Operational Agreement on Performance Bonuses and Examination Rates for Academic Staff

WU (Vienna University of Economics and Business), Welthandelsplatz 1, 1020 Vienna (hereinafter also referred to as the "Employer"), represented by Christoph Badelt, Rector, and in turn by Michael Meyer, Vice-Rector for Human Resources, and the WU Academic Staff Council, Welthandelsplatz 1, 1020 Vienna (hereinafter referred to as the "Staff Council") hereby enter into the following Operational Agreement in accordance with § 97 (1) no. 16 of the Labor Constitution Act (Arbeitsverfassungsgesetz, ArbVG) as amended:

Preamble

Pursuant to the statutory provisions, the purpose of this Operational Agreement is to establish rules for the awarding of bonuses for outstanding achievements in science, research, and teaching and for payment of examination rates and bonuses for supervision of theses (bachelor’s, master’s and doctoral theses).

The objective of the Operational Agreement is to reward outstanding academic achievement and compensate employees for conducting examinations and assessing/supervising theses (bachelor’s/master’s theses and doctoral theses) with the aim of improving overall quality. A further objective of this Operational Agreement is to ensure fairness and transparency in relation to the awarding of bonuses (for research output and obtaining third-party funding) and examination rates.

Examination rates vary depending on the type of course concerned and the number of students examined. Bonuses for outstanding publications and other academic achievements are dependent on the quality and reputation of the journal in which the work appears, the quality of the publisher, or on the quality of the work itself.

§ 1 Scope

(1) Personal scope

This Operational Agreement applies to all WU employees whose employment is covered by the Collective Bargaining Agreement for University Staff, contract staff engaged by WU, and federal civil servants assigned to work at WU. It also covers all temporary employees hired by WU for a period of longer than six months.
Former WU employees who were employees of WU at the time the requirements specified in §§ 2 et seq. of this Operational Agreement were satisfied shall have 12 months from the end of their employment to claim payment under §§ 2 et seq. of this Operational Agreement.

Persons to whom this Operational Agreement applies are hereinafter referred to collectively as "Employees".

(2) **Organizational scope**

This Operational Agreement applies to all organizational units within WU, i.e. to all departments and all institutes and groups affiliated to those departments, including service and administrative units. The subject-centered research institutes and competence centers established within WU are also covered.

(3) **Geographical scope**

This Operational Agreement applies at all WU locations.

(4) **Tempor al scope**

This Operational Agreement takes effect on March 1, 2015, except for the rules concerning thesis supervision bonuses (in accordance with § 6), which take retroactive effect from October 1, 2014.

The provisions concerning bonuses in accordance with §§ 2 to 5 (bonuses for Star journal publications, personal bonuses for obtaining third-party funding for research projects within the meaning of §§ 26 and 27 of the Universities Act (Universitätsgesetz) as amended, performance bonuses for outstanding research achievements in organizational units in accordance with § 1 (2), and research bonuses for Universitätsassistent/inn/en [teaching and research associates/assistant professors] in accordance with the Collective Bargaining Agreement for University Staff) take effect on January 1, 2016.

In all areas (§§ 2 to 5) in which the rules do not take effect until January 1, 2016, the provisions of the previous Operational Agreement on Performance Bonuses and Examination Rates for Academic Staff in accordance with § 96 (1) no. 4 of the Labor Constitution Act, entered into on July 26, 2006, as most recently amended, shall continue to apply until December 31, 2015.

The Operational Agreement is entered into for a fixed term expiring on December 31, 2017. Unless the Employer or the Academic Staff Council gives a notice of non-renewal by September 30, this Operational Agreement shall be renewed for further successive two-year terms.

