The Graduate School of Medicine recognizes that a resident (or fellow, hereby referred to as “resident”) may need to be away from work due to medical or certain family reasons. Leaves of absence are defined as approved time away from residency duties, other than regularly scheduled days off. All leave will be scheduled with prior approval by the program director with the exception of emergencies or unexpected illnesses. In unexpected/emergency situations, the resident should contact the program director at the earliest possible time.

The amount of time a resident can be away from residency duties and still meet Board and or graduation requirements varies among the specialties. Each program will provide its residents with a written policy on the effect of leaves of absence, for any reason, on satisfying the criteria for completion of that program.

It is the responsibility of each program director to verify the effect of absence from training for any reason on the individual’s educational program and if necessary to establish make-up requirements that meet program, RRC or board requirements of the specialty.

The amount of time a resident can be away from residency duties and still meet Board and/or graduation requirements varies among the specialties. It is the resident’s responsibility to be aware of his/her specialty requirements. All time off, including holidays, is scheduled at the discretion of the Program Director.

Programs must document resident leave in MedHub.

**Holidays:** Holidays observed by the University of Tennessee and/or UT Medical Center are not automatically observed as time off for residents.

**Vacation:** All residents receive twenty-one (21) vacation days with a maximum of fifteen (15) “working days” (Monday-Friday) plus six (6) “weekend days” (Saturday-Sunday) per letter of agreement period. All vacation days should be approved and scheduled by the Program Director for use during the year for which it is allocated. Residents are not paid for unused vacation days and vacation days do not carry over to next Letter of Agreement. In the event that a resident should lose a scheduled vacation in order to maintain program continuity, the program director may allow the lost vacation days to be carried over to the next letter of agreement.

**Sick Days:** All residents are allotted twenty-one (21) sick days per letter of agreement period to be used for personal illness, injury, pregnancy, etc. Sick days may also be taken for serious illness or injury involving the immediate family (parents, children, spouse, or siblings) of the resident. Time off due to illness must be immediately reported to the Program Director. A treating physician’s statement of illness or injury may be requested or required by the program director for the use of either type of sick day. Residents are not paid for unused sick days and unused days do not carry over to the next Letter of Agreement. Willful or intentional abuse of sick time could result in possible disciplinary action.

**Administrative Closings/Inclement Weather:** Residents are considered to be essential personnel and provide “essential services” for purposes of the Inclement Weather Policy. The University may close its administrative offices during inclement weather for those individuals classified as non-essential regular staff employees. Residents, however, provide direct patient care in our hospitals and clinics and must report to work as scheduled. If a resident is on a rotation at a clinic or service that does close due to the weather, the Program Director may elect to allow the resident to take the day off or may reassign them to another location. The Program Director is the only individual that may direct the resident to stay home. Residents must notify, by phone and email, their attending and their Program Director immediately if they are unable to report to work as
scheduled. Such an absence shall be charged as annual leave, or, if no annual leave is available then as leave without pay.

TYPES OF LEAVE:

1. Family and Medical Leave Act (FMLA) and Tennessee Parental Leave Act (TPLA)
Consistent with the FMLA, eligible residents (who have worked at least 12 months and have had at least 1250 hours of work) are able to take up to 12 weeks of leave for certain personal medical reasons or for qualifying family reasons. FMLA leave may be taken to care for a spouse, child or parent with a serious health condition. TPLA provides an additional 4 weeks (for a total of 16 weeks leave) for care and bonding of a newborn, or a recently adopted infant, or infant in foster care infant.

Residents on FMLA leave for medical conditions may be entitled to intermittent leave for treatment appointments, or episodic conditions, themselves or for the care of qualifying family members.

FMLA runs concurrently with any remaining sick or vacation time (i.e., paid time off). Residents on extended leave who have exhausted their sick and vacation leave will receive half pay during this extension up to 60 days. In turn, residents needing to make up this time by extended training will receive the remaining half pay with benefits during the extended training period. Health insurance is maintained throughout the leave period and extended training however, residents must continue to pay their usual share of the cost of health insurance.

2. Educational/Professional Leave
Leave for educational meetings, conferences etc., may be granted at the discretion of the program director. Time spent on educational leave is paid and is considered a part of regular clinical duties.

3. Professional Search
The program director may grant leave to senior residents pursuing fellowships or practice search. Residents should discuss with the program director the time they will need for these career pursuits well in advance of their leave requests.

4. Military Leave/Jury Duty
Program directors will state in writing their approval or disapproval of resident requests for military leave or leave for jury duty.

5. Bereavement Leave
If there is a death in a residents’ family, he or she may take up to five paid working days off (i.e., Monday through Friday). For this purpose, "family" is defined as spouse, child, mother, father, mother-in-law, father-in-law, sister, brother, grandparent or grandchild. Except in very unusual circumstances, bereavement leave must be used within 14 days of the date of death.

6. Administrative Leave
Administrative leave is not intended to replace any leave that a resident may otherwise be entitled to, including vacation, sick leave, parental or family leave. Personal/emergency leave, investigatory leave, and suspension are examples of administrative leave.
A. **Personal/Emergency Leave**: If ineligible for FMLA, a resident may be allowed to take an unprotected, personal leave to cover time off for illness or special circumstances beyond their control. Personal leave may be granted at the discretion and with the written approval from the Program Director. Residents will be required to exhaust other forms of leave for which they may qualify prior to being eligible for personal leave.

B. **Investigatory Leave**: A resident may be placed on investigatory leave up to 60 days in order for the program to review or investigate allegations of inappropriate behavior, deficiencies or concerns. The alleged deficiency should be of a nature that warrants removing the resident from the training program for the period of investigation. The program director (or a designee) will provide a copy of the Letter of Administrative Leave to the resident, stating the reason(s) for and the expected duration of the leave. The resident is relieved of all clinical responsibilities during this leave period and may return to the campus solely at the invitation of the program director. Salary and benefits will be continued during investigatory leave. Investigatory leave does not constitute an adverse action however; any adverse action taken as a result of the investigation is reportable in the training record.

C. **Suspension**: Suspension is an adverse action that is reportable and is a permanent part of the training record. Suspension requires the removal of the resident from the clinical service or research site due to the resident’s failure to comply with the policies of the program or the institution (UTMC, GSM). The program director (or a designee) will provide a copy of the Letter of Administrative Leave to the resident, stating the reason(s) for and the expected duration of the leave. Suspension generally should not exceed 60 calendar days. The resident is relieved of all clinical responsibilities during this leave period and may return to the campus solely at the invitation of the program director. Suspension may be coupled with or followed by other disciplinary actions. The resident’s salary and benefits may continue during the period of suspension, at the discretion of the Assistant Dean of GMDE in consultation with the GSM Dean.

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