



**BAPTIST MEMORIAL MEDICAL EDUCATION**  
**GRADUATE MEDICAL EDUCATION**  
**POLICY AND PROCEDURE MANUAL**

<b>Effective Date:</b> July 2013	<b>Leaves of Absence</b>
<b>Last Review / Revision:</b> April 2020; March 2021; May 2021; December 2021; April 2022; June 2023; August 2023	
<b>Reference:</b> BMME.LOA.04	

**PURPOSE:** To describe the types of leaves of absence that are available to all residents and fellows (trainees) of Baptist Memorial Medical Education (BMME) ACGME-accredited training programs. All Graduate Medical Education (GME) policies must comply with Baptist Memorial Health Care Corporation (BMHCC) policies. In case of a conflict that is not specifically addressed as differing from the BMHCC policy, the BMHCC policy from the then-current BMHCC Operations Policy, Procedure, and Guidelines Manual, available via the Baptist Intranet will be considered accurate. Changes to policies may be made at any time and will be communicated to residents and fellows as soon as practicable.

**POLICY:** It is the policy of BMME to provide appropriate leaves of absence for residents and fellows in accordance with applicable laws, regulations, and requirements that govern same. Leaves of absence for residents or fellows must also comply with applicable requirements of the ACGME and specialty boards. BMME may require residents and fellows to extend their training, if necessary, for the period of time granted as “leave time” in order to complete all necessary educational requirements as prescribed by the ACGME and any applicable specialty board requirements.

**PROCEDURE:**

1. A leave of absence (LOA) may be granted to a resident or fellow subject to a request in writing to Employee Health.
2. While employed by BMHCC as a resident or fellow in a BMME ACGME-accredited training program, leaves of absence are available as applicable based on the circumstances. For specific requirements concerning leaves of absences available to Baptist employees, see the leaves of absence described herein in this BMME policy and the BMHCC Human Resources Leave Policies.
3. In compliance with ACGME Institutional Requirements, BMME trainees are eligible for a medical, parental, or caregiver leave of absence as of the first day of the requirement to

report to work, as described further in this BMME policy, at least once and at any time during the residency/fellowship period.

4. Requests for LOA are required to be submitted at least thirty (30) days prior to the date the leave is to begin, except in cases of emergent or urgent need.
5. Residents/fellows must complete and submit a GME Leave of Absence Request Form in writing to the entity's Employee Health Services Department (Employee Health) for review and approval. Employee Health is responsible for reviewing and responding to requests for leaves of absence, including, but not limited to, leave under the federal Family and Medical Leave Act (FMLA); ACGME leave for medical, parental, or caregiver reasons (if the employee does not qualify for FMLA leave or has exhausted FMLA leave); or any other applicable and available leave.
6. Employee Health will review all leave requests and any supporting medical documentation to determine the type of leave available and applicable to the resident/fellow. Employee Health is responsible for tracking and monitoring all leaves of absence. Residents/fellows are responsible for communicating with Employee Health as needed and providing documentation requested in a timely manner.
7. If a resident/fellow is eligible for a leave of absence under the federal Family and Medical Leave Act (FMLA), Employee Health will process the leave request in accordance with FMLA before reviewing the applicability of any ACGME leave requirements. ACGME leave is available to residents/fellows when they are not eligible for leave under FMLA or when FMLA leave is exhausted. All available leaves run concurrently.
8. Generally, Baptist will continue making contributions for employee group health benefits during applicable leaves of absence on the same terms as if the employee had continued to work. If residents/fellows want their benefits coverage to continue during a leave of absence, including any voluntary benefits, the resident/fellow is responsible for ensuring that the resident/fellow continues to make any premium payments that the resident/fellow is required to make for himself/herself and for any dependents during the leave of absence. To arrange for premium payments, contact Corporate Benefits at 901-227-5093. Premium payments must be timely or Baptist benefits may be subject to cancellation for non-payment of premiums.
9. A leave of absence may require the resident or fellow to make up clinical time lost as per the program specialty board. Each ACGME-accredited program must provide its resident or fellow 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 or fellow's eligibility to participate in examinations by the relevant certifying board(s). It is the responsibility of the Program Director, in conjunction with the Designated Institutional Official (DIO), to determine the effect of absence from training for any reason on the individual's educational program and, if necessary, to establish make-up requirements that meet board requirements of the specialty.

Definitions: All leaves listed below indicate whether Personal Time Off (PTO), Sick Pay Benefit (SPB), or Long Term Disability (LTD) may apply. To clarify, PTO and SPB are front-loaded into the account of each resident or fellow on the first day of each academic year. Once PTO and SPB are exhausted, leaves that allow for the use of PTO and/or SPB may be taken without pay when requested by the resident or fellow and only when approved by Employee Health and in accordance with then-current BMHCC policies.

### **ACGME Leave**

Based on ACGME requirements for sponsoring institutions, the BMME GME Program will:

1. provide residents/fellows with a minimum of 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, starting the day the resident/fellow is required to report;
2. provide residents/fellows with the equivalent of 100 percent of their salary for the first six (6) weeks of the first approved medical, parental, or caregiver leave(s) of absence taken;
3. provide residents/fellows with a minimum of one (1) week of paid time off reserved for use outside of the first six (6) weeks of the first approved medical, parental, or caregiver leave(s) of absence taken;
4. ensure the continuation of health and disability insurance benefits as appropriate for residents/fellows and their eligible dependents during any approved medical, parental, or caregiver leave(s) of absence.

