

National Standards for Postdoctoral Appointments	2
Postdoctoral Status at the University of Kansas (KU)	2
Postdoctoral Researcher (Job Code 029100).....	2
Postdoctoral Fellow.....	3
Affiliate Status.....	3
Recruitment and Selection Process	3
Salary upon Initial Appointment.....	4
Appointments	4
Professional Development	4
Role of Faculty Mentor.....	4
Annual Evaluation Form.....	4
Postdoctoral Fellowships Links	5
National Postdoctoral Association.....	5
National Resources for Postdoctoral Training.....	5
Professional Development Opportunities	5
Responsible Conduct of Research	5
Performance Evaluations	5
Guidelines for Salary Actions	6
Merit Increases.....	6
Prevailing Wage Adjustment for International Post Docs.....	7
Promotions.....	7
Leaves and Holidays	8
Benefits.....	8
Exit Questionnaire	9
Voluntary Resignation.....	9
Dismissal	10
Non-Reappointment.....	10
Retirement	11
Death	11
Transition between Post Doc Employee and Fellow Status	11
Postdoctoral Fellowships.....	11
NIH-supported Ruth L. Kirschstein National Research Service Awards (NRSA) Training Grants and Fellowships.....	12
NSF-Supported Postdoctoral Fellowships	14
Taxability of Stipends.....	15
Issues Pertinent to International Post Docs.....	16
International Post Docs Seeking Permanent Employment	16
Choosing a Visa Type to Support an International Post Doc: J-1 vs. H-1B Status	17
International Post Docs Changing Status from J-1 to H-1B.....	18
Changing Status without Leaving the U.S.....	18
Changing Status through Travel.....	18
§ 212(e) – The Two Year Home Residency Requirement: Frequently Asked Questions.....	18
Special Information Regarding Department Obligations Related to H-1B Employees.....	20
Appendix A - Annual Assessment of Postdoctoral Training and Research Accomplishments.....	21
Appendix B - Sample Post Doc Evaluation Form.....	22

National Standards for Postdoctoral Appointments

In a survey conducted by the American Association of Universities, of which KU is a member institution, the following standards for defining postdoctoral appointments were recognized:

- By definition, a postdoctoral trainee is a recent doctoral graduate, in a temporary position, engaged in full-time research under the supervision of a faculty member, in preparation for a professional career.
- Standard appointment terms for Post Docs vary more widely by institution, but most use terms of either one or three years. Most institutions (74 percent) limit the time a person may serve as a Post Doc. The most common term limit is five years and the longest is seven years.

American Association of Universities, Graduate & Postdoctoral Education Committee, Summary of Postdoctoral Education Survey, October 2005, at http://www.aau.edu/education/05_PostDocSumm101705.pdf)

In January 2007, the National Institutes of Health and the National Science Foundation provided the following definition of a postdoctoral appointment to the National Postdoctoral Association:

An individual who has received a doctoral degree (or equivalent) and is engaged in a temporary and defined period of mentored advanced training to enhance the professional skills and research independence needed to pursue his or her chosen career path (National Postdoctoral Association web site: www.nationalpostdoc.org)

Postdoctoral Status at the University of Kansas (KU)

KU has two ways in which post docs may be associated with the University: one as an employee appointed to a post doc researcher job title (referred to hereafter as a “Post Doc”) and one as a fellow (referred to hereafter as a “fellow.”) Post Docs who have an employment relationship with the University are governed by the policies outlined in the Handbook for Faculty and Other Unclassified Staff; section C.4, regardless of their funding source. Post doc staff are eligible for all the rights, privileges, services, benefits, and responsibilities of other regular or temporary unclassified professional staff.

A Post Doc may also be associated with the University as a fellow supported by a fellowship stipend provided by KU or by an external source. A fellow has been sought by KU or has sought an association with KU and has gained a partnership with a KU mentor. Because fellows are not employees of the University, they are not eligible for health insurance, retirement programs, workers’ compensation, voluntary benefits programs or other benefits available to employees. They are eligible for participation in the student health insurance plan.

The following definitions are provided to clarify those associations with the University.

Postdoctoral Researcher (Job Code 029100)

A postdoctoral researcher position (Post Doc) is an unclassified professional staff position that requires a doctoral degree as documented by a diploma or by certified transcript indicating doctorate earned by the time of hire or not to exceed 6 months from the date of hire. Appointments made without a diploma or certified transcript indicating an earned doctorate are conditional hires that will be terminated at the end of 6 months if the required documentation of an earned doctorate is not provided. Vacant positions may be filled from a “recruitment pool.” The job responsibilities include the pursuit of an individualized program of advanced training in research, in teaching or other important aspects of academic work, or in any combination of these activities.

This position is a limited term appointment with duration of 1 to 5 years since the Post Doc is considered to be serving in an “apprentice” role to more senior research mentors. An extension or an exception to this appointment limitation may be requested for one year only and submitted via administrative channels for review and possible approval by the Office of the Vice Provost for Research and Graduate Studies, the Office of the Provost, and the Department of Human Resources and Equal Opportunity (HR/EO). The individual circumstances of the request will be taken into consideration on a case-by-case basis to make the decision regarding the one year maximum extension.

An individual who has previously served as a postdoctoral fellow or researcher for up to 5 years at this University is not eligible. In addition, an individual is not eligible for this position who previously has served as a postdoctoral fellow or postdoctoral researcher for a combination of 5 years total at this institution and at other institutions in programs of postdoctoral training in the same field as his/her proposed additional program of training. Such individuals are presumed to have advanced beyond the apprentice role appropriate to the postdoctoral researcher job title. They may be eligible to compete for research assistant/associate or assistant/associate research professor vacancies. A search is required for the individuals who have served KU as a Post Doc in order to continue their employment with the University in another capacity. *Units that wish to hire Post Docs who may have served in postdoctoral appointments in other fields for more than 5 years must provide a written request with justification to the Research Training Coordinator, Office of the Vice Provost for Research and Graduate Studies as to why an additional mentorship as a Post Doc at KU is warranted.*

Postdoctoral Fellow

A postdoctoral fellow (fellow) is the recipient of a fellowship or training award provided specifically for a particular field of study or training. Support is provided in the form of a stipend and the fellowship is processed through the University’s financial system rather than through the payroll system, and the individual is not an employee.

No service to the University is required as a condition of receiving the stipend, although services or collaborative research may be rendered incidentally as part of the training or fellowship program. A postdoctoral fellowship is awarded to an individual who has a doctoral degree as documented by a diploma or by certified transcript indicating doctorate earned. Postdoctoral fellows are eligible for coverage by the University’s student health insurance program. They are not eligible for other University benefits provided to employees, e.g. faculty/staff health insurance, retirement programs, sick and vacation leave, etc.

