

<b>Departmental Policy Title</b>	<b>Time Away from Training Policy - GME</b>	<b>Policy ID</b>	<b>27501</b>
<b>Keywords</b>	<b>Vacation, Flex, Leave, FMLA, Parental, Military, Personal, GME, Time, Off</b>		
<b>Department</b>	<b>Graduate Medical Education – Dartmouth Hitchcock</b>		

### **I. Purpose of Policy**

Defines the types of time away for a Resident from their training program, the process for requesting each, and the effect on their Graduate Medical Education (GME) training.

Dartmouth Hitchcock (DH) recognizes the need for, and importance of, providing a Resident with time away from their training program for vacation, sickness, or other personal reasons. A Resident is allowed time away defined by this policy, applicable federal and state leave laws, DH policy, and requirements of the training program. A leave of absence may not be credited as training time and may result in program extension as described herein, and/or as required by the training program, Accreditation Council for Graduate Medical Education (ACGME) Review Committee (RC), and/or specialty/subspecialty Board.

### **II. Policy Scope**

This policy applies to a Resident participating in ACGME-accredited GME programs at Dartmouth Hitchcock.

### **III. Definitions**

**Caregiver Leave:** Leave to care for a spouse, child, or parent with serious health condition.

**Flex Days:** Time off for a Resident to deal with brief, unexpected life and/or personal issues such as health or family emergencies.

**Medical Leave:** Leave for a Resident’s own serious health condition that makes the Resident unable to perform the functions of their job.

**Parental Leave:** Leave due to the birth of a child or placement of an adopted/fostered child including to bond with their newborn or placed child within one year of birth/placement.

**Resident:** Any physician in an ACGME-accredited GME program, including residents and fellows.

**Training Program:** An ACGME-accredited residency or fellowship program at DH.

## IV. Policy Statement

### A. Leave Types Specific to a Resident

#### 1. Vacation Time

- Each full-time Resident receives 20 paid vacation days per academic year (July 1 to June 30).
  - Vacation days for an off-cycle Resident during their first year of training are prorated for the amount of time between their start date and June 30 of the same academic year. After this, their vacation day allotment is for the GME academic year (July 1 to June 30).
- A certifying specialty/subspecialty Board may have requirements for the allowed number of vacation days during training that is less than the 20 days provided by DH. A Resident in one of these specialties/subspecialties receives 15 days of paid vacation per academic year and 5 days of additional compensation in lieu of vacation days, paid at the end of each academic year.
  - Each program is responsible for knowing the Board requirements and ensuring Residents understand their vacation day allocation.
  - Only the vacation days that exceed a Board's total allowable days are compensated at the end of an academic year.
- Unused vacation or flex days do not carry over to the following academic year nor are they reimbursed if not used.
- A Resident who resigns or is dismissed from DH employment is not reimbursed for unused vacation days.
- Vacation in the final two weeks of training is strongly discouraged, yet left to the discretion of the Program Director.
- Requests for vacation must be submitted in advance to the Program Director or designee, and scheduled by mutual agreement. Each program must outline the process for vacation requests in their program-specific Time Away Policy, and should include any limitations on when vacation can be taken.

#### 2. Flex Time

A Resident receives 5 paid Flex Days per academic year (July 1 to June 30). Unused Flex Days do not carry over to the following year. Flex Days cannot be used in increments of less than one full day, nor can they be carried over to the next academic year.

- Flex Days for an off-cycle Resident during their first year of training are prorated for the amount of time between their start date and June 30 of the same academic year. After this, their Flex Day allotment is for the GME academic year (July 1 to June 30).

Flex Days are intended to assist a Resident in dealing with brief and unexpected life and personal issues (such as health or family emergencies). Flex Days are not intended to extend approved vacation time or holidays, to substitute for unapproved vacation time or holiday requests, to avoid work assignments (such as night or weekend shifts), or to replace the use

of any other leave covered in this policy for which the Resident is eligible.

