

**Research Associate Appointments  
And  
Postdoctoral Fellow/ Trainees  
Frequently Asked Questions**

Question	Answer	How does this affect international employees?
<p>How does 'time' as a Research Associate, Postdoctoral Fellow/Trainee at another university impact the allowable length of a training appointment here at UW-Madison?</p>	<p>If an individual is continuing training in the same field of study, then the previous postdoctoral research experience will count towards the five year limit and may reduce the allowable length of a training appointment at UW-Madison. However, if an individual is engaging in a different field of study, then the previous appointment may or may not have an impact on the training appointment here at UW-Madison. In the latter case, determination will be made by the division after reviewing the CV and proposed field of study.</p>	<p>Typically, Research Associates are in a non-immigrant status (F1, J1, H-1B). Each of these statuses has a maximum period of stay. However, individuals in H1-B status may not be classified as postdoctoral fellows/trainees. Please consult with IFSS in these situations.</p>
<p>Can an individual hold a Research Associate, Postdoctoral Fellow/Trainee or some combination of these appointments beyond five years?</p>	<p>Per the Unclassified Title Guidelines, the term for the postdoctoral employee-in-training titles is for a maximum of five years. Extension beyond the five year limit would only be considered under exceptional circumstances. Written justification explaining the circumstances of the proposed extension and a CV must be submitted for review and approval by the division and APO.</p>	<p>In most circumstances, it is possible to change from one non-immigrant status to another, so the maximum five year training appointment at the UW need not be further limited by the initial immigration status.</p> <p>Extensions beyond the five years would be subject to the time limitations associated with the individual's immigration status or statuses.</p>

<p>What should a department do to determine if the use of a Research Associate title is appropriate for appointing a person who has obtained a degree from a different country?</p>	<p>A review should be done on a case-by-case basis.</p> <p>Departments must obtain a certification of international degree credentials by an outside agency. This may be provided at the expense of the department or the individual who is being considered for the appointment.</p> <p>The degree must be equivalent to a U.S. Ph.D. in order to appoint the individual as a Research Associate.</p>	<p>This has no bearing on the immigration status of an international employee.</p>
<p>Can individuals hold less than full-time Research Associate appointments? If the appointment is part-time, are they bound to the five year term?</p>	<p>Research Associate appointments are typically full-time appointments. As training is generally a full-time activity, a justification to the division is required explaining why a part-time appointment is appropriate.</p> <p>If the person is appointed part-time, he/she will generally be held to the five year term limit.</p> <p>Under exceptional circumstances, an extension of a part-time appointment beyond five years may be considered. A justification explaining the circumstances must be provided to the division for review and approval.</p>	<p>Immigration regulations will permit a less than full time appointment for the non-immigrant statuses (F1, J1, H-1B).</p> <p>However, for individuals in H-1B and J-1 statuses, part time paid appointments raise red flags with IFSS due to potential concerns with salary minimums, income threshold requirements and documenting the alignment between effort and appointment percentage.</p>

<p>If an individual graduates and holds a professional position, can he/she come back later and hold a Research Associate appointment to continue their training?</p>	<p>Typically, if he/she has held a professional research position, he/she cannot be appointed as a Research associate appointment if five years has elapsed since receiving their doctorate.</p> <p>However, if the individual is in a rapidly and drastically changing field of study, it may be acceptable to return to a Research Associate appointment even if more than five years has elapsed since receiving their doctorate. Each situation is reviewed on a case-by-case basis by the division. Written justification explaining the circumstances of the situation and a CV is required for the review.</p>	<p>An F-1s on Optional Practical Training, J-1s and H-1Bs are appropriate for graduated students who have held professional positions prior to their Research Associate position. F-1s on OPT may run out of time on their OPT before they are able to return to a Research Associate position.</p> <p>However, because of the maximum time an individual can be a J-1 (5 years) or an H-1B (6 years in most instances); the international employee may be limited to the amount of time they can remain in the US in a research associate and/or any other position.</p>
<p>Can a department appoint someone as a Research Associate for a short period of time after he/she has deposited their thesis to finish work, projects or manuscripts etc.?</p>	<p>If the dissertation or thesis is deposited earlier in the semester the individual can continue until the end of the semester as a 'Research Associate' per Graduate School policy, as long as the activities performed are part of the 'training' and not a 'job'.</p> <p>Beyond the end of the semester, appointment as a Research Associate is possible if (again) the post-graduation activities represent additional 'training' and not a 'job'.</p> <p>If the post-graduation activities are actually job tasks, a PVL waiver can be submitted for a short term academic staff position.</p>	<p>The F1 student must have their Employment Authorization Document (EAD) based on their Optional Practical Training (OPT) to be a research associate or short term academic staff.</p> <p>The J1 is appropriate and has no salary limitations.</p> <p>The H-1B is an option but expensive and time consuming for the department if the appointment is for a very short time. Also, the salary could be an issue as it would need to be at or above the prevailing wage determination.</p>

### **Additional Resources:**

- Sample appointment letter <http://www.grad.wisc.edu/research/postdocs/geninfo.html>
- Policy Change in Degree Conferral/ Graduation Date memo from 2010  
[http://www.ohr.wisc.edu/HR\\_Memos/Cadwallader%20MMO%20re%20Degree%20Conferral%20\(2\).pdf](http://www.ohr.wisc.edu/HR_Memos/Cadwallader%20MMO%20re%20Degree%20Conferral%20(2).pdf)
- Graduate School's website on Postdoc Scholars  
<https://research.wisc.edu/postdocs/>
- NIH Stipend Schedule Notice <http://grants.nih.gov/grants/guide/notice-files/NOT-OD-12-033.html>
- International Faculty and Staff Services: <http://www.ohr.wisc.edu/ifss/index.htm>
- International Student Services: <http://iss.wisc.edu/employment>

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