Affiliate Status

The postdoctoral fellow must be designated as an “affiliate” adjunct researcher, making the fellow eligible for some University services (e.g. email, libraries, etc.). Campus departments with fellows must submit an affiliate data sheet to Office of the Vice Provost for Research and Graduate Studies (RGS) for approval. Affiliates are designated on a one year basis so that designation must be annually renewed with an affiliate data sheet. The fellow’s affiliate status with KU will be terminated when the fellowship ends. Information about services provided to affiliates and the affiliate data sheet to obtain those services are provided on the Human Resources/Equal Opportunity (HR/EO) website at: <http://www.hreo.ku.edu/affiliates.shtml>

Recruitment and Selection Process

The recruitment and selection process for Post Docs and other unclassified professional staff is handled by HR/EO through the electronic applicant system PeopleAdmin. To begin the process, a position description must be developed in PeopleAdmin with approvals by administrative channels and HR/EO. Based on the position description, HR/EO assigns the official job title and the designation of position as either salaried or hourly.

After the position description has been finalized, a requisition is created in PeopleAdmin to begin the search process. Post Docs may also be hired from a recruitment pool. Information about the recruitment process is available on the HR/EO website at:

http://www.hreo.ku.edu/employment/recruitment_search_processes/index.shtml

Salary upon Initial Appointment

Although the mentor is responsible for establishing the level of compensation for postdoctoral researchers, it is expected that the initial salary will be consistent with the background of the researcher, the norms for the discipline and the minimum/maximum salary levels established by RGS. Minimum/maximum levels will be established annually and posted by RGS. For 12-month, full-time Post Doc appointments, the minimum salary level required by University policy is \$32,000 or the prevailing wage, if applicable, as established by the Department of Labor, whichever is greater. Maximum salary levels vary by discipline. Campus annual salary ranges for post docs may be obtained from RGS upon request. In addition, HR/EO must approve the salary advertised and offered.

Appointments

Post Docs are hired as limited term and/or contingent on funding appointments. Post Docs may also be hired on occasion as temporary employees. Definitions of and processes for those appointments are described on the HR/EO website in a Frequently Asked Question (FAQ) entitled “Guidelines for Appointments with Special Conditions of Employment.” See <http://www.hreo.ku.edu/FAQ/index.shtml>

Professional Development

It is the responsibility of the Office of the Vice Provost for Research and Graduate Studies to foster training and development of Post Docs by providing, supporting, and encouraging professional development on the KU Lawrence Campus. The professional development of postdoctoral training is best nurtured in the relationship between the Post Doc and the faculty mentor. However, the institution has a responsibility to ensure that this relationship is beneficial both for the faculty member and postdoctoral researcher/scholar. Below is a list of possible resources that are available to faculty mentors and postdoctoral researchers.

Role of Faculty Mentor: The responsibilities of the mentor to the Post Doc include not only training in research, but also in all aspects of professional development. Such responsibilities may include, but are not limited to: teaching skills in grant writing, team building, giving advice on publications, making sure that the postdoc can appropriately present his/her research, and in particular ensure that the postdoc receives appropriate credit for his/her research. Mentors not only should be available to give advice to Post Docs, but should actively support their development as future colleagues.

Annual Evaluation Form: University policy requires a formal written evaluation of performance annually for all unclassified professional staff, including Post Docs. Such evaluations are usually conducted prior to recommendations for merit increases (see Performance Evaluations section of this manual, page 28.)

As one model for performance evaluations, RGS recommends that postdoctoral researchers are evaluated by faculty committees within that department/unit and that each postdoctoral researcher/scholar be encouraged to present his/her research progress from the previous year. Within the first three months of his/her postdoctoral appointment, it is recommended that a postdoctoral researcher select a committee of three faculty members (including the mentor) to serve as the annual evaluation committee. The committee will assess his/her postdoctoral training and research accomplishments on an annual basis. The assessment should consist of a written response of the Post Doc to a standard evaluation form provided to the committee prior to the evaluation

meeting. One such sample has been provided as Appendix A, whereas other examples of performance evaluations are available on the HR/EO website at http://www.hreo.ku.edu/forms/unclassified_employees.shtml

During the evaluation meeting, it is recommended that the Post Doc present a 10-15 minute lecture on his/her research endeavors, including accomplishments and future plans, followed by a 15-20 minute discussion on the current and future research directions, training goals and options. At the end of the committee meeting, the committee may evaluate separately the postdoctoral training and research achievements.

Postdoctoral Fellowships Links: Below are some links to postdoctoral fellowships. Before applying for a postdoctoral fellowship, the Post Doc should be sure to contact his/her faculty mentor and the Research Training Coordinator for assistance.

American Heart Association www.americanheart.org/presenter.jhtml?identifier=2492

Heartland Affiliate Postdoctoral Fellowship:
www.americanheart.org/presenter.jhtml?identifier=3014679

Pulmonary Hypertension Association:
<http://www.americanheart.org/presenter.jhtml?identifier=3017798>

National Institutes of Health <http://grants.nih.gov/training/extramural.htm>.

The Institutional Research and Academic Career Development Award (IRACDA) combine a traditional mentored postdoctoral research experience with an experience to develop teaching skills through innovative programs that involve mentored assignments at a Minority-Serving Institution (MSI). Information about the KU program can be found at: <http://www2.ku.edu/~iracda>.

National Science Foundation
http://www.nsf.gov/funding/education.jsp?org=DUE&fund_type=3

National Postdoctoral Association: The National Postdoctoral Association website is at www.nationalpostdoc.org. KU is a sustaining member and encourages postdoctoral researchers and scholars to join the association as an affiliate member at no cost.

National Resources for Postdoctoral Training:
Howard Hughes Medical Institute: <http://www.hhmi.org/resources/labmanagement/>

Minorities in Postdoctoral training: <http://www.minoritypostdoc.org/>

Professional Development Opportunities: A calendar of postdoctoral professional development workshops and programs can be found at <http://www.rgs.ku.edu>. KU organizations that provide professional development workshops pertinent to post docs include, but are not limited to: the Office of the Vice Provost for Research and Graduate Studies, the Unclassified Staff Senate, and various research centers located on the KU Lawrence campus.

Responsible Conduct of Research: The Office of Research Integrity (ORI) has links to online tutorials, recommended textbooks, and audio-visual materials available for checkout from ORI. Information and articles are available at http://www.rcr.ku.edu/resource_library.shtml.

