

GME Policy #: II-E	Graduate Medical Education Policy & Procedures Pennsylvania Hospital	Page 1 of 6 Effective: 06-18-08
	Subject: Vacation and Leave for House Staff	

POLICY

Time off and leaves of absence must be made available to house staff, in order to balance the demands of training programs with trainees’ personal needs and the needs of their families. All time off shall be granted according to this policy and the policies of training programs, as well as Pennsylvania Hospital of the University of Pennsylvania Health System (PAH) policy, where appropriate.

PURPOSE

The purpose of this policy is to specify the types of absence available to house staff; to outline policies for requesting and approval of absence from training and the impact of extended absence on the completion of a training program; and to provide a process for monitoring the compliance of all programs with absence policies and regulations.

SCOPE

This policy applies to all house officers in Accreditation Council for Graduate Medical Education (ACGME) accredited, PAH sponsored training programs.


IMPLEMENTATION

The implementation of this policy is the responsibility of the Designated Institution Official (DIO), Graduate Medical Education Committee (GMEC), the Office of GME, Department Chairs and Program Directors.

PROCEDURES

1. House staff absence from training shall fall into the following general categories:
 - Vacation
 - Personal days (including occasional days off due to minor illness or injury)
 - Family/medical leave
 - Military leave
 - Extended leave of absence

2. House staff shall have access to Human Resources to discuss a potential need for leave.

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3. In addition to this policy and PAH policies, each training program must develop its own policy concerning absences and leave that does the following:

- Describes the process for requesting vacation, personal days, or leave
- Describes the circumstances under which leave is appropriate
- Describes the conditions of any absence or leave, including how an extended leave might affect the house officer's completion of the training program or eligibility for specialty certification exams or certification by the relevant certifying board
- Describes when a house officer may be required to repeat training or may be terminated from a program as a result of extended leave


In developing this policy, the program director must consider the needs of other house staff, ACGME requirements, the requirements of any relevant certification board, and other related requirements.

4. The training program director shall approve or deny all absence or leave requests. The program director may consult with human resources personnel in making such decisions.

5. Family/Medical Leave: Upon commencement of training, house officers are eligible to apply for family/medical leave under the Family and Medical Leave Act of 1993 ("FMLA").


(a) House officers may use up to 12 weeks of FMLA leave in any rolling 12-month period. House officers should apply through the program director. FMLA leave is available for the birth, placement for adoption, or placement for foster care of a child, or for the house officer's own serious health condition or the serious health condition of a family member, as defined by Pennsylvania Hospital leave of absence policy (HR27-1207).

(b) House officers are may receive up to six weeks of paid FMLA leave (of the 12 total weeks available) in any rolling 12-month period, when the leave is taken for their own serious health conditions, or for the birth, placement for adoption, or placement for foster care of a child. Once such paid leave is exhausted, the house officer may use any available vacation for the remainder of his or her FMLA leave. House officers may also receive short-term disability benefits if enrolled in the short-term disability plan and eligible under the terms of the plan. FMLA leave will be unpaid for house officers not receiving short-term disability benefits who have exhausted or are not using vacation.

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- (c) It shall be left to the discretion of each program, based on scheduling requirements, whether a house officer whose FMLA leave would otherwise be unpaid must use vacation while on FMLA leave. The program shall provide in its specific leave policy whether such requirement applies.
 - (d) Spouses or domestic partners who are both employed as house officers will be eligible in any rolling 12-month period for a total of 12 weeks of FMLA leave for the birth, placement for adoption, or placement for foster care of a child, of which total there shall be no more than six weeks' paid leave.
 - (e) Benefits continue for the duration of the leave, for which the house officer must continue his or her contribution. House officers taking unpaid FMLA leave must make contribution payments on a monthly basis, or benefits may lapse.
 - (f) House officers may be required to provide certification from a health care provider (consistent with Department of Labor requirements) in connection with an application for FMLA leave, or such leave may be delayed or denied, and in order to return from such leave.
 - (g) A house officer may not perform any work while on FMLA leave.
 - (h) House officers are ineligible for "other medical leave" under Pennsylvania Hospital's Leave of Absence Policy (HR27-1207)
6. Military leave shall be covered by UPHS policy (#2-01-05) and shall be administered in accordance with the Uniformed Services Employment and Re-employment Rights Act and related regulations.
 7. A request for an extended leave of absence may be granted or denied at the discretion of the department or program, and in evaluating any such request, the department or program may take into account the house officer's performance, reason for the request, and likelihood of returning to the program.
 8. If cumulative absences negatively impact the number of months of training for a trainee with respect to the number of months required to satisfy the criteria for completion of a residency or fellowship program, the program director must assess the trainee's ability to fulfill his/her educational obligations and may require additional training time. Individual residency review committee (RRC) and/or specialty board criteria for satisfactory completion of each residency program will determine the amount of additional training required.

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MONITORING

The Graduate Medical Education Committee, via the internal review process, shall monitor each program's compliance with absence policies and house staff satisfaction with those policies. A house officer seeking redress for allegedly inappropriate treatment may file a complaint with the Committee by following the process outlined in the GME Policy #II-I House Staff Discipline, Non-renewal and Dispute Resolution policy.

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[Sample Department Vacation and Leave policy]

VACATION AND LEAVE

POLICY

Each house officer will be entitled to 4 weeks of vacation each year and may be eligible for leave under certain terms and conditions. Any house officer absent for more than one month (not including vacation) will be required to extend training to make up lost time.

PURPOSE

The purpose of this policy is to outline available vacation and leave eligibility and conditions for program participants, subject to GME Policy #II-E Vacation and Leave for House Staff.

SCOPE

This policy applies to all house officers in the [department or division] at the Pennsylvania Hospital (PAH).

IMPLEMENTATION


The program director and chief resident(s) are responsible for implementing this policy.

PROCEDURE

Each house officer is entitled to four weeks of vacation per academic year, including six days around the Christmas and New Year’s holidays. Vacation must be requested and approved in advance; vacation during and around holidays may be assigned by the program.

Personal days, defined as a 24-hour period for personal or family illness, bereavement, and family emergencies, must be paid back to the coverage pool. Use of more than 7 personal days will result in extension of training time and/or may be disallowed.

Upon commencement of training, house officers are eligible to apply for family/medical leave under the Family and Medical Leave Act of 1993 (“FMLA”), in accordance with GME Policy #II-E Vacation and Leave of Absence for House Staff. Once paid FMLA leave under

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the GME policy is exhausted, the house officer [must][may][may not] use available vacation concurrently in lieu of unpaid leave.

Vacations requests and applications for leave shall be submitted to the program director.

Any unauthorized absence, or failure to provide proper notice as required by this or GME policy, may subject the house officer to corrective action and/or discipline in accordance with GME Policy #II-I. Any house officer absent without approved leave for three days or more, or on family or medical leave for greater than 12 weeks without expectation of imminent return, may be terminated by the program.

[specific discussion of eligibility for certification or exams in light of extended or excessive leave, if necessary]

Military leave shall be covered by UPHS policy (#2-01-05).

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