

GRADUAL PETITION PROCEDURE
AT BABEŞ-BOLYAI UNIVERSITY

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Chapter I. General Provisions

Art. 1. The Gradual Petition Procedure, hereinafter referred to as the Procedure, sets out a common set of rules applicable at Babeş-Bolyai University of Cluj-Napoca.

Art. 2. The provisions of the Procedure are applicable to both staff and students of Babeş-Bolyai University and the Procedure complies with the statutory provisions set out in Law no. 53/2003 on the Labour Code, National Education Law no. 1/2011, Government Ordinance no. 27/2002 on the regulation for the petitions handling process, the Internal Regulations of Babeş-Bolyai University, the collective employment contract applicable to Babeş-Bolyai University, the Babeş-Bolyai University Charter.

Chapter II. Scope of regulation

Art. 3. The purpose of the present Procedures is to establish the phases, methods, terms and deadlines for the submission and handling of petitions submitted to the University by teaching and research staff, auxiliary teaching and non-teaching staff, and students.

Chapter III. Definitions

Art. 4. Petition is understood to mean a request, complaint, claim or proposal formulated in written form by the petitioner with regard to rights under the employment contract, administrative matters, relations with other members of the academic community, or matters pertaining to teaching and research activities, which shall provide the identification and contact details of the petitioner and shall be submitted in a form that provides proof of submission, such as by submission to the Office of the University Registrar, by post, by fax or by email.

Art. 5. *Petitioner* is defined as a person employed by or enrolled in a degree programme at the University who submits a petition as provided for in Article 4.

Art. 6. The *University* is a public institution of higher education, which has an obligation to process and settle, acting through its appointed representatives, any complaint that qualifies under Articles 4 and 5, under the terms of the law and of the present Procedure.

Art. 7. *Gradual petition* is defined as the initiation and handling of a petition by following the University chain of command.

Chapter IV. Petition acceptance review process

Art. 8. Before a petition is considered for a decision thereon, the following prerequisites for admissibility must first be met:

- compliance with the form requirement: the petition must be submitted in writing as a written document;
- providing the identification and contact details of the petitioner;

Art. 9. Anonymous petitions or those where the petitioner's identification or contact details are not provided will not be processed and will be shelved.

Chapter V. Authority to handle the petition

Art. 10. At University level, all petitions submitted to the institution will be handled in accordance with the provisions of this Procedure, provided that they meet the admissibility prerequisites laid down in Article 8.

Art. 11. Authority to handle a petition is established both in relation to the existing chain of command within the institution and in relation to the object of the petition.

Art. 12. Submitting a petition bypassing the chain of command at the University level results in the administrative declination of authority within the institution.

Art. 13. The settlement of a petition may be the subject of a referral to a higher authority in accordance with Article 11, subject to the deadlines set out in the Procedure.

Chapter VI. The scope of petition

Art. 14. The scope of a petition may be defined in relation to the matter reported, which may stem from an employment situation, a situation with other members of the academic community, administrative activity or teaching and research activity.

Art. 15 (1) A petition which, considering its scope, has not been submitted in accordance with the provisions of Article 11 shall be declared inadmissible for administrative proceedings.

(2) Petitions whose object falls within the competence of a governing body will be dealt with accordingly, in compliance with the Regulation governing their operation and structure (Faculty Council, Administrative Council, Senate).

(3) If the matter in dispute involves the petitioner's relationship with the immediate hierarchical superior, the petition shall be submitted to the next hierarchical level, following the University chain of command.

Chapter VII. Rights under the employment relationship

Art. 16. Teaching and research staff, respectively auxiliary teaching and non-teaching staff may submit petitions in relation to their rights under the individual employment contract and the collective employment contract applicable at University level.

Art. 17. Petitions shall be presented in accordance with Articles 4 and 8, giving a clear account of the situation in order to facilitate identification of the matter in question and to establish the competent authority for dealing with the petition.

Art. 18. (1) Initial handling of petitions submitted by auxiliary teaching and non-teaching staff within the administrative departments of the University shall be carried out by the heads of departments.

(2) Initial handling of petitions submitted at Faculty level by teaching and research staff shall be carried out by the heads of departments.

(3) Initial handling of petitions submitted at Faculty level by teaching and non-teaching staff shall be carried out by the Deans.

(4) Initial handling of petitions submitted by teaching and research staff, respectively by auxiliary and non-teaching staff at the level of University branch campuses is carried out by the branch directors.

