

UNIVERSITY POLICIES GOVERNING LEAVE FOR RESIDENTS

Time away from the residency program for extended vacation leave, extended sick leave, FMLA, disability or any other reason may result in a resident having to spend additional time in the program beyond the anticipated date of completion. RRC and medical board requirements must be met before a resident can be certified as having completed a training program. Residents should consult their program director to determine if extended leave has an effect on the completion date of training.

VACATION

The general vacation policy provides for three weeks of paid vacation each year, including weekends and holidays. Departments may extend this by one or two weeks. Unused leave may not be carried from one year to another and will not be redeemed for equivalent salary. Vacation is generally not approved for the last two weeks of the training year.

HOLIDAY LEAVE

Please consult with your department regarding holiday leave and coverage.

SICK LEAVE

Sick leave benefits are determined by each department on an individual basis. In general, residents who become ill for a period of time sufficient to interfere with their participation in the training program, are covered under policies governing Temporary Disability Leave. Please see the Guidelines for Disability Leave and Leave Without Pay for detailed information.

FAMILY AND MEDICAL LEAVE

Periods of leave due to the serious illness of an employee, the birth or adoption of a child, or the serious illness of a family member may be covered under the D.C. or Federal Family and Medical Leave Acts (FMLA). The D.C. Act provides for 16 weeks of leave in a 24 month period after an employee has completed one year of employment and has worked at least 1,000 hours during the 12-month period immediately preceding the request for family or medical leave. In most cases, benefits under the D.C. Act are more generous than under the Federal Act, but employees are entitled to whichever provides the most favorable benefits. GW policies governing Temporary Disability Leave, Vacation Leave, Sick Leave, and unpaid leave will determine the appropriate pay status. The Medical Center will continue to contribute to all University paid benefits during Family & Medical Leave, but the employee is responsible for their portion of benefit premiums. Please note: FMLA does NOT mandate paid leave. Payments to residents while on FMLA leave *may* be available through the above mentioned GW policies.

TEMPORARY DISABILITY LEAVE

Temporary Disability Leave is provided for physical or mental conditions that are sufficiently incapacitating to require that a Resident temporarily terminate participation in the residency training program. Temporary disability is paid for up to 60 consecutive days annually, including weekends and holidays. Family & Medical Leave Act provisions may apply in cases of leave use. Please see the Guidelines for Disability Leave and Leave Without Pay for detailed information.

MATERNITY LEAVE

Maternity Leave is provided for medical disability resulting from pregnancy, childbirth or related medical conditions on the same basis on which leave is provided for other medical disabilities. Family & Medical Leave Acts and policies governing the use of Sick, Vacation, and Temporary Disability for medical disability purposes may therefore apply. Non-medical absences for the birth or adoption of a child are covered under the Family & Medical Leave Acts. Please see the Guidelines for Disability Leave and Leave Without Pay for detailed information.

LEAVE OF ABSENCE

At the discretion of the department chair, a Leave of Absence may be approved for unusual personal situations provided the operational needs of the department are not adversely affected. Leave of absence is always unpaid leave, and must be requested in writing. All accrued Vacation Leave must be exhausted prior to a request for a Leave of Absence, unless the absence falls within the provisions of the Family & Medical Leave Acts. Eligibility for leave under the FMLA governs requests for periods of Leave of Absence for the birth or adoption of a child or the serious illness of a family member.

BEREAVEMENT LEAVE

Paid Bereavement Leave is provided to employees upon the death of a spouse, child, parent, grandparent, sister, brother, mother-in-law, father-in-law, son-in-law, or daughter-in-law. Bereavement Leave must be requested in writing to supervisory staff for a period not to exceed 3 days. Bereavement Leave does not accrue or pay out upon termination.

LEAVE FOR JURY DUTY

Jury Duty Leave is provided to Residents who are summoned to jury duty. Residents will be granted paid leave for scheduled work hours/days missed to comply with the summons for jury duty. Leave must be requested in writing to supervisory staff as far in advance as possible and must include supporting court documents. Residents are required to report to work on those days or partial days when attendance in court is not required.

MILITARY DUTY LEAVE

Military Duty is unpaid leave and may be requested by Residents for the period necessary to perform military duty. The request should be submitted in writing to the supervisor with as much advance notice as possible and include official written military orders, as soon as they are available, and an expected date of return to work. Employees may request the use of Vacation Leave for part or all of the period of military duty. Employees who leave their positions to perform duty for training in the Reserves, including National Guard (other than for an initial period of training for 12 weeks or more), must request a Leave of Absence for the period in question to be entitled to reinstatement. Under federal law, employees who leave regular positions voluntarily or involuntarily for the purpose of performing military duty, including Reserve duty, have a right to reinstatement without loss of seniority if certain conditions are met. In situations involving a request for reinstatement, the Department of Human Resource Services should be consulted for information concerning eligibility for reinstatement, applicable salary issues, and benefits. For more information regarding Military Leave, please refer to:

<http://www.gwu.edu/~hrs/benefits/leave/militaryleave.html>

GUIDELINES FOR DISABILITY LEAVE AND LEAVE WITHOUT PAY

TEMPORARY DISABILITY LEAVE

A. Definition

Disability is defined as any physical or mental condition which is sufficiently incapacitating to require that the resident temporarily terminate participation in the residency training program. Temporary disability is paid for up to 60 consecutive days annually, including weekends and holidays.

