



POSTDOCTORAL ASSOCIATES

Faculty Senate | January 2017



As a Reminder

- Early in 2016, the U.S. Department of Labor (DOL) announced changes to the Fair Labor Standards Act (FLSA) that were intended to impact the criteria used to determine eligibility for overtime
 - Increasing the minimum salary threshold to \$47,476
 - Effective date: December 1, 2016
- To comply with the expected changes, a university work group began working in March to analyze impact and prepare
 - Discussed the changes with faculty and others
 - Also participated in the comments period and met with the Office of Management and Budget (OMB) in Washington DC

Evaluation and Analysis

- With this change, exempt positions below the new salary threshold would be eligible for overtime, with some exceptions
 - For example, according to DOL guidelines, there is no minimum salary requirement for employees whose “primary duty” is the performance of “teaching, tutoring, instructing or lecturing”
 - Several categories of student classifications such as graduate assistants and pre-doctoral fellows were not going to be impacted
- But postdoctoral associates were explicitly not covered by this exemption and would be impacted

As of 5/27/2016
Total Postdoctoral Associate: 632

+ ~\$650,000 for fringe
26 part-time

Assessing Impact

		Total Salary Gap	5 hours/OT	10 hours/OT
Postdoctoral Associates	466	3,233,011	3,428,620	6,857,240
Provost	112	892,424	769,937	1,539,874
HSC	198	1,258,326	1,515,557	3,031,114
IFAS	155	1,081,086	1,134,443	2,268,887
President/ Research	1	1,173	8,681	17,363

Total impacted employees: **1,777**
\$13,256,179 Salary Gap

Assessing Impact

- After assessing the impact of the DOL change, senior leadership decided that UF postdoctoral associates should remain exempt (salaried) employees
- Based on:
 - Strategic role in supporting research
 - Likelihood of overtime accrual
 - Workgroup analysis/campus feedback
 - Peer institutions
- As a result, UF raised the salary minimum to the anticipated new threshold, effective July 1, and announced a pay increase for existing postdoc associates, to be effective December 1

Assessing Impact

- Office of Research committed funding to assist with bridging the gap for existing postdoc associates made available as of December 1:
 - Less than \$4,000: No assistance
 - Salary gap between \$4,000 and \$10,000: $(\text{Salary gap} - \$4000) \times 0.5$ for each eligible post-doc associate
 - Salary gap $>$ \$10,000: \$3,000 for each eligible post-doc

Impact of Injunction

- In late November, a federal court issued a nationwide injunction blocking the enforcement of the new DOL overtime rule
- When the injunction was announced (4 business days before December 1), senior leadership met to discuss best path forward: Provost/SVPs, VPs for Research, HR, Finance
- Evaluated:
 - Impact of new hires at the higher rate given July 1 change
 - Peer actions
 - Commitment made to employees

Factors Considered

- New hires since 7/1: ~130
- Many peer institutions (public and private) were moving forward with promised increases, including Florida State University
 - Boston University, Brown University, Duke University, Emory, Indiana, NYU, Northwestern, Penn State, Princeton, Tulane, University of Arizona, University of California—Berkeley, University of Kansas, University of Pennsylvania, University of Pittsburg, University of Rochester, University of Virginia, University of Washington, Vanderbilt
- We also discussed and considered:
 - What role do we have as stewards of public funding?
 - What happens when an institution's compensation commitments aren't honored?

Moving Forward

- Given these factors, senior leadership decided to move forward with the increase as promised
- Three hundred and eleven (311) postdoctoral associates received salary increases to the new minimum on December 1
 - Since December 1, those postdoctoral associates have been paid three full times (including tomorrow's payday) at the new amount
- Approximately \$350,000 has been distributed by the Office of Research to assist with bridging the gap, impacting ~215 postdoctoral associates

Distribution of Subsidy

73	IFAS
45	College of Medicine-GNV
24	Pharmacy
19	Liberal Arts and Sciences
18	Vet Med
10	Engineering
5	Museum of Natural History
4	Health and Human Performance
4	Dentistry
3	Public Health and Health Professions
2	College of Medicine-JAX
2	Whitney Lab

Questions?

*Salary only

**29 of the 72 are less than 1.0 FTE. In these cases, possible OT was not included in the calculation

Assessing Impact

		Total Salary Gap*	5 hours/OT	10 hours/OT
Impacted Employees	1,777	13,256,179	12,679,290	25,358,581
Staff	1,213	8,415,974	8,861,458	17,722,916
Academic Personnel (including adjuncts)	72**	1,055,939	308,173	616,346
Postdoctoral Associates	466	3,233,011	3,428,620	6,857,240
OPS Exempt	26	551,254	81,039	162,078