(5) Initial handling of petitions submitted by teaching and research staff, respectively auxiliary teaching and non-teaching staff within the university institutes, centres and laboratories is carried out by the relevant vice-rector.

(6) Initial handling of petitions submitted by the teaching and non-teaching staff in the General Secretariat of the University is carried out by the vice-rector in charge.

Art. 19. The term provided for in Article 18 to solve the petition is 30 days from the date of registering the petition, subject to a 15-day grace period if applicable.

Art. 20. Should the petitioner be dissatisfied with the resolution reached on the petition in accordance with Article 18, they may avail themselves of the right to petition at a higher level, with due regard to the chain of command at University level, within 15 days of being informed of the resolution in accordance with Article 19.

Art. 21. (1) The petition may be subject to reconsideration to the extent that the petitioner complies with the provisions of Article 20, and the resolution formulated by the heads of the administrative compartments may be revised, in full or in part, by the chief administrative officer.

(2) The petition may be subject to reconsideration to the extent that the petitioner complies with the provisions of Article 20, and the resolution reached by the heads of departments within faculties may be revised, in full or in part, by the dean.

(3) The petition may be subject to reconsideration to the extent the petitioner complies with the provisions of Article 20, and the resolution formulated by the dean may be revised, in full or in part, by the line vice-rector.

(4) The petition may be subject to reconsideration to the extent that the petitioner complies with the provisions of Article 20, and the resolution formulated by the directors of branch campuses may be revised, in full or in part, by the dean.

(5) The petition may be subject to reconsideration to the extent that the petitioner complies with the provisions of Article 20, and the resolution formulated by the line vice-rectors may be revised, in full or in part, by the Rector.

(6) The petition may be subject to reconsideration to the extent that the petitioner complies with the provisions of Article 20, and the solution formulated by the relevant vice-rector may be revised, in full or in part, by the Rector.

Art. 22. The term provided for in Article 21 to solve the petition is 30 days from the date of registering the petition up the hierarchy, subject to a 10-day grace period if applicable.

Art. 23. Should the petitioner be dissatisfied with the resolution reached on the petition in accordance with Article 21, paragraph 1, 2, 3, 4, they may avail themselves of the right to petition at a higher level, with due regard to the chain of command at University level, within 10 days of being informed of the resolution in accordance with Article 22.

Art. 24. (1) The petition may be subject to reconsideration to the extent the petitioner complies with the provisions of Article 23, and the resolution formulated by the chief administrative officer as per Article 21, paragraph 1 may be revised, in full or in part, by the line vice-rector.

(2) The petition may be subject to reconsideration to the extent the petitioner complies with the provisions of Article 23, and the resolution formulated by the dean as per Article 21, paragraph 2 may be revised, in full or in part, by the line vice-rector.

(3) The petition may be subject to reconsideration to the extent that the petitioner complies with the provisions of Article 23, and the resolution formulated by the line vice-rector as per Article 21, paragraph 3 may be revised, in full or in part, by the Rector.

(4) The petition may be subject to reconsideration to the extent the petitioner complies with the provisions of Article 23, and the resolution formulated by the dean as per Article 21, paragraph 4 may be revised, in full or in part, by the line vice-rector.

Art. 25. The term provided for in Article 24 to solve the petition is 30 days from the date of registering the petition up the hierarchy, subject to a 10-day grace period if applicable.

Art. 26. . Should the petitioner be dissatisfied with the resolution reached on the petition in accordance with Article 24, paragraph 1, 2, 4, they may avail themselves of the right to petition at a higher level, with due regard to the chain of command at University level, within 5 days of being informed of the resolution in accordance with Article 25.

Art. 27. (1) The petition may be subject to reconsideration to the extent that the petitioner complies with the provisions of Article 26, and the resolution formulated by the line vice-rector as per Article 24, paragraph 1 may be revised, in full or in part, by the Rector.

(2) The petition may be subject to reconsideration to the extent that the petitioner complies with the provisions of Article 26, and the resolution formulated by the line vice-rector as per Article 24, paragraph 2 may be revised, in full or in part, by the Rector.

(3) The petition may be subject to reconsideration to the extent that the petitioner complies with the provisions of Article 26, and the resolution formulated by the line vice-rector as per Article 24, paragraph 4 may be revised, in full or in part, by the Rector.

Art. 28. The term provided for in Article 27 to solve the petition is 30 days from the date of registering the petition up the hierarchy, subject to a 10-day grace period if applicable.

Art. 29. Decisions pursuant to Articles 18, 21, 24 and 27 are to be served by one of the channels provided for in Article 4.

