

Policy #: 011.002
Policy Title: Trainee Vacation and Leaves of Absence
Sponsor: David Brown MD; DIO
Approved by: Graduate Medical Education Committee

Purpose

Florida International University (FIU) has adopted the following policy to address trainee vacation and other leave(s).

This policy addresses Accreditation Council of Graduate Medical Education’s (ACGME) Institutional Requirement ***IV.H. Vacation and Leaves of Absence.*** *IV.H.1. The Sponsoring Institution must have a policy for vacation and other leaves of absence, consistent with applicable laws. This policy must:* *IV.H.1.a) provide residents/fellows with a minimum of six weeks of approved medical, parental, and caregiver leave(s) of absence for qualifying reasons that are consistent with applicable laws at least once and at any time during an ACGME-accredited program, starting the day the resident/fellow is required to report;* *IV.H.1.b) provide residents/fellows with at least the equivalent of 100 percent of their salary for the first six weeks of the first approved medical, parental, or caregiver leave(s) of absence taken;* *IV.H.1.c) provide residents/fellows with a minimum of one week of paid time off reserved for use outside of the first six weeks of the first approved medical, parental, or caregiver leave(s) of absence taken;* *IV.H.1.d) ensure the continuation of health and disability insurance benefits for residents/fellows and their eligible dependents during any approved medical, parental, or caregiver leave(s) of absence;* *IV.H.1.e) describe the process for submitting and approving requests for leaves of absence; be available for review by residents/fellows at all times; and* *IV.H.1.g) ensure that each of its ACGME-accredited programs provides its residents/fellows with accurate information regarding the impact of an extended leave of absence upon the criteria for satisfactory completion of the program and upon a resident’s/fellow’s eligibility to participate in examinations by the relevant certifying board(s).*

Definitions

Personal leave: Leave that is used by the trainee for vacation, bereavement, maternal/paternal leave, medical appointments, serious illness, well-being, and/or the Family and Medical Leave Act

trainee.

Background

FIU and the ACGME entitles trainees to leave with pay for the purpose of vacation and sick leave, during the training period July 1st through June 30th, as described in this section.

The maximum time a trainee can be away from a program in any given year is determined by the requirements of the specialty board involved. If specialty board regulations for time away from the program differ from that which is outlined in this policy, the Program Director will

create a program-specific policy and provide the DIO written notice of the applicable specialty board regulation.

Policy

Personal Leave

1. Trainees are permitted up to twenty (20) paid days per year to be used for personal time off as per the policy of the specific program. The number of days may be adjusted by the individual program directors, as consistent with specialty board requirements.
2. Any absence in excess of that which is permitted by specialty-specific boards may increase the length of training.
3. The residency program needs to make appropriate arrangements with any department that may be affected by the trainee's leave.
4. Responsibility for meeting the certification requirements of the specialty board rests with the individual trainee and Program Director.
5. Trainees will receive up to six (6) weeks of approved medical, parental, and caregiver leave(s) of absence for qualifying reasons that are consistent with applicable laws at least once and at any time during an ACGME-accredited program, with 100% of their salary covered upon the first day of appointment.
6. Personal leave will be exhausted first and remaining time off will be paid for by the Sponsoring Institution.

Time Lost from Residency

Time lost from residency training must be made up according to the specifications of the Accreditation Council for Graduate Medical Education, the specialty-specific Residency Review Committee (RRC) and at the discretion of the Program Director.

Remuneration for time off, beyond the specified paid vacation and health coverage, is not guaranteed. It will be at the discretion of the Program Director.

1. Requests for additional paid time off must be approved by the Office of Graduate Medical Education and the DIO.
2. If the leave taken exceeds that which is allowed by the program, the trainee may be required to extend his/her training to fulfill Board requirements.

No Vacation Days

There are certain days in the academic year during which trainees are not permitted to request vacation time. This ensures that all trainees are available on site for important program activities that cannot be re-scheduled.

Programs may specify days and/or rotations within which absences are not permitted.

Bereavement Leave

In the event of death of a member of your immediate family, you may be granted a Bereavement Leave for up to seven (7) normally scheduled consecutive days with pay immediately following the death to arrange for and/or attend the funeral. Qualified

bereavement leave does not reduce vacation time or sick days. Referenced in FIU Policy 1725.035

Family and Medical Leave Act

Reference FIU Policy 1725.125 FMLA Maternity/Paternity, and Medical Leave

Military leave

Military Leave falls under the Uniformed Services Employment & Reemployment Act of 1994 (USERRA) and Florida state law. FIU complies with all military leave and Uniformed Services Employment and Reemployment Rights Act (USERRA) provisions as required by law.