Performance Evaluations

HR/EO hrdept@ku.edu (785)864-4946 103 Carruth-O'Leary Hall www.hreo.ku.edu 04/2009 5 of 22

In accordance with section C.4.f of the Handbook for Faculty and Other Unclassified Staff, Post Docs must receive annual, written evaluations based on their job duties. The evaluations should be completed before the annual merit increase cycle so that they can be used to support decisions about the allocation of any available merit increases. Recommendations for merit pay are usually made between January and March of each year. The evaluation process will include an opportunity for the employee to provide feedback. Goals may also be included. A Post Doc may appeal the evaluation through administrative channels. Unclassified professional staff do not serve a probationary period. Sample evaluation forms that may be used as models are available on the HR/EO website at:

http://www.hreo.ku.edu/forms/unclassified_employees.shtml

Guidelines for Salary Actions

HR/EO coordinates the management of unclassified professional staff position and salary changes. In order to effectively manage those processes, the following definitions and guidelines are provided. Website locations for available sample letters to request the various actions are noted below.

Merit Increases

Annual merit increases, when funds are available, are made effective at the beginning of KU's fiscal year, regardless of the funding cycle associated with sponsored projects. Merit increases may be recommended as described below.

When funds are available an annual change in compensation for unclassified professional staff is provided based on work performance and other merit factors. This is the normal process for providing annual salary increases to unclassified professional staff.

Further Explanation:

- Annual evaluations for unclassified professional staff should be completed before recommendations for merit increases are made through budgetary channels. That timeframe is usually January to March.
- This is part of the annual University budget process; if merit funds are available, an overall average percentage increase is allocated as a merit pool at the University division level. The allocation is based on the number of filled unclassified professional staff positions.
- Overall department increases must be within the average percentage as designated in the annual budget process by the Chancellor/Provost for all funding sources for the duration of the fiscal year. This includes sponsored project funded personnel.
- The Chancellor/Provost annually establishes a minimum and maximum increase percent for which his/her review is required. Written justification must be provided for merit increases outside the established minimum and maximum. Note: The approval to give increases outside of this range does not increase the allocation of funds to the merit pool.
- The merit increase is based upon the annual evaluation that should occur before recommending a merit increase.
- Increases are usually made effective with the first payroll period of a new fiscal year. Information regarding the amount of the increase cannot be released to employees until the Provost's Office approval.

Process:

- The Budget Office allocates merit increase pools to the appropriate areas of responsibility, e.g. departments/schools.

- A department head may request that faculty mentors provide recommendations for merit increases. The department head subsequently recommends the amount and/or percent of merit increases to, and seeks approval for, the increases through budgetary channels.
- Regardless of the effective date of increases, justification letters are required for recommendations that are over or under the margin of increase percentage as designated in the annual budget process by the Chancellor/Provost for all funding sources. A sample justification is provided on the HR/EO website at www.hreo.ku.edu/policies_procedures/recruitment/merit.
- The annual budget load process is used to enter salary changes in the HR/Pay system; appointment forms are not required unless salary amounts differ from those loaded from the budget or if a funding change is necessary.
- Annual salary notices are provided to faculty/staff by HR/EO.

Approvals:

- Approvals must be obtained through budgetary channels as part of the budgetary process that occurs from January through March.
- If an increase is outside the designated minimum/maximum range – Chancellor/ Provost approval is required.
- If a merit increase is effective at a time other than the annual budget process, HR/EO must be notified and must secure the Provost Office’s approval of the increase in order to provide a revised salary notice.

Prevailing Wage Adjustment for International Post Docs

When compensation for international Post Docs is not in alignment with the federal Department of Labor (DOL) salary minimums, a request for a prevailing wage adjustment may be made.

Further Explanation:

- Requests may occur when an international Post Doc applies for an extension of their H-1B visa status.
- Factors affecting the salary designation by DOL include the required educational level, required experience, required special skills for the position, and supervisory duties.

Process:

- Departments must contact the Office of International Student and Scholar Services (ISSS) to coordinate the request to DOL. ISSS notifies HR/EO of the request.
- Letter of justification is required.
- ISSS submits information to DOL for a prevailing wage determination and notifies department of results.
- If the salary increase is requested outside annual budget process, HR/EO and Provost’s Office must approve increase before it is offered.
- A search waiver is not required for this process.
- The Offer letter is issued by HR/EO.
- Entry into HR/Pay system by Payroll Office from offer letter after its acceptance.

Approvals:

- Approvals must be obtained before making salary adjustment.
- Approvals of administrative channels required, including ISSS, HR/EO and the Provost’s Office. Provost Office approval is only required if outside the annual budget process.

Promotions

A promotion is a major change in the level of duties and responsibilities, resulting in a change in the official job title and salary. A promotion for a Post Doc to a higher level position, e.g. Research Associate, may only occur through a competitive search process. (See page 20 for requirements for international recruitment.)

A Post Doc may promote to more permanent jobs by leaving KU for positions in other institutions of higher education as tenure track faculty, or for positions in industry or in government. Promotion to more permanent jobs may also be possible within KU for positions as a Research Associate, or as a non-tenure track, academic staff position as a Research Assistant/Associate Professor or Research Professor. Definitions of those job titles at KU are provided below.

Research Assistant Professor	Designated as PI by University. Normally title is applicable for duration of grant/contract funding. Not eligible for sabbatical or tenure. Status reviewed annually for continued use of title. Funded by grants & contracts.
Research Associate Professor	Designated as PI by University. Normally title is applicable for duration of grant/contract funding. Not eligible for sabbatical or tenure. Status reviewed annually for continued use of title. Funded by grants & contracts.
Research Professor	Designated as PI by University. Normally title is applicable for duration of grant/contract funding. Not eligible for sabbatical or tenure. Status reviewed annually for continued use of title. Funded by grants & contracts.
Research Associate	Operates in a specialized research setting with considerable latitude. May act as liaison with other departments. Develops designs and conducts one or more large research effort in line with a research plan; reviews progress and evaluates results. Formulates research methods and suggests improvements for quality. May serve as part of a design team or may serve in a leadership role. Identifies problems, recommends and implements solutions. Trains other researchers as needed. Consults with others to refine or adapt methodologies to fit research requirements. Coordinates data collection and screening to verify data. Implements research methodology, conducts data analysis, and interprets results. May co-author or author publications. Co-presents or presents results at meetings and/or conferences. Oversees daily operations of research setting and may supervise students or staff. Requires a terminal research degree.

Leaves and Holidays

Post Docs are eligible for the same leave as other regular unclassified professional staff. Information regarding sick leave, vacation leave, discretionary holiday, Family and Medical Leave Act coverage, shared leave, jury duty, bereavement leave, military leave, voluntary leave without pay, and holidays is provided on the HR/EO website at: http://www.hreo.ku.edu/leaves_holidays/index.shtml. Post Docs are not eligible for sabbatical leave.

