

SUBJECT AREA CONTENT

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Management System: <u>Human Resources</u>			
Subject Area: Scientific Staff Manual			
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Effective Date: May 25, 2018 (<u>Rev 9.3</u>) Periodic Review Due: Jan 31, 2019 (Periodic Review in Progress)	Subject Matter Expert: <u>Joann Williams</u>	Management System Executive: <u>Kathleen Nasta</u>	Management System Steward: <u>Robert Lincoln</u>

1.0 Introduction

Brookhaven National Laboratory (BNL), established in 1947, is operated by Brookhaven Science Associates (BSA), under a contract with the U.S. Department of Energy. BSA is a limited liability company with two principal members, the Research Foundation of the State University of New York on behalf of SUNY at Stony Brook, and Battelle Memorial Institute, Inc. BNL has grown to be one of the distinguished research laboratories of the world. It provides exceptional facilities for the resident staff and guest researchers who participate in specialized research. As a national facility operating in the public interest, BNL is increasingly engaged in research in areas of immediate concern, for which the extraordinary facilities and widely experienced staff are especially suited. Brookhaven's core staff consists of scientists and engineers who conduct fundamental and applied research in physics, chemistry, biological sciences, medicine, materials and selected energy technologies. Details of the scientific program of the Laboratory are accessible through BNL's website at www.bnl.gov.

The *Scientific Staff Manual* contains those Laboratory policies and procedures that directly affect members of the scientific staff. The Manual complements the Supervisors' Personnel Manual issued by the Human Resources Directorate, which contains basic policies affecting all employees. Related procedures and guidelines are found on the Standards-Based Management System (SBMS) website.

The policies set forth are those currently in existence at the Laboratory. The Laboratory may change these policies at its discretion. Nothing contained herein shall be deemed to create an obligation on the part of the Laboratory to continue these policies in the future.

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Exhibits

None

Forms

None

Training Requirements and Reporting Obligations

This subject area does not contain training requirements.

This subject area does not contain reporting obligations.

External/Internal Requirements

No external requirements are associated with this Subject Area

References

None

Standards of Performance

None

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PROCEDURE: POLICY FOR SCIENTIFIC APPOINTMENTS

Management System: <u>Human Resources</u>		
Subject Area: <u>Scientific Staff Manual</u>		
2. Policy for Scientific Appointments		
Effective Date: Jan 25, 2013	Subject Matter Expert: <u>Joann Williams</u>	Management System Executive: <u>Kathleen Nasta</u>

Resident Staff

The regular scientific staff positions are, in ascending order: Assistant Scientist, Associate Scientist, Scientist, and Senior Scientist (for qualifications refer to the Salary and Wage Ranges and Job Descriptions, Human Resources & Occupational Medicine Division, Compensation Group website). Normal progression consists of promotion through these ranks with specified maximum lengths of terms, although a scientist may enter the Laboratory at any level. There is an evaluation for promotion near the end of each term position and the result communicated to the scientist. After a maximum period of 7 years in term appointments the scientist is considered for tenure or for a continuing appointment. Strict selection criteria apply to the selection for these appointments.

The conditions of regular scientific staff appointments are as follows:

Term Appointments

The duration of appointments defined below applies to initial term appointments.

Assistant Scientist: Appointments are made for terms of one or, more regularly, two years with service in this rank limited to two years.

Associate Scientist: Appointments may be made for terms of one, more regularly two or three years, and may be renewed on the basis of merit, subject to the condition that an individual may serve not more than three years in this rank.

Scientist: Appointments may be made for terms of one to four years, with the provision that an individual may serve in this rank for a maximum of four years. The combined duration of term appointments held as Associate Scientist and Scientist may not exceed five years. Reappointment at the expiration of the maximum term shall be made only by grant of tenure or, when appropriate as described below, by a continuing appointment.

Senior Scientist: BNL scientists with tenure or continuing appointments may attain the rank of Senior Scientist through promotion based on sustained, outstanding contributions to the scientific programs of the Laboratory. Instructions for preparing Senior Scientist recommendations are available in Appendix III to this Manual.

Appointments may also be made to individuals from outside the Laboratory for a term of up to three years. Reappointment at the expiration of the maximum term must be made only by grant of tenure or, when appropriate, by a continuing appointment.

Emeritus Position: Retired BNL scientists with tenure or continuing appointments may be granted an emeritus status under certain conditions, as explained in [Appendix IV](#).

Retired Scientists may be rehired as paid employees in their prior Scientific Staff rank under a term appointment of up to one year, which may be renewed. Individuals having received a severance payment, will not be eligible to return until the severance pay period and a minimum of six additional months have passed.

Conditions. All term appointments shall end on September 30 of the appropriate year. Thus the lengths of initial appointments will vary and be only approximately one, two, three, or four years.

Promotions will be made effective on October 1 of the appropriate year.

The Laboratory will notify individuals holding term appointments of their future status not later than May 1 preceding expiration of that appointment.

In determining the limitation of time in a given rank, the years shall be counted from October 1 of the calendar year in which the initial appointment became effective.

An authorized leave of absence of a term appointee for eight continuous months or more shall automatically increase by one year the time limitations on that term appointment.

Based on extraordinary circumstances, a postponement in promotion or to end of appointment may be granted (in monthly increments) for up to one year after review by Human Resources and approval by the Deputy Director for Science and Technology.

A member of the scientific staff on term appointment may be eligible for up to a one-year postponement of tenure review for program-related circumstances; or a two-year postponement of tenure review for leaves granted for childbirth, adoption, personal health problems, or care for sick family member when such leaves impose a severe burden on the staff member's scientific progress toward tenure.

A term appointment or any renewal or extension thereof shall not be revoked prior to the stated expiration date except for enforcement of DOE contractual provisions, or by reason of financial exigency, or for disability, or for adequate cause. In the case of financial exigency efforts will be made to continue the appointment in an appropriate Department of the Laboratory. Termination for cause may be effected only after a hearing before a committee appointed by the Laboratory Director and including at least one representative from the BNL Council. Terminations in cases of financial exigency can be made only after consultation with the Council. In the event of a termination for other than cause, at least two months' notice will be given and such a termination will not take effect during an employee's first year at the Laboratory.

Project Appointments

Project appointments may be made for the duration of the design, construction and start-up of a major scientific facility, or for participation in projects associated with that facility that are of limited duration.

Project appointments may be made for direct participation in projects funded by agencies other than the Department of Energy that are of limited duration (preferably not more than five years).

Project appointments must be identified when submitted to HR for review. These appointments should be reviewed annually and justification provided to allow continuation of the appointment as project.

Those already holding term appointments who are transferred to a project appointment may, at the discretion of their Directorate, be allowed to complete their terms at the end of the project. Project appointments do not affect eligibility for subsequent term appointments.

A project appointment may be made at the rank of Assistant Scientist, Associate Scientist, or Scientist. Project appointments may be terminated through enforcement of DOE contractual provisions, for reasons of financial exigency, for reduction of project support, for disability, or for adequate cause. Termination for cause may be effected only after a hearing before a committee appointed by the Laboratory Director. In the event of a termination for other than cause, at least two months' notice will be given and termination will not take effect during the first year of appointment.

Continuing Appointments

Continuity in various programs of research, in the design, construction and operation of experimental facilities, and in high level professional services requires the presence of a continuing staff. To be considered for a continuing appointment, the candidate must exhibit a high degree of skill and competence in some departmental program or function. Typical activities for which a continuing appointment may be made are the operation of a major facility, the exercise of service programs, and the development and operation of special equipment. Instructions for preparing continuing recommendations are available in Appendix I to this Manual.

