HRM-033

# Employment of Professional Research Staff

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**Oversight Executive**
Executive Vice President and Provost

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**Reason for Policy**

The University is committed to hiring a workforce whose knowledge, skills, and abilities support the University's mission of teaching, research, and public service. This policy: (1) identifies the categories of Professional Research Staff employment and the terms and conditions associated with each; and (2) sets forth the process for such appointments.

**Definition of Terms**

### Designated Hiring Official

**Description**

An individual who is authorized to extend a conditional offer of employment to individuals on behalf of the University. The president, vice presidents, academic deans of the University's schools, and the University librarian are designated hiring officials. Hiring authority may be delegated in writing by one of these individuals with the approval of the president or the appropriate vice president.

### External Consulting

**Description**

A professional activity related to an individual's area of expertise, where that individual receives compensation from a third party and is not acting as an agent of the University. The guiding principle is that, in consulting, an individual agrees to use their professional capabilities to further the agenda of a third party in return for an immediate or prospective gain. Consulting is not considered outside employment which may or may not directly relate to an individual's professional discipline.

### Leave With Partial Pay (1)

**Description**

Approved temporary reduction of a Professional Research Staff member's workload accompanied by a commensurate reduction in salary (for example, a Professional Research Staff member who is approved for half-time leave retains approximately half of their regular responsibilities for a specified period of time, during which the Professional Research Staff member will receive 50% of their salary).

### Leave Without Pay (1)

**Description**

Approved absence of up to two consecutive years from the University during which a Professional Research Staff member does not receive salary.

### Leave Year (1)

**Description**

For the purposes of tracking unpaid leave taken by professional research staff under the federal government's Family and Medical Leave Act, the leave year begins each year on the first day of the pay period that includes January 1. Otherwise, Professional Research Staff leave periods that reset annually (i.e., annual leave) do so at the start of each fiscal year.

### Postdoctoral Fellow

**Description**

A postdoctoral appointee who, because of the source of funding (e.g., training grant, foreign government, individual fellowship, etc.), is not considered an employee of the University (see http://postdoc.virginia.edu/postdoc-resources/policies). Postdoctoral fellows are distinguished from postdoctoral research associates, who are typically funded through a sponsored research program, are employees of the University, and are included in this policy. Postdoctoral fellows are not governed by this policy.

### Professional Research Staff

**Description**

Professional staff principally engaged in research and appointed to limited terms of employment at the University. Positions include postdoctoral research associates, research scientists, senior scientists, and principal scientists.

**Policy Statement**

The terms and conditions of employment for Professional Research Staff are dependent upon the category of research staff under which the position falls (e.g., postdoctoral research associate, senior scientist, etc.). Eligibility for leave and benefits are specific to the category of employment. Unless specified otherwise in this policy, all terms and conditions of employment of Professional Research Staff are governed by this policy and not by policies governing the employment of faculty, classified staff, or University staff employees.

1. **Hiring Professional Research Staff:**
   Employment as Professional Research Staff is subject to and must be consistent with the provisions of this policy. Prospective hires should be made fully aware of the terms and conditions of the proposed employment when a position is offered to them.

   Professional Research Staff positions are subject to the University's equal employment opportunity and non-discrimination notice, and EOCR's recruitment and hiring procedures.

A search must be initiated through the University's Human Resources system. When a search is conducted to fill a Professional Research Staff position, the search process must be completed prior to extending an offer of employment.

A. **Conditional Offer of Employment:**
Upon completion of the search process, a conditional offer letter stating the terms and conditions of employment shall be extended by the designated hiring official. Only designated hiring officials may extend an offer of University employment. The offer must be consistent with this policy and made subject to continued availability of any designated funding source. Designated hiring officials should extend offers of employment using the Conditional Offer Letter for Professional Research Staff.

This offer is subject to satisfactory employment verification, a completed background check (see 1.B below), and the submission of a completed Form I-9. A Form I-9 (Certification of Employment Eligibility) is required for all newly-hired Professional Research Staff. For questions regarding Form I-9, refer to policy HRM-022: Employment Eligibility Verification (Completing Form I-9).

