



THE OMBUDSMAN FOR ACADEMIC ETHICS AND PROCEDURES OF THE REPUBLIC OF LITHUANIA

DECISION REGARDING COMPLAINT OF A. GRINIUTE OF 09 APRIL 2014

11 July 2014 No. SP-7
Vilnius

The **Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania** (hereinafter – Ombudsman), <...> examined the complaint of A. Griniute (hereinafter – applicant) received in the Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania on 22 April 2014 and material submitted by the Lithuanian University of Health Sciences (hereinafter – LSMU) and **determined that:**

The applicant applied on 08 April 2013 to the Lithuanian University of Health Sciences for the public competitions to the post of assistant (0,5 work time) in the Clinic of Oral Care and Children Dentistry in the Faculty of Odontology and post of lecturer (0,25 work time) in the Clinic of Dental-Maxillary Orthopaedics in the Faculty of Odontology.

<...>

The applicant asks:

“1) To investigate and evaluate the competitions to the post of assistant (0,5 work time) in the Clinic of Oral Care and Children Dentistry in the Faculty of Odontology and post of lecturer (0,25 work time) in the Clinic of Dental-Maxillary Orthopaedics in the Faculty of Odontology conducted in 2013, and lawfulness of the decisions regarding winners;

2) To oblige the Lithuanian University of Health Sciences to revoke the decisions regarding winners to the post of assistant (0,5 work time) in the Clinic of Oral Care and Children Dentistry in the Faculty of Odontology and post of lecturer (0,25 work time) in the Clinic of Dental-Maxillary Orthopaedics in the Faculty of Odontology”.

<...>

<...> the indicated unclear legal regulation resulted in supposing the favour of LSMU practice of assessment and competition with regard to clearness, informativeness and publicity regarding LSMU employees and not equal conditions to the candidates to receive information about the documents necessary for competition, which have to be presented by the persons, who apply for the first tenure of lecturers/researchers. Such conditions (in the case in question, the documents of A. Griniute were not registered because of lacking documents, which were necessary for the Personnel Service, but not listed either in the announcement or the Procedure) should be regarded as violating the principle of equal rights to take part in the competitions, which implementation has to be ensured by the Ombudsman following the paragraph 1 of the clause 13 of the Statutes of the Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania approved by the Resolution No. XI-1583 of the Lithuanian Seimas of 15 September 2011 “Regarding Establishment of the Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania and

Approval of Statutes of the Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania”, and principle of public competition.

<...>

The Ombudsman decided:

1. To recommend to the Lithuanian University of Health Sciences to revoke the decisions, which violate the principles and procedures of equal rights to take part in the competitions and public competitions.

2. To inform the Lithuanian University of Health Sciences and the Ministry of Education and Science about the violations determined by the Ombudsman.
