DISCUSSION ITEM: Proposed addition of Board Policy 6-310, “Conditions of Postdoctoral Scholar Service” and proposed revisions to ABOR 6-601, “Retirement and Benefit Plans,” related to postdoctoral scholars (First Reading)

ISSUE: The Board is asked to review a new policy that would create a separate classification for postdoctoral scholars in recognition of their unique status and to consider a revision to Board Policy 6-601 to clarify that employees exempted by A.R.S. 38-727 are not required or permitted to participate in the Arizona State Retirement System. Exemptions would include postdoctoral scholars if approved by the legislature.

BACKGROUND

Postdoctoral Scholars

- Postdoctoral scholars are defined as persons who have recently completed their doctoral studies and who hold short-term (less than five years) university appointments working under the guidance and direction of a faculty mentor as they prepare for careers as independent scientists and researchers. Postdoctoral appointments are designed to benefit the professional development needs of these future scientists and scholars.

- Nationally and within the Arizona university system, the number of postdoctoral scholars is growing rapidly. Recent national initiatives have drawn attention to the distinct status of postdoctoral scholars (e.g., creation of the National Postdoctoral Association, national survey of postdoctoral education conducted by the Alfred P. Sloan Foundation and Sigma Xi, development of Offices of Postdoctoral Studies in many universities).

- The Association of American Universities Graduate and Postdoctoral Education Committee’s Postdoctoral Education Survey states that 62 percent of higher education institutions classify postdoctoral positions in a separate category, distinct from faculty, students, and staff.

- At ASU, 89% of postdoctoral scholars are paid on non-state funds. At UA, 95% are funded on non-state funds and at NAU, 60% are paid on non-state funds. Most postdoctoral scholars are funded from their faculty mentor’s research grants. Some postdoctoral scholars receive stipends as part of postdoctoral training grants, and others receive fellowships from federal or private foundations.
At ASU, a committee of postdoctoral scholars, faculty members who are principal investigators on externally funded grants and contracts and relevant deans, reviewed issues related to postdoctoral scholars. A forum was held with postdocs and other Academic Professionals in November 2005 and draft postdoctoral scholar guidelines were sent to all postdoctoral scholars, principal investigators and department chairs in June, 2006; responses were received from 21 individuals. Additional questions specific to retirement and other benefits were sent to all ASU postdoctoral scholars in November 2006, and 16 individuals responded.

NAU presented the proposed policy to all deans, asking those whose colleges would be impacted to speak with their researchers and faculty.

UA presented the proposal to all deans and major research units. Responses were considered by UA’s postdoctoral committee.

The Provosts, Vice Provosts and Vice Presidents or Directors for Human Resources participated in determining appropriate conditions of service. Legal counsel at the three universities assisted in reviewing and editing the proposed policy.

The universities coordinated in preparing a matrix showing mutual agreement on benefits, renewal, terms and other conditions for postdoctoral scholars. The matrix will be found in Attachment B on page 12.

In recognition of their unique status, conditions of service, position definition, responsibilities, sources of funding, and short-term affiliation with the universities, the Board is asked to review a new policy that would create a separate classification for postdoctoral scholars. In addition, the Regents are asked to support policy changes that will exempt “postdocs” from participation in a mandatory retirement programs, pending legislation.

DISCUSSION

A. Proposed Board Policy 6-310, Conditions of Postdoctoral Service Policy

Postdoctoral Scholars are currently classified as professional employees, subject to ABOR 6-301, “Conditions of Professional Service”. However, postdoctoral scholar positions include a combination of student and employee characteristics and responsibilities and are most akin to apprenticeships or training programs.

Postdoctoral scholars are appointed and supported by university faculty members who serve as mentors. The faculty mentors provide academic experiences that contribute to the postdoctoral scholars’ professional development and preparation for independent careers in the academy or industry. In this regard, postdoctoral scholars are like students. These individuals have earned advanced degrees through a prolonged course of specialized instruction, they are typically paid from research funds or fellowships, and they qualify for certain employee benefits.
• The faculty mentor and postdoctoral scholar develop a plan of research and the goals, objectives and expectations of the postdoctoral training program. The faculty mentor also communicates with, evaluates, advises and assists the postdoctoral scholar with job placement. The postdoctoral scholar is expected to carry out the research plan and fulfill the program established with the supervising faculty member, and assist the faculty mentor in fulfilling the requirements of the grant, contract or project in a timely manner.