(5) Examinations which have already been held, examinations on courses which have already begun, and supervision and assessment activities which have already been accepted or completed or which are under way on the date that this Operational Agreement ceases to have effect, and research work already carried out at such time, establish a right to payment of a bonus or examination rate.
(6) Material scope

1. This Operational Agreement covers **performance bonuses**:
   
   a. Bonuses for Star journal articles (see § 2)
   b. Personal bonuses for obtaining third-party funding for research projects within the meaning of §§ 26 and 27 of the Universities Act as amended (see § 3)
   c. Performance bonuses for outstanding research achievements in organizational units in accordance with § 1 (2) (see § 4)
   d. Research bonuses for *Universitätsassistent/inn/en* (teaching and research associates / assistant professors) in accordance with the Collective Bargaining Agreement for University Staff (see § 5)

and **examination rates**:

   a. Thesis supervision bonuses (see § 6)
   b. Examination rates for large-scale examinations (see § 7 [1])
   c. Examination rates for course examinations and performance evaluation in courses with continuous assessment of student performance (see § 7 [2])
   d. Examination rates for subject examinations (see § 7 [3])

2. **Definitions:**

   **Performance bonuses** are one-time remuneration payments made to Employees by the Employer retrospectively in recognition of outstanding performance.

   **Examination rates** are one-time payments granted by the Employer retrospectively as remuneration for supervision and assessment activities and for the special effort involved in administering large-scale subject and course examinations.

§ 2 Bonuses for Star journal articles

(1) For each article mentioning WU which is published in a journal included in the Star journal list, a total bonus of € 3,000 (gross) shall be payable to the author or authors.

(2) The A+ list currently available is used as the Star journal list. The Star journal list (together with the departmental ratings and award guidelines for performance bonuses for outstanding research achievements in organizational units in accordance with § 1 [2]) shall be published in the "WU Journal Ratings" section on the website of the Research Service Center. Employees must be informed of changes to this Star journal list.

(3) The Star journal list shall be updated every four years starting from its entry into force on January 1, 2016. In case of changes to the Star journal list, the date of first submission – or of
acceptance of the article proposal, if this is more favorable for the WU Employee – shall be relevant.

(4) The Research Service Center shall contact eligible author(s) at least once per year to inform them that their articles entitle them to receive a bonus. In the case of articles authored jointly by several Employees, the eligible author(s) shall be requested by the Research Service Center to specify how the bonus should be shared among them. Only Employees whose publications have been entered into WU’s FIDES research documentation system shall be eligible to claim a bonus. It is the responsibility of the author(s) themselves to ensure that their publications are entered into FIDES correctly.

Author(s) who are not employed by WU are not required to enter their publications into FIDES. The Research Service Center shall provide an application form for these individuals.

If an Employee is not contacted by the Research Service Center, he or she may notify the Research Service Center of this at any time, specifying the corresponding FIDES entry.

Regarding the specific conditions of payment, see § 8 (1) lit. b. Former WU Employees who were Employees of WU at the time the requirements specified in § 2 of this Operational Agreement were satisfied shall have 12 months from the end of their employment to claim payment under § 2 of this Operational Agreement.

(5) All articles selected for a bonus and their authors will be presented publicly at WU awards events.

§ 3 Personal bonuses for the acquisition of third-party funding for research projects
within the meaning of §§ 26 and 27 of the Universities Act as amended

(1) A performance bonus of 2% of the total sum raised shall be payable when funding for third-party-funded research projects is provided by external research funding bodies on the basis of an international peer review evaluation (and in any case by the FWF, EU Framework Programs, the WWTF and the Oesterreichische Nationalbank Anniversary Fund) and by the City of Vienna Anniversary Fund (the latter only if the project is carried out by WU junior researchers under the age of 35). This 2% performance bonus shall be calculated on the basis of the amount of the funding on the date on which it is received (= entered into WU’s financial accounts), and in the case of large-scale projects on the date on which part payment is received (= entered into WU’s financial accounts). If a portion of the third-party funds acquired and transferred to WU must be forwarded on to other partners (as is the case with e.g. social projects), the 2% performance bonus shall be calculated on the basis of WU’s share only.

