

**Policy and Procedure Manual
Administrative Manual
Administrative Institutional
Department: Graduate Medical Education (GME) and
Clinical Training**



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Scope: X Medical Center

**ACGME Trainee
Leave Policy**

I. PURPOSE / BACKGROUND

The purpose of this policy is to set the guidelines for Residents and Fellows (“Trainees”), with respect to requests for leave from their Program, for any reason, including vacation, personal, medical and other leaves as noted below.

A Trainee’s request for leave will be granted in accordance with the provisions and circumstances set forth in this policy and procedure. This policy is written to ensure compliance with the Accreditation Council for Graduate Medical Education (ACGME) Institutional and sub-specialty Resident Review Committees.

II. POLICY

Because each Trainee must meet certain education requirements as defined by his or her Program, by the ACGME and/or by the applicable American Board of Medical Specialties (“Board”), the Trainee may be required by his or her Program Director to make up missed time upon returning from any leave prior to advancing to the next level of training and/or prior to completion of the Program. In such cases, restoration of the Trainee’s previous position beyond the term of the original appointment and provision of salary during the “make up” period are at the discretion of the Program Director or GME; the Hospital is not required to extend the period of training to accommodate such make up training periods.

Effect of Leave on Duration of Training and Board Eligibility

Absence from the training program for any reason, including leaves described in this section, may affect the overall duration of the residency training necessary to meet the ACGME or Specialty Board criteria for completion of training. It is the Trainee’s responsibility to assure completion of the program in a timely manner. The Trainee’s program will provide written policy in compliance with its Program Requirements concerning the effect of leaves of absence, for any reason, on satisfying the criteria for completion of the residency program and information relating to access to eligibility for certification by the relevant certifying board. Information regarding Board eligibility can be found online at: abms.org.

Whenever the need for leave is foreseeable, the Trainee will make a reasonable effort to schedule the leave so as not to unduly burden the Program, and give notice no fewer than thirty (30) days before the leave is to begin. If the nature of the leave requires that the leave begin in fewer than thirty days, the Trainee will give notice as soon as is practicable. A Trainee should give the Program Director notice as far in advance as possible regarding planned parental leave or family

medical leave; six months (confidential) notice is requested for planned leave after the birth of a child, in order to facilitate appropriate scheduling.

Appropriate medical documentation and clearance must be provided to the Program Director and GME office upon reasonable request.

A. PAID TIME AWAY:

Paid Time Away (PTA) includes all time that a Trainee is away from his or her Program, for any reason, except for bereavement leave and jury duty leave, which are addressed below. A Trainee shall receive twenty (20) PTA days per academic year. PTA does not accrue from year to year and must be scheduled and taken in the same academic year earned. PTA shall be scheduled by mutual agreement with the Program Director and department and given as leave depending upon the mode of scheduling of a given service. Program policies and procedures for requesting and assigning leave schedules must be in writing and be in compliance with each Program's ACGME Program Requirements, which concern the effect of leaves of absence, for any reason, on satisfying the criteria for completion of the Program and specialty board eligibility/certification. Upon completion of the Program, or upon separation from the Program for any reason, Trainees are not compensated for any unused PTA time.

B. EDUCATIONAL MEETINGS AND ACTIVITIES:

Absence from the Program to attend educational, scholarly, and/or professional activities must be scheduled with the approval of the Program Director.

C. PERSONAL LEAVE:

With the approval of the Program Director, Trainees may take up to twelve weeks of leave within any 12-month period to attend to personal matters of a serious, time-consuming nature. Additional leave may be granted by the Program Director in his or her sole discretion. Personal leave taken in excess of allotted PTA is uncompensated, unless otherwise agreed upon between the Trainee and the Program Director and Director of GME. Personal leave may be appropriate for a number of reasons, including but not limited to the following:

1. for the birth of or to care for a newborn child of the Trainee;
2. for the placement of a child with the Trainee for adoption or foster care or to care for a newly adopted or new foster child;
3. to care for the Trainee's Parent, Child, or other member of the Trainee's Immediate Family, who is suffering from a serious health condition;
4. to care for the Trainee's own serious health condition;
5. to address exigent circumstances caused by the military service of a Trainee's spouse, registered domestic partner, Child, or Parent; and
6. to care for an Immediate Family member who is a member of the military and who has suffered a serious injury or illness while in the line of duty that renders the service member medically unfit to perform the duties of his or her office, grade, rank, or rating.

While on unpaid leave for up to twelve weeks, the Trainee will be eligible to maintain insurance coverage, but will be required to reimburse the department, Program, or GME for the cost of the insurance.

D. BEREAVEMENT LEAVE:

Trainees may take up to three days of paid leave for bereavement in the event of the death of a member of the Trainee's immediate family. This leave is in recognition of the need to grieve, attend to the decedent's affairs and/or attend a funeral or other ceremony, etc. Bereavement leave is granted in the following circumstances:

1. If the deceased is a member of the Trainee's Immediate Family as defined in Appendix One below.
2. If the deceased is not a member of the Trainee's Immediate Family, the Trainee may still be granted leave, but such leave is subject to the approval of the Trainee's Program Director. Program Directors are encouraged to grant such requests whenever possible.

Requests for bereavement leave must be submitted as soon as possible and must be approved by the Trainee's Program Director.

E. LEAVE FOR MILITARY SERVICE:

No Trainee shall be denied enrollment or participation in the Program because of any obligation as a member of the United States Armed Forces (referred to herein collectively as the "Uniformed Services"). All Trainees who are members of the Uniformed Services will be granted military leave for active service, active or inactive duty training, and examinations for the purpose of determining fitness to perform such duties.

