

Resident Leave Policy

POLICY:

Hamilton Medical Center (HMC) will outline procedures for vacation and other leaves of absence for residents in compliance with the Accreditation Council for Graduate Medical Education (ACGME) Institutional Requirements: IV.H. Vacation and Leaves of Absences.

PROCESS:

General:

- All residents must attend all scheduled program-defined mandatory events and activities, unless on an approved period of absence or medical leave.
- Except in the case of Paid Annual Leave (PAL) and Educational Leave, all leave requests are expected to be made as soon as possible after the resident becomes aware of the necessity for leave, but no later than twenty-four (24) hours before the period of absence unless circumstances are emergent.
 - Requests for PAL and Educational Leave should be made at least thirty (30) days in advance of the requested absence. Failure to meet this prescribed timeline may result in denial of leave.
 - Paid Annual Leave (PAL) leave consists of leaves, including vacation, sick, and personal, that are outlined in the resident training agreement .
- In general, residents will not be approved for more than one away activity during a rotation.

I. Family and Medical Leave Act of 1993 (FMLA):

- The FMLA policy for the Graduate Medical Education (GME) program at Hamilton Medical Center (HMC) is in accordance with HMC Family and Medical Leave Policy. Please refer to HMC's Organizational Policies: HR Policy 8.8, "Family and Medical Leave Policy" and HR Policy 8.3, "Leaves of Absence."
- Qualified associates can receive a 12-week leave of absence under FMLA. To qualify for Family and Medical Leave, a resident must have completed 12 months of service for HMC, working at least 1,250 hours during the twelve (12) month period immediately preceding the FMLA leave.
- Under federal and state law, a family leave of absence is defined as leave taken for:
 - a) The birth and care of a child
 - b) The adoption of a child
 - c) The placement of a child with the employee for foster care
 - d) The resident's own serious health condition
 - e) To care for a spouse, child, or parent with a serious health condition

- f) To care for an employee's spouse, parent, son, daughter (of any age) or next of kin who required care due to an Injury or Illness incurred while in active duty. **NOTE:** A leave of up to 26 weeks of leave per "single twelve-month period" may be taken to care for the injured/ill service member
- g) Because of a Qualifying Exigencies resulting from the call-up of an eligible service member (e.g., a Reservist, National Guard Member or Retired Military Member called to service by the federal government) who is the resident's spouse, parent, or son or daughter of any age
- FMLA leave hours are unpaid. However, a resident requesting FMLA leave for the care of a spouse, child, or parent with a serious health condition will be required to exhaust accrued PAL time upon commencement of the leave.
- Residents should be aware that this time will not be counted toward board eligibility. The Program Director (PD) and the resident will be responsible for establishing a make-up schedule in compliance with ACGME program-specific requirements.
- During the period of FMLA leave, the group health insurance will remain in effect:
 - If the leave is paid and premiums continue to be payroll deducted; or
 - The leave is unpaid, the resident pays his/her portion of the premium, which is due on the Friday following each bi-weekly pay date
- Other benefits provided while on FMLA:
 - Restored seniority upon return from leave of absence
 - Service awards
 - Continued employer-paid group life insurance
- Refer to HMC Organizational Policy entitled "Family and Medical Leave Policy" for more information.

II. Program-Specific Leave of Absence:

- A leave of absence is recognized when a resident is absent from an assignment or educational activity outside of FMLA.
- After successful completion of six (6) months of employment, leave, depending upon circumstances, may be granted at the discretion of the PD and the Designated Institutional Officer (DIO) with or without pay in accordance with the HMC Leave of Absence HR Policy.
- The following are situations for which leave of absence may be granted:
 - Education leave: unpaid leave of absence for continuing education may be granted at the discretion of management.

- Military leave: associates called for military service by draft, enlistment, or from a reserve unit shall be guaranteed all rights as provided by law.
- Personal leave: Leave of absence for other reasons in the best interest of the employer and the resident may be granted, but only after approval by both the PD and HR Director.
- Family and Medical Leave (FMLA) – see procedure above.
- If use of leave extends the training program beyond the normal time period, the necessary time to complete the program may be without additional pay. The resident will also be given information regarding the effect of his/her eligibility to participate in examinations by the relevant certifying board.
- Residents on leave of absence do not accumulate benefits.
- Residents on leave of absence may elect to pay for continuation of health/dental and life insurance.

