Frequently Asked Questions When Hiring a Postdoctoral Scholar

Q1: Can I hire an individual without a PhD in a Postdoctoral Scholar position?
A1: No. To be eligible for a Postdoctoral Scholar position the prospective individual must hold a PhD, M.D., or foreign equivalent. Proof or verification of this must be shown prior to being hired.

Q2: How many years total can an individual be appointed in a Postdoctoral Scholar title at UC?
A2: The total duration of an individual’s postdoctoral service may not exceed five years, including postdoctoral service at other institutions. Thus, if a Postdoctoral Scholar has already served elsewhere as a Postdoctoral Scholar for four years, s/he may only be hired for one year.

Q3: Does this labor contract require a specific length of time for a Postdoctoral Scholar’s appointment?
A3: Yes. Postdoctoral Scholar appointments will typically be in one-year increments, with initial appointment of at least one year. P.I. retains the sole discretion to reappoint or not. If reappointed, subsequent appointment should be at least one year unless the following limited circumstances applies: a) funding is available for less than a full year; b) continuance of project is less than one year; c) visa limitations; or d) a bridge appointment of less than a year at the request of the Postdoctoral Scholar. If the reappointment is less than one year, the reason supporting such an exception should be clearly stated in the reappointment letter.

Q4: Can Postdoctoral Scholars be appointed at less than 100% time?
A4: Yes, but only in very limited circumstances. The exception to a 100% appointment would be allowed (provide that it is permissible by extramural funding agencies) if requested by the Postdoctoral Scholar for reasons of health, family responsibilities, or employment external to the University. In addition, if a Postdoctoral Scholar is assigned temporary teaching duties, s/he would have a dual appointment as a lecturer and postdoctoral scholar. The dual appointment cannot exceed 100% and the lecturer portion should be for a limited duration.

All exceptions involving Postdoctoral Scholar Appointments at less than 100% must be requested in writing and approved by the Graduate Dean; and documented in a written agreement specifying the reduction in hours of work and concomitant responsibilities.

Q5: Is the University required to provide the Postdoctoral Scholar with an appointment letter?
A5: Yes. Appointment letters must be provided to the Postdoctoral Scholars no later than seven calendar days following the start of the appointment; and at least 30 calendar days prior to the start of reappointment. Please contact your College Dean’s Office for Postdoctoral Scholar appointment procedures, including procedures for issuing Postdoctoral Scholar appointment letters. A template appointment letter, which contains information the University is required to provide to Postdoctoral Scholar, can be accessed at the Graduate Division Postdoctoral Scholar website, at http://graduate.ucr.edu/Postdoctoral Scholars.html.

Q6: Can I provide a merit increase for my Postdoctoral Scholar in addition to the required salary increase negotiated in this Agreement?
A6: Yes. The negotiated increases are the minimums that the University must provide to Postdoctoral Scholars. Merit increases are separate from the negotiated salary increase or the step increases based on the appropriate experience salary rate of a Postdoctoral Scholar. Merit increases can be provided to Postdoctoral Scholars at the discretion of the University according to the established procedures in your College/School. Please contact your College Dean’s Office for this information.

Q7: Are there any changes to Postdoctoral Scholar benefits?
A7: This Agreement resulted in the University maintaining the current health plan exclusive to Postdoctoral Scholars, in which a Postdoctoral Scholar may enroll his/her family members. Postdoctoral Scholars must sign up for the health plan within 31 days of their initial date of hire. Postdoctoral Scholars are automatically enrolled in the Life, AD&D and Short Term Disability programs. **Per Graduate Council action**, if a Postdoctoral Scholar comes with a fellowship and the fellowship does not pay for the medical benefits the P.I. must pay the benefits if the Postdoctoral Scholar elects to sign up for University-provided health and welfare benefits.

Q8: Are there any specific workload limits, such as number of hours per week that a Postdoctoral Scholar can work?
A8: No. Postdoctoral Scholars remain FLSA exempt with a normal full-time work week of at least 40 hours, with the emphasis placed on meeting the responsibilities assigned to the position.

