

Guidelines for Effort Commitment & Payroll Certification Associated with Sponsored Projects

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EFFORT

At the proposal stage – the amount of effort you propose in a grant proposal budget or other project application budget, regardless if salary is requested. Individual effort is expressed as a percentage of the total amount of time spent on work-related activities at UND (e.g., instruction, research, patient care, administration) for which the University compensates an individual.

At the award stage – the amount of effort proposed that the sponsor accepts and awards, regardless of salary support that they provide. The proposal or commitments listing may be included in the notice of the grant award, but not always. It varies by agency. If it is not there, you will have to refer to the proposal as your commitment guide.

As a recipient of sponsored awards, the University must assure sponsors that the effort expended on sponsored projects is at least commensurate with the salary charged to those projects. In addition, sponsors must be assured that compensated effort committed to a project is provided, and that Principal Investigator(s) (PI) and key personnel have properly accounted for effort devoted to research and other sponsored projects.

Establishing Professional Duties

Institutional Base Salary (IBS) is the annual compensation paid by the University for an individual's appointment, whether that individual's time is spent on research, teaching, administration, or other activities. Federal rules and regulations, including the Office of Management and Budget Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, 2 CFR 200 (Uniform Guidance) and the National Institutes of Health (NIH) Grants Policy Statement do not allow for an individual's institutional base salary to be increased as a result of obtaining grant funding. Charges for work performed on sponsored awards by employees must be based on the employee's institutional base salary during the fiscal year period of performance. Salary increases included in IBS must be applied consistently for those types of compensation (e.g., promotions) that are raise eligible and be funding source neutral.

Unless otherwise indicated in the letter of appointment, the University does not specify the number of hours per week a faculty member must work. There is an expectation that

members of the faculty will work the hours necessary to fulfill the professional responsibilities of the position.

Establishing a Distribution of Effort

The IBS rate of pay must be used as the base salary on all sponsored project proposals. When requesting salary support from a sponsor or providing effort on a sponsored project in the form of mandatory or voluntary committed cost sharing, the anticipated effort calculated in the form of person, months, or percent of effort must be based on the individual's IBS. The portion of effort multiplied by the IBS will determine the appropriate dollars to request from the sponsor, or to provide as support for the project in the form of cost sharing.

In some cases, a UND employee may have an IBS that is greater than the maximum salary allowed by a particular grant program. Specifically, National Institutes of Health and other entities within the US Department of Health and Human Services (DHHS) set a maximum allowed at the federal "Executive Level II". This is often called the "salary cap" or "NIH salary cap". UND employees whose IBS is over this amount on a twelve-month 1.0 FTE basis may only budget up to the "salary cap" amount in a DHHS proposal budget, with the difference in salary needing to be covered from internal UND funding typically from the department that houses the employee.

If there is a limit on compensation, such as the NIH Salary Cap, please refer to the [Salary Over the Cap](#) guidance on the [Grants & Contracts Accounting](#) website.

An individual's total UND effort must equal 100%, regardless of the number of hours worked or the appointment percentage. UND employees with substantial grant project activity need to track effort commitments and ensure it does not exceed 100%.

Faculty Effort in Proposals & Awards

Expectations for Faculty Effort in Proposals

Faculty members are expected to commit a minimum level of 5% effort on proposals on which they are listed. Exceptions may be possible for certain types of proposals and must be approved on a case-by-case basis by the RSPD Director before a proposal is submitted to a sponsor. In general, a PI is responsible for the scientific, administrative, and financial management of a sponsored project and fulfilling these responsibilities requires time, thus some level of effort is required to be included in these projects. Similarly, individuals listed as "key personnel" on a project are expected to be expending some level of effort on the project. In general, faculty effort committed in proposals should:

- Be reasonable given the nature and complexity of the project.
- Be reconcilable with the individual's other responsibilities, such as other sponsored project commitments, teaching, service, administration, clinical activities.
- Not be inflated beyond what is reasonably required to create or ensure a competitive proposal.

- Be accompanied by a request for a commensurate amount of salary, subject to sponsor guidelines.

In those instances where specific effort has been identified, but a commensurate amount of salary has not been incorporated into the budget, a cost share obligation becomes necessary, and the college/department will be required to identify a fund for the cost share prior to award setup.