The employment of Professional Research Staff is governed by current and future policies as may be set by the Commonwealth of Virginia, the Rector and Visitors of the University of Virginia, the university president, vice presidents, and deans. The conditional offer must be approved by the appropriate dean or vice president (or his/her designee) before it is shared with the prospective employee.

Upon written acceptance of the employment offer, the hiring transaction must be submitted through the UVA HR System to the Office of the Executive Vice President and Provost and the following must be maintained by the department/unit in the employee's personnel file and the UVA HR System:

*Job description*
*Curriculum vitae/resume*
*Copy of offer letter (signed by all parties)*

B. **Background Checks:**
All offers of employment to Professional Research Staff are contingent upon the satisfactory outcome of a background check in accordance with policy HRM-034: Background Checks and Ongoing Responsibility for Employees to Disclose Criminal Convictions. Professional Research Staff offered employment may not begin work at the University until after the designated hiring official is notified that the required components of the background check process have been completed and properly validated. If the duration of a particular background check for a new employee is expected to exceed six weeks, refer to Section VII Contingent Hires of policy HRM-034.

C. **Employment of Non-US Citizens:**
Employment of non-US citizens as Professional Research Staff must be consistent with the provisions of this policy. Also, any offers of employment are contingent upon the non-US citizen being able to obtain and present the proper employment sponsorship and work authorization prior to the employment start date and satisfying the Form I-9 requirements. For questions regarding Form I-9 and the employment of non-US citizens, refer to policy HRM-022: Employment Eligibility Verification (Completing Form I-9) or contact HR Compliance or Immigration Services.

D. **Employment of University Students:**
Students are not eligible to be hired as Professional Research Staff. They may be hired as student wage workers in accordance with the Wage Authorization statement issued annually by the Office of the Executive Vice President and Provost.

2. **Terms and Conditions of Employment:**
The terms and conditions of Professional Research Staff employment are dependent upon the category of Professional Research Staff. Professional Research Staff fall into one of four categories: Postdoctoral Research Associate, Research Scientist, Senior Scientist, and Principal Scientist.

A. **Classifications of Professional Research Staff:**
Two classifications exist within the Professional Research Staff: Postdoctoral Research Associates and Senior Professional Research Staff.

1. ***Postdoctoral Research Associates:***
Employment as a Postdoctoral Research Associate requires a doctoral degree. Postdoctoral employment is temporary and is normally limited to an individual who has been awarded a Ph.D. or equivalent doctorate within the previous five years[1] and who will be involved in full-time research or scholarship at the University. Employment as a Postdoctoral Research Associate is viewed as training and is preparatory for a full-time academic or research career, is supervised by a senior scholar, and allows the appointee to publish the results of his/her research or scholarship during the training period.

2. ***Senior Professional Research Staff:***
Research Scientists, Senior Scientists, and Principal Scientists are classified as Senior Professional Research Staff.

a. **Research Scientist:**
Requires a doctoral degree or master's degree with significant experience. Research Scientists are expected to perform assigned tasks independently. In addition to a firm background in the particular field, Research Scientists should demonstrate the ability to lead small groups and work without additional supervision once objectives are defined and methods of approach are set.

b. **Senior Scientist:**
Requires a doctoral degree or equivalent in training and/or experience. Senior Scientists are expected to have sufficient experience and background to organize small research groups. Senior Scientists are expected to perform assigned tasks on their own initiative with minimal direction.

c. **Principal Scientist:**
Requires a doctoral degree or equivalent (in rare instances, exceptions may be granted by the executive vice president and provost). Employment in this category is restricted to those employees who demonstrate exceptional creative ability and thus are capable of conducting independent research. Principal Scientists participate in research programs at the level of project supervisor or higher.

As Senior Professional Research Staff are not members of the faculty, they are not expected to provide formal guidance to students or otherwise participate in the instructional program. In certain circumstances, senior Professional Research Staff may serve as principal investigator (PI) on grants and contracts. While service as PI is generally limited to members of the faculty, exceptions may be made in accordance with established policies and procedures. (For more information, see Grants and Contracts – Definition, Solicitation, Clearance, and Acceptance and Procedure 8-8: Request for an Individual Not Meeting Policy Criteria to

Serve as a Principal Investigator.)

