



“Cross Disciplinary Research in the National Interest”

Guidance for LANL Staff Participation in New Mexico Consortium (NMC) Projects

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Introduction

LANL staff may submit proposals from the New Mexico Consortium as NMC affiliated research scientists. If the grant is awarded, the NMC employs the researcher part-time. LANL staff time participation in the NMC generally cannot be more than 50% time. The researcher reduces their LANL time by the amount of their NMC participation.

The NMC provides separate facilities and equipment. NMC salaries for LANL staff members are equivalent to their current LANL salary on an annual basis. Benefits are comparable but not equivalent. Employment with the NMC is subject to funding and terminates with the grant. Upon completion of the grant, LANL staff return to LANL full time.

There must be a compelling reason why the work cannot be done as work for others at LANL and, generally this opportunity is restricted to previously unreachable sponsors. Projects that engage New Mexico Universities through collaborations, educational opportunities or other activities are strongly encouraged and may be eligible for additional IAS support.

*The login and password for the documents referenced by URL in this document are:
Login: guest
Password: onward!!*

Key Elements for LANL Staff Participation in the NMC

- Prior to submitting a proposal, LANL staff must
 - Complete a pre-award approvals which include approval by their line management, and
 - Review these guidelines in their entirety.
- Prior to employment by the NMC, LANL staff must
 - Complete the 701 Conflict of Interest Review,
 - Complete a personnel action to reduce their % time at LANL
 - Obtain a release for employment by the NMC through the IAS.
- The 701 submission is coordinated by the IAS: completed 701's should go through the IAS prior to submission to the conflict of interest office.
- Total compensation at the NMC and LANL will not exceed 100% normal LANL compensation

- Intellectual property developed by LANL staff while employed by the NMC belongs to LANL unless a CRADA is put into place
- LANL staff members generally do not work less than 50% time for LANL during any period of their participation in the NMC.
- LANL affiliated NMC staff must complete the LANL approval process for visitors and travel even if they are paid for and are related to NMC sponsored work.
- LANL management may require a LANL affiliate to terminate employment with NMC at any time if they fail to comply with the requirements outlined here or to meet compelling institutional needs.
- There must be compelling reasons why the work being done through the NMC cannot be done as work for others.

Proposal Submission

LANL staff who intend to submit proposals as NMC Visiting Scientists should first discuss with their line management the opportunity, the impact on their LANL workload and the benefit of the work to their research program and LANL. They should then contact Katharine Chartrand to discuss whether the proposal is appropriate for NMC support.

There must be a compelling reason why work cannot be done as work for others. This typically means that work is for previously unreachable sponsors. Opportunities that do not meet this requirement require discussion and approval at the AD level before pursuing pre-award approval.

In addition, the terms of potential award must allow the NMC to assign to LANL the intellectual property that LANL affiliates create.

If the outcome of these discussions are positive, the next step is to complete the NMC Pre-Award Form. The form requires Group Leader, Division Leader and AD signature for all participants on a proposal. If a LANL staff member's participation in the NMC will exceed 25% time, either on an individual award or through their participation in multiple awards, the pre-award approval form for that individual requires PAD approval.

The form indicates the intent of the LANL Line Management and the NMC Director to support the staff member's participation in the project and employment by NMC. It does not replace or supersede institutional requirements or policies on either side. The form can be found here:

<http://ias.lanl.gov/documents/IASpreaward.pdf>

LANL staff who have completed the pre-award approval process may use LANL resources, including computers and facilities, to prepare the proposal with LANL management approval. The NMC provides affiliates with an NMC e-mail address and, if needed, e-mail account for correspondence with funding agencies. LANL staff should not use LANL e-mail accounts for NMC correspondence.

Preparing for Leave

Once a LANL staff member receives an award as an NMC affiliate, the NMC will extend an offer of employment. LANL staff who have received an offer of employment are responsible for following all LANL policies related to leave of absence prior to formally accepting the offer. Specifically, participation in the NMC requires completing the '701' conflict of interest review and a personnel action. Upon receipt of the offer, LANL staff members should contact their group office to begin these processes.