• Postdoctoral scholars are appointed on short-term appointments and cannot be appointed as postdoctoral scholars for more than five years. Unlike existing classifications of academic or service professionals, they are not intended to serve as long term employees.

• ASU has approximately 190 postdoctoral scholars classified as academic professionals, NAU has 10 classified as service professionals, and UA has 387 classified as professional personnel.

• A "conditions of service" policy for postdoctoral scholars would more accurately define and clarify their short term affiliation with the universities and address benefits, responsibilities, maximum terms of appointment (not more than five years), specific to postdoctoral scholars than the Conditions of Professional Service or other existing Board policies. The language for the proposed Board Policy 6-310 begins on page 5.

B. Retirement and Benefits Plans for Postdoctoral Scholars

• ABOR 6-601, “Retirement and Benefit Plans” cites as legal authority, A.R.S. 38-781-01. This citation has been replaced by A.R.S. 38-727, “Eligibility; options” in Arizona Revised Statutes, Title 38, Article 2, “Arizona State Retirement System.” Board policy should reference the current and correct statutory citation.

• A.R.S 38-727 requires most state employees to participate in the Arizona State Retirement System (“ASRS”). Administrators, faculty, and professional employees of the state universities may elect to participate in an optional retirement program approved by the Arizona Board of Regents.

• The statute also exempts several types of employees or other individuals affiliated with the state from required participation in ASRS.

• A.R.S. 38-727(6) provides that persons who are employed in postgraduate training in an approved medical residency training program of an employer are ineligible for membership in ASRS.

• The universities are requesting that the Board pursue an amendment to A.R.S. 38-727 to also exempt postdoctoral scholars from required participation in ASRS.
Rationale for Exemption from Retirement Plan for Postdoctoral Scholars

- The reasons for requesting an exemption for postdoctoral scholars from participation in a retirement plan are:

1. Postdoctoral scholars more closely resemble medical residents than regular employees. The Legislature has exempted medical residents from the statute.

2. Postdoctoral scholars work under the mentorship and supervision of a faculty member. In most cases, they are paid from external grants awarded to the faculty mentor, although they may also be paid from an academic unit’s state or local accounts. Requiring participation in an employer retirement plan disadvantages the faculty mentor or academic unit that supports the postdoctoral scholar as well as the postdoctoral scholar. Postdoctoral scholars cannot vest in a retirement plan due to the short terms of their appointment (less than the five years required to vest). Currently, the faculty member or academic unit that appoints a postdoctoral scholar must pay the employer portion of retirement contributions from his or her external funding or from the academic unit’s state or local accounts, which reduces funding that could be dedicated to the research project and the activities of the postdoctoral scholar.

3. The compensation available to the postdoctoral scholar is decreased by the deduction for the employee portion of the retirement contribution, income the individual could use to make student loan payments and for other immediate needs until she or he is hired into a regular position in academia or industry and begins participating in an employer retirement plan.

4. The employer portion of retirement contributions paid to ASRS is not returned to the university or the faculty member who is paying the contributions. The contributions revert to a general fund of the state. Contributions to an optional plan are not returned for a period of time, often after the grant or contract and postdoctoral appointment have expired.

- The proposed changes to Board Policy 6-601 are shown on page 11.

RECOMMENDATION

The proposed new Board policy, “Conditions for Postdoctoral Service,” which would create a separate classification for postdoctoral scholars, is submitted for a first reading. The proposed revisions to Board Policy 6-601, “Retirement and Benefits Plans,” are submitted for a first reading.
Attachment A

I. PROPOSED NEW POLICY ESTABLISHING POSTDOCTORAL SCHOLARS

6 - 310 CONDITIONS OF POSTDOCTORAL SERVICE

A. GENERAL

THESE CONDITIONS OF POSTDOCTORAL SERVICE SHALL CONSTITUTE THE POLICY UNDER WHICH POSTDOCTORAL SCHOLARS OF THE ARIZONA BOARD OF REGENTS ARE APPOINTED. EACH NOTICE OF APPOINTMENT OR OFFER LETTER FOR POSTDOCTORAL SCHOLARS SHALL INCORPORATE THIS POLICY BY REFERENCE AND SHALL PROVIDE THAT ACCEPTANCE OF THE NOTICE OF APPOINTMENT OR OFFER LETTER IS RECOGNITION THAT THIS POLICY CONSTITUTES THE CONDITIONS OF APPOINTMENT. THE BOARD SHALL NOT BE BOUND BY, NOR DOES IT ADOPT OR INCORPORATE HEREIN, THE INTERPRETATIONS, POLICIES OR RECOMMENDATIONS OF OTHER ORGANIZATIONS, EXCEPT AS APPROVED BY THE BOARD.

