

UNIVERSITY OF TORONTO

OFFICE OF THE VICE-PRESIDENT AND PROVOST

27 King's College Circle,
Simcoe Hall, Room 221
Toronto, Ontario M5S 1A1, CANADA

TEL: (416) 978-6159
FAX: (416) 971-1380
e-mail: vivek.goel@utoronto.ca

To: Academic Board
From: Vivek Goel, Vice-Provost, Faculty
Date: May 27, 2002

Item Identification

Policies for Post-Doctoral Fellows

Sponsor

Vivek Goel, Vice-Provost, Faculty

Jurisdictional Information

The Board is responsible for consideration of policy in the academic area.

Highlights

The policies for post-doctoral fellows (PDFs) have been prepared based on recommendations contained in the report of a Task Force chaired by Professor Umberto De Boni. The Task Force included representation from across the University community and consulted broadly with PDFs. Drafts of the proposed policies have been circulated throughout the University and input has been incorporated.

The policies devolve responsibility for the engagement of PDFs locally to the department and faculty. Key points are that PDFs are to be considered as trainees rather than employees (this is a clarification of the current treatment), a minimum stipend will be set, and there will be a defined procedure for engagement and reporting of PDFs. It is also proposed that the University facilitate the purchase by PDFs of a basic set of health and dental insurance at a favourable rate.

In order to coordinate activities for PDFs, the Post-Doctoral Office will be established in the School of Graduate Studies. The proposed functions of the Office will include compilation

May 27, 2002

of statistics, development and maintenance of an information website for PDFs, support of Divisions in the organization of symposia and workshops for PDFs (e.g. on career development) and coordination of other issues on their behalf. For example, the Office will address such external issues as lobbying for changes to OSAP rules (allowing for a waiver of interest payments on debt), or lobbying for eligibility for the education tax credit for PDFs. A proposal for the office will be brought forward as a separate item in the near future.

The registration process, outlined in the Administrative Procedures for Engagement of Post-Doctoral Fellows, will be kept as simple as possible, with the key activities occurring in the relevant departments and Divisions. Administrative and academic responsibility for individual PDFs would rest with the budgetary unit within which they are located. Deans will receive letters of engagement from Chairs and forward them to the Post-Doctoral Office for statistical purposes.

The Administrative Procedures also provide for a minimum stipend level, which will be reviewed annually by the Office of the Vice-President and Provost.

These policies are for campus-based PDFs. It is expected that PDFs engaged in affiliated hospitals and research institutes will be covered by policies in the home institution. The Vice-Provost, Relations with Health Care Institutions, will work with the affiliated hospitals to develop a harmonization agreement for PDFs.

The policies will apply to new PDFs engaged after September 1, 2002. The procedures allow for a phasing in of the coverage of the policies for current PDFs over the next two years.

Action Sought

Be it recommended to Governing Council

THAT the Policy on Post-doctoral Fellows, dated May 27, 2002, a copy of which is attached, be approved, effective September 1, 2002.

Policies for Post-doctoral Fellows

Description

A post-doctoral fellowship (PDF) provides an important stage in the transition from graduate student to independent scholar. Post-doctoral fellows are, in essence, trainees, who contract with the University to provide their services in exchange for developmental opportunities provided by the University. They are not employees. In light of the transitional nature of their status, post-doctoral fellowships are time-limited and are not ongoing.

Criteria

A post-doctoral fellow must meet the following criteria:

- The post-doctoral fellow was recently (normally within 5 years) awarded a Ph.D. or equivalent degree.
- The engagement is temporary.
- The engagement involves providing research or scholarship services on a full-time basis.
- The engagement is preparatory for a full-time academic and/or research career.
- The services of the PDF must meet the standards set by a faculty member (“the faculty supervisor”).
- The post-doctoral fellow is not registered in another training program (e.g. clinical post-graduate training).

