



Clarification on Irish postdoctoral “period of training”, and ramifications for the European Charter and Code and HR Badge of Excellence

Dear Conor,

The International Consortium of Research Staff Associations (ICORSA) seeks the position of the European Commission on the alteration, by some Irish Universities, of the status of researchers that are up to 6 years post-PhD to be in a “period of training”, the subsequent impact on the eligibility of those researchers in Ireland to obtain a Contract of Indefinite Duration (CID), and whether this is consistent with the principles of the European Framework for Research Careers and the European Charter and Code for Researchers.

In 2011/12, two Irish Universities (University College Dublin - UCD and University College Cork - UCC) implemented a ‘Research Career Framework’. These frameworks were presented to research staff in the respective universities as a *fait accompli* without consultation in a series of briefing sessions. The new frameworks designated that the first 6 years of postdoctoral employment post-PhD in those universities constitutes a “period of training”. The universities’ career framework also forced career progression across salary scales every 3 years, or departure from the university if funding at increasingly unsustainable salary levels cannot be met. Below are the links for the Research Career Frameworks of both UCD and UCC for your information.

Subsequent to the release of the Frameworks in both universities, their research staff associations (UCDRSA and UCCRSA) expressed concerns to their human resources staff about the Framework’s designation of postdoctoral positions as “periods of training”, stating that the term would be used to deny researchers in those universities a CID after four years of employment, based on the premise that that researcher was in a “period of training”.

Two cases have now been reported in Ireland where this has occurred. In April 2015, a University College Dublin (UCD) researcher took an appeal case to the Irish Labour Court requesting a reversal of a denial of renewal of their employment contract, which the candidate claimed they were entitled to under the European Fixed Term Workers Act as they had 3 successive contracts within a 4 years period. The Irish Labour Court ruled that denial of renewal of contract by the university be upheld, based on the fact that the researcher had entered a “period of training” by signing his final contract, which came under the then enacted Career Framework of that university. In December 2014, University College Cork (UCC) denied a postdoctoral researcher of 5 years continuous employment in that university a CID on the basis that they were in a “period of training”. The researcher has not yet sought a labour court ruling on their case.

The European Framework of Research Careers states that postdoctoral staff and senior postdoctoral staff are professionals and staff members of an institute. “Training and development” is highly recommended, but the role was never defined

as a “period of research training”. Similarly, while the European Charter and Code for Researchers refers to “researchers in their training phase” (pg 14) and a “period of research training” (pg 28), ICORSA believe this was never meant to alter the professional status of postdoctoral researchers, nor to have an impact on their eligibility for CID.

The result of the new designation of researchers being in a “period of training” for up to 6 years post-PhD is that the affected postdoctoral researchers in Ireland will now need to be employed on fixed term contracts in their host universities for 10 years before they are eligible for a CID. According to the European Researcher framework, postdoctoral positions are considered a profession from stage R1. The Irish Labour Court ruling now means that researchers employed under the UCC and UCD Frameworks will not be eligible for CID until stage R4.

ICORSA considers that, in Europe, the designation of postdoctoral researchers as “trainees”, along with 3-year cycles of forced progression, is discriminatory and inconsistent with the ethos of the European Career Framework for Researchers and the European Charter and Code for Researchers. ICORSA seeks the opinion of the ERA Steering Group on Human Resources and Mobility on these latest impacts on researchers rights, and whether these practices may jeopardise the retention of the HR Excellence in Research badges awarded to both universities.

In countries where postdoctoral researchers are defined as trainees, such as the United States of America, a variety of challenges have arisen around the adequate recognition of researchers’ contributions, career status, and labour rights. Such challenges have been addressed by, for example, publications by the U.S. National Academy of Sciences such as “Enhancing the Postdoctoral Experience for Scientists and Engineers” in 2000, and “The Postdoctoral Experience Revisited” in 2014. These studies highlight the complexity of a system where postdoctoral researchers are considered trainees, and emphasize the enormity of the changes that would need to be implemented in order to adopt such a system in Ireland.

ICORSA feels the core of the problem stems from a lack of planning on the career path of researchers. It would appear that if progress is to be made on a proper model for research careers, a fundamental change in policy is required at the highest levels. Changes at local and national levels are bound to fail.

The Irish Research Staff Association (IRSA) submitted a similar letter to the Commission three weeks ago (attached). IRSA subsequently phoned two of the 3 recipients, Fabienne Gautier and Irmela Brach, to enquire on progress. Both stated that the EC Commission is taking the letter seriously, and that the combined departments of DG R&D and Charter and Code depts will issue a formal reply by mid June, although could be later due to the number of VIP persons that will have to sign off on the letter. They said that the "ramifications of the Irish move need serious consideration, and considered reply".

We thank you for your time in considering this matter and look forward to receiving your response in due course.

Regards,

Miguel Jorge

ICORSA Director, on behalf of the Board of Directors of ICORSA

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The link to the UCD Research Careers Framework (RCF)- Highlights. (*full version not publicly available*)

<http://www.ucd.ie/hr/rcf/#Research%20Careers%20Framework%20-%20Highlights>

The link to the UCC [Employment and Career Management Structure for Researchers](#) (1,271kB)