



SIMON FRASER UNIVERSITY  
Policies and Procedures

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### Employment of Personnel Funded from Research

1. Policy Purpose

1.1 This Policy provides guidance to University researchers when employing personnel whose income is derived from research grants or contracts.

2. Definitions

2.1 The term "grant holder" shall refer to any University employee who is the recipient of grant or contract funds for research purposes.

2.2 "Grant funds" shall refer to any grant or contract funds which have been acquired for research purposes by a grant holder, and which have been placed under the custodial and administrative care of the University.

2.3 A "grant employee" shall refer to any person who is employed by a grant holder to provide research services, and who is paid either paidher p 4i 4.8(o)-2. a pd,o n4(d)-0.7gher encompassing specific provisions to the contrary, until completion of the term of employment of the present incumbent.

#### General

4.1 It is recognized that funding sources often require the University to accept responsibility for the custody and administration of grant funds.

4.2 When providing custodial and administrative services to a grant holder, the University is subject to specific direction from the funding agency and is bound by the amount of funds made available.

4.3

- (b) The grant holder shall determine whether or not sufficient grant funds are available to permit the payment of wages and benefits to a grant employee.
- (c) The grant holder shall classify the grant employee's position and rate of reimbursement in accordance with the terms established in the grant or contract. Where no such terms are stipulated, the grant holder is encouraged to ensure that grant employees receive reimbursement and benefits appropriate to the tasks assigned.
- (d) Subject to any conditions established by the funding agency, the grant holder shall exercise sole discretion over the decision to hire a grant employee.
- (e) The grant holder shall forward a copy of the grant employee's appointment letter to the appropriate Academic Department, to Human Resources, and to the Financial Services, Research and Awards. The grant holder shall also forward a completed form FPP4 (Appointment Form, Research Grants) to the Financial Services, Research and Awards. Such a requirement is necessary in order to enable the University to perform administrative and custodial services on the grant holder's behalf.
- (f) It shall be the grant holder's responsibility to authorize payment of grant employee wages from the grant funds.
- (g) Subject to any limits established by the grant or contract, the grant holder's decision shall be final regarding a grant employee's pay scale adjustment, benefits, wage increase or merit increase.
- (h) The grant holder shall comply with all statutory obligations of the employer, including the obligation to provide statutory benefits.
- (i) Together with the grant employee, the grant holder shall determine whether or not a grant employee shall be given access to a non-statutory benefits program administered on behalf of the grant holder by the University. A decision to provide access to such a program shall be subject to

(f) Upon request from the grant holder, and with the agreement of the grant employees, the University shall provide access to a non-statutory benefits program, subject to the condition that the employer's share of the optional benefits program is paid from grant funds.

## Procedures for Research Grant Appointments

### 1. General

1.1 The following procedures are to supplement the policy. If there are any differences between the two, the terms of the Policy apply. It is important that grant holders read and note the provisions of the policy because they outline the legal relationship of their employees. Essentially, while the employees are paid through the University payroll system, they are employees of the grant holder, not the University.

### 2. Procedure

#### 2.1 Responsibilities

The grant holder determines the need for employment, confirms that the salary and employer portion of the benefit premiums are reimbursable from the grant, and negotiates the terms and conditions of employment. All employees in B.C. must be provided at least the minimum employment rights legislated by statute or regulation. The relevant provisions are outlined in the attachment entitled "Obligations As Employer". The costs associated with these are charged to the grants.

#### 2.2 Optional Benefits

In addition to legislated requirements, if the grant holder so elects, the following optional employee benefits could be made available through the University to grant employees who meet eligibility requirements (if the grant terms permit the charging of related costs). These are:

- Medical Services Plan
- Extended Health Dental - after one year of continuous service for a grant holder.

It should be understood that no benefits can carry financial obligations that could extend beyond the period of the funding. Commitments to employees must, therefore, be approached with caution. Human Resources should be contacted for clarification as to which plans apply and the related employer and employee costs.