(2) When the Employer communicates the account information showing the third-party funds for research projects within the meaning of §§ 26 and 27 of the Universities Act, it must notify the WU Employees concerned that they may apply for a bonus in accordance with § 3 and direct them to the application form. The WU Employees concerned can use this form to apply for payment of a bonus in accordance with § 3 of this Operational Agreement.
Performance bonuses for the acquisition of third-party funding are intended to be personal bonuses. For this reason, the project heads with overall responsibility for the project who received the account information (see paragraph 2) must state which members of the research team participated in the acquisition of the third-party funding or implementation of the project. The form referred to in paragraph 2 should provide a corresponding option.

The form referred to in paragraph 2 must be forwarded to the Financial Control Office, which will then review it to check whether the requirements for payment are met. This review must be carried out within two months of submission of the application.

The responsible project manager may award bonuses in accordance with § 3 of this Operational Agreement to former WU Employees within 12 months of the end of their employment, provided that they were Employees of WU at the time the requirements specified in § 3 of this Operational Agreement were satisfied.

All Employees who receive bonuses for the acquisition of third party funding for research projects within the meaning of §§ 26 and 27 of the Universities Act as amended will be publicly presented at WU awards events.

§ 4 Performance bonuses for outstanding research achievements in organizational units in accordance with § 1 (2)

(1) A bonus budget shall be established for each department (including research institutes and competence centers affiliated to them). These bonus budgets shall be funded from a total budget allocation for this purpose of at least € 130,000. The budget shall be allocated among the existing departments, including research institutes and competence centers affiliated to them, in accordance with the number of academic staff in those departments (full-time equivalents).

(2) The performance bonuses for outstanding research achievements in organizational units in accordance with § 1 (2) (“bonuses for outstanding research” for short) shall be awarded by the individual departments (including research institutes and competence centers affiliated to them) with reference to departmental directives on performance bonuses for outstanding research. In particular, these departmental directives shall comprise departmental ratings specifying journal rankings for the department concerned (including research institutes and competence centers affiliated to them) and establishing rules for the allocation of the performance bonuses (aside from journal articles).

With the exception of the law departments and the Department of Foreign Language Business Communication, to which paragraph 3 applies, the departments (including research institutes and competence centers affiliated to them) may use a maximum of 20% of the bonus budget allocated to them for e.g. monographs, conference papers, articles in edited volumes, decision-making meetings, and articles in open access journals or journals not included in the
departmental rating or Star journal list, provided that WU is mentioned in such articles. This also applies to software.

The **departmental directives** on performance bonuses for outstanding research shall be published on the website of the department concerned.

When they are first drawn up, the departmental ratings (this does not apply to the law departments and the Department of Foreign Language Business Communication) must be reviewed by recognized external evaluation institutes (such as the experts at the Centre for Science and Technology Studies [CWTS] at Leiden University), or be based on recognized international rankings/ratings. The Rector’s Council shall then reach a decision in light of this review and the department’s statement.

The departmental ratings shall be published together with the Star journal list on the website of the Research Service Center in the “WU Ratings” section. The departments’ explanatory comments regarding the composition of their departmental ratings shall also be published as an annex to the departmental ratings. Employees must be informed of any changes to departmental ratings.

(3) Separate **departmental directives on the distribution of performance bonuses for outstanding research achievements** shall be issued in respect of each budget for outstanding research achievements allocated to the **law departments and the Department of Foreign Language Business Communication**.

The award guidelines for performance bonuses for outstanding research in the law departments and the Department of Foreign Language Business Communication shall be published on the website of the respective department. Employees must be notified of the issue of and any changes to the award guidelines for performance bonuses for outstanding research in the law departments and the Department of Foreign Language Business Communication.

(4) The **departmental directives** on the distribution of the bonus budgets allocated to the departments (for e.g. monographs, conference papers, conference posters, articles in edited volumes, decision-making meetings, contributions to open access journals) and the various **award guidelines** for performance bonuses for outstanding research shall be established individually and independently by the departments concerned (including research institutes and competence centers affiliated to them). The criteria specified in paragraphs 2 and 3 shall be issued by the department chair in the light of the recommendations of the Department Committees (see § 13 [6] of the WU By-Laws).

