

## **Estonian Aviation Academy Rules for Employment of Academic Employees**

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## **1. General provisions**

- 1.1. These rules establish the rights and obligations of academic employees, principles of creating, filling and eliminating of positions, organisation of competitions for ordinary academic positions and election of academic staff members, inviting visiting academic staff members, and the procedure for performance evaluation.
- 1.2. The rules are based on chapter 5 of the Republic of Estonia Higher Education Act and the Statutes of the Estonian Aviation Academy (hereinafter the Academy).
- 1.3. For the purpose of these rules, any employee who conducts teaching is deemed an academic staff member according to the categories specified in Annex 1 to these rules.
- 1.4. An ordinary academic staff member is a person employed by the Academy on an academic position under an employment contract, whose qualification meets the requirements set for the position.
- 1.5. Ordinary academic positions are a professor, a research fellow, a lecturer and a teacher. Ordinary academic positions follow a career path with career levels, for which respective qualification requirements and duties are described in Annex 1 to these rules.
- 1.6. Principles for calculating the workload of academic staff members are described in Annex 2.
- 1.7. The conditions of and procedure for applying for a free semester by ordinary academic staff are described in Annex 3.
- 1.8. The conditions of and procedure for granting the title *emeritus* or *emerita* are described in Annex 4.
- 1.9. Self-analysis of professional development is described in Annex 5.
- 1.10. The template of the decision adopted by the evaluation committee is provided in Annex 6.

## **2. Duties of academic staff members**

- 2.1. An academic staff member conducts teaching within his or her competence in all curricula taught at the Academy. Carrying out teaching in curricula managed by other structural units is coordinated between the academic staff member, his or her immediate superior and respective head of curriculum.
- 2.2. The full workload of an ordinary academic staff member and division thereof between different work-related duties is calculated on the basis of the average annual number of working hours, which is 1600 astronomical hours.
- 2.3. Contact learning may be used in the amount established in the syllabus. The content of the subject course must comply with the syllabus. The head of respective curriculum coordinates and checks that the compilation, changing and entering of the syllabi in the study information system. The academic staff member responsible for the subject course submits the syllabus to the head of curriculum within the set time-limit.
- 2.4. The academic staff member provides the learners with study materials necessary for studies and ensures their availability in the learning management system Moodle.
- 2.5. The academic staff member conducts studies in accordance with the prepared timetable. The head of curriculum monitors the teaching process and its quality.
- 2.6. If the teaching process is regulated by the training organisation manual, the academic staff member records conducted teaching and studies as required in the manual.
- 2.7. The academic staff member and/or the Academy has an obligation to provide learners with information on the results of studies, pass/fail evaluations or examinations in the format that allows only the designated learner to identify the results.
- 2.8. On the learner's request, the academic staff member must substantiate and comment on the learner's results of studies, pass/fail evaluation or examination.
- 2.9. The academic staff member takes prudent care of the Academy's assets and uses efficiently and sustainably any financial and material resources at his or her disposal.
- 2.10. The academic staff member knows and takes into consideration that teaching process is recorded in the Academy lecture halls, which have the recording equipment.

- 2.11. In all aspects of their work, academic staff members are responsible for ethical conduct.
- 2.12. The academic staff member ensures equal treatment of all learners and work associates regardless of their sex, race or ethnic origin, nationality, colour, age, disability, sexual orientation or religious or political beliefs.