Chapter VIII. Issues derived from relations with other members of the academic community

Art. 30. Teaching and research staff, respectively auxiliary teaching and non-teaching staff may submit petitions in relation to issues derived from relations with other members of the academic community.

Art. 31. Petitions shall be presented in accordance with Articles 4 and 8, giving a clear account of the situation in order to facilitate identification of the matter in question and to establish the competent authority for dealing with the petition.

Art. 32. Initial handling of petitions submitted by teaching and research staff, respectively by auxiliary and non-teaching staff is carried out by the branch directors.

Art. 33. The term provided to solve the petition is 30 days from the date of registering the petition, subject to a 15-day grace period if applicable.

Art. 34. Should the petitioner be dissatisfied with the resolution reached on the petition in accordance with Article 32, they may avail themselves of the right to petition at a higher level, with due regard to the chain of command at University level, within 15 days of being informed of the resolution in accordance with Article 33.

Art. 35. The petition may be subject to reconsideration to the extent that the petitioner complies with the provisions of Article 34, and the resolution formulated by the line vice-rector as per Article 32 may be revised, in full or in part, by the Rector.

Art. 36. The term provided for the Rector to solve a petition is 30 days from the date of registering the petition up the hierarchy, subject to a 10-day grace period if applicable.

Art. 37. Decisions pursuant to Articles 32, 35 are to be served by one of the channels provided for in Article 4.

Chapter IX. Issues related to administrative work

Art. 38. Teaching and research staff, respectively auxiliary teaching and non-teaching staff may submit petitions in relation to issues related to administrative work.

Art. 39. Petitions shall be presented in accordance with Articles 4 and 8, giving a clear account of the situation in order to facilitate identification of the matter in question and to establish the competent authority for dealing with the petition.

Art. 40. (1) Initial handling of petitions submitted by teaching and research staff, respectively auxiliary teaching and non-teaching staff on administrative issues encountered in the administrative departments of the University is carried out by the heads of departments.

(2) Initial handling of petitions submitted at Faculty level by teaching and research staff shall be carried out by the heads of departments.

(3) Initial handling of petitions submitted at Faculty level by teaching and non-teaching staff shall be carried out by the Deans.

(4) Initial handling of petitions submitted by teaching and research staff, respectively by auxiliary and non-teaching staff at the level of University branch campuses is carried out by the branch directors.

(5) Initial handling of petitions submitted by teaching and research staff, respectively auxiliary teaching and non-teaching staff within the university institutes, centres and laboratories is carried out by the relevant vice-rector.

(6) Initial handling of petitions submitted by the teaching and non-teaching staff in the General Secretariat of the University is carried out by the vice-rector in charge.

Art. 41. The term provided for in Article 40 to solve the petition is 30 days from the date of registering the petition, subject to a 15-day grace period if applicable.

Art. 42. Should the petitioner be dissatisfied with the resolution reached on the petition in accordance with Article 40, they may avail themselves of the right to petition at a higher level, with due regard to the chain of command at University level, within 15 days of being informed of the resolution in accordance with Article 41.

Art. 43. (1) The petition may be subject to reconsideration to the extent that the petitioner complies with the provisions of Article 42, and the resolution formulated by the heads of the administrative compartments may be revised, in full or in part, by the chief administrative officer.

(2) The petition may be subject to reconsideration to the extent that the petitioner complies with the provisions of Article 42, and the resolution reached by the heads of departments within faculties may be revised, in full or in part, by the dean.

(3) The petition may be subject to reconsideration to the extent the petitioner complies with the provisions of Article 42, and the resolution formulated by the dean may be revised, in full or in part, by the line vice-rector.

(4) The petition may be subject to reconsideration to the extent that the petitioner complies with the provisions of Article 42, and the resolution formulated by the directors of branch campuses may be revised, in full or in part, by the dean.

(5) The petition may be subject to reconsideration to the extent that the petitioner complies with the provisions of Article 42, and the resolution formulated by the line vice-rectors may be revised, in full or in part, by the Rector.

(6) The petition may be subject to reconsideration to the extent that the petitioner complies with the provisions of Article 42, and the solution formulated by the relevant vice-rector may be revised, in full or in part, by the Rector.

Art. 44. The term provided for in Article 43 to solve the petition is 30 days from the date of registering the petition up the hierarchy, subject to a 10-day grace period if applicable.