III. Paid Annual Leave (PAL):

A. Resident Vacation:

- Residents receive fifteen (15) working days of vacation per academic year. Weekends and holidays do not count. Preceptors should be consulted to determine if a particular holiday applies to the assigned rotation.
- Each program must have a policy that outlines the process and timeline for requesting vacation time, which includes incoming residents for their PGY-1 year, as well as any specialty-specific vacation restrictions.
 - Vacation is granted based on level of training, then on a first-come, first-approved policy.
 - Any vacation request outside of a program “lottery” must be submitted no later than thirty (30) days prior to the date that the vacation time will begin.
- Vacation requests are not considered approved until the resident receives written approval from the GME office.
- No leave for travel outside the U.S. will be approved during the final sixty (60) days of a currently valid non-resident visa until the visa has been approved.
- For overseas travel, residents must understand and accept any risks of travel delays and the potential of lengthening the residency duration necessary to meet specialty requirements.
- For residents who must renew their visa status, this must be accomplished during planned vacations. Additional time off will not be granted to visa renewal.

- Unused vacation time is forfeited at the end of each academic year. Residents are encouraged to utilize their vacation time.

B. Resident Sick/Personal Leave:

- Residents will receive 7 days of sick and 3 days of personal leave per academic year.
- Sick leave without pay may be taken when sickness, injury, or pregnancy prevents the resident's performance of duty or according to FMLA guidelines.
- Unused sick/personal leave is forfeited at the end of each academic year. Residents are not paid for unused sick/personal leave.
- Assignments missed due to illness, even if the resident called out sick and received verbal permission, must have a sick leave form submitted no later than the first day of return to duty.
- Residents cannot combine personal time with vacation or request personal time during core services as defined by the program.
- No more than 2 sick days can be used consecutively without a doctor's note on return to work.
- Sick/Personal time will be utilized for any missed rotation time.
- Residents are advised to carefully plan travel to ensure their presence at all scheduled shifts. It is recommended that residents factor in extra time into travel plans to account for potential unexpected delays. Sick/Personal leave will be utilized for any unexpected travel delays.

IV. Bereavement Leave:

- Residents may request paid bereavement leave of up to twenty-four (24) hours when a death occurs in his/her immediate family. Immediate family includes spouse, father, mother, sister, brother, child, grandparents, and grandchildren.
- There may be times when extenuating circumstances allow for exceptions to be made which broaden the scope eligibility for bereavement pay. These circumstances will be reviewed on a case-by-case basis by the PD, DIO, and HR Director. The HR Director will authorize the decision to allow payment of the bereavement leave.
- All bereavement leave hours must be taken within seven (7) days of the family member's death.

V. Jury Duty:

- Leave of absence for jury duty will be granted with no loss in benefits or stipend.
- Leave for jury duty will not be counted towards PAL leave.
- The resident must provide advance notice of the need for leave to the PD in writing.

- Upon return to work, the resident must provide a statement from the Clerk of the Court regarding dates of jury duty service.
- Paid leave is not provided for residents providing testimony in court cases where they are not a named defendant or a fact witness in the case.
- Only the court, pursuant to the procedure outlined in the summons notice, can grant deferment or excused absence from jury duty.

VI. Military Leave:

- Residents called for military service by draft, enlistment, or from a reserve unit shall be guaranteed all rights as provided by law. Military orders must accompany all such requests for leave.

VII. Educational Leave:

- Absence from training to participate in educational conferences, national meetings, exams, fellowship orientations, and/or board review courses requires advanced approval by the PD.
 - The following conferences are exempt from a resident needing to utilize educational leave: the Georgia American College of Physicians (ACP), the Georgia American Academy of Family Physicians (AAFP), and the Northwest Georgia Medical Education Alliance Research Symposium.
 - Resident attendance at the above-referenced conferences will not count against the allotted 10 days of educational leave under this section.
- Residents will receive up to 10 days of educational leave per academic year. All requests for educational leave must be submitted no later than thirty (30) days prior to the first day of the leave period.
- Educational leave is generally granted with pay and not charged to PAL, as it is considered part of their educational training
- Travel time should not extend beyond the dates of the meeting plus the time necessary to travel. Additional days will be considered as PAL time.
- Travel will be reimbursed if the approval for travel is approved by PD and falls within the HMC Travel, Institute and Reimbursement of Business Expense Policy guidelines.
 - All training and educational conference attendance expenses must be approved by the Program Director and meet HMC reimbursement policies and guidelines.
- Residents in their last year of training are eligible to use educational leave to attend a board review course, board exams, and/or fellowship orientation.

VIII. Administrative Leave:

- Each resident that is applying for fellowships or employment is eligible to receive up to five (5) administrative leave days throughout his/her entire residency program. Residents must obtain prior written approval for administrative leave.
- Due to the nature of short-notice interviews for fellowship programs, accommodations will be attempted to the best of the program's ability for fellowship interviews.
- Residents should attempt to negotiate employment interview times around their elective rotations.
 - If the resident must schedule an employment interview during a leave-restricted month, he/she must exhaust all possibilities for coverage before use of the back-up schedule.
- No additional leave will be granted for interviews. Residents must have sufficient administrative or PAL available for the interview dates. Residents anticipating the need for fellowship interviews should plan accordingly.

