



<b>Policy: GME Leave Policy</b>			
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In this document, “Resident” refers to Interns, Residents, and subspecialty Fellows. This policy applies to trainees who have signed GME Training Agreements which include compensation and benefits.

**Please Note: No other University Leave Policies are applicable to GME Residents unless referenced in this Policy.** This includes, but is not limited to, University Holidays or CU Paid Parental Leave for Faculty and Staff.

### Policy Purpose

Describes various types of leaves of absence for (GME) including,

- University of Colorado Family and Medical Leave Insurance Program (CU FAML I)
- Family Medical Leave (FMLA)
- Vacation
- Sick, Wellbeing and Bereavement
- Jury Duty
- Military

Pay Options and Leave Processing Instructions can be found at the end of this policy.

Program Directors exercise their discretion when approving requests for leaves other than CU FAML I or FMLA.

Program Director considerations when approving leaves must include:

- Effects of the leave on other residents and the training program
- Impact of the leave as it applies to the Resident’s satisfactory completion of the program and eligibility to participate in certifying board examinations; and
- Compliance with applicable laws, regulations, and requirements

All leave requests are to be managed in a manner that is mutually supportive to the Resident and the patient care obligations of the program.



Each program must have a policy or procedures in place to ensure coverage of patient care when a Resident is unable to accomplish patient care responsibilities due to fatigue, illness, healthcare appointment, or any other approved leave.

- **The amount of time away from training may require an extension of time in the training program for the Resident to satisfy program requirements.** Per ACGME Institutional Requirement 4.8.g., Program Directors must provide the Resident with accurate information regarding the impact of leaves upon the criteria for satisfactory completion of the program and/or their eligibility to participate in examinations by the relevant certifying board.
- If make-up time is required, the Resident may be on an off-cycle schedule for the remainder of their training, per Board and/or program graduation requirements.

<b>Paid Leave Time Options</b>	<p><b>Available Leave per Post Graduate Year (PGY)</b>  <i>Vacation and Sick/Wellbeing/Bereavement Leave does not carry over from year to year.</i>  <b>Residents must follow their specific program procedures for Program Director notification, scheduling, and approval for applicable leaves.</b></p> <p><b>*Week – One week consists of 5 business days and 2 weekend days.</b></p>
<b>Vacation</b>	<p><b>4 weeks per PGY</b></p> <p>Vacation leave may include up to 1 week for education purposes used primarily to attend major educational conferences, meetings, etc.</p> <ul style="list-style-type: none"> <li>• Refer to program-specific policies for any limitations, if applicable.</li> </ul>
<b>Sick/Wellbeing/ Bereavement</b>	<p><b>Up to 2 weeks per PGY</b></p> <p>Sick leave is earned when the resident begins working. If the resident has sick leave available, it may be used in the following circumstances:</p> <p>Resident or their family member<sup>1</sup> needs to seek diagnosis, care, or treatment for a mental/physical illness, injury, or health condition or to obtain preventive medical care.</p>

<sup>1</sup> For purposes of this policy, “family member” means a person who is related by blood, marriage, civil union, or adoption to the employee; a child to whom the employee stands or stood in loco parentis; and a person for whom the employee is responsible for providing or arranging health or safety-related care.



<b>Paid Leave Time Options</b>	<b>Available Leave per Post Graduate Year (PGY)</b> <i>Vacation and Sick/Wellbeing/Bereavement Leave does not carry over from year to year.</i> <b>Residents must follow their specific program procedures for Program Director notification, scheduling, and approval for applicable leaves.</b>  <b>*Week – One week consists of 5 business days and 2 weekend days.</b>
	<p>Resident needs to grieve, attend funeral services or a memorial, or deal with financial and legal matters that arise after the death of a family member.</p> <p>Resident or a resident’s family member has been the victim of domestic abuse, sexual assault or harassment and needs to be absent from work for purposes related to such crime.</p> <p>Resident needs to care for a family member whose school or place of care has been closed due inclement weather, loss of power, loss of heating, loss of water, or other unexpected occurrence or event that results in the closure of the family member’s school or place of care.</p> <p>Resident needs to evacuate the resident’s place or residence due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected occurrence or event that results in the need to evacuate the employee’s residence.</p> <p>When the resident needs to be absent from work due to a public official closing the employee’s place of business or the school or place of care of the employee’s child during a public health emergency.</p> <ul style="list-style-type: none"><li>• Preventive and non-urgent medical care should be scheduled in a manner that is mutually supportive to the Resident and the patient care obligations of the program.</li><li>• Program must provide Residents with the opportunity to attend medical, mental health and dental care appointments, including those scheduled during their working hours.<sup>2</sup></li></ul>

<sup>2</sup> ACGME Common Program Requirement 6.13.c.1.