As applicable, please also refer to BMHCC Human Resources Policies regarding the Tennessee Maternity Leave Act (TMLA) for additional information.

### **Military Leave and Family Military Leave**

As applicable, please refer to BMHCC Human Resources Policies); BMHCC Human Resources Policy S.HR.5068 (Military Leave); and BMHCC Human Resources Policy S.HR.5033.03b.

### **Professional Leave**

See BMME Resident & Fellow Benefits Policy and Program Specific Policy.

### **Jury Duty Leave**

Please refer to BMHCC Human Resources Policy S.HR.5067.01 (Civic Responsibilities: Jury Duty and Voting Rights). This is paid leave with special provisions discussed in the above-referenced BMHCC policy.

### **Voting Leave**

Please refer to BMHCC Human Resources Policy S.HR.5067.01 (Civic Responsibilities: Jury Duty and Voting Rights). This is paid leave with special provisions discussed in the above-referenced BMHCC policy.

### **Bereavement (Funeral) Leave**

The loss of a member of the family can be a difficult time. Residents/Fellows who experience a death in their immediate family are granted up to three (3) regularly scheduled workdays off with pay. If additional time is requested, unpaid leave or the use of PTO may be granted. Employees must contact the Program Director or the designee to schedule the designated leave. Please refer to BMHCC Human Resources Policy S.HR. 5001 (Bereavement Leave) for any additional details.

### **Personal Time Off (PTO)**

All residents/fellows receive one hundred eighty-four (184) PTO hours that are “front-loaded” into the account of each resident/fellow on the first day of each academic year. Use of PTO must be approved by the Program Director in advance. Any unused PTO hours do not “roll over” to the following academic year. PTO will be automatically applied to holidays unless a resident/fellow is assigned to a curricular duty (clinical or academic) that can be documented in the schedule to show that the resident/fellow was working on assignment. Refer to program-specific policies on leaves of absence for information concerning requests for PTO and when PTO can be taken during curricular assignments. Please also review the BMHCC Human Resources Policies.

NOTE: The exact number of PTO hours will be reduced if appropriate to ensure that time off does not exceed the maximum number of days off permitted to meet board requirements for that specialty.

### **Sick Pay Benefit (SPB)**

Residents/fellows are allowed a Sick Pay Benefit (SPB), which hours are “front-loaded” into the account of each resident/fellow on the first day of each academic year. SPB includes, but is not limited to, loss of work due to hospitalization, outpatient surgery, illness, or injury. Residents/fellows may choose to use PTO, if available, in combination with SPB for time off due to personal injury/illness or surgery. SPB may not be used to care for others.

SPB will be paid in accordance with the then-current Attendance Standards Policy S.HR.5018.09 from the BMHCC Operations Policy, Procedure, and Guidelines Manual, available via the Baptist Intranet. SPB may not be used to supplement vacation time. Unused SPB is not carried over into the following academic year, and resident/fellows are not paid for unused SPB at the end of an academic year or upon separation from employment.

Residents/fellows who work another job, attend school, or engage in any activity that is inconsistent with the medical condition for which the employee is receiving SPB will be subject to disciplinary action up to and including discharge, unless prior approval is obtained from the entity CEO or Vice President and the Director of Human Resources or designee.

Nothing in this policy eliminates the obligation of each resident/fellow to provide the medical certification and/or return to work/fitness for duty documentation to Employee Health Services regarding FMLA-related absences even if the FMLA absence is less than forty (40) scheduled work hours. For information concerning FMLA, please refer to BMHCC Human Resources Policies available on the Baptist Intranet. For the purpose of Graduate Medical Education residents/fellows, the forty (40) hour elimination period is based upon an absence of five (5) workdays.

### **Long Term Disability (LTD)**

Baptist's Long Term Disability (LTD) benefits for residents/fellows will be determined by the contract policy provisions in effect with the insurance carrier.

Contact Corporate Benefits at 901-227-5093 for additional details. Please also refer to BMHCC Human Resources Policies) for additional information.

### **Workers' Compensation**

Resident/fellows are covered beginning on the first day of employment by Workers' Compensation Insurance. Workers' compensation may be provided to employees who sustain injuries/illnesses in the course of employment. Please refer to BMHCC Human Resources Policies (Transitional Duty) for additional information.

### **Personal Leave**

Request for a personal leave of absence (unpaid) may be granted at the discretion of the Program Director and appropriate Human Resources Representative. Time off for personal leave will be included when determining the number of days missed during the residency/fellowship period in accordance with the specialty's board eligibility requirements. Please also refer to BMHCC Human Resources Policies).

### **Holidays**

Resident/fellows are scheduled time off when appropriate during hospital-approved holidays. PTO, if available, will be used during this time to ensure continuation of pay.

**Attendance Standards – No call/No show**

**Please refer to BMHCC Human Resources Policy S.HR.5018.09 (Attendance Standards). The list of Standards for all attendance occurrences is discussed in the institutional policy.**

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