

GRADUATE TRAINEE

VACATION, SICK TIME AND LEAVE POLICY

General Note:

Since each Graduate Trainee must meet certain education requirements, as defined by the Program, ACGME and/or by the applicable American Board of Medical Specialties, the Graduate Trainee may be required to make up missed time due to a leave prior to advancing to the next level of training and/or prior to completion of the graduate medical education (GME) program.

Whenever the need for leave is foreseeable, the Graduate Trainee will make a reasonable effort to schedule the leave so as not to unduly burden the program, and give notice no fewer than thirty (30) days before the leave is to begin. If the nature of the leave requires that the leave begin in fewer than thirty days, the Graduate Trainee will give notice as soon as is practicable. A Graduate Trainee should give the Program Director notice as far in advance as possible regarding planned parental leave or family medical leave; six months (confidential) notice is requested for planned leave after the birth of a child, in order to facilitate appropriate scheduling.

When a leave is taken for a personal medical illness, it will be facilitated through Occupational Health.

I. Vacation Time

Four weeks of paid vacation is provided annually. Vacation time must be used within the academic year to which it applies.

II. Sick Time

A Graduate Trainee is entitled to twelve (12) paid sick days annually upon matriculation, to be used solely for illness significant enough to interfere with the performance of duty or when advised by Occupational

Health directives (e.g. related to a communicable disease). Unused sick days may accrue to a maximum of sixty (60) days, but they may not be “cashed in”.

If a Program Director requests verification of the need for time off for absence due to illness (or for health-related appointments), the request should be made to Occupational Health to ensure confidentiality with respect to the Trainee’s health information.

III. Family and Medical Leave

Note: As noted below in section VIII, unused paid vacation can be used to provide salary continuance during unpaid leave if scheduling allows for use of paid vacation time concurrent with that leave.

A Graduate Trainee may take up to twelve (12) weeks of leave in a 12-month rolling period for any of the following reasons:

- a. Family medical leave: taken in order to care for a spouse, child or parent with a serious health condition. (A “serious health condition” is an illness, injury, impairment or physical or mental condition that involves either inpatient care or continuing treatment by a health care provider.)
- b. Personal medical leave: taken because of a serious health condition that makes the individual unable to perform the essential functions of his/her position.
- c. Parental leave: taken in the event of childbirth, or for parenting a newborn child, or placement of a child for adoption or foster care within one year of birth or placement.
- d. Qualifying exigency leave: taken to prepare for a covered military member’s active duty. A Graduate Trainee may take 12 weeks of unpaid leave for a qualifying exigency arising from the fact that the Graduate Trainee’s spouse, son, daughter, or parent (“covered military member”) is on active duty or has been notified of an impending call or order to active duty in the Armed Forces. Covered military members include members of the Regular Armed Forces as well as the National Guard and Reserves. Qualifying exigencies fall into 7 categories: short-notice deployment, military events and activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, and post-deployment activities. Active duty or call to active duty status for members of a Regular component of the Armed Forces means duty during deployment to a foreign country.

Active duty or call to active duty status for members of the Reserve components of the Armed Forces (i.e. members of the U.S. National Guard and Reserves) means duty during deployment of the member with the Armed Forces to a foreign country under a call to order to active duty in a contingency operation.

- e. **Military Caregiver Leave** - Graduate Trainees may take up to twenty-six (26) weeks of unpaid leave for military caregiver leave, taken to care for an injured service member. A Graduate Trainee may take a maximum of 26 weeks of military caregiver leave during a single 12 month period to care for a "covered service member" who is the Graduate Trainee's spouse, son, daughter, parent, or next of kin who is injured while on active duty, or who had an injury that existed before the beginning of the service member's active duty and was aggravated by service during active duty in the Armed Forces. A "covered service member" for these purposes is a current member of the Regular Armed Forces, National Guard, or Reserve, including those on the temporary disability retired list (TDRL), and veterans who are undergoing medical treatment, recuperation, or therapy for a serious injury or illness, if the veteran was a member of the Armed Forces at any time during the period of 5 years preceding the date on which the veteran undergoes the medical treatment, recuperation, or therapy.

