



## OFFICIAL ANNOUNCEMENTS

Announcements of the University of Wuppertal  
Published by the President

**NO\_07** YEAR 53  
13. March 2024

### Guideline for Visiting Scientists

13/03/2024

Based on Section 2 (4) of the Higher Education Act of the German State of North Rhine-Westphalia (*Hochschulgesetz* - HG) of 16/09/2014 (GV. NRW. p. 547), last amended on 30/06/2022 (GV. NRW. p. 780b), the University of Wuppertal has issued the following guideline:

#### Table of contents

#### Preamble

#### **Part I Visits with remuneration in a legal relationship of its own kind under public law (visiting professorships and visiting lectureships)**

1. Requirements
  - a. Visiting professors
  - b. Visiting lecturers
2. Legal relationship
3. Duration of employment
4. Tasks and affiliation
5. Remuneration
  - a. Visiting professorship
  - b. Visiting lectureship
  - c. Sanctions list comparison before payment
6. Application procedure

#### **Part II Visits that do not constitute a visiting professorship/visiting lectureship**

1. Requirements
2. General regulations for stays of visiting scientists with and without financial compensation from budgetary funds
  - a. Model contract
  - b. Access to services of the Centre for Information and Media Processing (ZIM)
  - c. Visitor's pass
  - d. Inventions
  - e. Sanctions list comparison before contract conclusion
3. Special regulations for visits with financial compensation
  - a. Payment order for the financial grant

#### **Part III Visits financed by third-party funds**

## **Preamble**

The University of Wuppertal offers scientists from all over the world the opportunity to exchange ideas and work together with scientists from the University of Wuppertal during a visit.

Both visits with and without financial compensation require certain regulations of the conditions of the visit. The University of Wuppertal therefore issues the following guideline for how to handle visiting scientists.

The awarding of externally endowed or funded visiting professorships (e.g. Mittelsten-Scheid Visiting Professorships) is based on regulations established by the Rectorate specifically for this purpose.

## **Part I Visits with remuneration in a legal relationship of its own kind under public law (visiting professorships and visiting lectureships)**

### **1. Requirements**

#### **a. Visiting professors**

On the recommendation of the faculty or the Institute for Educational Research at the School of Education, the President may invite to visit the university as a visiting professor any person who works at a recognised academic institution in Germany or abroad and who

- holds a professorship as a scientist, if possible for an unlimited period of time, or
- preferably holds a permanent position as a scientist and meets the requirements for hire according to Section 36 of the Higher Education Act of North Rhine-Westphalia (HG).

Should the person in question not be in an employment in the above sense in individual cases, the requested visiting professorship shall be submitted to the Rectorate for a decision.

#### **b. Visiting lecturers**

On the recommendation of the faculty or the Institute for Educational Research at the School of Education, the President may invite to visit the university as a visiting lecturer any person who works at a recognised academic institution in Germany or abroad, preferably in a permanent position, and who can provide proof of

- a university degree in a subject suitable for the performance of teaching duties,
- at least three years of academic or professional practice, usually in a full-time service or employment relationship, after completion of the higher education degree,
- a qualified doctorate or, in artistic subjects, a special qualification for artistic work as well as
- proof of pedagogical aptitude.

Should the person in question not be in an employment in the above sense in individual cases, the requested visiting lectureship shall be submitted to the Rectorate for a decision.

### **2. Legal relationship**

The visiting professorship or visiting lectureship shall not constitute an employment relationship with the University of Wuppertal under labour law. Visitor's status shall be conferred in an invitation with reference to a legal relationship of its own kind under public law as distinct from an employment. As a rule, remuneration shall be subject to social security contributions.

### **3. Duration of employment**

The visiting professorship or visiting lectureship shall usually last for a minimum of four weeks and a maximum of twelve months. A visiting professorship or visiting lectureship shall be a full-time position or, if the field of work is suitable, a part-time position. A full-time position

shall only be permitted as a main employment; the visiting professor or visiting lecturer may be required to take leave from another full-time position for this period. Part-time employment shall require the prior consent of the original employer. If the person in question is a civil servant, a secondary employment permit from the original employer must be submitted.