Fellows are not eligible for the leaves described above for Post Docs because they are not “employees.” Some fellowships may have provisions for leaves which are determined by the PI and are not handled through the University’s leave reporting process.

Benefits

Post Docs are eligible for the same benefits programs as other unclassified professional staff, including mandatory and voluntary retirement programs; health insurance with prescription drug, dental and vision

insurance; flexible spending accounts; and other voluntary benefit programs. These programs are described on the HR/EO website at:

<http://www.hreo.ku.edu/benefits/index.shtml>

A summary chart of benefits is provided at the HR/EO website:

http://www.hreo.ku.edu/benefits/employee_benefit_charts/index.shtml

There is a 60 day waiting period for coverage by the State of Kansas health insurance program. The State of Kansas Health Care Commission has indicated that they will consider waiving the mandatory waiting period only if the following two conditions are met: (1) the prospective new employee is not entitled to continuation of health insurance benefits from his/her previous employer and (2) the mandatory waiting period poses an obstacle to recruiting the prospective employee. It is easier for prospective international new hires to meet this waiver eligibility than for U.S. citizens who generally have COBRA continuation of health insurance coverage.

The form to request the waiver, entitled “60 Day Waiver for Health Insurance,” is available on the HR/EO website at: <http://www.hreo.ku.edu/forms/benefits.shtml>. Fellows are not eligible for the University benefits provided to employees as described above.

Exit Questionnaire

Postdoctoral researchers and fellows that leave the University of Kansas are encouraged to complete the postdoctoral exit questionnaire located at <http://www.rgs.ku.edu> . The purpose of the questionnaire is to gather information about postdoctoral training on the Lawrence campus, to gather data about future plans for KU postdoctoral researchers, and to encourage new initiatives for postdoctoral training.

Departing employees are also encouraged to complete the exit questionnaire at <http://www.hreo.ku.edu/forms/exit/index.shtml> which gathers information about general employment with the University. Employees may also contact HR/EO for a verbal exit interview.

Voluntary Resignation

Resignations should always be submitted in writing to and accepted in writing by the principal investigator, chairperson, dean or director. If the employee provides only a verbal resignation, the department must confirm acceptance of the resignation in writing.

Unless an earlier date is requested and approved, the effective date of the resignation will be the expiration date of the current appointment. If an earlier date is specified, the date should be established at a time that will not cause a significant interruption of the ongoing work of the department, school or division.

According to KU policy, the resignation should be submitted as soon as possible but no less than 2 weeks in advance of the requested termination date.

Employees should provide their Personnel Related staff member with their current address so that their W-2 will be mailed to the correct address.

Dismissal

Unclassified professional staff may be dismissed for cause, i.e., performance or conduct. Refer to section C.4.k of the Handbook for Faculty and Other Unclassified Staff located at <http://www.ku.edu/~unigov/fachand1998.html>.

Only a Dean, Vice Provost, the Provost or the Chancellor has the authority to dismiss an unclassified professional staff member. Contact HR/EO for assistance with the dismissal process.

As mandated by the federal regulations governing the H-1B employment program, the appointing department is liable for the reasonable costs of return transportation to the country of legal permanent residence if the international post-doctoral researcher is dismissed from employment by the department before the end of the period of H-1B authorized admission.

Non-Reappointment

Notices for non-reappointments can be issued only by the Chancellor, Provost, Vice Provost or Dean.

University professional staff may receive a letter of non-reappointment that indicates the employee's appointment will end as of June 30 of the current year. For unclassified professional staff with three or more full fiscal years of service, notice of non-reappointment must be provided by January 17 if the employee has a fiscal year appointment. Those with less service must receive notice of non-reappointment by May 17.

The Vice Provost for Research and Graduate Studies (or designee) must provide a notice of non-reappointment even when a "contingent on funding" appointment ends because funds are no longer available. Principal Investigators do not have the authority to terminate the employment of any unclassified professional staff member even when funding has ended. However, the normal timeframes associated with notices of non-reappointment described above do not apply to "contingent on funding" or "serve at the pleasure of" appointments.

Refer to section C.4.h of the Handbook for Faculty and Other Unclassified Staff located at <http://www.ku.edu/~unigov/fachand1998.html>. Contact HR/EO for assistance with the non-reappointment process. The appointing department may also be liable for the reasonable costs of return transportation to the country of legal permanent residence for Post Docs with H-1B visas as described in the "dismissal" section above.

Retirement

Employees who reach certain age and service requirements are eligible to retire from the University of Kansas. Employees in the Board of Regents retirement plan must be age 55 and have ten years of service in a benefits-eligible position at a Regents institution or with the Board of Regents staff or be age 60 with no service requirement. Retired employees are entitled to various benefits through the University of Kansas and/or the State of Kansas. See [Benefits at Retirement](http://www.hreo.ku.edu/benefits/retirement_programs/benefits_at_retirement.shtml) located at http://www.hreo.ku.edu/benefits/retirement_programs/benefits_at_retirement.shtml.

Death

The department will need to submit a payroll form to terminate employment in the event of a death. All vacation leave up to 176 hours will be paid. If the employee would have been eligible for retirement at the time of death, up to 240 vacation leave hours will be paid, and a portion of sick leave will be paid if at least 800 sick leave hours are accrued.

Questions regarding employees who end their working relationship with KU can be directed to HR/EO at 864-4946 or email at hrdept@ku.edu.

Transition between Post Doc Employee and Fellow Status

Post Docs may on occasion move from employee to fellow status. The primary ramification of such a move is benefits coverage. Fellows are not eligible for faculty/staff health insurance, retirement, sick or vacation leave, or any other employee benefits. They are eligible for student health insurance, but that coverage is significantly less comprehensive than faculty/staff health insurance. Fellows will receive some University services (e.g. email, libraries, etc.) based on their mandatory designation as “affiliate” adjunct researchers. Those affiliate services are terminated when the fellowship ends.

International post-docs should always consult an advisor in ISSS prior to making any transition from post-doctoral fellow to post-doctoral researcher status (or vice versa). Such changes may substantially impact visa status eligibility, insurance coverage, and salary requirements. For example, international Postdoctoral Researchers (employees) in H-1B status are not eligible to convert their status to that of a Postdoctoral Fellow (non-employee) without a requisite change in the scholar’s visa status. To do so would be a violation of immigration status and *would require departure* from the United States.