701's for NMC participation are coordinated through the IAS to ensure consistency and that all the IAS requirements for participation are included. Please provide the 701 to the IAS once it is completed and prior to submission to conflict of interest office. A template 701 and guidelines are available here:

<http://www.newmexicoconsortium.org/organization/forms/701/701-template.pdf>

Once the personnel action has been initiated, LANL staff who will participate in the NMC should contact the IAS to complete a release for employment in the NMC. LANL staff complete the following form in an interview with the IAS's LANL Leader.

<http://ias.lanl.gov/documents/IAS-Releaseforemployment.pdf>

Benefits

Upon receiving an offer letter from the NMC, the NMC strongly recommends that you meet with a LANL HR/Benefits person to review what your LANL benefits will be under your specific arrangement. The following discussion reflects our current best understanding of LANL benefits and policies but is not equivalent to nor replaces formal communication of with LANL.

General Intent of NMC policy with respect to LANL affiliates

NMC seeks to provide LANL staff on leave at the NMC with salary and benefits comparable to their LANL compensation package. However, *there are key differences between LANL benefits and NMC benefits and you should read the following policy carefully.* In no case is it the intent of NMC that an individual's total compensation exceed their annual full-time LANL compensation

Summary of LANL Benefits

The major elements of LANL's compensation package can be summarized as follows.

1. Retirement benefits through an annuity based on service-time or the 401K retirement matching plan. Specifically, the 401K plan provides an elective match of salary of up to 6% plus a non-elective employer match of 3.5% to 5.5% depending on years of service.
2. Vacation, sick leave and holidays totaling 42 day per year. LANL employees hired prior to 1993 receive an additional 12 days of vacation and sick leave per year.

3. Employer portion of their medical, dental and vision which ranges from \$600 to to \$1100 per month depending on whether they are single or have a family and the type of plan.
4. Short and (optional) long-term disability coverage.
5. Optional life insurance

A discussion of the health and welfare benefit plan for LANL employees may be found at http://int.lanl.gov/worklife/benefits/docs/pdfs/plan_employee.pdf, including a discussion of eligibility. Information about all the LANL insurance policies that comprise your benefits, including a disability and life insurance premium calculator, can be found at <http://int.lanl.gov/worklife/benefits/insurance/index.shtml>

Compensation and Benefits for NMC Visiting Researchers with Employee Appointments

LANL staff who become Visiting Researchers at the NMC will be treated as employees and receive the following compensation and benefits depending on their level of effort. In general, compensation and benefits through the NMC are pro-rated by the amount of time you are supported by the NMC. We will never duplicate benefits you already receive from LANL. For full details on the NMC Employee Policy, see <http://www.newmexicoconsortium.org/organization/policy/employmentpolicy.pdf>

Salary. The NMC will use the base salary Visiting Researchers receive from LANL to calculate their NMC salary. Annual salary increases established by LANL will be honored.

Retirement. NMC's retirement benefits approximate the LANS 401K Employer Matching program (TCP 2). The key difference is that LANL staff on leave to the NMC do not accrue service credit at LANL for the portion of the time they are at NMC. This effects both eligibility for retirement health benefits and the increases in the LANL employer match that occur at 10, 15 and 20 years of service. The NMC non-elective employer match is 1 % higher than LANL to partially compensate for the loss of service credit. Specifically, the NMC non-elective employer match will be:

0-9 years of service 4.5%

10-19 years of service 5.5%

20+ years of service 6.5%

The NMC elective employee contribution remains up to 6%.

LANL does not provide the option to buy back service time towards the annual annuity (UCRP equivalent) retirement program (TCP 1). Therefore, there is no NMC equivalent to TCP 1.

To be eligible for retirement benefits, Visiting Researchers must work more than 20% time annually at the NMC.

Vacation, Sick Leave and Holidays. Vacation and sick leave will accrue at the organization(s) that pay the individual's salary in proportion to the percent of salary they receive from each organization. (There are some exceptions to this if an individual is on leave through one of LANL's leave of absence programs, see policy).