THE BOARD IS CHARGED BY LAW TO EXERCISE CONTROL AND SUPERVISION OF THE STATE UNIVERSITIES AND THEIR PROPERTY. ANY AUTHORITY DELEGATED BY THE BOARD IS ALWAYS SUBJECT TO ITS ULTIMATE AUTHORITY. THE BOARD RETAINS THE RIGHT OF PERIODIC REVIEW AND MODIFICATION OF ALL ASPECTS OF GOVERNANCE OF THE STATE UNIVERSITIES, AND THE RIGHT TO ENACT SUCH RULES, REGULATIONS, POLICIES, AND ORDERS AS IT DEEMS PROPER.

B. DEFINITIONS

1. “ACADEMIC YEAR” SHALL MEAN THE PERIOD COMMENCING AND ENDING WITH EACH UNIVERSITY’S ACADEMIC CALENDAR.

2. “APPOINTMENT” MEANS APPOINTMENT FOR A PERIOD AS SPECIFIED IN A NOTICE OF APPOINTMENT OR OFFER LETTER. THE TERM REFERS TO THE INITIAL APPOINTMENT AND ALL SUBSEQUENT APPOINTMENTS, REAPPOINTMENTS OR RENEWALS OF APPOINTMENTS.

3. "BOARD" SHALL MEAN THE ARIZONA BOARD OF REGENTS.

4. "DAY" SHALL MEAN CALENDAR DAY, EXCEPT THAT WHERE THE LAST DAY OF ANY TIME PERIOD SET FORTH IN THIS DOCUMENT FALLS ON A SATURDAY, A SUNDAY OR A UNIVERSITY-RECOGNIZED HOLIDAY, THEN
THE TIME PERIOD SHALL RUN UNTIL 5:00 P.M. OF THE NEXT DAY WHICH IS NOT A SATURDAY, A SUNDAY OR A UNIVERSITY-RECOGNIZED HOLIDAY.

5. “DISCRIMINATORY ACTION” MEANS AN ACTION THAT CONSTITUTES DISCRIMINATION ON THE BASIS OF GENDER, RACE, COLOR, NATIONAL ORIGIN, RELIGION, AGE, VETERAN STATUS, SEXUAL ORIENTATION OR QUALIFIED HANDICAPPED STATUS OR ANY OTHER DISCRIMINATION PROHIBITED BY STATE OR FEDERAL LAW.


7. "NOTICE OF APPOINTMENT" SHALL MEAN THE DOCUMENT BY WHICH AN APPOINTMENT IS MADE AND WHICH IS SIGNED BY THE PRESIDENT OR THE PRESIDENT’S DESIGNEE.

8. “OFFER LETTER” SHALL MEAN THE DOCUMENT THROUGH WHICH A POSTDOCTORAL SCHOLAR IS OFFERED A POSITION AND WHICH IS SIGNED BY THE SUPERVISING FACULTY MEMBER.

9. “POSTDOCTORAL SCHOLAR” SHALL MEAN AN INDIVIDUAL WHO HAS RECENTLY COMPLETED HIS/HER DOCTORAL STUDIES AND WHO HOLDS SHORT-TERM UNIVERSITY APPOINTMENTS WORKING UNDER THE GUIDANCE AND DIRECTION OF A FACULTY MENTOR AS THE INDIVIDUAL PREPARES FOR A CAREER AS AN INDEPENDENT SCIENTIST AND RESEARCHER.


11. “PRINCIPAL INVESTIGATOR” OR “PI” MEANS A FACULTY MEMBER WHO HAS BEEN AWARDED EXTERNAL FUNDING AND WHO MAY APPOINT POSTDOCTORAL SCHOLARS TO PARTICIPATE IN THE PROJECT FOR WHICH THE FUNDING WAS AWARDED.