Q9: How much vacation does a Postdoctoral Scholar have during a one-year appointment?
A9: Postdoctoral Scholars are eligible for twenty-four (24) days of paid personal time off. These days can be used as soon as a Postdoctoral Scholar’s appointment commences. These paid time off days are subject to the “use it or lose it” rule within the Postdoctoral Scholar’s 12-month appointment year – these time off days do not carry-over upon reappointment nor is the University required to pay Postdoctoral Scholars for any unused time off at the end of their appointments. Time worked and time off is accounted for in terms of “days” rather than hours. Use of personal time off must be requested in advance, preferably in writing, with the approval of the supervisor. Postdoctoral Scholars, Supervisors and/or the departments are responsible for tracking the use of personal time off by Postdoctoral Scholars.

Q10: Does a Postdoctoral Scholar have any sick leave?
A10: Yes. Postdoctoral Scholars are eligible for 12 days of paid sick leave per year. These sick days can be used upon the Postdoctoral Scholar’s appointment and must be used in increments of a day. Use of sick leave must be requested in advance or as soon as practicable (for unforeseen illness) with the approval of the supervisor. Postdoctoral Scholars, Supervisors and/or the departments are responsible for tracking the use of sick time by Postdoctoral Scholars.

**Note:** Unused sick leave is carried over year to year and may be transferred to eligible titles within UC, and/or be reinstated within 15 days of separation. In addition, as the paid personal time off and sick leave days may be used by Postdoctoral Scholars during an approved leave of absence, it is extremely important for Postdoctoral Scholars, Supervisors, and the departments to document personal time off and sick leave usages. Personal time off and sick leave should be requested and approved (or documented in the case of unplanned sick leave) in writing.

Q11: Are Postdoctoral Scholars eligible for a leave of absence, such as a Family Medical Leave?
A11: Yes. Article 13 (found at [http://atyourservice.ucop.edu/employees/policies_employee_labor_relations/collective_bargaining_units/post_docs/px_complete_agreement_1010.pdf](http://atyourservice.ucop.edu/employees/policies_employee_labor_relations/collective_bargaining_units/post_docs/px_complete_agreement_1010.pdf)) outlines different types of leaves of absence which Postdoctoral Scholars may request. Please contact your College Dean’s Office for guidelines regarding the review and approval process for Postdoctoral Scholar leaves of absence.

Q12: How does the collective bargaining agreement impact the mentoring relationship with my Postdoctoral Scholar?
A12: The mentoring relationship between a PI and a Postdoctoral Scholar is protected as an academic matter, thus not specifically governed by the labor contract. As the Mentor, a PI retains the right to direct a Postdoctoral Scholar’s progress and accomplishment in research and professional development. However, note that under this Agreement, Postdoctoral Scholars may voluntarily elect to develop an Individual Development Plan (IDP) which they may discuss with their supervisor. The
supervisor is required to discuss this with the Postdoctoral Scholar if he/she decides to create an IDP.

Q13: How often is a Postdoctoral Scholar’s performance evaluated?
A13: PIs are considered supervisors to their Postdoctoral Scholars and retain the right to assess and manage Postdoctoral Scholars’ research progress and accomplishment. In this Agreement, supervisors are required to provide Postdoctoral Scholars at least one written performance assessment in a 12-month period. To meet this contractual requirement, a supervisor has the option of completing the standard Performance Assessment Form, accessible on the Graduate Division Postdoctoral Scholar website at [http://graduate.ucr.edu/Postdoctoral Scholars.html](http://graduate.ucr.edu/Postdoctoral Scholars.html). Otherwise, the written performance assessment may be in the form of a letter.

Q14: What is the role of UAW, the Union which represents Postdoctoral Scholars, in terms of Postdoctoral Scholar appointments?
A14: Postdoctoral Scholars are represented by the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW). The Agreement is a five-year contract effective August 12, 2010, and will expire on September 30, 2015. The Postdoctoral Scholars’ contract contains the terms and conditions negotiated and agreed to by the parties; and the University must abide by the terms of the Agreement in making employment decisions concerning Postdoctoral Scholars. For example, if a Postdoctoral Scholar is willing to work less than one year during his/her initial appointment year or for reduced pay, the University is unable to accommodate such a request given the specific appointment length and minimum salary requirements in this Agreement.

Q15: If the grant funding from which I am supporting my Postdoctoral Scholar’s appointment runs out of money, what process do I need to follow to end my Postdoctoral Scholar’s appointment before the appointment end date stated in the Postdoctoral Scholar’s appointment letter?
A15: Layoffs may be implemented when appropriate funding supporting Postdoctoral Scholar appointments is no longer available. There is an existing campus review process for proposed layoffs. Please contact the Labor Relations Office for additional information.

