



Office of Graduate Medical Education

GRADUATE MEDICAL EDUCATION COMMITTEE POLICY NO. 03

A. Subject Leave of Absence from Graduate Medical Training

B. Effective Date: August 19, 2020 (R)

C. Policy Statement

The University of Virginia Health System shall seek to provide its residents and fellows (hereinafter "Trainees") with appropriate time off to ensure the Trainee's well-being and to comply with the sponsoring institution's policies and applicable requirements for accreditation and/or specific specialty/subspecialty board certification. Furthermore, any time away from training must adhere to the department and/or program policies.

D. Definition of Terms

Administrative Leave: An absence from duty with or without pay as approved by the Program Director and as determined by [Medical Center Human Resources Policy 600](#).

Family and Medical Leave (FML): FML is a job-protected leave without pay for up to 12 work weeks (26 weeks for qualified Military Care Giver leave) during a leave plan year.

A leave plan year: A rolling 12-month period measured forward from the date an employee uses any leave under this policy, except in the case of Military Caregiver Leave, in which leave to care for a Covered Service member with a Serious Injury or Illness begins on the first day the employee takes leave for this reason and ends 12 months later, regardless of the 12-month period established for other types of FML leave.

Military Leave: Absence from work for military training or full-time service in the Uniformed Services in accordance with federal and state law.

Professional Leave: Time spent attending professional meetings or conferences, job or fellowship interviews, or taking board examinations or other examinations approved by the Program Director.

Unexcused Leave: An absence from duty not approved by the Program Director.

E. Procedures

1. Requests for Leave

- a) Trainees must submit requests in accordance with Program and Medical Center procedures and policies. Trainees should submit leave requests in a timely fashion, especially if rotating on another service and coverage must be arranged.
- b) All leaves of absence must be reported in New Innovations within 30 days of the planned absence.
- c) Leaves of absence resulting from a Disciplinary Action must be coordinated with and reported to the GME Office (GMEO) per GMEC Policy 31.
- d) See below for requests for PPL and FML for eligible Trainees.

2. Leaves Available for Trainees

- a) **Administrative Leave:** The sponsoring institution provides Administrative Leave in accordance with [Medical Center Human Resources Policy 600](#).

- b) Bereavement Leave:** GME Trainees may take up to 7 days of paid Bereavement Leave in the event of an Immediate Family Member's death. Trainees may take additional time for bereavement with the approval of their Program Director by applying sick or vacation time towards that leave.

For the purpose of absences due to a death, Immediate Family Member includes a) parents, including stepparents, in-laws and in loco parentis (a person who stood in place of parent); b) spouse; c) children, including step-children, foster children, sons-in-law, daughters-in-law; d) siblings, including step-siblings, siblings-in-law; e) grandparents and grandchildren; f) any person living in the employee's household.

- c) Military Leave:** The sponsoring institution shall provide the Trainee with the necessary time off from training if called upon by the government for service in the U.S. Armed Forces. For a Trainee in good standing, re-entry into the program upon completion of any military time shall be guaranteed by the Program Director of the program in which the trainee was granted the leave of absence. The postgraduate level at which the trainee returns to the program shall be at the discretion of the Program Director. The total leave period must be approved by the Program Director and communicated to the GMEO.
- d) Professional Leave:** This leave is determined and granted by the individual Program Directors. Time spent attending professional meetings, conferences, job or fellowship interviews, or taking board examinations or other examinations is not counted as vacation if the activity is approved by the Program Director.
- e) Sick Leave:** Trainees are provided up to 14 calendar days per academic year of paid sick leave, inclusive of time needed for mental health. Beyond this, exceptional cases will be considered on an individual basis. In this regard, up to twenty-eight calendar days of additional paid leave time *may* be granted in cases of unusual illness or disability. Such additional leave would be granted through the GMEO only when the Program Director, DIO, or GMEO deem it acceptable. Paid sick leave does not carry forward.
- f) Unexcused Leave of Absence:** Disciplinary or remedial action resulting from an unexcused leave of absence shall be at the discretion of the Program Director based on individual Department and/or accreditation requirements and regulations.
- g) Vacation Leave:** Trainees must be provided a minimum of 15 business days of vacation time per academic year. Vacation time does not carry forward, although exceptions can be made on an individual basis when specifically allowed by Trainee's certification board and approved in advance by the Program Director.
- h) Paid Parental Leave (PPL):**
- PPL provides eligible Trainees paid leave within 6 months of the event (birth, adoption, or placement). Trainees who have been employed for at least 12 months prior to the start of PPL are eligible for up to 8 weeks of consecutive paid leave. Trainees with less than 12 months of employment prior to the start of PPL are eligible for up to 6 weeks of consecutive paid leave.
 - PPL is separate from vacation and sick leave (i.e., trainees may take vacation time in addition to approved PPL time).
 - PPL can be taken once in a 12-month period and only once per child.
 - PPL is requested via the attached form, submitted to Program Director for approval and signature and then to the GMEO and should be requested at least 3 months prior to the birth, adoption, or placement of a child, if possible.
 - If both parents are eligible trainees, both parents are eligible to take PPL. However, the GMEO requests that both parents not take simultaneous PPL if both parents are being trained in the same program.
 - Unused PPL is forfeited.
 - Trainees who have been employed for 12 months or longer are required by MC policy to also apply for FML which runs concurrently with their PPL (see below).
- i) Family and Medical Leave (FML):**
- For Trainees who have been employed for at least 12 months and who have worked at least 1,250 hours during the prior 12 months, FML grants up to 12 workweeks of unpaid family and