Postdoctoral Fellowships

Detailed information is provided as excerpts from the National Institutes of Health (NIH) and National Science Foundation (NSF) web pages regarding NIH-supported postdoctoral fellowships including individual fellowships and institutional traineeships and NSF-supported postdoctoral fellowships. For a complete description of policies regarding these fellowships please consult (web address). Postdoctoral fellows supported by other funding mechanisms should consult the relevant program documentation for guidelines concerning stipends, travel and research-related expenses, reporting requirements, and other matters.

The KU scholarship/fellowship form is available at:

http://www.comptroller.ku.edu/CASPUR/Forms/CENTRAL_ACCTNG/central_acctng_forms.aspx

NIH-supported Ruth L. Kirschstein National Research Service Awards (NRSA) Training Grants and Fellowships

The National Research Service Award (NRSA) program provides support to promising postdoctoral applicants who have the potential to become productive and successful independent research investigators in scientific health-related fields relevant to the missions of the participating NIH Institutes and Centers. The purpose of the National Research Service Award Act (NRSA) is to help ensure that diverse pools of highly trained scientists will be available in adequate numbers and in appropriate research areas to carry out the Nation's biomedical, behavioral and clinical research agendas. The NIH awards postdoctoral fellowships to promising applicants who have the potential to become productive, independent investigators in fields related to the mission of participating NIH Institutes and Centers. The proposed postdoctoral training must be within the broad scope of biomedical, behavioral, or clinical research or other specific disciplines relevant to the research mission of the participating NIH Institutes and Centers.

Stipends: Fellowship awardees are required to pursue their research training on a full-time basis, normally defined as 40 hours per week, or as specified by the sponsoring institution in accordance with its own policies. Stipends are provided as a subsistence allowance for trainees to help defray living expenses during the research training experience and are based on a 12-month appointment period. The stipend is not provided as a condition of employment with either the Federal Government or the grantee institution nor is it to be considered a payment for services performed. Stipends will be based on the annual NIH stipend levels at the time of award. For postdoctoral trainees, the annual stipend is based on the number of full years of prior relevant postdoctoral experience at the time of the trainee's appointment. Information regarding postdoctoral stipend levels is available on the NIH web site (<http://www.training.nih.gov/postdoctoral/>). Stipends may be adjusted only at the time of appointment or reappointment and may not be changed in the middle of an appointment period. For appointments of less than a full year, the stipend will be based on a monthly or daily pro-ration of the annual amount. No departure from the established stipend schedule may be negotiated by the institution with the trainee. (See <http://grants2.nih.gov/grants/guide/notice-files/NOT-OD-06-026.html> for specific information.)

Grantees may supplement stipends from non-Federal funds provided the supplement is without obligation to the trainee. An organization can determine what amount of stipend supplement, if any, will be provided according to its own formally established policies governing stipend support. These policies must be consistently applied to all individuals in a similar training status regardless of the source of funds. Federal funds may not be used for stipend supplementation unless specifically authorized under the terms of the program from which funds are derived. An individual may use Federal educational loan funds or VA benefits when permitted by those programs. Under no circumstances may PHS funds be used for supplementation.

An institution may provide additional funds to a trainee in the form of compensation (as salary and/or tuition remission) for services performed outside of the responsibilities of the full-time NRSA-supported training such as teaching or serving as a research assistant. A trainee may receive compensation for services as a research assistant or in some other position on a Federal research grant, including a DHHS research grant. However, compensated services should occur on a limited, part-time basis apart from the normal full-time research training activities. In addition, compensation may not be paid from a research grant that supports the same research that is part of the trainee's planned training experience as approved in the institutional training grant application. Training Program Directors must approve all instances of employment on research grants to verify that the circumstances will not detract from or prolong the approved training program. A full description of the policy for stipend supplementation and compensation is located in the NIH Grants Policy Statement at: http://grants.nih.gov/grants/policy/nihgps_2003/NIHGPs_Part10.htm.

Service Payback: As specified in the NIH Revitalization Act of 1993, Kirschstein-NRSA recipients incur a service payback obligation for the first 12 months of postdoctoral support. Additionally, the Act specifies that the second year of postdoctoral Kirschstein-NRSA training support will serve to pay back a postdoctoral service payback obligation. Policies regarding the Ruth L. Kirschstein-NRSA payback obligation are explained in the Ruth L. Kirschstein-NRSA Section of the NIH Grants Policy Statement available at <http://grants.nih.gov/grants/policy/policy.htm>.

Tuition, Fees, and Health Insurance: The NIH will offset the combined costs of tuition, fees and health insurance (either self-only or family as appropriate) at the rate in place at the time of the award. Tuition at the postdoctoral level is limited to that required for specific courses in support of the approved training program which should be identified in the application. A full description of the NIH tuition policy is in the NIH Grants Policy Statement and on the NIH website at:

http://grants.nih.gov/training/nrsaguidelines/nrsa_toc.htm. Current policy guidelines with regards to stipends, health insurance, and tuition can be found at: <http://grants1.nih.gov/grants/guide/notice-files/NOT-OD-06-093.html>.

Trainee Travel: Trainee travel to attend scientific meetings and workshops that the institution determines to be necessary for the individual's research training experience is an allowable trainee expense. Funds may not be expended to cover the costs of travel between the trainee's place of residence and the training institution, except that the grantee organization may authorize a one-way travel allowance in an individual case of extreme hardship. Amounts for trainee travel are not uniform throughout the NIH.

Additionally, support for travel to a research training experience away from the institution may be permitted. Research training experiences away from the parent organization must be justified considering the type of opportunities available for training, and how the opportunities differ from and complement those offered at the parent institution, and the relationship of the proposed training experience to the trainee's career stage and goals. This type of travel and research training requires prior approval from the NIH awarding component, and, if not known at the time of application, may be submitted at any time during the award period.

Trainee Related Expenses (TRE): The applicant institution may request the NIH standard NRSA Training Related Expenses to help defray other research training expenses, such as staff salaries, consultant costs, equipment, research supplies, and faculty/staff travel directly related to the research training program (see <http://grants2.nih.gov/grants/guide/notice-files/NOT-OD-06-026.html> for additional information). Funds are provided as a lump sum on the basis of the predetermined amount per pre-doctoral and postdoctoral trainee approved for support.

Under exceptional circumstances, which can include accommodating the disabilities of a trainee, it is possible to request training related expenses above the standard level. Requests for additional costs must be explained in detail and justified in the application. Consultation with NIH program staff in advance of such requests is strongly advised.

When short-term training is included in the research training program, the applicant institution may request the proportion of the NIH standard annual NRSA Training Related Expenses to help defray other costs of the short-term training experience. Since some NIH ICs do not support short-term research training positions under the T32, or support them on a limited basis only, applicants are urged to contact the appropriate NIH IC before requesting short-term research training positions as part of a T32 application.

