

GME LEAVE POLICY

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. These forms will be housed in each Resident's Personnel Data file within New Innovations. Based upon specialty board requirements, individual program leave policies may be more restrictive than the following University of Tennessee College of Medicine Chattanooga 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, with a maximum of **15 working days (Monday through Friday) – plus six (6) “weekend days” (Saturday-Sunday)**. 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 are not 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 **15 regular “working days” (Monday through Friday) plus six (6) “weekend days” (Saturday-Sunday)**. A physician's statement of illness or injury and fitness for duty may be required for absences of more than 3 consecutive days or an excessive number of days throughout the year. If you have numerous or sporadic sick days, your Program Director may require a physician's statement before you return to work each time.

Sick Leave is non-cumulative from year to year. Residents are not 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) at GME@erlangers.org. The Resident may be required to make up any time missed (paid or unpaid) in accordance with each Residency or Fellowship Program and board eligibility requirements.

COVID Quarantine

The 2020 Coronavirus Pandemic forced us to better plan for the unexpected. Although currently we are not experiencing many required quarantined days related to COVID, if we have an increase in cases or a

similar situation in the future, GME Leadership will identify a Duty Type of COVID Quarantine in the New Innovations Duty Hours Module and account for days via that method. Educational work may be assigned to a Resident on COVID Quarantine Leave unless they are truly ill. 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) and the Tennessee Parental Leave Act

Residents who have been employed for at least twelve (12) months and have worked at least 1,250 hours during the previous twelve (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 twelve (12) weeks (approximately three [3] months) 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.

The **Tennessee Parental Leave Act (TPLA)** provides up to 16 weeks (approximately four [4] months) protected unpaid leave for pregnancy, childbirth, and adoption for full-time employees who have been employed at least twelve (12) consecutive months. In the case of an adoption, leave begins at the time the parents receive custody of the child. This leave runs concurrently with the twelve (12) weeks provided by the Federal FMLA (i.e., eligible employees are entitled to four [4] additional weeks of protected unpaid leave in these instances for a total of up to sixteen [16] weeks). If both spouses are employees of the University, their combined total of available parental leave would be sixteen [16] weeks.

Residents are required to use all available paid Sick and Annual Leave days to be paid during FML and TPL leave before changing to unpaid 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.](#)

Parental Leave (Maternity/Paternity) effective July 1, 2022

Each Resident will be eligible to have an additional six (6) weeks (42 consecutive calendar days) of Paid Parental Leave one time during their training program. This additional paid leave is in addition to the regular paid Annual and Sick Leave provided for UT Residents. This paid Parental Leave must be used prior to regular GME Paid Annual and Sick Leave and in its consecutive entirety in one block. This paid leave is available for the mother or father for the birth or adoption of the child. Additional Paid Annual and Sick Leave may be added to this 6-week benefit. The leave must be used immediately following the birth or adoption of the child unless both parents are Residents. Should both parents be UT Residents, each may use their leave concurrently or consecutively, but the total time off (paid and unpaid) can be no more than 16 weeks. It is the responsibility of the Resident and Program Director to discuss, in advance, what effect taking time off from the training program may have on Board or ACGME requirements which could dictate an extension of training. Should a second birth or adoption take place during the training program, only the regular GME Paid Annual and Sick Leave are available as paid time off, but all FMLA and other protected unpaid time (e.g., TPLA) are still available.

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. HR will coordinate with GME and the Program Coordinator or 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: <http://uthsc.edu/GME/pdf/fmlarights.pdf>.

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. Interviews are not considered educational leave.

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 or stepchild, parent or stepparent, grandparent, grandchild, parent-in-law, foster parent, brother, sister, brother-in-law, sister-in-law, daughter-in-law, or son-in-law 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 the Program Director when military leave will be required and must provide their Program Director with appropriate documentation of 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 who will provide it to the GME Department. Upon doing so, the University will excuse the Resident from work each day the Resident is providing service to the court. The Resident must request a statement from the court clerk each day they are serving on a jury and provide to their Coordinator when they return to work. 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.

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.

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.

Religious/Cultural Holidays and Activities

The University employs a very diverse workforce and as such will try to reasonably accommodate requests for specific days off when requested. Residents are not entitled to holiday leave, but when a Resident requests to have a specific day off due to a religious holiday, the program should try to accommodate as possible. This would not be paid holiday leave, but may be their required one (1) in seven (7) days off, or paid annual leave. The same reasonable accommodation should be granted, when possible, for other religious activities, such as daily prayer, fasting, etc. which may be accommodated through leave, schedule adjustments, call coverage changes, etc. Note that a request is not guaranteed to be approved but should be accommodated when possible. The Office of Equity and Diversity (www.uthsc.edu/oed) is the official office that facilitates accommodation requests for the campus. Please remember to also send a copy of any request to your UTCOMC GME office at gme@erlangers.org. If you have questions regarding the process please call 901.448.2112 or email (hsc-oed@uthsc.edu).

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 UTCOMC GME Resident Annual 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 the Program Director to verify the effect of any absence from training will have on the Resident's ability to finish on time and meet RRC and Board eligibility requirements. 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>.

Extension of Training

If an extension of training is required, Residents are allocated additional annual and sick leave according to the following:

- Less than three (3) months – no additional leave
- Three (3) to six (6) months – 25% of the leave allocated within a twelve-month period
- Six (6) to nine (9) months – 50% of the leave allocated within a twelve-month period
- Nine (9) to less than twelve (12) months – 75% of the leave allocated within a twelve-month period
- Additional year of training twelve (12) months – all paid leave equivalent to an entire academic year is allocated

Consequences of Unapproved Leave

Failure to comply with leave policies, including obtaining written prior approval, may result in leave without pay and may be reflected in the Resident's final summative evaluation as a professional issue. 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.

Revisions approved by the GMEC on 4/19/2022.