12. "PROFESSIONAL AND INTELLECTUAL FREEDOM" SHALL MEAN THE RIGHT AND RESPONSIBILITY TO EXERCISE JUDGMENT WITHIN THE STANDARDS OF THE POSTDOCTORAL SCHOLAR’S DISCIPLINE. PROFESSIONAL AND INTELLECTUAL FREEDOM IS DEFINED AS "ACADEMIC FREEDOM" FOR THOSE EMPLOYEES INVOLVED IN TEACHING AND/OR RESEARCH.
13. "RENEWAL" MEANS THE PROCESS BY WHICH AN APPOINTMENT IS EXTENDED FOR AN ADDITIONAL PERIOD.

14. "RULE" MEANS A WRITTEN STANDARD OF GENERAL APPLICABILITY THAT IMPLEMENTS, INTERPRETS OR PRESCRIBES LAW OR POLICY, OR DESCRIBES THE PROCEDURE TO BE UTILIZED IN IMPLEMENTING LAW OR POLICY.

15. "SUPERVISING FACULTY MEMBER" MEANS THE INDIVIDUAL FACULTY MEMBER OF A UNIVERSITY WHO APPOINTS, PROVIDES FUNDING, AND SERVES AS THE MENTOR FOR A POSTDOCTORAL SCHOLAR.

16. "UNIVERSITY" MEANS THE UNIVERSITY OF ARIZONA, ARIZONA STATE UNIVERSITY, NORTHERN ARIZONA UNIVERSITY OR ANY OTHER UNIVERSITY UNDER THE JURISDICTION OF THE ARIZONA BOARD OF REGENTS.

C. APPOINTMENT PROCEDURES

1. THE PRESIDENT SHALL ESTABLISH PROCEDURES FOR APPOINTMENTS OF POSTDOCTORAL SCHOLARS. AN APPOINTMENT MAY BECOME EFFECTIVE AS OF THE DATE IT IS APPROVED BY THE PRESIDENT OR THE PRESIDENT’S DESIGNEE.

2. ALL POSTDOCTORAL SCHOLARS MAY BE APPOINTED FOR ONE ACADEMIC OR FISCAL YEAR, OR A PORTION THEREOF. APPOINTMENTS MAY BE RENEWED ON A YEAR-TO-YEAR BASIS FOR NOT MORE THAN FOUR YEARS AFTER THE INITIAL APPOINTMENT. NO ORAL OR WRITTEN COMMUNICATION MADE PRIOR TO OR AFTER THE EXECUTION OF A NOTICE OF APPOINTMENT OR ACCEPTANCE OF AN OFFER LETTER THAT IS INCONSISTENT OR IN CONFLICT WITH THE CONDITIONS OF POSTDOCTORAL SERVICE (6-310) SHALL BECOME A PART OF THE CONDITIONS OF APPOINTMENT.

3. GENERALLY, POSTDOCTORAL SCHOLARS ARE FUNDED ON THE PRINCIPAL INVESTIGATOR’S OR SUPERVISING FACULTY MEMBER’S EXTERNAL FUNDING. POSTDOCTORAL APPOINTMENTS THAT ARE DEPENDENT UPON CONTINUATION OF FUNDING FROM A SPECIFIC SOURCE OTHER THAN STATE APPROPRIATIONS SHALL SO STATE IN THE APPOINTMENT DOCUMENT AND MAY TERMINATE WHEN THE FUNDING IS NO LONGER AVAILABLE.

4. POSTDOCTORAL SCHOLARS SHALL HAVE NO EXPECTATION OF APPOINTMENT BEYOND THE END OF THE CURRENT APPOINTMENT PERIOD AND ARE NOT ELIGIBLE FOR TENURE OR CONTINUING STATUS.
D. COMPENSATION

1. THE PRESIDENT MAY SET INDIVIDUAL SALARIES. SALARY RATES FOR REAPPOINTMENTS WILL DEPEND UPON AVAILABLE FUNDING. MERIT RAISES MAY BE ALLOCATED BY THE PRESIDENT WITHIN THE LIMITATION OF AVAILABLE FUNDS.

2. CERTAIN FRINGE BENEFITS ARE MADE AVAILABLE TO POSTDOCTORAL SCHOLARS AND ARE SUBJECT TO CHANGE BY THE LEGISLATURE, THE BOARD, OR THE UNIVERSITY.