B. **Length of Appointment:**
All appointments subject to this policy are contingent upon available funding and may be terminated or reduced if the funding source ends or is reduced.

Hires, initial appointments, and reappointments to the Professional Research Staff are governed by the terms noted above and by the availability of funding. At no time is the University obligated to continue employment beyond the specified standards for notice below should the source of funding (e.g., grant, contract, etc.) be terminated or reduced below the level required for the position. If the source of funding is reduced but not eliminated, the University may, in its sole discretion, invite the Professional Research Staff employee to continue employment at a reduced level of effort or at a reduced salary consistent with the level of funding available for the position.

***Postdoctoral Research Associates***
Postdoctoral Research Associates and their mentors are afforded up to three one-year appointments in order to complete the planned course of training. When additional training beyond three years is necessary in order to achieve the trainee's stated career goals, trainees and their mentors may request an extension of the appointment.

Appointment extensions for Postdoctoral Research Associates are provided in one-year increments (or less) and must be approved in writing by the department/unit head and the appropriate dean/vice president (or designee). Such requests subsequently must be reviewed and approved by the Office of the Vice President for Research. Documentation must be provided to justify that the nature of employment continues to be training-related and that such continuation is beneficial to the Postdoctoral Research Associate and the University. Under these circumstances, the maximum term of employment for a Postdoctoral Research Associate (including service as a postdoctoral fellow) at the University of Virginia is five years.

In certain circumstances (for example, the illness of the employee or a family member or project-specific factors related to the Postdoctoral Research Associate's career development, etc.), the University will consider extensions beyond five years. Such requests must have the written approval of the department/unit head and the appropriate dean/vice president (or designee) and must be approved by the vice president for research.

The intent of these limits on employment terms is to formalize the temporary nature and training aspects of the postdoctoral experience, while recognizing that career development varies across disciplines and, in select situations, may warrant extended periods of special training.

***Senior Professional Research Staff***
Initial appointments and reappointments to these positions may be made in increments of one to three years. However, if at the time of reappointment, less than one year of funding is available, reappointments may be made in monthly increments.

C. **Consulting Privileges:**
The University recognizes that external consulting can enrich the professional development of its employees and create and build relationships with other universities, state and local governments, and private businesses that may benefit the University as well as the employee. To this end, the

University allows Professional Research Staff, with prior supervisor approval, to engage in External Consulting while on approved leave or outside of normal work hours.

**Requirement for Prior Review and Approval:** While the University permits Professional Research Staff to engage in External Consulting, Professional Research Staff must receive prior approval, including approval for leave time if these activities will be performed during the employee's normal working hours. In recommending whether a particular professional service activity should be encouraged and permitted, the immediate supervisor must assess the extent to which the activity will complement the University's programs or interfere with the effective discharge of the employee's responsibilities to the University. The immediate supervisor's review should be completed in a timely manner and must be approved by the department chair or unit head. In the case that the supervisor is the department chair, the review must be approved by the dean of the school. Schools/departments are responsible for maintaining documentation of all requests for External Consulting.

It is the employee's responsibility to be aware of potential conflict of interests and to bring forward any potential conflicts to the supervisor. The supervisor and the employee, in consultation with the Office of University Counsel, determine whether or not the activity presents an actual or perceived conflict with the University. If it is determined that a conflict exists, the employee may not accept the professional service or external consulting assignment. [See University policy FIN-054: Employee Obligation to Report Potential Conflicts of Interest, the State and Local Government Conflict of Interests Act (Virginia Code Title 2, Chapter 31, Section §2.2-3100), and the Virginia Public Procurement Act (Virginia Code Title 2.2, Chapter 43, Section §2.2-4300) including Article 6. Ethics in Public Contracting (Section §2.2-4367).]

***Independent Status of External Consulting:*** Professional Research Staff engaging in External Consulting must clearly identify that they are acting independently and not as representatives of the University. (See the University Code of Ethics and University policy FIN-054: Employee Obligation to Report Potential Conflicts of Interest.)

***Use of University Facilities, Equipment, and Services:*** The facilities, equipment, and services of the University may not be used in connection with External Consulting. (See University policy PRM-011: Use of Working Time and University Equipment for Personal or Commercial Purposes.)