### **3. Rights of academic staff members**

An academic staff member has the right to:

- 3.1. the agreed remuneration and ordinary academic staff members also to holidays to the extent provided for by the regulation of the Government of the Republic of Estonia;
- 3.2. a safe working environment;
- 3.3. equal treatment;
- 3.4. free use of lecture halls, laboratories, the library, furnishings, equipment and other assets of the Academy pursuant to the established procedure;
- 3.5. work in cooperation with all employees of the Academy, based on the goals set for him or her;
- 3.6. discuss issues related to his or her work or the Academy's activity with respective officials of the Academy or raise issues in front of decision-making bodies, also express opinions and make suggestions in the Academy's decision-making bodies in matters related to the employee's field of activity;
- 3.7. propose representatives and be elected in the Council of the Academy;
- 3.8. receive continuing education required for professional development, which is financed by the Academy depending on its financial capabilities;
- 3.9. have, pursuant to the procedure established by the Council of the Academy, a fully-paid semester free of teaching duties to be used to improve professional skills and/or carry out research and development activities.

### **4. Creating an academic position**

- 4.1. An academic position is created by the Rector on the proposal of the Vice Rector for Education. The proposal may be made by the Vice Rector for Education independently or on the proposal of the head of structural unit. If the proposal is made by the head of structural unit, the latter provides the Vice Rector for Education with the following information: a justification for creating a position, the goal of creating the position, main duties, qualification requirements and suggested salary based on the general remuneration of academic employees filling a similar position in the respective labour market sector. In addition, the source of financing of the salary is provided. If the proposal is made by the Vice Rector for Education, it is submitted to the Rector on the same grounds.
- 4.2. Based on the possibilities and needs of the Academy, proposals for creating positions of professors and research fellows are submitted to the Rector by the council for research, development and creative activity.
- 4.3. If the Council of the Academy approves the creation of the position of professor or research fellow, budgetary resources are allocated for paying their salary. Applying for and ensuring the resources (both human and financial resources) required for research and development activities of the professor is the duty of the person filling the position of professor.

### **5. Filling an academic position**

- 5.1. Academic positions may be filled by:
  - 5.1.1. public competition;
  - 5.1.2. appointment in the case of a failed competition or fixed-term employment;
  - 5.1.3. inviting a visiting academic staff member;
  - 5.1.4. promoting on the basis of the performance evaluation result (along the career path of a teacher and lecturer).
- 5.2. Without announcing a competition, a distinguished researcher or practitioner with a diverse professional experience in the respective area of specialisation may be asked to take up an

academic position as a visiting academic staff member to carry out teaching and research activity.

- 5.3. Notwithstanding the form of a contract, qualification is always evaluated when filling vacant academic positions. Qualification is evaluated with the aim of comparing the person's education, qualification, attitudes and competence with the requirements established for the position so as to ensure that the person's qualification level complies with the requirements and determine the level of the position to which the person corresponds.
- 5.4. If training organisations, the qualification of academic staff members must comply with the requirements established in the training organisation manual.
- 5.5. The position of professor is filled by an international public competition.

## **6. Eliminating an academic position**

An academic position is eliminated by the Rector on the proposal of the Vice Rector for Education, who in the proposal explains the need for eliminating the position.

## **7. Preparing the competition for a ordinary academic position**

- 7.1. The precondition for announcing a competition for an ordinary academic position is the need to maintain and/or improve the quality of teaching, the availability of budgetary resources and the need to create a position or fill a vacancy in the Academy's structure.
- 7.2. When the ordinary academic position is filled by way of a competition, the person who wins the competition is employed under an employment contract entered into for an unspecified term.
- 7.3. The head of human resources prepares the documents related to the announcement of the competition on the basis of information received from the immediate superior of the selected staff member, and organises the competition.
- 7.4. The decision on announcing the competition is made by the Rector.
- 7.5. The competition announcement is published on the Academy's website and, depending on the profile of the position, in other information channels (press, social media, Estonian and international job portals).

