

**GME LEAVE POLICIES**

All programs are required to use New Innovations to track Annual, Sick, and Educational Leave time taken by Residents. Residents are required to submit a GME Time Off Form to the Residency Program Coordinator each month listing any Annual, Sick, Educational, or Family Medical Leave taken. Based upon specialty board requirements, individual program leave policies may be more restrictive than the following Graduate Medical Education (GME) policies.

**Annual Leave (Vacation)**

Paid Annual Leave is available to each Resident during each 12 month period of training: three (3) weeks, which are comprised of **15 work days (Monday through Friday)**. Most programs also try to give at least the weekend before or after Annual Leave time, and some programs may be able to give both weekends (at least six (6) weekend days). These decisions are at the discretion of the Program Director. If the program grants time off during the Christmas–New Year’s holiday period, that time off must be counted as Annual Leave. Not every program grants additional time off during this period – it is dependent upon clinic and patient care schedules and must be determined by individual Program Directors. Annual Leave must be approved in writing and in advance by the Program Director. Annual Leave must be used for any time away from the program not specifically covered by other leave benefits below. Annual Leave does not carry over from year to year, and Residents may not be paid for unused leave at the end of each academic year. Residents terminating before the end of their training year will be paid only through their final active working day and will not be paid for unused Annual Leave. GME disciplinary policy permits the Program Director to take up to one week of Annual Leave as a disciplinary measure (*i.e.*, up to one week of Annual Leave may be at risk for disciplinary action as well as additional leave without pay).

Note: Interview days are considered Annual Leave unless taken during regularly scheduled days off. Also, at the discretion of each department, your program may permit a limited number of paid personal or well-being days each year. Residents should confirm this with their specific departments and document with forms submitted to the Coordinator. They must also document this when reporting educational clinical work hours (Duty Hours) or “Time Off” forms.

**Sick Leave**

Residents are allotted three (3) weeks of paid Sick Leave per twelve (12) month period for absences due to personal or family (spouse, child, or parent) illness or injury. In the UT GME System, annual paid Sick Leave consists of a maximum of fifteen (15) regular “working days” (Monday through Friday), plus up to six (6) “weekend days” (Saturday and Sunday). A physician's statement regarding illness or injury and “fitness for duty” may be required for absences of more than three consecutive days or an excessive number of days throughout the year. Sick Leave is non-cumulative from year to year. Residents cannot be paid for unused Sick Leave. Under certain circumstances, additional Sick Leave without pay may be granted with the written approval from the Program Director, who will send a copy of this approval to the Office of Graduate Medical Education (GME). The Resident may be required to make up any time missed (paid or unpaid) in accordance with Residency or Fellowship Program and board eligibility requirements.

**New: COVID Quarantine**

The 2020 Coronavirus Pandemic has forced us to better plan for the unexpected. In the event that a Resident is exposed to a COVID-19 Positive Patient and is advised to quarantine for 14 days per CDC and hospital guidelines, the time should be reported as COVID Quarantine in the New Innovations Duty Hours. If the Resident is able to continue to work from home during the quarantine, then reporting the time as Sick Leave would not be necessary. However, if the Resident develops symptoms and is unable

to participate in assigned education, didactics, eChart documentation, research, etc., then regular Monday through Friday COVID Quarantine Sick Leave should be documented in the Resident Time Off Reports.

### **Family and Medical Leave (FML)**

Residents who have been employed for at least 12 months and have worked at least 1,250 hours during the previous 12 month period are eligible for qualified family and medical leave under provisions of the federal Family Medical Leave Act (FMLA). FMLA provides eligible employees up to 12 weeks of protected unpaid leave for the birth or adoption of a child or a serious health condition affecting the employee or his or her spouse, child or parent. Residents are required to use all available sick and Annual Leave days to be paid during FML leave.

- [Click here to view and download the FML Request Form.](#)
- [Click here to view information about UTHSC Family Medical Leave.](#)
- [Click here to view the UT Policy on Family Medical Leave, Policy #HR0338.](#)
- [Click here to view your rights and responsibilities under FMLA.](#)

The UT College of Medicine Chattanooga Graduate Medical Education Office recognizes the importance of the early development of a relationship between parent and child and supports the use of time off for Resident leave related to the recent birth or adoption of a child. Under Tennessee law, a regular fulltime employee who has been employed by the university for at least 12 consecutive months is eligible for up to a maximum of four months leave (paid or unpaid) for pregnancy and adoption. After all available paid Sick and Annual Leave has been used, unpaid leave may be approved under FML and Tennessee law provisions. The State benefit and FML benefit run concurrently with paid leave or any leave without pay.

Maternity, Parental, or Adoptive leave will be granted in conjunction with Family Medical Leave and Tennessee law. Except in case of emergency, all Maternity, Parental, or Adoptive leave should be requested at least three (3) months in advance of the expected date of birth or adoption in order to ensure adequate coverage in the program. The Program Director and Resident should verify whether the length of leave will require extending training in order to meet program or board eligibility criteria.

The UTHSC Human Resources office has administrative oversight for the FML program. The Program Coordinator or Director should notify the GME Department when it appears a Resident may qualify for FML leave. The GME Department will coordinate with UTHSC HR and the Program Coordinator/Program Director to approve or disapprove a Resident's request for FML leave. Resident rights and responsibilities under FMLA can be found on the GME website via the last bulleted link above.

### **Educational Leave**

Educational leave may be granted at the discretion of the Program Director, but may not exceed ten (10) calendar days per twelve month period. Residents should be advised that some Medical Boards count educational leave as time away from training and may require an extension of their training dates.

