
POSTDOCTORAL SCHOLARS

Date Established: 12/3/08

Date Last Revised: -

Date Posted to Library: 12/16/08

Category: Academic

Responsible Executive: Provost

Summary

Postdoctoral study encompasses scholarship and training. This document is designed to inform both postdoctoral scholars and their faculty mentors of policies unique to individuals with the titles of Postdoctoral Associate or Postdoctoral Fellow.

Policy

POLICY STATEMENT

Appointment of a Postdoctoral Scholar

A Postdoctoral Scholar's appointment will meet the following conditions:

The appointee was recently (within five years) awarded a Ph.D., equivalent doctorate, or terminal degree (Sc.D., M.D., D.D.S., J.D., Pharm.D. etc.) in an appropriate field

The appointment is temporary

The appointment is full-time and primarily involves research or scholarship (less than full-time appointments require justification)

The appointment is viewed as preparatory for a full-time academic or research career

The appointee works under the supervision of one or more faculty mentors

The appointment may be part of a clinical training program, if research training under the supervision of a mentor is a primary purpose of the appointment.

Designated Titles

Designated titles for postdoctoral appointments are Postdoctoral Fellow and Postdoctoral Associate. The title of Postdoctoral Fellow is used only in connection with awards financed under a Postdoctoral Fellowship Program of a granting agency outside the university or through a Postdoctoral Training grant. The title of Postdoctoral Associate is the usual designation for all other Postdoctoral appointments.

Fiscal agents and related titles include:

1. Research Foundation (RF) - Postdoctoral Associate; Postdoctoral Fellow
2. University at Buffalo Foundation (UBF) - Postdoctoral Associate; Postdoctoral Fellow
3. State University of New York (SUNY) - Postdoctoral Associate

Recruitment and Hiring

All Postdoctoral Associate positions must be posted through UBJobs.

Initial RF and UBF appointments are made for up to a three year period, but may be extended to five years. An additional one-year extension may be granted upon justification. State appointments may only run for three-years, but may be extended to four-years to accommodate programs within the School of Medicine. (Appendix A is a sample state appointment offer letter; Appendix B is a sample RF appointment letter). For RF and UBF appointments, exceptions may be granted to meet specific training needs of an individual and prevailing practice in the discipline only after review by the Graduate School through its Office of Postdoctoral Scholars. All federal, state, and sponsor guidelines must be followed.

Compensation

The minimum full-time annual salary for a Postdoctoral Associate for a calendar year is \$30,000. Any waiver of this minimum salary limit must be approved by the Office of Postdoctoral Scholars. All sponsor guidelines take precedent over this policy.

Individual Development Plan and Progress Reports

It is recommended that within the first thirty days of the appointment, the Postdoctoral Scholar write an Individual Development Plan (IDP) and discuss this with his/her faculty mentor. The mentor should meet with the Postdoctoral Scholar at regular intervals to assess progress and goals. The Postdoctoral Scholar should provide his/her mentor, at least once annually, with a progress report of his/her research and professional development using the suggested format in Appendix C.

Leaves

A Postdoctoral Associate may be eligible for various types of leave, consistent with the fiscal agent's appointment type. Postdoctoral Fellows are not employees and do not accrue leave.

Dispute Resolution

The Dispute Resolution Procedure is a two-stage (informal and formal) process. The informal stage of complaint pursuit is open to all Postdoctoral Scholars. The Postdoctoral Scholar may request the Office of Postdoctoral Scholars to assist with informally resolving complaints prior to instituting a formal complaint through official channels. The first step toward resolving a Postdoctoral Scholar's dispute or grievance should be through consultation between the disputants. The parties should meet and exert a good faith effort to resolve the dispute amicably. Postdoctoral Scholars are encouraged to discuss concerns and/or complaints with their mentors, other senior faculty members, and their Department Chair to attempt informal resolution at an early stage. The Associate Dean of the Graduate School (Head of the Office of Postdoctoral Scholars) should have a reasonable opportunity to resolve the dispute informally before a formal grievance is initiated. This may involve consultation with the mentor, Department Chair, and Dean of the School/College as appropriate.

If the Associate Dean's efforts to resolve the dispute are unsuccessful, he/she will notify the Postdoctoral Scholar of his/her right to initiate a formal grievance. A formal grievance may be invoked only after the prospective grievant has first reported the basis for his/her dispute to the Office of Postdoctoral Scholars.

Formal grievances/complaints may be pursued through the following mechanisms:

Allegations of Discrimination or Sexual Misconduct are handled through the Office of Equity, Diversity & Affirmative Action Administration.