All Trainees are eligible for military leave, as long as they comply with the applicable rules, including the following:

1. A Trainee who wishes to take military leave must first advise his/her Program Director of the need and reason for the leave at the earliest practicable time.
2. A Trainee who wishes to take military leave must submit written verification to the Program Director and GME from the appropriate military authority.

Military leave taken in excess of allotted PTA is uncompensated, unless otherwise agreed upon between the Trainee and the Program Director or department [director/head].

F. JURY DUTY:

Trainees who are required, by means of a summons or equivalent order, to serve as a juror or a court witness, will be granted time off in order to do so, in accordance with applicable law and provided an exemption has not been granted by the courts.

1. When absent for witness service, Trainees may elect to use their PTA or to take the time off without pay. A Trainee serving as a witness in conjunction with or at the request of City of Hope shall be paid time as if he or she was working.
2. When absent to serve as a juror, Trainees may be compensated for up to 40 paid hours per calendar year. Trainees may elect to take time off without pay or to use their PTA hours if the jury-service related absence exceeds 40 hours.
3. Jury duty pay is payable for scheduled hours missed due to jury duty, including related jury assignment and selection activities. Jury duty pay is not payable for time spent while on call for jury duty and time subsequent to having been excused from actual jury duty.
4. Eligible jury duty pay will be calculated based on the Trainee's annual stipend.
5. Trainees serving on jury duty will be able to retain any payment received from the court.

6. Trainees excused from jury duty or witness service before noon, on a day-to-day basis, would be expected to immediately return to the Program. Failure to return to the Program may result in forfeiture of compensation and possible disciplinary actions.
7. A Trainee who receives a jury duty or witness summons must inform his/her Program upon receipt of the notice. The Program Director or GME office may request a verification of attendance form (provided by the court) as a condition of excusing and paying for an absence from the Program due to jury duty.

G. RETURN TO POSITION:

1. At the end of any leave period described herein, the Trainee shall return to his or her Program—but the Program may be extended, at the discretion of the Program Director, to account for the amount of leave taken.
2. A disabled Trainee may contact Human Resources and the GME office to request reasonable accommodation in order to perform the essential functions of his or her position upon returning from leave.

H. TRAINEE LEAVE VIOLATIONS:

A Trainee is subject to disciplinary action, up to and including separation from the Program, for misconduct or violations discovered before, during, and/or after his or her leave, for any of the following reasons:

1. Giving knowingly false information in connection with a requested absence or leave;
2. Engaging in gainful employment, or moonlighting with any other employer while absent or on leave from training without prior written permission from the Program Director and the Director of GME;
3. Engaging in conduct that is inconsistent with his or her Trainee leave status;
4. Not returning from leave, as scheduled, without prior authorization and proper justification; and
5. Failing to timely provide required information or documentation, as required by the Program Director and GME office.

I. AMERICAN BOARD OF MEDICAL SPECIALTIES REQUIREMENTS:

It is the responsibility of the department, Program, and Trainee to be in compliance with the Program requirements concerning the effect of leaves of absence on satisfying the criteria for completion of the Program, and guaranteeing eligibility for certification by the relevant certifying Board.

Prior to granting leave, American Board of Medical Specialties requirements should be reviewed by the Program Director and Trainee to ensure that the Trainee is familiar with the possibility of having to make up time away from training. If extended leave results in the requirement for additional training in order to satisfy board requirements, financial support for the additional training time must be determined when arrangements are made for the leave and the makeup activity.

III. PROCEDURE

RESPONSIBLE PERSON(S)/DEPT.	PROCEDURE
Trainee	A. Complete required leave request form and submit form to Program Director at least 30 days prior to commencement of the leave, if possible.
Program Director and GME Office	B. Review Trainee requests for leave and request additional documentation, if appropriate. C. Approve Trainee requests for leave, if appropriate.
Trainee	D. Comply with this policy for the duration of any approved leave. E. Return to the Program at the end of approved leave.

Owner: GME Institutional Coordinator
 Collaborating Authors: Director, GME and Clinical Training, GMEC
 Sponsor: Chief Medical Officer, DIO

Related Policies:

1. ACGME Trainee Grievance and Due Process
2. GME Evaluation and Promotion
3. Reasonable Accommodations

Appendix One – Acronyms, Terms and Definitions Applicable to this Policy

1. **Accreditation Council for Graduate Medical Education (ACGME)** – The ACGME is responsible for the accreditation of specialty and sub-specialty medical training programs within the United States.
2. **Designated Institutional Official (DIO)** – The individual in a sponsoring institution who has the authority and responsibility for all of the ACGME-accredited GME Programs.
3. **Graduate Medical Education Committee (GMEC)** – Graduate Medical Education Committee at City of Hope.
4. **Medical Center** – Refers to all facilities covered by City of Hope National Medical Center’s hospital license.
5. **Paid Time Away (PTA)** – All time that a Trainee is away from his or her Program, for any reason, except for bereavement leave and jury duty leave. This includes time taken for vacation, sick time, and personal leave time.
6. **Program** – The unit of specialty education, comprising a series of graduated learning experiences in graduate medical education, designed to conform to the ACGME Program Requirements of a particular specialty.
7. **Program Director** – The designated person accountable for the Program; this person must be selected by the Designated Institutional Official and possess qualifications acceptable to the appropriate Residency Review Committee (RRC) of the ACGME Programs.
8. **Immediate Family** – The following definitions will be applied for purposes of this policy:
 - a. Spouse or registered domestic partner; parent; step-parent; child; step-child; brother; sister; legal guardian; legal ward; grandparent, grandchild, or parent-in-law, brother-in-law, and sister-in-law.
 - b. “Parent” means a biological, foster or adoptive parent, a stepparent, parent-in-law, legal guardian or person standing in loco parentis.
 - c. “Child” means a biological, adopted or foster child, a stepchild, a legal ward or child of a person standing in loco parentis.