Art. 45. Should the petitioner be dissatisfied with the resolution reached on the petition in accordance with Article 43, paragraph 1, 2, 3, 4, they may avail themselves of the right to petition at a higher level, with due regard to the chain of command at University level, within 10 days of being informed of the resolution in accordance with Article 44.

Art. 46 (1) The petition may be subject to reconsideration to the extent the petitioner complies with the provisions of Article 45, and the resolution formulated by the chief administrative officer as per Article 43, paragraph 1 may be revised, in full or in part, by the line vice-rector.

(2) The petition may be subject to reconsideration to the extent the petitioner complies with the provisions of Article 45, and the resolution formulated by the dean as per Article 43, paragraph 2 may be revised, in full or in part, by the line vice-rector.

(3) The petition may be subject to reconsideration to the extent that the petitioner complies with the provisions of Article 45, and the resolution formulated by the line vice-rector as per Article 43, paragraph 3 may be revised, in full or in part, by the Rector.

(4) The petition may be subject to reconsideration to the extent the petitioner complies with the provisions of Article 45, and the resolution formulated by the dean as per Article 43, paragraph 4 may be revised, in full or in part, by the line vice-rector.

Art. 47. The term provided for in Article 45 to solve the petition is 30 days from the date of registering the petition up the hierarchy, subject to a 10-day grace period if applicable.

Art. 48. Should the petitioner be dissatisfied with the resolution reached on the petition in accordance with Article 46, paragraph 1, 2, 4, they may avail themselves of the right to petition at a higher level, with due regard to the chain of command at University level, within 5 days of being informed of the resolution in accordance with Article 47.

Art. 49. (1) The petition may be subject to reconsideration to the extent that the petitioner complies with the provisions of Article 48, and the resolution formulated by the line vice-rector as per Article 46, paragraph 1 may be revised, in full or in part, by the Rector.

(2) The petition may be subject to reconsideration to the extent that the petitioner complies with the provisions of Article 48, and the resolution formulated by the line vice-rector as per Article 46, paragraph 2 may be revised, in full or in part, by the Rector.

(3) The petition may be subject to reconsideration to the extent that the petitioner complies with the provisions of Article 48, and the resolution formulated by the line vice-rector as per Article 46, paragraph 4 may be revised, in full or in part, by the Rector.

Art. 50. The term provided for in Article 49 to solve the petition is 30 days from the date of registering the petition up the hierarchy, subject to a 10-day grace period if applicable.

Art. 51. Decisions pursuant to Articles 40, 43, 46 and 49 are to be served by one of the channels provided for in Article 4.

Chapter X. Issues reported by students

X.1. Issues related to teaching and research

Art. 52. Students enrolled in a degree course at the University may submit petitions on issues concerning teaching or research.

Art. 53. Petitions shall be presented in accordance with Articles 4 and 8, giving a clear account of the situation in order to facilitate identification of the matter in question and to establish the competent authority for handling the petition.

Art. 54. Initial handling of petitions submitted by students is carried out by the heads of departments within the Faculty or by the vice-dean responsible for student affairs, if the object of the petition is an inter-departmental issue.

Art. 55. The term provided to solve the petition is 30 days from the date of registering the petition, subject to a 15-day grace period if applicable.

Art. 56. Should the petitioner be dissatisfied with the resolution reached on the petition in accordance with Article 54, they may avail themselves of the right to petition at a higher level, with due regard to the chain of command at University level, within 15 days of being informed of the resolution in accordance with Article 55.

Art. 57. The petition may be subject to reconsideration to the extent that the petitioner complies with the provisions of Article 56, and the resolution formulated by the heads of departments may be revised, in full or in part, by the dean.

Art. 58. The term provided to solve a petition as per Article 57 is 30 days from the date of registering the petition up the hierarchy, subject to a 15-day grace period if applicable.

Art. 59. The resolution of the petition may be referred by the dean to the vice-deans, unless the petition falls under Article 54 and is handled by the vice-dean responsible for student affairs.

Art. 60. Should the petitioner be dissatisfied with the resolution reached on the petition in accordance with Article 57, they may avail themselves of the right to petition at a higher level, with due regard to the chain of command at University level, within 10 days of being informed of the resolution in accordance with Article 58.

Art. 61. The petition may be subject to reconsideration to the extent the petitioner complies with the provisions of Article 60, and the resolution formulated by the dean may be revised, in full or in part, by the line vice-rector.

Art. 62. The term provided to solve a petition as per Article 61 is 30 days from the date of registering the petition up the hierarchy, subject to a 10-day grace period if applicable.