Leave Policies: In general, fellows may receive stipends during the normal periods of vacation and holidays observed by individuals in comparable training positions at the sponsoring institution. For the purpose of these awards, however, the period between the spring and fall semesters is considered to be an HR/EO hrdept@ku.edu (785)864-4946 103 Carruth-O'Leary Hall www.hreo.ku.edu 04/2009 13 of 22

active time of research and research training and is not considered to be a vacation or holiday. Fellows may receive stipends for up to 15 calendar days of sick leave per year. Sick leave may be used for the medical conditions related to pregnancy and childbirth. Fellows may also receive stipends for up to 30 calendar days of parental leave per year for the adoption or the birth of a child when those in comparable training positions at the grantee institution have access to paid leave for this purpose and the use of parental leave is approved by the program director.

A period of terminal leave is not permitted and payment may not be made from fellowship funds for leave not taken. Fellows requiring periods of time away from their research training experience longer than specified here must seek approval from the NIH awarding component for an unpaid leave of absence.

Since fellows are not University employees, leave granted pursuant to these provisions is tracked by the mentor and the fellow. There is no recording of leave usage for fellows in University time/leave records.

Part-time Training: While Ruth L. Kirschstein-NRSA awardees are required to pursue research training full time, normally defined as 40 hours per week, or as specified by the sponsoring institution in accordance with its own policies, under unusual and pressing personal circumstances, a fellow may submit a written request to the awarding component to permit less than full-time training. Such requests will be considered on a case-by-case basis. They must be approved by the awarding NIH Institute or Center in advance for each budget period. The nature of the circumstances requiring the part-time training might include medical conditions, disability, or pressing personal or family situations such as child or elder care. Permission for part-time training will not be approved to accommodate other sources of funding, job opportunities, clinical practice, clinical training, or for other responsibilities associated with the fellow's position at the institution. In each case, the fellow must submit a written request countersigned by the sponsor and an appropriate institutional business official that includes documentation supporting the need for part-time training. The written request also must include an estimate of the expected duration of the period of part-time training, an assurance that the fellow intends to return to full-time training when that becomes possible, and an assurance that the trainee intends to complete the proposed research training program. In no case will it be permissible for the fellow to be engaged in Ruth L. Kirschstein-NRSA supported research training for less than 50 percent effort. Individuals who must reduce their commitment to less than 50 percent effort must take a leave-of-absence from Ruth L. Kirschstein-NRSA fellowship support. The fellowship notice of award will be reissued and the stipend will be pro-rated during the period of any approved part-time training. Part-time training may affect the rate of accrual or repayment of the service obligation for postdoctoral fellows.

Termination Notice: When support ends, the fellow must submit a Termination Notice (PHS 416-7, Rev. 10/05) to the NIH within 30 days following termination. If the fellow has a payback obligation, he or she must notify the NIH of any change in address and submit Annual Payback Activities Certification Forms (PHS 6031-1, Rev. 10/05) until the payback service obligation is satisfied. Forms may be found at <http://grants.nih.gov/grants/forms.htm>.

NSF-Supported Postdoctoral Fellowships

The National Science Foundation offers postdoctoral research fellowships in selected areas to provide opportunities for recent doctoral scientists to obtain additional training, to gain research experience under the sponsorship of established scientists, and to broaden their scientific horizons beyond their research experiences during their undergraduate or graduate training. Postdoctoral fellowships are further designed to assist new scientists to direct their research efforts across traditional disciplinary lines and to avail themselves of unique research resources, sites, and facilities, including foreign locations. Some NSF postdoctoral programs allow either a purely research fellowship or a research instructorship combining both research and teaching. Detailed information on specific postdoctoral fellowship award programs may be found at http://www.nsf.gov/funding/education.jsp?fund_type=3.

Stipend and Allowances for Fellowships: The total fellowship consists of three separate types of payments.

An annual stipend is paid monthly in installments directly to the post-doctoral fellow as an electronic funds transfer into a personal account at a financial institution. Consult the NSF website for more information at <http://www.training.nih.gov/postdoctoral/>.

A research allowance is paid as a lump sum to the Fellow in the same manner for expenses directly related to the conduct of the research, such as materials and supplies, subscription fees and recovery costs for databases, travel, and publication expenses.

An institutional allowance is paid to the host institution for fringe benefits, including health insurance payments for the Fellow, and for expenses incurred in support of the Fellow, such as space, equipment, and general-purpose supplies. Health insurance is anticipated to include basic health insurance and dental insurance provided through either a group plan offered by the host organization or an individual plan secured by the Fellow. The anticipated cost and recipient of the allowance (i.e., Fellow or host organization) should be identified in the proposal. This health insurance benefit is not part of a University/State program since Fellows are not employees.

Interruptions and Extensions: Interruptions in tenure or extensions without additional cost to NSF are permitted in concurrence with the host organization for extenuating circumstances such as sick leave or family leave. One- and two-year fellowships will be awarded as standard grants. Three-year fellowships will be awarded as continuing grants, with each having a two-year initial increment followed by a one-year continuing increment.

Annual and Final Reports: For all fellowships, the Fellow must submit an annual project report through FastLane to the Postdoctoral Fellowship Program Officer within 90 days following the anniversary of the start date.

Within 90 days after termination of the fellowship, the Fellow is required to submit a final project report through FastLane and a termination certificate (this form will be provided with the post doctoral offer). Fellows are requested to report in their annual and final reports on their educational activities during the fellowship tenure, including mentoring and guiding students at all educational levels.

Taxability of Stipends

Internal Revenue Code Section 117 applies to the tax treatment of all scholarships and fellowships. The Tax Reform Act of 1986, Public Law 99-154, impacts the tax liability of all individuals supported under the NRSA program.

Individuals should consult their local IRS office about the applicability of the tax laws to their situation and for information on their tax obligations.

Issues Pertinent to International Post Docs

There are a number of issues related uniquely to international post docs or other international employees that are outlined below. Please also see other references to international post docs in the previous sections of the manual.

Benefits	Non-Reappointment
Dismissal	Transition between Post doc and Fellow Status

International Post Docs Seeking Permanent Employment

The guidelines provided in this section do not apply to Post Doc positions, but they must be followed when searching for an unclassified professional staff position like a Research Associate.