Additional Guidelines

- Faculty effort may be committed during the academic year, summer (with an appointment), or both.
- In general, the effort commitment outlined for any personnel referenced in a proposal should be consistent with the description of the individual's role on the project. All personnel whose names are listed in the proposal as "key personnel" are expected to have some level of effort committed.
- Commitment of faculty effort is required for both Federal and non-Federal sponsored project proposals. Such commitment is implicit in the reimbursement negotiated with the sponsor.

Cost Sharing Commitments

The University must ensure that cost sharing requirements of sponsored agreements are accounted for and reported on in a manner consistent with the requirements set forth in federal regulations, primarily the Uniform Guidance (2 CFR 200). Cost sharing represents a commitment by the University. Whether cost-sharing is required by the sponsor or offered voluntarily by the PI, all cost sharing commitments are binding obligations once an award is executed.

Cost sharing should be limited ONLY to situations where:

1. a sponsor mandates it, or
2. the University has determined that such a contribution is necessary to accurately reflect the resources that must be expended to accomplish the project objectives, or
3. it is necessary to fulfill the University's requirement of a minimum commitment to the project by the principal investigator or project director.

If cost sharing is not required by the sponsor, or required as a minimum commitment to the project, PIs and departments should refrain from making such commitments voluntarily. In all situations, the use of cost sharing should be kept to a reasonable level because of the burden it places on university and departmental resources.

Tracking Cost Sharing

Voluntary cost sharing proposed in the budget or budget justification becomes a commitment upon the execution of the award agreement. Such voluntary, committed cost share cannot be charged to the sponsored project, but represents compensation that must be tracked and

certified. This means that cost sharing commitments of personnel for federal and non-federal projects will be tracked if they exist in the approved budget.

Work completely unpaid by UND, such as unpaid summer activities by a faculty member on a 9-month UND appointment with no summer salary, cannot be tracked by UND and thus cannot be used to meet mandatory cost-sharing requirements.

Expending Effort & Charging Salary to Sponsored Projects

Salary should be charged to a sponsored project by determining the percentage of the faculty or staff member's activities devoted to the project and charging no more than that percentage of the individual's IBS to the sponsored project. Charging less than the percentage worked is allowable and the difference should be documented as cost sharing if it was committed to the sponsor in the budget.

Sponsors expect that UND will charge salary to their project for an individual's effort at the same rate at which UND charges salary for the individual's other activities. Sponsors are not to be charged a higher rate per unit of effort than the institution pays an employee for effort directed towards other University activity.

Salary distribution consistent with the projected effort should begin on sponsored projects accounts concurrently with actual project effort. It is each faculty member's responsibility to be aware of their level of committed effort and to communicate any significant changes in level of committed effort to their respective business office to ensure that salary distributions are reviewed and updated, if appropriate, on a timely basis.

Activities that cannot be allocated to sponsored projects include:

- Proposal-writing, except for non-competing continuations (progress reports); this includes:
 - Developing necessary data to support the proposal
 - Writing, editing, and submitting the proposal
- Administration, including service as a department chair or dean
- Instruction, office hours, counseling for students, and mentoring graduate students on something other than the specific research project funded by the grant
- Clinical activity, except patient care for an IRB-approved sponsored research activity
- Service on an IRB, IACUC, selection committee, or other similar group
- Course or curriculum development not specific to the faculty member's research project
- Writing textbook chapters
- Fundraising
- Lobbying
- Work that falls outside the definition of total UND effort, such as:
 - Service as the primary editor of a journal
 - Peer review of manuscripts, regardless of whether compensation is received

- Advisory activities for sponsors, including service on an NIH study section or NSF review panel, regardless of whether compensation is received

Variations of effort within a sponsored project award/budget period

Fulfillment of an effort commitment for a sponsored project is measured over an entire award period, except for NIH, which manages commitments based on budget periods (typically one year). During the award/budget period, an individual's level of devoted effort may vary. This variation is acceptable, as long as the individual fulfills the overall commitment for the entire award/budget period. However, individuals are obligated to charge salary to the project in a manner consistent with actual effort.