3. POSTDOCTORAL SCHOLARS ARE ENTITLED TO TWELVE (12) DAYS OF SICK LEAVE ACCRUAL PER YEAR, TEN (10) DAYS OF VACATION LEAVE DURING THE FIRST YEAR OF APPOINTMENT AND FIFTEEN (15) DAYS PER YEAR FOR SUBSEQUENT APPOINTMENTS. VACATION LEAVE DOES NOT CARRYOVER FROM YEAR-TO-YEAR AND IS NOT PAID OUT UPON TERMINATION.

4. POLICIES GOVERNING OUTSIDE ACTIVITIES AND SUPPLEMENTARY COMPENSATION ARE ADMINISTERED BY EACH UNIVERSITY.

E. EMPLOYMENT-RELATED BOARD POLICIES

1. THE BOARD HAS ADOPTED VARIOUS POLICIES WHICH MAY BE A PART OF THE EMPLOYMENT RELATIONSHIP DEPENDING UPON THE TERMS OF THE PARTICULAR POLICY. AMONG THESE POLICIES ARE THE PATENT POLICY, MEDICAL SERVICE PLAN, ROYALTY POLICY AND LEAVE POLICY. CHANGES TO EXISTING POLICIES MAY BE MADE BY THE BOARD AND SUCH CHANGES WILL NORMALLY BECOME EFFECTIVE AT THE BEGINNING OF THE FIRST APPOINTMENT PERIOD FOLLOWING THE PERIOD IN WHICH A CHANGE IS ADOPTED. ADDITIONAL POLICIES MAY BE ADDED TO BE EFFECTIVE AS DETERMINED BY THE BOARD.

2. EACH UNIVERSITY SHALL MAINTAIN A COMPILATION OF SUCH POLICIES AND SHALL TAKE REASONABLE STEPS TO INFORM POSTDOCTORAL SCHOLARS OF THE EXISTENCE OF SUCH POLICIES.

F. DUTIES AND RESPONSIBILITIES

1. DUTIES AND RESPONSIBILITIES OF A POSTDOCTORAL SCHOLAR SHALL CONSIST OF THOSE ASSIGNED BY THE PRESIDENT OR THE PRESIDENT’S DESIGNEE, WHO MAY BE THE PRINCIPAL INVESTIGATOR OR SUPERVISING FACULTY MEMBER. ALL DUTIES AND RESPONSIBILITIES SHALL BE CARRIED OUT UNDER THE DIRECTION OF
THE PRESIDENT OR THE PRESIDENT’S DESIGNEE. DUTIES AND RESPONSIBILITIES SHALL BE RELATED TO THE EXPERTISE AND COMPETENCE OF THE POSTDOCTORAL SCHOLAR.

2. PERFORMANCE OF ASSIGNED DUTIES BY POSTDOCTORAL SCHOLARS SHALL BE SUBJECT TO EVALUATION BY A PRINCIPAL INVESTIGATOR, SUPERVISING FACULTY MEMBER AND/OR APPROPRIATE ADMINISTRATOR AND PERFORMANCE SHALL BE CONSIDERED IN DECISIONS RELATING TO COMPENSATION, RETENTION, TERMINATION OR A DECISION NOT TO REAPPOINT.

G. REAPPOINTMENT

POSTDOCTORAL SCHOLARS SHALL BE GIVEN AT LEAST A SIXTY (60) DAY NOTIFICATION OF NON-RENEWAL PRIOR TO THE END OF THE APPOINTMENT PERIOD. FAILURE TO PROVIDE A SIXTY (60) DAY NOTIFICATION OF NON-RENEWAL SHALL NOT CONSTITUTE AN AUTOMATIC RENEWAL OF APPOINTMENT. IF NOTICE OF NON-RENEWAL IS GIVEN LESS THAN SIXTY DAYS PRIOR TO THE END OF AN APPOINTMENT PERIOD, THEN THE POSTDOCTORAL SCHOLAR SHALL BE ENTITLED TO CONTINUATION OF COMPENSATION FOR SIXTY (60) DAYS FROM THE DATE OF NOTIFICATION. IF FUNDING IS NO LONGER AVAILABLE OR ELIMINATED, A POSTDOCTORAL SCHOLAR SHALL BE PROVIDED WITH A THIRTY (30) DAY NOTIFICATION OF TERMINATION OF THE APPOINTMENT DUE TO LOSS OF FUNDING.

