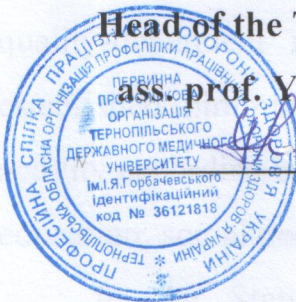


CONFIRMED

“18” 05 2015

Head of the Trade Union

ass. prof. Yu.V.Uhlyar



APPROVED

“18” 05 2015

Rector

prof. M.M.Korda



REGULATIONS

of the Internal Order for the Employees and Students

of the State Higher Educational Establishment

“I.Ya.Horbachevsky Ternopil State Medical University,

Ministry of Public Health”

**Approved by the conference
of the employees of the State Higher
Educational Establishment**

**“I.Ya.Horbachevsky Ternopil State
Medical University, Ministry of Public
Health”**

“18” 05 2015, Minutes №3

Ternopil – 2015

I. General Provisions

1.1. In compliance with the Constitution of Ukraine and current legislation, the citizens of Ukraine have the right to work, with quantity and quality-dependent remuneration of labour at a level not less than state-established minimum, including the right to choose profession and type of work activity according to every person's vocation, abilities, professional training and education, social needs taken into account.

In the State Higher Educational Establishment I.Ya.Horbachevsky Ternopil State Medical University, Ministry of Public Health, Ukraine (hereinafter – University) order and working conditions as well as labour discipline are based on the conscious and diligent performance of duties by the research and educational, scientific, and teaching personnel as well as of the students and maintenance staff, that is indispensable for the organization of the University activity and educational process. The labour discipline is ensured by means of persuasion and encouragement of dutiful work. Violators of labour discipline are subject to disciplinary penalty and social reprobation.

1.2. Regulations of the internal order for the employees and students of the State Higher Educational Establishment I.Ya.Horbachevsky Ternopil State Medical University, Ministry of Public Health, Ukraine (hereinafter – Regulations of the internal order) have been developed in accordance with the Constitution of Ukraine, the Law of Ukraine on Higher Education as well as with other legislative and normative legal documents and the University statute.

1.3. The objective of the Regulations is to define rights and obligations of the research and educational, scientific, and teaching personnel as well as of the students and maintenance staff of the University.

1.4. Every case of Regulations' involvement is considered by the Rector within his competence, specific cases provided for by current legislation and Regulations of the internal order being liable to coordinated consideration with the University trade-union committee.

II. Order of employment and discharge of the research and educational, scientific, and teaching personnel as well as the maintenance staff of the University.

2.1. Citizens of Ukraine have the right to freely choose legitimate activities, as well as profession and place of employment according to their abilities.

Research and educational personnel, scientific, teaching and maintenance staff are employed both on labour contract and competition basis, in accordance with current legislation and Articles 21 and 24 of the Labour Code. An employee can not be admitted to the job without written labour contract, certified by the Rector's order.

The order is brought to the employee's notice that is certified by his own signature.

2.2. When admitted, the employee is expected to submit a properly completed work-book and to produce his passport, diploma or any other document of education or professional training.

Those who are going to get a job that require specialized knowledge, are supposed to submit relevant documents of education or professional training (diploma, certificate), the copies being properly certified and then kept in an employee's personal record.

2.3. The positions of the faculty (research and educational personnel) are filled on the competition basis in accordance with the Law of Ukraine on Higher Education, Regulations of accepting for employment the research and educational personnel of the higher educational establishments of III-IV accreditation level, certified by the order of Ministry of Education and Science № 744 of December 24, 2002 and the statute, certified by the academic council of the University.

2.4. Transfer to another position is executed by an employee's personal consent only, except for the cases specified by Article 33 of the Labour Code and other cases stipulated by the legislation.

An employee's personal consent is not needed in the case of transfer to

the other work place or structural unit that is not beyond specialty, qualifications or position specified by the labour contract. The Rector is not eligible to transfer an employee to the job that is contraindicated to him for health considerations.