NMC employees accrue 30 days total personal leave annually. Personal leave may be applied to vacation and sick days or holidays. Personal leave should be scheduled with advanced notice when possible. Personal leave may accrue up to an annual limit. The annual limit for a full time staff member is 30 days, the annual limit for part-time staff is proportional to the % time worked. All accrued personal leave is vested and reimbursable upon departure from the NMC.

Medical. LANL staff on part-time assignment to the NMC who still work more than 50% time for LANL retain their full medical benefits through LANL. LANL staff on full time leave to the NMC may buy back their LANL medical coverage for up to two years. In general, the NMC will pay an employer's portion equivalent to what LANL paid. In all cases, the employee continues to pay the employee portion of the health insurance plan.

Long-term Disability. LANL staff working part time at the NMC retain their LANL disability coverage in proportion to percent time they work for LANL. In general, NMC does not provide long-term disability coverage for visiting researchers. Exceptions may be made if our policy allows and LANL staff are working at high levels of effort at the NMC for extended periods.

Short-term Disability. NMC will not carry short term disability coverage for its employees; however, part-time LANL staff on assignment to the NMC retain their short term coverage through LANL.

Unpaid Personal Leave. NMC employees may be eligible for unpaid personal leave. See employment policy.

Life Insurance. NMC does not provide life insurance coverage for visiting researchers.

Visiting Researchers Appointed as Independent Contractors

In exceptional cases, Visiting Researchers who work with the NMC may be offered appointments as independent contractors. Independent contractors receive an hourly wage that is equivalent to their LANL staff salary times a multiplier to compensate for employer taxes (if any), retirement benefits and personal leave, but generally not other benefits like life, medical and disability insurance.

Level of Effort

LANL affiliated NMC researchers must make a formal declaration of the percent effort to be divided between LANL and NMC, not to exceed 100%. The intervals at which this percent effort may be changed are subject to LANL policy and the patience of your group

management; NMC will adjust accordingly. Some NMC benefits assume a fixed level of effort, therefore NMC researchers must formally notify the NMC as well when they change the terms of their assignment.

The hours to be charged to projects will be reconciled on a two week basis, ending each "B" Friday. Visiting researchers are expected to ensure that the number of hours charged in each two week basis to NMC will not exceed the stated percent effort times 80 hours, so that the total time charged to both LANS and NMC does not exceed 80 in a pay period.

Short-term, Temporary Leave Without Pay from LANL

In general, the NMC employee is expected to maintain his stated level of effort at both NMC and LANS.

In special cases (generally involving travel out of Los Alamos), the NMC employee may elect, with LANS approval and per LANS regulations, to take LWOP from his regular appointment at LANS. In these instances, the hours in any two week interval at NMC may be increased temporarily to equal a total of 80 hours paid time.

Note that the reciprocal is not possible, that is, the NMC employee may not take LWOP from NMC and increase his LANS hours to 80, without a formal Personnel Action to increase his appointment at LANS.

Intellectual Property

Intellectual property developed by LANL affiliated NMC employees remains the property of LANL unless an exception is made by a CRADA prior to the development of the intellectual property.

Military Leave

NMC does not offer paid military leave. Your ability to receive paid military leave may be effected by part-time status at LANL. If you think you may need military leave, please discuss with your group office and HR before participating in the NMC.

Working at the NMC

LANL affiliated NMC staff must complete the LANL approval process for their visitors to the NMC, including the 982 process for foreign visitors. This is true even if the visits are paid for by the NMC and related to NMC sponsored work. LANL affiliated staff that travel for NMC projects must complete no-cost travel requests through their group offices for all NMC related travel.

LANL affiliates must provide a brief quarterly report on their NMC activities to their line management by e-mail quarterly.

LANL management may require a LANL affiliate to terminate employment with NMC at any time if they fail to comply with the requirements outlined here or to meet compelling institutional needs.

Return to Work

LANL staff should notify their line management two months prior to returning full time to LANL