Art. 63. Should the petitioner be dissatisfied with the resolution reached on the petition in accordance with Article 61, they may avail themselves of the right to petition at a higher level, with due regard to the chain of command at University level, within 5 days of being informed of the resolution in accordance with Article 62.

Art. 64. The petition may be subject to reconsideration to the extent that the petitioner complies with the provisions of Article 63, and the resolution formulated by the line vice-rector may be revised, in full or in part, by the Rector.

Art. 65. The term provided to solve a petition as per Article 64 is 30 days from the date of registering the petition up the hierarchy, subject to a 10-day grace period if applicable.

Art. 66. Decisions pursuant to Articles 54, 57, 61 and 64 are to be served by one of the channels provided for in Article 4.

X.2. Administrative issues

Art. 67. Students enrolled in a degree course at the University may submit petitions on administrative issues related to academic record or payment of tuition.

Art. 68. Petitions shall be presented in accordance with Articles 4 and 8, giving a clear account of the situation in order to facilitate identification of the matter in question and to establish the competent authority for handling the petition.

Art. 69. Initial handling of petitions submitted by students is carried out by the Faculty vice-deans.

Art. 70. The term provided to solve the petition is 30 days from the date of registering the petition, subject to a 15-day grace period if applicable.

Art. 71. Should the petitioner be dissatisfied with the resolution reached on the petition in accordance with Article 69, they may avail themselves of the right to petition at a higher level, with due regard to the chain of command at University level, within 10 days of being informed of the resolution in accordance with Article 70.

Art. 72. The petition may be subject to reconsideration to the extent that the petitioner complies with the provisions of Article 71, and the resolution formulated by the vice-deans may be revised, in full or in part, by the Dean.

Art. 73. The term provided to solve a petition as per Article 72 is 30 days from the date of registering the petition up the hierarchy, subject to a 15-day grace period if applicable.

Art. 74. Should the petitioner be dissatisfied with the resolution reached on the petition in accordance with Article 72, they may avail themselves of the right to petition at a higher level, with due regard to the chain of command at University level, within 10 days of being informed of the resolution in accordance with Article 73.

Art. 75. The petition may be subject to reconsideration to the extent the petitioner complies with the provisions of Article 74, and the resolution formulated by the Dean may be revised, in full or in part, by the line vice-rector.

Art. 76. The term provided to solve a petition as per Article 75 is 30 days from the date of registering the petition up the hierarchy, subject to a 10-day grace period if applicable.

Art. 77. Should the petitioner be dissatisfied with the resolution reached on the petition in accordance with Article 75, they may avail themselves of the right to petition at a higher level, with due regard to the chain of command at University level, within 10 days of being informed of the resolution in accordance with Article 76.

Art. 78. The petition may be subject to reconsideration to the extent that the petitioner complies with the provisions of Article 77, and the resolution formulated by the line vice-rector may be revised, in full or in part, by the Rector.

Art. 79. The term provided to solve a petition as per Article 78 is 30 days from the date of registering the petition up the hierarchy, subject to a 10-day grace period if applicable.

Art. 80. Decisions pursuant to Articles 69, 72, 75 and 78 are to be served by one of the channels provided for in Article 4.

Chapter XI. Classification and summary of petitions

Art. 81. At the level of administrative departments, faculties, university branch campuses, institutes, university centres, laboratories, general secretariat of the University, a committee of three persons will be appointed and will have the following responsibilities:

- collection and processing of each petition submitted to the University;
- verifies within one working day of registration that each petition meets the conditions of admissibility set out in Article 8 and rejects petitions that do not meet these requirements;
- shelves anonymous petitions or petitions without the identity or contact details of the petitioner within one working day of registration;
- rejects by administrative action petitions which have been submitted in breach of Article 11;
- forwards petitions for competent handling within one working day of registration after ensuring that the conditions for admissibility have been met;
- ensures that the competent officials reply to the petitions within the deadline;
- informs the petitioner of the resolution offered to the petition, complying with the 30-day deadline for reply;
- archives petitions.

Art. 82. Should a new petition be filed by the same petitioner with the same content after the reply to the petition was served, the committee closes the petition, indicating with reference to the registration number that a response has been served.

Art. 83. A party responsible for handling a petition in accordance with Article 11 may not rule on a petition whose matter pertains to the actions or conduct of the said party, in which case the petition shall be referred by the committee provided for in Article 81 to the next ranking competent party within the University.

Chapter XII. Final provisions

Art. 84. The provisions of the present Procedure become effective at University level upon entry into force, i.e. upon approval by the Administrative Council.