## **8. Applying for an ordinary academic position**

- 8.1. By the deadline set in the competition announcement, applicants are required to submit the following documents:
  - curriculum vitae (CV);
  - starting from the position of lecturer, a list of major publications/research papers. The list of research publications of applicants from Estonia is published in the Estonian Research Information System ETIS;
  - document(s) proving the required qualification and copies of any supplements to such documents. The Academy may request originals or certified copies of the qualification documents and their supplements. If higher education was obtained abroad, the applicant may be asked to provide an assessment from the ENIC/NARIC regarding the compliance of the applicant's qualification to the qualification requirements established for the position;
  - documents certifying work experience and/or professional competence when applying for a position where work experience and/or professional competence is a prerequisite;
  - documents showing professional development (including documents certifying conformity with the requirements established in training organisation manuals);
  - additional documents and materials depending on the peculiarity of the competition or if the applicant considers them necessary (e.g., lecture observation records, feedback from students).
- 8.2. The Academy avoids electing or inviting a person to be a member of the academic staff who has been considered unsuitable to teach a subject based on a substantiated appeal by learners lodged with the Rector or who has repeatedly received evaluation feedback from the learners that is

clearly below the average of the Academy. In addition, any breach of the Estonian Code of Conduct for Research Integrity or professional codes of conduct is taken into account.

## **9. Selection board**

- 9.1. In order to assess the applicants' qualifications and compliance with the conditions of the competition, a selection board composed of at least three members is formed no later than one week after the announcement of the competition. The formation of the selection board is coordinated by the head of human resources.
- 9.2. The selection board is chaired by the immediate superior of the academic staff member being elected and the remaining members of the board are proposed by the chair and approved by the Vice Rector for Education. The selection of the members of the board depends on the profile of the academic position. A student representative is involved in the work of the selection board throughout the selection process as a full and equal member of the board.
- 9.3. The immediate superior of the academic staff member being elected prepares and updates, in cooperation with the head of human resources, the job description and compiles the competition announcement. The selection board and the immediate superior select the topic of the demonstration lesson.
- 9.4. The selection board may involve experts from outside the Academy. An expert is a person who is invited to assess the professional competence of an applicant for a position and has been proven to have at least the same level of competence in the field to be assessed.
- 9.5. In the competition for the position of professor, at least one member from outside the Academy who meets the qualification requirements for a professor is invited to join the selection board.
- 9.6. A member of the selection board must withdraw from the applicant assessment procedures if any of the applicants is personally related to the member or if there is another conflict of interest which prevents the member from performing their duties impartially.

## **10. Assessment of applicants**

- 10.1. When assessing applicants, the task of the selection board is to:
  - 10.1.1. review submitted documents;
  - 10.1.2. assess the applicants' compliance with the requirements of the position, competence and prerequisites for working in the announced position;
  - 10.1.3. select the applicants who advance to the second round of the competition, which consists of an interview and a demonstration lesson;
  - 10.1.4. determine the organisation of the demonstration lesson (time, place, form). If possible, the interview and demonstration lesson are held on the same day;
  - 10.1.5. assess the quality of the demonstration lesson.
- 10.2. The aim of the interview is to find out more about the applicants' motivation, teaching and digital competences, proficiency in foreign languages, where needed, and depending on the position, research and development experience and competences, and to get answers to any questions that have arisen.
- 10.3. The selection board makes its final decision within one week after the interview with an applicant. The decision is adopted by an open majority vote of the members present at the meeting. In the event of a tied vote, the chair of the selection board has the casting vote. The written final decision is signed by all members of the selection board.

## **11. Demonstration lesson**

- 11.1. The selection board observes the applicant's demonstration lesson.
- 11.2. The demonstration lesson (lecture, seminar, workshop) may be conducted face-to-face, online or as a recording.

- 11.3. The demonstration lesson may not be required if the applicant has taught at the Academy during the year prior to the announcement of the competition. In such cases, the feedback given by the students on the work of the applicant during the past academic year is evaluated.
- 11.4. After the demonstration lesson, the selection board draws up a written competition summary, including a substantiated decision on the applicant intended to be employed and forwards it, along with the application documents, minutes of the meetings of the board meetings and recordings of the demonstration lesson (where possible) to the Council of the Academy for approval (at least five working days before the Council's session).

