

**TTUHSC GME LEAVE POLICY
FOR COMPLIANCE WITH UPDATED ACGME REQUIREMENTS**

02.03 Leave

02.03.01 *General.* Leave is integrally conditioned upon each program's participation requirements for board eligibility in terms of minimum time spent in the training program. TTUHSC GME provides leave benefits as outlined below and GME Offices manage considerations for paid versus unpaid leave status. However, professional board requirements for each resident shall take precedence on considerations of extensions of training or reductions in required time spent in the training program related to any period of leave, discretion resting with the Program Director and the ABMS-specific board policies.

02.03.01.1 Each program must have a leave policy that describes the process for requesting leave, and tracking of leave, including the definition of a “work week” for each rotation, specifically through a document to be completed by the resident for all leave types, executed by the program’s coordinator and approved by the Program Director. Any variance from this policy must be recommended by the Program Director/Chair to the campus DIO for review and approval.

02.03.02 *Extended Period of Leave.* Each resident acknowledges that an extended period of leave, regardless of the type, may necessitate an extension of his/her training program in order to meet the minimum training requirements of each respective professional board in order to qualify to sit for the board examination. Where applicable, a resident shall review this matter with the Program Director well in advance to ensure s/he will be able to utilize such leave and timely complete the program as anticipated. Alternatively, the resident shall coordinate with the Program Director an acceptable plan for extension of the training program in each specific situation so the resident will have met all specialty board-training requirements in a timely manner. All paid leave must be exhausted before a resident may be on unpaid leave.

02.03.03 *Paid Leave.* Paid leave shall be approved for not more than four work weeks for PGY-1 level, and not more than five work weeks for the PGY-2 level and above, subject to each respective residency program requirements and policies. Except as provided in Section 02.03.04 below, paid leave is inclusive of all leave types, including but not limited to vacation, sick, educational leave, and funeral leave. Paid leave benefits must be taken within the current contract agreement year. Any unused paid leave benefits are not carried forward from year to year and are not paid upon completion or termination of the GME Program Agreement.

02.03.03.1 *Vacation Leave.* Timing and scheduling of vacation leave is at the discretion of each Program Director in accordance with the established program-specific policy. Vacation leave may be limited to specific rotations or in length.

02.03.03.2 *Sick Leave.* A resident who must be absent from duty because of illness shall notify the Program Director at the earliest practicable time. To be eligible for ongoing paid leave benefits during a continuous period of more than three days due to illness, the resident must provide a doctor’s certificate or other written statement that is acceptable to the Program Director.

02.03.03.3 *Educational Leave.* All educational leave must be approved by the resident's Program Director. Subject to residency program requirements and approval, when defined and allowed by ABMS-specific board policy, educational leave is granted with pay and will not be counted toward paid leave time. When not defined or allowed by ABMS-specific board policy, educational leave will be counted toward paid leave time.

02.03.03.4 *Funeral Leave.* Funeral leave may be granted with pay upon the death of an immediate family member or immediate family member of the resident's spouse. The total time allowed shall normally not exceed 3 days.

02.03.04 *Parental, Caregiver and Medical Paid Leave.* In alignment with ACGME policies effective July 1, 2022, a single six-week (42 days) period of paid parental, caregiver and medical leave will be afforded to residents **once** during their training program. For the purposes of this Section 02.03.04, leave is counted continuously, with every calendar day included from first day of absence through date of return to duty. Definitions of each leave type include: birth and care of a newborn, adopted, or foster child (“parental leave”); care of an immediate family member (child, spouse or parent) with a serious health condition (“caregiver leave”); or the trainee’s own serious health condition (“medical leave”). Paid leave under this Section 02.03.04 is in place of, not in addition to, the paid leave defined in Section 02.03.03. Paid leave under this Section 02.03.04 must be utilized in a single contract year, for only one leave type, and cannot be shared across leave types. Leave

TTUHSC GME LEAVE POLICY FOR COMPLIANCE WITH UPDATED ACGME REQUIREMENTS

under this Section 02.03.04 for an approved, qualified event exceeding six weeks will be unpaid, but health insurance will be maintained by the institution during the unpaid status. An additional week (7 days) of paid leave is reserved for use during the same contract year that an approved parental, caregiver or medical leave occurs. Extended leaves of absence may necessitate an extension of training, dependent on minimum training time defined by relevant specialty boards (ABMS).

02.03.05 *Family and Medical Leave/Parental Leave.* The Family and Medical Leave Act (FMLA) requires covered employers to provide up to 12 workweeks of unpaid, job-protected leave to an eligible employee for certain family and medical reasons. A resident is eligible if s/he has worked at TTUHSC at least 12 months and a minimum of 1,250 hours over the previous 12 months. A copy of the TTUHSC FMLA policy may be obtained from the GME Office or the Office of Human Resources. Parental leave of absence, not to exceed 12 weeks, is available for a resident with less than one year of service or who has worked less than 1250 hours in the 12 month period immediately preceding the commencement of leave. This parental leave of absences is limited to, and begins with, the date of the birth of a natural child, or the adoption or foster care placement, of a child under three years of age. Paid leave defined in 02.03.04 is inclusive of paid time under FMLA and parental leave. Leave beyond paid leave will be an unpaid leave of absence; health benefits will be maintained by the institution. Extended leaves of absence may necessitate an extension of training, depending on allowances defined by relevant specialty boards (ABMS).

02.03.06 *Unpaid Leave of Absence.* An unpaid leave of absence is defined as the interval when all paid leave time has been exhausted, but the resident maintains an active status in the residency program under a leave designation with ACGME. The Campus GME Committee must approve an unpaid leave of absence longer than 30 days, exclusive of FMLA or parental leave. Any issues related to required ABMS-specific minimum training time defined by specialty certification boards will be resolved by the Program Director. All available paid leave must be utilized prior to being under an unpaid leave of absence, except as otherwise required by ACGME.

02.03.06.1 An extended unpaid leave of absence not approved by the Campus GME Committee may result in termination of the leave and require that the resident resign from the program, reapply for residency training, and be reappointed, if applicable. Reappointment is not guaranteed, but will be considered only on the same basis as any other applicant seeking appointment. Granting of the leave of absence, along with any reappointment, if applicable, is at the discretion of the Program Director and approval by the campus GMEC.

02.03.07 *Other Leave Types Outside Paid Leave.*

Jury Leave. When a resident receives a summons to serve as a juror, his/her attendance is required. The resident must notify the Program Director immediately regarding receipt of a summons in order that training and patient care responsibilities may be accommodated. On occasion, a judge may, at his/her discretion, excuse a resident called to serve as a juror by virtue of the resident's being a physician in training. However, since the resident receives a salary, the judge may determine that no exemption is permitted. Unless the judge grants an exemption, a resident is required to perform jury duty and must be released from the department to respond to the summons. Such jury leave shall be without loss of salary and will not count toward paid leave time.

Military Leave. Military leave requires that a resident provide immediate written verification to the Program Director of any and all applicable military orders, which order the resident to duty. A resident who is a member of the state's military forces or member of any reserve component of the United States armed forces who is called to active duty or authorized training is entitled to a leave of absence from resident duties not to exceed fifteen (15) workdays per academic year. Such military leave shall be without loss of salary and will not count toward paid leave time. After exhausting the fifteen (15) workdays of paid military leave, the resident may use paid leave or be placed on leave without pay for the remainder of the active duty period.