CHANCELLORS
ACADEMIC COUNCIL CHAIR BINION

Dear Colleagues:

Enclosed for formal review is a new academic personnel policy: APM – 390 (Postdoctoral Scholars). This new policy is intended to apply to all postdoctoral appointees, namely postdoctoral employees funded from research grants as well as postdoctoral fellows and trainees funded from fellowships or traineeships.

The development of APM - 390 was undertaken in response to national and University of California discussions and reports on postdoctoral education over the past five years. Postdoctoral Scholars play a dual role as fellows engaged in mentored advanced training and as employees contributing to universities' research programs. Current University of California and external funding agency policies, regulations, and practices result in significant differential treatment, in several respects, of postdoctoral scholars depending on whether they are funded as employees or fellows. Universities, national associations, and the Federal government have recognized the need to develop core policies that advance the postdoctoral experience and provide consistent treatment to all postdoctoral scholars to the extent possible. The enclosed draft of APM – 390 incorporates recommendations from the Graduate Deans, the Academic Personnel Directors, and other administrators, as well as input from Academic Senate committees.

If adopted, the new policy and benefit plans should be effective July 1, 2003. Campuses would have three years in which to implement all provisions of the new policy fully.

One provision of the proposed new policy would establish two new title codes for Postdoctoral Scholars, one to cover employees and one for non-employees. Current title codes 3240 (Postgraduate Researcher) and 3370 (Visiting Postdoctoral Scholar) and APM - 350 (Postgraduate Researchers) would be superseded and phased out by July 1, 2007.

Another provision of the proposed new policy is that all postdoctoral fellows and postdoctoral employees paid through the University of California would be eligible for the same set of healthcare (medical, dental, and vision) plans and that other benefits would be equalized to the extent possible under Federal and State laws. Currently, the University is examining two options for such plans: (1) developing a separate set of medical, dental, and vision plans and other benefits that would be available to all postdoctoral employees, fellows, and trainees; or (2) extending the current employee health-care plans and selected other benefits to postdoctoral fellows and trainees. We anticipate that a decision to adopt option 1 or 2 will be made later this fall.
The proposed new policy includes detailed procedures for the handling of Postdoctoral Scholar grievances, layoffs, and corrective action. While it is expected that these procedures would be rarely needed, they are necessary and important provisions to protect the rights of Postdoctoral Scholars.

A summary of the major provisions of the policy and draft transition guidelines are enclosed.

This is a formal review of personnel policy. Faculty, Postgraduate Researchers, postdoctoral fellows, postdoctoral trainees, and other postdoctoral personnel should be afforded the opportunity to review and comment on the proposals. Enclosed is a model communication which may be used to transmit the enclosed draft to those interested in or affected by the policy.

The draft policy is also available at http://www.ucop.edu/acadadv/acadpers/apm/postdoc.html. Please direct questions to Assistant Vice President Switkes in the Department of Academic Advancement. Comments on the draft policy should be forwarded to Assistant Vice President Switkes by January 31, 2003.

Sincerely,

C. Judson King
Provost and Senior Vice President—
Academic Affairs

Enclosures:

2. Draft Transition Guidelines
3. Model Communication
4. Draft New APM—390; Postdoctoral Scholar

cc: President Atkinson
Junior Vice President Mullinix
Vice President Broome
Vice President Hershman
Vice Provost Coleman
Associate Vice President Boyette
Assistant Vice President Switkes
Academic Vice Chancellors
Research Vice Chancellors
Graduate Deans
University Counsel Opton
University Counsel Van Houten
Special Assistant Gardner
Academic Personnel Directors
1 Purpose. The UC-wide policy would provide the general framework and core requirements for Postdoctoral Scholar appointments. Campuses could develop campus-specific policies, procedures, and programs to augment the UC-wide policy in order to meet the distinctive needs of individual campuses.

2 Application. The policy would apply to both (1) postdoctoral employees, typically funded by research grants, and (2) postdoctoral fellows and trainees, typically funded by extramural agencies for advanced.

3 Consistent Treatment. The policy would provide for consistent treatment, to the extent possible, for both Postdoctoral Scholars who are employees and Postdoctoral Scholars who are fellows or trainees.

4 Postdoctoral Scholar Definition [390-4]. The policy would define Postdoctoral Scholars as temporary appointees pursuing a full-time program of advanced academic preparation and research training under the direction and supervision of faculty mentors.