Allegations of Misconduct of Research or Intellectual Property Issues are handled by the Office of the Vice President for Research.

For scholars with the employment title of Postdoctoral Associate, complaints regarding employment will be handled through established employee complaint procedures of the fiscal agent.

For scholars with the appointment type of Postdoctoral Fellow, complaints regarding employment will be handled through the Formal Complaint Procedures outlined under Appendix D.

Discontinuation of Appointment of a Postdoctoral Scholar

Discontinuation with Notice - A Postdoctoral Scholar may have his/her appointment ended at any time, for lack of funding or for other reasons. It is recommended that sixty calendar days prior written notice be given.

Termination of Appointment for Cause - A Postdoctoral Scholar may have his/her appointment immediately terminated at any time if he/she is found to have violated the obligations specified in this policy. Such violations include egregious actions, such as destruction of experiments, stealing, sexual harassment, and inappropriate behavior. Managers and supervisors should use reasonable judgment to decide whether an employee's action may be remedied by some form of progressive discipline (for RF appointments, see the Research Foundation Progressive Discipline Policy). Discontinuation of appointment for cause is to be preceded by written notice.

DEFINITIONS

Postdoctoral Associate – A postdoctoral scholar who is working on a particular project. The Postdoctoral Associate has an employer-employee relationship, receives a paycheck every two weeks through payroll, payroll taxes are withheld, and may be eligible for certain benefits consistent with the fiscal agent appointment type.

Postdoctoral Fellow – A postdoctoral scholar who receives a stipend in support of their academic study or fellow-initiated research and/or in recognition of the recipient's promise as a research or teaching scholar. A Postdoctoral Fellow is not considered an employee and taxes are not withheld (exceptions may apply to non-resident aliens) although they may be entitled to certain benefits. This title is used only for appointments with awards financed under a fellowship or training program.

Postdoctoral Scholar - An individual who has received a doctoral degree (or equivalent) and is engaged in a temporary and defined period of mentored advanced training to enhance the professional skills and research independence needed to pursue his or her chosen career path (National Institutes of Health/National Science Foundation definition). Postdoctoral Scholar refers to those individuals with the titles of Postdoctoral Associate or Postdoctoral Fellow.

Principal Investigator - A Principal Investigator (PI) is a University at Buffalo (UB) faculty or staff member who bears responsibility for the intellectual leadership of a project. The PI accepts overall responsibility for directing the research, financial oversight, and compliance with relevant university policies and sponsor terms and conditions.

RESPONSIBILITY

Office of Postdoctoral Scholars, Graduate School

Provide guidance for postdoctoral scholars.

Oversee policy and ensure consistent application of this policy across the university.

Postdoctoral Scholars

Conscientious discharge of research responsibilities and assigned duties, as summarized in the letter of appointment and any subsequent renewals/revisions of the letter of appointment.

Adherence to ethical standards in research.

Compliance with good laboratory practice including the maintenance of adequate research records and observance of university guidelines regarding use of isotopes, chemicals, infectious agents, biohazards, disposal of hazardous waste, and other laboratory practices.

Observance of established guidelines regarding the use of human subjects or animals.

Open and timely discussion with faculty mentor regarding research progress, distribution of reagents or materials, or any proposed disclosure of findings on research or technologies, privately or publicly in oral or written format.

- All research results and data obtained in the course of duties as a Postdoctoral Scholar are the property of the mentor and the University at Buffalo, and may not be disseminated or used in any manner or format without the express permission of the mentor during the period of postdoctoral association or following the termination of that association.

Collegial conduct towards coworkers and members of the research group.

Compliance with all applicable university policies and procedures.

Faculty Mentor

The faculty mentor will aid the Postdoctoral Scholar in the discharge of the above obligations and provide a formal discussion of his/her progress and performance at least annually. The faculty mentor should emphasize education, development of independence in research, and career advisement.

Contact Information

Marilyn E. Morris, Ph.D.
Associate Dean
Office of Postdoctoral Scholars
Graduate School
memorris@buffalo.edu
Phone: 716-645-5823

Related Information

University Documents:

Office of Postdoctoral Scholars

<http://www.grad.buffalo.edu/postdocs/index.php>

Research Foundation Employee Workplace Complaints

<https://portal.rfsuny.org/portal/page/portal/EmployeeHandbook>

Responsible Conduct in Research and Creative Activity

<http://www.research.buffalo.edu/policies/rescond.cfm>

Office of Equity, Diversity and Affirmative Action

http://affirmativeaction.buffalo.edu/university_policies.htm

Other Documents:

Individual Development Plan

<http://opa.faseb.org/pdf/idp.pdf>

Related Links:

National Postdoctoral Association

<http://www.nationalpostdoc.org/site/c.eoJMIWOBIRH/b.1388059/>

Research Foundation Progressive Discipline Policy

https://portal.rfsuny.org/portal/page/portal/Pers_Admin/Employee%20Relations/Progressive_Discipline_Policy.htm

Research Foundation Guidelines on Implementing Progressive Discipline

https://portal.rfsuny.org/portal/page/portal/Pers_Admin/Employee%20Relations/Guidelines_Implementing_Progressive_Discipline.htm

Presidential Approval

Signed by President John B. Simpson

John B. Simpson, President

12/3/08

Date

Appendix A**Sample State Postdoctoral Associates Offer Letter**

Date

Name

Street

City, State, Zip

Dear _____,

We are pleased to offer you a full-time appointment as a Postdoctoral Associate in the Department of _____ at the University at Buffalo, State University of New York. Your appointment period will commence on (date). You will be paid at the annual salary rate of \$_____ on a bi-weekly basis. This offer is contingent upon proof of your identity and employment eligibility. In addition, prior to beginning your appointment, you must provide the Office of Postdoctoral Scholars official documentation that you have received the relevant terminal degree (as well as an English translation of that documentation, if necessary).

You may be eligible to participate in one of the University's health and other benefit programs. Soon after you arrive, you will attend a benefits orientation with the Human Resources staff who will explain the benefit programs. As a Postdoctoral Scholar you may be eligible for vacation leave, holidays, and sick leave consistent with your appointment type.

It is expected that your time here will be committed to research and scholarship. Should you accept this offer, your continued appointment as a Postdoctoral Associate will require both satisfactory performance and compliance with existing and future university and departmental policies. The Postdoctoral Associate is by nature a temporary position.

If the terms specified in this letter are acceptable to you, please sign and return the original letter to me by (date). By signing below, you agree to adhere to all University policies, including those defining intellectual property rights.

We look forward to your association with the University at Buffalo.

Yours truly,
[Name of mentor]

Signature confirming acceptance of appointment

Date



THE RESEARCH FOUNDATION

The State University of New York

University at Buffalo

Appendix B

Sample RF Postdoctoral Associate Appointment Letter

Date

Name

Street

City, State, Zip

Dear _____,

We are pleased to offer you a full-time appointment as a Postdoctoral Associate in the Department of _____ at the University at Buffalo, State University of New York. The fiscal agent for this appointment is the Research Foundation of the State University of New York. Your appointment will commence on (date). You will be paid at the annual salary rate of \$_____ on a bi-weekly basis. This offer is contingent upon proof of your identity and employment eligibility. In addition, prior to beginning your appointment, you must provide to the Office of Postdoctoral Scholars official documentation that you have received the relevant terminal degree (as well as an English translation of that documentation, if necessary).

You may be eligible to participate in one of the Research Foundation's health care programs and other benefit programs. Soon after you arrive, you will attend a benefits orientation session with the Human Resources staff who will explain the benefit programs.

It is expected that your time here will be committed to research and scholarship. Should you accept this offer, your continued appointment as a Postdoctoral Associate will require both satisfactory performance and compliance with existing and future university and departmental policies. The Postdoctoral Associate is by nature a temporary position.

If the terms specified in this letter are acceptable to you, please sign and return the original letter to me by (date). By signing below, you agree to adhere to all University policies, including those defining intellectual property rights.

We look forward to your association with the University at Buffalo.

Yours truly,
[Name of mentor]

Appendix C

Postdoctoral Scholar Progress Report

This progress report provides an opportunity for the Postdoctoral Scholar to reflect on his/her research and professional development achievements and goals.

1. Is your project progressing well? List your major accomplishments during the past year.

Have you submitted any papers?

Have you presented your work at any meetings, locally or nationally or internationally?

Did you write any individual grant proposals? Were any of your grant proposals funded?

2. How have your skills in the following areas improved in the past year? How will you work to further enhance the following skills in the coming year?

