

			GME 011
			MHS
Title: Resident and Fellow Leaves of Absence			
Formulated Date: 02/01/02	Last Reviewed Date: 04/04/2023	Last Revision Date: 05/16/2023	Effective Date: 05/17/2023
Department Generating Policy: Graduate Medical Education Staff			Page 1 of 5

PURPOSE: To provide guidelines for vacation and leaves of absence for residents and fellows in MHS graduate medical education programs.

DEFINITIONS:

Trainee: means intern, resident, or fellow in a MHS graduate medical education program (a “Program”).

Personal Medical Leave: means time away from training due to a serious health condition.

Parental Leave: means time away from training to care for the Trainee’s child immediately after birth, or placement for adoption or foster care.

Caregiver Leave: means time away from training to care for the Trainee’s spouse, child, parent, or covered relation with a serious health condition.

Personal Leave: means unpaid time away from the Program for personal reasons.

Serious Health Condition: means an illness, injury, impairment, physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the Trainee from performing the essential functions of his/her job, or prevents the qualified family member from participating in school or other daily activities.

POLICY:

- Methodist Health System (MHS) provides personal medical and family medical leave of absence benefits to Trainees in accordance with the Family and Medical Leave Act (FMLA) and the Accreditation Council for Graduate Medical Education (ACGME). According to FMLA, a Trainee may be eligible for up to twelve (12) weeks of job-protected leave in a twelve (12) month period for 1) the birth and care for the Trainee’s child immediately after birth, or placement for adoption or foster care, 2) to care for an immediate family member of the with a serious health condition, or 3) a serious health condition that renders Trainee unable to perform the essential duties of a Trainee.
- MHS also provides Trainees with leaves of absence for vacation, military, educational/continuing medical education (CME) and personal reasons.

3. Since Trainees have specific Resident/Fellow Physician Agreements with MHS that specify the specific terms of their training relationship, they are exempt from some of the FMLA eligibility requirements outlined in MHS' HR Policy 195.
4. A Trainee may request the following leaves of absence:
 1. Vacation Leave
 2. Sick leave
 3. Personal Medical Leave
 4. Parental or Caregiver Leave
 5. Military Leave
 6. Educational Leave
 7. Personal Leave due to:
 - a. Bereavement
 - b. Jury Duty
 - c. Unscheduled Absence
5. Time away from training due to leaves of absence of any kind is subject to compliance with the Program's accrediting body as well as the Program's American Board of Medical Specialties (ABMS) requirements for Program completion. A Trainee may be required to extend his/her training period in order to satisfy those requirements.
6. Each Program will provide Trainees with information regarding the impact of an extended leave of absence upon the criteria for satisfactory completion of the Program and upon the Trainee's eligibility to participate in examinations by the relevant certifying board(s).

GUIDELINES:

1. **Vacation Leave**: Trainees are granted a maximum of twenty (20) working days of paid vacation annually, subject to the approval of the Program Director of the Trainee's Program.
 - A. Vacation leave cannot carry over from one year to the next year.
 - B. Vacation leave is paid at the base rate for the Trainee according to his/her salary as noted in the Resident/Fellow Physician Agreement.
 - C. The following general rules apply:
 - 1) Vacation leave should be scheduled in advance, following the policies and procedures of the Program as set forth in the Program's Manual.
 - 2) Vacation leave may not be taken contiguously with conference or education leave.
 - 3) When not part of an approved medical, parental or caregiver leave, and unless otherwise stated in the Program's Manual, a maximum of one week of vacation leave may be taken at any time.
 - 4) Holidays occurring during requested vacation time should be counted as vacation leave and not as holiday time.

- 5) Programs may have specific rotations or educational experiences during which a Trainee may not schedule vacation leave.
- 6) A Program Director may reject a request for vacation or modify vacation schedules for all Trainees according to the needs of the Program.
- 7) Unless specifically approved by the Program Director, Trainees may not schedule vacation time during an in-service examination, research presentation day or other annually required program elements.

2. **Sick Leave:** MHS provides up to ten (10) days of paid sick leave to each Trainee annually.
 - A. Sick leave days are not carried over from one year to the next year.
 - B. In all instances in which Trainee takes sick leave, Trainee should comply with the notice requirements to his/her Program, as set forth in the Program Manual which includes, at minimum, notification to the Program Coordinator and Program Director for any unexpected illness.
 - 1) As noted in the Program Manual, if an unexpected illness interferes with scheduled call or continuity clinic, the Trainee, with concurrence from the Program Director, is responsible to find a replacement.
 - C. After 3 consecutive days of sick leave, the Trainee may be required to provide a note from his/her treating physician in order to return to work.

