

**CENTRAL IOWA HEALTH SYSTEM
GRADUATE MEDICAL EDUCATION COMMITTEE**

POLICY ON RESIDENT LEAVE OF ABSENCE

I. Purpose

This policy defines leave of absence, details the source of information for questions regarding the Family and Medical Leave Act of 1993 and establishes the responsibilities and procedures for resident requests for leave of absence from a residency program.

II. Definitions

A. **Leave of Absence.** Leave of absence is an absence from the assigned rotation schedule for more than one week (excluding vacation) and less than one year. Leave of absence is taken without pay.

1. **Medical.** Medical leave is time away from residency responsibilities due to an extended illness of a resident or of a member of a resident's immediate family. Immediate family includes spouse, sibling, children, resident's parents and grandparents, and spouse's parents and grandparents.

(a) **Short-Term Disability.** Short-term disability replaces 60% of the resident's salary starting on the sixth day away from work due to a non-job-related illness/injury. This is contingent upon the resident being seen and treated by a physician within the five day elimination period, and if the resident submits a claim form to Human Resources in a timely manner. Vacation time will be used to cover scheduled days during the elimination period. All residents who have worked 480 hours are eligible. **Residents should refer to the Human Resources Policy on Short-Term Disability for specific information.**

(b) **Family and Medical Leave Act.** Nothing in this policy should be construed to violate the Family and Medical Leave Act (FMLA). FMLA provides "eligible" employees, (those who have been employed for at least 12 months at the time the request is made, and have worked at least 1,250 hours in the past 12 months), up to 12 weeks of leave (or 26 weeks of leave if the leave is taken to care for a related injured service member), during a continuous twelve month period. Employees taking leave on an intermittent or reduced hours schedule will have the amount of leave actually taken counted towards the 12 or 26 weeks of leave to which the employee is entitled.

FMLA leave will be granted for the following reasons:

- a. To care for the birth or adoption of a child, including foster care for a newborn or newly adopted child. This leave must be taken in the first 12 months of the child's birth or placement and must be taken all at one time.
- b. To care for the "serious health condition" of the employee's spouse, biological, adopted or foster child, stepchild, biological, adoptive or foster parent, or stepparent.

- c. To care for the employee's own serious health condition, which prevents the employee from performing the essential functions of his or her position.
 - d. Because of any "qualifying exigency" (as defined by the Secretary of Labor), arising out of the fact that the employee's spouse, child or parent is on active duty (or has been notified of an impending call or order to active duty) in the Armed forces in support of a contingency operation.
 - e. To care for an injured service member who is the employee's spouse, child, parent, or next of kin, and who was injured in the line of duty such that the member is medically unfit to perform the duties of his or her office, grade, rank or rating. An employee is entitled to a total of 26 weeks of leave in any 12 month period to care for an injured service member.
 - f. **Residents should refer to the attached Human Resources Policy on Family and Medical Leave for specific information.**
2. **Personal.** Personal leave (including parental leave) is time away from residency responsibilities for non-medical reasons.
 3. **Military.** Military leave is time away from residency responsibilities due to service in the U.S. Armed Forces. **Residents should refer to the attached Human Resources Policy on Military Leave for specific information.**
 4. **Jury Duty.** Jury duty is time away from residency responsibilities for reasons of civic responsibility. **Residents should refer to the attached Human Resources Policy on Jury Duty for specific information.**

III. Responsibilities

- A. **Program Director.** The program director will assist the resident with interpretation of this policy. The program director will consult with Human Resources regarding the approval of requests for a leave of absence.
- B. **Resident.** The resident is responsible for contacting Human Resources to make arrangements to pay health insurance premiums while on leave. If health insurance payments are not continued, the resident's health insurance coverage will be terminated. ILH or IMMC/BCH will not contribute to these premiums during the resident's leave.

The resident will be expected to communicate with the program director regarding the timing of return to work to ensure continuity of education for the resident as well as optimal utilization of residency positions in the program.

IV. Procedures

- A. A resident must submit in advance a written request for a leave of absence to the program director. This request must include the dates affected by the leave of absence, the type of leave of absence (medical, personal, or military), justification for the request, and the resident's signature.

- B. If the leave of absence is approved, the program director will notify the Human Resources department of the resident's change of status.
- C. The program director will discuss the leave of absence policy with the resident.
- D. **For residents not covered by Short-Term Disability or Family and Medical Leave:** When leave of absence begins: (1) the resident's status changes to leave status; (2) salary and paycheck deductions will be affected according to the type of leave; and (3) benefits offered by ILH or IMMC/BCH will continue.
- E. If the leave of absence is for a resident's medical reason, a physician's written statement indicating the necessity of the leave of absence for the resident must be submitted to the Disability Coordinator in Human Resources.
- F. Before a resident is reinstated from a medical leave of absence a physician's release statement indicating the resident's ability to return to work must be submitted to the program director and Human Resources.
- G. If a resident does not return from a leave of absence on the agreed upon date or establish a new agreement with the program director for a leave of absence extension by the agreed upon date, the resident declares his or her voluntary resignation from the residency program.
- H. If a resident misrepresents the reasons for the approved leave of absence, the program director and/or other appropriate residency program governing authority will take corrective action.
- I. A leave of absence of greater duration than the amount of vacation time remaining will require adjustment of the anniversary date of the resident's appointment contract. The resident will be required to make-up the time missed in order to complete residency training.
- J. The leave of absence may impact resident eligibility to sit for specialty board certification examinations. During regular resident performance evaluations, program directors review specialty board certification examination requirements and resident progress toward eligibility to sit for board examinations.

Approved by the Graduate Medical Education Committee on April 12, 2011.