IV. Additional Provisions Relating to Family and Medical Leave

- **Job security.** Upon return from an approved, twelve-week family or medical leave of absence, the Graduate Trainee will be restored to the position left.
- **Insurance.** If enrolled at the time of commencement of an approved family or medical leave, the Graduate Trainee's health and other insurance coverage during the period of leave shall remain intact at the same levels and cost to the individual as if the trainee were not on leave.
- **Timing of leave.** Parental leave must be taken within one year of the birth or adoption, unless an individual plan for part-time or intermittent leave has been approved by the Program Director.
- **Structure of leave.** If an intermittent or partial leave (i.e., a reduced work schedule) is requested, the Program Director may alter the Graduate Trainee's work schedule in order to accommodate the leave

as deemed possible and appropriate within the context of the educational program and the clinical service.

- **Coverage for Graduate Trainee's program-related responsibilities.** It is understood that it is the responsibility of the Program Director or his/her delegate – not of the Graduate Trainee taking a leave - to make arrangements for coverage of the Graduate Trainee's clinical responsibilities in the case of family, medical or bereavement leave.
- **Make-up requirements.** The Graduate Trainee should seek clarity from the Program Director about make-up time as required by the (sub)Specialty Board and/or the Program, and how the need to demonstrate achievement of competency prior to graduation may impact the need for make-up time. In addition, it is the responsibility of the Program Director to determine what specific experiences or activities that may be missed during a leave need to be made up, even if the time spent on leave does not need to be made up.

V. Personal Leave of Absence

Program Directors may on occasion, in accordance with the Bylaws of the Medical/Professional Staff, grant an unpaid leave of absence to a Graduate Trainee that is requested for compelling personal reasons. A Personal Leave of Absence should be requested in writing with maximal advance notice prior to the requested leave date. Timing and duration of the leave, and questions regarding return to the position, requirement for make-up time, etc. should be discussed by the Graduate Trainee and Program Director in advance, and documented after consultation with the Chair/Chief, the GME Office and Human Resources.

VI. Bereavement Leave

Bereavement leave: Graduate Trainees may take up to ten (10) work days of bereavement leave following the death of an immediate family member (defined here as a parent or step- parent, sibling or step-sibling, child or step-child, and spouse or domestic partner), with salary continuance. Longer leave, or leave for the loss of other connected individuals, is at the discretion of the Program Director.

VII. Other Policies

Partners complies with all Commonwealth of Massachusetts and federal employment and labor laws.

Please refer to the Partners human resources policy manual for information related to the following types of leave:

- Massachusetts Parental Leave Law
- Small Necessities Leave Act
- Uniformed Services Employment and Reemployment Rights Act
- Domestic Violence Leave Act

VIII. Salary Continuance

Note: Where salary continuance is provided (as detailed below), this continuance is distinct from paid vacation and is in addition to it. In general, paid vacation can be used to functionally extend the period of salary continuance during a leave, if/when it is feasible, and with Program Director approval for vacation time to be used during the leave.

Salary will be continued as follows:

- Family medical leave: Graduate trainees may not use sick time for family medical leave. Salary will be continued only in exceptional circumstances, at the discretion of the Program Director after consultation with the Chair/Chief.
- Personal medical leave: The Graduate Trainee must use any accrued sick time while on personal medical leave. An additional period of salary continuance may be given at the discretion of the Program Director up to a maximum of ninety (90) days, following consultation with the Chair/Chief. (Long term disability insurance may apply after that period of time.)
- Parental leave: Graduate trainees who are the parent of a new child by birth, adoption, or placement in foster care are eligible for salary continuance for a period of eight weeks following birth, adoption or foster care placement. Accrued sick time cannot be used to extend salary contiuece for parental leave. However, if a trainee requires a personal medical leave related to pregnancy or childbirth, and

this leave is handled according to to the personal medical leave parameters set forth above, the medical leave is separate and in addition to paid parental leave.

- Qualifying Exigency leave: Graduate trainees may not use accrued sick time for qualifying exigency leave.
- Military Caregiver leave: Graduate trainees may not use accrued sick time for military caregiver leave.
- Personal leaves of absence: Graduate trainees may not use accrued sick time for personal leave. Salary will be continued only in exceptional circumstances, at the discretion of the Program Director after consultation with the Chair/Chief.

Note: Policies approved by the Partners Education Committee apply to GME trainees in programs sponsored by the Brigham and Women's Hospital, Massachusetts Eye and Ear Infirmary, Massachusetts General Hospital, McLean Hospital, Newton Wellesley Hospital, North Shore Medical Center, and Spaulding Rehabilitation Hospital.

Approved by the Partners Education Committee, September 27, 2018