

**SUBJECT: Without Compensation (WOC) Employee Policy**

**1. PURPOSE:**

This SOP establishes the procedures for Without Compensation (WOC) employees engaged in research activities at the Minneapolis VA Health Care System (VAHCS).

**2. DEFINITIONS:**

ACOS/R: Associate Chief of Staff for Research

AO/R: Administrative Officer for Research

PI: Principal Investigator

WOC: Without Compensation Employee as defined in 38 USC § 7405(a)(1)

RDC: Research and Development Committee

**3. OVERVIEW:**

This document provides guidance and expectations for research WOCs and for PIs who supervise research WOCs. Research WOCs constitute a substantial percentage of the individuals engaged in research activities at the Minneapolis VAHCS. Any individual with clearance to conduct research at the VA, but not paid by the VA, may be considered a WOC. This includes (but is not limited to): University-employed clinicians, investigators, and staff; non-profit foundation employees; unpaid volunteers; or postdoctoral, graduate, or undergraduate students. Because WOCs are considered to be VA employees, they must meet VA employment eligibility standards, thus individuals who are not U.S. citizens cannot become WOCs. Research WOCs must be sponsored and supervised by a VA-paid investigator or clinician.

**4. PROCEDURES:**

- a) PIs who wish to sponsor research WOCs must be VA-compensated personnel in good standing. PIs must recognize that WOC appointments are made at the discretion of the Research Office, and that WOC requests submitted by individual PIs may be denied based on prior history and/or behavior.
- b) Requests to initiate a WOC appointment must be made by the sponsoring PI. WOC appointment requests must be in writing (email is preferred), and include the full name and contact information of the proposed appointee. The title of the applicable research project and expected duration of WOC appointment should be indicated, if known.
- c) The ACOS/R is responsible for granting or denying approval of WOC appointments, extensions of existing WOC appointments, and terminations.
- d) Due to increased difficulty in onboarding and ensuring adequate compliance with training and other requirements, WOC appointments for individuals who are stationed at remote sites are discouraged. These appointments may be made at need upon the discretion of the ACOS/R.
- e) Upon receipt of a WOC appointment request, if approved, the Research Office staff will provide a "WOC Packet" containing all necessary forms and documents required to initiate the VA background check, clearance procedures, and training. Packets must be completed and returned to the Research Office at least 3 weeks before the intended start date. Research Office staff will route WOC packet components to the proper recipients, and will notify the WOC and PI when they are cleared to obtain their ID badge, keys, and codes for computer access (if requested).

- f) Termination of a WOC appointment will occur when the appointment expires, when the PI or WOC indicates he/she is leaving VA research, or upon administrative termination by the Research Office (see below). Upon termination of a WOC appointment, WOCs must complete a clearance form prior to departure. Any items issued to the WOC (keys, lab coat, ID badge, etc.) must be returned, unless the WOC is transitioning to a VA-compensated position.
- g) Investigators who are leaving VA employment may request no more than 1 year of WOC status following termination. Requests must be sponsored by a VA-paid investigator in good standing at the Minneapolis VA. Rare exceptions to the 1 year limit may be made by the ACOS/R.
  - i) This policy is intended to allow former VA-paid investigators sufficient time to close or transfer existing research projects, clean out office and laboratory space, and archive records.
  - ii) Former VA-paid investigators who are approved for WOC status may close or transfer research projects only. No new research projects, funded or unfunded, may be initiated without a paid VA position.
  - iii) Requests for WOC appointments for former VA-paid investigators must be made in writing and must be approved by the ACOS/R.
- h) Responsibility of WOC employees:
  - i) As VA employees, WOCs are expected to abide by VA rules of conduct, and to remain current in all locally- and nationally-required VA training. WOC appointments for individuals who repeatedly fail to maintain current training status may be terminated.
  - ii) WOCs must ensure that current contact information is kept on file in the Research Office.
  - iii) Communications requiring email contact (e.g. training notifications, communications to Research employees) must be directed to an email address that is regularly monitored.
  - iv) WOCs with VA computer access are required to abide by VA information security policies, including maintaining confidentiality of all access codes and passwords.
  - v) While WOCs can be co-PIs on research projects submitted to the RDC or subcommittees, per RDC SOP 004, WOCs cannot be PIs on study protocols.
- i) Responsibility of WOC Supervisors:
  - i) A PI who sponsors a research WOC must accept all supervisory responsibilities that would normally be expected for supervision of any VA-paid employee. This includes but is not limited to:
    - (1) Maintaining current contact information for WOC employees;
    - (2) Responsibility for providing proper training in all research procedures;
    - (3) Responsibility for evaluating competency to conduct assigned duties;
    - (4) Ensuring that VA rules of conduct are followed; and
    - (5) Ensuring that WOCs remain current for all locally- and nationally-required training.
  - ii) Upon PI- or WOC-initiated termination of a WOC appointment, the PI is responsible for ensuring that the Research Office is notified that the WOC will no longer be on site.

- iii) When a WOC appointment is terminated by the WOC, PI, or Research Office, the PI is responsible for ensuring the WOC turns in any items issued (keys, badge, etc.) and that the WOC has completed the facility clearance process for employees leaving VA service.
- j) The ACOS/R and AO/R will monitor conduct and training status of research WOCs, and reserve the right to initiate termination of a WOC appointment at any time should the above responsibilities not be satisfied.

**5. REFERENCES:**

Minneapolis Research Service SOP R&D-004 “Research Investigator Responsibilities”  
VA Handbook 5005/12 Part II Chapter 3 “Acceptance of Services on A Without Compensation Basis Under 38 U.S.C. 7405(a)(1)”  
38 U.S.C. § 7405 “Temporary full-time appointments, part-time appointments, and without-compensation appointments”

**6. R&D COMMITTEE APPROVAL: 01 December 2020**

**7. RECISSIONS: Minneapolis Research Service SOP R&D-014 “Without Compensation (WOC) Employee Policy” (06 August 2019).**

**8. EXPIRATION DATE: N/A**

**9. FOLLOW-UP RESPONSIBILITY: Research and Development (R&D) Committee**