

University of Prince Edward Island		Policy Number:
Policy Title: Postdoctoral Fellows		Page 1 of 9
Creation Date: April 2003	Version Date: January 26, 2004	
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1. Purpose

The purpose of this policy is to establish a uniform set of policies and procedures for administration of Postdoctoral Fellows (PDF).

2. Scope

This policy applies to all Postdoctoral Fellows at University of Prince Edward Island.

3. Responsibility

- 3.1 Responsibility for establishment and amendment of this policy rests with the Research Advisory Committee.
- 3.2 General responsibility for this policy rests with the Vice President Research & Development.

4. Policy

4.1 Background

Postdoctoral Fellows (PDFs) represent an important and valued group of senior research-oriented trainees at the University of Prince Edward Island. These individuals are normally within the final stage of the intensive research-training period of their careers. Having completed formal doctoral training, the PDF, with minimal teaching and administrative responsibilities, works under the general supervision of a faculty member, but is expected to take an increasing degree of independent ownership of their research, with a minimum of supervision, before assuming the status of independent researchers. PDFs are expected to devote their time and energy almost exclusively to research, to make significant contributions to knowledge in their discipline, and to augment their personal research stature as well as that of the University.

4.2 Definition

PDFs are individuals in the final stage of research training, and are normally appointed within five years⁽¹⁾ of the completion of their doctoral degree.

PDFs are normally appointed for a fixed period that may range from one to five years, with annual renewals and subject to the discretion of the PDF and the supervisor, as well as budgetary resources and appropriate approvals.

A PDF position is exempt from the normal Canadian immigration restrictions around advertising, because the PDF position is considered to be an "extension of studies". However, non-resident PDFs who are not Canadian citizens or permanent residents of Canada, must obtain an employment authorization from Citizenship and Immigration Canada.

The Canada Customs and Revenue Agency (CCRA) views fellowships as amounts paid to persons to advance their education. An amount paid as a fellowship is normally included in income as a fellowship but may sometimes be included as a research grant. In either of these cases the stipend paid will be reported as T4A income; CPP and EI will not be deducted; however, income tax will be deducted unless a request is made by the PDF that it not be withheld. (See Revenue Canada Interpretation Bulletin IT-75R3 for details.)

Notwithstanding the above, it is possible to treat the fellowship as employment income when this is permitted by the relevant grantor or funding source. Group Insurance benefits may then be provided, income tax, CPP and EI can be deducted, and all amounts paid or deducted will be reported as T4 income.

4.3 Eligibility

Anyone who has completed either a Ph.D. or an equivalent degree and is within the defined time period as outlined in Section 4.2 above is eligible to be appointed as a PDF at University of Prince Edward Island.

4.4 Recruitment, Selection and Offer of an Appointment as a Postdoctoral Fellow

4.4.1 **Recruitment** -- Subject to relevant provincial and federal regulations such as the Canadian Immigration Act and the Human Rights Act in Prince

Edward Island, faculty members may recruit PDFs directly by whatever method they deem appropriate that are in line with UPEI standard practices, e.g. using personal contacts, response to inquiries, advertisements in local, national or international publications.

- 4.4.2 ***Selection*** -- Normally, a faculty member, who has funding sources that can be used to support a PDF (i.e. a grant or contract), will conduct the selection process personally, or with other faculty members if there is to be joint funding and supervisory responsibilities for the position.

For PDFs who are to be supported through a named fellowship directly from an external granting agency, such as, SSHRC, NSERC or CIHR, the review process is handled at arms' length from the supervisor by the funding agency and the role of the supervisor is to provide a letter of support for the applicant. The UPEI faculty supervisor is responsible for ensuring externally funded PDFs are adequately supervised and shepherded through the UPEI PDF administrative processes.

- 4.4.3 ***Offer of an Appointment*** -- It is essential that University of Prince Edward Island be aware of all PDF appointments in order to be in a position to guarantee the PDF their rights and to ensure that they understand their responsibilities. Offers to potential PDFs be made by the Dean (or his/her designate) of the supervisor's Faculty.

- 4.4.3 a) The letter of invitation to a PDF to join a UPEI researcher or research group should specify:
- the term of appointment as a PDF, including any notice-of-termination provisions applicable to either party in the event that the contract is terminated within the term of appointment;
 - special reference to the position as that of a PDF as defined in section 2;
 - the stipend and benefits to be expected and method of payment;
 - any other specific expenses as covered by grant or as negotiated (e.g. moving expenses);
 - the nature of the research to be undertaken and the expectations of the supervisor(s);
 - any teaching expected to be done by the PDF, the

remuneration for this teaching, and the understanding that a specific employment contract for any full courses will be issued;

- an understanding on authorship and intellectual property rights and
- any other special conditions that might apply.