Requesting approval to change the level of committed effort

A 25% (or greater) reduction in the level of committed effort constitutes a significant change in work activity. For example, a PI commits 30% effort to an award and wishes to reduce the effort to 20%, the reduction is 33%, $(30\% - 20\%) / 30\% = 33\%$. In accordance with the Uniform Guidance (2 CFR 200), any significant change in work activity for the principal investigator/project director or key personnel **who are listed in the Notice of Award** must be approved *prior to the change and in writing* by the sponsor's Grants Officer. It is not sufficient to simply communicate the change to the Program Officer.

The effort commitment at the time the award is issued is considered the threshold against which the magnitude of a potential change is measured unless the sponsor is otherwise notified and approves the changes. If an award document does not contain specific language about effort commitments, then the level of effort in the grant proposal constitutes the benchmark against which the magnitude of a potential change is measured.

For key personnel, an *increase* in effort greater than 25% should be reviewed to assess whether the scope of work for that project has changed and to assess possible impacts on the individual's ability to meet commitments to other sponsored projects. Any change in the scope of work must be approved *prior to the change and in writing* by the sponsor's Grant Officer.

The key personnel named in the Notice of Award may differ from key personnel identified by UND in the proposal. If the Notice of Award lists no key personnel other than the principal investigator/program director (PI/PD), then the PI/PD is the only person whose significant changes in work activity require prior approval.

Rebudgeting versus changing the level of committed effort

There is some flexibility in the requirement to seek prior sponsor approval for budget changes in some circumstances. For example, a PI can generally reduce the salary charges for one project staff member and increase them for another. ***This rebudgeting authority does not confer the right to make significant changes in work activity for those listed in the Notice of Award without prior approval from the sponsor.***

For an investigator or key person listed in the Notice of Award

If you want to:	Then you must:
Reduce the salary charges without changing the effort commitment	Document as cost sharing the effort for which the sponsor will not provide salary support
Reduce both the salary charges and the effort commitment by less than 25% of the original commitment level	Document the change to the commitment level
Reduce both the salary charges and the effort commitment by 25% or more of the original commitment level	Obtain approval from the sponsor <i>prior to the change and in writing</i> , and document the change to the commitment level when approved

Reduction in effort commitments when awarded budget is less than proposed

Unless otherwise notified, sponsored expect PIs (and other key personnel listed in the Notice of Award) to provide the level of effort outlined in the proposal, even when the amount funded is less than requested. At the time of award, if the awarded budget is reduced from the proposed budget, a PI must confirm how the project will be conducted and how funding will be allocated among budget categories, including confirmation of effort commitments and associated salary support. In doing so, PIs should carefully and deliberately manage their own, and their key personnel's, total sponsored and non-sponsored effort commitments and minimize voluntary cost sharing. A budget reduction of 25% or more from what was proposed generally indicates a project scope reduction, and a corresponding reduction in effort commitments is appropriate.

The PI is responsible for determining whether:

- The effort commitments will be reduced proportionately, and a corresponding request for approval will be sent to the sponsor. Generally, effort commitments should be reduced proportionately when the awarded budget reflects a reduction of 25% or more from the proposed budget; or
- The original effort commitments and salary support will be retained, and other budget categories can be reduced or eliminated so that voluntary cost sharing, beyond that which may have already been approved, does not occur; or
- Neither the effort commitments nor other budget categories can be reduced or eliminated. In these instances, the resulting voluntary cost sharing must be explicitly approved in accordance with the college or school's policies on cost sharing.

Failing to reduce effort commitments when funding is reduced could result in a perception by sponsors that UND's budgets may be regularly overstated.

Initiation of new activities that change ongoing commitments

From time to time, it may become necessary to adjust an individual's projected salary allocations or level of effort. For example, if a principal investigator who is devoting 20% of their total UND effort to a sponsored project and 80% to other duties become involved in another grant at a 10% level of effort, some adjustments will be necessary to ensure that the PI's total UND effort does not exceed 100%. In addition, a PI must be careful to manage the commitments promised to the funding agencies. This might involve reducing effort on the existing grant (subject to sponsor approval, if necessary), or spending less time on non-sponsored research activities, or both. It may be necessary to change the salary allocations as well.

