

 <p>The University of British Columbia Board of Governors</p>	<p>Policy No.: FM7</p>
<p>Long Title: Extraordinary Expenses - Grant and Contract-Funded Employees</p>	
<p>Short Title: Contract Employees Fund Policy</p>	

1. General

- 1.1 Grant and contract accounts must fund all salary and benefits costs (whether in whole or in part), for personnel employed on the project being funded by the grant or contract.
- 1.2 While UBC is the employer in these circumstances, the financial liability for the salary and benefits rests with the grant or contract account, not the general purpose operating fund of the University.



PROCEDURES ASSOCIATED WITH THE CONTRACT EMPLOYEES FUND POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Contract Employees Fund Policy.

1. General

- 1.1 Grant and contract accounts have historically been assessed for all salary and benefit costs associated with those accounts including both routine monthly deductions relating to specific health and welfare benefits and special deductions for large, one-time payments for expenses such as sick leave, salary top-up on paid Employment Insurance benefits during maternity/parental/adoption leave under the UBC Supplementary Employment Benefit (“SEB”) Plan, and working notice or pay in lieu of working notice upon termination.
- 1.2 In order to prevent individual grant or contract accounts from experiencing extreme financial hardship and to enable an orderly and consistent method of funding short-term sick leave, salary top-up during maternity/parental/adoption leave, and working notice or pay in lieu of working notice upon termination, the University has established a fund to provide a reasonably similar level of coverage to individuals funded by individual grant or contract accounts as that provided for employees funded from the general purpose operating fund (the “**Extraordinary Expense Fund**”). Post Doctoral Fellows including both employees and award recipients¹ are eligible for coverage under the Extraordinary Expense Fund as described in clause 1.4 below.
- 1.3 The Extraordinary Expense Fund is funded primarily by premiums collected from grant and research accounts. Each account from which a grant or contract employee salary is paid will contribute to the fund a certain percentage (the “**Contribution Percentage**”) of all employee salaries under that account, excluding the salaries of graduate students. The Contribution Percentage is adjusted annually by the Department of Human Resources based on factors such as the experience of the previous year, the surplus or deficit status of the fund, and projections for future claims. For Post Doctoral Fellows who are award recipients, the applicable (i.e. home) department or faculty will contribute to the fund an amount equivalent to the Contribution Percentage on the portion of the total award that is paid out as earnings.

¹ Some Post Doctoral Fellows compete for, obtain, and are funded out of their own awards or fellowships. Other Post Doctoral Fellows are employees of the University and are paid out of awards or grants awarded to other UBC employees (usually Faculty).

1.4 Unless otherwise determined by the Department of Human Resources, the Extraordinary Expense Fund will pay the following extraordinary expenses:

1.4.1 Salary top-up payments during **maternity/parental/adoption leave** in accordance with the UBC SEB Plan for grant and contract funded employees who receive Employment Insurance, including Post-Doctoral Fellows with employee status;

1.4.2 Paid **maternity/parental/adoption leave** for Post-Doctoral Fellows who are award recipients equivalent to 95% of the portion of their total award that is paid out as earnings as follows:

Leave Taken	Weeks Paid
Maternity leave	The lesser of 17 weeks or until the end of the appointment
Parental leave (if not combined with a maternity leave or if not shared with a partner/spouse who has taken maternity leave) or adoption leave	The lesser of 12 weeks or until the end of the appointment
Parental leave (if combined with a maternity leave or if shared with a partner/spouse who has taken maternity leave)	The lesser of 10 weeks or until the end of the appointment

To be eligible for this benefit, Post Doctoral Fellows who are award recipients:

- (a) Must be eligible for regular health and welfare benefits;
- (b) Must have completed an appointment or consecutive appointments totaling at least one year with a 50% workload or greater; and
- (c) Must currently hold an appointment of at least one year, with a workload of 50% or greater.

1.4.3 Up to five months of paid **short-term sick leave** for all grant and contract employees, including all Post-Doctoral Fellows with employee status, and Post Doctoral Fellows who are award recipients, following one month of continuous sick leave which is paid for by the applicable grant or contract, or failing that, from other sources;

1.4.4 Working notice or pay in lieu of working notice for all grant and contract funded employees, except Post Doctoral Fellows, provided that all of the following conditions are met:

- (a) The termination is not for cause;

- (b) The termination is the result of the grant or contract funding either not being renewed or being cancelled prior to the original termination date and without reasonable notice;
 - (c) The grant- or contract-holder gives the employee notice within five days of receipt of notice from the granting agency or contract source;
 - (d) The grant- or contract-holder has consulted Human Resources or Faculty Relations;
and
 - (e) No alternative position can be secured at UBC.
- 1.5 Payments from the Extraordinary Expense Fund will not be made when a termination is for just cause or improperly conducted, nor to cover costs arising from grievances, arbitrations, or law suits related to employee terminations.
- 1.6 The Department of Human Resources determines the eligibility of claims for funding, and decides the disposition of cases where an individual has worked from a combination of accounts over his or her work history at UBC or special cases not covered by these guidelines. Human Resources also determines the required Contribution Percentage on an annual basis as per clause 1.3 of these Procedures, and will advise the University community accordingly. Any issues regarding the administration of the Extraordinary Expense Fund should be raised with Human Resources. If an issue cannot be resolved directly with Human Resources, it will be referred to the Vice President, Research and Innovation whose decision will be final.



EXPLANATORY NOTES REGARDING THE CONTRACT EMPLOYEES FUND POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Contract Employees Fund Policy. These Explanatory Notes do not replace or supersede the content of the Contract Employees Fund Policy and its Procedures.

Policy Long Title: Extraordinary Expenses - Grant and Contract-Funded Employees

Policy Short Title: Contract Employees Fund Policy

Policy Number: FM7

Responsible Executive: Vice-President, Research and Innovation

Responsible Board Committee: Employee Relations Committee

Related Policies: GA2 - Regulatory Framework Policy

History:

- The Contract Employees Fund Policy and Procedures were first approved by the Board of Governors in December 1994;
- The Procedures to the Contract Employees Fund Policy were revised in April 2012;
- The Contract Employees Fund Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Contract Employees Fund Policy, its long title is Extraordinary Expenses - Grant and Contract-Funded Employees, and its number is FM7. The previous identification number for this policy was #86;
- The Procedures were updated in September 2019 to reflect current position titles.

Related Legislation: N/A