Term

The maximum initial term of engagement is three years. In special circumstances, a further extension of up to three years is permitted with Decanal approval in multi-department faculties, and Provostial approval in single-department faculties. The engagement shall expire, without any further payment obligations by the University, on the date specified in the letter of engagement. However, it may be terminated at any time by the University for cause (a material failure to meet the specified service standards), in which case the post-doctoral fellow is not entitled to any further payments beyond those earned for services provided up to the date of the termination of the engagement. Early termination of the engagement may also occur if either party provides two month’s notice in writing to the other party, or, in the case of the University, if it provides a payment in lieu of notice equivalent to the stipend that would have been earned over the course of the notice period.

Terms and Conditions

Administrative procedures for engagement of post-doctoral fellows will be set by the Office of the Provost and reported to the Academic Board. The procedures will include the mechanisms for engagement, terms of engagement letters, and describe stipend levels and other support. As a trainee providing services as an independent contractor, rather than as an employee, the post-doctoral fellow is responsible for his/her own tax obligations, and the stipend paid by the University is not subject to withholding by the University for income tax, Canada Pension Plan, Employment Insurance or similar payments.

The conduct of post-doctoral fellows is to be governed by the appropriate policies and procedures as applied to graduate students (with changes as necessary to reflect their status as trainees), including, but not limited to, the Code of Behaviour on Academic Matters, the Code of Student Conduct and the Policy on Ethical Conduct in Research.

In the event of a dispute with the University's employees, whether the supervising faculty member or others, post-doctoral fellows have access to a dispute resolution procedure as follows.

- In the first instance, the Chair/Director (or Dean's designate in single-departmental faculties) should meet with the post-doctoral fellow and the faculty supervisor on an informal basis to endeavour to resolve the dispute.
- The Chair/Director should submit a written report within 20 calendar days (excluding statutory and university holidays) of the meeting.
- If unresolved, the dispute can be submitted by either party in writing to the Dean within 20 calendar days (excluding statutory and university holidays) of receipt of the Chair/Director's written report.
- The Dean will meet with the parties and issue a decision in writing within 20 calendar days (excluding statutory and university holidays) of the meeting.
- If either party is not satisfied with the response, the parties shall arrange mediation by a senior faculty member from another Division, who is drawn from a list of individuals nominated by the Dean of the School of Graduate Studies.
- If mediation is not successful, there is no appeal or other further step in the dispute resolution process, and the University's decision at that point stands.

May 27, 2002.

Administrative Procedures for Engagement of Post-Doctoral Fellows

1. Engagement of post-doctoral fellows requires the approval of the Chair or Director of the Department/Unit in multi-department faculties, and the Dean in single department faculties.
2. An engagement letter should be entered into, and should be signed by the Chair, the faculty supervisor and the post-doctoral fellow.
3. Elements of the engagement letter should include:
 - The duration of the engagement (not more than three years, and limited opportunity for renewal for up to a further three years).
 - Termination at any time for cause (i.e. failure to meet required service standards).
 - Early termination (for reasons such as cessation of funding) by giving two months notice or, in the case of the University, payment in lieu of notice of the amount of the stipend that would have been earned over the two month period.
 - Identification of the stipend and any additional support.
 - A description of the services to be provided.
 - Identification of any supports that will be provided (e.g., conference support).
 - Confirmation that, provided the service standards are met, and after discussion with the faculty supervisor to ensure operational feasibility, the post-doctoral fellow is free to take time off for personal reasons, to provide the equivalent of vacation, etc.
 - Confirmation that no tuition fee or registration fee will be applied.
 - Confirmation that the letter does not establish an employment relationship, and that the post-doctoral fellow is responsible for his/her own income tax and other statutory obligations.
4. The minimum stipend will be \$25,000.
5. A copy of the engagement letter, signed back by the post-doctoral fellow, will be forwarded to the Dean of the Faculty.
6. The Dean of the Faculty will submit to the Dean of the SGS a list of campus-based post-doctoral fellows, including the term of their engagement, and the stipend amount.

May 27, 2002

7. The SGS Post-Doctoral Affairs Office will consult with Human Resources to determine annually the support that will be made available, or which the University will assist in making available (as appropriate), including, but not limited to, access to supplementary health and dental insurance, and access to athletic facilities.
8. These procedures will apply for all PDFs starting after Sept. 1, 2002. Engagement letters meeting these terms should be offered to current PDFs no later than June 30, 2004.

May 27, 2002, Office of the Vice-President and Provost