#### 2.3 Letter of Appointment

The terms and conditions of employment should be clearly spelled out in writing to the employee. These should identify the rate of pay, hours of work, provision for vacation, period of appointment, the optional benefits to be included, and the cost-sharing of these optional benefits. If the offer is being made to a non-Canadian, who does not have permanent residence status, the letter should indicate that the offer of employment is conditional upon obtaining approval by Canada Employment. Because Simon Fraser University is on a bi-weekly pay cycle, rates of pay should never be expressed on a monthly basis. They should be shown as bi-weekly, annual, or semester rates. If a semester rate is used, the period cited should conform with the official semester dates determined by Payroll.

Sample draft letter is attached - Click here to download in .doc format – which cover (a) short-term minimum requirements and (b) long-term employment situations. Copies should be sent to the Departmental Assistant, Human Resources, and Financial Services (attached to FPP4).

#### 2.4 Payroll Appointment

The grant holder completes the FPP 4 Appointment form (as per instructions attached), has the employee complete the Personal Data (FPP7) and Income Tax Exemption (TD1) forms and forwards

Research and Awards will verify the account and centre information, confirm availability of funds and forward the forms to Payroll, which will complete the forms and input them to data conversion.

## 2.5 Ongoing Payroll Administration

- (a) It is essential that appointment forms, time sheets, salary and status changes, and termination notices be submitted to Financial Services promptly to meet statutory requirements. Please adhere to deadline schedules as provided by Payroll.
- (b) All employees are automatically covered under mandatory plans such as UIC, CPP and Workers' Compensation. Costs will be charged to the grant.
- (c) The basis on which vacation entitlement is met should be stated.
  - (i) Hourly employees automatically receive a payment of 4% with each pay cheque.
  - (ii) Vacation pay for salaried employees is to be included in the salary negotiated.
- (d) The duration of the appointment and grant should be examined at least one month prior to expiration and the employee and Payroll advised in writing if the appointment is to be extended or terminated, otherwise the employee's pay will cease on the end date specified at the time of hiring.

### Obligations as Employer for Grant Holder

1. Minimum Legist( )Tj /TT1 7.1 af2 Tw 3.155d [(u65d um L)1.2(egr(egemen7.2(i)TT1 -4.493 0 Td ( )Tj E9.42/P <</MCID 15 >>BDC -23.

4. Annual Vacation (Part 4)

Legislation provides for two weeks vacation in each complete year of service (for the first four (4) years of employment), or four (4) percent of total wages (ref. s.36 and 37).

5. Statutory Holidays (General Holidays, Employment Standards Act Regulations)

5.1 The following minimum general holidays will be observed without loss of pay:

- New Year's Day
- Good Friday
- Victoria Day
- Dominion Day
- B.C. Day
- Labour Day
- Thanksgiving Day
- Remembrance Day
- Christmas Day

To be eligible for pay, the employee must have worked 15 of the last 30 calendar days before the general holiday occurs. Additionally, the general holiday must be after the first 30 days of employment and occur while the individual is still an employee.

6. Maternity Leave (Part 7)

6.1 Employees are entitled to a non-paid leave of absence from work for a period of at least 18 weeks and to be reinstated to the same or comparable position (ref. s.5.1 and 54).

7. Termination of Employment (Part 5)

7.1 If an employee has no established termination date or where the termination date is revised then, except where the termination is for cause, the following notice of termination must be given:

- two week's notice for more than 6 months, but less than 3 years employment;
- one additional week for each subsequent complete year to a maximum of eight (8) weeks (reference s.42).

Note: These are summary statements only and should not in any way be taken to alter or amend the legislative authorities and the provisions of the Employment Standards Act and Regulations. If you have any questions regarding these minimum obligations you should contact the Payroll Office (3236) or Human Resources (4274).

8. Section C

The basis on which vacation entitlement is met should be stated.

- Hourly employees automatically receive a payment of four (4) percent with each pay cheque.
- Vacation pay for salaried employees is to be included in the salary negotiated.

9. Section D

9.1 The duration of the appointment and grant should be examined at least one month prior to expiration, and the employee and Payroll advised in writing if the appointment is to be extended or terminated, otherwise the employee's pay will cease on the end date specified at the time of hiring.

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"Grant" holder includes research contract holder (principal).