

# Doctoral candidates' right to prolongation



**Doktorandnämnden**

The doctoral board of Uppsala University



This promemoria outlines the positions of the Doctoral Board (*Doktorandnämnden*, DN) on doctoral candidates' rights to prolongation. This includes, but is not limited to, prolongation for: sick leave, parental leave, teaching duties and fiduciary positions.

At Uppsala University there is considerable variation between departments in the manner in which prolongation is granted. This document should not be taken as a description of current practice at Uppsala University.

The positions outlined here are based on current law and best practice: this is not a proposal for new rights or regulations, but rather DN's interpretation of how prolongation *should* work, in practice, under current rules.

The Doctoral Board is a part of the Uppsala Student Unions. This promemoria was prepared by DN's working group on prolongation, and was accepted as DN policy on 27 April 2021.

This document is released under the Creative Commons Attribution-ShareAlike 4.0 International licence (<https://creativecommons.org/licenses/by-sa/4.0/>). Content should be attributed to *The Doctoral Board of Uppsala University*, and any derivate works should include a link to the Doctoral Board's website (<https://uudoctoralboard.se>).

## **Executive summary: conditions for fair prolongation**

1. The candidate should always know how much time they have left to complete their PhD.
2. When applying for prolongation, the candidate should receive a decision as soon as possible, and in writing.
3. There should be a mechanism for appealing decisions on prolongation.
4. Prolongation for teaching or administrative duties is limited to one year. Other prolongation should not count toward this limit.
5. There should be no lower or upper limit on the amount of prolongation the candidate may receive.
6. The extent of prolongation should be expressed in net working days. Conversion to calendar days should take into consideration weekends, statutory holidays, vacation time and part-time employment.
7. Prolongation for sick leave and parental leave should be automated.
8. All forms of teaching should give prolongation. The extent of prolongation should reflect the actual time spent.
9. The University should guarantee funding for prolongation for candidates with externally financed income.

Starting on the next page, each of these points will be examined in more detail.

## Introduction

Doctoral candidates are expected, in general, to complete their doctoral education in four years of net study time (*nettostudietid*). There is no legally determined duration for doctoral studies, but funding for the candidate's income (salary or stipend) is generally limited to four years.

Prolongation is the mechanism by which the candidate's income is extended in time beyond four years, to compensate for time that the candidate could not spend on their doctoral studies. This includes, but is not limited to: sick leave, parental leave, teaching, departmental duties and fiduciary positions (*förtroendeuppdrag*). The object of prolongation is to extend the duration of the candidate's income (salary or stipend) to give the candidate four years of net study time to complete their doctoral education.

The regulatory basis for prolongation is the Higher Education Ordinance (*Högskoleförordningen, 1993:100*). In particular: chapter 5, paragraphs 2 and 7 for doctoral candidates employed directly by their university, and chapter 7, paragraphs 34 and 36 for other candidates.

## 1 The candidate should always know how much time they have left to complete their PhD.

### *Current status:*

Completing doctoral education – particularly, writing the dissertation – requires careful time planning. A doctoral candidate cannot plan their work effectively unless they know how much time is left before their funding runs out. Combinations of sick leave, teaching and fiduciary positions can cause confusion about the amount of prolongation the candidate is entitled to.

### *DN position:*

At a minimum, department administrators should at any time be able to tell the candidate the expected end date for their income funding, taking prolongation into consideration.

Ideally, the candidate should be able to access this information at any time through a web portal or other electronic service.

## **2 When applying for prolongation, the candidate should receive a decision as soon as possible, and in writing.**

### *Current status:*

Some departments refuse to process applications for prolongation until the candidate is in the final year of the PhD.

Decisions are not always communicated clearly. DN are aware of instances where prolongation was initially granted and later withdrawn, for unclear reasons.

### *DN position:*

Administrative processing of prolongation cannot wait until the end of the PhD. This complicates time planning, and makes it more difficult for the candidate to document their circumstances, retrospectively.

The candidate should be able to apply for prolongation, and receive a decision, as soon as there are grounds for prolongation. For the avoidance of conflicts or confusion, the decision should be communicated in writing. It should not be possible to retract prolongation previously granted.

The candidate should never have to be without income while waiting for a decision on prolongation.

## **3 There should be a mechanism for appealing decisions on prolongation.**

### *Current status:*

Prolongation decisions are made at department level, often by the supervisor or Head of Department. Decisions are often made in consideration of the doctoral candidate's rights versus other budget priorities. This is particularly problematic when the candidate is funded by external personal research grants held by the supervisor.

Higher levels of administration are very reluctant to intervene in prolongation decisions, even when discrepancies are evident. When a doctoral candidate is dissatisfied with a decision on prolongation, this is most often handled through the mediation of Student and PhD Student Ombudspersons or trade union representatives.

It is a matter of dispute whether appeals on prolongation decisions can be considered by the Higher Education Appeals Board (*Överklagandenämnden för högskolan*) or by the administrative courts<sup>1</sup>. In any case, such mechanisms would often not produce a decision within a useful time frame.