## **12. Electing an ordinary academic staff member**

- 12.1. An ordinary academic staff member is elected by the Academy's Council on the proposal of the selection board.
- 12.2. Having examined the selection board's proposal, the Council may invite the candidate nominated by the board to a second interview. This decision is made by a majority of the Council.
- 12.3. If a member of the Council or a person close to a member of the Council is a candidate for the ordinary academic position or a member of the Council has a direct or indirect interest in the election results, that member does not participate in the election process.
- 12.4. The Council has a quorum if at least half of its members, including the chair, are present.
- 12.5. An ordinary academic staff member is elected by secret ballot pursuant to the established procedure. The votes are forwarded to the minutes secretary of the Council meeting.
- 12.6. The voting result is recorded in the minutes.
- 12.7. The candidate who has received votes from more than half of the voters who participated in the voting is elected. No member present has the right to refuse to vote or abstain from voting.
- 12.8. Data of the elected academic staff member are entered in the Estonian Education Information System (hereinafter EHIS).

## **13. Competition results**

- 13.1. Competition results are formalised as a decision of the Academy's Council.
- 13.2. The head of human resources notifies the candidate of the decision of the Council within three working days after the adoption of the decision.
- 13.3. The immediate head negotiates the terms of the employment contract with the person elected to the academic position.
- 13.4. The Rector signs the employment contract with the elected person.
- 13.5. If the person who has been elected to the academic position resigns from the position, the next candidate in the ranking according to the election results is deemed elected or the competition is declared unsuccessful.

## **14. Contesting the election results**

- 14.1. If an applicant finds that the conditions of or procedures for the competition have been violated, the applicant may contest the election result within one week of becoming aware of the election result. The violations committed are referred to in the submitted appeal. The appeal is submitted to the Rector.
- 14.2. The Rector may form an impartial committee, which will decide on the appeal within one week of receiving the appeal.
- 14.3. If the examination of the appeal reveals that the conditions of or procedures for the competition have been violated, but the violation could not have affected the election result, the result remains valid.
- 14.4. If the examination of the appeal reveals that the conditions of or procedures for the competition have been violated and the violation affected the election result, the result is declared invalid.

- 14.5. The head of human resources informs the appellant of the decision made on the appeal within one week after making the decision.

## **15. Failure of competition**

- 15.1. The competition is considered unsuccessful if:
  - 15.1.1. no applications were submitted for the competition;
  - 15.1.2. no applicant met the conditions of the competition;
  - 15.1.3. no candidate was elected;
  - 15.1.4. no contract was awarded to any of the applicants who met the conditions of the competition;
  - 15.1.5. the decision of the Council is repealed.
- 15.2. In the event of a failed competition, the Rector may decide to hold a new competition or fill the position with an extraordinary academic employee or ensure the conduct of teaching in another way (e.g., by inviting a visiting lecturer or employee, employing an employee under an authorisation agreement).

## **16. Administrative employee conducting teaching and studies**

- 16.1. Employment relations of an administrative employee who conducts teaching and studies are regulated by the employment contract entered into to perform his/her core task. In the employment contract or job description of an administrative employee, the agreed teaching workload (contact learning) may reach 200 astronomical hours in an academic year. If the share of teaching in the overall workload of an administrative employee conducting teaching and studies exceeds 50%, a proposal is made to the employee to continue as an ordinary academic staff member.
- 16.2. For the administrative employee carrying out teaching and studies, the Academy creates equal conditions with the ordinary academic staff members for teaching and for professional development, including development of teaching competences, and advances in other ways the conduct of teaching and studies by administrative employees who have requisite qualification.

## **17. Appointment of an academic staff member**

- 17.1. Without announcing a competition, the position of an ordinary academic staff member may be filled by appointment and a fixed-term employment contract may be concluded with an ordinary academic staff member for up to five years.
- 17.2. A respective decision is made by the Rector on the proposal of the Vice Rector for Education.
- 17.3. The compliance with the requirements for the position filled without a competition is evaluated by the head of human resources, the head of a respective structural unit and the Vice Rector for Education.

