



**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: July 1, 2022

UNIVERSITY POLICIES GOVERNING LEAVE

Policy Statement

The university supports its employees' ability to balance their work and home lives by providing several paid and unpaid time off and leave options, with certain restrictions and limits, including paid vacation leave, sick leave, and paid medical, parental, and caregiver leave for residents. This policy provides a summary of leave benefits for residents. More information regarding vacation leave, sick leave, and holidays can be found in the Resident Manual and on the Human Resource Management & Development 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

Time off and leave policies are updated every year by GW Benefits and are included in the annual edition of the Resident Manual.

Policy

Time away from the residency program for vacation leave, sick leave, unpaid FMLA, resident paid family and medical leave, including parental/caregiver leave, 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 time off or leave impacts the completion date of training. Residents may also refer to the institutional policy on Leave Benefits for Residents/Fellows and the Effect on Program Completion.

Leave Benefits

Vacation Leave

The resident will be provided three (3) weeks of paid vacation leave each year, including weekends and holidays. Departments may grant additional vacation leave on a discretionary basis. Unused vacation leave may not be carried from one year to another and will not be redeemed for equivalent salary.

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 one (1) hour of sick time for every 37 hours worked, up to a maximum of 7 days (56 hours) per calendar year. This paid time may be used by the resident for mental and physical illness, injuries, medical care appointments and/or preventive care. These seven (7) days can also be used by the resident to care for a sick family member or to accompany the family member to the family member's medical appointment. Residents are required to follow their program policy for reporting off work if they need to take sick leave. Resident sick leave must be tracked in MedHub.

Unused sick leave may be rolled over from one year to the next, but is not paid out upon termination, resignation, or completion of program. Residents who become ill for a period of time sufficient to interfere with their participation in the training program, are covered under policies governing Resident Paid Family and Medical Leave (RPFML).

In accordance with the [DC Sick and Safe Act](#), sick leave 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 leave 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 leave 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 unpaid medical leave and 16 weeks of unpaid 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 Resident's 12- month period of employment. These 12 months do not need to be consecutive but need to be within the past 7 years.

The federal FMLA provides up to 12 weeks of unpaid family and medical leave in a 12 month period as well as 26 weeks of unpaid 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.

If the leave qualifies for both D.C. FMLA and federal FMLA, any leave taken under those Acts would run concurrently.

GW policies governing Resident Paid Family and Medical Leave (RPFML), Vacation Leave, Sick Leave, and Unpaid Personal 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; however, it provides job protection and benefits continuation rights. Residents can elect to use their available Vacation, Sick, or Resident Paid Family and Medical Leave benefits while on FMLA to remain in paid status.

Residents who need to apply for FMLA leave should contact the GME Office and GW Benefits.

Resident Paid Family and Medical Leave (RPFML)

Resident Paid Family and Medical Leave (RPFML) provides paid time off for certain family and medical leave and is available the first day the Resident is required to report to the university.

Residents are eligible for paid family and medical leave for the following events:

1. Medical Leave (up to 8 weeks): due to physical or mental conditions that are sufficiently incapacitating and require the Resident to temporarily cease participation in the residency program. This includes maternity leave.
2. Parental Leave (up to 6 weeks): due to the birth, adoption or foster care placement of a child. This leave may be taken within 12 months of the birth, adoption, or foster care placement.
3. Caregiver Leave (up to 6 weeks): to take care of a family member with a serious health condition.

NOTE: A **maximum of 8 weeks** of RPFML can be taken during the Resident's program,

regardless of how many types of leave are taken during the Resident's program. RPFML can be taken continuously or on an intermittent leave in minimum of one (1) day increments. (Residents who need to take an intermittent absence must contact the GME office, as the GME office tracks intermittent paid family leave.)

Note, if the Resident participates in multiple programs, the Resident will be entitled to a maximum of eight (8) weeks of leave (as described above) for each program.

If a Resident experiences an event that qualifies under both FMLA and RPFML, any leave taken will run concurrently.

Residents are also entitled to one (1) week of paid leave, hereafter referred to as ACGME paid leave, reserved for the use outside of the 8 weeks of RPFML. ACGME paid leave must be used within the appointment year that the RPFML is used, can be used for medical, parental or caregiver reasons, and must be used in one (1) week block of time (7 days). Per ACGME requirements, ACGME paid leave does not carry over to the next appointment year.

