

*This is part of a package proposal. UAW reserves the right to withdraw this package proposal at any time, at its sole discretion and without penalty. If this package proposal is not accepted as written in its entirety and without modification as described below, this proposal will be declared to be void and non-existent and the Union will return to bargaining from its language proposed prior to this package proposal.*

## **Article XX – Time and Effort Commitment**

### **A. GENERAL PROVISIONS**

1. Academic Researchers~~Postdoctoral Scholars~~ are full-time FLSA-exempt professional appointees. Academic Researchers~~Postdoctoral Scholars~~ are appointed with the expectation that they will have a full time involvement in scholarly pursuits, except as provided in § B. and C. below.
2. The workweek for full-time exempt appointees is normally at least 40 hours, with the emphasis placed on meeting the responsibilities assigned to the position, on making progress toward their professional goals, and on demonstrating their research and creative capabilities, rather than on working a specified number of hours. Required work schedules must be reasonable, and related to the research needs. In recognition of the professional exempt status of Academic Researchers~~Postdoctoral Scholars~~, assigned work schedules provide the flexibility to meet research goals and to occasionally allow a schedule of less than 40 hours in a week.
3. Full-time Academic Researchers~~Postdoctoral Scholars~~ do not receive overtime compensation or compensatory time off.
4. Prior to requesting an exception, in accordance with §B below, Academic Researchers~~Postdoctoral Scholars~~ shall review alternative options under other articles of the contract, including: Article XX – Appointments, Article XX – Leaves, Article XX – Vacation~~Personal Time Off~~, Article XX – Reasonable Accommodation, and Article XX – Sick Leave.

### **B. EXCEPTIONS TO FULL TIME APPOINTMENTS:**

1. Upon written request of the appointee and written concurrence of the supervisor, the University may grant an exception to the full time appointment expectation when the appointee is unable to make a full-time commitment for reasons of health, family responsibilities, or employment external to the

- University. Such a request must take into account extramural funding agency requirements, if any. An exception to full time may be granted for a range of one month to up to the end of the appointment.
2. When an Academic Researcher~~Postdoctoral Scholar~~ simultaneously holds a University teaching appointment or other University position, the percent time of the Academic Researcher~~Postdoctoral Scholar~~ appointment normally will be reduced so that the sum of the percent times of the two appointments equals one-hundred percent (100%).
  3. When the University reduces an appointment as described in §B.1., above, the supervisor and Academic Researcher~~Postdoctoral Scholar~~ shall sign a written agreement specifying the reduction in hours of work and concomitant responsibilities.
  4. The full-time work expectation in §A.1. and 2., will be prorated for Academic Researchers~~Postdoctoral Scholars~~ with less than a full-time appointment as provided in §C.

### **C. NON-EXEMPT ACADEMIC RESEARCHERS ~~POSTDOCTORAL SCHOLARS~~**

For Academic Researchers~~Postdoctoral Scholars~~ who have an approved exception to full time appointment as provided in §B above and who fall below the FLSA salary level test, the following terms shall apply:

1. The University shall place part-time Academic Researchers~~Postdoctoral Scholars~~ who become non-exempt into the ~~appropriate~~ following title code: with a NEX suffix (Title codes 1997, 1998, 1999, 3170, 3180, 3190, 3490, 3491, 3492, 3493, 3495, 3301, 3311, 3321, 3329, 3541, 3543, 3545, 3547, 3549, 3551, 3553, 3555). ~~Postdoc—Employee-NEX (3255)~~.
2. A workweek is a period of time consisting of seven consecutive days. A standard workweek is from Sunday morning (12:01 a.m.) to midnight the following Saturday.
3. Postdoctoral Scholars are non-exempt hourly and are expected to work hours commensurate with their appointment percentage. The minimum hourly rate for each experience level are listed in Appendix XX
4. Academic Researchers~~Postdoctoral Scholars~~ with salaries above the minimum hourly rate for their experience level shall have an hourly rate determined by dividing their annual rate by 2,088 (the number of working hours in a year).