With the work organization changing, the change of essential working conditions within specific specialty, qualifications or position is legitimate. An employee ought to be informed of the change of essential working conditions (scheme of payment, benefits, regime, setting or cancellation of part-time job, holding several jobs, changes in categories and names of positions) no later than two months before.

If previous essential working conditions can not be maintained and an employee would not agree to new terms, then the labour contract is terminated according to Item 6, Article 36, of the Labour Code of Ukraine.

2.5. The University employees have the right to combine jobs under current legislation.

2.6. An employee with 5 days working record is supposed to have a work record book.

Work record books for those who combine jobs are issued in the principal place of employment. For those who work on hourly wage basis, work record books are issued provided the work is principal.

The record of combined jobs is taken optionally by the personnel department of the principal place of employment.

Work recording is executed under the certified Instruction of the Ministry of Labour, Ministry of Justice and Ministry of Social Protection № 58 of July 29, 1993.

Work record books are kept by the University personnel department as the documents of strict accountability

Deputy Rector for personnel is responsible for recording, proper keeping, and issuing of record books.

Prior to starting the work on terms of the labour contract or transferring an employee to another job, the University administration in accordance with Article 29 of the Labour Code is:

- to explain an employee his rights and duties, and inform him of the working conditions, possible health hazards due to still irrecovered dangerous or harmful production factors, as well as his rights to benefits and compensations under current legislation and the provisions of collective agreement;
- to inform an employee of internal regulations and collective agreement;
- to provide an employee with a work place and facilities;
- to instruct an employee on safety handling, occupational sanitation, occupational hygiene and fire prevention, his signature confirming awareness;
- to obtain an employee's consent for the legitimate use of his personal data.

2.7. Termination of the labour contract may become due to the grounds, provided for by the current legislation and the contract only.

2.8. Breaking off the labour contract on the initiative of the University management is admissible in the cases provided for by the current legislation.

Discharge of the research and educational, scientific, and teaching personnel on qualifying evaluation results as well as in closing down the University or staff reduction is executed in compliance with the current legislation and University normative acts.

2.9. Termination (breaking off) the labour contract is formalized by the Rector's order.

2.10. The University administration is supposed to issue a properly filled work record book on the day of an employee's discharge and to settle with him according to the current legislation.

The reasons for discharge in the record book should be stated as consistent with the formulation in the current legislation, referring to the corresponding item or the article. The last working day is regarded as the day of discharge.

III. Basic obligations of the University

3.1. The University is obliged:

- 1) to provide organizational and economical conditions for teaching and

educational process at the state quality level, as well as for the effective work of the research and educational personnel, scientific, teaching and maintenance staff according to their specialty or skill;

2) to provide every employee with a work place and facility;

3) to improve teaching and educational process, introduce up-to-date operational experience and suggestions of the research and educational personnel, scientific, teaching and maintenance staff;

4) to conclude and break written labour contracts with the research and educational personnel, scientific, teaching and maintenance staff according to the current legislation;

5) to ensure pre-vacation information for the research and educational personnel, scientific, and teaching staff on the teaching load in the coming academic year;

6) to provide on-time wage payment to the research and educational personnel, scientific, teaching and maintenance staff. To grant vacations for all employees according to the vacation schedule;

7) to provide adequate safety handling, occupational sanitation and technical equipment of the worksites alongside with safe and healthy working conditions;

8) to keep to the current legislation, improve management and labour discipline;

9) to keep to the terms of collective agreement;

10) to provide timely accounting and statistical reporting to central state authorities;

11) to provide proper maintenance of facilities, heating, lighting, ventilation, equipment and safekeeping of employees' and students' overclothes.

Keys to rooms, laboratories and offices are kept by men on duty and watchmen. They issue and take the keys back, having the employees sign in the registration book. Duplicates to student rooms in the hostels are kept in glassed boxes under dormitory supervisor's control.

IV. Basic rights and obligations of the employees and the students of the University

4.1. The list of every employee's professional duties is determined by job descriptions, terms of the labour contract and established order of regulations.