## **18. Invitations to visiting academic staff**

- 18.1. Without announcing a competition, a distinguished researcher or practitioner of his or her area of specialisation may be invited to conduct teaching or research as a visiting academic staff member if this is necessary for achieving the objectives of a curriculum or expected learning outcomes, carrying out projects and fulfilling service contracts.
- 18.2. The title of the position depends on the nature of intended activities, educational level and professional knowledge and experience of the person invited.
- 18.3. Persons with a certified high level of competence in subjects to be taught may be invited to take up a position at the Academy.
- 18.4. Depending on the nature of intended activities, an employment contract or another contract under the law of obligations is entered into with a visiting academic staff member. If a consecutive fixed-term employment contract is entered into with a visiting academic staff

member or an employment contract is renewed, the employment relation will not transform into a relationship entered into for an unspecified term.

- 18.5. The guidelines for preparing, entering into and managing contracts set out the rules for conducting teaching and studies as a visiting academic staff member under an authorisation agreement.

## **19. Performance appraisal interview**

- 19.1. In order to evaluate the professional performance and conformity of academic staff members with the requirements for the position and support their professional development, a performance appraisal interview is conducted between the academic staff member and his or her immediate superior at least once a year.
- 19.2. The academic staff member and the immediate superior analyse professional performance on the basis of tasks specified in the job description and the Academy's career path, and expected outcomes.
- 19.3. A summary of the interview is approved by both parties and thereafter entered in the electronic records.
- 19.4. During the performance evaluation of an academic staff member, this summary is shared with the members of the evaluation committee.
- 19.5. If the need to alter the job description arises during the performance appraisal interview, an updated job description is signed within one month after the interview.

## **20. Performance evaluation of an ordinary academic staff member**

- 20.1. Performance evaluation is a periodic assessment of the performance and conformity of an academic staff member with the requirements for the position, the goal of which is to support the professional development and career options of the employee, also to determine and ensure
- 1) the suitability of the employee to the position or
  - 2) the suitability of the employee for promotion within a type of position (movement along the career path).
- 20.2. All ordinary academic staff members are subject to performance evaluation.

## **21. Period and time of performance evaluation**

- 21.1. Academic staff members undergo ordinary performance evaluation at least once every five years.
- 21.2. The time of evaluation is calculated from the date the employee started working or was promoted within a type of position.
- 21.3. An academic staff member who was not elected is evaluated at least once every three years.
- 21.4. If the employee was on maternity or parental leave or in conscription during the evaluation period, the deadline for meeting requirements and the time of evaluation is extended by the period of being on maternity or parental leave or in conscription.
- 21.5. Extraordinary performance evaluation may be initiated by the employee or the employer, but not more often than once a year, except for a negative evaluation decision, in which case the next evaluation may take place as scheduled in the plan of corrective measures.
- 21.6. Extraordinary performance evaluation may be initiated by the employee if:
- the employee has met the requirements for a new position and wishes to advance his or her academic career and move to a higher level (along the career path of the teacher or lecturer);
  - any other duly justified reasons exist.
- 21.7. Extraordinary performance evaluation may be initiated by the employer if:
- the employer wishes to assess the employee's competences and conformity with qualification requirements (e.g., if a complaint has been filed against the employee, the employee has failed to fulfil duties or has not fulfilled them properly; qualification requirements have been substantially altered).

- 21.8. Extraordinary performance evaluation may be initiated by the immediate superior, Vice Rector for Education, Vice Rector for Development and Rector.
- 21.9. The head of human resources publishes the list of employees to be evaluated in a specific academic year at least three months before the evaluation and agrees with the members of the evaluation committee and the evaluated persons on the schedule of performance evaluation.
- 21.10. The date of evaluation is communicated to the evaluated person at least three weeks before the meeting with the evaluation committee.