***Use of Copyrightable Material:*** Professional Research Staff may not use copyrightable materials that are owned by the University in External Consulting. (See University policy RES-001: Ownership Rights in Copyrightable Material.) This includes University and departmental stationery, logos, and web pages. (See the University's Copyright, Privacy, Web Policies.)

***Use of Highly Sensitive Data and Intellectual Property:*** Professional Research Staff may not divulge or transfer highly sensitive data or intellectual property while engaging in external consulting or a professional service activity. [See policies IRM-003: Data Protection of University Information and RES-006; Patenting of Discoveries or Inventions at the University (Patent Policy).]

***Use of Internet and the University's Electronic Communications Systems:*** Professional Research Staff engaged in External Consulting may use the University's electronic communications systems only for incidental purposes such as receiving an occasional email. (See University policy IRM-002: Acceptable Use of the University's Information Technology Resources, the State's policy 1.75, Use of Electronic Communications and Social Media, and the University's Responsible Computing

Handbook for Faculty and Staff.)

***Roles and Responsibilities:***
The ***employee*** is responsible for:

- Being aware of potential conflict of interests and discussing with the supervisor any assignments that may pose a conflict with the University;
- Accepting no professional service or external consulting assignment that presents a conflict with University responsibilities;
- Requesting and obtaining approval in advance of engaging in External Consulting activities;
- Requesting and obtaining approved leave in advance of engaging in External Consulting during normal work hours;
- Indicating to outside parties that he/she is acting in the capacity of an independent professional and not a University representative when participating in External Consulting; and
- Complying with the terms of this policy and other applicable University policies and procedures.

The ***supervisor*** is responsible for:

- Reviewing and approving or disapproving requests for participation in professional service in a timely manner;
- Consulting with the employee, and where applicable, the Office of University Counsel, when the employee raises the question of potential conflict of interests for a professional service or external consulting assignment;
- Consulting with the department chair (or dean, where applicable) and obtaining approval for the activity;
- Reviewing and approving or disapproving requests for leave; and
- Maintaining documentation of approval/disapproval on file.

The ***department chair/unit head*** is responsible for:

- Reviewing and approving or disapproving requests for participation in professional service in a timely manner.

D. **Teaching:**
Professional Research Staff, including Postdoctoral Research Associates, are eligible to accept a relevant University teaching assignment during the term of employment if approved by their supervisor. To be eligible for such an assignment, the individual must receive a concurrent faculty appointment as Lecturer for the duration of the teaching assignment. The faculty appointment must be terminated at the conclusion of the teaching assignment (for more information, see policy HRM-005: Appointment of Unpaid Faculty). Compensation should be handled as release time only. Professional Research Staff may not be paid on an overload basis for teaching at the University, although the employee's salary must be funded appropriately to allow for teaching responsibilities (i.e., a Professional Research Staff who is supported entirely through grants may not teach unless part of his/her time is funded from non-grant sources while he/she is teaching).

E. **Reappointment and Standards of Notice:**
Monitoring the performance of Professional Research Staff is the responsibility of the supervisor of record, generally the sponsoring Principal Investigator. Performance should be evaluated annually in writing to ascertain that the employee is performing the assigned duties in a highly satisfactory manner. At the end of each appointment, if the most recent evaluation is positive and satisfactory to

the evaluator and sufficient sources of funding are available, Professional Research Staff are eligible for reappointment in accordance with the terms specified under "Length of Appointment" above. However, positive performance does not obligate the University to reappoint Professional Research Staff beyond the current appointment term.

For all Professional Research Staff, the supervisor must give a minimum of two months notice to the employee in the event of non-reappointment or when the employee will not be renewed due to insufficient funding (funding may end before the end of the appointment, in which case the employee will be put on leave without pay for the remaining term of his/her current appointment). Notice of non-renewal for reasons other than insufficient funding will be a minimum of two months, with an additional month for each year of service at the University, up to a maximum of six months. The University will make every reasonable effort to provide more notice if possible, regardless of the circumstance.