5 Title Codes [390-8]. Two new title codes would be established—one for postdoctoral employees, the other for postdoctoral fellows and trainees who are funded by extramural agencies, which would differentiate employees from non-employees to meet Federal and State laws and regulations.

6 Appointment Duration [390-17]. Postdoctoral Scholar appointments are temporary (often one year) and renewable up to a maximum of five years, including time in postdoctoral status at other institutions. After this period, postdoctoral scholars may be hired into appropriate academic or staff research titles in accordance with campus policies.

7 Salaries and Stipends [390-18]. A common salary/stipend scale, initially ranging from $29,000 to $64,020, would be established for both postdoctoral employees and fellows. This range is sufficient to provide salaries and stipends that are both appropriate to the Postdoctoral Scholar’s educational background and qualifications and competitive with stipends provided by other leading research universities.

The maximum and minimum of the range would be adjusted annually by any range increase approved for other non-Senate academic appointees.

Campuses would be responsible for establishing the criteria for determining individual Postdoctoral Scholars’ salaries.

When extramural agencies establish stipends at a rate less than the University minimum, the campus would be required to provide additional funding to bring the Postdoctoral Scholar up to the minimum of the UC-established range.
8. 100% Time [390-21]. Appointments normally would be made at 100% time to recognize the nature of the appointment. Exceptions, upon written request of the Scholar, could be granted for reasons of health, family responsibilities, or employment external to the University.

9. Appointment Notices [390-20]. A written notice of appointment would be provided to each Postdoctoral Scholar, and the Scholar would be required to accept the appointment in writing.

10. Annual Reviews [390-25]. Mentors would conduct annual reviews with their Postdoctoral Scholars. Such reviews could assess the Scholar’s progress to date, strengths, areas needing improvements, and potential for becoming a career researcher in the discipline; and also to plan activities for the following year. Evaluations are important for Postdoctoral Scholars to understand their performance and plan their careers and are helpful for mentors when advising Scholars and recommending them for career positions.

11. Grievances and Corrective Action and Dismissal. APM – 390-40 (Grievances) delineates a grievance policy and procedures and APM – 390-50 defines a process for corrective action and dismissal. Both have common provisions with APM - 140 (Non-Senate Academic Appointees/Grievances) and APM - 150 (Non-Senate Academic Appointees/Corrective Action and Dismissal). Some significant differences recognize the temporary and training nature of Postdoctoral Scholar appointments.

12. Leaves [390-60 through 390-65]. Sick, vacation, childbearing, parental, family, and other leaves are defined; in most cases the policies are the same as for other academic appointees.

13. Benefits [390-75 and 390-76]. A common set of medical, dental, and vision plans would be offered to all Postdoctoral Scholars – employees and fellows alike – whose salaries/stipends are paid through the University. Other benefits would be equalized to the extent possible under Federal and State laws. As University trainees, Postdoctoral Scholars would not be eligible to participate in the UC Retirement Plan. Postdoctoral employees (but not postdoctoral fellows) would participate in a Defined Contribution Plan.
Preamble

At the University of California, the postdoctoral experience emphasizes scholarship and continued research training for individuals who have recently completed a doctoral degree. The Postdoctoral Scholar conducts research under the general oversight of a mentor in preparation for a permanent position in academe, industry, government, or the nonprofit sector. Postdoctoral work provides essential training in many disciplines for individuals pursuing academic careers and may include opportunities to enhance teaching and other professional skills.

Postdoctoral Scholars contribute to the academic community by enhancing the education and research programs of the University. They bring expertise and creativity that enrich the research environment for all members of the University community, including graduate and undergraduate students. The University strives to provide a stimulating, positive, and constructive experience for the Postdoctoral Scholar, by emphasizing the mutual commitment and responsibility of the institution, the faculty, and the Postdoctoral Scholar.

390-0 Policy

This policy defines and sets forth terms and conditions relating to the appointment of Postdoctoral Scholars. It applies to both (1) Postdoctoral Scholars who are employees of the University and (2) Postdoctoral Scholars who are appointed as fellows and are paid stipends either by the University or by extramural agencies directly or through the University.

390-4 Definition
Postdoctoral Scholar appointments are temporary positions with fixed ending dates intended to provide a full-time program of advanced academic preparation and research training. Individuals pursuing clinical fellowships and residencies in the health sciences are excluded from appointment to these titles.