#### **4. Tasks and affiliation**

The tasks within the framework of the visiting professorship or visiting lectureship shall be proposed by the respective faculty or the Institute for Educational Research at the School of Education and formally assigned by the President in the letter of invitation.

For the duration of the visiting professorship or visiting lectureship, the visiting professor or visiting lecturer shall be assigned to the proposing faculty or the Institute for Educational Research at the School of Education.

#### **5. Remuneration**

##### **a. Visiting professorship**

As a rule, the gross remuneration shall be granted analogously to that of a civil servant university professor and shall not exceed the amount of the basic salary of grade W 3. Performance-related pay shall not be granted within the framework of a visiting professorship.

The remuneration shall cover any and all costs, such as travel or accommodation expenses.

These maximum rates shall not apply to visiting professorships financed exclusively from third-party funds. Payment of the remuneration shall always be made via the State Agency for Civil Servants' Compensation and Pensions (LBV), even in the case of short-term employment.

##### **b. Visiting lectureship**

As a rule, the gross remuneration shall be granted analogously to that of a civil servant junior professor in grade W 1. In justified exceptional cases, a gross remuneration up to the amount of the basic salary of grade W 3 may be granted. Performance-related pay shall not be granted within the framework of a visiting lectureship.

The remuneration shall cover any and all costs, such as travel or accommodation expenses.

Payment of the remuneration shall always be made via the State Agency for Civil Servants' Compensation and Pensions (LBV), even in the case of short-term employment.

##### **c. Sanctions list comparison before payment**

During the visit, all participating institutions are obliged to observe export control regulations and actively contribute to compliance with legal and internal regulations. In particular, the University of Wuppertal is obliged, in accordance with the European Union's guidelines on combating terrorism and preventing the financing of terrorist activities, to check the data of visiting scientists who are to receive financial support and/or access to the scientific areas, both before concluding a contractual agreement and regularly against the European Union's sanctions lists. This comparison is carried out by Department 1.4 (EU Procurement and Customs) after notification by the Human Resources Department using the "Sanctions List Comparison" form. Department 1.4 (EU Procurement and Customs) also checks compliance with other embargo regulations on an event-related basis, in particular whether the guest visit may constitute "technical assistance" and/or "technical support". If an extended embargo check is required, the host faculty/institution must actively contribute to clarification. All checks must be completed and documented before the invitation letter is sent to the visiting professor or visiting lecturer.

#### **6. Application procedure**

The application for the invitation of a visiting professor or a visiting lecturer shall be submitted by the faculty or the Institute for Educational Research at the School of Education to the President through official channels at least two months before the start of the visit. It shall include the following information:

- surname, first name, date of birth, full address, nationality of the person
- current position and occupation of the person
- the date of the decision of the (faculty) council meeting in which the application was approved,
- presentation of the requirements for employment as described under 1.1 or 1.2,

- for which subject or visiting professorship/lectureship should the person be invited,
- which activities are to be carried out,
- exact period during which the visiting professorship or visiting lectureship is to take place,
- how it is funded (if possible, by specifying the billing object),
- amount of the planned remuneration, and
- if applicable, scope of the teaching assignment

The following documents shall be enclosed with the application:

- approval of the Equal Opportunities Officer
- application documents as well as evidence clearly showing the person's qualifications

## **Part II Visits that do not constitute a visiting professorship/visiting lectureship**

### **1. Requirements**

The contractual regulations for visits that do not constitute a visiting professorship/visiting lectureship assume that the visiting scientist stays at the University of Wuppertal exclusively or predominantly for his/her own (research) purposes. If, however, it is intended that the visiting scientist take on specific tasks at the University of Wuppertal on a mandatory basis and bound by instructions, special legal features must be taken into account when drafting the contract, which require separate implementation under contract law.