H. TERMINATION

1. METHODS OF TERMINATION

THE APPOINTMENT OF A POSTDOCTORAL SCHOLAR MAY TERMINATE THROUGH RESIGNATION, NON-RENEWAL OF APPOINTMENT, LOSS OF FUNDING WHICH SUPPORTS THE APPOINTMENT, OR DISMISSAL FOR JUST CAUSE DURING THE APPOINTMENT PERIOD FOR POOR PERFORMANCE, WORK RELATED MISCONDUCT, VIOLATION OF BOARD OR UNIVERSITY POLICIES, OR OTHER SERIOUS REASON AS DETERMINED BY THE SUPERVISING FACULTY MEMBER.

2. DISMISSAL DURING THE APPOINTMENT PERIOD

A. THE SUPERVISING FACULTY MEMBER SHALL PROVIDE A WRITTEN RECOMMENDATION OF DISMISSAL TO THE ACADEMIC UNIT HEAD, WITH A COPY TO THE POSTDOCTORAL SCHOLAR. THE RECOMMENDATION SHALL PROVIDE THE REASONS OR BASIS FOR THE PROPOSED ACTION.
B. IF THE POSTDOCTORAL SCHOLAR DISAGREES WITH THE REASONS FOR DISMISSAL, HE/SHE MAY, WITHIN FIVE (5) DAYS AFTER RECEIPT OF THE RECOMMENDATION, SUBMIT AN APPEAL TO THE ACADEMIC UNIT HEAD, WITH A COPY TO THE SUPERVISING FACULTY MEMBER.


3. THE SUPERVISING FACULTY MEMBER MAY DECIDE NOT TO RENEW THE APPOINTMENT OF ANY POSTDOCTORAL SCHOLAR. IN SUCH CASE, THE POSTDOCTORAL SCHOLAR IS NOT ENTITLED TO A REASON FOR THE DECISION TO NON-RENEW THE APPOINTMENT OR A HEARING EITHER PRIOR TO OR SUBSEQUENT TO THE DECISION.

4. INTERIM ACTION

A POSTDOCTORAL SCHOLAR MAY BE SUSPENDED WITH PAY PENDING A DISMISSAL IN A CASE IN WHICH THE SUPERVISING FACULTY MEMBER, UNIT HEAD AND COLLEGE DEAN DETERMINE THAT THE CONTINUED PRESENCE OF THE INDIVIDUAL ON THE CAMPUS CONSTITUTES A SUBSTANTIAL INTERFERENCE WITH THE ORDERLY FUNCTIONING OF THE UNIVERSITY OR OF A SUBSTANTIAL AREA, UNIT, COLLEGE OR DEPARTMENT OF THE UNIVERSITY.

I. DISCRIMINATION REVIEW PROCEDURES

1. EACH UNIVERSITY SHALL MAINTAIN A PROCEDURE FOR REVIEWING CLAIMS OF UNLAWFUL DISCRIMINATION

2. WHenever a postdoctoral scholar believes that a decision on reappointment, non-renewal, or dismissal was based on
UNLAWFUL DISCRIMINATION, THE INDIVIDUAL SHALL HAVE A RIGHT TO HAVE HIS OR HER COMPLAINT REVIEWED IN ACCORDANCE WITH UNIVERSITY POLICIES AND PROCESSES FOR INVESTIGATION AND DISPOSITION OF SUCH COMPLAINTS.

J. IMPLEMENTATION

THE PRESIDENT SHALL ESTABLISH SUCH ADDITIONAL POLICIES AND PROCEDURES CONSISTENT WITH THIS POLICY AS MAY BE NEEDED TO CARRY OUT THE CONDITIONS OF POSTDOCTORAL SERVICE (6-310).

K. SEVERABILITY

IF ANY SECTION, PARAGRAPH, SUBDIVISION, CLAUSE, SENTENCE OR PHRASE OF THIS POLICY SHALL FOR ANY REASON BE HELD ILLEGAL OR UNENFORCEABLE, SUCH DECISION SHALL NOT AFFECT THE VALIDITY OF THE REMAINING PORTIONS OF THE POLICY. IF ANY PROVISION OF THIS POLICY CONTAINS AN AMBIGUITY, WHICH MAY BE CONSTRUED AS EITHER VALID OR INVALID, THE VALID CONSTRUCTION SHALL PREVAIL.