4.2. The research and educational personnel, scientific, and teaching staff of the University have the right to:

- 1) academic freedom that is realized for the benefit of the individual, society and mankind at large;
- 2) academic mobility for the realization of professional activity;
- 3) protection of professional reputation and dignity;
- 4) participation in the University management, in particular to elect and to be elected a delegate to the conference of the University employees, the Academic Council or its structural unit;
- 5) choose methods and means of training to ensure the high quality of the educational process;
- 6) adequate working conditions, improvement of one's professional standard, rest and proper conditions of life, established by the legislation, normative acts, conditions of the labour contract and collective agreement;
- 7) make use of libraries, information resources, studies, sport and cultural facilities of the University free of charge;
- 8) protection of intellectual property and personal data;
- 9) advanced training and probation not at least once a five years
- 10) participation in public associations;
- 11) social security and pension provision .

In addition, research and educational personnel, scientific, and teaching staff of the University enjoy the other rights, provided for by the current legislation and the University statute.

Scientific, research and educational personnel have the right to the pension provision according to the Law on Science and Scientific and Technology Activities.

4.3. The research and educational personnel, scientific, and teaching staff of the University are obliged:

- 1) to ensure high standard of teaching and to conduct scientific activity (research and educational personnel);
- 2) to improve proficiency, teaching skills and scientific competence (research and educational personnel);
- 3) to keep to ethical and moral standards, to respect honour and dignity of the students, and to cultivate love for Ukraine in them, respect for the Constitution and state symbols;
- 4) to encourage self-dependency, initiative and creativity in students;
- 5) to keep to the Constitution of Ukraine, current legislation, University statute, internal regulations and other normative legal documents;
- 6) to make sure the labour discipline is maintained.

4.4. The other University employees have the right to:

- 1) protection of professional reputation and dignity;
- 2) participation in the public self-government;
- 3) paid-up vacation and other leaves under current legislation;
- 4) appropriate and safe working conditions;
- 5) wage payments on legitimate terms;

The other University employees enjoy the rights under current legislation.

4.5. The other University employees are obliged:

- 1) to work dutifully, keep to the requirements of labour discipline, the University statute and internal regulations, fulfil orders and directions of the Rector or the immediate supervisor (if any) in time and diligently, use the working time for productive activity refraining from anything that would interfere with the work of the colleagues;
- 2) to observe the rules of labour protection, safety handling, occupational sanitation, and fire safety; take measures to remove the factors that interfere with or complicate the normal functioning (downtime, accident) and promptly inform the immediate supervisor or the University management;
- 3) to keep properly materials, instruments and equipment in use.

4.6. Students of the University have a right:

- 1) to have safe and harmless conditions of training, work and life;
- 2) to work in non-classroom hours;
- 3) to have additional paid-up vacation, shorter working hours and other benefits legally provided for persons who combine work and studies;
- 4) to make use of libraries, information resources, studies, sport and cultural facilities of the University free of charge;
- 5) to use cultural, educational and recreational facilities of the University that are stipulated in the University statute;
- 6) to be provided with hostel over the period of training under present legislation;
- 7) to participate in the discussion and solution of issues on the improvement of educational process, scientific research, granting of a scholarship, arrangement of leisure, life and health activity;
- 8) to make a proposal concerning the conditions and size of tuition fees;
- 9) to take part in public associations;
- 10) to participate in the work of public self-government of the University, institutes, faculties, the Academic Council, and student self-administration;
- 11) to receive social assistance in cases fixed by law;
- 12) to include to the length of service the periods of day-time studies at the University, postgraduate and doctoral studies, internship, residency on the assumption of voluntary payment (in accordance with the Law of Ukraine “On Compulsory State Pension Insurance”);
- 13) to have an academic vacation or interruption in training reserving specific rights of students and, also, restore of studies in conformity with the procedure established by the Ministry of Health of Ukraine;
- 14) to have moral and / or financial encouragement for making progress in training, scientific, research, public work, art and sports, etc;
- 15) to be protected against all forms of exploitation, physical and psychological violence;

16) to have practical training in the enterprises, institutions and organizations free of charge, and, also, remuneration for work in accordance with present legislation;

17) to have a vacation not less than eight calendar weeks duration per an academic year;

18) to receive purpose-oriented lax credit of the state for education in accordance with the order determined by the Cabinet of Ministers of Ukraine;

Students of the University are eligible to have a scholarship in conformity with the legislation.