Postdoctoral Scholars train under the direction and supervision of faculty mentors in preparation for academic or research careers. In addition to pursuing advanced preparation in research, Postdoctoral Scholars may be approved to engage in other activities to enhance teaching and other professional skills. If formal teaching duties are assigned, a Postdoctoral Scholar must hold both a Postdoctoral Scholar title and an appropriate teaching title. Under this circumstance, the full-time Postdoctoral Scholar appointment percentage will be reduced accordingly.

Ordinarily, Postdoctoral Scholars are not permitted to serve as principal investigators on extramurally-sponsored contracts or grants. Because the University recognizes that proposal preparation is an important aspect of most postdoctoral training, campuses may permit Postdoctoral Scholars to submit proposals on the condition that, if the proposal is funded, the Scholar will be proposed for an appointment in an academic title that is eligible for principal investigator status.

390-6  Responsibility

a. Faculty mentors are responsible for guiding and monitoring the advanced training of Postdoctoral Scholars. In that role, faculty mentors should make clear the goals, objectives, and expectations of the training program and the responsibilities of Postdoctoral Scholars. They should regularly and frequently communicate with Postdoctoral Scholars, provide regular and
timely assessments of the Postdoctoral Scholar’s performance, and provide career advice and job placement assistance.

b. The Chancellor has the authority to approve appointments and reappointments of Postdoctoral Scholars and to establish campus policies that supplement this policy. As provided in APM - 100-6-d, the Chancellor may redelegate this authority.

390-8 Titles

The title of a Postdoctoral Scholar appointment is determined by the requirements of the funding agencies.

a. Postdoctoral Scholar – Salaried
An appointment is made in the title “Postdoctoral Scholar – Salaried” when (1) the agency funding the salary requires or permits the appointee to be an employee of the University, or (2) whenever General Funds, Opportunity Funds or other University discretionary funds are used to support the position.

b. Postdoctoral Scholar – Stipend
An appointment is made in the title “Postdoctoral Scholar – Stipend” when the Scholar has been awarded a fellowship or traineeship for postdoctoral study by an extramural agency and the fellowship or traineeship is paid through a University account.

c. Postdoctoral Scholars with both employment and fellowship funding may be assigned to both Postdoctoral Scholar titles concurrently if appropriate.
d. Postdoctoral Scholars who do not receive a salary or stipend paid through the University should be appointed in the “Postdoctoral Scholar – Salaried” title with “without-salary” status. Such an appointment will make clear the Scholar’s role as an employee in addition to the Scholar’s role as a fellow.

390-10 Appointment Criteria

Appointment as a Postdoctoral Scholar requires a doctoral degree (e.g., Ph.D., M.D.) or the foreign equivalent.

390-17 Terms of Service

a. Postdoctoral Scholar appointments are temporary with fixed ending dates. Appointments are typically made for one year but may be made for up to three years. Campuses may require a minimum duration of appointment (e.g., one year).

b. The total duration of an individual’s postdoctoral service may not exceed five years, including postdoctoral service at other institutions.

c. Pursuant to APM - 137-30-b, it is within the University’s sole discretion not to reappoint a Postdoctoral Scholar.

390-18 Salary and Stipend

a. An authorized salary and stipend range for Postdoctoral Scholar titles is issued by the Office of the President. This range is adjusted annually by the
general range increase, if any, approved by the President for non-Senate, non-represented academic appointees.

Campuses are responsible for establishing the criteria for determining the salaries of individual “Postdoctoral Scholars – Salaried” within the range. Such criteria may include the individual’s qualifications, number of years of experience, performance as a Postdoctoral Scholar, funding availability, and competitive salaries and stipends paid by other universities.

When a stipend or salary is established for a Postdoctoral Scholar, equity among all appointees in the two titles within the academic unit shall be taken into consideration.

