University of Victoria

EMPLOYMENT OF RESEARCH EMPLOYEES

University Policy No.: HR6305
Classification: Human Resources, Research
Approving Authority: Board of Governors
Effective Date: XX
Supersedes: May/95
Last Editorial Change:
Mandated Review:

Associated Procedures: Procedures for the Appointment of Research Employees

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Purpose

1.00 The purpose of this policy is to:

- Define research employees at the university;
- Establish the responsibilities of a research employee;
- Establish the responsibilities of the Supervisor and Account Holder; and
- Outline the responsibilities of and the support provided by the university.

Definitions

2.00 For the purposes of this policy, the following definitions apply:

Research Employee means an employee of the university whose salary is paid by Research Funds. This definition includes position titles like Research Assistant, Research Associate, Research Coordinator, Research Engineer, or Research Technician, and other titles as may be appropriate. It also includes graduate students with Employment-based Research Assistantships (ERAs). It excludes those who are employed as a Post-Doctoral Fellow (Policy HR6310), graduate students awarded an Academic Research Assistantship (FGS Policy), and those employed by research entities, like ONC, that already have a research agreement with UVic.

Supervisor means the person supervising the Research Employee. This is normally the Account Holder.

Account Holder means the faculty member who holds the Research Funds used to pay the Research Employee.

Research Funds means non-recurring funds that are obtained through a research grant, research contract, research-related user fees, research startup funds, research stipends, internal research accounts, or similar, including endowment and philanthropic funds. This definition excludes funds that are base budgeted by a UVic Academic Unit or Administrative Unit.

Funding Agency means a legal entity with a legal status that is separate and distinct from the university and includes, but is not limited to, an institute, foundation, granting council, or other agency funding Research Employees.

Employment Agreement means the offer and contract of employment containing the terms and conditions of employment for a Research Employee.

Academic Unit means the Faculty, Department or School, or Division of a Faculty Member who is supervising a Research Employee, as appropriate in the context.

Scope

3.00 This policy applies to all Research Employees, Supervisors, and Account Holders at the University of Victoria.

Policy

Research Employee Responsibilities

4.00 Research Employees conduct and support research projects under the supervision of a Supervisor.

5.00 Research Employees may be employed on a non-renewable fixed term or a renewable fixed term basis. Terms are limited to a maximum of three years or the duration of the Research Funds, whichever is shorter, and are subject to availability of Research Funds.

6.00 A Research Employee is subject to and must comply with the policies and procedures of the university, including those specific to the Academic Unit or Research Centre in which they are appointed.

Supervisor Responsibilities

7.00 The Supervisor is responsible for full-cycle management, including recruitment, onboarding, probation assessment, performance and compensation review, through termination and departure of the Research Employee.

8.00 Prior to making an offer, the Supervisor must demonstrate to the university that there is sufficient funding for the Research Employee and obtain approval from the relevant Academic Unit head or Research Centre Director. The Supervisor must ensure that appropriate space and facilities required for the Research Employee's work are available at the university, consulting with the person responsible for allocating space as needed. This is most often the relevant Dean, except in instances when a Research Centre Director holds independent space.

9.00 The Supervisor is responsible for ensuring the Research Employee receives and returns a signed Employment Agreement, prior to commencing work at the university. The Employment Agreement serves as the agreement between the university and the Research Employee. Refer to the *Procedures for the Appointment of Research Employees* for additional information.

10.00 The Supervisor is responsible for ensuring that Research Employees are made aware of the policies and other governing documents of the university applicable to Research Employees including, but not limited to, the documents listed under the *Related Policies and Documents* section of this policy.

11.00 Supervisors and Research Employees are subject to the university policy on *Intellectual Property* (GV0125). To the extent that a Research Employee participates in the

development of intellectual property while working, the intellectual property rights of the Research Employee under the policy are subject to the conditions stated in the Employment Agreement

12.00 Terms and conditions of employment, including compensation and benefits, shall be determined by the Supervisor, compliant with the *BC Employment Standards Act and Regulations* and other related legislation, and consistent with the policies and regulations in effect per the Research Funds and the university for similar types of employment.

13.00 Adjunct faculty members may not be the sole supervisor but can co-supervise with a faculty member who holds a regular academic appointment as defined in the collective agreement with the Faculty Association.

Account Holder Responsibilities

14.00 The Account Holder is responsible for all expenditure of Research Funds, subject to the relevant university policies and the Funding Agency's information on regulations, policies, and reporting for the relevant Research Funds.

15.00 If the Supervisor is not the Account Holder, the Account Holder must obtain an exception in advance and in writing by the Vice-President Research and Innovation ("VPRI") or delegate.

