



**THE GEORGE
WASHINGTON
UNIVERSITY**
WASHINGTON, DC

Responsible University Official: Associate Dean for Graduate
Medical Education, DIO
Responsible Office: SMHS Office of GME
Most recent revision: April 15, 2019

UNIVERSITY POLICIES GOVERNING LEAVE

Policy Statement

The university supports its employees' ability to balance their work and home lives by providing several paid time off and leave options, with certain restrictions and limits, including paid annual and sick time, paid parental leave, family and medical leave, and temporary disability leave for residents. This policy provides a summary of the leave benefits for residents. More information regarding annual time off, sick time, and holidays can be found in the Resident Manual and on the University Human Resources website.

Who Needs to Know This Policy

This policy applies to all residents and fellows who participate in an ACGME-accredited post graduate medical education (GME) training program sponsored by the George Washington University School of Medicine and Health Sciences (SMHS).

Policy Contact

Associate Dean for Graduate Medical Education, DIO

Who Approved This Policy

Graduate Medical Education Committee (GMEC)

History/Revision Dates

Leave policies are updated every year by the University Benefits Office and are included in the annual edition of the Resident Manual.

Policy

Time away from the residency program for extended vacation leave, extended sick leave, FMLA, disability or any other reason may result in a Resident having to spend additional time in the program beyond the anticipated date of completion. ACGME and medical board requirements must be met before a Resident can be certified as having completed a training program. Residents should consult their program director to determine if extended leave has an effect on the completion date of training. Residents may also refer to the institutional policy on Leave of Absence and the Effect on Program Completion.

Leave Benefits

Vacation

The general vacation policy provides for three (3) weeks of paid vacation each year, including weekends and holidays. Departments may grant additional vacation on a discretionary basis. Unused leave may not be carried from one year to another and will not be redeemed for equivalent salary. Vacation is generally not approved for the last two weeks of the training year.

Holiday Leave

Please consult with your department regarding holiday leave and coverage.

Sick Leave

In compliance with the District of Columbia's Accrued Sick and Safe Leave Act each resident accrues 1 hour of sick time for every 37 hours worked, up to a maximum of 7 days per calendar year. This paid time may be used for yourself or for a family member for mental and physical illness, injuries, and health conditions. The paid time off may also be used to obtain medical care, diagnosis, or preventive care. Residents are required to follow their program policy for reporting off work if they are sick. Resident sick time will be tracked in MedHub. Unused sick time may be rolled over from one year to the next, but is not paid out upon termination. Residents who become ill for a period of time sufficient to interfere with their participation in the training program, are covered under policies governing Temporary Disability Leave.

In accordance with the [DC Sick and Safe Act](#), sick time may also be used in the event that an employee or an employee's family member is a victim of stalking, domestic violence, or sexual abuse and the absence is directly related to seeking medical, social, or legal services pertaining to the violent or abusive conduct. The employee's time may be used to obtain help from a victim services organization, prepare for or take legal action relating to the conduct, seek medical attention or counseling, or to relocate. The employee may also use sick time to take any other action that could be reasonably determined to enhance the physical, psychological or economic health of the employee or the employee's family member or the safety of those who work with or associate with the employee.

Family and Medical Leave

Periods of leave due to situations such as the serious illness of an employee, the birth or adoption of a child, or the serious illness of a family member may be covered under the D.C. and/or federal Family and Medical Leave Acts (FMLA). The D.C. Act provides up to 16 weeks of medical leave and 16 weeks of family leave in a 24 month period after an employee has