9-month appointments and summer salary

For a faculty or staff member on a 9-month appointment, a definition of total UND effort applies to the period during which the individual receives compensation from the University. Yearly, this amounts to nine months plus any months for which the individual receives summer salary. An individual's rate of pay for summer work is based on the 9-month academic year salary rate prorated on a monthly basis.

UND requires that any faculty, academic staff, or limited appointee on an academic year (9-month) appointment must follow the UND Summer Session Appointment Guidelines, as well as Policies and Procedures on the [Provost's website](#).

Paid leave, unpaid leave, and extended leave

Paid leave (such as vacation time and sick leave) is charged to sponsored projects as part of the normal charge for salaries and wages. If an individual is expending effort on multiple sponsored projects at the time of the leave, the charges to the sponsored projects should be consistent with the usual salary charges in keeping with UND policies.

Extended leave may have an impact on the ability of a principal investigator/project director or key personnel (who are listed in the Notice of Award) to meet their effort commitment to a sponsored project.

If the extended leave lasts for 90 days or more, the sponsor must approve the extended leave in advance. If, as the result of extended leave, a principal investigator/project director or key personnel (who are listed in the Notice Award) reduces the time that he or she expends on the project by 25% or more of the original commitment, prior approval from the sponsor is required.

Monitoring & Managing Commitments

Sponsors generally consider estimates of effort (and corresponding salary requests) in project proposals to be commitments for those they name in the Notice of Award. Principal investigators and other key personnel listed in the Notice Award are responsible for ensuring that the commitments are met.

At any given time, the sum of a faculty member's effort commitments to all UND activities, including active sponsored projects, teaching, service, administration, and UND clinical activities, cannot exceed 100%.

It is understood that the sum of active percentage commitments plus proposed percentage commitments for a given period may exceed 100%, because proposals may not be awarded. However, to the extent they are awarded, then a reduction must be made to one or more existing commitments and sponsors must be notified, as appropriate, to ensure that an individual's total effort commitments do not exceed 100% in any given period.

Aligning effort commitments and actual effort

When an individual's commitments to sponsored projects add up to 90% or more of their total effort, the individual's commitments may be subject to review by their department chair or dean's office in accordance with standard University procedure. The purpose of this review is to assure that, if other activities required of the individual reduce the available effort for sponsored activities, adjustments are made consistent with sponsor terms and conditions. In many situations, a commitment level of 90% or greater may be entirely appropriate. However, salary support for teaching, administration, service, clinical activity, new or competing proposal preparation and institutional governance cannot come from sponsored funds unless they are approved activities of a sponsored project. Commitment levels and salary charging practices may also be subject to review for individuals whose salary is charged 90% or more to sponsored projects.

No-cost extensions

Except for grant programs that have a specific minimum effort requirement (e.g., NIH K type awards), UND does not require the update of effort commitments when requesting, or receiving, a no-cost extension. A NCE simply provides additional time during which the originally proposed effort may be expended.

PAYROLL

The University is responsible for providing reasonable assurance that salary charges are accurate, allowable, and properly allocated.

Upon award, the salary is to be allocated based on estimates of effort on the project proposal, taking into account the project as awarded and any other relevant changes. The PI and departmental administrator should consider questions such as the following:

- What positions and salaries were proposed and how do those compare with the awarded set of goals and objectives?
- What is the awarded effort commitment that should be incorporated into the initial salary plan?
- Are there cost sharing/matching requirements or salary over the cap costs that should be incorporated into the initial salary plan?

- Was the budget cut and how does that affect the staffing/FTEs needed to accomplish the goals and objectives?
- What is the status of the proposed personnel/positions? Are they still available to contribute time to the project?
- Has the salary structure or grades for proposed personnel significantly changed recently?
- Does work on the project require allocation of personnel/effort on other projects?
- If the award has a specific effort requirement (e.g., 75% for NIH career awards), is the overall salary distribution consistent with the effort requirement?

Salaries should be charged to sponsored projects in proportion to the amount of effort devoted to the project for the time period.

Certifying Payroll

Whose payroll should be certified?

Payroll must be certified for individuals who have salary charged (direct or cost shared) to federal and non-federal sponsored projects.

How is payroll certified?