5. Academic Researchers~~Postdoctoral Scholars~~ must track the total number of hours they work on a daily basis and provide the total number of hours they worked each day by the end of each pay period utilizing local time-keeping practices. Academic Researchers~~Postdoctoral Scholars~~ shall be paid on a biweekly pay cycle.
6. Overtime is actual time worked which exceeds forty (40) hours in a workweek and must be reported. Academic Researchers~~Postdoctoral Scholars~~ who work more than 40 hours in any given week must have advance written authorization from their supervisor.
7. Academic Researchers~~Postdoctoral Scholars~~ who work more than 40 hours in a week shall only be eligible for compensatory time off earned at the rate of time and one half (1 ½ X) for hours actually worked in excess of 40 hours in a week.
  - a. Actual time worked for the purpose of calculating compensatory time does not include hours paid in non-work status, such as sick leave, ~~vacation~~~~personal time~~, holidays, compensatory time off, and leaves with or without pay.
  - b. Accumulation of compensatory time is limited to a maximum forty (40) hours. An Academic Researcher~~Postdoctoral Scholar~~ may request to schedule the use of banked compensatory time. An Academic Researcher's ~~Postdoctoral Scholar's~~ request for the scheduling of banked compensatory time shall be granted subject to the needs of the University and shall not be unreasonably denied. Compensatory time off shall be scheduled by the University. Under no circumstances shall compensatory time off be carried over from one appointment period to the next.
  - c. In the rare event that an Academic Researcher~~Postdoctoral Scholar~~ is unable to get approval to schedule compensatory time off prior to the end of the appointment, the University shall pay out the unused time.
8. When an Academic Researcher~~Postdoctoral Scholar~~ has two or more appointments which brings the salary level to the FLSA salary level test, the terms in this Section do not apply.
9. Travel Time
  - a. Travel time between home and the work place is not time worked.
  - b. The Academic Researcher's~~Postdoctoral Scholar's~~ supervisor will assign regular work hours for any workweek during which travel will occur for the purpose of identifying and tracking compensable travel time. The travel during the Academic Researcher's~~Postdoctoral Scholar's~~ assigned regular working hours is considered time worked.

- c. Assigned travel that does not keep an Academic Researcher~~Postdoctoral Scholar~~ away from home overnight, travel time to the first destination and from the final destination, except for the time the Academic Researcher~~Postdoctoral Scholar~~ normally would spend traveling to and from the workplace, counts as time worked.
  - d. Assigned travel that keeps an Academic Researcher~~Postdoctoral Scholar~~ away from home overnight is counted as time worked when such travel occurs during their assigned regular working hours.
  - e. Travel time outside of their assigned regular work hours is not time worked, unless the Academic Researcher~~Postdoctoral Scholar~~ performs actual work during that time. Prior to performing work during the travel time, the Academic Researcher~~Postdoctoral Scholar~~ must have advance written authorization from their supervisor.
10. Meal periods are not time worked.
11. When the University requires an Academic Researcher~~Postdoctoral Scholar~~ to change into or out of protective clothing, engage in special washing or cleaning procedures, or perform other activities on or at a University facility before or after the work period, the time spent in such activities is considered time worked.
12. The Union shall receive notification of Academic Researchers~~Postdoctoral Scholars~~ in title codes 1997, 1998, 1999, 3170, 3180, 3190, 3490, 3491, 3492, 3493, 3495, 3301, 3311, 3321, 3329, 3541, 3543, 3545, 3547, 3549, 3551, 3553, 3555 ~~3255~~ through the File Transfer Protocol (FTP) reports.

#### **D. LABOR MANAGEMENT MEETINGS**

The parties agree to administer the provisions of Section C in accordance with Article XX Labor-Management Meetings. Upon the union's request, the University shall provide time sheets for specific identified locations, provided the union makes the request at least sixty (60) days prior to the scheduled Labor Management Meeting.