When extramural agencies establish stipends at a rate less than the University-established range minimum, the campus is required to provide additional funding to bring the pay level of the Postdoctoral Scholar up to this established minimum. The mentor is required to arrange the additional funding prior to the beginning date of an appointment.

b. A Postdoctoral Scholar in the “Postdoctoral Scholar – Stipend” title may have his or her stipend supplemented with additional funding beyond the range minimum; supplementation by extramural funds must be in conformance with the terms of the fellowship or traineeship. The sum of stipend and salary may not exceed the maximum of the range and must be consistent with campus criteria for determining the appropriate pay level of an individual Postdoctoral Scholar.

c. Salary increases may (but are not required to) be given annually to “Postdoctoral Scholars – Salaried” on the basis of merit. The effective date of merits shall be established by the campus. Increases to “Postdoctoral
Scholars – Stipend” should be provided in accordance with the terms and conditions of the extramural funding agency.

Salary and stipend increases are to be recommended and approved in accordance with campus procedures.

390-19 Appointment Percentage

a. Appointments to the Postdoctoral Scholar title are full-time, based on the expectation that the Scholar will be fully involved in scholarly pursuits. In special cases, upon written request of the appointee, an exception may be granted by the Chancellor when the appointee is unable to make a full-time commitment for reasons of health, family responsibilities, or employment external to the University. Any such request must take into account extramural funding agency requirements.

When a reduced-time appointment has been approved, the faculty mentor and Postdoctoral Scholar shall delineate in writing the specific reduction in hours of work and concomitant responsibilities.

b. When a Postdoctoral Scholar additionally holds a teaching appointment, normally the percent time of the Postdoctoral Scholar appointment will be reduced so that the percent times of the two appointments sum to 100%.

390-20 Notice of Appointment

A Postdoctoral Scholar shall be sent a written notice of appointment, which shall include the mentor’s name, beginning and end dates of the appointment,
salary/stipend amount, source of funding, work eligibility requirements for U.S. citizens and non-citizens, whether the appointment is renewable, and the conditions for renewal. A copy of APM - 390 and a summary of benefits, or a website address, shall accompany the appointment notice. The Scholar is required to accept the appointment in writing.

390-25 Annual Reviews

a. The mentor shall conduct an annual review with the Postdoctoral Scholar; a written evaluation will be provided to the Postdoctoral Scholar upon request.

b. Campuses may make additional requirements for such reviews, such as:

(1) A written summary of the review is provided to and signed by the Postdoctoral Scholar;
(2) A review will assess the Scholar’s progress to date, strengths, areas needing improvement, and potential for a research career in the discipline; and will set forth activities for the following year; and/or
(3) Any written evaluation will be maintained by the Graduate Division or other central office.

390-26 Equal Opportunity, Nondiscrimination, and Diversity

a. The University of California is committed to a university environment that provides equal opportunity and promotes a diversity of backgrounds, perspectives, and experiences among faculty, staff, Postdoctoral Scholars, and the student body.
b. Campuses should strive to have an inclusive, supportive environment that provides postdoctoral training opportunities and maximizes and values the potential of all Postdoctoral Scholars.

390-40 Grievances

a. A Postdoctoral Scholar may present a grievance according to the following procedures.

b. Chancellors have the responsibility to establish and publish procedures to implement this policy. The Chancellor shall designate an administrator or office as the grievance liaison for Postdoctoral Scholars (hereinafter referred to as grievance liaison).

c. A grievance is a complaint filed by a Postdoctoral Scholar that claims one of the following:

1. That a specific act by the University that adversely affected the Postdoctoral Scholar's then-existing appointment or training program was arbitrary or capricious. For the purposes of this policy, an act is not arbitrary or capricious if the decision-maker exercised reasoned judgment.

2. A violation of applicable University rules, regulations, or policies that adversely affected the Postdoctoral Scholar's then-existing appointment or training program.

A grievance alleging a violation of the Postdoctoral Scholar Layoff policy (see APM - 390-45) or the Postdoctoral Scholar Corrective Action and Dismissal policy (see APM - 390-50) shall be filed under APM - 390-40-c(2) only.
d. Step I. Informal Grievance Resolution

(1) Postdoctoral Scholars are encouraged to discuss their concerns and/or complaints with their mentors, other senior faculty members, department heads, or the ombudsperson and to attempt informal resolution at an early stage. Attempts at informal resolution do not extend the time limits for filing a formal grievance unless a written extension is granted by the grievance liaison.

(2) If informal resolution is attempted but unsuccessful, a grievant may request that the grievance liaison assist in resolving the grievance. Where appropriate, the grievance liaison may work with the parties to reach an informal resolution.

e. Step II. Formal Grievance Review

(1) A grievance that is not resolved informally may be presented in writing by the Postdoctoral Scholar for formal review to the grievance liaison no later than 30 calendar days after the alleged act occurred, unless a written extension has been granted by the grievance liaison.