F. **Termination for Just Cause:**
Professional Research Staff may be terminated from employment for just cause. Individuals terminated for just cause are not eligible for the standards of notice referenced above. Causes for termination include, but are not limited to: professional incompetence, unacceptable performance after due notice, unethical or unlawful conduct, misconduct that interferes with the capacity of the employee (or other employees) to perform effectively the requirements of employment, or falsification of credentials and/or experience.

In the event of termination for just cause, the immediate supervisor of the employee will prepare the materials for a pre-determination meeting and will notify the appropriate department head.

In cases where the immediate supervisor also serves as the department head, the appropriate dean or vice president (or his/her designee) will replace the department head for the purposes of notice, approval, and/or decision-making. In cases where the immediate supervisor also serves as a dean or vice president, the executive vice president and provost (or his/her designee) will replace the dean or vice president for purposes of notice, approval, and/or decision-making.

After such notification, the immediate supervisor will then notify the employee and the appropriate dean or vice president, in writing, of the intent to terminate for just cause, the nature of the cause, and a summary of evidence supporting the decision.

After a Professional Research Staff employee has been so notified, the appropriate dean or vice president (or his/her designee) may suspend the individual with pay at any time and continue the paid suspension until a final determination concerning removal has been reached (see procedure for "Holding a Pre-determination Meeting." in Procedures, below). Pay during suspension must be funded from non-grant funds.

If after the pre-determination meeting the supervisor and department head agree to recommend termination for just cause, the recommendation will be forwarded to the appropriate dean or vice president for review and approval.

Within one week after a final decision to terminate or not terminate employment for just cause, the immediate supervisor will send written notice to the employee, the department head, and the appropriate dean or vice president. Termination for just cause is subject to appeal by the employee through the procedure for "Submitting a Grievance" as detailed below in Procedures. The employee

will not be employed or funded after termination for just cause, regardless of his/her filing a grievance.

G. **Grievance – Eligible Complaints:**
A complaint is eligible for grievance if it arises from one of the following:

a. Complaint of Inappropriate Disciplinary Action – a complaint that the employee has been subjected to an inappropriate or unjustified disciplinary action in his or her employment;
b. Complaint of Employment Contract Breach – a complaint that the University has breached the employee's employment contract (the employee's offer letter serves as the employment contract);
c. Complaint of Reprisal – a complaint that the employee has been subjected to acts of reprisal in his or her employment as a result of using this procedure or being a witness for another employee using this procedure.

(See procedure for "Submitting a Grievance" in Procedures below.)

Complaints of discrimination, harassment, and/or retaliation should be filed with the University's Office for Equal Opportunity and Civil Rights.

H. **Resignation:**
Professional Research Staff should tender resignations, in writing, to their immediate supervisor at least one month prior to the intended date of resignation. Within four calendar days from receipt, the immediate supervisor will forward the resignation letter to the department head and/or appropriate dean or vice president. The intended resignation data will become effective following receipt of written acceptance of the resignation by the immediate supervisor or within one month after written notice was submitted by the employee, whichever comes first. Once accepted, a resignation may not be rescinded except with the approval of both the department head and appropriate dean or vice president.

I. **Salary Schedule and Salary Review:**
Starting salaries typically are established in accordance with the schedule of minimum entry levels. Annual salary adjustments are for merit increases and normally will be effective on the date state-funded increases are effective, unless a school elects as a policy to use anniversary dates as the date for salary increases. Full-time salaries should be set in increments of $100.

J. **Patent and Copyright Policies:**
As a condition of employment, any person who may be engaged in University research is required to execute a patent agreement with the University in which the rights and obligations of both parties are defined. Refer to the Office of the Vice President for Research for information regarding the University's patent and copyright policies.

3. **Benefits:**
Benefits provided by the University to Professional Research Staff include but are not limited to health insurance, life insurance, and retirement. Refer to UVA HR for information on benefits relative to the specific category of employment (e.g., Postdoctoral Research Associate, Senior Scientist, etc.).

4. **Leaves:**
The University provides different types of leave to support the personal and professional lives of Professional Research Staff. With the exception of leave taken under the federal Family and Medical Leave Act (FMLA), Professional Research Staff members must submit a request for any type of leave to

his/her supervisor and obtain the required approvals. A leave request will be considered in light of the Professional Research Staff member's particular situation and the needs of the Professional Research Staff member's department or unit.