Writing Skills

Presentation Skills

Oral Communication Skills

Time Management

3. What are your research goals in the coming year? Include project goals, additional research skills to be acquired, grants to pursue, papers, presentation opportunities and potential collaborations.
4. What are your career goals? What additional skills or training do you need to acquire to achieve your desired career objectives? When is your target date for moving to a new position and when should you begin your job search?
5. Joint evaluation (by Postdoctoral Scholar and faculty mentor) of progress this past year:

_____/_____
Faculty Signature *Department*

Faculty Name (please print)

_____/_____
Postdoctoral Scholar Signature *Date*

Postdoctoral Scholar Name (please print)

Appendix D

Formal Complaint Procedures for Postdoctoral Fellows

- To initiate a formal grievance, a Postdoctoral Fellow must provide a written statement to the Associate Dean of the Graduate School specifically stating the facts believed to support the charge and the desired outcome sought under the grievance.
- The written grievance must be received by the Associate Dean no later than 30 days after notification from the Associate Dean that a formal grievance may be filed.
- After determining that the facts stated by the Postdoctoral Fellow may be grieved, the Associate Dean will:
 - notify the subject of the grievance that a grievance has been filed against him/her
 - provide him/her with a copy of the charge.
- The subject of the grievance has five (5) work days to provide the Associate Dean with his/her response to the allegation(s) made by the grievant.
- Following receipt of the written response from the subject of the grievance, the Associate Dean will:
 - select a committee of three (3) faculty members and two (2) Postdoctoral Scholars who have no prior knowledge of the issue(s) being grieved to hear the grievance
 - provide the committee with the written statements submitted by the parties.
- The Committee will:
 - choose one member to serve as committee chairperson
 - determine the date of the grievance hearing
 - notify the parties of the date and time of the hearing, which will not be sooner than ten (10) work days from the date notification is sent to the parties by the Committee.
- Each party will provide the Committee with a:
 - list of potential supporting witnesses, if any
 - a witness should be a person with first-hand knowledge of facts pertinent to the resolution of the issue(s) being grieved
 - brief statement describing what information each witness has, or should have, regarding the facts at issue.
- The grievance hearing will not be bound by formal rules of evidence or judicial rules of procedure:
 - the Committee may hear any testimony or receive any supporting evidence that it deems to be pertinent to the issue(s) being grieved
 - both the grievant and the subject of the grievance may be present throughout the hearing
 - both the grievant and the subject of the grievance may each be accompanied by one advisor of his/her choosing
 - advisors may not participate in the hearing other than to advise the respective parties
 - advisors may not be an attorney unless he/she is a member of the faculty not acting in the capacity of a member of the bar.
 - both the grievant and subject of the grievance shall be afforded a reasonable opportunity to be heard; to question witnesses indirectly through the committee; to rebut adverse evidence; and to make a brief closing statement
 - members of the Committee may ask questions at any time during the hearing and may elect to disallow or to curtail testimony that the Committee determines to be unnecessarily redundant or not relevant to the issue(s) under consideration

- throughout the hearing, all persons present will conduct themselves in an orderly manner; disorderly behavior will result in removal from the proceedings by the Chair
- the Committee will be responsible for the conduct of the hearing at all times.
 - hearings before the Committee are confidential proceedings and only those persons determined by the Committee to have a need to be present will be included
 - all witnesses will be excluded from the hearing room, except when testifying; no more than one witness will be called to testify at a time
 - all questioning of witnesses will be by the Committee unless the Committee decides otherwise
 - although specific procedures for the conduct of the hearing may vary somewhat, the process will generally include the following:
 - call to order by the Chair
 - introduction of those present
 - statement of the issue(s) being grieved
 - presentation of the evidence and testimony in support of the issue(s) being grieved
 - questioning of the grievant's witnesses
 - presentation of evidence and testimony in opposition to the charge
 - questioning of the subject of the grievance's witnesses
 - closing statements.
- As soon as practical following the conclusion of the hearing, the Committee alone will meet in private session to consider all of the evidence presented and render a decision on the matter.
 - The decision will be determined by a "preponderance of evidence" standard, that is, that the facts more likely than not either prove or disprove the issue(s) before the Committee.
 - Following deliberations, the Committee will provide a brief written statement explaining its finding(s) and a summary of the supporting facts.
 - The Committee's written decision will be transmitted to the Associate Dean for appropriate action.
 - The Associate Dean will notify both the grievant and the subject of the grievance of the committee's decision and any action to be taken as a result of the Committee's findings.
 - Upon notification of the outcome to the grievant and the subject of the grievance, the Associate Dean will also advise these parties of their right to appeal the Committee's decision in writing to the Vice Provost for Graduate Education/Dean of the Graduate School.
 - An appeal to the Vice Provost for Graduate Education/Dean of the Graduate School will be limited to the presentation of new, previously unavailable evidence, and/or the identification of substantive procedural error in the hearing process.
 - Any such written appeal must be received by the Dean of the Graduate School within 7 days of notification of the outcome by the Associate Dean.
 - After a review of any new evidence presented on appeal and a review of the process previously afforded the grievant and the subject of the grievance, the Dean of the Graduate School will notify the grievant, the subject of the grievance, the Department Chair and the Associate Dean of the Graduate School of his/her decision. That decision will be final and not subject to further appeal.