

Policy 20-01: Salary Payment under Unexpected or Extraordinary Circumstances

Purpose:

The purpose of this policy is to address salary and benefits payment of Boston VA Research Institute (BVARI) personnel during a time of unexpected or extraordinary circumstances.

Scope:

This policy will cover the allowability of salary, benefits, and other payments for BVARI personnel during unexpected or extraordinary events impacting regular job activity.

Policy:

Clinical trials

During an event that can negatively impact participants enrolled in a BVARI research trial, face-to-face clinical interaction may be suspended in order to protect both BVARI personnel and participants. During this time, BVARI encourages clinical staff to complete applicable patient communications (e.g., patient visits, follow-up) via telework and telehealth systems. The only exceptions to a suspension of face-to-face clinical research would be if canceling or postponing the activities would increase risk to the subject's safety or wellbeing or would deprive the participant of necessary clinical care.

Basic and translational research

During unexpected or extraordinary circumstances, BVARI may require that research personnel suspend all basic and/or translational research activities. In these circumstances, the only exceptions may be personnel attending to critical matters as communicated by VA Boston or BVARI (e.g., preservation of essential research materials, essential care of animals).

Personnel will be given as much notice as is practicable to complete or wind down critical ongoing experiments and organize labs for a shut down. Personnel should make arrangements for who will be responsible for critical operations (e.g., caring for animals and monitoring the status of samples in freezers and liquid nitrogen storage).

Whenever possible, personnel should continue work under telework agreements and should prioritize project-related work such as data analysis and follow-up, publications, continuing education, compliance documentation, and mandatory trainings.

Paying salaries when research projects are reduced or cannot be completed, or personnel must be redeployed due to unexpected or extraordinary circumstances

BVARI will allow personnel, including those funded by federal and non-federal awards, to continue to charge salaries and benefits to currently-active awards from all funding sources, federal and non-federal. Costs may be charged to awards if necessary to continue critical work even if in a period where primary research activities are limited or curtailed. To the maximum extent practicable, BVARI will invoke or institute any and all reasonable mitigation actions and practices to lessen the cost to the sponsoring agency during the crisis period. Such actions may be part of an existing program or may be created to respond to the crisis. Appropriate records and cost documentation must continue to be updated and maintained as required.

Any personnel whose workload must be substantially reduced or eliminated due to exhausting all feasible telework that can be conducted under such an event would also be eligible for redeployment to support functions BVARI deems essential. Under these circumstances, BVARI will continue to charge salaries and benefits to currently-active awards from all funding sources, federal and non-federal, even if the redeployment involves substantially dissimilar work.

All efforts will be made to preserve jobs during unexpected and extraordinary circumstances, but BVARI personnel remain at-will employees and BVARI reserves the right to terminate personnel at any time and for any reason.

Procedures:

Telework

BVARI personnel must gain prior approval from their supervisor and BVARI's HR Manager or Director and have an up-to-date fully executed telework agreement in place prior to teleworking.

Redeployment

If BVARI determines a need for redeployment of its personnel (e.g., if there is not enough work readily available due to restrictions of teleworking or if a crisis requires work substitution), personnel will be required to enter a work redeployment labor pool.

Sponsor documentation required under limited or curtailed research or redeployment

All personnel whose research work is or will be limited, curtailed, or reassigned must document the delays, cause, impact to the project, actions taken to mitigate delays, and any other relevant facts and details. As soon as possible, Principal Investigators (PIs) must provide this written documentation to BVARI's Office of Sponsored Programs for institutional approval and submission to award sponsors. Sponsors may make allowable determinations as they pertain to their awards.

Related Documents:

[OMB Memorandum M-20-17](#)

<https://basicresearch.defense.gov/COVID-19/Frequently-Asked-Questions/>

https://grants.nih.gov/grants/natural_disasters/corona-virus.htm

<https://grants.nih.gov/faqs#/covid-19.htm>

2 CFR § 200.302 - Financial management

2 CFR § 200.333 - Retention requirement of records to substantiate the charging of any salaries and other project activities costs related to interruption of operations or services

2 CFR § 200.403

2 CFR § 200.404

2 CFR § 200.405

Version History

Prepared by	Date Issued	Reason for Issue/Summary of Changes
Amy H. Kimball, CEO	March 27, 2020	Establish new policy in response to COVID-19 pandemic