Jury Duty

Trainees will be granted a paid Leave of Absence to serve on jury duty or to serve as a witness (if subpoenaed) provided they give the Program reasonable advance notice of their obligation to serve. Trainees called to jury duty or as a witness for FIU may be eligible to receive their current rate of pay while on jury duty. This is referenced in FIU Policy 1710.165

Well-Being Leave

FIU supports positive health behaviors in its trainees. Trainees are expected to obtain a primary care provider and follow a lifestyle that promotes healthy behavior.

Procedure

Time Away from Program

1. Trainees are required to notify the Program Coordinator, Program Director, and personnel associated with scheduling in writing of all leave requests to determine eligibility.
2. The following rules apply for all leave requests:
 - a. Leave may not be taken during dates that are blocked on the schedule. See No Vacation Days section above.
 - b. Trainees must obtain prior approval in writing from the Program Director, which should include all coverage arrangements, prior to presenting their vacation request to the Program Coordinator.
 - c. Any changes to vacations previously scheduled require approval from the Program Director. These change requests must be made a minimum of 6 weeks before the start of the earliest affected rotation.
 - d. Leave will be granted and charged in one-day increments for each workday of leave requested and approved.
 - e. All trainees must submit their vacation requests for the next academic year to the Program Coordinator and scheduling personnel by the date set by the program. Failure to submit a request by the deadline will result in vacation being assigned at the discretion of the Program Director.
 - f. Final approval of vacation requests and all requests for leave for any purpose is at the discretion of the Program Director.
3. Hospital holidays are counted as part of the yearly training of the trainees. Trainees will receive regular pay (versus holiday pay) for holidays. If you are on call during a

holiday, you must complete your duty. Trainees who are not on call or who are not required to be at work may have the day off at the discretion of the Program Director.

4. A holiday schedule may be enforced by the Program Director and must be adhered to. Every effort will be made to ensure fair and just allocation of days off for holidays over the course of the training period.

Well-Being Leave

FIU supports positive health behaviors in its trainees. Trainees are expected to obtain a primary care provider and follow a lifestyle that promotes healthy behavior.

Unexcused or excessive sick time beyond the period allotted must be made up at the end of the residency training period without additional pay.

1. **Unexpected Sick Leave**

The Program Director, Program Coordinator, and personnel associated with scheduling must be notified for any unexpected sick days.

- a. A leave form should be submitted as soon as possible following an unplanned absence from work. If the illness precludes work for two or more consecutive days, a physician's note may be requested by the Program Coordinator. The Office of Graduate Medical Education has the right to require a doctor's note for all illnesses.
- b. Failure to notify program leadership or supervising physician will result in disciplinary action by Program Director.

2. **Planned Sick Leave**

If a trainee has planned sick leave (hospitalization, surgery, medical treatment, pregnancy), the trainee should submit a leave form as soon as possible.

- a. If the leave taken exceeds that which is allowed by a program, the trainee may be required to extend his/her training to fulfill Board requirements. Time lost from residency training must be made up according to the specifications of the Accreditation Council for Graduate Medical Education, Residency Review Committee for the Specialty, and at the discretion of the Program Director.

Parental Leave

Parental Leave shall be granted through a formal request to the Program Director. The trainee should inform the Program Director as early as possible to allow for adjustments in the curricular schedule to accommodate the leave. The leave duration will be counted in the total time away allowed for the year by the respective specialty board.

It is the responsibility of the trainee and the Program Director to ensure board eligibility and RRC requirements are met within the original residency training period or through an extension of training.

Bereavement Leave

Trainees are required to notify the Program Coordinator and Program Director if they would like to request bereavement leave. Bereavement leave must be approved by the Program Director.

Military Leave

A trainee required to serve active duty, fulfill military training requirements, perform training, or provide emergency services in the Armed Forces of the United States, shall be granted an unpaid leave of absence from the program, and shall have employment, training, and reemployment rights in accordance with the law and FIU policies.

Extensions of Training

If a training extension is required, the trainee, Program Coordinator, and Program Director are responsible for ensuring all program and institution requirements are met in the new training timeframe. The Program Director is to submit a request for temporary complement increase as appropriate. Trainees whose extension is required and approved will be paid for makeup or extended time provided funds are available at that time.

Related Policies

Trainee Agreement of Appointment, FIU Policies 1710.165, 1725.125, 1725.035

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