Provisions and Restrictions on RPFML:

1. Residents who experience a qualifying RPFML event can receive up to 8 weeks of paid leave with full salary per program (as outlined above), subject to the restrictions defined below.
2. A Resident who is off-cycle or who otherwise participates in a residency for only a portion of the training year is entitled to RPFML on a pro-rated basis as a function of the percentage of the full-time effort and salary described in the Resident contract. A Resident who experiences a qualifying RPFML event near the end of their training program is eligible for paid leave for the time remaining in their Resident program. No payment can be made after the end date of the Resident program.
3. RPFML does not accrue and is limited to a maximum of eight (8) weeks per program. RPFML can be taken on a continuous basis or intermittently in one (1) day increments. RPFML can be taken at different times during their program, for different qualifying events, up to the maximum of eight (8) weeks.
4. A Resident who has utilized the maximum RPFML entitlement and all earned vacation, sick, and ACGME leave during a training year and needs additional leave related to any of these benefit categories may request Unpaid Personal Leave (see the section of Unpaid Personal Leave) unless the Resident desires to terminate their relationship with the university.
5. Residents will not be required to utilize vacation leave before taking RPFML.
6. Residents are entitled to all normally provided fringe benefits while on RPFML.
7. Residents are also entitled to one (1) week of paid leave, hereafter referred to as ACGME paid leave, reserved for the use outside of the 8 weeks of RPFML. ACGME paid leave

must be used within the appointment year that the RPFML is used, can be used for medical, parental or caregiver reasons, and must be used in a one (1) week block of time (7 days). ACGME paid leave does not carry over to the next appointment year.

8. If a Resident's time away/leave is due to an approved workers' compensation claim, the Resident will receive 100% salary under RPFML for up to 8 weeks or the remainder of the Resident's balance of RPFML, whichever is less. If the Resident is unable to return to work once RPFML has been exhausted, the university's workers compensation administrator will begin paying the Resident's salary at 66 2/3% of the Resident's average weekly wage, while approved for workers' compensation. In addition, RPFML and FMLA will both run concurrently with the approved workers' compensation claim.
9. Residents who were out on leave for their own health condition will be required to present an [authorization to return to work](#) prior to reinstatement. If such authorization is not received in a timely fashion, your return to work may be delayed until authorization is provided. If the return to work authorization contains restrictions, the Resident will need to be cleared by the Equal Employment Opportunity and Access (EEOA) office prior to resuming work.

How to Apply for Resident Paid Family and Medical Leave

1. RPFML Application Process and Documentation Requirements:

- To apply for continuous RPFML, please contact GW Benefits at timeoff@gwu.edu or 571-553-8382. GW Benefits will open all applicable leaves and paid benefits with Lincoln Financial, the university's leave and disability vendor partner. After all applicable leaves and claims are opened at Lincoln Financial, a Lincoln Financial claims or leave manager will provide guidance on what supporting documentation is required for RPFML approval.
 - To apply for intermittent RPFML, please contact the Office of Graduate Medical Education. The GME office will track any required intermittent RPFML. Email Mary Tucker at mtucker@gwu.edu.
 - Requests for the week of ACGME paid leave should be requested directly through the Resident's Program Director in coordination with the GME office.
2. Lincoln Financial will be responsible for maintaining accurate records of continuous RPFML for each Resident taking RPFML and for providing leave records to the GME Office, when requested. Each month, GW Benefits will provide to the Office of Graduate Medical Education a summary listing of those Residents approved for continuous RPFML and the amount of such leave for each.
 3. The GME Office must be notified by the Benefits Office when a Resident is approved for RPFML so that the leave can be entered into the Resident's record on the MedHub system.
 4. **Training Program Adjustments:**
 - Where RPFML places the Resident out of cycle in completing the

requirements of the training program, Program Directors must notify the GME Office as soon as possible so that the graduation date and institutional record of the resident can be adjusted.

- Each residency and fellowship program are required by ACGME to provide its residents and fellows with accurate information regarding the impact of an extended leave of absence upon a trainee's eligibility to participate in examinations by the relevant certifying board. Residents should review the Institutional Policy on Leave Benefits for Residents and Fellows and the Effect on Program Completion.
- Residents must review the program policy for specific instructions for requesting leave benefits and the requirements of their medical specialty board relating to time off during the training program.

District of Columbia Paid Family Leave

GW employees who work in Washington, DC over 50% of the time are eligible to receive paid leave benefits from the [District of Columbia Government](#), as outlined in the DC Paid Family Leave Law.

Covered employees can apply for paid benefits for qualifying parental, prenatal, family and medical leave events. Please refer to the [DC Paid Family Leave FAQs \(PDF\)](#) for details on eligibility, benefits provided, and coordination with GW provided programs.