As noted below, some types of leave must be taken without pay. Some may be taken on a partial basis, with the Professional Research Staff member continuing to work some percentage of time for reduced salary. Only a few types of leave may be taken without a reduction in salary (see below: parental and disability). Professional Research Staff are responsible for understanding the impact of taking leave on the availability of their benefits and should consult with the UVA HR Solutions Center in advance of any leave.

If a Professional Research Staff member's appointment ends during a period of approved leave, the leave and any benefits associated with the leave will not continue beyond the individual's last date of employment.

**Leave Types:**

A. **Leave for Educational Reasons:**
Senior Professional Research Staff with an appointment of one year or more, or who have more than one year of consecutive service, are eligible to take educational leave to pursue new knowledge, techniques, and experiences that are judged by the Professional Research Staff member's supervisor and dean to facilitate or enhance the Professional Research Staff member's ability to contribute to the University. Professional Research Staff who receive external awards or fellowships that include financial support may request educational leave for the period of the award or fellowship. Educational leave may be approved as leave without pay or as leave with partial pay for up to two years. Requests for leave with partial pay which reduce the Professional Research Staff member's effort to less than 25% (0.25 FTE) must be requested and approved in writing by the Professional Research Staff member's supervisor and dean. Because Postdoctoral Research Associates are engaged in a temporary, planned course of training, they are not eligible for educational leave.

B. **Leave for Personal Reasons:**
In addition to the unpaid leave provided by the federal Family Medical Leave Act (FMLA), the University provides several categories of personal leave. Other than unpaid leave provided under FMLA, leave for personal reasons may be approved at the discretion of the Professional Research Staff member's supervisor and dean or vice president. Such approval is not guaranteed. With a supervisor's approval, the Professional Research Staff member may use available annual leave to extend the approved period of personal leave. Annual leave is a form of paid leave.
    - **Family Leave:** Professional Research Staff with appointments of one year or more, or who have more than one year of consecutive service, may request leave with partial pay or without pay for up to one year when circumstances in their family make it difficult for the Professional Research Staff member to carry out assigned duties. Family leave may be approved to allow the Professional Research Staff member to serve temporarily as the primary caretaker of his/her child, spouse, or other disabled or elderly adult.
    - **Parental Leave:** Professional Research Staff with appointments of one year or more, or who have more than one year of consecutive service, may request up to eight weeks of leave with full pay or sixteen weeks of leave at half-pay upon a qualifying parental leave event, either through the birth, adoption, or placement of a child, or the assumption of legal guardianship for a child under eighteen years of age.
        - In addition to the period of paid leave, the Professional Research Staff member may request an additional four weeks of unpaid parental leave.

- Parental leave must be completed within six months of the date of the qualifying parental leave event. If the parents of a child (birth, adoptive, foster, or legal guardian) are employees working in the same department, unit, or program, the Professional Research Staff member may be required by their school or unit to stagger or otherwise coordinate their paid and unpaid parental leave so as to minimize the disruptive effect of leave on the department or unit.
- For Professional Research Staff members who give birth, any approved paid parental leave is in addition to paid leave received as a result of short-term disability. Professional Research Staff members who are eligible for Short-Term Disability and Paid Parental Leave should consult with the UVA HR Solution Center and carefully consider how they might structure these benefits to best fit their needs.
- All paid and unpaid parental leave runs concurrently with any unpaid leave granted under FMLA.

- **Family Medical Leave Act:** By federal law, a Professional Research Staff member who has been with the University at least 12 months and has worked at least 1,250 hours during the 12 months before the start of the leave is entitled to unpaid family or medical leave under the following conditions:

  - the birth of a child;
  - the placement of a child with the Professional Research Staff member for adoption or foster care;
  - the Professional Research Staff member is needed to care for a family member (child, spouse, or parent) with a serious health condition; or
  - the Professional Research Staff member's own serious health condition makes him/her unable to do his/her job.

  Unpaid leave approved for Professional Research Staff under FMLA runs concurrently with other paid and unpaid leave described in this policy including but not limited to Family Leave, Parental Leave, and Medical Leave. FMLA provides for up to 480 hours of unpaid leave per leave year.

