New York University
UNIVERSITY POLICIES

Title: NYU Washington Square Policy for Postdoctoral Appointments
Effective Date: November 1, 2011
Issuing Authority: University Provost
Responsible Officer: Senior Vice Provost for Research

Purpose of this Policy:
To establish consistent guidelines for postdoctoral appointments.

Scope of this Policy:
This policy applies to Faculty, administrators and staff in the NYU research community and applies to all schools at NYU, exclusive of the NYU Langone Medical Center.

Definition:
To be eligible for a postdoctoral appointment, an individual must hold a Ph.D., M.D., D.D.S., or equivalent advanced or terminal degree from a recognized institution of higher learning; and will be no more than five years from the degree.

Procedures for Implementation:
Postdoctoral appointments afford recent Ph.D. (and equivalent advanced or terminal degree) recipients a period in which to further their education and professional training. NYU is committed to providing these individuals with the opportunity to carry out postdoctoral studies in a research environment that can significantly broaden an individual’s expertise, provide a period of extensive independent and mentored scholarship, and help define future career paths. The breadth of the NYU academic community, together with the physical resources in its libraries and laboratories, makes NYU a particularly rich environment for postdoctoral training. In addition to deriving individual benefits, postdoctoral appointees (“postdocs”) make important contributions to the research and academic mission of NYU.

The following elements are essential to a proper postdoctoral experience:

- Transition to career independence through the development of professional skills that enable the postdoc to actively pursue a career of his/her own choosing.
- Supervision by at least one senior scholar who actively promotes the postdoc’s professional development.
- An individual development plan that incorporates the postdoc's career and training goals and the mentor's research goals.
- Pursuit of basic, clinical, or translational projects, so long as effort is focused primarily on research.
- Publication of the results of the postdoc’s research and scholarship during his/her appointment.
- A temporary appointment, with the aggregate amount of time spent as a postdoc not to exceed five years.

Postdoctoral appointees must be appointed by or affiliated with an academic department or other academic unit authorized to make academic appointments. There are two categories of appointees: Postdoctoral Associates and Postdoctoral Fellows.

Appointees funded from NYU-administered research grants, contracts, or other University sources, in order to provide services related to sponsored research are classified as Postdoctoral Associates; they are employees of the University as well as trainees, and like all postdoctoral appointee trainees, are entitled to mentored career development. Thus, they are distinct from Research Scientist/Scholar (Code 103) appointees, who are hired to provide professional research services, but are not also trainees. Associates typically perform research or other services for NYU, and their work is directed and supervised by NYU. They receive salaries for their services.

Postdoctoral Fellows also are trainees, but they are not NYU employees. They are not required to perform any services (for NYU or any sponsor) and they are at NYU solely to perform research and pursue scholarship for their own professional development. They receive stipends (not salaries or compensation), which may be funded either from training or fellowship grants to the University or from another source. The category of Postdoctoral Fellows includes appointees receiving their stipends through NYU, as well as those paid directly by the sponsor. Fellows receive mentored career development. They typically define their own research projects, goals, and publication timelines, often in consultation with their NYU faculty mentor.

It is important to note that the present policy applies to both categories of appointees, Postdoctoral Associates and Postdoctoral Fellows, as they are defined below in Section 1.1 Eligibility. This policy does not apply to NYU employees who may have the title of Fellow but do not meet the stipulated eligibility requirements (for example, are more than five years from the degree and have already established a career as an independent scholar). The scope of this policy is the Washington Square community, which is exclusive of the NYU Langone Medical Center.

1. Terms of Appointment

1.1 Eligibility: To be eligible for a postdoctoral appointment, an individual must hold a Ph.D., M.D., D.D.S., or equivalent terminal degree from a recognized institution of higher learning; and will be no more than five years from the degree. The candidate also must provide an up-to-date curriculum vitae and list of publications, and must arrange for at least two letters of recommendation to be sent to the prospective faculty supervisor at NYU.