The federal labor certification requirements for international non-teaching positions have changed significantly, affecting Post Docs who wish to be selected through a search for Research Associates. The following steps must be completed within six months of filing for a labor certification:

- Place a job order for at least 30 days with the State Workforce Agency (SWA) serving the area of intended employment.
- For professional positions (those that require a university degree as an entry-level requirement), place two advertisements in the Sunday edition of a newspaper of general circulation in the area of intended employment, provided that the newspaper is the most appropriate publication for the occupation and will likely elicit applications from qualified workers. If a professional journal is more likely to bring responses of potentially qualified applicants, the employer may substitute one journal advertisement for one newspaper advertisement.
- For professional positions, the campus department needs to fulfill three additional recruitment steps from the following list with HR/EO approval:
 - ❑ Appearance at Job Fairs;
 - ❑ Announcement posted to the employer's website;
 - ❑ Announcement posted to a job search website other than the University's;
 - ❑ On-campus recruiting;
 - ❑ Use of trade or professional organizations, including professional journals (cannot be double-counted if used in place of a Sunday ad);
 - ❑ Retention of private employment firms;
 - ❑ Employee referral program provided that it includes incentives;
 - ❑ Recourse to campus placement offices;
 - ❑ Use of local and ethnic newspapers;
 - ❑ Use of radio and television advertisements.
- Obtain a prevailing wage determination from the SWA, and indicate intention to pay at least 100% of the prevailing wage.
- Post a notice at the work place for 10 consecutive business days.
- Announce the position opening in any and all in-house media - electronic or printed - that would normally be used in the recruitment/announcement for similar positions in the organization.

- **Recruitment Report.** Before filing the labor Certification, the campus department is also required to prepare a Recruitment Report containing a full description of the recruitment and the specific, job-related reasons for disqualifying U.S. applicants. The campus department may reject U.S. applicants who cannot perform the duties of the position, but Program Electronic Review Management (PERM) regulations consider a U.S. applicant who can “perform the duties involved in the occupation during reasonable period of on-the-job training” to be qualified. This report must be shared with HR/EO prior to submission.

Choosing a Visa Type to Support an International Post Doc: J-1 vs. H-1B Status

While ISSS should always be consulted regarding the most appropriate visa status for a postdoctoral scholar, there are some general principles that can be followed.

In reference to two postdoctoral positions defined earlier in the manual (Postdoctoral Researcher and Postdoctoral Fellow), the Postdoctoral Fellow position has the most restrictions associated with it. Since Fellows are not official employees of KU, employment-based visa categories, such as H-1B, are not possible as they require the university to pay the international scholar a salary. Graduates from U.S. institutions may have temporary work eligibility associated with their F-1 or J-1 student status that they can arrange with the international office of their degree-granting institutions. Both international student programs allow for recent graduates to gain practical experience in the U.S. prior to their return home. International Postdoctoral Fellows who are coming directly from overseas will need to be brought into the U.S. in J-1 Visiting Scholar Status.

Postdoctoral Researchers have several visa options as new employees of KU. While the most common of these is the J-1 Visiting Scholar classification, Postdoctoral Researchers are also eligible for H-1B employee status. ISSS should be consulted regarding the relative advantages and disadvantages of these two options. The following chart is simply a summary of these options and does not reflect the complexities that are often involved in advising an individual scholar.

Issue	J-1	H-1B
<i>Intent to Immigrate</i>	Must prove doesn't intend to immigrate	OK if intends to immigrate
<i>Permission Granted By</i>	Program Sponsor (usually KU)	U.S. Immigration (USCIS)
<i>Processing Time for Paperwork (excluding time to apply for visa or change of status)</i>	1-2 weeks	3-5 months normal 2 weeks w/premium processing (\$1000 extra)
<i>Limitation of Stay</i>	3 years (5 yrs proposed)	6 years
<i>Two-year Home Residency Requirement</i>	Sometimes	No
<i>Appropriate for Postdoctoral Fellows (non-employees)</i>	Yes	No
<i>Appropriate for Postdoctoral Researchers (employees)</i>	Yes	Yes
<i>Dependent Work Eligibility</i>	Yes, with USCIS approval	No

International Post Docs Changing Status from J-1 to H-1B

There are occasions when international Post Docs change status from J-1 to H-1B. The Office of International Student and Scholar Services (ISSS) can assist with that process in accordance with the following guidelines.

In most cases, it is possible for a J-1 to change status to H-1B Temporary Worker. Two considerations impact the applicant's eligibility to change status to another category:

- Is the J-1 applicant subject to §212e: The home residency requirement? (See below for more information on §212e);
- Is the applicant qualified for H-1B status (i.e. does the *position* require a Bachelor's degree or higher in a specific field and does the prospective H-1B employee hold the relevant degree)?

There are two ways to change status: Changing status without leaving the U.S. and changing status through travel.

Changing Status without Leaving the U.S.: By filing Form I-129 (the H-1B Application Form) in a timely fashion (prior to the expiration of the J-1 status), the international employee may remain in the U.S. until the change of status is processed by U.S. Citizenship and Immigration Services (USCIS). While the application is in process, however, the international employee will be unable to leave the United States. Doing so cancels the change of status portion of the application and would necessitate an additional trip abroad once the H-1B petition is approved. It is important to note that this method of changing the international's non-immigrant status to H-1B does not automatically result in the issuance of a new H-1B travel visa (enabling the employee to travel abroad and return to the U.S. in H-1B status).

To get the new visa, the international employee will have to apply for a new H-1B visa at a U.S. Consulate abroad the next time he or she travels outside the U.S.

Changing Status through Travel: In cases where the international employee is unable to maintain his or her J-1 status, is out of the U.S. at the time of application, or must travel abroad prior to the issuance of an H-1B approval notice, KU may submit Form I-129 to USCIS and mail the formal approval notice to the international employee abroad. The employee will then use this notice to obtain an H-1B visa from the nearest U.S. Consulate and enter the U.S. in H-1B status.

Note: Before an international employee applies for a change of status, or takes any action to change status, it is important for the hiring unit and/or employee to discuss this with an ISSS advisor who can determine whether there are any additional issues of concern.

§ 212(e) – The Two Year Home Residency Requirement: Frequently Asked Questions

What is the two year home residency requirement (§212(e))?

It is a provision of U.S. Immigration law that requires certain J-1s and J-2s to return to their *home country* for two years after completion of the J-1's program. The home country is defined as the J-1's country of permanent residence at the time the J-1 became subject to the requirement.

The home residency requirement is also known as §212(e), referring to the section of law in which it is found: I.N.A §212 (e).

Why is there a home residency requirement?

The Exchange Visitor Program (J-1) Status exists to foster the exchange of international scholars and students to the U.S. It is the intent of this program that these visitors will return to their home country with a better understanding of the U.S. and/or return with skills to benefit his/her home country.

Who is subject to the home residency requirement?