completed one year of employment and has been paid for at least 1,000 hours during the 12-month period immediately preceding the request for family or medical leave. The federal FMLA provides up to 12 weeks of family and medical leave in a 12 month period as well as 26 weeks of leave to care for a covered service member with a serious injury or illness in a single 12 month period after an employee has completed one year of employment and has worked 1,250 hours during the 12-month period immediately preceding the leave request. In most cases, benefits under the D.C. Act are more generous than under the federal Act, but employees are entitled to whichever provides the most favorable benefits. If the leave qualifies for both D.C. FMLA and federal FMLA, any leave taken under those Acts would run concurrently. GW policies governing Temporary Disability Leave, Vacation Leave, Sick Leave, and unpaid leave will determine the appropriate pay status. The SMHS will continue to contribute to all university paid benefits during Family and Medical Leave, but the employee is responsible for their portion of benefit premiums. Please note: FMLA does NOT mandate paid leave. Payments to Residents while on FMLA leave may be available through the above mentioned GW policies. Residents who need to apply for FMLA leave should contact GW Benefits.

Temporary Disability Leave

Temporary Disability Leave is provided for physical or mental conditions that are sufficiently incapacitating to require that a Resident temporarily terminate participation in the residency training program. Temporary disability is paid for up to 60 consecutive days annually, including weekends and holidays. Family and Medical Leave Act provisions may apply in cases of leave use. Additional information is available in the section on Temporary Disability Leave.

Maternity Leave

Maternity Leave is provided for medical disability resulting from pregnancy, childbirth or related medical conditions on the same basis on which leave is provided for other medical disabilities. Family and Medical Leave Acts and policies governing the use of Sick, Vacation, and Temporary Disability for medical disability purposes may therefore apply. Non-medical absences for the birth or adoption of a child are covered under the Family and Medical Leave Acts or Leave of Absence Policy. Additional information is available in the section on Temporary Disability Leave.

Paid Parental Leave

GW provides six continuous weeks of paid parental leave for eligible regular full-time staff. The applies to staff members who have given birth or are the spouse/partner of the birth mother; the placement of a child with the employee for adoption; or the placement of a child with the employee for whom the employee permanently assumes and discharges parental responsibility. The leave must be taken immediately following the birth, adoption, or eligible circumstance. Eligibility for paid parental leave will begin the first of the month following an employee's two year benefit eligible service anniversary date or coincident with that date if the anniversary date falls on the first of the month. Please note that Residents who are the birth parent are actually eligible for more paid leave under the Temporary Disability Leave than Paid Parental Leave. If the resident is also approved for Resident Disability while on parental leave, the disability pay will take priority over the paid parental leave pay and be paid first. Pay will not exceed 100% of the employee's normal salary. Residents who would like to apply for Paid Parental leave should contact GW Benefits. The updated policy is available at: <https://benefits.gwu.edu/paid-parental-leave>

Leave of Absence

At the discretion of the department chair with the approval of the Associate Dean for GME, a Leave of Absence may be approved for unusual personal situations provided the operational needs of the department are not adversely affected. Leave of absence is always unpaid leave, and must be requested in writing. All accrued Vacation Leave must be exhausted prior to a request for a Leave of Absence.

Bereavement Leave

Paid Bereavement Leave is provided to Residents upon the death of an immediate family member. Immediate family members include a spouse, domestic partner for whom an affidavit has been submitted to GW Benefits, child, stepchild, the child of a domestic partner, parent, stepparent, grandparent, grandchild, sister, brother, step-siblings, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law or sister-in-law. Bereavement Leave must be requested in writing to the Program Director for a period not to exceed 3 days. Bereavement Leave does not accrue or pay out upon termination

Leave for Jury Duty

Jury Duty Leave is provided to Residents who are summoned to jury duty. Residents will be granted paid leave for scheduled work hours/days missed to comply with the summons for jury duty. Leave must be requested in writing to the Program Director as far in advance as possible and must include supporting court documents. Residents are required to report to work on those days or partial days when attendance in court is not required

Military Duty Leave

Military Duty is unpaid leave provided to Residents for the period necessary to perform military duty in the uniformed services. Residents must provide notice of the need to take military duty leave to the Program Director and GW Benefits with as much advance notice as possible and include official written military orders, as soon as they are available, and an expected date of return to work. Employees may request the use of Vacation Leave or Sick Leave for part or all of the period of military duty. Under federal law, employees who leave regular positions voluntarily or involuntarily for the purpose of performing military duty, including Reserve duty, have a right to reinstatement without loss of seniority if certain conditions are met. In situations involving a request for reinstatement, the GW Benefits should be consulted for information concerning eligibility for reinstatement, applicable salary issues, and benefits.