*DN position:*

Prolongation is a right. Budget considerations should not play any part in determining whether to grant prolongation. It could be argued that when prolongation is funded by the supervisor's personal research budget, the supervisor inherently has a conflict of interest (*jäv*), and therefore should not take part in the prolongation decision at all.

There is an evident need to improve uniformity between departments and faculties across the University.

The Doctoral Board proposes that the University should create a central appeals instance that is independent of departments and faculties, i.e., answers directly to the Vice-Chancellor. Any doctoral candidate dissatisfied with a prolongation decision should have a right to appeal. The appeal instance's decision should be communicated in writing and should be considered the University's final decision.

The Doctoral Board encourages the University to refer appeals to the Higher Education Appeals Board if a doctoral candidate is dissatisfied with the University's final decision.

The appeals process proposed here - internal review resulting in a final written decision, followed by the possibility of appealing to an independent external body - would be consistent with the appeals process for most kinds of decisions by Swedish public authorities, including universities.

---

<sup>1</sup> See the Higher Education Ordinance (*Högskoleförordningen*, 1993:100), chapter 12, paragraph 2.

## **4 Prolongation for teaching or administrative duties is limited to one year. Other prolongation should not count toward this limit.**

### *Current status:*

Doctoral candidates employed by the University may be required by their department to carry out teaching or administrative duties for up to 20% of the extent of their employment. This is decided by the department, not by the candidate. The candidate should receive prolongation for the time spent on these activities.

Teaching or administrative duties at 20% can amount to maximum one year, resulting in a total employment duration of five years. The department may not require the candidate to spend more than one year of their PhD on these activities.

### *DN position:*

Any other prolongation, such as for sick leave or fiduciary positions, does not count toward this one-year limit. As a result, the total duration of employment may exceed five years in some cases.

Some departments interpret fiduciary positions, such as doctoral representative on the department board, as “administrative duty”. This is incorrect, notably because such positions are taken voluntarily by the candidate, not mandated by the department.

Candidates should never be required to fit the execution of a fiduciary position within time allocated for other tasks, such as time allocated for departmental administrative duties.

The one-year limit on prolongation for teaching and administrative duty refers only to activities that the department chooses to require of the doctoral candidate. It is a limit on what a department may expect of a candidate, not a limit on what prolongation the candidate may expect of the department.

Any prolongation other than for teaching and administrative duties mandated by the department does not count toward the one-year limit. (See also point 5, below.)

## 5 **There should be no lower or upper limit on the amount of prolongation the candidate may receive.**

### *Current status:*

University policy document UFV 2014/72 states that applications for prolongation of less than five days for a fiduciary position will not be considered. Some departments extend this to other grounds, for example sick leave.

Some departments take the view that prolongation may, in any case, not be granted for more than one year (see also point 4, above).

### *DN position:*

The extent of prolongation may be as short as just one or two days, for example for the time spent on a minor fiduciary position, or as long as several years, for example for a long period of sick leave. Fractions of days may occur, for example if teaching time is calculated in hours; it should be possible to accumulate such fractions.

Prolongation for teaching or administrative duties is limited to one year (see point 4, above). For prolongation on other grounds, there is no basis in law for either a lower or an upper limit on duration. In cases such as prolonged sick leave or parental leave, any upper limit is an evident violation of doctoral candidates' rights.

All applications for prolongation should be processed in the same way, regardless of the amount of prolongation applied for.

## 6 **The extent of prolongation should be expressed in net working days. Conversion to calendar days should take into consideration weekends, statutory holidays, vacation time and part-time employment.**

### *Current status:*

There is much confusion in department administrations about how to calculate prolongation, and discrepancies between departments are severe.

### *DN position:*

The object of prolongation is to ensure that every doctoral candidate has four years of net study time to complete their PhD. Therefore, the amount of prolongation granted should be calculated on the basis of “restoring” a certain amount of net working time.

This means that “days of prolongation”, such as in the policy document UFV 2014/72, necessarily means “working days”, not “calendar days”.

One simple and one more complex example are provided below.

### *Example 1:*

Emma is expected to complete her PhD by 31 December 2021. However, Emma was on sick leave 5–10 February 2021 (six days, including a Saturday and a Sunday).

Emma should receive four days of prolongation, corresponding to the four working days lost due to sick leave.

The next four working days past 31 December 2021 are 3, 4, 5 and 7 January 2022 (not counting the weekend of 1–2 January, or 6 January, which is a public holiday). Therefore, Emma's employment should be extended until 7 January 2022, before considering vacation allowance.

Emma is entitled to 31 days of paid vacation per year. Prolongation until 7 January gives her an additional vacation allowance of  $(31 \times 7 / 365) = 0.59$  days. This is rounded up to one whole day<sup>2</sup>. Emma should receive one further working day of prolongation, so that she may enjoy her vacation allowance without loss of net study time.

Emma's employment is prolonged from 31 December 2021 to 10 January 2022.