A J-1 may be subject if:

- his/her stay as a J-1 was funded by the U.S. government, his/her home country government, or an international organization (e.g. Fulbright, AMIDEAST, IREX, etc.);
- the academic program or training he/she received as part of the J-1 program is on the Exchange Visitor's Skills List for his/her home country;
- he/she came as a J-1 to receive graduate medical training sponsored by the Educational Commission for Foreign Medical Graduates (ECFMG).

If the J-1 is subject to §212(e), any J-2 dependents will also be subject.

Note: The DS-2019 of the J-1 that was used to apply for a J-1 visa, or enter the country, will be marked indicating if the J-1 is subject to §212(e) or not (however, this annotation is sometimes incorrect). If you are unsure about whether §212(e) applies in a particular instance, please make an appointment to consult with an ISSS advisor.

What are the implications of being subject to the home residency requirement?

Persons subject to the home residency requirement:

- are *ineligible* for an H or L visa or permanent residency until the home residency requirement is fulfilled or waived. However, one could change *status* in the U.S. from F-1 to H, even if subject to §212 (e) from a previous J-1 visit.
- may not change status in the U.S. to any other non-immigrant status, except A or G. However, they may leave the U.S. and apply for a visa for any status other than H, L, or permanent residency and reenter in that status. They must still eventually fulfill the requirement or obtain a waiver. (For example, a person could leave the U.S., apply for an F-1 visa, and reenter as an F-1 even if he/she had not yet fulfilled the home residency requirement. However, he/she will eventually have to fulfill it or obtain a waiver before being able to obtain an H or L *visa* or permanent residency status).

How can one fulfill this requirement?

One can fulfill this requirement by returning to one's home country for a total period of two years. This two year period does not have to be completed at once (e.g., one could return to the home country for 6 months, come back to the U.S. as an F-1, then later complete the remaining 18 months in the home country). However, time spent in the home country while on the J-1 that makes one subject, does not count toward the two years.

How can one waive this requirement?

Obtaining a waiver is a lengthy process (6-12 months) and ISSS can provide information about the process. The first step is to complete and file a Department of State J Visa Waiver Recommendation Application (Form DS-3035). Then, there are several ways in which one can obtain a waiver:

- **No Objection Statement:** This begins with an official statement from the J-1's government (usually embassy in the U.S.) to the U.S. Department of State Waiver Review Division that they do not object to HR/EO hrdept@ku.edu (785)864-4946 103 Carruth-O'Leary Hall www.hreo.ku.edu 04/2009 19 of 22

the J-1 remaining in the U.S. The Waiver Review Division will then make a recommendation and send it to the Department of Homeland Security, who will make the final decision. Generally, the No Objection Statement is used for people subject to §212(e) due to home government funding or the skills list; it does not apply to persons here for graduate medical training sponsored by ECFMG and is almost never successful if U.S. government funding is involved.

- **Interested Government Agency:** If the J-1 is involved in a program of vital interest to a U.S. government agency (e.g. Department of Energy), the head of that agency may request a waiver on the behalf of the J-1 to the Waiver Review Division. The Waiver Review Division will in turn make a recommendation to the Department of Homeland Security who will make the final decision. These waivers are difficult to obtain and the process is quite lengthy.
- **Credible Fear of Persecution:** If the J-1 can demonstrate that if he/she returns to his/her home country, he/she will face persecution due to race, religion, political opinion, nationality, or membership of a certain social group; he/she may apply for a waiver directly to the Department of Homeland Security. Economic hardships or lack of professional opportunities do not qualify for this. Persons with a credible fear of returning home may want to consider asylum.
- **Exceptional Hardship to a U.S. or Permanent Resident Spouse or Child:** If by returning to the home country, the U.S. citizen or permanent resident spouse or child of a J-1 would experience exceptional hardship, the J-1 may apply directly to the Department of Homeland Security for a waiver. The J-1 must establish this with substantial documentation and this is only granted in cases where exceptional hardship is evident (e.g. the spouse or child would be unable to receive medical attention, or would face persecution).

Below is the website for more information on the two year home residency requirement. You may also make an appointment to discuss this with an ISSS advisor.

http://travel.state.gov/visa/temp/info/info_1296.html

Special Information Regarding Department Obligations Related to H-1B Employees

Federal law requires all H-1B employers to cover the cost of return transportation to the international employee's country of permanent residency in the event of EARLY termination of employment. Please note that this also applies in cases where termination was for just cause. KU is not responsible for the return transportation costs home if the H-1B eligibility period has simply been exhausted.

By filing Form I-129 with U.S. Citizenship and Immigration Services, KU is establishing a legal commitment to pay the international employee in question the agreed upon salary. The subsequent receipt of fellowships does not release KU from the obligation in whole or in part and fellowship income is not considered employment compensation. KU must pay the agreed upon wage to the employee for the entire period of H-1B employment.

Appendix A - Annual Assessment of Postdoctoral Training and Research Accomplishments

University policy requires a formal written evaluation of performance annually for all unclassified professional staff, including Post Docs. Such evaluations are usually conducted prior to recommendations for merit increases (see Performance Evaluations section of this manual.)

As one model for performance evaluations, RGS recommends that postdoctoral researchers are evaluated by faculty committees within that department/unit and that each postdoctoral researcher/scholar be encouraged to present his/her research progress from the previous year. Within the first three months of his/her postdoctoral appointment, it is recommended that a postdoctoral researcher selects a committee of three faculty members (including the mentor) to serve as the annual evaluation committee. The committee will assess his/her postdoctoral training and research accomplishments on an annual basis. The assessment should consist of a written response of the Post Doc to a standard evaluation form provided to the committee prior to the evaluation meeting. One such sample has been provided as Appendix A, whereas other examples of performance evaluations are available on the HR/EO website at http://www.hreo.ku.edu/forms/unclassified_employees.shtml.

During the evaluation meeting, it is recommended that the Post Doc will present a 10-15 lecture on his/her research endeavors, including accomplishments and future plans, followed by a 15-20 minute discussion on the current and future research directions, training goals and options. At the end of the committee meeting, the committee may evaluate separately the postdoctoral training and research achievements with ratings of: Exceptional, Exceeds Expectations, Meets Expectations, Unsatisfactory. A sample evaluation form is provided on the next page.

Appendix B - Sample Post Doc Evaluation Form

To be provided by the Post Doc

1. Describe training accomplishments for the past year
2. Describe research accomplishments for the past year
3. Set training goals for the next year
4. Set research goals for the next year

Evaluation by the Committee

Exceptional (rationalize)
Exceeds expectations
Meets expectations
Unsatisfactory (rationalize)

Further comments by the Post Doc (i.e., suggestion for improvements of infrastructure, research and teaching environments etc.)
