

# Mass General Brigham

## Graduate Medical Education Trainee Policy on Vacation, Leave and Paid Leave

### Introduction:

This policy describes leave types and salary continuation for leaves taken by Graduate Trainees during a Mass General Brigham (“MGB”) Training Program. For more detail on leave types that may be available to Graduate Trainees, please see MGB Leave Policy: [Federal and Massachusetts Leaves of Absence](#).

Since each Graduate Trainee must meet certain education requirements, as defined by their Training 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 an infant or child, in order to facilitate appropriate scheduling. All leaves, including personal illness, should be facilitated through the Leave of Absence Office 1-833-AskMyHR (1-833-275-6947) or [Leave of Absence Portal](#).

### I. Type of Family and Medical Leave

#### A. Medical Leave:

- Personal Illness Leave: taken because of a serious health condition that makes the individual unable to perform the essential functions of their position.

#### B. Family Leave:

- Family Medical Leave: taken in order to care for a family member (the term “family member” shall mean: spouse, domestic partner, parent (biological adoptive, step or foster), child (biological, adoptive, step, foster, ward or loco parentis), grandparent, grandchild, sibling (biological, adoptive or step), parent of a spouse, parent of a domestic partner, or for a person who stood in loco parentis to the employee when the employee was a minor child 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.)
- Parental Leave: taken in the event of childbirth, or for parenting a newborn child, or placement with the Graduate Trainee, of a child for adoption or foster care within one year of birth or placement.
- Qualifying Exigency Leave: taken to prepare for a covered military member’s active duty. A Graduate Trainee may take 12 weeks of 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.

- **Military Caregiver Leave** - Graduate Trainees may take up to twenty-six (26) weeks of 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.

## II. Additional Provisions Relating to Family and Medical Leave

- ***Job security.*** Upon return from an approved, 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.*** Eligibility for all leaves taken under this policy begins upon the Trainee’s initiation of training in their GME Training Program. Parental leave must be taken within one year of the birth, adoption or placement, unless an alternative individual plan 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 their delegate – not of the Graduate Trainee taking a leave - to plan 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.

## III. Other Leave Types

- A. **Personal Leave of Absence**
- B. 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.
- C. **Bereavement Leave**
- D. Graduate Trainees may take up to ten (10) workdays 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 stepchild, and spouse or domestic partner), with salary continuation. Longer leave, or leave for the loss of other connected individuals, is at the discretion of the Program Director in consultation with the GME Office and Human Resources.

#### IV. Paid Leave

- A. **Vacation Time**
- B. Four weeks of paid vacation is provided annually. Vacation time must be used within the academic year to which it applies. When scheduling vacation, Graduate Trainees must follow vacation procedures as set by their Program Director. With the agreement of the Program Director, vacation time can be used to provide salary continuation for unpaid leave.
- C. **Personal Illness (Sick Time/Salary Continuation/MA PFML/Long Term Disability)**
  - 1. Sick Time:
    - a. A Graduate Trainee is entitled to twelve (12) paid sick days annually upon matriculation, to be used 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).
    - b. Unused sick days expire at the end of each academic year, and they may not be “cashed in”.
    - c. Up to five (5) paid sick days per year may be used to care for the Graduate Trainee and/or their child, spouse, parent, or parent of a spouse, who is suffering from a physical or mental illness, injury, or medical condition that requires home care, professional medical diagnosis or care; or preventative medical care, routine medical appointment for the Employee’s child, spouse, parent, or parent of spouse; or to address the psychological, physical or legal effects of domestic violence.<sup>1</sup>
  - d. 2. Salary Continuation:
    - e. Graduate Trainees may receive up to twelve (12) weeks of base pay continuation for any documented personal illness that qualifies as a serious health condition. Recovery from childbirth is covered by salary continuation (all types of Paid Parental Leave are described further in Section D, below).
  - f. 3. Massachusetts Paid Family & Medical Leave (“MA PFML”):
    - g. Graduate Trainees may be eligible for additional paid leave under MA PFML following the exhaustion of the MGB provided paid sick time/salary continuation. Please note the state of Massachusetts determines your eligibility for MA PFML. Long Term Disability:
    - h. In some circumstances, Long Term Disability benefits may be available. Contact Unum at 877-217-5491 for more information.
- D. **Family Leave (Leave to Care for A Family Member or Bond with a Child)**
  - 1. MGB Paid Benefit:

- E. Graduate Trainees are eligible for up to eight (8) weeks of salary continuation for the purposes of bonding with an infant or child, following the birth, adoption, or placement of the infant or child through Foster Care. In addition, Graduate Trainees are separately eligible for up to six (6) weeks of salary continuation to care for a family member with a serious health condition.
- F. 2. MA PFML:
- G. Graduate Trainees may be eligible for additional paid leave under MA PFML following the exhaustion of MGB provided paid Family Leave. Please note the state of Massachusetts determines your eligibility for MA PFML.
- H. **Parental Leave**
  - a. Graduate Trainees who are the parent of a new child by birth, adoption, or placement in foster care are eligible for salary continuation in the following manner:
  - b. <sup>1</sup>This Sick Time covers the time allotted under Massachusetts Earned Sick Time law.
  - c. MGB Paid Benefit:
  - d. Birth parents are eligible for up to eight (8) weeks of salary continuation for the disability associated with birth. This pay is provided through the salary continuation pay benefit described above in **Section B**.
  - e. All parents are eligible for a period of eight (8) weeks following birth, adoption or foster care placement for family bonding leave<sup>2</sup>through the paid Benefit described above in **Section C**.
  - f. In both cases, MGB-paid leaves are provided immediately following the child's arrival in the home. Delayed or part-time MGB-paid parental leave is not guaranteed and requires approval of the Program Director in consultation with the Chair/Chief and the GME Office.
  - g. MA PFML Benefit:
  - h. Graduate Trainees may be eligible for MA PFML following the exhaustion of the MGB provided paid parental leave benefits. Please note the state of Massachusetts determines your eligibility for MA PFML. Please see System Leave Policy for more information about MA PFML.
  - i. Concurrent benefits: When the MGB-provided paid leave is utilized, the MA PFML is considered as being utilized concurrently (without additional compensation beyond continuation of full salary).
- I. **Additional Information Regarding Paid Leave Benefits**
  - a. **Family Medical Leave (non-bonding leave)**: As noted above, Graduate Trainees may use up to six (6) weeks of salary continuation to care for a family member with a serious health condition. Additionally, Graduate Trainees may use up to 5 days of annual sick time for family medical leave (IV.B.1). Following exhaustion of the six (6) weeks of Paid Family Leave, Graduate Trainees may apply to the state for paid family leave under the MA PFML. Please note the state of Massachusetts determines your eligibility for MA PFML.
    - i. Concurrent benefits: When the MGB-provided paid leave is utilized, the MA PFML is considered as being utilized concurrently (without additional compensation beyond continuation of full salary).
  - b. **Personal Medical Leave**: The Graduate Trainee may first use any available sick time while on Personal Medical Leave (IV.B.1). Additional salary continuation is provided as described in Section B, above.
  - c. **Parental Leave**: For Pay benefit information see Section D, above. Bonding Leave is provided as 8 weeks per child entering the family, per eligible Graduate Trainee. However, Bonding Leave is available no more than once per 12 months.

- d. Qualifying Exigency Leave: Graduate trainees may not use sick time for qualifying exigency leave but may be qualified for MA PFML.
- e. <sup>2</sup> Birth parents are eligible for the paid leave for disability associated with childbirth as well as bonding leave.
- f. Military Caregiver Leave: Graduate trainees may use up to five (5) sick days for military caregiver leave and may be qualified for MA PFML.
- g. Personal leaves of absence: Graduate trainees may not use 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.

## **V. Other Policies**

Mass General Brigham complies with all Commonwealth of Massachusetts and federal employment and labor laws. Please refer to the Mass General Brigham human resources policy manual for information related to the following types of leave:

- MGB System Leave Policy
- Massachusetts Parental Leave Law
- Small Necessities Leave Act
- Uniformed Services Employment and Reemployment Rights Act
- Domestic Violence Leave Act
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*Note: Policies approved by the Mass General Brigham Graduate Medical Education Committee apply to GME trainees in programs sponsored by the Brigham and Women's Hospital, Brigham and Women's Faulkner Hospital, Massachusetts Eye and Ear, Massachusetts General Hospital, McLean Hospital, Newton Wellesley Hospital, Salem Hospital, and Spaulding Rehabilitation Hospital.*

*Approved by the Mass General Brigham GMEC, December 5, 2022.*

*Approved by the Mass General Brigham Education Committee, September 2022.*

Mass General Brigham has the right to amend, modify, suspend or terminate this policy, in whole or in part at any time and for any reason as it relates to any current or former participant or beneficiary.