A continuing appointment may be made at the rank of Associate Scientist, Scientist, or Senior Scientist. Continuing appointments are not subject to the time limitation imposed on term or project appointments. It is possible for members of the continuing staff to be considered for tenure at a subsequent time.

A descriptor sentence that summarizes the continuing need for the individual's expertise will be reviewed every five years and if necessary, modified.

A continuing appointment shall not be revoked except for enforcement of DOE contractual provisions, or by reason of financial exigency or major change of program, for disability, or for adequate cause. In the case of financial exigency or major change of program, efforts will be made to place the appointee in an appropriate Department of the Laboratory. Termination for cause may be effected only after a hearing before a committee appointed by the Laboratory Director and including at least one representative from the BNL Council. Terminations for reasons of financial exigency or major program change can be made only after consultation with the BNL Council. In the event of a termination for other than cause, at least four months' notice will be given and such a termination will not take effect during an employee's first year at the Laboratory.

Tenure Appointments

Tenure appointments are granted only by action of the BSA Board after a rigorous selection procedure overseen by the BSA Science and Technology Steering Committee. A tenure appointment constitutes recognition of independent accomplishment of a high order in the performance of original research or of other intellectually creative activity appropriate to the purposes of the Laboratory. Recognition may be earned (1) through significant contributions to knowledge related to the purposes of the Laboratory, and/or (2) in furtherance of the aims of the Laboratory, through continuing contributions of outstanding significance to productive utilization of the facilities or through outstanding and creative contributions to their design, development and improvement. Instructions for preparing tenure recommendations are available in [Appendix II](#) to this Manual.

A tenure appointment constitutes a commitment of continuing employment by BSA until the appointee's retirement, except as noted below. Tenure appointments are intended to afford appointees the maximum practicable freedom to direct their own efforts and to provide a sufficient degree of economic security to attract persons of outstanding ability. A tenure appointment may carry the title of Scientist or Senior Scientist. Instructions for preparing Senior Scientist recommendations are available in Appendix III.

A tenure appointment can be terminated only by action of the BSA Board and only for reasons of financial exigency or on demonstration, resulting from due process, of adequate cause. In the case of financial exigency every reasonable effort will be made to continue the appointment in an appropriate Department of the Laboratory. The procedures to be followed are documented in "Laboratory Policy & Procedures for Termination of Tenure for Reasons of Financial Exigency," obtainable from the Director of Human Resources & Occupational Medicine Division. Involuntary termination shall occur only upon recommendation of the Laboratory Director after a hearing by the BNL Council. In the case of involuntary termination for reasons of financial exigency the Laboratory undertakes to give adequate advance notice of that termination with a minimum of six months' notice.

Notice and Severance Payments

For continuing and tenure appointees the payment of severance, when applicable, will be calculated according to years of service, and will be reduced when a staff member continues to work during the period of notice.

Research Associate Appointments

Appointments as Research Associates may be made to scientists and engineers who have received their doctoral degrees within the past five years. These appointments are initially made for terms of one or two years (preferably two years) from their effective date. Research Associate appointments are limited to a duration of three years. When necessary, an extraordinary extension beyond the maximum allowed three year term may be granted after review by Human Resources and approval by the Deputy Director for Science and Technology. If an extraordinary extension is granted, the total effective duration in this rank may not exceed five years. Research Associates are eligible for other term or regular (non-term) appointments (e.g., Assistant Scientist, etc.) in competition with candidates from other institutions.

Appointments as Senior Research Associates may be made to scientists and engineers in mid-career, to afford them an opportunity to extend their research experience. These appointments are made for a term of one or two years from their effective date and are renewable to a total of three years.

Except for enforcement of DOE contractual provisions, or for financial exigency, a Research Associate or Senior Research Associate appointment shall not be revoked for cause prior to its expiration except after a hearing before a Laboratory committee appointed by the Laboratory Director; and in the event of a termination for other than cause at least two months' notice will be given.

Goldhaber Distinguished Fellowships

Appointments as Goldhaber Distinguished Fellows may be awarded to scientists and engineers who have received their doctoral degrees within the past three years. Candidates with exceptional talent and credentials will be considered for these prestigious Fellowships. Appointees will work in close collaboration with a member of the BNL Scientific staff. Information is available on the [Human Resources website](#).

Appointments are for a term of three years. At the expiration of an appointment as Goldhaber Distinguished Fellow, the individual is eligible to compete for staff appointments at the Laboratory.

Except for enforcement of DOE contractual provisions, or for financial exigency, a Goldhaber Distinguished Fellow appointment shall not be revoked for cause prior to its expiration except after a

hearing before a Laboratory committee appointed by the Laboratory Director; and in the event of a termination for other than cause at least two months' notice will be given.

Research Fellow Appointments

Appointments as Research Fellows may be made to individuals, usually with postgraduate training in the sciences or engineering, in designated Laboratory programs such as Nuclear Medicine.

Appointments are normally for one year, and may be renewed for an additional year. At the expiration of an appointment as Research Fellow, the individual is eligible to compete for staff appointments at the Laboratory.

Except for enforcement of DOE contractual provisions, or for financial exigency, a Research Fellow appointment shall not be revoked for cause prior to its expiration except after a hearing before a Laboratory committee appointed by the Laboratory Director; and in the event of a termination for other than cause at least two months' notice will be given.

RIKEN Fellows

Appointments as RIKEN Fellows may be made to individuals who work at the RIKEN BNL Research Center and receive funding from the Center. Appointments may be made or renewed for up to a total of five years. At the expiration of an appointment as RIKEN Fellow, the individual is eligible to compete for staff appointments at the Laboratory.

Appointments to Scientists Affiliated with Other Institutions

Scientists and engineers who maintain a primary affiliation with, or who hold grants from, other institutions or foundations may be given temporary appointments at the Laboratory.

Salaried Appointments: Individuals on leave from their home institutions primarily to assist in the Laboratory programs may be given temporary salaried appointments of one year or less. Such appointments carry the prefix Visiting to the approved title.

The individual's home institution or grant sponsor must verify their leave, and its term, on the institutions official letterhead. They provide this directly to the Laboratory department sponsoring the appointment. The verification is included in the hire package that the department submits to Human Resources.

The salary, term and other conditions of such appointments are proposed by the sponsoring Department and reviewed and approved by Human Resources.

Appointments with Support: The Laboratory may defray a portion of the expenses incurred by the visitor in connection with a temporary appointment. Such assistance may include allowances for travel, lodging and daily expenses during the appointment. Such appointments carry the title Research Collaborator or Technical Collaborator, depending on academic qualifications.

Guest Appointments: These appointments entail no remuneration from the Laboratory and are made to individuals with support from outside institutions. Such appointments carry the prefix *Guest* to the title.

Further reference to visitor participation at the Laboratory is made in [Appendix V](#) to this Manual.

Student Appointments

Appointments as Junior Research Associates are offered to qualified graduate students who, endorsed by their graduate schools, come to the Laboratory to undertake thesis research under the guidance of regular, or in some cases, of visiting, staff members. Appointments are for terms up to one year and may be renewed. Such appointments include stipends comparable to those of predoctoral fellowships.

Guest or Collaborator appointments are offered to students who participate in Laboratory research programs for specified periods. Thesis research students who receive financial support from the home institutions are eligible for these appointments, which may include daily expenses and other allowances.