(2) The written grievance must:

(a) identify the specific act that is being grieved;
(b) state either (i) the specific acts to be reviewed, the name of the person(s) alleged to have carried out the act(s), the date(s) the alleged act(s) occurred, and a description of how the act(s) were arbitrary or capricious; or (ii) the University rules, regulations or policies that the grievant believes have been violated, the name of the person(s) alleged to have done the violation(s), the date(s) the
alleged violation(s) occurred, and a description of how the rules, regulations, or policies have been violated; 

(c) specify how the Postdoctoral Scholar’s then-existing appointment or training program was adversely affected; 

(d) specify the remedy requested. 

(3) The grievance liaison shall complete an initial review of the grievance and determine whether the grievance is complete, timely, within the jurisdiction of this policy, and alleges specific facts that support the allegations made in the grievance. Within ten calendar days of receipt of the grievance, the grievance liaison shall notify the grievant in writing of the acceptance of the grievance or of the following: 

(a) If the grievance liaison determines that the grievance is incomplete or factually insufficient, the grievant will have ten calendar days from the date of the written notice to make the grievance complete or provide additional facts. If the grievant fails to make the grievance complete or provide sufficient facts, the grievance will be dismissed. 

(b) If the grievance liaison determines that the grievance is untimely or outside the jurisdiction of this policy, the grievance will be dismissed. 

(c) If the grievance raises multiple issues, the grievance liaison will make a determination described above with regard to each issue. The grievance liaison may accept some issues and dismiss others pursuant to this review process. 

(d) If all or part of a grievance is dismissed at this stage, the grievance liaison will provide the grievant with a written explanation of the basis for the dismissal.
(4) When a grievance is accepted, the grievance liaison shall transmit the grievance to the appropriate department head for review. If the department or unit head took the action which is being grieved, the grievance liaison may designate another administrator as the Step II reviewer and notify the department or unit head of the designation.

(5) If a Step II grievance raises allegations of discrimination, harassment, or retaliation, within ten calendar days of receipt of the grievance the grievance liaison shall forward a copy of the grievance to the appropriate campus compliance office for review. The results of any related grievances or investigations shall be provided to the grievance liaison. At the discretion of the grievance liaison, information regarding related grievances or investigations may be forwarded to the Step II reviewer for consideration in making a Step II decision.

(6) The Step II reviewer shall review the grievance and, if appropriate, shall investigate and/or meet with the parties. Within 30 calendar days of the receipt of the grievance, the Step II reviewer shall send a written response to the grievant and the grievance liaison. The response will include statements that the grievance is denied or upheld in whole or in part, that describes the remedy, if any, being awarded, and that, if denied in whole or in part, the Postdoctoral Scholar has the right to appeal the decision to Step III of the grievance procedure.

f. Step III. Administrative Consideration

(1) A formal grievance not resolved to the satisfaction of the Postdoctoral Scholar at Step II may be appealed in writing to Step III with the grievance liaison within ten calendar days from the date on which the Step II response is issued. The formal grievance appeal must set forth
the unresolved issue(s) and the remedy requested. Except by written mutual agreement of the parties, no additional issues shall be introduced in the appeal that were not included in the original grievance.

(2) Within seven calendar days from receipt of a formal grievance appeal, the grievance liaison shall forward the appeal, the Step II formal grievance, and the Step II response to the Chancellor for review and written decision.

(3) In reviewing the grievance appeal, the Chancellor may consult with the Graduate Council, other appropriate Senate or administrative committee, or appropriate individuals.

(4) Based on the record, the Chancellor shall determine whether the Step II formal grievance was properly reviewed and whether the decision made at Step II shall be upheld, rejected, or modified.

(5) The Chancellor shall provide a final written decision to the Postdoctoral Scholar within thirty calendar days following receipt of the formal grievance appeal. The written decision shall include a statement of the reasons if the decision of the Step II review is rejected or modified in whole or in part, including any remedy in all or in part, and a statement that the decision is final.

g. A Postdoctoral Scholar may represent himself or herself or may be represented by another person at any stage of the grievance process. The University shall be represented as the Chancellor deems appropriate.

h. Prior to expiration of a time limit, extensions may be granted by the grievance liaison upon written request by either party. If the Postdoctoral Scholar fails
to meet a deadline, the grievance will be considered resolved on the basis of the last University response. If a University official fails to meet a deadline, the Postdoctoral Scholar may move the grievance to the next step in the process.