<p><b>Paid Leave Time Options</b></p>	<p><b>Available Leave per Post Graduate Year (PGY)</b>  <i>Vacation and Sick/Wellbeing/Bereavement Leave does not carry over from year to year.</i>  <b>Residents must follow their specific program procedures for Program Director notification, scheduling, and approval for applicable leaves.</b></p> <p><b>*Week – One week consists of 5 business days and 2 weekend days.</b></p>
	<p>A. This includes time for lactation which does not have an annual maximum leave or count against a sick leave allotment.</p>
<p><b>Jury Duty</b></p>	<ul style="list-style-type: none"> <li>• Residents are granted jury leave with full pay for the period of jury duty.</li> <li>• Program Director to be notified immediately upon Resident’s receipt of jury summons.</li> <li>• Only the court can grant deferment or excuse absence from jury service.</li> </ul>
<p><b>University of Colorado Family and Medical Leave Insurance Program (CU FMLI) (Also referred to as medical, parental and caregiver leaves)</b></p> <p>The cost for this legally required insurance will be shared equally by GME and the Resident.</p> <p><i>Current Resident monthly premium is .25% of base pay and will be withheld from your paycheck on an after-tax basis.</i></p>	<p><b>Up to 12 weeks of leave with partial wage replacement during a 12-month period, with an additional 4 weeks for complications during pregnancy or childbirth.</b></p> <p>Designations for FMLI will be determined by the University Leave Team in collaboration with the GME Benefit Program Manager for reasons including,</p> <ul style="list-style-type: none"> <li>• Maternity, paternity</li> <li>• Placement for adoption/foster care,</li> <li>• Your serious health conditions</li> <li>• Caring for a family member with a serious health condition</li> <li>• Planning for and/or supporting a family member’s military deployment</li> <li>• Attend to the needs of yourself or family member having experienced domestic violence, stalking, sexual assault, or abuse.</li> </ul> <p><b>Full details regarding CU FMLI may be found at the following link:</b>  <a href="https://www.cu.edu/docs/cu-leave-benefits-guides">https://www.cu.edu/docs/cu-leave-benefits-guides</a></p>



<p><b>Paid Leave Time Options</b></p>	<p><b>Available Leave per Post Graduate Year (PGY)</b>  <i>Vacation and Sick/Wellbeing/Bereavement Leave does not carry over from year to year.</i>  <b>Residents must follow their specific program procedures for Program Director notification, scheduling, and approval for applicable leaves.</b></p> <p><b>*Week – One week consists of 5 business days and 2 weekend days.</b></p>
	<p><b>IMPORTANT: Only information regarding CU FAMILI and FML is applicable to GME Residents in the link above – refer to this Policy for all other types of leave available to GME Residents.</b></p> <p>Resident’s funding source continues to pay its’ portion of the CU GME benefit premiums during an approved leave.</p> <p>Refer to <b>Pay Options and Leave Processing</b> at the end of this policy for additional information.</p>
<p><b>Family Medical Leave (FML)</b>  <b>(Also referred to as medical, parental and caregiver leaves)</b></p>	<p><b>Up to 12 weeks during a 12-month period of job and benefit protection.</b></p> <p>Residents need to have been employed for a least 12 months and worked at least 1,250 hours to be eligible for FML.</p> <p>Designations for FML will be determined by the University Leave Team in collaboration with the GME Benefit Program Manager for reasons including the following:</p> <ul style="list-style-type: none"> <li>• Maternity, paternity</li> <li>• Placement for adoption/foster care</li> <li>• Your serious health conditions</li> <li>• Caring for family member with a serious health condition</li> </ul> <p>Resident’s position is protected, and funding source continues paying its portion of CU GME benefit premiums during an approved leave.</p>



<p><b>Paid Leave Time Options</b></p>	<p><b>Available Leave per Post Graduate Year (PGY)</b>  <i>Vacation and Sick/Wellbeing/Bereavement Leave does not carry over from year to year.</i>  <b>Residents must follow their specific program procedures for Program Director notification, scheduling, and approval for applicable leaves.</b></p> <p><b>*Week – One week consists of 5 business days and 2 weekend days.</b></p>
	<p>Refer to <b>Pay Options and Leave Processing</b> at the end of this policy for additional information.</p> <p>Resident’s funding source continues to pay its’ portion of the CU GME benefit premiums during an approved leave.</p>
<p><b>Non-FAMLI or FML Leaves;  or FAMLI and FML leave that exceed the 12-week or approved period.</b></p>	<p>Varies</p> <ul style="list-style-type: none"> <li>• Requests managed on a case-by-case basis.</li> <li>• <b>Military Leaves</b> will comply with The Uniformed Services Employment and Reemployment Rights Act (USERRA)</li> </ul> <p>Residents must self-pay entire premium for applicable Medical, Dental and Vision coverage(s) during this type of leave. <i>Maintaining medical coverage is a requirement during CU GME training.</i></p> <p>LTD benefits will be subject to the provisions of the disability insurance policy. Life insurance will remain in place during approved leave.</p> <p>Refer to <b>Pay Options and Leave Processing</b> at the end of this policy for additional information.</p>

**Leave Processing Requests** should be made as follows:

- If leave is foreseeable – notice of **no less than 30 days** is required
- As soon as possible, if leave is an emergency

Refer to Pay Options and Leave Processing at the end of this policy for additional information.