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PROCEDURE: CONSULTANT AGREEMENTS

Management System: <u>Human Resources</u>		
Subject Area: <u>Scientific Staff Manual</u>		
3. Consultant Agreements		
Effective Date: Jan 25, 2013	Subject Matter Expert: <u>Joann Williams</u>	Management System Executive: <u>Kathleen Nasta</u>

To assist the work of the regular staff Consultants are appointed under contract. These appointments are made for the specific purpose of securing counsel on a phase of the Laboratory's programs, and carry a per diem fee for intermittent services. Consultants are not considered regular staff members and cannot serve as representatives of the Laboratory to DOE, the Nuclear Regulatory Commission or any other organizations.

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PROCEDURE: LEAVE FOR PROFESSIONAL ADVANCEMENT

Management System: <u>Human Resources</u>		
Subject Area: <u>Scientific Staff Manual</u>		
4. Leave for Professional Advancement		
Effective Date: Sep 15, 2014	Subject Matter Expert: <u>Joann Williams</u>	Management System Executive: <u>Kathleen Nasta</u>

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.

No vacation or sick leave accrues during leave under any of the categories above. Employees applying for any of the leaves described above should contact the Benefits Office for information regarding how other benefits would be impacted while on approved leave. When on leave, travel accident insurance coverage is in effect only during the period a staff member is authorized to travel on Laboratory business.

The Leave Subject Area provides Laboratory-wide procedures and guidelines for employee requests for Leave Without Pay and Leave of Absence (LOA). This LPA policy is intended to supplement that subject area with respect to eligibility criteria, justification documentation, and additional approvals required specifically for LPAs. The completion and approval of a Leave of Absence Form (in the Leave Subject Area) is required in the case of a non-salaried leave for professional advancement under this policy. In

the case of salaried leave at full or half-pay, since the employee remains on the payroll in these circumstances, the completion of an LOA form is not required.

Eligibility

Each full-time staff member holding an appointment in the rank of Scientist or Senior Scientist with Tenure or Senior Scientist with Continuing appointment is eligible to apply for leave for professional advancement. Leave credit accumulates at the rate of one month for each year of service (not including periods of leave) in the rank of Associate Scientist, Scientist, or Senior Scientist. Leave credit continues to accrue once the staff member returns from a leave for professional advancement but does not accrue during the period that the staff member is on leave. The number of months of leave at full pay taken at any one time may not exceed the leave credit, or twelve months, whichever is less. Similarly, the number of months of leave at half pay or non-salaried leave taken at any one time may not exceed twice the leave credit, or twelve months, whichever is less. Staff members may take leave for professional advancement in increments or in one continuous period not to exceed twelve consecutive months. Except under extraordinary circumstances, any continuous leave resulting from a combination of LPA or other leave without pay under the Leave Subject Area will not be granted for a period in excess of one year.

An individual who does not qualify under this policy because of the terms of appointment may, under special circumstances, be granted leave for professional advancement under the same conditions as described within this policy.

Procedure

A staff member applying for leave shall submit a request to the Department Chair and shall include therein pertinent information to demonstrate that the objectives of the Laboratory leave policy will be satisfied. The application must contain a full description of the professional advancement which the leave will bring to the individual applicant, and a statement of the benefits, both immediate and long-range, which may be expected to accrue to the Laboratory's program.

The Department Chair will review the application to determine whether (1) the proposed program is beneficial to all concerned, and (2) the continuing research program and the responsibilities of the Department can be carried forward satisfactorily while the applicant is on leave. If the Department Chair determines that the application meets these objectives, the application shall be forwarded to the cognizant Associate Laboratory Director (ALD), including a copy to the Human Resources Manager (HRM), with a recommendation for approval accompanied by a statement of reasons. The recommendation memo should be signed by the Department Chair and include approval blocks for the ALD, HRM, and Chief Human Resources Officer (CHRO). All applications not approved by the Department Chair shall be forwarded to the ALD for information with a statement of the reasons for disapproval.

The ALD shall approve those requests which are deemed to provide the greatest promise of meeting the objectives of the professional leave program without unduly hampering the continuing program and responsibilities of the Laboratory. If the ALD approves, the application is forwarded with concurrence from the HRM to the CHRO who will review for consistency with this policy and to ensure all DOE requirements as described below are met.

For all employees applying for leave for professional advancement, 30 days prior written notice to DOE is required. Failure to provide timely notice will result in any expenditures arising out of an employee assignment to another institution for teaching or research being deemed unallowable and not chargeable to the contract. Furthermore, in addition to the notification period described above, LPA requests specifically for individuals designated as Key Personnel require the approval of the Laboratory Director and the DOE Contracting Officer prior to the leave commencing.

The above required notification to DOE (or approval request to the Laboratory Director and DOE for Key Personnel positions) will be submitted by the CHRO upon his or her satisfactory review of the leave application and justification documentation provided by the Department Chair, HRM, and ALD.

The CHRO's office will send a copy of the approved leave application to the following individuals to serve as notification that the leave has been approved: the staff member's department administrator, the Supervisor of Employee and Guest Records, the Talent Acquisition Manager, and the Benefits Manager. The original with signatures will be provided to the cognizant HRM for the file.

If the LPA is to be overseas, the Foreign Travel Office will be notified by the department administrator upon approval.

In order to ensure timely notice to DOE, staff members and departments should adhere to the following nominal timeline in preparing and submitting LPA applications:

Steps	Time frame
Staff member submits application to Department Chair	90 days prior to leave start date
Department Chair reviews and recommends approval/disapproval	75 days prior to leave start date
ALD reviews and recommends approval/disapproval with HRM concurrence	60 days prior to leave start date
CHRO reviews for consistency with policy and approves/disapproves (including Laboratory Director review and approval/disapproval for key personnel only)	45 days prior to leave start date
CHRO submits to DOE for notification (or approval for key personnel)	30 days prior to leave start date

Other Compensations

The professional leave policy provides an opportunity for professional advancement of the staff member with resulting increase in the value of services to the Laboratory. Personal financial gain during the period of the leave is not an objective. It is recognized that in some cases the staff member will have expenses beyond those normally incurred during regular service to the Laboratory. The acceptance of fellowships, grants, travel awards, part-time compensation, reimbursement of expenses, etc., to offset either those added expenses or the loss of salary involved in part-time leave is permitted.

Continued Service to the Laboratory

Leave is granted to staff members whose continuing employment with, and service to, the Laboratory is expected. The staff member granted leave is expected to return to the Laboratory at the end of the leave.

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PROCEDURE: OUTSIDE PROFESSIONAL ACTIVITIES

Management System: <u>Human Resources</u>		
Subject Area: <u>Scientific Staff Manual</u>		
6. Outside Professional Activities		
Effective Date: Jan 25, 2013	Subject Matter Expert: <u>Joann Williams</u>	Management System Executive: <u>Kathleen Nasta</u>

The outside professional activity program affords employees an additional environment in which the sharing of technical knowledge may be enhanced. This includes teaching as part-time lecturers, or rendering advice to small technological companies. The Laboratory encourages outside professional activity when it is supportive of the overall scientific mission designated by the U.S. Department of Energy. It is important, however, that potential conflicts of interest between the Laboratory, its employees, and outside organizations are resolved well in advance of commencement of any outside professional activity (see the Outside Activities Subject Area).