Coordination with GW Paid Benefits

When a Resident is eligible for disability or paid family leave benefits under state or local programs, the benefit is considered deductible income under Resident Paid Family and Medical Leave (RPFML). This means the amount the Resident is eligible for under the DC Paid Family Leave benefit will be subtracted from the Resident's GW paid benefits, even if the Resident does not apply for DC Paid Family Leave.

How to Apply for DC Paid Family Leave

Residents must apply for DC Paid Family Leave benefits on the day the leave begins (leave begin date). If the Resident delays their application with DC, they may not receive all eligible benefits for their absence, as DC pays out based on the application date, not necessarily on the leave begin date. It is the Resident's responsibility to timely apply for all eligible paid benefits.

Unpaid Personal Leave

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

A. Provisions and Restrictions on Unpaid Personal Leave

1. A Resident who has utilized the maximum RPFML entitlement, ACGME paid leave, and all earned vacation leave during the training year may apply for unpaid personal leave for

the remainder of the training year in which the RPFML occurs.

2. Residents may be required to utilize all RPFML, ACGME paid leave, and vacation leave before being placed on unpaid personal leave. A determination will be made based on the reason for the unpaid personal leave.
3. Unpaid Personal Leave shall in no instance extend beyond one calendar year. Unpaid Personal Leave 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. Unpaid Personal Leave of more than 90 days requires the endorsement of the Associate Dean for Graduate Medical Education. Residents on extended leave are eligible for, but not entitled to, extensions of unpaid personal leave for up to one calendar year.
4. Residents on unpaid personal leave are able to continue certain benefits (with premium payment). Please contact GW Benefits (timeoff@gwu.edu) for details. Group life, AD&D and disability insurance can be continued for up to 12 months during unpaid personal leave. For Residents who participate in the GW retirement program, all contributions will be discontinued while the Resident is on unpaid personal leave. Benefits will be resumed if and when the Resident returns to full-time training status. Residents on Research Assignment may continue Group life, AD&D and disability benefits for up to 24 months.
5. For Residents who are placed on unpaid personal leave, reinstatement to full-time or part-time training status is at the discretion of the appropriate Program Director.

B. Notification and Documentation Requirements

1. Except for the unpaid personal leave described in Section A.1, determinations as to the appropriateness of placing a Resident on unpaid personal leave are the responsibility of the Program Director and where applicable, with the endorsement of the Associate Dean of GME.
2. The Program Director is responsible for maintaining accurate records of unpaid personal leave for each Resident in the Department and for providing this documentation to the GME Office.
3. For each Resident who is placed on unpaid personal leave, the Program Director is responsible for prompt notification to the Office of Graduate Medical Education to assure timely termination of salary and appropriate arrangements concerning fringe benefits. Such notification is to include the intended length of unpaid leave. As stated in Section A.3, unpaid personal leave for more than 90 days requires the endorsement of the Associate Dean for Graduate Medical Education.

C. Training Program Adjustments

1. Where unpaid personal leave places the Resident out of the cycle in completing the

requirements of the training program, program directors must notify the GME Office as soon as possible so that the graduation date and institutional record of the resident can be adjusted.

2. Each residency and fellowship program are required by ACGME to provide its residents and fellows with accurate information regarding the impact of leave on a trainee's eligibility to participate in examinations by the relevant certifying board. Residents should review the institutional policy on Leave Benefits for Residents and Fellows and the Effect on Program Completion.
3. Residents must review their program policy for specific instructions for requesting leave benefits and the requirements of their medical specialty board relating to time off during the training program.

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 and Witness Duty

Paid time off for jury and witness duty is provided to benefits-eligible residents who have been summoned by the courts to serve on a jury, subpoenaed, requested by university to appear as a witness in connection with a work-related matter on behalf of the university, or are required by the university to attend certain university court or administrative proceedings. Residents will be granted paid leave for scheduled work hours/days missed to comply with the summons for jury or witness 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. Residents called for jury duty or a court-related appearance may keep all court-provided compensation.

USERRA Leave

USERRA leave is unpaid leave provided to Residents for the period necessary to perform military duty in the uniformed services or for certain types of service in the National Disaster Medical System. Residents must provide notice of the need to take USERRA leave to the Program Director and GW Benefits with as much advance notice as possible and include official written 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 USERRA leave. Under federal law, employees who leave regular positions voluntarily or involuntarily for the purpose of performing military duty or service in the National Disaster Medical System, including Reserve duty, have a right to reinstatement without loss of seniority if certain conditions are met. In situations involving a request for reinstatement, GW Benefits should be consulted for information concerning eligibility for reinstatement, applicable salary issues, and

benefits.