### Policy: Leave Policy

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<th>Original Approval:</th>
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In this document, “Resident” refers to both specialty Residents and subspecialty Fellows.

The purpose of this policy is to describe various types of leaves of absence and the documentation related to leaves, including Family and Medical Leave of Absence, military leave, sick leave, vacation and other leaves of absence.

Program Directors may exercise their discretion when approving requests for leaves, which includes, but is not limited to considerations of the circumstances of the specific leave, effects of the leave on other residents and on the training program, and the impact of the leave of absence as it applies to the Resident’s satisfactory completion of the program and eligibility to participate in certifying board examinations.

All leaves must be tracked and monitored within the program, with prompt notification to the GME Benefits Program Manager when indicated. Leaves may require an extension of time in the training program in order for the Resident to satisfy program requirements. The Program Director must provide the Resident with accurate information as to how total leaves will impact their program completion date, and upon a Resident’s eligibility to participate in examinations by the relevant certifying board (s). 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.

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

Before starting leave, Residents must have completed all patient medical records in the hospitals.

**Family and Medical Leave of Absence (FML)**

**Requires Leave Documentation**

Family and Medical Leave (FML) is granted at the discretion of the Program Director and with prompt notification to the GME Benefits Program Manager, provided that the time away does not cause any undue hardship for the program as defined by the Program Director. Residents may be granted FML for up to 12 weeks during a 12-month period for maternity, paternity, adoption, illness/injury of a close relative that requires the Resident’s care, or illness/injury of the Resident. During the 12 week period of

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1 ACGME Institutional Requirements IV.G.2
FML, the Resident’s position in the program is protected and their funding source will continue to pay it’s portion of their CU GME benefit premiums. The 12-month period is measured from the first date FML is taken.

The only paid leave available to Residents is 3-weeks vacation and/or 1-week educational leave per post graduate year of training. Once this time is exhausted, the Resident must go on unpaid leave. If leave is granted, the Resident must first use any time remaining from the current year’s vacation and/or educational leave as part of the leave in order to continue to receive their stipend. If the Resident is allowed to reserve a portion of paid leave to use at a later date in the post graduate year of training, the Program Director must state in the Leave Documentation (see below) that this exception has been made. Vacation and/or educational leave cannot be used to extend the length of the leave beyond the 12 weeks per 12-month period. Moonlighting during FML is prohibited.

Benefits during FML:
During the up to 12-week period of FML, the funding source will continue to pay its’ portion of the cost of the Resident’s current benefit coverages through GME. Residents will be responsible for their monthly premium contribution.

Leaves that exceed, or are not eligible for, the 12-week period of FML
Requires Leave Documentation
Requests to take a leave of absence other than FML or to extend FML beyond the 12-week period must be made to the Program Director and with prompt notification to the GME Benefits Program Manager. Such requests will be handled on a case-by-case basis, with the Program Director determining whether an unpaid leave will be granted (with the program holding the Resident’s position) or if the Resident would be required to resign in order to take such leave.

Benefits during leaves that exceed, or are not eligible for, the 12-week period of FML:
Residents must be informed that it is their responsibility to arrange for insurance coverage during this time and be provided contact information for the GME Benefits Program Manager for information.

Health and Dental: During this leave, the Resident must self-pay entire premium(s) to maintain coverage. If the Resident is eligible and decides to continue benefits through the COBRA continuation of the CU GME Health Benefits Plan, the Resident must adhere to the information in the Exit Process on the GME website to obtain coverage. Residents are required to maintain health insurance coverage while in a CU GME training program.

Long-Term Disability: Premiums for long-term disability coverage are paid by the funding source during the first 90 days of an approved Family and Medical Leave. Self-payment of the premium is not allowed. A Resident on FML that involves a personal disability should contact the GME Benefits Program Manager as soon as it is realized that the leave may exceed 90 days for information on how to file a long-term disability claim. Disability benefits may be available beginning the 91st day of a disability. When the resident returns from leave, the decision of whether or not long-term disability coverage can be reinstated and the terms of reinstatement will be subject to the provisions of the disability insurance policy.