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PROCEDURE: ADJUNCT APPOINTMENTS AND EDITORSHIPS

Management System: <u>Human Resources</u>		
Subject Area: <u>Scientific Staff Manual</u>		
7. Adjunct Appointments and Editorships		
Effective Date: Jan 25, 2013	Subject Matter Expert: <u>Joann Williams</u>	Management System Executive: <u>Kathleen Nasta</u>

Staff members may accept adjunct appointments to academic institutions, and editorships or similar appointments to the staff of scientific, technical, or other professional publications under the following conditions:

If the appointment is an honorary position that requires only incidental and occasional time to be devoted by the staff member, either at Brookhaven National Laboratory (BNL) or at another location, the appointment may be accepted and expenses received, but not compensation, from the other organization while the staff member continues to receive full-time salary and benefits.

If the appointment requires the staff member to spend not more than 10 percent of time during the normal working hours of the Laboratory, both compensation and expenses may be accepted for services. In actual practice, in satisfying a commitment to the collateral employer, the staff member must use vacation or take leave without pay for such purposes. Under these circumstances, the staff member loses none of the normal benefits. Should a conflict of duties arise, the staff member's primary commitment is to BNL.

If the appointment requires the staff member to spend more than 10 percent of time during the normal working hours of the Laboratory, salary will be proportionately reduced. Vacation and sick leave credit will be prorated according to the new work schedule. Insurance and retirement benefits, to the extent that such benefits are not paid or furnished by the other employer, may be maintained with both the Laboratory and the staff member continuing their respective contributions. The staff member may accept both compensation and expenses from the other employer. BNL must concur in such arrangements. Under no circumstances may a staff member devote less than 50 percent of time to the Laboratory.

Before accepting an appointment, the staff member shall submit a Request for Consent to Engage in Outside Activity Form (see the Outside Activities Subject Area).

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PROCEDURE: TECHNICAL WRITING

Management System: <u>Human Resources</u>		
Subject Area: <u>Scientific Staff Manual</u>		
8. Technical Writing		
Effective Date: Jan 25, 2013	Subject Matter Expert: <u>Joann Williams</u>	Management System Executive: <u>Kathleen Nasta</u>

Members of the staff are free to engage in technical writing for their own benefit or profit provided it does not interfere with the performance of their regular Laboratory duties. This may be done with no restrictions on arrangements with publishers, including arrangements for payment of fees or royalties. However, the use of Laboratory services, such as secretarial, graphic arts, library research assistance, use of computers, and so forth, is subject to certain restrictions as described below:

A member of the Scientific Staff on Leave for Professional Advancement is free to make any arrangements for writing consistent with the purpose of the leave. Any fee or royalty received may be retained with no obligation to DOE or to BNL. It is assumed that Leave for Professional Advancement entails working away from the Laboratory site and, further, that no part of the writing is done before or after such leave while engaged in regular Laboratory duties.

Technical Papers Resulting from Laboratory Programs

The publication of the results of research at the Laboratory is an essential part of the work of the scientific staff, and authors submitting papers reporting on such work must not accept any remuneration in addition to their Laboratory salary for such writing. Instructions to ensure the serial numbering, processing and distribution of papers and BNL reports are found in the Publishing Scientific and Technical Information (STI) Subject Area, copies of which are available at departmental offices.

Review Articles, Sections of Handbooks, etc.

Preparation of technical articles or reviews for commercial scientific or technical journals for which the author is paid a fee is governed as follows:

There is no restriction on work of this kind if it involves only a negligible portion of the staff member's time, i.e., the total effort during any one year amounts to less than a whole week's working time. In such cases, paragraph 1 of the Technical Papers section applies to payment of costs and provision of services required for the preparation of manuscripts. If the preparation of this type of publication requires that, for any one year period, the author must reduce the time needed to perform Laboratory

duties by more than a week *in toto*, the provisions for assigning a portion of the fee to DOE, and providing services and bearing costs described in the following section must apply.

Books

Any member of the staff proposing to write a book or any part of a book (such as an article for a handbook or encyclopedia) when such writing interferes with the performance of regular Laboratory duties may do so under the following conditions:

The Department Chair must approve of the project as appropriate to the work of the Laboratory, both with regard to subject and Laboratory time spent in writing, and so advise the cognizant Associate Laboratory Director.

The staff member may receive the first \$1000 of any royalties or fees payable, and must agree to assign on an annual basis to the Laboratory that portion in excess of \$1000, as defined by the formula $R=2T$, where R is the fraction of the fee or the total royalties earned by the book per year to be assigned to the Laboratory, and T is the ratio, as estimated by the author, of that portion of the time spent on writing which conflicts with regular Laboratory duties, to the total of time spent in writing the book.

In consideration of the assignment to the Laboratory of a share of the royalties or fee as above provided, the Laboratory may furnish services such as graphic arts, secretarial, library research, computer time, and editing required to prepare the manuscript for publication (other than work normally done by the publisher).

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PROCEDURE: INTELLECTUAL PROPERTY & INDUSTRIAL PARTNERSHIPS

Management System: <u>Human Resources</u>		
Subject Area: <u>Scientific Staff Manual</u>		
9. Intellectual Property & Industrial Partnerships		
Effective Date: Jan 25, 2013	Subject Matter Expert: <u>Joann Williams</u>	Management System Executive: <u>Kathleen Nasta</u>

The Laboratory's Economic Office of Intellectual Property & Industrial Partnerships (OIP) is the focal point for Brookhaven's ongoing technology transfer activities. The objectives of the OIP are to create a technology transfer process which aids the early identification of emerging BNL-developed products or processes that may be of commercial interest, and to provide a mechanism to bring these new technologies to the attention of private industry. The OIP transfers information concerning BNL-developed technologies to state and local governments, universities and the private sector. Laboratory staff members are responsible for ensuring that potential commercial applications of their research are brought to the attention of the OIP. A Laboratory technology transfer committee which includes representatives from each research department contributes to the process by searching and assessing potential applications. Transfer of Laboratory technology is accomplished through use of Brookhaven's user facilities, through industry-sponsored research at the Laboratory, through the licensing of Brookhaven inventions to industry, and through the general outreach programs that acquaint industry with Brookhaven's research programs.

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PROCEDURE: REGULATIONS ON PATENTS

Management System: <u>Human Resources</u>		
Subject Area: <u>Scientific Staff Manual</u>		
10. Regulations on Patents		
Effective Date: Jan 25, 2013	Subject Matter Expert: <u>Joann Williams</u>	Management System Executive: <u>Kathleen Nasta</u>

The contract between BSA and DOE covering the operation of BNL contains provisions for the disclosure and disposition of rights to inventions made at Brookhaven. These provisions are highlighted in the Laboratory's Employee and Guest Intellectual Property Agreement (Patent Agreement). Details concerning the contract provisions are found in Standard Practice Instruction (SPI) 6-04, Inventions - BNL Patent Responsibility.

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PROCEDURE: POLITICAL ACTIVITY

Management System: <u>Human Resources</u>		
Subject Area: <u>Scientific Staff Manual</u>		
11. Political Activity		
Effective Date: Jan 25, 2013	Subject Matter Expert: <u>Joann Williams</u>	Management System Executive: <u>Kathleen Nasta</u>

The Laboratory is supported by public funds and title to the site and all property used in the operation of the Laboratory is vested in the Government of the United States. The Laboratory must not become involved in political activity and must not engage in, or appear to be party to, political activities or pronouncements.

In this connection, members of the staff are expected to use good judgment when promoting their personal political views in situations in which a personal opinion may be misconstrued as representing the view of the Laboratory.

