

Title: GME Leaves of Absence	*Applicable to: Beaumont Health	Effective Date: 03/27/2018
Policy Owner: Graduate Medical Education Committee	Document Type: Policy	Last Periodic Review Date: 03/27/2018 Functional Area: GME Human Resources

***For This Document, Beaumont Health Includes:**

Beaumont Corporate Shared Services
 Beaumont Hospital, Dearborn
 Beaumont Hospital, Farmington Hills
 Beaumont Hospital, Grosse Pointe
 Beaumont Hospital, Royal Oak
 Beaumont Hospital, Taylor
 Beaumont Hospital, Trenton
 Beaumont Hospital, Troy
 Beaumont Hospital, Wayne
 Beaumont Medical Group

I. PURPOSE

The purpose of this policy is to define leaves of absence for residents and fellows.

II. POLICY

- A. It is the policy of Beaumont Health to comply with Federal, State and local rules and regulations related to the administration and implementation of leaves of absence programs and to be consistent in the communication and application of such programs.
- B. Beaumont Health aims to balance residents’/fellows’ personal responsibilities, medical situations, educational needs and military service commitments with the requirements of their graduate medical education program and the department’s, hospital’s and system’s operations and policies. Additional requirements and benefits specified in this Graduate Medical Education (GME) policy are designed to support the resident/fellow in successfully completing the required training period.

III. DEFINITIONS

- A. **Family & Medical Leave Act (FMLA) of 1993, revised January 16, 2009.** FMLA is designed to help employees balance their work and family responsibilities by allowing them to take reasonable unpaid leave for certain medical and family reasons. It also seeks to accommodate the legitimate interests of employers and promote equal employment opportunity for men and women.

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1. Residents/fellows are eligible for FMLA leave if they have worked for Beaumont Health at least 12 months:
 - a. FMLA provides employees with up to 12 weeks of unpaid, job-protected leave per rolling calendar year. The rolling calendar period is measured backwards from the date a FMLA leave commences. This means that the 12 months prior to the beginning of the requested leave are reviewed to determine if less than 12 weeks have been used in that period. If less than 12 weeks have been used, additional leave may be granted up to the 12 weeks.
 - b. It also requires that group health benefits be maintained during the leave period.
 - c. The resident's/fellow's position is guaranteed for the total 12 weeks of a qualified FMLA leave; the resident/fellow is restored to the same position vacated when the leave commenced.

IV. TYPES OF LEAVES

- A. **Absence Due to Minor Illness.** Absences due to illness that extend beyond five scheduled work days require physician documentation. Residents/fellows have a responsibility to keep the Program Director apprised to the status of their absence.
- B. **Medical Leave.** Leave covers the resident's/fellow's *own serious medical condition* (illness, injury, impairment or physical or mental condition that requires inpatient care or a regimen of continuing treatment by a healthcare provider; pregnancy), when the individual is unable to perform the essential functions of his/her position, regardless of length of service and hours worked.
 1. Salary is continued for the duration of the physician-documented medical leave or a maximum of 26 weeks. If the medical condition persists, the house officer may be eligible for Long-Term Disability (LTD) benefits (claim must be submitted prior to end of six-month paid leave).
 2. Group health benefits continue for a maximum of six months.
- C. **Medical Leave of Absence Related to Pregnancy:**
 1. Female residents/fellows requesting a medical leave of absence related to pregnancy are provided six weeks after date of delivery for a vaginal delivery and up to eight weeks after date of cesarean delivery with full salary continuation and benefits. The resident/fellow is not required to use any vacation during this period. Female residents/fellows may use their available vacation in addition to the six or eight weeks of medical leave of absence related to pregnancy. Total time away may not exceed 12 weeks, unless there is a physician-documented medical need.

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2. Spouse or same-sex domestic partner residents/fellows shall be entitled to use vacation for three days upon notification of delivery of a newborn child.
3. Female and male residents/fellows who request additional time off related to the birth of their newborn may request a Family Leave if they qualify for FMLA or a Personal Leave if they do not qualify for FMLA.

D. **Family Leave.** Family leave is provided in accordance with the Family and Medical Leave Act of 1993 and revised Act of January 16, 2009. To qualify as family leave, the resident/fellow must be taking leave for one of the reasons listed below:

1. The birth of a child and to care for that child.
2. The placement of a child for adoption or foster care and to care for the newly placed child.
3. To care for a spouse, child, parent, same sex domestic partner, or sons/daughters of same sex domestic partner (as defined by Department of Labor regulations) with a serious health condition.
4. Residents/fellows **must** use vacation down to two weeks and **may** exhaust vacation to zero as part or all of their family leave. The remainder of the approved family leave is without pay.
5. Total time away may not exceed 12 weeks, including time used during the adoption process and intermittent time off. Group health benefits continue.

