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Directors Scientific Appointment Policy

Michael Lindgren
All-Scientists Retreat
6/Feb/2015

Agenda

- 11:30 – 11:45 – Get Lunch, take places and begin
- 11:45 – 11:50 – Director's welcome
- 11:50 – 12:30 – Overview, process, next steps, Q&A - ML
- 12:30 – 13:10 – Terminations, Q&A – RD
- 13:10 – 13:50 – Promotions, Q&A – RK
- 13:50 – 14:30 – Searches and Hiring, Q&A – SB
- 14:30 – 15:05 – Discussion
- 15:05 – 15:15 – Wrap up, thanks, Director

Timeline

- March 2014 All-scientists retreat – four panels
 - Extensive discussions
- Four working groups and a steering group continued working
- Fall 2014
 - Presentations and discussions with SAC and Senior Management group
 - Presentation to FRA board
 - Iterations based on feedback improved draft
- Winter 2014
 - SAC members helped on final drafts
 - Taking up new topics
 - Legal review completed
 - Next week – FRA board for next steps

Steering and Working Group Composition

- Steering group – Kay Van Vreede, Juanita Frazier, Vladimir Shiltsev, Mike Lindgren, Greg Bock, Rob Roser, Roy Rubinstein, Gina Rameika, Steve Brice, Craig Hogan
- Working Groups
- Principles - Chris Quigg, Stephen Pordes, Jim Hirschauer, Craig Hogan, Steve Holmes(M), Vaia Papadimitrou, George Velez, Dave Christian
- Searches - Juanita Frazier, Steve Brice(M), Camille Ginsburg, Ruth Van De Water, Adam Lyons, Lance Cooley, Sam Zeller, Jorge Morfin
- Promotions - Roy Rubinstein, Rob Kutschke(M), Marcela Carena, Julie Whitmore, Alan Bross, Anna Grasselino, Alexander Valishev. Gina Rameika
- Terminations - Bob Kephart, Roger Dixon(M), Steve Wolbers, Bogdan Dobrescu, Stephen Parke, P. Spentzouris, Mary Convery
- These people did a lot of work – a special thanks to all of them and SAC, who contributed a lot the last few months.

FRA Board

- Board changing over time to meet changing needs
 - Modern boards are outwardly focused
 - Needed for constant advocacy with stakeholders, state, federal, and international governments
- Board membership unequipped to make individual scientific personnel decisions
 - Chair – President of UC
 - Vice-Chair – President of MSU, NCAA executive committee chair
- Board will no longer make scientific appointments
- **FRA board approves the Appointment Policy, they no longer approve individual personnel actions**

Board appointments – major change

- “Board appointed Scientist” was a major feature of previous policy
 - The URA, then FRA board approved individual scientists non-term appointments, and were required to approve terminations
 - This had several effects
 - Prestige of the appointment was felt enhanced
 - Protection from lab directors, who come and go
 - Kept standards for hiring high
 - Package preparation and review was extensive
- Some downsides
 - Protections were less real than imagined
 - Delays in board approval made the lab much less agile in hiring
- Challenge – how do we maintain standards of excellence in the scientific staff? In new policy, it is up to us.

Policy Highlights

- Revised Policy:
 - http://neutrinodev.fnal.gov/NewScientificApptPolicy/fermilab_scientific_appt.shtml
 - Links there to procedures
- Scientific staff positions clarified and simplified
 - Term scientists and three levels of non-term scientific staff(Scientist I – III)
 - Applied Scientist job title eliminated -> Scientist
 - Application physicist positions removed from policy
- Search processes
 - Identify explicitly that diversity of lab's scientific workforce is a goal
 - Requires accountability for the appropriate conduct of the process.
 - Codifies search conduct guidelines, example documents, notification rules, committee composition and outreach rules
 - Impose uniformity of process and reporting across organization

Policy Highlights (2)

- Promotions
 - Fermilab Committee on Scientific Appointments (FCSA) roles, responsibilities, composition, expanded and clarified
 - Promotion from term to non-term made by director after FCSA review
 - Automatic extension of promotion timeline for new parents
 - FRA board approval no longer required
 - Procedure for scientific promotions at all levels written down and clarified
- Terminations
 - FRA board approval no longer required
 - Performance improvement process revised
 - Reductions in Force
 - Concurrence of Director, HR, FCSA on plan
 - Extended notification and outplacement process
- Scientific conduct section added – Procedure still in draft form
- Return to scientific rank after management term made explicit