  Leave hours available through FMLA may not be accrued across leave years.

  Professional Research Staff should submit their requests for FMLA leave directly to UVA HR, which will notify the Professional Research Staff member's dean's office in the event the leave is approved. For complete details regarding unpaid leave that may be awarded under FMLA, see policy HRM-026: Family and Medical Leave. For details regarding procedures related to FMLA, see UVA HR's FMLA Provisions.

- **Leave for Other Personal Reasons:** Postdoctoral Research Associates and Senior Professional Research Staff with appointments of one year or more may request leave for personal reasons other than those specified above. Personal leave may be approved at the discretion of the Professional Research Staff member's supervisor and dean or vice president as leave with partial pay or without pay for up to two years.
- **Disability Benefits (Medical Leave):** The types of disability benefits available to Professional Research Staff are determined by the Professional Research Staff member's retirement plan (Virginia Retirement System or Optional Retirement Plan). Short-term disability is generally described as a type of "sick" leave for absences of more than five days, including leave for the birth of a child. The short- and long-term disability plans for

Professional Research Staff are determined by their retirement plan, either the Virginia Retirement System (VRS) or the Optional Retirement Plan (ORP). For more information about the disability programs associated with each plan, visit UVA HR Disability Benefits. Days off work as a result of personal illness or injury that do not meet the conditions of short-term disability should be managed between the employee and his or her supervisor.

C. **Leave for Other Reasons:**

- **Annual Leave and Holidays:** 22 days of annual leave is available to full time Postdoctoral Research Associates and Senior Professional Research Staff with appointments of one year or more.
  - Part-time Professional Research Staff are eligible for annual leave proportionate to working time. Annual leave may be distributed throughout the year at the Professional Research Staff member's option with the concurrence of the supervisor.
  - Any unused annual leave lapses at the end of each fiscal year and may not be accumulated. There is no compensation made for any unused leave at the time a Professional Research Staff member accepts another position or converts to a different employment classification. Departments are responsible for monitoring annual leave for their Professional Research Staff.
  - University holidays are scheduled so as to limit disruption to the academic calendar. UVA HR posts the holiday schedule. University holidays are not counted against annual leave.
- **Leave of Absence for Military Duty:** Professional Research Staff who are called to military duty will be placed on leave without pay by the department. If the Professional Research Staff member is a twelve-month employee, the individual may take any available annual leave before being moved to a non-pay status. Paid leaves of absence for military duty, which are limited to fifteen working days per federal fiscal year, include training time and active service. All Professional Research Staff members called to military duty should consult with UVA HR regarding their rights under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).
- **Jury Duty:** A Professional Research Staff member who serves on a federal jury will receive payment for services. A Professional Research Staff member must use annual leave if he/she retains the payment. The Professional Research Staff member does not need to use annual leave if he/she remits the payment back to the University. Payment received for non-federal jury duty is considered “reimbursement for expenses” and, as such, the Professional Research Staff member should not use annual leave.

5. **Compliance with Policy:**
   Failure to comply with the requirements of this policy may result in disciplinary action up to and including termination in accordance with relevant University policies.

   Direct questions about this policy to the Office of the Vice President for Research.

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[1]For Research Associates holding an M.D., the years spent in residency do not count towards this limitation.

**Procedures**

1. **Offering Employment:**
   See Faculty Offer Letter Templates.

2. **Requesting an Extension of Employment:**
   See Request for Extension of Postdoctoral Research Associate Employment.
3. **Holding a Pre-determination Meeting:**
   A pre-determination meeting is required before a final decision can be made to terminate employment for just cause. A pre-determination meeting that includes the employee, the supervisor, and the department head (or his/her designee) must be scheduled after two business days and within one week following the employee's receipt of notice. This meeting is designed to give the employee an opportunity to respond to the charge and to provide additional relevant information prior to a final decision being made. The department head (or his/her designee) will chair the meeting. In cases where the employee's presence at the pre-determination meeting is considered to be a potential threat to health or safety of University personnel or property, the employee may be provided with the opportunity to submit his/her position in writing as an alternative to attending the meeting, provided such alternative is approved in writing by the executive vice president and provost (or his/her designee).
4. **Submitting a Grievance:**
   A Professional Research Staff employee may present, in writing, an employment-related complaint or dispute to his/her immediate supervisor at any time during the term of employment or within five working days following receipt of a decision to terminate for just cause. In all cases, unless mutually agreed otherwise, this and each subsequent level of referral must respond to the other party within five working days. If the employee is not satisfied with the immediate supervisor's response, he/she may present the grievance in writing to the appropriate department head within five working days. If not satisfied with the department head's response, the employee may present the grievance in writing to the appropriate dean or vice president (or next level of authority) within five working days. The final level of referral is to the executive vice president and provost. If a grievance directly involves one or more of the individuals responsible for reviewing the complaint per the above procedure, then the complaint should be submitted to the next level of referral.