### **2. General regulations for stays of visiting scientists with and without financial compensation from budgetary funds**

#### **a. Model contract**

The model contract can be signed by the dean of the host faculty/institution in a legally binding manner, provided that the submitted model contract is adopted unchanged. Should changes be necessary, a contract review and change shall be carried out by Department 1 - Contract and Legal Affairs.

The contract shall be signed in triplicate by the visiting scientist, the supervising university teacher and the dean or managing director of the host faculty/institution before the start of the visit. Each signatory shall receive a copy of the original contract.

#### **b. Access to services of the Centre for Information and Media Processing (ZIM)**

The host faculty/institution shall prepare a monthly overview in the form of an Excel spreadsheet and make it available to the ZIM. By way of derogation, in justified exceptional cases, the overview may also be provided in the same form by the supervising university teacher. Based on this overview, the ZIM shall grant visiting scientists access to the IT services of the ZIM via a guest account, subject to special contractual restrictions.

#### **c. Visitor's pass**

Visiting scientists have the option of obtaining a visitor's pass from the International Center for the duration of their stay at the University of Wuppertal, which allows them to use the refectories and the cafeterias of the Hochschul-Sozialwerk Wuppertal (HSW) at a reduced cost. For this purpose, the visiting scientist is required to submit the form "Application for the issue of a visitor's pass for the refectories and cafeterias of the Hochschul-Sozialwerk Wuppertal", signed by the supervising university teacher. This form can be downloaded from the homepage of the International Center (service for visiting scientists, food and drink).

#### **d. Inventions**

In research areas where it is not unlikely that an invention may be made, further contractual arrangements with the visiting scientist are required. The legal review shall be carried out in Department 1 - Contract and Legal Affairs.

#### **e. Sanctions list comparison before contract conclusion**

During the visit, all participating institutions are obliged to observe export control regulations and actively contribute to compliance with legal and internal regulations. In particular, the University of Wuppertal is obliged, in accordance with the European Union's guidelines on combating terrorism and preventing the financing of terrorist activities, to check the data of visiting scientists who are to receive financial support and/or access to the scientific areas, both before concluding a contractual agreement and regularly against the European Union's sanctions lists. This comparison is carried out by Department 1.4 (EU Procurement and Customs) after notification by the supervising university teacher or the dean or managing director of the host faculty/institution using the "Sanctions List Comparison" form. Department 1.4 (EU Procurement and Customs) also checks compliance with other embargo regulations on an event-related basis, in particular whether the guest visit may constitute "technical assistance" and/or "technical support". If an extended embargo check is required, the host faculty/institution must actively contribute to clarification. All checks must be completed and documented prior to the conclusion of the model contract mentioned under Part II in § 2 Section 2 a), irrespective of whether a financial contribution is paid or not.

### **3. Special regulations for visits with financial compensation**

#### **a. Payment order for the financial grant**

The payment order form for a visit shall be filled in by the supervising university teacher and sent through official channels to Department 1.2 - Budget, Accounting and Treasury. The supervising university teacher and/or the host faculty/institution shall be solely responsible for the factual and mathematical correctness of the payment order as well as for the verification of the receipts for travel and accommodations expenses and their archiving for a period of 10 years as provided for in tax law.

## **Part III Visits financed by third-party funds**

Visits financed by third-party funds shall be subject to separate regulations of the respective third-party funder, which are reviewed and implemented by Department 1.1 Research Funding and Third-Party Funding Administration. The Human Resources Department is to be brought in before the visiting professorships and visiting lectureships is awarded.

In these cases, it is also mandatory to carry out a sanctions list check and, if necessary, an extended embargo check using the "Sanctions List Comparison" form and involving Department 1.4 (EU Procurement and Customs) in accordance with Part II § 2 point 2 e) of this guideline. These checks must be completed and documented before any contractual implementation.

The guideline for Visiting Scientists dated 01/02/2022 (Official Announcement 06/22) is repealed.

Issued on the basis of the resolution of the Rectorate of the University of Wuppertal dated 20/02/2024.

Wuppertal, 13/03/2024

The President  
of the University of Wuppertal  
Professor Dr. Birgitta Wolff