangement is to be selected. Apart from connecting flights, domestic flights within Austria are to be used only in exceptional cases. For business trips to neighboring countries, travel by rail is always to be considered as an alternative. For flights, the costs for economy class will be reimbursed. The person in charge of the corresponding budget may approve business class flights prior to an inter-continental trip if work related business needs to be done on the day of arrival. Expenses for first-class flights will not be reimbursed.

6. Lodging: Lodging costs that are incurred on business trips will be reimbursed within the price-range of a middle-class hotel. Expenses for overnight stays in first-class hotels may be reimbursed if the purpose of the business trip is to participate at an event or convention being held at that hotel.

7. Train rides: Train travel in Austria and abroad will be reimbursed on the basis of second-class tickets. Train travel in Austria and abroad is allowed in first class if approved by the person in charge of the corresponding budget prior to the trip.
8. Taxis and rental cars: Taxi rides and use of rental cars are to be kept at a minimum. Whenever possible, public or semi-public transportation should be used for business travel. The use of taxis and rental cars needs to be justified and approved in advance by the person in charge of the corresponding budget. Comprehensive insurance coverage (liability, damage, and theft) needs to be arranged and will be reimbursed.

9. Private vehicles: Expenses for the use of a private vehicle for business trips and transportation will be reimbursed if approved by the person in charge of the corresponding budget prior to the trip. The employee will receive a mileage allowance to cover their expenses incurred for the maintenance and use of the car.

10. Business travel related expenses: Reasonable expenses for meals and incidentals on business trips, as well as expenses for business-related telephone calls, fax messages, and Internet access will be reimbursed against receipts.

11. Entertainment expenses are business expenses that are incurred directly by job-related duties such as the hosting of guests and/or visitors, marketing and outreach activities, as well as allowances relating to internal events such as holiday meals, departmental excursions, workshops, retreats, and jubilee and birthday gifts. Entertainment expenses will be reimbursed in the context of effective expenses. Restraint is always to be exercised in such type of expenses. The costs incurred must be in the interest of IST Austria.


17.1 Legal Basis

These Rules were adopted by the Board of Trustees (see section 6 of the Law) in its meeting on June 2, 2009.

In this meeting the Board of Trustees authorized the President (see section 7 of the Law) to make minor changes and adaptations to the Rules. Major changes and adaptations have to be approved by the Executive Committee and have to be brought to the attention of the Board of Trustees.

17.2 Term, Termination

The Rules entered into force on June 2, 2009 and are valid, as amended from time to time.

The Rules may be terminated by a decision of the Board of Trustees.
17.3 Scope of Application

The Rules apply to all employees (Arbeitnehmer) of IST Austria that are employed as Professor (see section 2.1.1 of the Rules) or Assistant Professor (see section 2.1.2 of the Rules).

The President has the authority to make exceptions from specific provisions of the Rules in special cases for particular employees, in accordance with the principle of equal treatment (Gleichbehandlungsgrundsatz). Substantial exceptions must be brought to the attention of the Executive Committee.

Within the scope of these Rules, the President and the Managing Director may enact more detailed guidelines for specific topics (procurement, entertainment expenses, etc.).

The employee acknowledges that IST Austria may unilaterally amend the Rules at any time. Employees are aware that they may not derive any legal claims whatsoever from the Rules.

A copy of the Rules, as amended from time to time, is available for inspection with the HR division, during regular office hours.

Attachment

“Guidelines for Good Scientific Practice” of the Austrian Agency for Research Integrity (OeAWI)