4.7. Students of the University are obliged:

1) to keep the demands of present legislation, the statute and internal regulations of the University, and other University regulatory acts;

2) to meet claims of safety and health at work, occupational safety, hygiene, fire safety, which are provided by corresponding rules and regulations;

3) to carry out the requirements of educational (scientific) programmes, gain proficiency in theoretical knowledge and practical skills in the chosen specialty;

4) to attend compulsory classes and perform all kinds of tasks in time determined by curricula and syllabi;

5) to ensure abundance of training and labour discipline, appropriate order, preservation of educational equipment, books, premises and own documents (student card, credit book, hostel admittance card, etc.);

6) to keep code of ethics and morality, principles of relations between people;

7) to maintain cleanliness and order in the premises, keep moral and ethical rules of behaviour and communication;

8) to inform a monitor of the group on own absence at classes for valid reasons;

9) to disuse of mobile means of communication in the process of training for lack of need.

In a case of regular absence at classes without valid reason, non-fulfilment of the syllabi and curricula, failure of the internal regulations, the student may be subjected to disciplinary penalty and as far as expulsion from the University.

V. Organization of working hours

5.1. A five-day work week with two days off is established for the research and educational, scientific, and teaching personnel and maintenance staff of the University (except employees who work in shifts).

Working hours do not exceed 40 hours a week per five-day work week in accordance with Article 50 of the Labour Code of Ukraine.

Working hours of the research and educational staff are 36 hours per one week (shortened continuance of working hours).

Working hours for employees, who are subjected to possible health hazards due to harmful working conditions, are no more than 36 hours per one week in accordance with current legislation. The list of these professions and positions is approved in present law (Article 51 of the Labour Code of Ukraine).

Working hours of the research and educational worker include his/her educational, methodical, scientific and organizational work and duties.

Working hours of scientific worker include his/her scientific, research, consulting, expert and organizational work and duties.

Working hours of teaching worker include his/her educational, methodical, organizational work and duties.

Maximum of full time job per one teacher must not exceed 600 hours per one academic year. (Paragraph № 3 of Article 56 is valid from September 1, 2015 – See Paragraph № 1 of Part №XV of this Law).

The recommended list of educational, methodical, scientific and organizational activities for the research and educational, scientific, and teaching personnel is established in accordance with legislative acts of the Ministry of Health of Ukraine.

All kinds of training work for the research and educational, teaching workers in accordance with their positions are established by the University and coordinated with the trade union committee of the University.

The work of the research and educational, scientific, and teaching personnel, that is not recorded in the labour contract can be performed only with

their consent or in cases stipulated by law.

The work at the weekend can be compensated by another day for weekend or double tariff in wage payments according to a relevant order signed by the Rector of the University.

Employees of some departments and certain groups of workers may have different duration of the beginning and end of the working day in accordance with the trade union committee agreement.

Time of working day at the University is from 9.00 till 18.00. Working hours can be shorter in days before holidays.

Lunch time for employees of the University is from 13.00 till 14.00.

5.2. Obligations and work of each department's employees are regulated by the statute on structural subdivisions and official regulations (job description) of workers, developed by the heads of the departments.

5.3. Vacation's schedule is coordinated by the trade union committee and worked out for each calendar year.

Rector's vacation is legalized by the permission of the Ministry of Health of Ukraine and workers' vacation is registered by the Rector's order. Transference of vacation to another period is allowed in accordance with present legislation.

Refusal of a request of employees for an annual vacation within two years simultaneously, and, also, workers younger than eighteen years old, and those, who have an additional vacation due to harmful working conditions, is forbidden.

VI. Encouragement of the University employees and students

6.1. The University guarantees employees and students different kinds of encouragements due to excellent fulfilment of their obligations and job, innovation and other achievements in work stipulated by the Regulations of the Internal Order.