### **Bereavement Leave**

Residents may take up to three (3) days of paid leave for the death of an immediate family member. Immediate family shall include spouse, child, parent, grandparent, grandchild, brother, or sister of the trainee. With approval of the Program Directors, additional time may be taken using Annual Leave or leave without pay.

### **Military Leave**

Military leaves of absence will be administered in accordance with the provisions of University of Tennessee Personnel Policy #370:

<https://universitytennessee.policytech.com/dotNet/documents/?docid=129&public=true>.

Residents must notify their Program Director when military leave will be required and must provide their Program Director with appropriate documentation of their military service. Depending on the length of leave and specialty board requirements, training time may be extended.

### **Jury Duty**

A Resident who receives a summons for jury duty, and is not excused from duty, must provide a copy to the Program Coordinator and the GME Department. The University will excuse the Resident from clinical responsibilities for each day serving on a jury. Upon returning from jury duty, the Resident will need to provide a statement from the Court Clerk each day the Resident served on a jury. This time will count as time away from the program; however, it will not be counted against Annual Leave or Sick Leave, and the Resident will continue to remain on the University Payroll. It is possible that time spent on jury duty could contribute to requiring an extension of training time depending on the specialty board's requirements. If a Resident were to be involved a personal legal matter or prior training malpractice related matter from another institution, the Resident would have to use Annual Leave or leave without pay for court days not involving the University of Tennessee.

### **Holidays**

Due to the twenty-four (24) hour nature of patient care, Residents are not entitled to holiday leave. A Program Director may approve time off on a holiday for a Resident who is assigned to a clinic or service that closes for that holiday.

### **Time Off to Vote**

The University encourages all employees to vote in local, state, and national elections and provides Residents who are registered voters reasonable times off to vote in an election held in the local municipality. Residents may receive time off without loss of pay, not to exceed three (3) hours between the opening and closing of polls if the request is made to their Program Director before noon the day prior to the election. Each program may specify the hours during which the Resident may be absent.

Residents are strongly encouraged to vote during non-working hours. If the polls open three (3) hours or more before the Resident's work schedule begins or if the polls close three (3) or more hours after the Resident's work schedule ends, the Resident may not receive time off to vote.

### **Administrative Closings/Inclement Weather**

Residents are considered to be essential personnel and provide "essential services" for purposes of the Inclement Weather Policy. The University may close its administrative offices during inclement weather for those individuals classified as non-essential regular staff employees. Residents, however, provide direct patient care in our hospitals and clinics and must report to work as scheduled. If a Resident is on a rotation at a clinic or service that does close due to the weather, the Program Director may elect to allow the Resident to take the day off or may reassign the Resident to another location. The Program Director is the only individual that may direct the Resident to stay home. Residents who are not excused must notify, by phone and email, their attending and their Program Director immediately if they are unable to report to work as scheduled. Such an absence shall be charged as Annual Leave, or, if no Annual Leave is available, then as leave without pay.

### **Extended Absence from Training or End of Leave**

An extended absence, for any reason, may prevent a Resident from fulfilling the requirements for participation in educational and scholarly activities and achieving the residency/fellowship responsibilities (See GME Resident Agreement of Appointment). Generally, leaves of absence may be granted for a maximum of six (6) months. Residents are subject to termination upon:

- a) exhaustion of all available Annual Leave, Sick Leave and other approved or statutory leave, or
- b) failure to return to work as scheduled at the end of the authorized or statutory leave

An absence will be charged against any accrued Annual, Sick, or other available approved unpaid leave program. If all such paid and unpaid leaves are exhausted, the absence will be unexcused, and the Resident will be subject to dismissal for job abandonment.

The GME Director, in her discretion, may authorize additional leave but only in extraordinary circumstances.

Notes:

- Residency positions will be protected during the period of approved Family Medical Leave or as required by law.
- Residency positions in a prescribed AIRS Program may be protected as described in the GME AIRS Policy #320.
- An unpaid leave of absence may affect a Resident's visa status.
- A leave of absence, including paid leave, may require extension of training in order to complete the program or to meet program or board eligibility criteria.

### **Compliance with Board Requirements for Absence from Training**

It is the responsibility of each Program Director to verify the effect of absence from training for any reason on the individual's educational program and if necessary to establish make-up requirements that meet RRC or board requirements of the specialty. All training extensions necessary to meet board eligibility are paid with full benefits. Board certification eligibility information should be provided to Residents by each program and can also be accessed through the specialty board's website and the website of the American Board of Medical Specialties: <http://www.abms.org>.

### **Reporting Time Off**

UT requires that all employees report time off, whether paid or unpaid, including GME Residents. Residents must report time off each month via the UT Resident Time Off Sheet, sign the form, and submit the form to the Program Director for approval. Copies will be uploaded in the New Innovations Personnel Data files each month and maintained by the program and the GME Department.

### **Failure to Comply with Leave Policies**

Failure to comply with leave policies, including obtaining written prior approval, may result in leave without pay. Programs may have additional leave restrictions based upon individual specialty board requirements and will distribute their program policies and procedures to Residents and faculty. Up to one week of Annual Leave is at risk at the discretion of the Program Director for disciplinary issues. Refer to your individual Program Handbook for documentation. Also, please remember that interview days are considered Annual Leave unless used when the Resident is on regularly scheduled days off.

\*The term "Resident" refers to both Resident and Fellow trainees.

Approved by the GMEC 7/1/2018. Revised by the GME Director 5/5/2019. Administrative edits by the GME Director 6/15/2020.