**22. Areas to be evaluated**

- 22.1. In the course of performance evaluation, the employee’s activities and results in the areas significant for the Academy are evaluated, based on the duties of the employee specified in these rules and Annex 1 thereto, and the employee’s career path objectives.
- 22.2. In evaluating different areas, the position filled by the employee, opportunities arising from it and the employee’s obligation to participate in the evaluated areas are considered.
- 22.3. In relation to conducting teaching and studies, conformity of teaching with modern concepts of learning, efficiency in supervising, development of new subject courses and taught subjects, incl. taking into account student feedback, is evaluated, also the contribution to the development of curricula, existence, development and quality of e-support/e-courses is taken into account in evaluating the professional performance of academic staff members.
- 22.4. When evaluating research and development activities, the volume and quality of published results, cooperation with enterprises and institutions, activity and efficiency in receiving grants required for research and development and in performing respective contractual obligations, and participation in conferences and in the activity of professional organisations is assessed.
- 22.5. Regarding the development of the Academy, the effect of activities and raising the visibility of the Academy as a result of these activities, popularisation of the speciality, supporting new generations of academic staff and developing strategic partnerships in Estonia and abroad is taken into consideration.
- 22.6. In evaluating professional development, improving professional and pedagogical competence and capabilities required for research and development through trainings, work shadowing, traineeships and participation in international mobility programs is assessed.

**23. Documents submitted for evaluation**

- 23.1. The following documents are submitted to the evaluation committee:

<b>Documents to be submitted</b>	<b>Person submitting the document</b>
CV	evaluated person
List of major publications/research papers starting from the position of lecturer (extract from ETIS)	evaluated person
Self-analysis of development in regard to professional performance and self-improvement on the basis of outcomes of the academic staff member's career path; (Annex 5)	evaluated person
Other documents the employee wishes to submit or the Academy considers necessary	evaluated person
Documents certifying professional development (staff members teaching regulated subjects in accordance with international	head of human resources in cooperation with the

requirements)	evaluated person
Copy or copies proving attainment of higher education	head of human resources
Job description	head of human resources
Reports of performance appraisal interviews for the last 2 years	head of human resources
Workload tables for the evaluation period	immediate superior
Assessment of the immediate superior to the work of the academic staff member (teaching and studies, development of curriculum, research and development activities, professional development and development of the organisation)	immediate superior
Extract from the study information system regarding the conduct of teaching and studies during the evaluation period	Office of Academic Affairs
Summaries of student feedback	Office of Academic Affairs
Lesson or lecture observation report (if available)	Office of Academic Affairs (in cooperation with Quality manager) or notes on lesson observation if it was voluntary

23.2. If the evaluated person fails to submit the documents by the set date without any good reason, the employee and his or her professional performance are deemed non-compliant with requirements.

## 24. Evaluation committee

24.1. For evaluation, the Rector forms an evaluation committee of the Academy (hereinafter the committee) consisting of the following persons:

- Vice Rector for Education (chair);
- immediate superior of the evaluated person (substitutes for the chair in the latter's absence);
- representative of learners;
- an external member from another higher education institution or partner organisation as a representative of the respective field, who is competent in the field of the evaluated person and on the respective career level;
- Vice Rector for Development (evaluating research, development and creative activity starting from the position of lecturer);
- head of human resources as an observer without voting right, who is responsible for organisational matters.

24.2. The activity of the committee is managed by the chair in cooperation with the head of human resources and Office of Academic Affairs.

24.3. In order to carry out the evaluation, the chair of the committee convenes a five-member specific formation of the committee from the persons listed in clause 24.1.

24.4. Before the committee meets, its members review the documents required for evaluation, which are provided to them at least seven days before the coordinating meeting of the committee.