Q16: Are Postdoctoral Scholars eligible for any University retirement plans?
A16: Yes. Postdoctoral Scholars are considered Safe Harbor participants and are required to contribute 7.5% of their gross salary to the UC Defined Contribution Plan (DCP). Postdoctoral Scholars are normally not eligible for the UCRP retirement plan*. Postdoctoral Scholars are also required to pay Medicare taxes. The P.I. pays Workers Compensation Assessment and the Benefits Broker Fee.

*Note: Postdoctoral Scholars who are appointed from a previous UCRP eligible position should completely break service with the University before assuming the Postdoctoral Scholar appointment, and should sign a statement acknowledging that they understand they are forfeiting continued participation in the UCRP. If this break in service and signed statement do not occur, the Postdoctoral Scholar will continue to be eligible for UCRP and the University will be responsible for the University contribution.

Q17: Do Postdoctoral Scholars get any University-paid holidays?
A17: Yes. Postdoctoral Scholars observe all holidays that the University recognizes for other employees. When operational needs require a Postdoctoral Scholar to work on a University designated holiday, the supervisor may schedule the Postdoctoral Scholar to work on University holidays but the Postdoctoral Scholar shall receive an alternate day off for each holiday worked.

Q18: Can a Postdoctoral Scholars request a day off to observe a religious holiday?
A18: Yes. Postdoctoral Scholars may use their personal time off or work alternate days to observe the religious holidays. The supervisor shall not unreasonably deny such requests.

Q19: How many days can a Postdoctoral Scholar be off work due to a death in the family?
A19: Postdoctoral Scholars are entitled to take up to five (5) work days of sick leave or personal time off due to the death of a family member. If sick leave or personal time off is not available the Postdoctoral Scholar shall be on unpaid leave. Bereavement leave of more than five days may not be unreasonably denied.

Q20: Are there any forms a Postdoctoral Scholar needs to fill out to request a leave of absence?
A20: Yes. All leave request exceeding seven (7) calendar days must be submitted in writing by completing a UPAY 573 form (http://academicpersonnel.ucr.edu/leaves/LeaveForm.pdf). Other forms may be required subject to the requirement of other applicable University policies and/or federal and state statutes, such as FML related forms.

Q21: Is a Postdoctoral Scholar eligible for paid Jury Duty leave?
A21: Yes. Postdoctoral Scholars are eligible for paid jury duty. A copy of the summons to serve on jury duty prior to the date(s) on which such service is expected and verification of service is required.

Q22: What is the process I need to follow if a Postdoctoral Scholar is not performing up to stated expectations in his/her research efforts?
A22: The Agreement provides a stated process for supervisors to address a Postdoctoral Scholar’s performance problems and/or misconduct. Contact the Labor Relations Office to discuss the appropriate steps and process to take corrective action.

Q23: What do I do if my Postdoctoral Scholar refuses to perform a work assignment because s/he believes it is hazardous or s/he has not been properly trained?
A23: The Postdoctoral Scholar is required to immediately inform her/his supervisor if the components of the assignment that s/he believes to be hazardous or dangerous. In attempting to resolve the Postdoctoral Scholar’s concerns, the supervisor may provide necessary training/instruction, protective equipment or hazard abatement, or may make workplace task performance/and or task assignment changes to remediate the Postdoctoral Scholar’s concerns. At any time after the supervisor has been informed of the hazardous assignment, the supervisor and/or the Postdoctoral Scholar may contact the University EH&S professional for participation in task evaluation. Supervisors must document safety training and information provided to Postdoctoral Scholars.

Q24: What are the salary requirements in this Agreement for Postdoctoral Scholars hired after May 31, 2011?
A24: Effective June 1, 2011, all newly appointed Postdoctoral Scholars must be appointed to at least the minimum salary level commensurate with the Postdoctoral Scholars’ experience level based on the National Institute of Health for its National Research Service Awards (NIH-NRSA) salary scale (see below). Postdoctoral Scholar salaries may be above- or off - the NIH-NRSA salary scale. The Postdoctoral Scholar must thereafter receive a salary increase to the appropriate experience based salary rate upon reappointment or on his/her anniversary date. If he/she is appointed above his/her experience level he/she shall receive an annual 2% increase upon reappointment or on his/her anniversary date between June 1, 2011 through May 31, 2014.