The following **general conditions** for award of performance bonuses for outstanding research shall apply for all departments (including research institutes and competence centers affiliated to them):

1. Bonuses shall be awarded in accordance with the departmental ratings or – for publications not included in the departmental ratings – the allocation key established by the department,
and the award guidelines for performance bonuses for outstanding research achievements in the law departments and the Department of Foreign Language Business Communication.

2. Performance bonuses may not exceed € 1,000 per nominated publication, and may not be lower than € 200.

3. Publications for which bonuses for Star journal articles (see § 2) have already been paid out pursuant to this Operational Agreement may not be nominated.

In addition, the departmental directives on performance bonuses for outstanding research must also state the specific substantive criteria for distribution of these bonuses among the academic staff of the respective department (including the research institutes and competence centers affiliated to them).

The award guidelines for performance bonuses for outstanding research must include the following items:

a. Manner in which the Employees concerned are notified of the departmental ratings and award guidelines for performance bonuses for outstanding research

b. Period for which the departmental ratings and award guidelines for performance bonuses for outstanding research apply

c. Percentage of the bonus budget allocated to the recognition of monographs, conference papers, conference posters, articles in edited volumes, decision-making meetings, contributions to open access journals and the like, and the grounds for this allocation

d. Arrangements regarding special consideration for junior researchers (e.g. in particular Universitätsassistent/inn/en [teaching and research associates / assistant professors] in accordance with the Collective Bargaining Agreement for University Staff)

e. Manner in which bonuses awarded to authors from the relevant field are announced and the amount of the bonuses awarded to them

(5) The following transitional provisions shall apply: Until the departmental ratings and award guidelines for performance bonuses for outstanding research are published (in accordance with the procedure specified in § 4), the previous arrangements shall remain in force. When determining whether the requirements for award of a bonus within the meaning of § 4 of this Operational Agreement are met, the decisive date shall be the date of first submission or the date of acceptance of the article proposal, if this is more favorable for the WU Employee.

(6) The departmental directives and award guidelines shall be established by January 1, 2016 and reviewed by the department chairs in the light of the recommendations of the Department Committees (see § 13 [6] of the WU By-Laws) every four years from the date of entry into force of this Operational Agreement.

When determining whether an Employee is entitled to receive a performance bonus, any change to the departmental directives and award guidelines on performance bonuses for outstanding research achievements shall be deemed to have taken effect on the date of first submission or
the date of acceptance of the article proposal, if this is more favorable to the WU Employee concerned.

(7) The eligible author(s) shall be notified by the Research Service Center (see § 2 [4]).

Employee(s) whose publications have been entered into WU’s FIDES research documentation system shall be eligible to claim a bonus. It is the responsibility of the author(s) themselves to ensure that their publications are entered into FIDES correctly.

Author(s) who are not employed by WU are not required to enter their publications into FIDES. The Research Service Center shall provide an application form for these individuals. If for any reason an Employee is not contacted by the Research Service Center, he or she may notify the Research Service Center of this at any time, specifying the corresponding FIDES entry.

Regarding the specific conditions of payment, see § 8 (1) lit. b. Former WU Employees shall have 12 months from the end of their employment to claim payment under § 2 of this Operational Agreement, provided that they were an Employee of WU at the time the requirements specified in § 4 of this Operational Agreement were satisfied.

(8) Once per year, the department chairs shall approve an allocation proposal specifying the individuals to whom bonuses are to be awarded in accordance with the departmental directives and award guidelines for performance bonuses for outstanding research.

This allocation proposal shall be submitted to the Rector’s Council for approval. The Rector’s Council must reach its decision on the proposal within one month of submission. Regarding the exact conditions of payment for these bonuses see § 8 (1).

(9) All Employees who are awarded a performance bonus for outstanding research in organizational units in accordance with § 1 (2) will be presented publicly at WU awards events.

(10) The following transitional provisions shall apply: Until publication of the departmental directives and award guidelines for performance bonuses for outstanding research (see the procedure specified in § 4), the following rules shall continue to apply: For each article mentioning WU which is published in a journal rated A in the WU Journal Rating list, a total bonus of € 1,000 (gross) shall be payable to the author or authors. For each article mentioning WU which is published in a journal rated A+ in the WU Journal Rating list, a total bonus of € 3,000 (gross) shall be payable to the author or authors. The WU Journal Rating list currently valid upon entry into force of this Operational Agreement can be found on the website of the Research Service Center.