Scientific Titles in new Policy

- **Associate Scientist (includes Wilson Fellow and Peoples Fellow):** Scientists who have distinguished themselves by a range of contributions in science or technology related to the Laboratory programs may receive a term appointment as an Associate Scientist. The initial appointment is typically for three (3) years. Appointment may be renewed for a maximum of six (6) years in this job classification. This position is roughly equivalent to the position of an Assistant Professor, and is usually the initial appointment in the scientist track. These appointments are made by the Director, after review of the candidate's qualifications by FCSA, or the Wilson or Peoples Fellows committees. Wilson and Peoples Fellows are associate scientist positions that are devoted entirely to research.
- **Scientist:** Scientific staff members who have distinguished themselves by a range of contributions in physics related to the Laboratory programs, technology related to the Laboratory programs, or leadership, may be recognized by an appointment without term limit as Scientist. Appointees may undertake self-directed research in areas related to the Laboratory programs. These appointments are made by the Director, after review of the candidate's qualifications by FCSA or by the Scientist III committee. The Scientist classification is subdivided into three levels of increasing rank: Scientist I, Scientist II and Scientist III (roughly corresponding to university Associate Professor, Full Professor, and Distinguished/University Professor, respectively).

Application Physicists

- Application physicist positions not included in policy
- Number of issues about positions
 - Positions not board appointed
 - Self directed research not normally undertaken
 - AP terminations not board approved
 - Only two levels (AP I and AP II) made the job not attractive as career option, limited growth potential
 - Other positions with many Ph.D. physicists (Comp Sci.) not mentioned
- WDRS working to create creation of 2 higher level Application Physicist classifications
 - Draft job descriptions written
 - Makes it a better, more attractive career path

Searches

- In order for Fermilab to lead in world-class particle physics, the lab needs to seek out the best talent. Fermilab welcomes and values a diverse and inclusive workforce. We strive to be recognized by our employees and the community as an employer of choice. See the [Scientific Search and Hiring Procedure](#) for additional details. Targeted hires, e.g. where there is a need for critical or unique skills, for both term and non-term scientific appointments can be subject to expedited searches, with the approval of the Director.
- http://neutrinodev.fnal.gov/NewScientificApptPolicy/fermilab_scientific_search.shtml
- Keys
 - A focus on increasing the diversity and thereby the quality of the lab's scientific workforce
 - Accountability of the search committee, search committee chair, division head and lab senior management for the appropriate conduct of the process. A main feature of this accountability is the summarizing letter written by the search committee chair to the relevant division head or lab director.
 - An insistence that everyone who applies for a scientific job at Fermilab should get a letter of some sort, either thanking them, but turning down their application, or offering them a job.
 - Scientific recruiter in WDRS will increase expertise there
 - Example documents to aid committee chairs

Appointments and Promotions

- The Director shall appoint a [Fermilab Committee on Scientific Appointments \(FCSA\)](#) that is involved in an advisory role for the hiring, review, and promotion, of scientific staff. It also has a review role when a member of the scientific staff requires a [Performance Improvement Plan \(PIP\)](#) or is considered for a [Reduction in Force \(RIF\)](#). FCSA shall be an advisory committee to the Director. For Scientist II to Scientist III promotions, a separate committee will be formed.
- Focus here also on making process transparent and fair
- Scientist II to Scientist III promotion process spelled out.

Extensions and Terminations of Associate Scientists

- Associate Scientist appointments may be extended due to a health condition in accordance with laboratory [sick](#), [LTD](#), [FMLA](#) and [Reasonable Accommodation](#) policies. An Associate Scientist who becomes a parent by birth or adoption prior to promotion consideration will be granted an additional year of their appointment and promotion timeline. Please see the [Expectant Parent Brochure](#). Individuals holding term appointments will be informed of their future status not later than twelve months preceding expiration of that appointment.

- Opt out, rather than opt in

Termination of Scientist Appointments

- Scientists Appointments will not be terminated except for:
 - Enforcement of DOE contractual provisions
 - Financial exigency
 - Approval of Long Term Disability claim, unless an accommodation has been granted in accordance with WDRS' Reasonable Accommodation Policies
 - Adequate cause (i.e. Scientific Misconduct, disciplinary or substandard performance)
- In the event that a Scientist must be terminated due to performance, the procedure for the process can be found [here](#).
- Special procedures are to be followed whenever Laboratory funding constraints result in a need to reduce the number of scientists employed by the Laboratory, and DOE has agreed to initiating a Reduction in Force. These [procedures](#) include extended notification periods for Scientists and additional scientific outplacement assistance.