Life Insurance: During an approved leave period when the funding source is not required to pay the life insurance premium, the Resident may elect to continue life insurance coverage through GME by self-payment of the monthly premium. If the Resident does not pay the life insurance premium, coverage will be canceled until the Resident’s return.

Leave Documentation
When one of the above leaves of absence is granted, the Resident must receive a signed letter from the Program Director documenting the terms of the leave (see required inclusions below). The Resident will co-sign the letter in acknowledgment, and return the letter to the Program Director who will promptly forward a copy to the GME Benefits Program Manager.

Program Directors should begin preparation of draft leave documentation as soon as a potential leave is made known. Contact the GME Benefits Program Manager for sample language. Email the draft to the GME Benefits Program Manager for review and confirmation that it accurately adheres to the terms of the GME Leave Policy and contains all of the required information. The reviewed draft will be promptly returned to the Program Director with any necessary clarifications or corrections.

As soon as the letter is finalized and signed by the Program Director and Resident, the Program Director will email a copy of the final letter to the GME Benefits Program Manager. Should the terms or conditions of the actual leave change, GME will work with the Program Director for adjustment of the leave documentation. To assist with timely and accurate tracking of the leave GME will verify leave status with the Program Director when the leave is scheduled to begin.

In the event of an unforeseeable situation where leave documentation could not be prepared in advance, the Program Director must notify the GME Benefits Program Manager as soon as possible but no later than the start date of the leave.

Leave documentation must include the following:

1) Reason(s) for the leave.
2) (Anticipated) start and end dates of the leave and date of expected return to training.
3) Dates of paid leave and dates of unpaid leave.
4) Plan for any time and/or rotations that the Resident will be required to make up in order to satisfactorily complete the program (consistent with the rules of the RRC) and/or to be eligible to participate in examinations by certifying board(s).
5) A statement notifying the Resident that:
   a) The funding source’s portion of premiums for current GME insurance coverage(s) will be paid for up to 12 weeks of FML;
   b) The Resident must maintain health insurance coverage while in a CU GME training program; and
   c) The Resident is responsible for contacting the GME Benefits Program Director prior to the expiration of the 12-week FML period to obtain information regarding eligibility and self-payment for coverages for time away from training that exceeds the 12 weeks of FML.

Definitions

Educational Leave - Residents may receive up to one week of paid educational leave per post graduate year of training at the discretion of the Program Director. One week consists of 5 business days and 1 attached weekend. This leave should be primarily to attend major conferences and meetings. Educational leave cannot be accumulated from year to year.

Jury Duty – Residents must notify the Program Director upon receipt of jury summons. Only the court, as outlined in the jury summons, can grant deferment or excused absence from jury service.

Military Leave - Military leave will require documentation as stated in the above Leave Documentation section, adapted to the situation. In the case of a Military leave, the Resident must promptly notify their Program Director and contact the GME Benefits Program Manager for information regarding benefits while on Military Leave. The Military Leave portion of this policy will adapt to comply with USERRA
regulations.

**Sick Leave** – Residents are encouraged to seek medical attention as necessary so that they may best serve their patients and attend to assigned duties. Residents do not accrue an annual sick leave allotment. Sick leave may not be used in lieu of vacation and such substitution is strictly prohibited.

**Vacation** - Residents are granted a total of 3 weeks of paid vacation per post graduate year. One week consists of 5 business days and 1 attached weekend. Vacation leave cannot be accumulated from year to year. Residents are expected to use vacation leave for interviews. Many programs require that all leaves be scheduled at the beginning of the academic year or far enough in advance to maintain compliance with duty hours.

**Well-Being** – Programs must provide the Resident with the opportunity to attend medical, mental health and dental care appointments, including those scheduled during their working hours. Time required for lactation must also be provided as it is critical for the well-being of the resident and the resident’s family.²

*Note: The paid leaves described in this plan are not applicable to the School of Pharmacy*

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² ACGME Common Program Requirements I.D.2.c.