The Postdoctoral Scholar and the Scholar's representative, if employed by the University, shall be granted time off with pay to attend meetings convened by the University to consider grievances under this policy. Otherwise, time spent by the Postdoctoral Scholar in investigation and preparation of a grievance shall not be on pay status.

j. If the grievance is sustained in whole or in part, the remedy shall not exceed restoring to the Postdoctoral Scholar the pay, benefits, or rights lost as a result of the violation of University rules, regulations, or policies, or as a result of an arbitrary or capricious administrative action, less any income earned from any other employment. Payment of attorney's fees shall not be part of the remedy. Unless specifically authorized by the grievance liaison, compensation shall not be paid for any period that is the result of extension(s) of time requested by or on behalf of the Postdoctoral Scholar.

k. The following may be consolidated in one review: grievances of two or more Postdoctoral Scholars; two or more grievances which are based on the same incident, issues, or act; or two or more grievances which are based on the same pattern of conduct. The grievance liaison shall decide on whether a consolidation is appropriate.

l. APM - 140 (Non-Senate Academic Appointees/Grievances) does not apply to individuals appointed in a Postdoctoral Scholar title.
390-45 Layoff

a. Layoff is defined as the termination by the University of a Postdoctoral Scholar appointment prior to the end date as a result of appropriate funding becoming unavailable.

b. In the event that a layoff must be instituted, the department, unit head, or other University official shall provide notification in writing to the Postdoctoral Scholar not less than thirty calendar days in advance of the effective date of the early termination. Appropriate pay in lieu of notice may be given.

c. A Postdoctoral Scholar who is subject to layoff may request that the Chancellor or other University officer supply a written summary concerning the unavailability of appropriate funding that is the reason for the layoff.

d. Layoff decisions may be appealed in accordance with APM - 390-40, the Postdoctoral Scholar Grievance Policy.

e. APM - 145 (Non-Senate Academic Appointees/Layoff and Involuntary Reduction in Time) does not apply to individuals appointed in a Postdoctoral Scholar title.

390-50 Corrective Action and Dismissal

a. The University may impose corrective action or dismissal when, in its reasoned judgment, the Postdoctoral Scholar’s performance or conduct merits the action.
b. Chancellors have the responsibility to establish and issue guidelines and procedures for instituting corrective action and dismissal of Postdoctoral Scholars in accord with the standards and procedures set forth in this policy.

c. Corrective action is the institution of one of the following:

(1) Written warning, which is a communication that informs the Postdoctoral Scholar of the nature of the inadequate performance or misconduct; requirements for continuation in the training program; and the probable consequence of continued inadequate performance or misconduct.

(2) Suspension, which is debarment from the training program without pay for a stated period of time.

(3) Reduction in salary or stipend for a stated period of time.

(4) Other action consistent with requirements of extramural fellowship agencies.

d. Dismissal is the termination of a Postdoctoral Scholar’s appointment initiated by the University, prior to the appointment end date, when the Postdoctoral Scholar’s conduct or performance does not justify continuation.

e. Prior to the institution of formal corrective action or dismissal, informal efforts to resolve the problem should be made, where appropriate.

f. If a Postdoctoral Scholar poses a danger to himself/herself or others, the Postdoctoral Scholar may be placed on immediate investigatory leave with pay, without prior written notice, for the purpose of reviewing conduct which, in the judgment of the Chancellor, requires removing the Postdoctoral Scholar from University premises. Such investigatory leave shall be confirmed in writing after it is instituted.
g. Before initiating the actions of suspension without pay, reduction in pay, or dismissal, the University shall provide a written Notice of Intent to a Postdoctoral Scholar. The Notice shall state:

(1) the intended action and the proposed effective date;
(2) reasons for the action, including a description of the inadequate performance or misconduct and any warnings that have been given;
(3) the Postdoctoral Scholar's right to respond either orally or in writing within 14 calendar days of the date of issuance of the written Notice of Intent;
(4) the person to whom the appointee should respond.