6.2. The research and educational, scientific, and teaching personnel, students and other employees of the university may be recommended to have a state

reward, honours, decorations, and other types of financial and moral encouragement in accordance with their high results in teaching and training.

6.3. Previously mentioned categories of employees and students may have the priority in receiving of preferences and social benefits according to available funds of the University.

6.4. The University provides the employees and students with the following forms of encouragement:

- encouraging rewards;
- financial compensation;
- increase in definite employees' wages due to their larger scope of performed work in accordance with the recommendation presented by the head of department to the Rector;
- increase in wages due to the difficulty and intensity of performed work and, also, for extra work.

All kinds of encouragements are coordinated and legalized by order of the Rector and, if necessary, brought to notion of the University staff.

6.5. Financial motivation of employees for their higher achievements in work is realized on the basis of department head's recommendation presented to the Rector of the University according to the current regulations.

6.6. Financial encouragement of students and postgraduate students for their success in training, research and public work is realized by the Rector's order on the basis of recommendation of the dean of the faculty or head of the institute.

VII. Responsibility for violation of labour and classroom discipline

7.1. The Rector of the University may subject the employee or student to the financial and disciplinary penalty as well as a notification and reprimand, a dismissal from office or expulsion from the university according to the following violations: violation of labour contract, labour or classroom discipline, improper performance of job responsibilities, being in a drunken condition at work, smoking and drinking of strong drinks at the University campus or

outside, failure to requirements of police service, loss of official documents, violation of the Internal Regulations and rules of settlement and accommodation in hostels, etc.

7.2. Disciplinary penalty is applied by the Rector and notified due to his order.

7.3. In cases of credit book's fake, students may be exposed to the following punishment: reprimand or expulsion from the University.

7.4. The Rector of the University has a right to refer issue on discipline violation under consideration of staff of appropriate department, faculty, institute or the University (depending on the type of violation) instead of disciplinary penalty.

7.5. A person, who violated labour or classroom discipline, must give a written explanation to the Rector of the University. In a case of refusal of the employee or student to give a written explanation, proper act must be concluded.

7.6. To carry out the penalty, the severity of fault, the circumstances of the violation origin, the assessment of previous work (studies) and behaviour of the employee (student) should be considered.

7.7. The employee must be informed on the order on the penalty's apply and certify it.

7.8. Employees elected to the trade union committee may not be subjected to disciplinary penalty without previous consent of department to which they belong; the heads of trade unions (committees) who work at the university departments – without previous consent of the trade union committee of the University; the head of the trade union – without previous consent of the trade union committee.

Disciplinary penalty is applied by the Rector of the University immediately after a violation has been detected, as well as not later than one month after its revelation, but the time of employee's absence at work due to his/her temporary disability or vacation is not taken into account. Disciplinary penalty can not be imposed later than six months since the violation has been done by the employee.

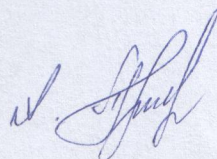
7.9. Only one disciplinary penalty for each violation of labour discipline must be applied. Disciplinary penalty is legalized by the order and the employee

must be notified within 3 working days (order is certified by the employee's signature).

7.10. If the employee is not exposed to another disciplinary penalty within a year from the date of the previous one, the current disciplinary penalty is cancelled. If the employee does not commit a new labour discipline violation and gives a good account of him/herself, the penalty may be cancelled to the end of the year. During the term of disciplinary penalty, the employee is not subjected to any encouragement measures.

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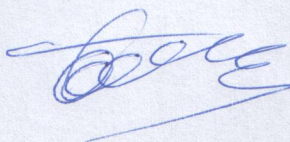
Deputy Rector for Personnel



A. Trushchenkova

Head

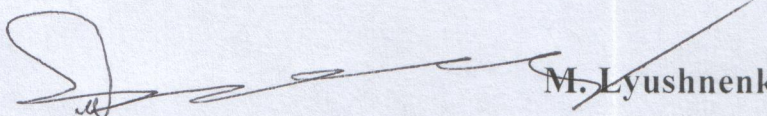
of Educational Department



P. Lykhatskyi

Head

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M. Lyushnenko