24.5. The committee may obtain additional documents on activities and outcomes relevant to the evaluation.

## **25. Evaluation activities of evaluation committee**

- 25.1. The evaluation committee evaluates professional performance and makes its decision based on:
- the procedure established herein;
  - the job description of the evaluated person;
  - information in the workload tables of the evaluated person;
  - summaries of performance appraisal interviews with the evaluated person;
  - assessment of the immediate superior regarding the evaluated person's contribution to study activities, development of curriculum, research and development activities, professional development and development of the organisation;
  - self-analysis of the evaluated person;
  - data on the evaluated person entered in ETIS pertaining research, development and creative activities;
  - in the case of a free semester, agreements on activities and the report of the evaluated person;
  - student feedback on teaching and studies conducted during the evaluation period;
  - evaluation interview;
  - other materials deemed relevant by the evaluated person or the evaluation committee.
- 25.2. After receiving a request for evaluation and necessary documents, the chair of the evaluation committee determines the committee's work arrangements (time of the meeting, deadline for submitting opinions, etc.) and arranges forwarding relevant materials to the members of the committee. The head of human resources and, where necessary, other supporting persons assist the chair of the evaluation committee in organisational matters.
- 25.3. The evaluation committee invites the person whose evaluation has been requested to an interview.
- 25.4. The committee has a quorum if at least 2/3 of its members (incl. those who participate online) are present at the meeting. The decision is adopted by an open majority vote of the members present at the meeting. In the event of a tied vote, the chair of the evaluation committee has the casting vote.
- 25.5. The committee interviews the evaluated person after reviewing the documents and holding a coordinating meeting. The interview is based on the preliminary decision of the committee (form of the decision is provided in Annex 6). The preliminary decision is an instrument for the committee, which is not shared with the evaluated person. During the interview, the evaluated person has an opportunity to provide additional information and answer the questions asked by the committee members.
- 25.6. Before the interview with the evaluation committee, the evaluated person has the right to inspect the materials on which the evaluation is based.
- 25.7. The evaluation committee makes its final decision at least within two weeks after the interview with the evaluated person. The decision is adopted by an open majority vote of the members present at the meeting. In the event of a tied vote, the chair of the evaluation committee has the casting vote. The written final decision is signed by all members of the evaluation committee.
- 25.8. The decision of the evaluation committee is drawn up in writing and communicated by the committee to the evaluated person no later than within five working days after adopting the decision.
- 25.9. The evaluated person is provided with an opportunity for an additional interview with the chair of the evaluation committee and, where necessary, the immediate superior of the evaluated person within five working days after communicating the decision. The aim of the additional interview is to give explanations for the decision.

## **26. Decision of the evaluation committee**

- 26.1. The evaluation committee provides a grounded assessment on the professional performance and conformity of the evaluated person with the requirements and adopts one of the following decisions based on the aim of evaluation specified in clause 20.1.  
The decision may be one of the following:

- 1) the evaluated person and his or her professional performance meet the requirements established for the position – the person is deemed evaluated for five years. The committee may submit a proposal to the Rector to promote the evaluated person along the career paths of the teacher and lecturer;
  - 2) the evaluated person and his or her professional performance do not meet in part the requirements established for the position – the person is deemed provisionally evaluated for one year with further conditions attached, or the employment contract is terminated;
  - 3) The evaluated person does not meet the requirements established for the positions –
    - a) the field is determined in which the person meets the requirements established to the position, and if the person agrees, he or she is transferred to another position – if it is an academic position, the person is deemed evaluated at the new position for five years;
    - b) the employment contract is terminated.
- 26.2. If the evaluated person does not meet the requirements in full or in part, the evaluation committee, depending on the identified drawbacks:
- 1) agrees with the evaluated person on the activities to bring the employee’s performance into conformity with the requirements established for the position and sets the date for a repeat evaluation, taking into account the reasonable time needed to improve professional performance, and communicates the date to the evaluated person;
  - 2) makes a proposal to initiate extraordinary cancellation of the employment contract under the conditions set forth in the Republic of Estonia Employment Contracts Act, and communicates the decision to the evaluated person.
- 26.3. The evaluated person is provided with the decision of the evaluation committee, in which the conclusions of the committee have been explained and recommendations are given for supporting the professional development in each area. The evaluated person may request another meeting with the chair of the evaluation committee to receive additional explanations about the decision.

