Purpose
This Policy establishes Paid Time Off (PTO) and Leave of Absence (LOA) standards for all residents and fellows enrolled in a Tufts Medical Center sponsored graduate medical education program (ACGME accredited and non-accredited).

Scope
Each training program must have a policy that is compliant with both GME and hospital policies regarding PTO and LOA. This policy should be available to all residents in the program, and include any program specific written procedures regarding application, oversight, and use of resident and fellow Paid Time Off. Program Directors are responsible for maintaining accurate records of the amount of leave time that their residents have used. In any situation in which Tufts Medical Center’s vacation or personal day policy applicable to all Tufts Medical Center’s employees or a program-specific policy conflicts with this GME Policy, the terms of this Policy shall prevail.

The Tufts Medical Center policies on Leave of Absence (LOA) can be found in EVA and shall be applicable to all residents. Specific questions regarding resident LOA should be directed to Human Resources.

Definitions
Resident: any physician in a GME program, including interns, residents and fellows.

Paid Time Off: refers to one bank of time for all absences to accommodate time off needs including vacation, sick and personal days.

Leave of Absence: refers to time away from a training program due to illness or injury of an employee or eligible family member or for the time away from work due to the birth or adoption of a child as defined in Tufts Medical Center’s Leave of Absence policies.

Policy--Paid Time Off

Vacation days
On an annual basis, commencing with the individual’s contract, each resident shall earn fifteen (15) paid vacation days, accruing one and one-quarter (1.25) sick day per month during the year. Use of vacation hours at any time requires the specific permission of the Program Director and must be scheduled in accordance with program specific policies and procedures. All vacation must be scheduled in advance, and be approved by the Program Director. The Program Director (or designee) may approve use of vacation days in advance of accrual and/or limit the use of vacation days during specific rotations, time periods, or to meet patient care or educational needs.
In the event the Trainee’s appointment is terminated, all accrued but unused vacation time will be paid to the Trainee.

All vacation time accrued during the appointment year must be used during the year in which it accrued. All unused, accrued vacation time during an appointment year will be forfeited and will not be reimbursed to the Trainee (no carry over).

**Sick days**
At the start of each academic year each resident shall earn twelve (12) paid sick days, accruing one (1) sick day per month during the program year. Sick days are intended to be used when a resident is unable to complete their duties for short period of time due to non-work-related illness or injury. Trainees absent from work due to work-related illness of injury are eligible for benefits under Worker’s Compensation (see Tufts Medical Center Human Resources Policy, #D5). Trainees may use sick days in advance of accrual only with specific approval by the Program Director.

It is expected that residents will notify their Program Director (or designee) of any absence or tardiness at least one hour prior to their scheduled work start time. It is the responsibility of the resident to follow the policies of their program in using sick leave.

Unused, accrued sick days may be carried over from one appointment year to the next (for a period of 3 years), up to a limit of 36 days to allow for continued pay during a period of serious illness or injury.

Residents shall not be compensated for unused sick leave balances upon voluntary or involuntary removal from the program, either during a contract period or at the end of the contract period.

A resident is permitted to use accrued sick time for the care of the Trainee’s spouse, parent, or dependent child under the age of 18 (or an adult child who is 18 years of age or older and incapable of self-care because of a mental or physical disability), not to exceed 50% of the Trainee’s annual accrual of sick time.

Residents requiring longer leaves of absence are referred to the section on **Leaves of Absence**.

**Personal days**
At the start of each academic year, each resident is granted three (3) paid personal days. Personal days are intended to be used at the discretion of the resident and with the advance approval of the Program Director or designee.

Approval for use of personal days should be obtained at least one month in advance. In the event of an emergency, the Trainee should seek approval for the use of personal days from the Program Director as soon as possible but in any event in advance of using the personal day(s). Approval for the use of personal days is not granted automatically. It is at the sole discretion of the Program Director, or his/her designee, after consideration of training requirements, patient care needs, and other pertinent factors.

All personal days must be used prior to the end of the appointment year in which they are granted. Any unused personal days may not be carried over to the next appointment year and will not be paid to the Trainee in the event the Trainee’s appointment is terminated.