Compensation for work on federal or federal flow-through projects must be certified via the web-based UND Compensation Compliance (UNDCC) application for all personnel. Most student hourly compensation is not allocated to sponsored projects, therefore, student hourly compensation is excluded from project statements in UNDCC. However, when student hourlies do work on sponsored projects, their timesheets serve as documentation of salary charges to sponsored projects. Timesheets are submitted to the Payroll Office for recording the payroll in the accounting system. The accounting system records the cost to the accounting system.

When must payroll be certified?

In general, payroll must be certified within 90 days of the date on which the certification window opens. Payroll must be certified on a semester basis.

Semester certification windows are roughly as follows:

Semester	Certification Window
January 1 – May 15 (Spring)	On or about May 16 – August 14
May 16 – August 15 (Summer)	On or about August 16 – November 14
August 16 – December 31 (Fall)	On or about January 15 – April 14

Who certifies for whom?

For project-based payroll certification, the principal investigator, or approved designee, is responsible for certifying payroll for all employees paid on their federal projects.

In circumstances where a designee is necessary:

- The PI and the Compliance Coordinator (CC) must work together to identify the individual with suitable means of certifying the project's payroll.
- The CC must submit a request to und.cc@und.edu to approve a designee. If approved, Grants & Contracts will establish the certification designee in UNDCC.

General Payroll Certification Guidelines

Project-based certification requires two steps. The project statement must be:

1. pre-reviewed by a Compliance Coordinator (CC) and
2. certified by the PI or approved designee.

When the certification window opens, project statements are routed to the assigned Compliance Coordinator for pre-review. Once pre-reviewed by the CC, the project statements route to the principal investigators (or designees) for certification that the payroll charges are reasonable based on the work performed. Only after both steps are accomplished are the project statements regarded as complete, official records of the University.

Responsibilities of a Compliance Coordinator include:

- pre-reviewing the project payroll statements assigned to their department(s)
- monitoring the certification period to assist with timely certifications

Responsibilities of a PI on a sponsored project include:

- verifying that individuals charging salary or cost sharing to a sponsored project are reasonable in relation to the work performed, and
- certifying their project payroll statements in a timely manner and in accord with the [Sponsored Project Payroll Confirmation](#) policy.

Certification for Principal Investigators who leave the University

If a PI leaves, the project payroll statement will need to be certified by the replacement PI or an approved designee.

Training on the UNDCC system

Compliance Coordinators (designated by departments) and Principal Investigators should be trained on the UNDCC system before accessing the system. Individuals that need training should contact und.cc@und.edu to schedule a time for training.

Consequences for failing to certify payroll

UND has administrative consequences for failing to complete payroll certification.

These include:

- Closing the sponsored project in PeopleSoft.
- Suspending the charging of salaries and wages, benefits, or any other expenses to a sponsored project.
- Salary costs associated with uncertified payroll activity on sponsored projects may be removed and charged to a department account. Any charges taking place will be the responsibility of the department and will not be allowed during this closed period on the sponsored project, even after the project is reinstated.
- Suspending submission of any new proposals on behalf of a non-compliant PI, or inclusion of a noncompliant researcher in proposals, until payroll certification is up to date and properly completed and certified.
- Certification of project statements that are known to be materially inaccurate may expose the individual who completed the certification to disciplinary action, up to and including termination.
- Fines, penalties, and potential loss of awards are all possible consequences of inadequate payroll certification. The University's reputation may be tarnished. The college's facilities and administrative rebate may be withheld.

To be considered complete, the project statement must be:

- Pre-reviewed by the primary CC or other non-primary CC as assigned.
- Certified by the project principal investigator or their delegate as assigned.

Only after both steps are accomplished is payroll certification considered complete.

If payroll certification has not been completed in the 90-day certification period, departments and Grants & Contracts shall take progressive action to prompt action and resolution when required, including:

- Notification of the Department Chair, Dean, or Director for resolution
- Notification of the Vice President of Research and/or Provost and request intervention and resolution

The university shall require all payroll to be certified within 120 days of the end of the reporting period. Payroll not certified within 120 days may result in action being taken by Grants & Contracts to remove the charges on the award, including F&A.