B. Provisions and Restrictions

1. For residents who are temporarily disabled in accordance with the definition in Section A, up to 60 days of leave with full salary are to be provided annually, subject to the restrictions defined in Sections B.2, B.7, B.8, and B.9 below. Supplemental salary provided by Departments is to be excluded from such determinations.
2. A resident who is participating in a part-time residency or who otherwise participates in a residency for only a portion of the training year is entitled to temporary disability leave on a pro-rated basis as a function of the percentage of the full-time effort and salary described in the resident contract.
3. Temporary disability leave with pay does not accrue and may not be carried over from year to year.
4. A resident who has utilized full temporary disability leave entitlement and all earned annual leave during a training year is classified as being on leave without pay (see next section) unless the resident desires to terminate his/her relationship with the University.
5. Residents may not be required to utilize annual leave before being placed on temporary disability leave.
6. Residents are entitled to all normally provided fringe benefits while on temporary disability leave.
7. A resident who, during the training year, is placed on any combination of temporary disability leave and leave without pay which involves 60 or more days and which occurs during any portion of the last six months of the training year, and who is reappointed for the following training year, is not eligible for temporary disability leave during the referenced re-appointment year until he/she has resumed training of at least 50% effort, as described in the resident contract, for a minimum of six months which may include earned annual leave or may be extended by other types of leave authorized by University personnel policies. Similarly, a resident who, during the training year, is placed on temporary disability leave which involves more than 30 but less than 60 days and which occurs during any portion of the last three months of the training year, and who is re-appointed for the following training year, is not eligible for temporary

disability leave during the referenced re-appointment year until he/she has resumed training of at least 50% effort, as described in the resident contract, for a minimum of three months which may include earned annual leave or may be extended by other types of leave authorized by University personnel policies.

8. A resident who concludes the training year on temporary disability leave and is re-appointed for the following training year is entitled to the balance of temporary disability leave not utilized by him/her during the previous training year. Such temporary disability leave in the referenced re-appointment year must be taken consecutively with the temporary disability leave from the previous year, and the total length of this consecutive disability leave may not exceed 60 days. Thereafter, the resident is not eligible for temporary disability leave until he/she has resumed training of at least 50% effort, as described in the resident contract, for a minimum of six months which may include earned annual leave or may be extended by other types of leave authorized by University personnel policies. If the resident requires temporary disability leave taken consecutively with the training year, it is to be subtracted from this entitlement.
9. A resident who has been disabled for more than 60 days, has been placed on leave without pay through the termination of the training year, and is re-appointed for the following or subsequent training years, is not eligible for temporary disability leave during the referenced re-appointment year until he/she has resumed training of at least 50% effort, as described in the resident contract, for a minimum of six consecutive months which may include earned annual leave or may be extended by other types of leave authorized by University Personnel policies. Similarly, a resident who has been disabled for more than 60 days and now has been placed on leave without pay which carries over from one training year to the next, is not eligible for temporary disability leave during the next following or subsequent training years until he/she has resumed training of at least 50% effort, as described in the resident contract, for a minimum of six consecutive months, which may include earned annual leave or may be extended by other types of leave authorized by University Personnel policies.

C. Funding

1. For residents who are paid directly by the University, temporary disability leave pay will be funded from the University. Such funds may have been budgeted specifically in the University or be recoverable on the basis of reimbursement agreements with affiliated institutions.
2. For residents who are paid partially or totally from extramural sources and/or from Departmental funds, temporary disability leave pay will be funded from these sources proportionally to the maximum extent possible. If such pay is less than that due to the resident, the University shall fund the balance of pay to the resident. Departmental funds may have been budgeted specifically for the Department to be recoverable on the basis of reimbursement agreements with affiliated institutions.
3. For residents who are paid directly by an affiliated institution (usually an institution governed by federal or state policies), the resident will receive temporary disability

leave pay (usually under the institution's sick leave provisions) from the affiliated institution up to the maximum amount permitted by that institution's policies. If such pay is less than that due to the resident in accordance with this policy, the University shall provide the balance of the pay due to the resident.