No Notice of Intent is required for a written warning.

h. A Postdoctoral Scholar who receives a written Notice of Intent shall be entitled to respond, either orally or in writing, within 14 calendar days of the date of issuance of the Notice of Intent. The response, if any, shall be reviewed by the administration.

i. In the event the University decides to institute the corrective action or dismissal following the review of a timely response (if any) from the appointee, and within 30 calendar days of the issuance of the written Notice of Intent, the University shall issue a written Notice of Action to the appointee of the corrective action or dismissal to be taken and its effective date.

The Notice of Action also shall notify the appointee of the right to grieve the action under APM - 390-40, the Postdoctoral Scholar Grievance Policy.
The Notice of Action may not include an action more severe than that described in the Notice of Intent.

j. A Postdoctoral Scholar may represent him/herself or may be represented by another person at any stage of the corrective action or dismissal process.

k. Upon written request and prior to expiration of any time limits stated in this policy, the Chancellor may grant an extension.

l. APM - 150 (Non-Senate Academic Appointees/Corrective Action and Dismissal) does not apply to individuals appointed in a Postdoctoral Scholar title.

390-60 Sick Leave

a. Postdoctoral Scholars appointed at 50 percent time or more accrue sick leave prorated on the percent time of salary or stipend.

Sick leave with pay accrues at the rate of one working day per month for full-time Postdoctoral Scholars – Salaried whose salaries are paid through the University of California Payroll/Personnel System.

Sick leave also accrues at the rate of one working day per month for full-time Postdoctoral Scholars – Stipend whose salaries are paid through the University of California Payroll/Personnel System unless the extramural funding agency has different sick leave requirements. If the University supplements a stipend with discretionary funds and if the total of the two appointments is 50 percent time or more, the UC-paid supplement accrues sick leave at a proportional rate.
b. Accrual and use of sick leave is governed by APM - 710.

390-61 Vacation Leave

a. Postdoctoral Scholars appointed at 50 percent time or more accrue vacation prorated on the percent time of salary or stipend.

Vacation leave accrues at the rate of 10 hours a month for full-time Postdoctoral Scholars – Salaried whose salaries are paid through the University of California Payroll/Personnel System.

Vacation leave also accrues at the rate of 10 hours for full-time Postdoctoral Scholars – Stipend whose stipends are paid through the University of California Payroll/Personnel System unless the extramural funding agency has different vacation leave requirements. If the University supplements a stipend with discretionary funds and if the total of the two appointments is 50 percent time or more, the UC-paid supplement accrues vacation leave at a proportional rate.

b. Accrued vacation leave shall be used at a time in keeping with the Postdoctoral Scholar’s training program, as approved by the Scholar’s mentor.

390-62 Childbearing, Parental, and Family Leave
a. Postdoctoral Scholars are eligible for Childbearing Leave, Parental Leave, and Active Service-Modified Duties as provided in APM - 760 and for Family and Medical Leave as provided in APM - 715.

b. Campuses may provide additional benefits that supplement or enhance the benefits specified in APM - 760 or APM - 715.

c. Childbearing, parental, and family leave policies for Postdoctoral Scholars – Stipend are subject to the requirements of the Scholar’s extramural funding agency.

390-63 Holidays

Official holidays for Postdoctoral Scholars are those administrative holidays published in the University Calendar. Periods of academic recess are not regarded as holidays.

390-64 Military Leave

Military leave for Postdoctoral Scholars is governed by APM - 751

390-65 Jury Leave

A Postdoctoral Scholar shall be eligible for a jury duty leave. Verification of service on jury duty shall be provided by the Postdoctoral Scholar to the University upon request. Pay for jury duty will not continue beyond the end date of the Postdoctoral Scholar’s appointment.
390-75 University of California Retirement Plan Membership

Postdoctoral Scholars – Salaried contribute to the University of California Defined Contribution Plan and are not eligible for the University of California Retirement Plan.

390-76 Benefit Plans

a. All Postdoctoral Scholars whose salaries and stipends are paid through the University of California Payroll/Personnel System are eligible for health-care and other benefit plans.

b. UC contributions to health-care and other benefit plans for Postdoctoral Scholars - Stipend participating in UC-sponsored plans will be identical to UC contributions for Postdoctoral Scholars - Salaried.

390-80 Procedures and Forms

Campuses shall establish local procedures to implement this policy.