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1 Information about the Postdoctoral Program at the NYU School of Medicine and policies that pertain to postdocs can be found at [http://sackler.med.nyu.edu/postdoc/](http://sackler.med.nyu.edu/postdoc/)
When a candidate for an appointment has completed all of the requirements for a degree, but the degree has not yet been formally conferred, the candidate may present evidence of completion of the degree, together with a statement from the candidate’s institution specifying the date on which the degree is to be conferred.

1.2 Individuals Who May Not Be Appointed In A Postdoc Title: The following individuals may not be appointed using a postdoctoral title: individuals who do not have doctoral-level degrees; individuals who will be at NYU for less than one year, including individuals who retain compensated appointments or positions from an entity other than NYU; and individuals who are self-funded, that is, individuals using their own personal funds (e.g., from a savings account, etc.) and no agency or outside entity is providing funds.

1.3 Appointment Letter: Each new postdoctoral appointment is to be made in writing by a letter from the supervising faculty member or other designated individual. Each postdoctoral appointee must be affiliated with a primary academic department or equivalent academic unit, and the letter must have the approval of the departmental chair and/or the appropriate dean in accordance with the policy of the relevant department or school, or as may be required by the funding source. Final administrative approval must be obtained from the Office of Postdoctoral Affairs (see below), preferably at the time of the offer but in any case prior to (and a condition of) the actual appointment of the candidate. The appointment letter must include the following details:

i. the term, title, and schedule (full time or fractional) of the appointment;
ii. the level of support and frequency of payment;
iii. the source of support;
iv. benefits provided;
v. a statement of the expected scope of research and other activities of the appointee during the term of appointment. (This statement may refer to a general area of research or training and need not define a particular project.)
vi. in the case of Postdoctoral Associates, a statement of teaching responsibilities or other services to be provided, if any, associated with the appointment;
vii. conditions for reappointment, if applicable;
viii. other information relevant to the appointment; and
ix. a copy of this Policy for Postdoctoral Appointments.

1.4 Acknowledgement of Appointment Letter: The postdoctoral appointee must acknowledge the terms of the appointment, either by signing the letter of appointment or by submitting a separate letter of acceptance.

1.5 Failure to Obtain Degree on Timely Basis: If the appointee’s degree is not conferred by the projected date, the postdoctoral appointment will be terminated.
1.6 **Stipend and Salary Levels:** The University will establish each year a minimum annual level of stipend support for Fellows and a minimum annual level of salary support for Associates. Stipend increases generally are determined by the sponsor; normally, salary increases for Associates are tied to annual increases for faculty and administrators.

Postdoctoral Fellows typically receive a stipend to offset living costs and maintain residency, and may receive a supplemental stipend, such as a housing or research allowance. Departments and mentors may wish to supplement stipends of certain externally funded fellowships in order to bring them in line with stipends funded by other sources in the field or department. Such supplements, usually derived from discretionary University funds, and are not in exchange for extra effort, but rather adjustments to the fellowship stipend to defray living expenses.

1.7 **Full-Time and Fractional Appointments:** Ordinarily postdoctoral appointments are for full-time effort. Some appointments may be fractional, and in these cases, the percentage of effort (less than 100%) must be clearly stated in the appointment letter, with a corresponding reduction in the stipend or wages and the understanding that the appointee may perform and be compensated for University services or outside employment, up to but not exceeding full-time effort. (See Section 1.8 **Teaching and Teacher Preparation Opportunities** with respect to teaching opportunities and Section 3.4 **Outside Employment** with respect to outside employment.) In these cases, such fractional appointments must be consistent with the rules of the funding source and with the visa requirements of appointees who are not U.S. citizens or permanent residents. Fractional appointments must be approved by the Office of Postdoctoral Affairs.

1.8 **Teaching and Teacher Preparation Opportunities:** The Office of Postdoctoral Affairs, and or the school/department or other academic unit that made the appointment may sponsor teacher preparation activities for postdoctoral appointees, and schools may offer teaching opportunities.