D. Notification and Documentation Requirements

1. Determinations as to the appropriateness of placing a resident on temporary disability leave are the responsibility of the Program Director.
2. The Program Director is responsible for maintaining accurate records of temporary disability leave for each resident in the Department. At the end of each fiscal year, each Program Director is to provide to the Office of Graduate Medical Education a summary listing of those residents placed on temporary disability leave during the year and the amount of such leave for each.
3. For each resident who is placed on temporary disability leave for a consecutive period of 14 days or longer, documentation supporting the appropriateness of such leave is to be provided by the Program Director to the Office of Graduate Medical Education for inclusion in the resident's University Hospital personnel file. Such documentation should be provided in a timely fashion but, in any event, no later than 30 days after the conclusion of the 14-day period.

E. Training Program Adjustments

1. If the Program Director determines that the absence of a disabled resident will have or is having a significant adverse effect on the training program, he/she may make suitable arrangements for coverage during the period in question. Funding for coverage arrangements may draw upon uncommitted University or Departmental funds budgeted for resident salaries for the fiscal year in which the temporary disability problem arises, plus the equivalent of the salary dollars paid to the temporarily disabled resident during the period of disability. Departmental requests to utilize uncommitted residency funds or to augment budgets, as necessary, are to be submitted in accordance with established administrative procedures and will be approved provided the reporting requirements described in Section D have been met. Funds necessary to provide coverage arrangements which are in excess of authorized resources must derive from other departmental accounts.
2. Where temporary disability leave places the resident out of cycle in completing the requirements of the training program, funding for such residents must be requested from the GME Office no later than February 1 of the year preceding the academic year in which the time will be made up. The effect of extended leave on the completion of the training program and the timing thereof must be determined by departmental policy.

LEAVE WITHOUT PAY

A. Definition

Leave without pay is defined as leave necessitated by temporary disability which extends beyond the house officer's entitlement in a training year or leave for other reasons agreed upon by the resident and the appropriate Program Director. Residents who have been in training in a University-sponsored residency program for two years or more and meet the criteria for extended disability may be eligible for coverage by the University's disability insurance program. Family & Medical Leave Act provisions may also apply.

B. Provisions and Restrictions

1. Leave without pay is by definition non-salaried leave.
2. A resident who has utilized his/her full temporary disability leave entitlement and all earned annual leave during the training year is entitled to be placed on leave without pay for the remainder of the training year in which the temporary disability occurs.
3. Residents must utilize all temporary disability leave and all annual leave before being placed on leave without pay.
4. Leave without pay shall in no instance extend beyond one calendar year. Leave without pay of 90 days or less may be approved by the appropriate Program Director. Leave without pay of more than 90 days requires the endorsement of the Associate Dean for Graduate Medical Education. Residents with extended temporary disability are eligible for, but not entitled to, extensions of leave without pay for up to one calendar year.
5. Residents on leave without pay are not entitled to normally provided fringe benefits. However, such residents may continue their health insurance and life insurance coverage under the University programs provided that they assume personal responsibility for the appropriate premium payments. For residents who participate in the TIAA/CREF retirement program, all contributions will be discontinued while the resident is on leave without pay, but benefits will be resumed if and when the resident returns to full-time training status.
6. For residents who are placed on leave without pay, reinstatement to full-time or part-time training status is at the discretion of the appropriate Program Director.

C. Notification and Documentation Requirements

1. Except for the leave without pay entitlement described in Section B.2, determinations as to the appropriateness of placing a resident on such leave are the responsibility of the Program Director.
2. The Program Director is responsible for maintaining accurate records of leave without pay for each resident in the Department.

3. For each resident who is placed on leave without pay, the Program Director is responsible for prompt notification to the Office of Graduate Medical Education so as to assure timely termination of salary and appropriate arrangements concerning fringe benefits. Such notification is to include the intended length of leave without pay. As stated in Section B.4, leave without pay for more than 90 days requires the endorsement of the Associate Dean for Graduate Medical Education.

D. Training Program Adjustments

1. If the Program Director determines that the absence of a resident on leave without pay will have or is having an adverse effect on the training program, he/she may make suitable arrangements for coverage during the period in question. Funding for coverage arrangements may draw upon uncommitted University or Departmental funds budgeted for resident salaries for the fiscal year in which the resident is placed on leave without pay. Departmental requests to utilize uncommitted funds are to be submitted in accordance with established administrative procedures and will be approved provided that the reporting requirements described in Section C have been met. Funds necessary to provide coverage arrangements which are in excess of authorized resources must derive from other departmental accounts.
2. Where leave without pay places the resident out of the cycle in completing the requirements of the training program, funding for such residents must be requested from the GME Office no later than February 1 of the year preceding the academic year in which the time will be made up.
3. The effect of extended leave on the completion of the training program and the timing thereof must be determined by departmental policy.