Adjustments to Salary Commitments

Cost transfer after payroll certification

Once payroll charges have been certified on a project payroll statement, subsequent changes to the salary charges must be carefully scrutinized. Federal officials, and institutional

administrators, will ask: “If the initial cost distribution was certified by a ‘responsible person using suitable means of verification,’ how can a change to that distribution be appropriate?” If it is determined that a cost transfer is acceptable, the circumstances must be clearly documented.

Retroactive adjustments placing salary onto a sponsored project are allowed only in keeping with the University’s policy on cost transfers. A request to transfer salary charges off a sponsored award to an institutional fund will rarely require the same level of scrutiny, though repeated cost transfers off federal awards may be a sign of poor internal controls.

A salary cost transfer after payroll certification may give rise to a need for recertification of a project payroll statement. When this is the case, the criteria for reviewing the salary cost transfer request are consistent with the criteria for reviewing the recertification event.

To minimize the potential need for cost transfers after payroll certification, investigators, supported by their department administrators and Compensation Compliance Coordinators, should review sponsored project budget statements, payroll expense distribution reports, and project payroll statements regularly.

Recertification of payroll

Recertification of payroll is a change to the payroll distribution on a project payroll statement that occurs after a coordinator pre-reviewed a statement and a PI has certified the statement. Two kinds of events can precipitate a recertification of payroll:

- a PI can ask to change the payroll distribution on the statement itself
- a salary cost transfer after payroll certification results in a need to change the distribution of payroll on a project statement

Payroll certification occurs during a 90-day certification window. Up through the last day of the window, a certifier can change the payroll distribution on a certified statement by contacting the coordinator, who is authorized to reopen the project payroll statement for recertification. Once the last date of the certification window has passed, a subsequent recertification can call into question the reliability of the certification process. Therefore, any subsequent recertification request requires justification that clearly sets forth why the previous project payroll statement was erroneously certified, and why the requested change is more appropriate. Such requests are submitted to Grants & Contracts via und.cc@und.edu. Only in compelling circumstances will such a request be approved.

Roles & Responsibilities

Principal Investigator/Designee:

- Propose effort and cost sharing for sponsored projects in a manner that complies with University policies and procedures
- Expend effort on sponsored projects

- Ensure that effort devoted to sponsored projects is commensurate with commitments to sponsors
- Obtain sponsor approval for significant changes in work activity for sponsored projects, when required in the terms and conditions of an award
- Monitor salary charges and effort regularly
- Certify payroll in a timely and accurate manner

Department, including Compliance Coordinator:

- Establish salary allocations according to the budget, the terms and conditions of the award, and the direction of the principal investigator
- Promptly process changes to salary allocations as needed
- Promptly process cost transfers
- Document effort commitments and cost sharing for sponsored projects
- Review project payroll statements for accuracy on a regular basis
- Conduct a thorough pre-review of each project payroll statement
- Aid principal investigators as they certify payroll and follow up with them if changes are required
- Forward requests for recertification to und.cc@und.edu if the request occurs after the end of the certification window
- Requests to authorize an alternate designee to certify the project payroll statement instead of the PI should be made to und.cc@und.edu

College/School:

- Review proposals for appropriateness of effort and cost sharing commitments
- Review award documents for potential changes to effort and cost sharing commitments
- Ensure that appropriate cost sharing sources and effort commitments are documented as needed
- Ensure cost transfers are completed, documented appropriately, and routed in a timely manner
- Ensure that Compliance Coordinators and other personnel involved in sponsored projects are familiar with effort commitment and sponsored payroll principles, policies, and procedures
- Ensure that payroll is certified in a timely manner

Research & Sponsored Program Development (RSPD):

- Review proposal and award documents for appropriateness and correctness of effort and cost sharing commitments

Grants & Contracts Accounting (G&C):

- Promptly process salary cost transfers according to policy

- Ensure that the payroll certification system produces statements that accurately reflect payroll and cost sharing data from source systems
- Ensure that the payroll certification system produces statements in a timely manner
- Authorize an alternate designee to certify the project payroll statement instead of the PI, as requested
- Develop and maintain reports for use by administrators throughout the University
- Provide training on effort commitments and sponsored project compensation principles, policies, and procedures
- Review requests for recertification and, if appropriate, reopen project payroll statements for recertification