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PROCEDURE: USE OF LABORATORY NAME AND LETTERHEAD

Management System: <u>Human Resources</u>		
Subject Area: <u>Scientific Staff Manual</u>		
12. Use of Laboratory Name and Letterhead		
Effective Date: Jan 25, 2013	Subject Matter Expert: <u>Joann Williams</u>	Management System Executive: <u>Kathleen Nasta</u>

The Laboratory recognizes the right of all employees to make known their best judgment on matters where they have professional expertise. However, members of the staff shall use discretion and common sense when giving expression to their personal opinions in situations in which there may be the possibility that they will be identified as representing the Laboratory, no matter whether the expression is in regard to Laboratory or non-Laboratory business. Particular care must be exercised in communicating with public officials, elected or appointed, or with the press or other news media. To prevent misunderstanding, personal correspondence or correspondence on behalf of another institution shall not be written on BNL stationery, and BNL titles and other reference to the Laboratory should be used as a means of identification only. If the Laboratory or the staff member's connection with it is mentioned, expressly or by implication, it must be made clear that the writer is expressing only personal views and is not in any sense representing the Laboratory.

News reporters making inquiries concerning the Laboratory should be referred to the the Media & Communications Office. A staff member who inadvertently replies directly to such inquiries may be cast as "spokesperson" for the Laboratory, a situation clearly to be avoided.

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PROCEDURE: SCIENTIFIC RECORDS

Management System: <u>Human Resources</u>		
Subject Area: <u>Scientific Staff Manual</u>		
13. Scientific Records		
Effective Date: Jan 25, 2013	Subject Matter Expert: <u>Joann Williams</u>	Management System Executive: <u>Kathleen Nasta</u>

Records of scientific research carried out at the Laboratory are important, and scientists, including visitors to the Laboratory, must adhere to the Records Management Program, which is described in the Records Management Subject Area. Records are the Laboratory's property. Records management specialists in the Information Services Division are available to assist scientists and department/division records management representatives in categorizing records and deciding on their retention, storage, or disposal.

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PROCEDURE: BNL COUNCIL

Management System: <u>Human Resources</u>		
Subject Area: <u>Scientific Staff Manual</u>		
14. BNL Council		
Effective Date: Jan 25, 2013	Subject Matter Expert: <u>Joann Williams</u>	Management System Executive: <u>Kathleen Nasta</u>

The Brookhaven (BNL) Council is a body elected by the scientific staff that advises and makes recommendations to the Director about Laboratory policies affecting the scientific staff. The Council is particularly concerned with the maintenance of an atmosphere conducive to excellence in scientific research at BNL. The Council reports to the Director.

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PROCEDURE: ADDITIONAL RESOURCES

Management System: <u>Human Resources</u>		
Subject Area: <u>Scientific Staff Manual</u>		
15. Additional Resources		
Effective Date: Jan 25, 2013	Subject Matter Expert: <u>Joann Williams</u>	Management System Executive: <u>Kathleen Nasta</u>

Office of Scientific Appointments

Questions regarding the interpretation or application of policy pertaining to scientific staff should be directed to the Office of Scientific Appointments in Human Resources.

Scientific Staff Ombudsperson

The Scientific Staff Ombudsperson is a senior member of Scientific Staff whose role is to provide guidance to scientists in resolving and managing issues that may come up during their employment or stay at the Laboratory. The Ombudsperson reports to the Director of the Laboratory. The Ombudsperson is familiar with general Laboratory policies, as well as policies that are specifically related to the scientific staff. The Ombudsperson has access to various resources that will assist him in arriving at recommendations and solutions to issues that are confronting staff. The Scientific Staff Ombudsperson may be contacted by emailing ombudsman@bnl.gov.

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PROCEDURE: APPENDIX I: INSTRUCTIONS FOR PREPARING CONTINUING RECOMMENDATIONS

Management System: <u>Human Resources</u>		
Subject Area: <u>Scientific Staff Manual</u>		
16. Appendix I: Instructions for Preparing Continuing Recommendations		
Effective Date: Jan 25, 2013	Subject Matter Expert: <u>Joann Williams</u>	Management System Executive: <u>Kathleen Nasta</u>

Continuing appointments reward the scientist with the long-term security necessary to assure our programs are staffed by the best people available. At the same time, of course, these appointments impose a long-term responsibility on the department and the Laboratory. The nature of the job, the degree of responsibility and initiative required of the scientist, and the option of appointment to the professional staff should all be considered carefully.

The recommendation for promotion to Continuing status should include:

- A memorandum describing in detail the responsibilities, body of work and qualifications of the individual, which must include a descriptor sentence*, and which explicitly states how the following items have been included;
- A description of the composition of the candidate's research group or division, i.e., numbers of long-term staff (Tenure, Continuing, Professional), and others (Term appointees and Research Associates);
- Details of the candidate's program or function, its funding, and the forecast for continuation;
- Vitae and publications lists;
- Memorandum from the committee established by the Department to review Continuing recommendations. (Each department should establish a committee, preferably standing, of at least three members of the senior staff to review each recommendation.);
- External letters of recommendation may be sought, but if so, only a summary should be provided.

The cognizant Associate Laboratory Director must approve the recommendation before forwarding to the Director of Human Resources and Occupational Medicine for further review. Final Approval is made by the Deputy Director for Science and Technology.

*Descriptor sentence(s) summarizes one or two stand out accomplishments that characterize the work and merit for the promotion.

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PROCEDURE: APPENDIX II: INSTRUCTIONS FOR PREPARING TENURE RECOMMENDATIONS

Management System: <u>Human Resources</u>		
Subject Area: <u>Scientific Staff Manual</u>		
17. Appendix II: Instructions for Preparing Tenure Recommendations		
Effective Date: Jan 25, 2013	Subject Matter Expert: <u>Joann Williams</u>	Management System Executive: <u>Kathleen Nasta</u>

Presentation of Tenure Recommendations

As described below, the granting of tenure at Brookhaven should recognize a level of accomplishment by a scientist/engineer in science and/or technology comparable to what one would expect from scientists granted tenure at one of BSA’s seven core universities – Columbia, Cornell, Harvard, Massachusetts Institute of Technology, Princeton, Stony Brook University, and Yale. Procedures for requesting these evaluations are specified below.

The case for promotion to a tenured appointment at the Laboratory is developed under the direction of the Chair of the appropriate department following consultation with the tenured staff of the department. (In cases where a department has too few tenured staff to form a reasonable committee, a directorate level committee will be formed, which will substitute for the departmental committee.) It is expected that the candidate will have given a departmental or Lab-wide colloquium prior to the department proceeding with a tenure recommendation. After initial concurrence to initiate the process by the tenured staff of the department, the Chair meets with the proposed candidate to discuss the tenure case with him/her and requests that he/she provides an up-to-date curriculum vitae (CV) and a list of knowledgeable experts in the field. The departmental committee appointed to review the case uses this list as one of several factors when selecting the external referees who will be requested to evaluate the candidate.

Once the referees’ letters have been received, the case is presented and discussed at a meeting of the departmental tenured staff and followed by a vote. The subsequent recommendation should be presented electronically to the Office of Scientific Appointments according to the following guidelines. The electronic file must include the key publications and a one-page approvals sheet with cognizant Chair and Associate Laboratory Director signatures. Deviations from these guidelines should be explained in the Chair’s letter of introduction. Once the case has been submitted to Human Resources (HR) for evaluation, it goes to the Deputy Director for Science & Technology (DDST), BNL Council, the Director, then the BSA S&T Steering Committee and finally the BSA Board. A nominal timeline is given below.