GUIDELINES FOR DISABILITY LEAVE AND LEAVE WITHOUT PAY

Temporary Disability Leave

A. Definition

Disability is defined as any physical or mental condition which is sufficiently incapacitating to require that the Resident temporarily terminate participation in the residency training program. Temporary disability is paid for up to 60 consecutive days annually, including weekends and holidays, for residents who are paid by GW. (Short Term Disability may also be applicable)

B. Provisions and Restrictions

1. For Residents who are temporarily disabled in accordance with the definition in Section A, up to 60 days of leave with full salary are to be provided annually, subject to the restrictions defined in Sections B.2, B.7, B.8, and B.9 below. Supplemental salary provided by Departments is to be excluded from such determinations.
2. A Resident who is participating in a part-time residency or who otherwise participates in a residency for only a portion of the training year is entitled to temporary disability leave on a pro-rated basis as a function of the percentage of the full-time effort and salary described in the Resident contract.
3. Temporary disability leave with pay does not accrue and may not be carried over from year to year.
4. A Resident who has utilized full temporary disability leave entitlement and all earned annual leave during a training year is classified as being on leave without pay (see next section) unless the Resident desires to terminate his/her relationship with the university.
5. Residents may not be required to utilize annual leave before being placed on temporary disability leave.
6. Residents are entitled to all normally provided fringe benefits while on temporary disability leave.
7. A Resident who, during the training year, is placed on any combination of temporary disability leave and leave without pay which involves 60 or more days and which occurs during any portion of the last six months of the training year, and who is reappointed for the following training year, is not eligible for temporary disability leave during the referenced re- appointment year until he/she has resumed training of at least 50% effort, as described in the Resident contract, for a minimum of six months which may include earned annual leave or may be extended by other types of leave authorized by university personnel policies. Similarly, a Resident who, during the training year, is placed on temporary disability leave which involves more than 30 but less than 60 days and which occurs during any portion of the last three months of the training year,

and who is re-appointed for the following training year, is not eligible for temporary disability leave during the referenced re-appointment year until he/she has resumed training of at least 50% effort, as described in the Resident contract, for a minimum of three months which may include earned annual leave or may be extended by other types of leave authorized by university personnel policies.

8. A Resident who concludes the training year on temporary disability leave and is re-appointed for the following training year is entitled to the balance of temporary disability leave not utilized by him/her during the previous training year. Such temporary disability leave in the referenced re-appointment year must be taken consecutively with the temporary disability leave from the previous year, and the total length of this consecutive disability leave may not exceed 60 days. Thereafter, the Resident is not eligible for temporary disability leave until he/she has resumed training of at least 50% effort, as described in the Resident contract, for a minimum of six months which may include earned annual leave or may be extended by other types of leave authorized by university personnel policies. If the Resident requires temporary disability leave taken consecutively with the training year, it is to be subtracted from this entitlement.
9. A Resident who has been disabled for more than 60 days, has been placed on leave without pay through the termination of the training year, and is re-appointed for the following or subsequent training years, is not eligible for temporary disability leave during the referenced re-appointment year until he/she has resumed training of at least 50% effort, as described in the Resident contract, for a minimum of six consecutive months which may include earned annual leave or may be extended by other types of leave authorized by university Personnel policies. Similarly, a Resident who has been disabled for more than 60 days and now has been placed on leave without pay which carries over from one training year to the next, is not eligible for temporary disability leave during the next following or subsequent training years until he/she has resumed training of at least 50% effort, as described in the Resident contract, for a minimum of six consecutive months, which may include earned annual leave or may be extended by other types of leave authorized by university Personnel policies.