Each program must outline the process for Flex Day requests in their program-specific Time Away Policy. Flex Days may be scheduled in advance via written request to the Program Director or designee. If the Flex Day cannot be planned in advance, a Resident must follow the program's process for notification as listed in the program-specific Time Away Policy. A written request to designate the time missed as a Flex Day must be submitted as soon after the absence as possible.

A Resident is not required to reveal why they wish to use a Flex Day; however, a Resident may voluntarily choose to share this information, and the Program Director or their designee can factor this voluntarily self-disclosed information into the decision whether to approve the use of a Flex Day. A Program Director or their designee should approve in writing a request for the use of a Flex Day unless a request is not consistent with the intended purposes of Flex Days or the program cannot accommodate the time away due to patient care needs. If a Program Director or designee denies a Resident's request to use a Flex Day, the Program Director or designee notifies the Resident in writing of the reason for the denial and copies the GME office on the communication.

### **3. Family and Medical Leaves of Absence**

#### **a. Paid Medical, Parental and Caregiver Leave**

A Resident is entitled to a total of 6 weeks of Paid Medical, Parental, and Caregiver Leave once during their training program. This paid leave is in addition to the annual vacation and flex time and is paid at 100%.

Paid Medical, Parental, and Caregiver Leave is available beginning the first day of the Resident's DH employment and can be taken intermittently or consecutively, in consultation with their Program Director.

Leave can be taken for the following reasons:

- The birth of a child and to bond with the newborn child within one year of birth.
- The placement with the Resident of a child for adoption or foster care and to bond with the newly placed child within one year of placement.
- A serious health condition that makes the Resident unable to perform the functions of their job.
- To care for the Resident's spouse, child, or parent who has a serious health condition.

Paid Medical, Parental, and Caregiver Leave runs concurrently with leave provided under the Family and Medical Leave Act (FMLA), New Hampshire (NH) Pregnancy and/or Maternity Leave, to the extent the Resident is entitled to such leave(s).

A Resident requesting Paid Medical, Parental, and Caregiver Leave must follow the Leave of Absence Application Process outlined below.

## **b. Family and Medical Leave Act (FMLA) Leave**

A Resident who has been employed with DH for at least twelve months and has worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave are eligible for qualified family and medical leave under provisions of the federal Family and Medical Leave Act (FMLA).

FMLA provides an eligible Resident up to 12 weeks of unpaid, job-protected leave per rolling 12-month period for the following reasons:

- The birth of a child and to bond with the newborn child within one year of birth.
- The placement with the Resident of a child for adoption or foster care and to bond with the newly placed child within one year of placement.
- A serious health condition that makes the Resident unable to perform the functions of their job.
- To care for the Resident's spouse, child, or parent who has a serious health condition.
- For any "qualifying exigency" arising from the foreign deployment of the Resident's spouse, son, daughter, or parent with the Armed Forces.

Although leave under the FMLA is unpaid, a Resident may be entitled to concurrent paid leave (such as vacation, Flex, Paid Medical, Parental, and Caregiver Leave; Paid Parental Leave) or other wage replacement benefits (such as Short-Term Disability).

For more information, refer to DH's Family and Medical Leave Act (FMLA) and Service-member Leave Policy, which are accessed via PolicyTech, link provided below.

A Resident requesting FMLA Leave must follow the Leave of Absence Application Process outlined below.

## **4. Personal Leave**

Residents who have completed at least twelve (12) consecutive months of employment and who have exhausted all other available time off and leave under applicable DH and GME policies (including, but not limited to, vacation, sick/flex time, Family and Medical Leave Act leave, and any applicable paid or unpaid leave programs) may request a Personal Leave of Absence ("Personal Leave").

A Personal Leave is discretionary and is not guaranteed. Requests for such leave may be approved, denied, or approved with conditions at the sole discretion of the Program Director after consulting with GME leadership. Personal Leave may be denied based on, without limitation, program operational needs, staffing

requirements, patient care responsibilities, training/accreditation requirements, or performance concerns.