Authorities and Officers

16.00 The authorities and officers for this policy are:

(i) Approving Authority: Board of Governors
(ii) Designated Executive Officer: TBD
(iii) Procedural Authority: TBD
(iv) Procedural Officer: TBD

Relevant Legislation

University Act

Related Policies and Documents

Conflict of Interest and Confidentiality GV0210
External Research Funding Agreements RH8200 and associated procedures
Intellectual Property GV0125
Protection of Privacy GV0235
Procedures for the Management of Personal Information
Research Policy RH8100
Responsible Use of Information Technology Services IM7200
Scholarly Integrity AC1105A and AC1105B

University of Victoria

Procedures for the Appointment of Research Employees

Procedural Authority: TBD
Procedural Officer: TBD

Effective Date: XX
Supersedes:
Last Editorial Change:

Parent Policy: Employment of Research Employees (HR6305)

Purpose

1.00 The purpose of these procedures is to set out the processes for appointing and supervising Research Employees and the administration of Research Employee appointments.

Definitions

2.00 The definitions contained within the *Employment of Research Employees* policy (HR6305) apply to these procedures.

Scope

3.00 These procedures apply to the employment relationship between Research Employees, their Supervisors, Account Holders, and the university.

Procedures

4.00 Human Resources, together with the Research Employee Administrator in OVPRI, will support the appointment of Research Employees at the university.

5.00 Research Employees and their Supervisors will access support, resources and specialist referral related to employment policy and the employee experience at the university, through Human Resources and the HR Consultant.

6.00 The Research Employee Administrator will serve as the point of contact for Research Employees and their supervisors on issues of university research policy and relationships with funding and other external agencies.

Recruitment and Appointment of Research Employees

7.00 Postings or advertisements seeking candidates for Research Employee positions must comply with the policy on *Employment Equity* (HR6100), and the *Pay Transparency Act*, which requires employers to specify the expected salary or salary range on all publicly advertised job opportunities.

8.00 The regular work week for a full-time appointment (1.0 FTE) shall be 35 hours, or 7 hours per day.

9.00 The Research Funds will be required to fund the employer's portion of mandatory employment-related costs (MERCs, including CPP, EI, vacation, etc.), as well as the employer's portion of the premiums for any university benefit plans in which the Research Employee enrolls.

Onboarding

10.00 The Academic Unit or Research Centre shall make reasonable effort to include Research Employees in the orientation and information sessions that are normally made available to new faculty and staff.

11.00 The Supervisor is responsible for ensuring the Research Employee has completed all mandatory trainings, including those from Occupational Health, Safety and Environment, EQHR, and HR, those related to privacy and information technology, and those relevant to their research and work.

Benefits

12.00 Research Employees appointments of at least 17.5 hours per week (0.5 FTE) and with a duration of at least one year are eligible at the time of appointment to enroll in the Extended Health, Dental, Basic Group Life, and Optional Group Life plans. Research Employees with appointments of at least 17.5 hours per week (0.5 FTE) are eligible to enroll in the Money Purchase Pension Plan after 12 months of continuous service.

a. Research Employees who are currently enrolled as students at UVic with access to benefit plans on the basis of their enrolment as a student are not eligible for the university benefit plans listed above.

13.00 Research Employees who enroll are responsible for the employees' portion of the benefits plans and are required to stay in these plans until the end of their employment.

14.00 Research Employees are eligible for and included in the Employee and Family Assistance Program (EFAP). This program does not require any additional funding from the Research Funds.

Leaves and Vacation

15.00 Research Employee's annual vacation entitlements must be specified in the Employment Agreement, meet or exceed the minimums established in the *BC Employment Standards Act*, and be consistent with the regulations governing the source of the funding. The Supervisor is responsible for ensuring that a Research Employee's vacation entitlement is used in a timely manner.

16.00 Self-identifying Indigenous Research Employees are eligible for a leave of absence without loss of pay of up to two (2) days per calendar year, to attend an Indigenous ceremonial gathering or cultural activity. The Research Employee will apply for the leave in writing to the Supervisor, and the leave request will not be unreasonably denied.

17.00 All other job protected leaves for Research Employees are available as determined by the *BC Employment Standards Act*, and in the case of leaves that are specified as paid leave (e.g. sick leave) the salaries must be paid using Research Funds.

Termination of Employment

18.00 The Employment Agreement must contain the appropriate terms and conditions for involuntary and voluntary termination.

Dispute Resolution Procedures

19.00 If a dispute arises regarding the terms and conditions of the employment of the Research Employee, such matters must be dealt with by the relevant parties in the first instance, namely, the Supervisor and the Research Employee. It is the responsibility of the Supervisor to ascertain whether a resolution of the dispute can be accomplished as soon as possible following the identification of the dispute.

20.00 If the Supervisor and Research Employee are unable to resolve the dispute the following dispute resolution process should be used:

a. The Supervisor and Research Employee should contact Human Resources through the HR Consultant, who will support both through the dispute resolution process. They should additionally inform the Account Holder, if the Supervisor is not the Account Holder.
b. The unresolved dispute should be brought to the attention of the Academic Unit head or Research Centre Director who will assist with dispute resolution (if the Academic Unit head or Research Centre Director is not the supervisor).
c. Where the dispute is not resolved at the Academic Unit or Research Centre level, it may be submitted to the Dean (if the Dean is not the supervisor, the Academic Unit head or the Research Centre Director).
d. Where the dispute is not resolved by the Dean, the Vice-President Research and Innovation may act to resolve the problem, including the delegation of this authority to an Associate Vice-President Research.
e. The decision of the Vice-President Research and Innovation is final within the university.