II. PROPOSED REVISION TO POLICY 6-601, RETIREMENT PLANS

6-601 Retirement Plans

ALL ELIGIBLE employees OF THE UNIVERSITIES who meet the criteria and requirements of an approved retirement plan are required by law to enroll and TO participate in AN APPROVED RETIREMENT PLAN one of the plans for which they are eligible EXCEPT THOSE EMPLOYEES AND OTHER PERSONS EXEMPTED FROM PARTICIPATION UNDER A.R.S 38-727. The rates of employee/employer contribution are periodically reviewed and may be subject to change.

A. Classified staff AND OTHER UNIVERSITY PERSONNEL eligible under A.R.S. 38-727 shall participate in the Arizona State Retirement Plan.

B. University personnel eligible under A.R.S. 38-727 shall participate in the Arizona State Retirement Plan.

CB. Administrative staff, professional staff and faculty eligible under A.R.S. 38-727 shall participate in either the Arizona State Retirement Plan or an Optional Retirement Plan as designated by the Board subject to the provisions of ABOR Policy 6-602 (Optional Retirement Program).
### Attachment B

**TRI-UNIVERSITY POSTDOCTORAL SCHOLARS BENEFITS MATRIX**  
**Effective Date January 1, 2008**

<table>
<thead>
<tr>
<th>Existing Benefit</th>
<th>Proposed Change - ASU</th>
<th>Proposed Change - UA</th>
<th>Proposed Change - NAU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee health and dental insurance (individual and family)</td>
<td>Maintain existing benefit</td>
<td>Maintain existing benefit</td>
<td>Maintain existing benefit</td>
</tr>
<tr>
<td>Long-term disability insurance</td>
<td>Maintain existing benefit</td>
<td>Maintain existing benefit</td>
<td>Maintain existing benefit</td>
</tr>
<tr>
<td>Life, short-term disability, vision and dependent life insurances, Flexible Spending Accounts</td>
<td>Maintain existing benefit</td>
<td>Maintain existing benefit</td>
<td>Maintain existing benefit</td>
</tr>
<tr>
<td>Employee tuition reduction (individual and family). Tuition for postdocs and their families are covered in accordance with university policy</td>
<td>Maintain existing benefit</td>
<td>Maintain existing benefit</td>
<td>Maintain existing benefit</td>
</tr>
<tr>
<td>Sick leave: maximum accrual 12 days/year</td>
<td>Maintain existing benefit</td>
<td>Maintain existing benefit</td>
<td>Maintain existing benefit</td>
</tr>
<tr>
<td>Vacation leave (for employees on fiscal appointment only): maximum accrual 22 days/year. Postdocs appointed prior to January 1, 2008 would retain the existing 22 days/year benefit</td>
<td>Reduce to 10 days/yr for first year; 15 days thereafter with no carryover from year-to-year or pay out upon termination.</td>
<td>Reduce to 10 days/yr for first year; 15 days thereafter with no carryover from year-to-year or pay out upon termination.</td>
<td>Reduce to 10 days/yr for first year; 15 days thereafter with no carryover from year-to-year or pay out upon termination.</td>
</tr>
<tr>
<td>Library, computer, parking privileges, discounts available to employees</td>
<td>Maintain existing benefit</td>
<td>Maintain existing benefit</td>
<td>Maintain existing benefit</td>
</tr>
<tr>
<td>Notification of non-renewal. As Academic or Service Professionals, they would receive 90 days notice. (UA currently provides 30 days notice if funding is eliminated)</td>
<td>30 days notice if funding is eliminated; 60 days notice otherwise</td>
<td>30 days notice if funding is eliminated; 60 days notice otherwise.</td>
<td>30 days notice if funding is eliminated; 60 days notice otherwise.</td>
</tr>
<tr>
<td>Voluntary retirement savings plans (403b and 457 plans); no employer contributions are made to these plans</td>
<td>Maintain existing benefit</td>
<td>Maintain existing benefit</td>
<td>Maintain existing benefit</td>
</tr>
<tr>
<td>Mandatory retirement plans (ASRS and ORP): currently eligible. During the transition, postdocs who wish to remain in a retirement plan would be reclassified into a retirement-eligible job category.</td>
<td>Pending legislative approval, exclude from mandatory plans (ASRS and ORP)</td>
<td>Pending legislative approval, exclude from mandatory plans (ASRS and ORP)</td>
<td>Pending legislative approval, exclude from mandatory plans (ASRS and ORP)</td>
</tr>
</tbody>
</table>