**Holidays**
Due to the 24-hour nature of patient care, residents are not entitled to holiday leave. Program Directors may approve time off on a holiday for a residents who is rotating on a clinic or service that closes due to the holiday or may reassign the resident to another location.
Leaves of Absence

Residents in GME programs are entitled to the LOA benefits for hospital (https://www.evaintra.org/Interact/Pages/Content/Document.aspx?id=2679&SearchId=3116553&utm_source=interact&utm_medium=quick_search&utm_term=leaves) or physician organization (https://www.evaintra.org/Interact/Pages/Section/Default.aspx?Section=5316) employees, as applicable. Residents are also entitled to the LOA benefit described in the ACGME leave (https://www.acgme.org/newsroom/blog/2022/acgme-answers-resident-leave-policies). All resident LOA is subject to standard hospital (or PO) approval processes, and must also be discussed with the Program Director, as there may be unique educational or training specific implications of LOA. A summary of leave options, including how PTO may or may not be applied to LOAs, is in Appendix A. Due to the unique nature of graduate medical education training, residents and Program Leadership are encouraged to review GME-specific LOA Frequently Asked Questions in the Appendix B.

Consequences of Unapproved Leave

Failure to comply with hospital, PO, GME and/or the Program’s leave policies, including obtaining prior approval, may result in Disciplinary Action (Disciplinary Actions and Procedures - Tufts Medicine (evaintra.org)) and/or be reflected in the resident’s final summative evaluation as an unprofessional behavior.
Appendix A

LOA Benefits for Residents

<table>
<thead>
<tr>
<th>Type of LOA</th>
<th>Required Order of use of Paid Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee’s own serious health condition</td>
<td>GME/ACGME*, sick, personal, vacation (up to 10 days)</td>
</tr>
<tr>
<td>Maternity</td>
<td>GME/ACGME*, sick, personal, vacation (up to 10 days)</td>
</tr>
<tr>
<td>Paternity</td>
<td>GME/ACGME*, sick, personal, vacation (up to 10 days)</td>
</tr>
<tr>
<td>Adoption or Foster Care</td>
<td>GME/ACGME*, sick, personal, vacation (up to 10 days)</td>
</tr>
<tr>
<td>Care of Family Member</td>
<td>GME/ACGME*, sick, personal, vacation (up to 10 days)</td>
</tr>
<tr>
<td>Military</td>
<td>Personal and vacation optional under federal law</td>
</tr>
<tr>
<td>Personal</td>
<td>Personal, vacation</td>
</tr>
<tr>
<td>Bereavement</td>
<td>For duration &gt; 3 days, personal, vacation</td>
</tr>
<tr>
<td>Jury or Witness Duty</td>
<td>Personal and vacation optional</td>
</tr>
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Appendix B

Graduate medical education-specific LOA Frequently Asked Questions

What is the effect of taking a Leave of Absence during graduate medical education training?

1. On an individual resident’s training program
   Neither the Hospital nor a Program Director can guarantee that a trainee will be able to complete their training program as it was originally scheduled if that training is interrupted by absences due an extended leave. An extended absence, for any reason, may impact an individual resident’s training program, including specific aspects of the curriculum, the overall duration of training and/or the anticipated date of program completion.

   The Program Director, under advisement from the program Competency Committee, is charged with assuring that each resident’s training experience complies with ACGME and specialty specific board requirements for program completion.

2. On employment
   Residents that have exhausted all available paid time off and other authorized or statutory leave, or those that fail to return to work as scheduled at the end of an authorized or statutory leave, may be subject to termination.

3. On immigration status
   An unpaid leave of absence may affect a resident’s visa status.

4. On salary
   The salary impact of a leave is dependent upon the type and duration of the LOA. Residents are subject to the same benefits as all employees in this regard.

5. On Benefits
   Unless otherwise indicated in the LOA policy, a resident on leave may elect to continue participation in his/her health, dental, and FSA and other benefit plans for the duration of an authorized or statutory leave. In that circumstance, the resident will be responsible for paying his/her share of the benefits contributions as if he/she was actively performing in the training program, and Tufts MC will continue to provide the benefits and pay the portion of premiums it provides for residents when actively participating in the program. For a paid leave the resident contribution will be deducted from their stipend check. For unpaid leave, the resident will be responsible for submitting their premium contributions on or before the date specified to the HR Leave of Absence Administrator at
If a resident does not pay the required premium contributions, coverage will be canceled. However, the resident will be given fifteen (15) days’ notice before coverage is canceled. When a resident returns from an authorized or statutory unpaid leave, Tufts may elect to recover the resident's share of contributions paid by Tufts for maintaining coverage(s) for the resident while on unpaid leave.

Trainees who elect not to continue benefits' participation while on leave, must notify to the HR Leave of Absence Administrator (at LeaveofAbsence@Tuftsmedicalcenter.org) to cancel the coverage. If the Trainee returns to the program work in an eligible status, the Trainee has thirty-one (30) days from that date to reinstate coverage.