C. Notification and Documentation Requirements

1. Determinations as to the appropriateness of placing a Resident on temporary disability leave are the responsibility of the Program Director.
2. The Program Director is responsible for maintaining accurate records of temporary disability leave for each Resident in the Department and for providing this documentation to the GME Office as far in advance as possible. At the end of each fiscal year, each Program Director is to provide to the Office of Graduate Medical Education a summary listing of those Residents placed on temporary disability leave during the year and the amount of such leave for each.
3. For each Resident who is placed on temporary disability leave for a consecutive period of 14 days or longer, documentation supporting the appropriateness of such leave is to be provided by the Program Director to the Office of Graduate Medical Education for inclusion in the Resident's GME institutional file. Such

documentation should be provided in a timely fashion but, in any event, no later than 30 days after the conclusion of the 14-day period.

D. Training Program Adjustments

1. Where temporary disability leave places the Resident out of cycle in completing the requirements of the training program, funding for such Residents must be requested from the GME Office no later than February 1 of the year proceeding the academic year in which the time will be made up.
2. The effect of extended leave on the completion of the training program and the timing thereof must be determined in accordance with the institutional and program policies on Leave Of Absence and the Effect on Program Completion.

Leave Without Pay

A. Definition

Leave without pay is defined as leave necessitated by temporary disability which extends beyond the Resident's entitlement in a training year or leave for other reasons agreed upon by the Resident and the appropriate Program Director. *Family & Medical Leave Act and/or Long Term Disability provisions may also apply.*

B. Provisions and Restrictions

1. Leave without pay is by definition non-salaried leave.
2. A Resident who has utilized his/her full temporary disability leave entitlement and all earned annual leave during the training year is entitled to be placed on leave without pay for the remainder of the training year in which the temporary disability occurs.
3. Residents must utilize all temporary disability leave and all annual leave before being placed on leave without pay.
4. Leave without pay shall in no instance extend beyond one calendar year. Leave without pay of 90 days or less may be approved by the appropriate Program Director. Documentation supporting the appropriateness of such leave is to be provided by the Program Director to the Office of Graduate Medical Education for inclusion in the Resident's GME institutional file. Leave without pay of more than 90 days requires the endorsement of the Associate Dean for Graduate Medical Education. Residents with extended temporary disability are eligible for, but not entitled to, extensions of leave without pay for up to one calendar year.
5. Residents on leave without pay are able to continue certain benefits (with premium payment). Please contact GW Benefits (benefits@gwu.edu) for details. Group life, AD&D and disability benefits can be continued for up to 24 months during a research assignment. Group life, AD&D and disability insurance can be continued for up to 12 months during personal leave. For Residents who participate in the GW retirement program, all contributions will be discontinued while the Resident is on leave without pay, but benefits will be resumed if and when the Resident returns to full-time training status.

6. For Residents who are placed on leave without pay, reinstatement to full-time or part-time training status is at the discretion of the appropriate Program Director.

C. Notification and Documentation Requirements

1. Except for the leave without pay entitlement described in Section B.2, determinations as to the appropriateness of placing a Resident on such leave are the responsibility of the Program Director.
2. The Program Director is responsible for maintaining accurate records of leave without pay for each Resident in the Department and for providing this documentation to the GME Office.
3. For each Resident who is placed on leave without pay, the Program Director is responsible for prompt notification to the Office of Graduate Medical Education so as to assure timely termination of salary and appropriate arrangements concerning fringe benefits. Such notification is to include the intended length of leave without pay. As stated in Section B.4, leave without pay for more than 90 days requires the endorsement of the Associate Dean for Graduate Medical Education.

D. Training Program Adjustments

Where leave without pay places the Resident out of the cycle in completing the requirements of the training program, funding for such Residents must be requested from the GME Office no later than February 1 of the year preceding the academic year in which the time will be made up.

The effect of extended leave on the completion of the training program and the timing thereof must be determined in accordance with the institutional and program policies on Leave Of Absence and the Effect on Program Completion.