## Important Information

- Moonlighting during any approved Leave is prohibited.
- Program progression such as program completion or promotion may be delayed until Resident returns to active employment status from an approved leave.

## Pay Options for Approved Leaves

Per ACGME Institutional requirement 4.8 Residents must be provided with a minimum of 6 weeks of approved medical, parental, or caregiver leave(s) **consistent with applicable laws** once and at any time during a training program with 100% of their base pay starting the day required to report.<sup>3</sup>

The following are the options for pay during an approved leave:

Leave Type(s)	Pay Options
CU FAML I (partial wage replacement)	<p><b>CU FAML I <u>WITH supplement</u> of available Sick and Vacation Leave to bring to 100% pay.</b></p> <ul style="list-style-type: none"> <li>• If Resident does not have enough available Sick and Vacation leave to supplement FAML I benefits and achieve 6 weeks of 100% pay, the University will supplement the leave balance as necessary to allow up to 6 weeks of 100% pay <b>one-time</b> during their training program.</li> <li>• Residents who exhaust all available Sick and Vacation leave to supplement FAML I benefits to achieve up to 6 weeks of 100% pay, qualify for an additional 1-week of paid leave, <b>one-time</b> during their training program.             <ul style="list-style-type: none"> <li>○ The additional week is intended to be used during the post graduate year (PGY) of the leave, however, if approved leave was close to the end of the PGY, Program Director may approve the additional week to be used the following PGY.</li> </ul> </li> </ul>
CU FAML I (partial wage replacement)	<p><b>CU FAML I with <u>NO supplement</u> of available Sick and Vacation Leave</b></p> <ul style="list-style-type: none"> <li>• Resident will receive only the <b>portion of the pay</b> that is equivalent to the FAML I benefit amount.</li> </ul>

<sup>33</sup> ACGME Institutional Requirement 4.8.a.



Leave Type(s)	Pay Options
<b>Non-CU FAMILI - Medical, Parental or Caregiver Leaves</b>	<b>Available Sick and Vacation Leave</b> <ul style="list-style-type: none"> <li>• If Resident does not have 6 weeks of leave available, the University will supplement the leave balance as necessary to allow Resident to be paid up to 6 weeks for applicable leave <b>one-time</b> during their training program.</li> <li>• Residents who exhaust all available Sick and Vacation leave during an approved leave qualify for an additional 1-week of paid leave, <b>one-time</b> during their training program.</li> <li>•             <ul style="list-style-type: none"> <li>○ The additional week is intended to be used during the post graduate year (PGY) of the leave, however, if approved leave was close to the end of the PGY, Program Director may approve the additional week to be used the following PGY.</li> </ul> </li> </ul>
<b>Non-CU FAMILI or FML Leaves-</b> Includes Military Leaves or FML and CU FAMILI leaves exceeding 12-weeks or approved period	<b>Unpaid</b>  <i>If leave is due to a personal serious health condition and will exceed 90 days, Resident should contact GME Benefits Program Manager for information to file a claim for Long Term Disability (LTD).</i>

## Leave Processing

Leave Type(s)	Processing Instructions
<b>CU FAMILI (partial wage replacement)</b>  Family Medical Leave (FML) will run concurrently with CU FAMILI, if eligible.	<p><b>You will apply for CU FAMILI through your CU Portal.</b></p> <p>Notify your Program Director, Coordinator and GME Benefits Manager when you file your claim.</p> <p><i>Details and instructions can be found in the Application Process section of the CU FAMILI Employee Guide, this guide can be found on the following link:</i>  <a href="https://www.cu.edu/docs/cu-leave-benefits-guides">https://www.cu.edu/docs/cu-leave-benefits-guides</a></p> <p><b>Work with the Benefits Program Manager</b> for assistance with form completion and time entry process.</p> <p><b>Work with your Program Director or Coordinator</b> to understand impact, if any, to your training program.</p>





Leave Type(s)	Processing Instructions
	<p><b>After CU FAML I claim is processed</b>, supplemental communications including program specific information, i.e. extension in training, etc. will be provided.</p>
<p><b>Non-CU FAML I or FML Leaves -</b> Includes Military Leaves or FML and CU FAML I leaves <b>exceeding</b> 12-weeks or approved period</p>	<p><b>Requests must be made to Program Director</b> with prompt notification to GME Benefits Program Manager.</p> <p><b>Requests will be managed on a case-by-case basis</b>, with Program Director working in collaboration with GME Benefits Program Manager.</p> <p>Determination will include the following.</p> <ul style="list-style-type: none"><li>• Whether unpaid leave will be granted with program holding Resident’s position, or</li><li>• Resident would be required to resign to take such leave.</li></ul> <p><b>When leave is processed</b>, communication includes program specific information, i.e. extension in training, etc. will be provided to you.</p>