5. **Requesting Leaves:**
   Professional Research Staff members considering a request for any type of leave should consult with their supervisor and a benefits counselor in University Human Resources (UVA HR). Individuals must submit their leave request in writing to their supervisor with a copy to the appropriate dean or vice president. As soon as possible and no more than ten days after receipt of the request, the supervisor must inform the individual of approval or denial in writing, specifying the reasons for the decision, and copy their dean's or vice president's office. The request and the supervisor's response must be submitted to UVA HR for inclusion in the individual's personnel record.
   - Professional Research Staff members who require an extension beyond the limits established for the relevant leave category must submit a request prior to the end of the approved leave to their supervisor, detailing the extenuating circumstances and specifying the term of additional leave being requested. If the supervisor recommends approval of the extension, they will forward it in writing to the dean who will grant approval in writing if he/she makes the determination that the extension is in the best interests of the University.
   - Professional Research Staff members who believe they may be eligible for FMLA leave should submit their request to UVA HR; UVA HR will notify the dean's office or the appropriate vice president's office once the leave is approved.
   - Professional Research Staff members who have served on a federal jury and wish to remit the payment for their service to the University (so as to avoid using annual leave for time served on the jury) should endorse the check and submit it to the Payroll Office in UVA HR.

   For Schools and Units:

- Schools wishing to extend a period of leave beyond twenty-four months or award leave with partial pay that is less than 25% of the Professional Research Staff member's full effort should send a written request and brief justification to the associate vice provost for administration. Appropriate justifications include awarding partial leave with pay to allow a Professional Research Staff member to accept an external fellowship that will fund most but not all of a Professional Research Staff member's salary. Requests should be submitted to the Provost's Office at least 30 days prior to the start of the requested leave.

6. **Termination vs. Leave Without Pay Due to Insufficient Funding:**
When the available funding for a position will end before the end of the appointment, the impacted employee will be placed on leave without pay for the remaining portion of their current appointment unless the employee chooses to be separated from employment early. The option to separate employment versus being put on leave without pay is at the discretion of the employee. In such circumstances, supervisors should specify this option in the written notice of nonrenewal whenever possible. If the employee fails to choose, they will be placed on leave without pay for the remaining portion of their contract. Employees should consult with UVA HR (askHR@virginia.edu) should they have questions about the implications of going on leave without pay.

**Related Information**

Office of Equal Opportunity and Civil Rights (EOCR)
University Human Resources (UVA HR)
Benefits for Professional Research Staff
HRM-005: Appointment of Unpaid Faculty
RES-001: Ownership Rights in Copyrightable Material
RES-006: Patenting of Discoveries or Inventions at the University (Patent Policy)
RES-011: Investigator Eligibility Requirements and Responsibilities Related to Sponsored Programs
Procedure OSP: Request for an Individual Not Meeting Policy Criteria to Serve as a Principal Investigator

**Major Category** Human Resource Management

**Next Scheduled Review** Sunday, September 10, 2028

**Revision History**

Updated Reason for Policy 2/19/26; Confirmed 9/10/25; Updated based on revocation of Executive Order 11246 3/6/25; Added Compliance section 7/20/21; Added Procedure #6 4/20/20; Updated 1/25/19; 3/16/16, 10/27/14.

**Category Cross Reference**
Research Administration

**Supercedes Policy Text** Policy on Professional Research Staff.

**Approved By** Policy Review Committee

**Approved Date** Thursday, November 4, 2010