3. **Personal Medical, Parental, or Caregiver Leave:**
 - A. MHS provides six (6) weeks of personal medical, parental or caregiver leave, subject to review and approval by his/her Program Director and the DIO.
 - 1) To qualify for personal medical, parental or caregiver leave, the Trainee should:
 1. Have a valid Resident/Fellow Physician Agreement with MHS;
 2. Declare an intent to return to residency training at MHS as soon as possible; and
 3. For a personal medical leave, be under the medical care of a non-family, non-Trainee physician who should certify the need for the personal medical leave of absence through the completion of appropriate forms; or
 4. For parental or caregiver leave, have a non-family, non-Trainee physician who should certify the need for the parental or caregiver leave of absence through completion of appropriate forms
 - B. Time off for Personal Medical, Parental, or Caregiver Leaves may be paid (through the use of sick days and vacation days) or unpaid.
 - 1) A Trainee should be provided with 100% of his/her salary for the first six (6) weeks of the first approved medical, parental, or caregiver leave of absence within his/her course of training.
 1. When applicable, the trainee's sick days and vacation days may be used to support this paid time off.

2. A Trainee should be granted one week (5 days) of additional paid time off reserved for use outside of the first six (6) weeks of the first approved personal medical, parental, or caregiver leave of absence.
 - 2) Subsequent personal medical, parental, or caregiver leaves taken during the course of the Training Program should be paid based on use of the Trainee's available sick days, and vacation days, if any.
 1. Unpaid days may be taken once the sick days and vacation days have been exhausted.
 - C. Due to constraints placed on the Program by the various specialty boards, a Trainee who takes a leave of absence may be required to extend his/her training period in order to satisfy accreditation or board eligibility standards. Trainees should contact their Program Director and/or refer to the Program Manual for additional details.
 - D. Trainees should notify their Program Director and the GME Institutional Coordinator in a timely fashion, a minimum of 30 days in advance (when possible), when requesting a leave of absence.
 - 1) Trainees should refer to the Procedures at the end of this document when requesting Personal Medical, Parental, or Caregiver Leaves of Absence.
4. **Military Service Leave:** All Trainees are eligible for military leave upon acceptance into a Program at MHS. This leave of absence should commence with the period of active duty assignment by the state or federal military forces. If the period of military deployment exceeds 12 weeks, the Trainee may have to terminate his/her Resident/Fellow Physician Agreement and reapply for the next available residency position after the military service is completed. Every effort should be made to accept the Trainee back into the residency Program he/she left prior to the military deployment. Please refer to HR Policy 198 for additional details.
5. **Educational Leave:** Leaves of absence to attend educational conferences with pay may only be taken at the sole discretion of the Program Director and in accordance with the conditions outlined in the Program Manual for each Program.
6. **Other Types of Personal Leave:**
 - A. **Bereavement leave:** A bereavement leave of 3 days or less in duration should be approved at the sole discretion of the Program Director.
 - 1) MHS should provide full base pay for up to three (3) scheduled workdays for the death of an "immediate family member" or up to one scheduled workday for the death of a "relative" as defined by HR Policy 202.
 - B. **Jury Duty:** If jury duty is imposed, the Trainee should notify his/her Program Director within three (3) business days of Trainee's receipt of a summons, and provide a copy of the summons to the Program Director. The trainee should be

paid at his/her base rate according to his/her Resident/Fellow Physician Agreement when attending jury duty.

- C. **Court Appearances:** If a Trainee is summoned to answer a court subpoena involving MHS business, the Trainee should provide a copy of the summons to his/her Program Director. The Trainee should be paid at his/her base rate according to his/her Resident/Fellow Physician Agreement.
7. **Unscheduled Absence:** Unscheduled absences are unacceptable unless the Trainee has followed the notification and approval procedures as outlined in his/her Program Manual.
- A. Unscheduled absences *without* notification may be subject to discipline as outlined in MHS HR policy 122 Attendance and Punctuality.
 - B. If a Trainee has an established pattern of attendance policy violations he/she may be subject to disciplinary action.

Methodist Hospitals of Dallas d/b/a Methodist Health System's (MHS') Wholly Owned Hospitals each adopt this document.

The office responsible for this policy is the Graduate Medical Education. Questions about this Memorandum or suggestions for improvement should be directed to the Vice President of Graduate Medical Education.