When determining whether the requirements for award of a bonus within the meaning of § 2 of this Operational Agreement are met, the decisive date shall be the date of first submission or the date of acceptance of the article proposal, if this is more favorable for the WU Employee than the rules in the Operational Agreement on Performance Bonuses and Examination Rates for Academic Staff previously in force.
Bonuses awarded to articles in accordance with the old Journal Ratings after the new departmental directives take effect shall be paid out of the bonus budgets allocated to the departments (including research institutes and competence centers affiliated to them).

§ 5 Research bonuses for Universitätsassistent/inn/en (teaching and research associates / assistant professors) in accordance with the Collective Bargaining Agreement for University Staff

(1) Each member of the staff category of Universitätsassistent/inn/en (teaching and research associates / assistant professors) who during the course or within two months of the end of his or her employment with WU submits a dissertation which is graded “excellent” or “good” shall be awarded a one-time performance bonus of € 600 gross per dissertation.

(2) Each month, the Examinations Office shall notify the head of the Personnel Development and Planning Office of Employees who are eligible for a bonus. The Personnel Development and Planning Office shall then arrange for the bonus to be paid out without delay and the Vice-Rector for Human Resources shall inform the recipient of the bonus by personal letter. Regarding the exact conditions of payment for research bonuses for Universitätsassistent/inn/en (teaching and research associates / assistant professors) in accordance with the Collective Bargaining Agreement for University Staff, see § 8 (1) lit. a.

§ 6 Thesis Supervision Bonuses

The table below shows the fixed rates (established in 2014) payable for supervision of theses. These include bachelor’s, master’s, and doctoral theses. The qualifications that WU Employees must have to be permitted to supervise theses independently are specified in the WU By-Laws.

If an Employee supervises and assesses a thesis without the involvement of an assistant, the full rate (shown in bold in the table) shall be payable. Otherwise, the payment shall be shared as specified.

<table>
<thead>
<tr>
<th>The level of study</th>
<th>Description</th>
<th>Bonus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bachelor’s thesis – supervisor and examiner (without a co-supervisor)</td>
<td>€70</td>
<td></td>
</tr>
<tr>
<td>Bachelor’s thesis – examiner</td>
<td>€14</td>
<td></td>
</tr>
<tr>
<td>Bachelor’s thesis – participating assistant</td>
<td>€56</td>
<td></td>
</tr>
<tr>
<td>Master’s thesis – supervisor and examiner (without a co-supervisor)</td>
<td>€150</td>
<td></td>
</tr>
<tr>
<td>Master’s thesis – examiner (with co-supervisor)</td>
<td>€50</td>
<td></td>
</tr>
<tr>
<td>Role</td>
<td>Examination Rates</td>
<td></td>
</tr>
<tr>
<td>------</td>
<td>-------------------</td>
<td></td>
</tr>
<tr>
<td>Master's thesis – participating assistant</td>
<td>€100</td>
<td></td>
</tr>
<tr>
<td>Doctoral thesis – primary and secondary examiner (without a co-supervisor)</td>
<td>€230</td>
<td></td>
</tr>
<tr>
<td>Doctoral thesis – examiner</td>
<td>€95</td>
<td></td>
</tr>
<tr>
<td>Doctoral thesis – participating assistant</td>
<td>€135</td>
<td></td>
</tr>
</tbody>
</table>

§ 7 Examination rates

(1) Large-scale examinations:

Large-scale examinations are exams held as course examinations. A course examination is a test of performance on a particular course, (usually) held at the end of a semester. To take an examination, a valid registration in LPIS (online course and exam information and registration system) is required. However, a student does not actually have to attend the course to take the exam. The Employer holds centrally organized large-scale exam weeks three times per semester.