Any Postdoctoral Associate wholly paid from external funds and who has committed 100% of his or her time to funded research may not engage in teaching at NYU since University Time and Effort rules for employees preclude more than 100% effort paid by NYU. Any Postdoctoral Associate who has committed less than 100% of his or her time to funded research may be allowed to teach; however, the terms of the teaching appointment must be included in the appointment letter or in a subsequent written communication, and together with other activities, may not exceed 100% time. (See also Section 3.4 regarding outside employment).

A Postdoctoral Fellow is not required to perform any services to the University in connection with the fellowship. However, with permission of the mentor and the chair or dean, a Postdoctoral Fellow conducting full time research may request permission to teach as extra effort and to receive wages for these services performed outside of the fellowship (i.e., in an employee capacity, such as serving as adjunct faculty). Such teaching must be of limited scope and must be consistent with the
policies of the sponsor. If a Postdoctoral Fellow accepts any teaching assignments at NYU, such assignments may not interfere with the fellowship and may not exceed 25% of the Postdoctoral Fellow’s time during the period of the fellowship. Such teaching (or other employment) is separate and apart from the fellowship and is considered part-time employment. The tax treatment for the wages earned as an employee for teaching is separate and different from the tax treatment for the stipend received as a Postdoctoral Fellow.

1.9 Taxes:

1.9a. **Postdoctoral Associates** receive wages.

- Wages are compensation and therefore normally subject to FICA and other employment tax withholdings, where appropriate and as applicable to all NYU employees.
- Special rules may apply to Associates who are nonresident aliens. Tax treatment and withholding requirements may vary depending on whether there is a treaty between the Postdoctoral Associate’s home country and the United States.
- Special rules also may apply to Associates to the extent that they are performing part of their services outside of the United States.

1.9b. **Postdoctoral Fellows** receive a stipend.

- The stipend is not compensation and therefore is not subject to FICA and other employment tax withholdings.
- The stipend, including any supplemental housing or other stipend and the cost of health insurance benefits, generally is subject to city, state and federal income tax as a taxable fellowship.
- Special rules may apply to Fellows who are nonresident aliens. Tax treatment and withholding requirements may vary depending on whether there is a treaty between the Postdoctoral Fellow’s home country and the United States.
- Special rules may apply to Fellows to the extent that they are performing part of their services outside of the U.S.
- Postdoctoral Fellows will receive two tax letters: one at the time of the appointment advising the Postdoctoral Fellow to become familiar with his or her city, state, and federal tax obligations, including the requirement to make estimated tax payments; and the second, at year-end, identifying any amounts that may be subject to personal income taxation in the U.S. and/or home country. However, irrespective of whether the University provides either or both tax letters, Fellows are responsible for their individual tax compliance, including making timely required reports and payments; the University has no liability for failure to provide the letters.
1.10 **Maximum Term:** Individuals may not hold postdoctoral appointments at NYU for longer than five years, including previous postdoctoral experience at other institutions, although extensions may be granted in exceptional cases.

1.11 **Notice of Resignation:** If a postdoctoral appointee resigns prior to the end of the appointment, he or she will provide at least one month’s notice. Postdoctoral appointees must leave all research materials with the faculty supervisor to ensure continuation of the project and compliance with relevant University and sponsor policies. However, access to these data and materials will be provided to the appointee.

1.12 **Notice of Termination:** If a postdoctoral appointment is terminated by the faculty mentor prior to the end of the appointment, the appointee must be notified in writing at least three months in advance unless the appointment letter expressly allows for less notice. The exception is for appointees who are terminated because of misconduct, failure to engage in appropriate research and training activities, or failure to comply with applicable NYU policies such as the NYU Code of Conduct, and in the case of Postdoctoral Associates, poor performance. The probationary period for Associates is six months in length; termination during this period need not be for cause and may not be grieved. In all instances, the Office of Postdoctoral Affairs should be consulted.

2. **Additional Stipends and Benefits**

2.1 **Health Insurance:** Postdoctoral appointees will have access to medical and dental insurance, either through the NYU Medical and Dental Plans or through a substantially equivalent plan in terms of both service and cost to the individual. All appointees must have evidence of health insurance during their appointments.