---

<sup>2</sup> Holiday entitlements and the calculation of holidays for fractions of a calendar year are determined by collective agreement. Information about this on the staff portal: <https://mp.uu.se/en/web/info/anstalling/semester>

### *Example 2:*

Victor had started his PhD working full-time, and was on 50% parental leave throughout November and December 2020. He then switched from full-time (100%) to half-time (50%) employment, starting from 1 January 2021. As he has six months of full-time equivalent left (not yet counting prolongation for parental leave), he is now expected to complete his PhD by 31 December 2021.

During the academic year 2020–21, Victor also serves as member of the Doctoral Board, for which he should receive 8 days of prolongation (per UFV 2014/72). It does not matter that Victor was employed half-time during part of this year: he fully discharged his duties as Doctoral Board member, therefore he should receive the full 8 days.

Due to partial (50%) parental leave, Victor “lost” half his working time in November and December 2020. That is half of 41 working days (note that 24 and 31 December are not counted as working days).

In total, therefore, Victor should receive 28.5 days of prolongation, of which 8 for the fiduciary position and 20.5 for parental leave. As Victor is now working half-time (50%), these 28.5 full-time equivalent working days become 57 working days at 50%.

The 57<sup>th</sup> working day past 31 December 2021 is 23 March 2022. Victor's employment should be extended until that date, before considering vacation allowance.

Victor is entitled to 35 days of paid vacation per year. Prolongation until 23 March 2022 gives him an additional vacation allowance of  $(35 \times 82 / 365) = 7.86$  days. This is rounded up to 8 whole days (vacation is always expressed as calendar working days, regardless of the fact that Victor is now working 50%). Victor should thus receive 8 additional calendar working days of prolongation, so that he may enjoy his vacation allowance without loss of net study time.

Victor's employment is prolonged from 31 December 2021 to 4 April 2022.

## **7 Prolongation for sick leave and parental leave should be automated.**

### *Current status:*

Doctoral candidates should always receive prolongation for sick leave and parental leave. Such leave is normally recorded in the University's human resources portal (Primula). To receive prolongation, candidates need to expressly apply. This is an unnecessary additional procedural step.

*DN position:*

Prolongation should be calculated and granted automatically, without the candidate having to apply. The calculation should account correctly for part-time employment and for partial leave (25%, 50% etc.).

## **8 All forms of teaching should give prolongation. The extent of prolongation should reflect the actual time spent.**

*Current status:*

Forms of teaching performed by doctoral candidates include, but are not limited to: lectures, laboratory classes, preparation and design of courses, supervision of project students. Teaching may be directed at students (bachelor or master level) or at other doctoral candidates.

The estimation of teaching time is extremely inconsistent between departments. Some calculate classroom teaching time only, disregarding preparation and follow-up. Others apply a coefficient (*lektorstimme*), for example, 1 hour of classroom teaching time is regarded as 4 working hours. Not all departments offer prolongation for time spent designing courses or producing teaching materials.

Some departments do not offer prolongation for teaching at all, arguing that teaching is “part of” doctoral education.

*DN position:*

All forms of teaching should give prolongation.

Prolongation should fully cover the actual time taken up by teaching duties, including preparation of teaching activities and follow-up, such as answering questions via e-mail and giving feedback on assignments.

The time actually taken up by preparation for classroom teaching varies considerably. A doctoral candidate requires more time to prepare for a lecture that they give for the first time, than a senior lecturer who has given the same lecture many times before. Time taken up by preparation and follow-up also depends on the subject area and the candidate's background and teaching experience.

Prolongation should reflect the actual time taken up by teaching duties in each case.

## 9 **The University should guarantee funding for prolongation for candidates with externally financed income.**

### *Current status:*

Doctoral candidates who are not employed by the University do not always receive prolongation in the same manner as other candidates.

Only doctoral candidates employed by the University may be required by their departments to carry out teaching and administrative duties, for which they receive prolongation of up to one year.

Prolongation on other grounds, such as for sick leave or fiduciary positions, typically depends on the policies of individual funding providers. Doctoral candidates on a stipend often feel discouraged from taking on fiduciary positions because of the uncertainty of compensation.

Doctoral candidates on a stipend can receive funding from the Legal, Financial and Administrative Services Agency (*Kammarkollegiet*) for the majority of their income during parental leave or sick leave, with certain restrictions.

### *DN position:*

Other than departmental teaching and administrative duty, all forms of prolongation should be available on equal terms to all doctoral candidates at the University, including, but not limited to: candidates on a stipend, with EU funding, clinical PhDs and industry PhDs.

The University has a responsibility to ensure that doctoral candidates not employed by the University have income funding “equivalent to the salary level for doctoral candidates according to Swedish collective agreements or common practice” (Higher Education Ordinance, chapter 7, paragraph 36, subsection 2). This should be interpreted as including prolongation of such income.

If the external financing body does not provide full funding to prolong the candidate's income, for example for parental leave or for a fiduciary position, then complementary funding should be provided by the University.