E. **Personal Leave.** The granting of a personal leave of absence is determined on a case-by-case basis by the Program Director, in consultation with the Associate Designated Institutional Official (DIO) or Director of Medical Education. Personal leaves are not covered by FMLA.

1. Residents/fellows requesting personal leave must exhaust vacation to zero. The remainder of the approved personal leave is without pay.
2. Residents/fellows granted personal leaves may not be eligible to receive benefits or reimbursement funds. Benefits continue through the end of the month in which the leave commences. Residents/fellows may be eligible for continuation of benefits coverage through Consolidated Omnibus Budget Reconciliation Act (COBRA).
3. If Beaumont requires the personal leave, pay and benefits are continued.
4. Personal leaves are limited to six months.

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- F. **Bereavement Leave.** Residents/fellows may take up to three days off with full compensation and benefits if a death occurs in the family or a close friend. If additional time is needed because of foreign travel, it is at the discretion of the Program Director. If the bereavement leave conflicts with, or is required during a previously scheduled vacation, the days absent will be counted as bereavement leave or the time away may be extended by three days to accommodate the bereavement leave.
- G. **Jury Duty.** Residents/fellows called to serve on jury duty will be scheduled off and paid by the court in addition to their regular pay. Documentation must be provided. Benefits are not affected by serving on jury duty. Vacation is not used for this purpose.
- H. **Military Leave.** A resident/fellow who is a member of the National Guard or reserves of the United States Military Service and who is ordered to active duty or an annual training period will be granted a leave of absence for the duration of the duty or training period.
1. Notification to Program Director upon receipt of order or notice to appear for duty is required.
 2. Medical procedures or activity provided while on military leave is not included in activity logs or counted towards educational objective within the GME program.
 3. Residents/fellows on military leave are not required to use vacation time.
- I. **Annual Military Training.** Residents/fellows who take a leave to fulfill annual two-week training requirements retain their salary and benefits.
- J. **Active Duty.** Residents/fellows performing military duty for more than 30 days may elect to continue group health benefits up to 18 months through COBRA.
1. A resident/fellow on military leave, whose military pay is lower than his/her civilian pay rate, may request to use vacation to compensate for the difference. The resident/fellow must first submit a leave and earnings statement to request this compensation.
 2. Upon return from a military leave of absence, the resident/fellow is restored to the same pay as if he or she had not left.

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V. EFFECT UPON THE GME PROGRAM

- A. Promotion or program completion may be affected by leaves of absence, based on the length of the leave.

- B. Program Directors must ensure that program accreditation and board eligibility requirements are met. It is necessary to review eligibility requirements for specialty board examinations which may be accessed through the American Board of Medical Specialties (www.abms.org), the American Osteopathic Association (www.osteopathic.org), the American Board of Podiatric Medicine (www.abpmed.org) or the American Board of Foot and Ankle Surgery (www.abfas.org). Some Boards clearly state the maximum time allowed for leaves; some have no specific policy; others defer to the program director. Therefore, each Board must be consulted. Each program should provide a program policy clarifying their individual specialty Board requirements and program procedures.

- C. The total of all leaves taken under this policy, when added together, shall not exceed 12 months during the training program. Residents/fellows who exceed the 12-month leave limitation (excluding military active duty) during the training program may be terminated. A terminated resident/fellow may petition the Program Director to return to the program. The Program Director may reinstate the former resident/fellow at his/her sole discretion, and will determine the amount of time that the individual must make up to complete the requirements of the program. A terminated resident/fellow may appeal the decision in accordance with [GME Grievance & Due Process](#) Policy.

VI. EFFECT UPON EMPLOYMENT

- A. Upon return from a leave, the resident/fellow will be restored to the same position and salary when the leave commenced.
 1. If a Resident/fellow becomes eligible for a pay increase while on leave, the increase will become effective at the beginning of the first full pay period upon the house officer's return to work.
 2. Promotion may be affected by a leave if all educational and time requirements have not been met.
 3. The Program Director will evaluate each resident's/fellow's training status upon return from a leave.

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VII. REFERENCES

Accreditation Council for Graduate Medical Education (ACGME) Institutional Requirements, Section IV.G

Approved by the Beaumont Health Graduate Medical Education Committee (GMEC), June 20, 2017

CORPORATE AUTHORITY:

Beaumont Health (“BH”) as the corporate parent to William Beaumont Hospital, Botsford General Hospital, and Oakwood Healthcare Inc., (“Subsidiary Hospitals”) establishes the standards for all policies related to the clinical, administrative and financial operations of the Subsidiary Hospitals. The Subsidiary Hospitals, which hold all health facility and agency licenses according to Michigan law, are the covered entities and the providers of health care services under the corporate direction of BH. The Subsidiary Hospitals’ workforces are collectively designated as BH workforce throughout BH policies.