If at any point in the process the case does not proceed, the candidate must be notified.

1. Departmental argument for the case

The departmental case should begin with the letter of introduction from the Department Chair. This letter is addressed to the Director. In this key document a complete, clear explicit case must be made for granting tenure. It is important that the Chair express the consensus of the department's tenure staff for the candidate's tenure. The Departmental vote should be stated and the reasons for negative votes explained. All pertinent details of the candidate's record of achievement should be examined in detail. Particular care should be given to identifying the major contributions and explaining why they are considered important. When appropriate, Chairs may choose to have the sponsoring group leader prepare a detailed technical rationale for tenure, as a supplement to his/her letter of introduction. Likewise, Chairs may choose to have the sponsoring group leader present the technical rationale for tenure to the BNL Council. In addition, in cases in which the work bridges departmental lines, it is helpful to add a supporting letter from a key member of the other department.

A tenure appointment constitutes recognition of independent accomplishments of a high order, comparable to those of leaders in the field, in the performance of original research or other intellectually creative activity appropriate to the mission of the Laboratory. Inasmuch as there are potentially three bases for tenure, namely contributions to knowledge, contributions to facilities, or a combination of the two, it is imperative that the basis for the tenure appointment be made quite clear. While the candidate may have materially advanced the Laboratory programs in several areas, the principal as well as secondary accomplishments should be specified. Evidence must be presented to show that the candidate has contributed strongly to some central purpose or program of the Laboratory and is highly likely to do so in the future.

The candidate then should be compared with other individuals in his/her field of endeavor in the scientific community that may include BNL scientists. This comparison is important. Those holding tenure at Brookhaven should compare favorably with their peers in the outside scientific world. An estimate of the candidate's potential should be made. Inconsistencies or omissions in the documentation should be explained. Negative or ambiguous statements in the reference letters must be squarely addressed, and clarified if possible.

The letter of introduction must be self-contained and must not rest on information to which the BNL Council or the BSA Science & Technology Steering Committee are not privy.

2. Curriculum vitae of the candidate

The curriculum vitae should include the candidate's full employment record from year of the baccalaureate degree and state the rank and dates of each position held at each institution.

3. Biodata on the referees and the comparison peers

The list of individuals solicited for references and those chosen as peer compares, their titles, affiliations, research interests and professional relationship to the candidate should accompany the case presented. Current biodata from such sources as American Men & Women of Science will be adequate for referees and peers alike, but in the case of the latter should be combined with current details of the professional status of the peer (e.g., is the peer tenured? for what body of work is the peer recognized?).

The professional relationship of the referee to the candidate should be defined as one or other of: Thesis advisor, postdoctoral mentor, frequent/occasional collaborator, or as one with whom the candidate has had no collaborative relationship.

4. Letters from at least seven external referees

At least seven external reference letters should be presented which have been solicited in connection with the current proposal for tenure. The selection of external referees should be made so as to provide independent, balanced, and authoritative judgments on the accomplishments of the candidate, on future prospects for continued, high-level performance, and on relative standing with peers of similar experience and rank. It is desirable to have a letter from a colleague who knows the candidate closely, and at least three should be from eminent individuals in the field who have not worked with, or are closely identified with, the candidate. In cases where it is difficult to identify non-collaborators, e.g., in experiments with many collaborators, it may be necessary to choose letter-writers who have been

“beneficiaries” or “users” of the candidate’s work products. These relationships should then be specified: Consultation with the relevant Associate Laboratory Director (ALD) or the DDST in advance is advised. Prospective external referees should not be canvassed beforehand in the context of the current proposal for tenure in order to gain knowledge about their views on the candidate. Before letters are solicited by the Chair, the composition of the group of referees is to be discussed with the appropriate ALD. In a case where a previous tenure proposal for the candidate has been made either all or none of those letters are to be used.

The appropriate portions of the BNL tenure policy should be made known to the individuals invited to write letters. In the event the candidate is on the Continuing staff, it is desirable to describe the nature of the Continuing appointment, as described in the sample letter below.

The referees shall be asked to compare the candidate to a minimum of six named peers, who either have or will soon have tenure at institutions comparable to the BSA core universities. In fields not well represented in universities, peers of demonstrated distinguished research accomplishment at National Laboratories or similar institutions are acceptable. The comparison list should be broadly constructed in order to enable an assessment of the strength of the candidate in a larger scientific arena. The comparison list should not be limited to individuals working in a narrow subfield, on the same experiment, or at the same facility as the candidate. In fairness to the candidate and to the evaluation procedure, ample time must be allowed for the referees to respond to requests for letters of evaluation. The absence of replies should be explained. All letters must be presented.

When tenure is conferred on the candidate, Department Chairs are encouraged to write again to the referees to advise them of the outcome and to thank them for their valued role in our review process. Department Chairs are also encouraged to advise referees when the conferral of tenure is to be tabled, and to thank them in the same manner.

5. Publications list and reprints

The list of the candidate’s publications and other documents should be as complete as possible and should include title, all authors (in the same order as on the publication), and inclusive page numbers. This material should be listed chronologically (early work first) according to the following categories, and numbered within each category. In collaborative work, particularly if identified as a key publication, the role played by the candidate and whether they were a major contributor should be indicated.

- a. Published or accepted papers in referred journals. Where papers have been accepted, the journal should be named. Papers submitted for publication should be included at the end of the list.
- b. Books authored and chapters in edited books.
- c. Papers published in conference proceedings, with invited talks identified.
- d. Published abstracts, with invited talks identified.
- e. Other items documenting accomplishment such as patents, papers in non-refereed journals, internal reports, and designs of instruments or facilities.

Six publications must be identified as key on the master publications list, and all key publications must be included in the electronic case file. All other publications are required to be easily accessed. These can be reprints or preprints of papers accepted for publication. For candidates with extensive publications, reprints of either major papers, or in chronological order those published in the last five years, may be considered sufficient. The reprints should be arranged in the same sequence as the list of publications. Missing reprints should be represented by a separate sheet of paper indicating why the article is not available, or by a list explaining the omissions. Doctoral theses are not necessary, but may be included if deemed appropriate. When the bibliography of a candidate is not large or a fair record of accomplishment, other materials, such as drawings, photographs or descriptions of apparatus, test facilities, etc., may be offered for the record, provided that they are accompanied by clear and concise explanations of the significance of such apparatus, test facilities, etc.

***Note:** The BNL Council has established specific requirements for assembling the copies. The Office of Scientific Appointments in the Human Resources and Occupational Medicine Division is available to offer guidance related to the layout.

Example of Department Chair's letter to referees

It is important that Department Chairs adhere to the language of the attached reference request example. Any changes in content must be agreed upon by the Deputy Director for Science and Technology and the appropriate Associate Laboratory Director before mailing.

Dear [must have at least 7 referees]:

_____ is being considered for (promotion to) an appointment with tenure at Brookhaven National Laboratory. It is the policy of the Laboratory that evaluations of the contributions of each candidate for tenure be secured from recognized experts outside the Laboratory in order to supplement the institutional record and provide reviewing authorities with an independent assessment. Accordingly, I am requesting you to kindly provide me with such an evaluation.

