

Policy #: 011.004
Policy Title: Residents/Fellows Vacation and Leaves of Absence
Sponsor: Sudhagar Thangarasu, MD; DIO
Approved by: Graduate Medical Education Committee

Purpose

Florida International University (FIU) has adopted the following policy to address resident/fellow 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

Covered Active Duty: (a) in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and (b) in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.

Covered Servicemember: (a) a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or (b) a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5

years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

Immediate Family: spouse, parent (including stepparents), children (including foster or stepchildren, and children under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability), brother and sister (including stepbrother and stepsister), grandparents (including step grandparents) and grandchildren (including step grandchildren).

Background

FIU and the ACGME entitle residents/fellows to leave with pay throughout the duration of their contract, as described in this section.

The maximum time a resident/fellow can be away from a program in any given year is determined by the requirements of the specialty board involved. Program directors will create a program-specific policy and provide the DIO with written notice of the applicable specialty board regulation.

Policy

Residents/Fellows are permitted paid time off each year as per the policy of the specific program

1. Any absence beyond that permitted by specialty-specific boards may increase the length of training.
2. The residency program needs to make appropriate arrangements with any department that may be affected by the resident/fellow's leave.
 - a. The individual resident/fellow and the Program Director are responsible for meeting the specialty board's certification requirements.

Leave Types

Programs may utilize the following leave types in their program-specific vacation and leave(s) of absence policies.

Vacation

Reviewed and approved by the resident/fellow's program director.

Sick Leave

Approved by the resident/fellow's program director for planned or unplanned sickness and/or medical appointments.

ACGME Caregiver leave

- 1) Residents/Fellows 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.

- 2) All Vacation allowance except for one week, will be exhausted first before availing caregiver leave, and the remaining time off will be paid for by the Sponsoring Institution.

Family and Medical Leave Act (FMLA)

Leave of absence of up to 12 weeks provided to eligible employees when a qualifying event is met. Follow FIU-HR employee FMLA policy and process.

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

Residents/Fellows 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. Residents/Fellows 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

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 that which is required by the AGME, is not guaranteed. Requests will be at the discretion of the Program Director, pending approval by the Designated Institutional Official or designee.

No Vacation Days

There are certain days in the academic year during which residents/fellows are not permitted to request vacation time. This ensures that all residents/fellows 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.

Procedure

All leave requests must be submitted and/or recorded through the residency management software as resident/fellow vacation balances will be audited through this software. Certain leave types will require additional documentation to be submitted to the Office of Graduate Medical Education or the College of Medicine Human Resources Department.

1. Residents/Fellows 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. Residents/Fellows 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. Final approval of vacation requests and all requests for leave for any purpose is at the discretion of the Program Director.
3. A holiday schedule may be enforced by the Program Director and must be adhered to. Every effort will be made to ensure a fair and just allocation of days off for holidays over the course of the training period.

Sick Leave

FIU supports positive health behaviors in its residents/fellows. Residents/Fellows 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 resident/fellow has planned sick leave (hospitalization, surgery, medical treatment), the resident/fellow should submit a leave form as soon as possible.
 - a. If the leave taken exceeds that which is allowed by a program, the resident/fellow 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.

Extensions of Training

If a training extension is required, the resident/fellow, 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 a temporary

complement increase as appropriate. Residents/Fellows whose extension is required and approved will be paid for makeup or extended time provided funds are available at that time.

Related Policies

Resident/Fellow Agreement of Appointment, FIU Policies 1710.165, 1725.125, 1725.035

Author	Maryam Shakir	03/26/2020
Revised		05/07/2025
DIO Review	Sudhagar Thangarasu, MD; DIO	5-7-2025
GMEC Approval	Reviewed and approved	