For large-scale examinations, different examination rates apply depending on the mode of the examination in question (open questions – mode A, hybrid – mode B, multiple choice – mode C) and according to three criteria (responsibility for content, per examination; organization, per examination; and grading/student viewing of graded exams, per exam paper). The final decision regarding classification into a particular examination mode is taken by the Vice-Rector for Academic Programs and Student Affairs.

<table>
<thead>
<tr>
<th>Mode</th>
<th>Responsibility for content, per examination</th>
<th>Organization, per examination</th>
<th>Grading/student viewing, per exam paper</th>
</tr>
</thead>
<tbody>
<tr>
<td>Open questions (mode A)</td>
<td>€ 100</td>
<td>€ 220</td>
<td>€ 4.20</td>
</tr>
<tr>
<td>Hybrid (mode B)</td>
<td>€ 300</td>
<td>€ 350</td>
<td>€ 2.80</td>
</tr>
<tr>
<td>Multiple choice (mode C)</td>
<td>€ 500</td>
<td>€ 270</td>
<td>€ 0.50</td>
</tr>
</tbody>
</table>

If multiple Employees are involved in the administration/organization of a large-scale examination, the precise allocation of examination rates must be established during preparation of the examination report and sent to the Vice-Rector for Academic Programs and Student Affairs.
(2) Performance evaluation in courses with continuous assessment of student performance (PI courses):

In courses with continuous assessment of student performance, student performance is not exclusively assessed in a single final examination at the end of the course (see clause 1 above). Performance is evaluated on the basis of at least three separate performance components. These performance components may be scheduled at any time during the semester. Types of performance components include tests, midterms, presentations, written assignments, or active participation. There is also a general attendance requirement.

<table>
<thead>
<tr>
<th>Up to 25 candidates</th>
<th>No payment</th>
</tr>
</thead>
<tbody>
<tr>
<td>From the 26th candidate</td>
<td>€ 8 per candidate examined</td>
</tr>
</tbody>
</table>

If an assistant participates in the performance evaluation for a course with continuous assessment of student performance, the examination rates shall be divided as follows:

<table>
<thead>
<tr>
<th>Examiner</th>
<th>€ 4 per candidate examined</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participating assistant*</td>
<td>€ 4 per candidate examined</td>
</tr>
</tbody>
</table>

* This also applies for student employees

(3) Subject examinations:

A subject examination is an individual examination that covers the syllabi of several individual courses. It comprises a written test or a written and an oral component. Attendance of the individual courses included in a subject examination is not mandatory, and these courses do not conclude with an individual course examination. To take a subject examination, registration with the Examinations Office (form F20) is required. The Examinations Office checks the form to determine that the registration requirements are met. Subject examinations take place three times per semester.

<table>
<thead>
<tr>
<th>From the 21st candidate, also for the first 20 candidates</th>
<th>€ 8 per candidate examined</th>
</tr>
</thead>
</table>

If an assistant participates in a written and/or oral subject examination, the examination rates shall be divided as follows:

<table>
<thead>
<tr>
<th>Examiner</th>
<th>€ 4 per candidate examined</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participating assistant*</td>
<td>€ 4 per candidate examined</td>
</tr>
</tbody>
</table>

* This also applies for student employees

(3) The examination and supervision payment calculation is based on supervision and examination activities for each semester that were completed before September 30 (summer semester) or February 28/29 (winter semester) and entered into the BACH system – and
thus approved – no later than October 31 (for the summer semester) and April 30 (for the winter semester), respectively. Regarding the conditions of payment of examination rates, see § 8 (2).

§ 8 Payment of bonuses and examination rates

(1) Bonuses and examination rates shall be paid together with the monthly salary payment following award of the bonus or examination rate; the following specific rules shall also apply.

a. Payment must be made together with the next salary payment. If a recipient is no longer employed by WU at this time, payment shall be transferred into an account the details of which must be communicated to WU. However, doctoral thesis bonuses (see § 5) shall not be paid any later than three months following approval of the thesis.

b. Bonuses for Star journal articles (§ 2), bonuses for the acquisition of third-party funding (§ 3) and performance bonuses for outstanding research in organizational units in accordance with § 1 (2) (§ 4) must be paid out within two weeks of the awards event or together with the Employee’s next salary payment.