2.2 **Other Benefits:** Full information and consultation about non-medical benefits and vacations, holidays and personal/sick days is available from the Office of Postdoctoral Affairs.

2.4. **Career Services:** Postdoctoral appointees will have access to a range of career development workshops and other activities sponsored by the University and the school with which the appointee is affiliated.

2.5 **Facilities:** Postdoctoral appointees will have access to the University’s facilities on terms usual to members of the academic community.

2.6 **Services or Research Performed Outside The United States:** Stipends and benefits may vary where the postdoctoral appointee is located outside the United States.
3. Expectations for Training

3.1 Mentor Responsibilities: The supervising faculty mentor is expected to:

i. Provide training and supervision.
ii. Write, as part of the annual review or reappointment process, an evaluation or progress report of the postdoctoral appointee’s training activities in a manner that is clear and timely. In the case of Associates involved in providing services (such as sponsored research projects), such services may be part of the progress report submitted to the sponsor, provided that they also had a training component.
iii. Provide progress reports to each appointee and forward copies to the Office of Postdoctoral Affairs.
iv. Provide an appropriate training experience that helps to advance the career of the postdoctoral appointee.
v. Provide the appointee with opportunities to become integrated into the school or department, such as attending colloquia, seminars or academic events.

3.2 Appointee Responsibilities: The postdoctoral appointee is expected to:

i. fulfill specific research and training objectives;
ii. conform with ethical standards of the University, particularly as regards research ethics;
iii. comply with all relevant federal, state and municipal regulations and guidelines that relate to human subjects research, the care and use of laboratory animals, and the use of hazardous materials;
iv. comply with all relevant University policies, including the Policy on Intellectual Property and the Policy on Conflict of Interest and Conflict of Commitment;
v. record and document research results appropriately; and
vi. assimilate with members of the school or department through such activities as attending colloquia, seminars and receptions.

If the Postdoctoral Appointee will be engaged in other specific activities, such as teaching, see Sections 1.8 and 3.4), these expectations should be stated in the letter of appointment or in a subsequent written communication.

3.3 Applying for Grants: Postdoctoral appointees generally are not eligible to serve as Principal Investigators on grant proposals. An exception may be made for Associates in connection with proposals requesting support for the Associate, provided the mentor approves and takes responsibility for ensuring compliance with University and sponsor requirements associated with the grant.

3.4 Outside Employment: A postdoctoral appointee who holds a full-time appointment may only engage in outside employment activities, such as consulting, if prior permission has been obtained from the mentor and the school dean. In
particular, such employment must not interfere with the primary research and training obligations, and must comply with the rules of the funding source. Moreover, these activities must comply with all relevant University policies including those on conflict of interest, conflict of commitment, and intellectual property, and in no case can consulting and similar external activities exceed the one day per seven day week limit applicable to faculty.

4. Administrative Support

4.1 Departmental and School Roles: For each department, school or other unit that makes postdoctoral appointments, the department chair has the responsibility to oversee the postdoctoral appointment process and to serve as a resource to faculty and appointees on postdoctoral policies. Alternatively, the chair may designate a faculty member to serve in this capacity, providing guidance and support to the postdoctoral appointees and to the faculty in the department, and to serve as a link to the University-wide Office of Postdoctoral Affairs. Administrative support will be provided by the department or school.

4.2 University Role: The Office of Postdoctoral Affairs, located in the Office of the Provost, supplements the role of the departments and schools in implementing policies and procedures related to the appointment, roles, requirements, and responsibilities of all postdoctoral appointees in the respective departments and schools. Areas in which the office provides assistance and oversight of compliance with University policies include: (i) appointments; (ii) policy administration; (iii) support functions; and (iv) sponsor-mandated training programs. The Office of Postdoctoral Affairs also will address the needs and professional development of postdoctoral appointees; nurture training and career development; and encourage interaction among postdoctoral appointees on an academic, cultural, and social level.