4.4.3 b) The offer of appointment shall specify the right to terminate any appointment for just cause.

4.4.3 c) The letter of invitation must be countersigned by the supervisor(s)

4.4.3 d) The PDF must accept this letter of invitation in writing, agreeing to the terms and conditions as outlined.

4.4.3 e) PDFs who receive external stipend support not channelled through the University will receive a letter of offer from University of Prince Edward Island and an adjunct postdoctoral fellowship appointment for the term of the external support.

4.4.4 A registry of PDFs will be established through documentation provided by the Human Resources Department. All appropriate appointment documentation (appointment form, CV, social insurance number, employment authorization if a non-Canadian, copy of letter of offer, and letter of acceptance) will be maintained by the Office of Research Development and copied to the Human Resources Department.

4.4.5 It is the direct responsibility of the faculty supervisor(s) to ensure that funding for the PDF stipend is secured for the duration of the PDF's appointment and that all necessary research resources are available in order that the PDF might reasonably be expected to achieve his/her set goals. The availability of appropriate research space is the responsibility of the supervisor along with the academic administrator who has been designated as responsible for management of space for the PDF supervisor's unit.

4.5 Appointment

_____ 4.5.1 **Duration** -- Normally a PDF appointment is for one year, with annual renewals to a maximum of 5 years. Non-Canadian appointments are

generally governed by the entry permit which is valid for a specified term, although a brief extension can be arranged when a good case can be made by UPEI representatives to Citizenship and Immigration Canada. If appropriate, the duration of appointment may coincide with awards made by external agencies.

- 4.5.2 **Renewal** -- The supervisor(s) should give reasonable (normally 3 months) notice to a PDF of the intention to renew or not to renew an appointment in cases where appointments are made for periods shorter than three years.
- 4.5.3 **Compensation** -- PDFs are generally funded from external awards from granting agencies or foundations, or from internal awards from the operating grants or contracts of the faculty supervisor(s).

University of Prince Edward Island does not specify a compensation level for PDFs. Compensation for externally funded PDFs will be determined by the funder. For a PDF supported from a grant or contract, compensation should be based on relevant experience and responsibilities of the incumbent and should be in line with the stipend ranges and minimum specified by major Canadian research granting councils. The stipend will be worked out between the supervisor and PDF with approval of the Dean (or his/her designate).

- 4.5.4 **Termination for Just Cause** -- The appointment of a postdoctoral fellow at the University may be terminated without notice for just cause. Just cause is a legal term reflecting conduct by the postdoctoral fellow that is inconsistent with the nature of the appointment as a postdoctoral fellow at University of Prince Edward Island and would justify dismissal if the postdoctoral fellow were a regular employee. At the time of the termination of the appointment for just cause, the postdoctoral fellow will be provided with a statement of the reasons for the termination of the appointment.
- 4.5.5 **Compensation and Deductions** – Two compensation streams are possible and one must be designated by the Grantholder. The statutory deductions, benefits, leave entitlements associated with each are as summarized in the following table:

<i>Compensation Streams</i>		
	<i>A: Fellowship Award</i>	<i>B: Employment Income</i>
<i>Canada Pension</i>	<i>Not eligible</i>	<i>statutory deduction</i>
<i>Employment Insurance</i>	<i>Not eligible</i>	<i>statutory deduction</i>
<i>Income Tax</i>	<i>Withheld unless the PDF requests otherwise</i>	<i>Withheld</i>
<i>Base Package</i>	<i>Not eligible</i>	<i>Appointment of 8 months or more</i>
<i>Group Life</i>	<i>Not eligible</i>	<i>PDF pays 100%</i>
<i>Long Term Disability</i>	<i>Not eligible</i>	<i>Not eligible</i>
<i>Accidental Death and Dismemberment</i>	<i>Not eligible</i>	<i>Grantholder pays 100%</i>
<i>Workers Compensation</i>	<i>Not eligible</i>	<i>Grantholder paid</i>
<i>Supplementary Health Plan</i>	<i>Not eligible</i>	<i>Grantholder 50% PDF 50%</i>
<i>RRSP</i>	<i>Not eligible</i>	<i>Grantholder & PDF matching 1:1 contributions to a maximum level of 6% of total salary</i>

If a PDF and the grantholder agree that the award be treated as employment income which is pensionable and insurable, CPP, EI, and income tax will be deducted.

- 4.5.6 **Benefits** -- In many instances, external agencies supporting PDF stipends directly or through grants-in-aid research do not allow payment of most benefits except as required by federal or provincial legislation. Thus, any benefits except for non-contributory optional benefits are subject to the

availability of grant funds to support benefit payments and are the responsibility of the faculty supervisor(s). These benefits are negotiable at the time of appointment or reappointment.