IX. Holiday Leave:

- Due to the clinical responsibilities of residents, residents are not automatically granted HMC's designated holidays.
- Each program must define a process for requesting and allocating holiday leave.
- Residents should discuss any anticipated needs for holiday leave with the PD well in advance of the requested leave dates.

X. Parental, Medical and Caretaker Leave:

- A resident is allotted a minimum of six (6) weeks of approved paid leave taken for qualifying reasons at any time during the program beginning the day the resident is required to report to the program.
 - Qualifying reasons are:
 - The birth and care of a child or placement of a child with the resident for adoption or foster care. Such leave must be taken within 12 months immediately after birth or within 12 months after placement. Leave may begin prior to birth of placement.
 - For care of a family member with a serious health condition. The resident must be needed to care for basic needs, psychological comfort, filling in for others, or making arrangements for the relative; or
 - Because a resident's own serious health condition makes the resident unable to do his or her job due to illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatments.

- Full salary and benefits will continue during the first six (6) weeks of the leave of absence. Any absence approved by the program director and the DIO that exceeds six weeks, residents should consult with Human Resources (HR) for extended leave procedures.
- If the leave will exhaust the resident of all of their vacation time, the resident will be provided one (1) additional week of paid leave for the use outside of the first six weeks of the first approved parental, medical, or caretaker leave of absence.
- Requests must be submitted in writing to the program director and DIO and include the reason for the request using the Leave of Absence Request form available from HR.

METHOD OF IMPLEMENTATION:

General:

- Residents must familiarize themselves with the contact information on their Program Administrators or Coordinators, teaching clinics, rotation preceptors, and senior residents so that timely notice is given to the appropriate people when absences are necessary or planned.
- Residents must inform their respective clinics and preceptors directly as far ahead of any planned/necessary absences as possible.
- Residents must immediately notify the program office if an unplanned or last minute absence occurs.
- When a resident is unable to attend a clinic or rotation on short notice, the resident must notify his/her clinic or rotation contact by email, or other communication deemed acceptable by the preceptor.
- A resident who fails to provide acceptable and adequate notification of scheduled absence to their assigned duty should be reported to the program office by the resident's preceptor.
- Repeated failure to communicate absences to the assigned duty site and program office can result in disciplinary action up to and including termination.

I. FMLA:

- In order to take FMLA leave, the associate must provide at least thirty (30) days advanced notice if the need for leave is foreseeable. If the thirty (30) days' notice cannot be given, notice must be given as far in advance as possible.
- To request leave under this policy, residents must obtain and complete a leave request form from their Program Coordinator or Human Resources. If the need for leave is unforeseeable and residents will be absent more than three (3) days, employees should contact HR by telephone and request that a leave request form be mailed to their home. If the need for leave will be fewer than three (3) days, residents must complete and return the leave request form immediately upon returning to work.

- Residents taking parental, family care, military exigency, or military care leave must utilize available vacation, personal days, and/or annual time during this leave. Residents on personal medical leave must utilize available sick, personal, annual, and vacation days during this leave.
- Residents requesting family care, personal medical, or military care leave must provide certification from a health care provider to qualify for leave. Such certification must be provided within fifteen (15) days of the request for leave unless it is not practicable under the circumstances. Failure to provide certification in a timely manner may result in leave being delayed, denied, or revoked.
- If a resident has been on FMLA because of his/her own serious health condition, before he/she can return to work, a fitness-for-duty certificate must be provided from the treating health care provider stating that the resident is able to return for work.
- Refer to HMC Organizational Policy entitled “Family and Medical Leave Policy” for more information.

II. Program-Specific Leaves of Absence:

- Residents must notify and receive approval from the PD and DIO if applicable, well in advance of any anticipated leave needs in order to allow time for adequate coverage of the clinical care responsibilities.
- In order to request leave, the resident must state in writing his/her request for a leave of absence and submit the request to the Program Coordinator at least thirty (30) days prior to the last day of work, when feasible. Residents must notify and receive approval from the PD and DIO well in advance of any anticipated leave needs in order to allow time for adequate coverage of the clinical care responsibilities.
 - The PD will review the reasons for the request and the resident’s work performance and will state in writing recommendations for approval or disapproval of associate’s request.
 - The PD will submit the resident’s request and his/her recommendation to the DIO for review.
- The DIO reviews and approves or disapproves using the Leave of Absence Request form located in the HR Benefits Office.
 - If the DIO approves, the request is forwarded to the HR department for processing and resident notification.
- The PD will work with the Hamilton Leave Coordinator in Human Resources and notify the Office of Graduate Medical Education of leaves of absence and conditions relative thereto.
- Taking of leave without prior notification to and approval from the PD and DIO is grounds for corrective action up to and including termination.
- Residents should consult their PD for information regarding the length of leave and potential effects on the satisfactory completion of the program.