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Q25: What are the salary increase requirements for Postdoctoral Scholars hired before June 1, 2011?
A25: The following salary increases will be phased in over a three year period. In all cases, these are minimum salaries:

- **Between 6/1/2011 and 5/31/2013**: Postdoctoral Scholars receiving a salary below the appropriate experience level shall be moved (on reappointment or anniversary date for multi-year appointments) to the appropriate salary rate for his/her experience level or 3%, whichever is less.

- **Between 6/1/2013 and 5/31/2014**: Postdoctoral Scholars receiving a salary below the appropriate experience level shall be moved (on reappointment or anniversary date for multi-year appointments) to the appropriate salary rate for his/her experience level or 3.5%, whichever is less.

- **Between 6/1/2011 and 5/31/2014**: The Postdoctoral Scholar appointed at or above the appropriate salary level based on his/her experience must thereafter receive a salary increase to the appropriate experience based salary rate upon reappointment or on his/her anniversary date. If he/she is already above his/her experience level on reappointment he/she shall receive an annual 2% increase upon reappointment or on his/her anniversary date. For example, if a postdoc's current salary is above the experience based salary for his/her current level of experience and he/she is being reappointed, whether the postdoc is increased to the next level or increased 2% depends on whether the current salary (pre-reappointment) is already above the salary appropriate for the postdoc's years of experience on reappointment.

- **Compensation effective June 1, 2014**: All Postdoctoral Scholars will be paid at least the appropriate NIH-NRSA salary rates based on their experience.

Following are some scenarios:

- **Level 0 (0 - 11 months: $38,496)**
- **Level 1 (12 - 23 months: $40,548)**
- **Level 2 (24 - 35 months: $43,476)**
- **Level 3 (36 - 47 months: $45,192)**

1: The postdoc has 10 mos experience and has been paid $40,000 which is higher than level 0 but less than level 1. On reappointment the postdoc's experience would place him/her at level 1. Since the current salary is above the experience based salary for level 0 but is below the experience based salary for level 1, the PI is only required to increase the postdoc on reappointment to the experience based salary for level 1 which is less than a 2% increase.

2: The postdoc has 25 mos experience and has been paid $43,476 which is at level 2. On reappointment the postdoc's experience would place him/her at level 3. Since the current salary (before reappointment) is at the experience based salary for level 2 the PI is required to increase the postdoc to the experience based salary for Level 3.

3: The postdoc has 10 mos experience and has been paid $41,000 which is higher than level 0 and level 1. On reappointment the postdoc's experience would place him/her at level 1. Since the current salary (before reappointment) is already above the experience based salary for level 1 the PI is only required to increase the postdoc a minimum of 2%.
4: The postdoc was hired before June 1, 2011 with 13 mos. experience and has been paid $40,000 which is below level 1. On reappointment the postdoc’s experience is equivalent to level 2. However, since the current salary (before reappointment) was below the experience based salary for level 1 the PI is only required to increase the postdoc 3% which is less than level 2.

Tip: If a postdoc hired before June 1, 2011 is currently below the experience based salary for his/her level of experience, the minimum increase required will more than likely be 3% because the salary increase between levels is around 5%.

5: The postdoc was hired May 31, 2011 with 13 months experience at $40,000 which is below level 1. On reappointment effective May 31, 2012 the postdoc had 25 mos experience. The PI was only required to increase the postdoc 3% to $41,200 which is below level 2. On May 31, 2013 the postdoc had 37 mos experience. The PI was only required to increase the postdoc 3% to $42,436 which is below level 3. On reappointment May 31, 2014 the post doc had 49 mos experience. The PI was required to increase the postdoc a minimum 3.5% to $43,921. This is because the minimum increase required between June 1, 2013 and May 31, 2014 for postdocs receiving a salary below the appropriate experience based salary was increased to 3.5%.

Q26: My Postdoctoral Scholar’s salary is supported by an extramural agency. Who will be responsible for funding the annual salary increase?
A26: If a Postdoctoral Scholar is sponsored by an extramural agency either the extramural agency must fund yearly increases or the PI must fund them.

Q27: Why do we have different title codes for Postdoctoral Scholars Paid-Direct and Postdoctoral Scholars Fellow?
A27: The Postdoctoral Scholars-Paid Direct title code is used for Postdoctoral Scholars who are paid directly by an extramural agency and are not paid through the UC Payroll System. The Postdoctoral Scholars-Fellow title code is used for Postdoctoral Scholars who are paid through the UC Payroll System.