Scientific Conduct

- The laboratory strives to adhere to the highest standards of scientific conduct. Cases of alleged scientific misconduct are handled by the [Scientific Research Misconduct Procedure](#).
- Required by prime contract with DOE
- Language is somewhat prescriptive per the contract
- ANL, LBNL, ORNL all audited on this in 2014
 - We were lucky
 - Wrote draft policy based on LBNL's

Scientific Conduct – What does this mean?

- "Research misconduct" means:
 - Fabrication (making up data or results and recording or reporting them)
 - Falsification (manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record) or
 - Plagiarism (appropriation of another person's ideas, processes, results, or words without giving appropriate credit) in proposing, performing, or reviewing research, or in reporting research results.
- Honest error or differences of opinion do not constitute research misconduct.
- Under this policy, a finding of research misconduct requires that:
 - There has been a significant departure from accepted practices of the relevant research community, involving fabrication, falsification, or plagiarism
 - The misconduct was committed intentionally, knowingly, or recklessly and
 - The allegation has been proven to the satisfaction of the director

Emeritus, management, appeals

- Emeritus Scientific Appointments
 - Emeritus appointment is bestowed as an honor upon retired distinguished scientists in recognition of meritorious service to the Laboratory. It is awarded and held at the discretion of the Director. This is not a paid employment appointment. None of the guidelines that apply to other Scientific Appointments apply. Candidates for Emeritus appointment typically meet the following expectations:
 - Meritorious contributions to the Laboratory
 - Continuous Laboratory service of at least ten years in a scientific appointment
 - Laboratory retiree
- Management Positions
 - Fermilab scientists frequently assume laboratory and project management roles with a different job classification. They will retain their scientific appointment, and return to it upon the completion of their term.
- Appeals on Appointment Procedure
 - Actions taken or proposed relative to Scientists and Associate Scientists can be appealed through the normal [grievance procedure](#). Appeals should be in written form.

Other items

- Possible Professional Development Leave
 - Like a sabbatical policy
 - SAC is working on a proposal for possible inclusion in the policy
 - LBNL and BNL both have some version of this
 - Examples on next page

Example - Professional development leave at BNL

- Leave for professional advancement (LPA), otherwise known as sabbatical leave, is granted to further the scholarly pursuits or professional stature of the staff member and to increase the value of further services to the Laboratory.
- Three categories of leave are available based upon the nature of the work or study program and the extent to which compensation and benefits are continued by the Laboratory.
 - 1. Salaried leave at full pay to permit participation in research at other institutions, writing (e.g., books or other professional manuscripts), advanced training, etc. This type of leave is not intended for teaching. Such leave is normally limited to a period of not less than two months and may not exceed twelve months.
 - 2. Salaried leave at half pay to permit participation in research at other institutions, part-time teaching, writing, advanced training, participation in special projects, etc. Such leave is normally limited to a period of not less than four months, and may not exceed twelve months.
 - 3. Non-salaried leave to permit participation in research, teaching, or other activities under stipends, grants, or fellowships. Such leave is limited to a period of time not more than twelve months.

Professional development leave at LBNL

- <https://commons.lbl.gov/display/rpm2/Employee+Development+Leaves+of+Absence>
- *Professional Research or Teaching Leave (PRT)*

To promote the continuing professional growth and competence of senior administrative professional (job titles identified as "professional" in the Human Resources Information System [HRIS]) and scientific staff members, the Laboratory Director may grant professional research or teaching leave (PRT Leave) to a limited number of employees. Approval and recommendation from the division director must be obtained before submitting the request to the Laboratory Director. Approval for such leave will be based on evidence that Berkeley Lab will benefit from the proposed work and that the candidate will continue employment at the Laboratory or another DOE-funded employer for a reasonable period following the leave. The leave may be spent at appropriate institutions either within or outside the United States.
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- *Professional Renewal Leave (PR)*

The Laboratory Director may grant professional renewal leave to a limited number of Laboratory managers or scientific personnel who have made outstanding contributions in furtherance of Laboratory objectives. The purpose of professional renewal leave is to provide these individuals an opportunity to attach themselves to external organizations and/or programs for the purpose of professional revitalization and development. These temporary external assignments will be approved based on technical and programmatic relevance, to ensure mutual benefit to both the Laboratory and the employee.

Wrap-up

- The change in the FRA role is substantial
- Overall the policy is (IMO) better
 - Clarity in processes
 - Internal oversight, and policing of ourselves is stronger
- Terminations, Searches, Promotions covered in detail next.
- Potential interesting additions to policy being worked on
- Would again like to thank the people who worked on this
- Questions on anything else?