4.5.7 *Leaves & Vacation*

The following leaves are statutory requirements under the Employment Standards Act of PEI for employees and will be applicable to PDFs whose stipend is deemed to be employment income:

Unpaid Pregnancy Leave - 15 weeks

(when PDF has been employed for at least 20 weeks)

Unpaid Parental Leave - 25 weeks

(maximum combined parental and pregnancy leave is 52 weeks when PDF has been employed for at least 20 weeks)

Paid Vacation - two weeks with pay, taken within the year of appointment, in addition to weekends, public holidays and other holidays that are observed by faculty members by agreement with the University.

Accommodation of religious observance requests as may be required by the Human Rights Act.

Paid Sick Leave - in consultation with the supervisor and with the knowledge and approval of the Dean

4.6 Academic Issues

4.6.1 *Teaching* -- Although the primary responsibility of PDFs is to undertake research, they are an intellectual resource in the University and may contribute to educational programs. Postdoctoral Fellows (PDFs) represent an important and valued group of senior research-oriented trainees at University of Prince Edward Island. These individuals are normally within the final stage of the intensive research-training period of their careers. Graduate students in particular may benefit from the participation of PDFs in graduate student teaching and on supervisory committees.

PDFs are generally permitted to demonstrate, instruct or accept limited or casual teaching-related duties provided that the supervisor(s), funding

agency and the relevant course coordinator agree, and provided that this activity does not hinder progress in their research. PDFs who take on significant teaching duties in order to generate funding to cover, in whole or in part, their fellowship, are required to enter into a teaching contract with the University. NOTE: the availability of such teaching positions is limited and conditions are specified in the Faculty association collective agreement.

- 4.6.2 **Research Grants & Contracts** -- PDFs may apply for external funding if the agency allows applications from PDFs. Research accounts established at UPEI for these funds must have the UPEI PDF supervisor with co-signing authority. PDFs are not eligible to apply for grants-in-aid of research from agencies requiring that the individual hold a regular faculty appointment.
- 4.6.3 **Authorship Rights** --Publication of research results is a typical standard of academic achievement. The faculty supervisor shall ensure that PDFs are appropriately recognized for their contributions to publications involving the PDF's research. This recognition will be based on generally accepted conventions for publication in the particular academic field and on the principles outlined in the UPEI Senate Policy and the Tri-council Policy on Integrity in Research. The general practices of the faculty supervisor concerning authorship will be explained to the PDF prior to the commencement of the fellowship. The faculty supervisor will inform the PDF, prior to commencement of the fellowship, of any prior, time-limited restrictions on the publication of results imposed by the funding sources for the research project.
- 4.6.4 **Intellectual Property Rights** - The development of patentable or copyright products is often an important component of academic achievement. Intellectual property includes but is not limited to, substances, processes, formulations, technical information, reports, photographs, drawings, plans, specifications, models, prototypes, inventions, patterns, samples, software designs, know-how and improvements or modifications, whether or not protected by patent, copyright, industrial design or trade secret law. It is the responsibility of the faculty supervisor to communicate a clear, written explanation of rights and obligations regarding intellectual property, and any policies for assignment of IP, that will be part of the PDF's file. PDFs are to be appropriately recognized for their contributions to patents. The

faculty supervisor will inform the PDF of any prior restrictions on intellectual property rights or assignment imposed by the funding sources of the research project.

The University of Prince Edward Island encourages faculty supervisors to treat intellectual property of PDFs who are funded through the employment income category, in the same manner as PDFs in the Fellowship award category.

- 4.6.5 **Ethics** -- All PDFs will ensure that any human and/or animal research is covered under approved protocols that are generated either by the PDF directly, or by the faculty supervisor. All PDFs who will be involved in human research will familiarize themselves with the Tri-council Policy Statement on Ethics of Human Research. Additionally, all PDFs who intend to work on animals will take part in the UPEI Animal Care Instructional Program before beginning any animal research at UPEI.

4.7 Dispute Resolution and Grievance procedures

Ideally most problems are expected to be resolved by the faculty member-supervisor and the PDF directly. Unresolved problems may be brought by the PDF or supervisor in confidence to the attention of the relevant academic administrator (department, faculty, school). If an issue cannot be resolved at this level, it may be brought to the Dean of the Faculty/School or to the Vice-President Research and Development in confidence.

5. **Review**

This policy shall be reviewed by the Research Advisory Committee every three years. The Vice President, Research Development shall be responsible for seeing the review is undertaken.

ACKNOWLEDGMENT

This document has been adapted from “Dalhousie University Policies and Procedures for Administration of Postdoctoral Fellows” dated 28 November, 2001.

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1. This appointment window may be extended by circumstances requiring a break in the individual's research career, such as for parental responsibilities, or work towards other degrees.