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**TITLE:** Paid and Unpaid Leave of Absence

**PURPOSE:** To provide an opportunity for residents/fellows to be granted leave of absence for family/medical needs and for other leave types.

**POLICY STATEMENT:** Leave is unpaid unless the resident/fellow chooses to use Paid Time Off (GME-30) or other paid leave available to them. Residents/Fellows may qualify for short-term and long-term disability. Salary continuance is in accordance with UVM Medical Center Short-Term and Long-Term Disability benefit, which may be amended from time to time (Resident Benefits Guide).

UVM Medical Center provides support to residents/fellows requiring family/medical leave consistent with the federal Family and Medical Leave Act (FMLA) and Vermont's Parental and Family Leave Law (VPFL). Residents/Fellows must adhere to UVM Medical Center policy titled "Family and Medical Leave" (HR-D-01) and the GME Family and Medical Leave Act and Vermont's Parental and Family Leave Law (GME-29). FMLA is currently unpaid. However, residents/fellows may use Paid Time Off (GME-30 policy) and/or may receive disability benefit or Workers' Compensation payments, if eligible (Residents Benefits Guide).

Extended leave(s) of absence may require the resident/fellow to extend their training program, if the program can accommodate extension of training, to satisfy their program's certifying Board and Accreditation Council for Graduate Medical Education requirements.

**PROCEDURE:**

**Short-Term Disability Benefit**

1. Eligibility - Date of hire or benefits-eligibility date
2. Income replacement - 100% salary continuation for up to 90 days (may be amended from time to time, Resident Benefits Guide)

**Long-Term Disability Benefit**

1. Eligibility - must exhaust 90 days of short-term disability
2. Income replacement - 66<sup>2</sup>/<sub>3</sub>% of base monthly earnings up to a monthly benefit maximum of \$8000 (may be amended from time to time, Resident Benefits Guide)

**Notice Requirements for Short-Term and Long-Term Disability**

1. Residents/Fellows must give reasonable notice to their program director of their intent to take a leave of absence.
2. Residents/Fellows must follow UVM Medical Center process for requesting short-term (HR-C-03 policy) and long-term disability (HR-C-04 policy).
3. As soon as reasonable, the program director or their designee should notify the GME office of the leave. The GME office requires the following actions related to a leave of absence.
  - a. On the 'Block Schedule' in New Innovations, assign the resident/fellow to the GME LOA rotation for the duration of their absence;
  - b. In the 'Confidential Notes' section in New Innovations, summarize the following information:
    - i. Leave type,
    - ii. Start and end date for the leave, and if applicable

1. Date range for Paid Time Off; and/or
  2. Date range for disability benefit; and/or
  3. Date range for unpaid leave of absence.
- iii. State whether an extension of training is necessary or unnecessary;
- c. Update the 'Training Record' in New Innovations with 'Add Leave of Absence'; and
  - d. Update termination date in the New Innovations (if applicable).

### **Return to Work for Short-Term and Long-Term Disability**

1. Residents/Fellows must follow UVM Medical Center process for returning to work from short-term (HR-C-03 policy) and long-term disability (HR-C-04 policy).
2. When the resident/fellow returns from leave of absence, the program director or their designee should notify the GME office with the resident/fellow name, return date, and, if applicable, the revised training end date.

### **End of Training Leave**

This applies to residents/fellows in their last year of training. Dependent on GME program's policies/procedures and program director approval, residents/fellows during their last month of training may use their allotted vacation/personal days to leave their training program prior to the end of their GME contract. Under no circumstance will a resident/fellow be allowed to use unpaid time off to leave their program early.

### **Jury Duty**

Residents/Fellows selected for jury duty will be excused from work with continued salary support.

1. Resident/Fellow is not required to use Paid Time Off.
2. If the needs of the court do not require a full workday to fulfill jury obligations, the resident/fellow is expected to contact their program director about returning to work.
3. Hours spent on jury duty do not count towards their GME duty hours.
4. Days used for Jury Duty may need to be counted as absences from the program by individual specialty boards. It is the responsibility of the program director and resident/fellow to know and apply their board requirements for certification.

### **Bereavement Leave**

Bereavement leave of absence is offered to provide continued salary support during time off from work as a result of a death in the family.

1. A resident/fellow may be granted up to three paid scheduled workdays following a death in the immediate family that does not count towards Paid Time Off days. Immediate family is defined as spouse, civil union partner, parent, step-parent, child, step-child, sibling, step-sibling, grandparent, grandchild, mother-in-law, father-in-law, son-in-law, daughter-in-law, sister-in-law or brother-in-law and corresponding relatives of a civil union partner. Paid absence for the death of other members of the employee's household or close family members may be granted at the discretion of the program director.
2. If additional time is needed after a death in the family, the resident/fellow can discuss the situation with their program director to assess whether additional time off can be granted using Paid Time Off days.

### **Personal Leave of Absence**

In the event of unusual circumstances and personal emergencies, up to six (6) months of unpaid leave may be granted to a resident/fellow with one (1) year of service.

1. The program director must approve unpaid personal leave of absences and may deny requests based on training requirements set by the program's certifying board and/or the Accreditation of Graduate Medical Education.
2. Unpaid absence will not be allowed unless all Paid Time Off has been used, except in cases of approved medical and/or family leave.
3. Extended leaves of absence may require an extension of the resident's/fellow's training, if the program can accommodate the training extension.
4. As soon as reasonable, the program director or their designee should notify the GME office of the leave. The GME office requires the following actions related to a leave of absence.
  - a. On the 'Block Schedule' in New Innovations, assign the resident/fellow to the GME LOA rotation for the duration of their absence;
  - b. In the 'Confidential Notes' section in New Innovations, summarize the following information:

- i. Leave type,
    - ii. Start and end date for for the unpaid leave
    - iii. State whether an extension of training is necessary or unnecessary;
  - c. Update the 'Training Record' in New Innovations with 'Add Leave of Absence'; and
  - d. Update termination date in the New Innovations (if applicable).
5. When the resident/fellow returns from leave of absence, the program director or their designee should notify the GME office with the resident/fellow name, return date, and, if applicable, the revised training end date.
6. Benefit status while on unpaid leave of absence
  - a. If unpaid leave is 30 days or less, UVM Medical Center will continue paying its portion of the benefit cost for residents/fellows covered under its medical, dental, vision, reimbursement accounts and/or life and disability programs. The resident/fellow must continue to pay his or her portion of the applicable benefit cost during the leave as instructed by Human Resources. Coverage may be canceled if their portion of the benefit cost is not received as instructed. Coverage ends the first day of the month that follows the month in which the leave began.
  - b. On the thirty-first (31st) day of an approved leave of absence, UVM Medical Center sponsored life insurance and short and long-term disability programs cease. If the resident/fellow wishes to retain coverage, they can assume full cost of continued life insurance and long-term disability through life portability and long-term disability conversion options. Beginning the first of the month following the end of thirty (30) days of leave, the resident/fellow can continue medical, dental, vision and healthcare reimbursement accounts through COBRA as instructed by Human Resources. The resident/fellow is responsible for the full COBRA cost. Coverage may be canceled if the resident's/fellow's payment for the benefit coverage is not received as instructed.
  - c. No 403(b) contributions are made while on unpaid leave.

**DEFINITIONS:** N/A

**REFERENCES:** N/A

**REVIEWERS:** Karen Miller, Dir GME

**OWNER:** Karen Miller, Dir GME

**APPROVING OFFICIAL:** Melissa Davidson MD, GMEC