At Brookhaven, tenure is granted in "recognition of independent accomplishment of a high order in the performance of original research or of other intellectually creative activity appropriate to the purposes of the Laboratory. Recognition may be earned, in the first instance, through significant contributions to knowledge related to the purposes of the Laboratory and/or, in the second instance, in furtherance of the aims of the Laboratory, through continuing contributions of outstanding significance to productive utilization of the facilities or through outstanding and creative contributions to their design, development and improvement. A successful candidate for tenure at Brookhaven National Laboratory will have achievements and/or have demonstrated leadership and creativity in their scientific or technical field equivalent to the scientists who achieve similar recognition at the best research organizations and institutes worldwide."

[INSTRUCTION: In the case of a promotion from a continuing appointment use the following paragraph.]

_____ currently has a Continuing appointment. "Continuing appointments enable the Laboratory to retain first-class scientists and engineers who assure, through their specific expertise, the necessary continuity in various research programs or facilities operations. In many instances, the continuing staff, for a portion of their time, engage in activities that may be rewarded by tenure."

At Brookhaven, tenure is conferred by the Board of Directors of Brookhaven Science Associates (BSA) after evaluation of the case by the BSA Science and Technology Steering Committee, whose members include representatives from seven core universities: Columbia, Cornell, Harvard, Massachusetts Institute of Technology, Princeton, Stony Brook University, and Yale."

[INSTRUCTION: The following paragraph must make absolutely clear the basis for the specific tenure appointment. Refer to paragraph 2 of Item 1 of the foregoing tenure guidelines. Department Chairs may modify the suggested text to suit.]

In your letter, would you please comment on the originality, quality, productivity, and significance of _____'s research as reflected in his/her publications [(and/or in the second instance) on _____'s creativity and productivity with regard to the design, and development of)]. In particular I solicit your assessment of _____'s contribution in his/her field compared to [must include at least 6 comparees] and to others known to you of comparable experience. If appropriate, please endeavor to answer for us the following key question, "Would you support similar recognition of this candidate at your own institution, and why?"

To assist in your evaluation, I am enclosing copies of _____'s vita, publications list, and key publications. Please reply by _____.

My thanks in advance for your assistance.

Sincerely yours,

Department Chair/Division Manager

Enclosures

Nominal Time Line for Tenure Cases

Departmental consideration for tenure cases should begin approximately 2 years prior to the expiration date of the candidate's term appointment as Scientist or the desired date for promotion. This ensures adequate time for an unsuccessful candidate to find another position. The nominal sequence of events from that point on is:

November/December - Decision made in Department about pursuing candidacy for tenure.

January - Letters requesting references to be sent to referees in order for the letters to be returned in time for a departmental vote.

April 1 - Departmental vote on tenure recommendations.

May 1 - Departmental recommendations sent to Office of Scientific Appointments, Human Resources & Occupational Medicine (HR&OM) Division. HR obtains approval from the Deputy Director for Science and Technology (DDST) and submits case to the Council prior to its regular meeting in May.*

September 1 - BNL Council completes their deliberations and forwards recommendations, including a written evaluation of each case, to the Laboratory Director. The vote should be included in the evaluation. Abstentions or "no" votes should be explained.

September 15 - Copies forwarded to S&T Steering Committee together with the Council evaluation.

October - S&T Steering Committee meets.**

November - BSA Board votes.

* Submissions received after June 1 may be considered for review at the discretion of the DDST.

** The presentation to STSC will be limited to 5 slides designed to facilitate discussion and focus on essential points:

1. Brief description of the scientific/technical field for non-experts, and statement of the fundamental open questions. Statement of the individual's role in the BNL organization.
2. Basic accomplishment meriting tenure.
3. Votes within BNL, and analysis of Tenure Letters.
4. Summary of strong points of the case.
5. Summary of weak points of the case.

Backup slides to answer specific questions from STSC may be used.

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PROCEDURE: APPENDIX III: INSTRUCTIONS FOR PREPARING SENIOR SCIENTIST RECOMMENDATIONS

Management System: <u>Human Resources</u>		
Subject Area: <u>Scientific Staff Manual</u>		
18. Appendix III: Instructions for Preparing Senior Scientist Recommendations		
Effective Date: Jan 25, 2013	Subject Matter Expert: <u>Joann Williams</u>	Management System Executive: <u>Kathleen Nasta</u>

Laboratory policy for promotion to Senior Scientist is stated in the Supervisor’s Personnel Manual, Appendix 3. The operative section states, “...In addition (the scientist) has attained distinction by specific outstanding contributions to scientific knowledge or through a sustained, superior level of activity in advancing research or a phase of the Laboratory’s programs.” The former criterion applies mainly to tenured research scientists and the latter to scientists whose primary function is either program or facility-related. The classification of Senior Scientist is not a normal progression in rank; not all scientists should expect to become Senior Scientists. The length of time between appointments to the rank of Scientist to that of Senior Scientist will vary considerably from case to case. It should be noted that for no Scientist is superior conduct of administrative responsibilities a criterion for promotion to Senior Scientist. The Laboratory will recognize these achievements by other means.

For Continuing staff, there are two accepted paths for promotion based on technical accomplishment. One is where the Continuing Scientist has built up significant technical expertise in areas crucial to the Laboratory’s efforts to the level where a case for a Tenure appointment can be made. The other is promotion to Continuing Senior Scientist. However, this latter form of promotion has been, and will continue to be, an infrequent occurrence reserved for those few cases where the Laboratory seeks to recognize a Scientist’s special value but where a Tenure appointment is unattainable. The fact that Continuing appointments are designed for Scientists whose work is in support of Laboratory programs makes it generally difficult to develop a case for promotion to Senior Scientist.

Each scientific department/division has slightly different criteria for promotion to Senior Scientist, but all agree that national and international recognition by one’s scientific peers, e.g., honors, citations, invited talks at major meetings, advisory committee memberships, editorships, etc., are all valid signs of such recognition. Each chair/head has the responsibility of recommending the promotion, including a current CV and publication list. The cognizant Associate Laboratory Director must approve the recommendation before forwarding it to the Director of Human Resources and Occupational Medicine.

Recommendations for Senior Scientist are reviewed by the Science Associate Laboratory Directors who forward their evaluation to the Deputy Director for Science and Technology who will make the final decision. It is here that judgments are made based both on the criteria mentioned above and by comparing the nominee’s record with those of other recent appointees to the Senior Staff.

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PROCEDURE: APPENDIX IV: EMERITUS POLICY

Management System: <u>Human Resources</u>		
Subject Area: <u>Scientific Staff Manual</u>		
19. Appendix IV: Emeritus Policy		
Effective Date: <u>May 25, 2018</u>	Subject Matter Expert: <u>Joann Williams</u>	Management System Executive: <u>Kathleen Nasta</u>

A continuing or tenured scientist or engineering professional who has made outstanding scientific or professional contributions throughout her or his career may be considered to be designated Emeritus status upon retirement.

The value to Brookhaven National Laboratory (BNL) for recognizing such contributions will be the continued involvement of the continuing or tenured scientist or engineering professional for the benefit of BNL. The process for consideration of Emeritus status begins with the scientist's or engineer's Chair, who writes a letter of recommendation, provided that the candidate has:

- at least ten (10) years of full-time service to BNL prior to retirement from BNL, and has exhibited notable contributions to science, research, technology, or scholarship, e.g., the publication of peer-reviewed papers or professional recognition from engineering societies that advance BNL's and the Department of Energy's (DOE) mission during their employment.