(2) Immediately after a bonus or examination rate is awarded, the Employer must send the Employees concerned a letter informing them of their entitlement and the planned payment date.

§ 9 Involvement of the Staff Council and the Equal Opportunities Committee

(1) Once per year (every six months in the case of examination rates under § 7), the responsible service center must provide the Staff Council and Equal Opportunities Committee with information on bonuses approved (or allocation proposals for bonuses) in accordance with §§ 2 to 6 (bonuses for Star journal articles, personal bonuses for the acquisition of third-party funding for research projects within the meaning of §§ 26 and 27 of the Universities Act as amended, performance bonuses for outstanding research, research bonuses for Universitätsassistent/inn/en [teaching and research associates / assistant professors] in accordance with the Collective Bargaining Agreement for University Staff, thesis supervision bonuses) and examination rates awarded in accordance with § 7; they must also report any bonuses denied, together with the grounds for denial. This information should include e.g. the following items:

a. The name of the recipient

b. Department/institute/group to which the recipient belongs

c. Amount of bonus/examination rate

d. Description or reason for payment of the bonus/examination rate. In the case of denials of performance bonuses, the grounds for denial must be specified.
§ 10 Appeals

(1) Employees who feel that they have been unfairly denied a bonus in accordance with §§ 2 to 6 (bonuses for Star journal articles, personal bonuses for the acquisition of third-party funding for research projects within the meaning of §§ 26 and 27 of the Universities Act as amended, performance bonuses for outstanding research achievements, research bonuses for Universitätassistent/inn/en [teaching and research associates / assistant professors] in accordance with the Collective Bargaining Agreement for University Staff, thesis supervision bonuses) or examination rates in accordance with § 7 may bring an appeal within three months from the date of notification of the decision on the application for award of a bonus in accordance with §§ 2 et seq. or examination rates in accordance with § 7. The appeal must be submitted to the Rector’s Council. It must be in writing, but can be submitted by email or fax. The Staff Council may act in a supporting capacity.

§ 11 Adjustment of amounts

(1) The parties agree that on expiry of a Performance Agreement period (in accordance with § 13 of the Universities Act), negotiations on adjustment of the amount of the bonuses under §§ 2 to 4 and 6 (bonuses for Star journal articles, personal bonuses the acquisition of third-party funding for research projects within the meaning of §§ 26 and 27 of the Universities Act as amended, performance bonuses for outstanding research, thesis supervision bonuses) and examination rates in accordance with § 7 will commence based on the results of the Performance Agreement negotiations.

§ 12 Miscellaneous

(1) This Operational Agreement may be amended by mutual agreement between all parties; all modifications must be made in writing.

(2) The Labor and Social Court of Vienna (Arbeits- und Sozialgericht Wien) has jurisdiction in any disputes arising from and in connection with this Operational Agreement.

(3) The former Operational Agreement on Performance Bonuses and Examination Rates for Academic Staff is replaced in its entirety by the present Operational Agreement. In order to protect Employees’ legitimate expectations, transitional provisions regarding claims to bonuses under §§ 2 et seq. of this Operational Agreement must be applied.

(4) The following transitional provision shall apply: Employees who have authored an article published no later than February 28, 2015 in a journal rated A in the previous WU Journal Rating and who may be eligible for a bonus in accordance with clause 3.1. of the previous Operational Agreement on Performance Bonuses and Examination Rates for Academic Staff in accordance with § 96 (1) no. 4 ArbVG, entered into on July 26, 2006, as amended, may submit this article to the Research Service Center by December 31, 2015. With effect from January 1,
2016, bonuses under § 4 of this Operational Agreement can only be paid out for articles published after February 28, 2015.

Vienna, April 9, 2015
On behalf of WU

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Michael Meyer
Vice-Rector for Human Resources

Vienna, April 9, 2015

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On behalf of the
Academic Staff Council
Angelika Schmidt