

# University of Colorado School of Medicine

## Graduate Medical Education

Policy: GME <b>Leave Policy</b>		
Original Approval: February 1, 2005	Effective date: February 1, 2005	Revision Date: June 8, 2005 June 1, 2006 January 28, 2010 July 7, 2017 September 26, 2017 June 17, 2020 June 23, 2020 Editorial December 16, 2020 April 20, 2022 May 19, 2022 Editorial June 6, 2022 Editorial January, 1, 2024

*In this document, "Resident" refers to Interns Residents, and subspecialty Fellows.*

**No other University Leave Policies are applicable to GME Residents unless referenced in this Policy**, including but 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 FMLI).
- 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 FMLI 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.

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- **The amount of time away from training may require an extension of time in the training program for the Resident to satisfy program requirements.**  
 Program Directors must provide the Resident with information as to how time away will impact their program completion date 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.

<b>Paid Leave Time Options-</b>	<b>Available Leave per Post Graduate Year (PGY)</b> <i>Vacation and Sick/Wellbeing Leave does not carry over from year to year</i>  <b><i>Residents must follow their specific program procedures for Program Director notification, scheduling, and approval for applicable leaves</i></b>
<b>Vacation</b>	<b>4 weeks per PGY*</b> Vacation leave includes leaves for education purposes used primarily to attend major educational conferences and meetings, exams, and interviews. <ul style="list-style-type: none"> <li>• Refer to program-specific policies for any limitations, if applicable.</li> </ul>
<b>Sick/Wellbeing</b>	<b>Sick/Wellbeing Leave - Up to 2 weeks per PGY*</b>  Sick leave is earned when the resident begins working. If the resident has sick leave available, it may be used in the following circumstances:  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.  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.  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.  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.

<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.

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	<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.<ul style="list-style-type: none"><li>A. This includes time for lactation <sup>2</sup> which does not have an annual leave maximum or count against a sick leave allotment.</li></ul></li></ul>
<b>Jury Duty</b>	<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>

<sup>2</sup> ACGME Common Program Requirements I.D.2.c.

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<p><b>University of Colorado Family and Medical Leave Insurance Program (CU FAMILI)</b>  <i>(Also referred to as medical, parental and caregiver leaves)</i></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 .45% 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 of for complications during pregnancy or childbirth.</b></p> <p>Designations for FAMILI 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 FAMILI may be found at the following link:</b></p> <p><a href="https://www.cu.edu/docs/cu-leave-benefits-guides">https://www.cu.edu/docs/cu-leave-benefits-guides</a></p> <p><b><i>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.</i></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>  <i>(Also referred to as medical, parental and caregiver leaves)</i></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>

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	<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>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;</b> or FAMLI and FML leave that exceed the 12-week or approved period.</p>	<p><b>Varies</b></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><i>LTD benefits will be subject to the provisions of the disability insurance policy. Life insurance will remain in place during approved leave.</i></p> <p>Refer to <b>Pay Options and Leave Processing</b> at the end of this policy for additional information.</p>

**\*Week** – One week consists of 7 calendar days

**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

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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.
- No program progression such as program completion or promotion can take place during an approved leave until Resident returns to active employment status.

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### Pay Options for Approved Leaves

ACGME requires Residents are 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.

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 of available Sick and Vacation Leave to bring to 100% pay.</u></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>

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<p><b>CU FAML I (partial wage replacement)</b></p>	<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>
<p><b>Non-CU FAML I - Medical, Parental or Caregiver Leaves</b></p>	<p><b>Available Sick and Vacation Leave</b></p> <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.             <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>
<p><b>Non-CU FAML I or FML Leaves- Includes Military Leaves or FML and CU FAML I leaves <b>exceeding</b> 12-weeks or approved period</b></p>	<p><b>Unpaid</b></p> <p><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></p>

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### Leave Processing

Leave Type(s)	Processing Instructions
<p><b>CU FAML I (partial wage replacement)</b></p> <p>Family Medical Leave (FML) will run concurrently with CU FAML I, if eligible.</p>	<p><b>You will apply for CU FAML I 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 FAML I 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> <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 an unpaid leave will be granted with program holding Resident's position, or</li> </ul>

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	<ul style="list-style-type: none"><li>• Resident would be required to resign to take such leave.</li></ul> <p><b>When leave is processed, a communication including program specific information, i.e. extension in training, etc. will be provided to you.</b></p>
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