medical leave of absence during any 12-month period to Trainees who wish to take time off from work duties to fulfill family obligations relating directly to the birth of a child, adoption, and/or placement of a foster child in order to bond and care for the child; to care for a child, spouse, or parent with a Serious Health Condition,; or due to the employee's own Serious Health Condition or disability. It also provides leave for military caregivers and for qualifying exigencies.

- For further information about FML definitions and procedures, see [the Medical Center Human Resources Policy No. 600](#). The University complies with the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq., and Regulations 29 C.F.R Part 825).

Additional Time for Completing Board Requirements: In the event that additional training time is required to meet Board eligibility requirements (due to leave or other circumstances), the Trainee must be reappointed, with pay and benefits covered by the GMEO to continue for the extension.

Revised, GMEC Policy Subcommittee, 1/12/2012

Revised, GMEC Policy Subcommittee, 3/7/2012

Reviewed/Approved, GMEC, May 16, 2012

Revised, GMEC Policy Subcommittee, 12/10/2013

Reviewed/Approved, GMEC, 12/18/2013

Revised/Approved, GMEC, 02/15/2017

GMEC Policy Subcommittee Reviewed/Revised, March 13, 2018

GMEC Approved, March 21, 2018

GMEC Policy Subcommittee Reviewed/Revised: December 11, 2018

GMEC Policy Subcommittee Reviewed/Revised: January 8, 2019

GMEC Reviewed/Approved: January 16, 2019

GMEC Policy Subcommittee Reviewed/Revised: February 12, 2019

GMEC Policy Subcommittee Reviewed/Revised: March 10, 2020

GMEC Approved: April 15, 2020

GMEC Policy Subcommittee Reviewed/Revised: July 14, 2020

GMEC Reviewed/Approved: July 15, 2020

GMEC Policy Subcommittee Reviewed/Revised: August 11, 2020

GMEC Reviewed/Approved: August 19, 2020

LEAVE WORKSHEET – Completed by Trainee, returned to GME

Trainee Name			
Program			
Purpose of Leave Requested			
Leave Start Date*	Leave End Date*	Number of weeks requested	

Will you have been employed with the Medical Center/University for at least 12 months prior to taking the requested leave? YES NO

How much leave of any type (vacation, sick etc) will you have *already taken* in this current academic year when you begin this requested period of leave? _____

Does your program lead to Board Certification? YES NO

If YES, answers to the following questions can be found on your Board's website, under initial certification eligibility.

If YES, how much time does your Board allow to be taken off in an academic year? _____

Does time owed need to be made up at the end of the academic year or at the end of the program?

Are there any other Board, ACGME or Program stipulations about time that impact your request? (e.g. time can be averaged across several years, time can be forgiven with CCC approval, etc.)

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To calculate the impact of this current leave request:

Add all leave taken in this academic year to the amount of leave you are currently requesting. Calculate whether the amount of time you will be off exceeds your Board's allowance. If so, this may be time you will owe back to the program either at the end of the year, or the end of the program. What is that figure?

This figure will be used to help calculate whether and how much time might be owed back to the program. Please work with your Program and the GME Office to apply for any leaves, and to determine the impact of your leaves on your board eligibility and graduation date.

- Trainees owing back time must be reappointed and recontracted for the make-up time.
- Make up time is paid time, with benefits.
- Programs must follow relevant requirements to request complement increases (GMEC/ACGME) if a trainee's make-up time results in a training extension

Trainee Signature: _____

Date: _____

Program Director Signature: _____

Date: _____

*The policy recognizes that leave needs and dates are subject to change.

PLEASE COMPLETE THIS WORKSHEET AND RETURN TO ROBIN DEWALD (RLG6J@virginia.edu)