- Prior to returning to work, the resident notifies the PD of the desire to return to work.
 - The HR office processes the resident for re-entry to work.
 - HR will coordinate with the resident and department to set a starting date.

III. PAL:

- Each program must maintain a policy that includes the process and timeline for requesting PAL time, which includes incoming residents for their PGY-1 year, as well as any specialty-specific PAL restrictions.
- Residents should follow their program-specific policy and procedure for requesting PAL time.

IV. Sick/Personal Leave:

- If a resident is unable to attend a shift due to sickness or travel delays, it is the resident's responsibility to notify the Attending Physician(s) as well as program administrative staff as soon as possible. All absences regardless of nature will be required to have written documentation including but not limited to, work excuses on letterhead provided by a clinic, hospital, or funeral home when needed, and a sick/personal leave request submitted to the program.
- Residents must submit a sick leave form no later than the first day of return, regardless of the circumstances of notification of leave.
- Residents must provide a health care provider statement to return to duty for periods of sick leave for two (2) consecutive work days or longer.
- If a resident shows a pattern of reporting sick on Monday, Friday, prior to or after a holiday, or under any other circumstances deemed unusual by program staff, the PD may require documentation from the resident's physician to justify the absence.
- Residents should not request treatment from colleagues or Attending Physicians outside a scheduled appointment.
- Residents should request personal leave for instances, including but not limited to medical and dental appointments, as soon as possible prior to the appointment.
- Failure to follow the notification procedures outlined under the Sick/Personal Leave will be considered a violation of professionalism and may result in failing the rotation and/or further review by the Clinical Competency Committee.

Honesty regarding absences: if a resident utilizes backup coverage or other approved leaves, and it is discovered that there was no illness or emergency, this will be considered a violation of professionalism. The resident will be presented to the Clinical Competency Committee, which may result in a change of status, including, but not limited to, administrative status or probation.

V. Bereavement Leave:

- The resident should notify his/her PD in writing as soon as possible of the request to take bereavement leave.

VI. Jury Duty:

- The resident must submit a notification of jury duty to the PD as soon as the summons is received.

VII. Educational Leave:

- Resident must submit an educational leave request to his/her PD in writing that includes the benefits of the travel no later than thirty (30) days prior to the first day of the meeting/conference/course. The request must include:
 - A Request for Travel and Reimbursement of Business Expense form. Please see the HMC Organizational Policy entitled "Travel, Institute and Reimbursement of Business Expense" for a detailed procedure and the form template.
 - This form must be completed and submitted even if HMC is not covering the cost of travel.
- The requesting resident is responsible for the arrangement of appropriate continuation of patient care duties.
 - This arrangement must be approved in writing by program administration.

IX. Administrative Leave:

- Residents must submit the request for administrative leave to the residency office in writing as soon as possible upon notification of an interview for a fellowship or employment.
 - The resident must receive written approval from the PD.
- The resident must also notify his/her attending physician and continuity clinic of the intention to take leave as soon as possible.
- The resident is responsible for coordinating with program leadership to arrange coverage for patient care during absences.

X. Holiday Leave:

- Each program must develop a process for requesting and allocating leave for holidays.

XI. Parental, Medical and Caretaker Leave:

- Requests must be submitted in writing to the program director and DIO and include the reason for the request using the Leave of Absence Request form available from HR. The program director and the Designated Institutional Officer (DIO) must determine if the request qualifies for a leave of absence and may grant or deny the request, in consultation with the Human Resources Department. For emergency situations, retroactive approvals of leave of absence may be considered.

- If a request is denied, resident may appeal the decision to a panel of GMEC members appointed by the DIO.
- Leaves of absence of six weeks or shorter will not result in an extension of the training duration if the resident satisfactorily completes all the requirements of the program and is determined by the program director and clinical competency committee ready to enter unsupervised practice. Any leave of absence that exceeds six weeks can result in the extension of training in order to meet the required length of training of the program.
- The program coordinator of the program will keep an accurate record of all paid time off for each resident, including leave of absences. This record will be reviewed and approved by the program director at least semi-annually. It is the responsibility of the resident to be aware of their leave of absence time utilized.