The Chair's letter is sent to their Associate Laboratory Director (ALD) for approval and then forwarded to the Laboratory Director for final approval with the concurrence of the Deputy Director of Science and Technology. Upon this final approval, an Emeritus appointment will be approved for a five-year period, which may be renewed for succeeding periods of three years, provided that the field of science or engineering is still relevant to the mission of DOE and it is determined that the renewal is beneficial to both BNL and the Emeritus. During any term, an Emeritus may be re-assigned to another Directorate if the field(s) of science or engineering is better aligned with the expertise of the Emeritus.

Each Directorate will establish activities in which an Emeritus may engage. Emeriti may not perform work on a funded deliverable or project without being compensated. Examples of compensable work include, but are not limited to:

- Producing reports or publications that will be used by BNL or cited as being produced by BNL.
- Performing shift work and/or collecting data at a user facility or experiment.
- Performing data analysis that will contribute to a research project or experiment.
- Software development, maintenance, and/or configuration.
- Submitting proposals or working on funded proposals.

When a Chair or an ALD approves an Emeritus to perform compensated work, the Emeritus will be compensated according to the Phased Retirement compensation guidelines. The Emeritus will be

referred to as a "Scientific Advisor" when re-employed and during the time period he or she is employed will refer to themselves as a "Scientific Advisor" and not "Emeritus." Tenure will not be reinstated. However, the title of "Emeritus" will be reinstated upon conclusion of the compensated work.

The following activities, however, do not constitute work that is funded by BNL, Brookhaven Science Associates (BSA), DOE, or other sources, and, therefore may be conducted by the Emeritus and may be appropriate justification for a retiree guest appointment:

- Mentoring staff to help them develop their scientific or business career (individual career mentoring), separate from the BNL Mentoring Program.
- Providing advice and/or participating in scientific discussions based on previously acquired knowledge and experience in a particular field of science, i.e., no new research conducted.
- Producing a publication, report, or industry standard for personal scientific pursuits (not used by BNL or cited as being produced by BNL) or for support of a professional society (which requires DOE approval).
- Serving as a member of a convened panel (uncompensated) for the public good (e.g., pro-bono work for a professional society).
- Refereeing scientific papers or serving as journal editor without attribution to BNL.
- Making a presentation (uncompensated) at the request of BNL management during a BNL public event, such as BNL Summer Sundays or BNL tours.

Emeriti, as non-employees, may pursue other employment, but cannot imply that such employment will concern BNL without the prior, written consent of the ALD. Under no circumstances may the Emeritus perform work for any third party on-site at BNL, nor will the use of BNL facilities or equipment be promised as part of their other employment. The Emeritus will inform the ALD of outside activities that may directly or indirectly impact BNL. At the discretion of the Chair, an Emeritus may be assigned an office. Emeriti will have access to the Research Library, but will not have DOE/BNL equipment in their names, e.g., DOE/BNL equipment may not be considered for Emeriti's exclusive use or available for a property pass or loan to a third party. Computers will be provided as available for on-site use only. Emeriti may not use or be granted program funds for travel. BNL support for DOE clearances will expire upon retirement. Continued access by an Emeriti to their prior email will be permitted, but subject to change, in alignment with DOE or BNL information technology policies.

Failure to comply with this policy, BNL rules, or BSA policies including, but not limited to, Environment, Safety, Security, and Health Policy, Respectful Workplace Policy, and Outside Activities and Conflicts of Interest Policies, may result in the revocation of Emeritus status and potentially being prohibited from coming on-site.

Note: The prior Emeritus Position policy inconsistently referred to Emeriti as both employees and non-employees. Emeriti are not employees. The prior policy also permitted an option to be rehired. To the extent that approved activities of the Emeriti involve work, as defined in this policy, the ALD in conjunction with HR will determine whether employment status on a term basis may or could be resumed and on what terms. Should the Emeriti resume employment, tenure will not be re-conferred, as tenure expires upon retirement.

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PROCEDURE: APPENDIX V: USE OF FACILITIES BY NON-BNL EMPLOYEES

Management System: <u>Human Resources</u>		
Subject Area: <u>Scientific Staff Manual</u>		
20. Appendix V: Use of Facilities by Non-BNL Employees		
Effective Date: Jan 25, 2013	Subject Matter Expert: <u>Joann Williams</u>	Management System Executive: <u>Kathleen Nasta</u>

Members of the scientific staff should be conversant with the following regulations governing the use of Brookhaven facilities by outside users. These regulations are also covered in section V. H. Accounts Receivable – Research Facility Use and Non-Research Service Agreements (Non-Research) in the Budget Manual.

Appointments

Appointments for scientific guests and visitors to do research at Brookhaven must be made through the Department Chair of the scientific department involved. No one may engage in research at Brookhaven, or use its facilities, without a formal appointment.

Housing

Housing arrangements for scientific guests and visitors are initiated through the Department Chair of the scientific department involved, except for users of the Alternating Gradient Synchrotron, the Relativistic Heavy Ion Collider (RHIC), and the National Synchrotron Light Source (NSLS) whose housing is arranged by the respective User Liaison. Housing reservations and regulations are issued by the Housing Office.

Collaborative Research

Collaborative research is defined as a project which when published will have at least one Brookhaven staff member as author. Such joint projects require approval of the cognizant Department Chair. If the

non-Brookhaven collaborator is to conduct research at Brookhaven, the appropriate appointment must first be made. If the industrial firm or institution supporting the non-Brookhaven collaborator is to fund all or a portion of the collaborative research program at Brookhaven, a formal agreement must be in place between Brookhaven and the outside entity. Likewise, if the inventions and technical data that result from such collaborative research are to be treated other than as provided in the contract between BSA and DOE for operation of Brookhaven, then a formal agreement must be in place between Brookhaven and the outside entity.

Use of Facilities

Those research facilities at the Laboratory identified as "designated user facilities," such as the NSLS, RHIC, or "other user resources," are available to outside users. Two options are available for outside users. The first is non-proprietary, usually basic research, which may be performed at any of the user facilities, subject to facility availability, programmatic interest, publication of research results, and the existence of a "Use of Facility" agreement between the Laboratory and the outside user's institution. The second option is proprietary research, in which case a "Proprietary User's Agreement" will be entered into between Brookhaven and the outside user's institution. Such agreement will require the outside user to pay the full cost recovery to the Laboratory for machine time and any related technical services provided by the Laboratory. Proprietary research is also subject to facility availability and programmatic interest.

Computer Services

The BNL Computing Facility, personal computer or workstation hardware/software support, and programming services may be provided on a time-available basis. Authorization must be obtained in advance through the cognizant Department Chair of the scientific department involved, at which time the operating procedures will be described and charges set if applicable.

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PROCEDURE: APPENDIX VI: ADJUNCT BNL POLICIES

Management System: <u>Human Resources</u>		
Subject Area: <u>Scientific Staff Manual</u>		
21. Appendix VI: Adjunct BNL Policies		
Effective Date: Jan 25, 2013	Subject Matter Expert: <u>Joann Williams</u>	Management System Executive: <u>Kathleen Nasta</u>

1. Policy and Procedures for Termination of Tenure for Reasons of Financial Exigency. This document can be obtained from the Human Resources and Occupational Medicine Division.
2. Investigation of Allegations of Misconduct in Research or Scholarship Subject Area.
3. Policy Concerning Actual and Apparent Conflicts of Interest. This document can be obtained from the Human Resources and Occupational Medicine Division.

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DEFINITIONS

Definition: Scientific Staff Manual

Term	Definition
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