A resident seeking Personal Leave must submit a written request to the Program Director, stating:

- The reason for the request,
- The anticipated start and end date, and
- Any relevant supporting documentation (if requested by the Program Director).

Additional information may be required to evaluate the request.

Personal Leave may be approved for a limited period only and will not be granted on an indefinite or open-ended basis.

Residents must satisfy ACGME and specialty board training requirements. Any Personal Leave may result in an extension of the training program or delay in graduation or advancement, depending on applicable training requirements. Decisions regarding advancement to the next training year or reappointment to the program will be made separately from the leave determination.

Personal Leave is unpaid. Benefit continuation, if applicable, will be handled in accordance with Dartmouth-Hitchcock benefit policies and may require the resident to pay some or all benefit premiums during the leave.

Residents on approved Personal Leave are expected to return to duty on the approved return date. A resident may be required to provide documentation of readiness to return to duty (e.g. fitness for duty). Failure to return from leave on the designated date may be treated as a voluntary resignation from the program.

If the Program Director approves the requested leave, a Resident must then contact the Employee Resource Center at 603-653-1400 (M–F, 8:00 a.m. to 5:00 p.m. ET) or [askHR - Employee Center](#) to confirm leave status and benefits eligibility during the leave period and complete any required paperwork or documentation.

## **B. Additional Types of Leave**

**a. Parental Leave:** A Resident may be eligible for additional parental leave benefits as follows:

- **NH Pregnancy and Maternity Leave**

A pregnant Resident working in NH is entitled to leave under NH law for a period of incapacitation due to pregnancy or childbirth. NH Pregnancy and Maternity Leave can be taken pre-partum with supporting medical documentation of disability based upon the pregnancy. It can also be taken post-delivery for typically six weeks, unless supporting medical documentation

is submitted demonstrating continuing disability, such as complications of childbirth.

- **Paid Parental Leave**

DH provides two consecutive weeks of Paid Parental Leave to an eligible Resident following the birth or adoption of a child.

For more information, refer to Dartmouth Hitchcock's Paid Parental Leave Policy, which is accessed via PolicyTech, link provided below.

If a Resident is eligible for FMLA, Parental Leave runs concurrently.

A Resident requesting Parental Leave must follow the Leave of Absence Application Process outlined below.

**b. Military Leave**

Military Leave is governed by DH policy and subject to USERRA, a federal law protecting the rights of employees, including a Resident with military duty responsibilities. Refer to DH's Military Leave Policy.

A Resident requesting Military Leave must first discuss the leave of absence with their Program Director, and then call the Employee Resource Center at 603-653-1400 or submit a benefits inquiry or leave request via [askHR - Employee Center](#).

**c. Other Leave Types**

In addition to the leave types outlined above, the additional leave types listed below may also apply to a Resident:

- a. Bereavement
- b. Blood Donation
- c. Court Service
- d. Crime Victim
- e. Educational Leave
- f. Jury Duty
- g. Pregnancy Disability Leave
- h. Vermont Parental and Family Leave

Details of each leave type can be found within the applicable policy in PolicyTech.

**C. Benefits While on Leave**

**1. Short-Term Disability**

A Resident may qualify for DH Short-Term Disability (STD). STD is a wage replacement benefit available when a physical or mental condition causes sufficient incapacitation requiring the Resident to temporarily suspend participation in their training program. A

Resident is eligible for STD benefits equivalent to 100% of their pay for up to 90 days upon certification of the disabling condition by their health care provider. Pay is processed through DH Payroll and distributed via the employee's paycheck.

A Resident must follow the process set forth below to apply for STD benefits through Sun Life.

## **2. Long-Term Disability**

DH provides Long-Term Disability (LTD) to an eligible Resident. LTD is a wage replacement benefit available when a physical or mental condition sufficiently incapacitates a Resident requiring them to suspend participation in their training program for longer than 90 days. A Resident is eligible for LTD benefits equivalent to 80% base salary, to an annually established maximum per month, if approved. If approved, LTD begins after STD coverage ends and is processed and paid through Sun Life.