## **27. Moving along the career path**

- 27.1. Without announcing a public competition, a position may be filled by promoting, as a result of the evaluation, an employee of the Academy who meets the requirements established for the position.
- 27.2. Moving along the career path may take place on the proposal of the chair of the evaluation committee and the consent of the Rector. Without announcing a public competition, a person filling a position may be promoted along the career path of a teacher or lecturer to the next level if the person meets the requirements established for the position and has been evaluated pursuant to the procedure established at the Academy, and the evaluation committee has recommended promotion in the evaluation decision.
- 27.3. The evaluation committee may submit a proposal to the Rector for transferring the evaluated person to a lower career level by the agreement between both parties or for cancelling the employment contract extraordinarily pursuant to the conditions and procedure provided for in the Employment Contracts Act if the evaluated person has not met the requirements established for the respective position within the evaluation period.

## **28. Contesting the evaluation results**

- 28.1. Before filing an official appeal, the evaluated person has an obligation to meet the chair of the evaluation committee to receive additional explanations. If the explanations are deemed unsatisfactory, the evaluated person may submit an official appeal to the Rector, explaining the reasons for not accepting the decision and providing additional documents, where necessary.
- 28.2. The evaluated person may contest the decision of the evaluation committee within five working days after becoming aware of the decision.
- 28.3. The Rector makes a decision on the appeal within one month after receiving the appeal.

- 28.4. If the examination of the appeal reveals that the conditions of or procedure for the evaluation have been violated, but the violation could not have affected the evaluation result, the evaluation decision remains valid.
- 28.5. If the examination of the appeal reveals that the procedure for the evaluation has been violated and the violation has affected the evaluation decision, the Rector sets a date for a repeat evaluation and, where necessary, a new evaluation committee.

## **29. Entry into force of these rules**

- 29.1. The rules enter into force on 27 June 2022.
- 29.2. Upon the entry into force of these rules, the Estonian Aviation Academy procedure for creating and filling full-time academic positions approved by the Council resolution of 24 May 2021 (minutes No. 1-4/35), the Estonian Aviation Academy conditions of and procedure for assessing the compliance of academic staff with qualification requirements and for performance evaluation of academic staff approved by the Council's resolution of 29 June 2020 (minutes No. 1-4/48) and the Estonian Aviation Academy statutes of the academic employee approved by the Council resolution of 23 December 2019 (minutes No. 1-4/45) are repealed.
- 29.3. Employment contracts entered into with assistant professors (Est. *dotsent*) before 1 September 2019 remain in force until the expiry of the term of the contract or termination of the contract as a result of the evaluation. During the transition period lasting until 31 December 2025, the evaluation committee has the right to assign the employee receiving a positive evaluation decision to continue on the career level and in the position corresponding to the qualification and use the title 'assistant professor' until the council for research, development and creative activity has not proposed and the Council of the Academy has not approved a position of associate professor (Est. *kaasprofessor*) or professor at the Academy for which the evaluated person may be promoted in the case of a positive evaluation result. An assistant professor filling the position of senior lecturer (Est. *vanemlektor*) may use the title 'assistant professor' until the end of the transition period on 31 December 2025.
- 29.4. After the end of the transition period, the Academy provides the employee of the Academy with an opportunity to take up another academic position that corresponds to the employee's qualification. If the evaluated person who has received a positive evaluation decision does not accept the opportunity to take up the academic position offered, the employment contract is terminated on the basis of subsection 1 of § 89 of the Employment Contracts Act.