## **D. Responsibility of the Training Program**

An RC and/or specialty/subspecialty Board has its own unique requirements related to time required for program completion or Board eligibility. Programs are responsible for understanding the specific requirements of their RC and Board to advise a Resident about any impact there might be to Board eligibility, program extension and/or completion.

The Program Director or their designee must discuss with their Resident the impact of taking a leave on their program completion and Board eligibility.

Each program's Time Away Policy should include these details as they relate to Resident leave:

1. The specific time away from training requirements allowed by the specialty/subspecialty Board and/or RC.
2. The available resources to support well-being and education of Residents impacted by a leave.

DH GME has an Optional Extra Shifts Within a Training Program Policy, accessed via PolicyTech and linked below, that may be implemented by a program as necessary and reasonable.

A Resident request for time away to which they are eligible must be honored by the training program.

Time away from the program, including but not limited to vacation, flex days, and all types of leave, must be tracked in the residency management system, MedHub. MedHub is the system of record for Resident time away from the program; no other tracking system should be used.

The Program Director or their designee is responsible for notifying the GME Office when a Leave of Absence form is received from a Resident. The GME Office will contact DH Leaves Administration upon receipt of the form.

## E. Responsibility of Resident

A Resident is responsible for communicating with their Program Director and/or designee about the possibility of taking leave, the duration, and timing when knowledgeable about the leave or as soon as possible.

A Resident must initiate a request for leave of absence by taking the following actions:

1. **Discuss the leave of absence** with their Program Director. The discussion should take as soon as possible to allow for sufficient time for review and schedule amendments but should be 30-day notice whenever the absence is foreseeable.
2. **Complete a leave request** via [askHR - Employee Center](#) at least 30 days prior to the absence. If the need for leave is urgent/immediate, complete the leave requests as soon as possible after the determination of need for leave.

If a Resident is requesting approval for **Paid Medical, Parental and Caregiver Leave** they will need to identify this leave and specific parameters (intermittent, consecutive, and period length) in follow-up communication via the askHR portal.

3. **Contact Sun Life to begin the Leave of Absence and STD claim process.**

- Administration: Sun Life administers Dartmouth Hitchcock's leave of absence process for FMLA and Short-Term Disability (STD) benefits.
- Eligibility & Documentation: Sun Life determines eligibility and collects the required medical documentation for FMLA leave requests.
- Decision-Making:
- FMLA – Sun Life makes the decision to approve or deny FMLA requests and issues the decision letter.

To apply for a leave of absence and/or STD benefits, contact Sun Life online, by phone, or through the Sun Life Absence Management Services mobile app:

Website: [www.sunlife-ams.com](http://www.sunlife-ams.com)

Phone: 844-236-5180 (M–F, 8:30 a.m. to 10:30 p.m. ET)

Mobile App: Sun Life Absence Management Services

Unless and until Sun Life approves a leave, the Resident is obligated to follow the program's call-out procedures for any day missed, or as soon as practicable in the event of a medical emergency.

## F. Questions

Direct questions about this policy to the GME Office at [gme.office@hitchcock.org](mailto:gme.office@hitchcock.org).

## V. References

- *Institutional Requirements*. Retrieved from ACGME.org: [Institutional Requirements \(acgme.org\)](http://www.acgme.org)

<b>Responsible Owner:</b>	Graduate Medical Education	<b>Contact:</b>	Karen Miller
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<b>Related Polices &amp; Procedures:</b>	<a href="#">Family and Medical Leave Act (FMLA) and Servicemember Leave Policy</a> <a href="#">Leave Policy - Paid Parental</a> <a href="#">Leave Policy - Military</a> <a href="#">Leave Policy - Personal</a> <a href="#">Optional Extra Shifts Within a Training Program - GME</a>		
<b>Related Job Aids:</b>			