

## Leaves of Absence

**Effective:** July 1, 2018  
**Reviewed by GMEC:** June 12, 2018  
**Initial Approval by GMEC:** *Varies by type*

NOTHING CONTAINED IN THIS POLICY OR IN ANY OTHER POLICY CREATED A CONTRACT RIGHT. CONSISTENT WITH SOUTH CAROLINA LAW, ALL EMPLOYEES ARE EMPLOYED "AT WILL," WHICH MEANS THAT THE EMPLOYEE HAS THE RIGHT TO TERMINATE HIS OR HER EMPLOYMENT AT ANY TIME, WITH OR WITHOUT NOTICE OR CAUSE, AND THAT PALMETTO HEALTH RETAINS THE SAME RIGHT. EXCEPTIONS TO THE POLICY THAT ALL EMPLOYEES ARE EMPLOYED "AT WILL" MAY BE MADE ONLY BY WRITTEN AGREEMENT SIGNED BY THE PRESIDENT OF PALMETTO HEALTH.

### Statement

Residents at Palmetto Health are provided various types of leaves of absence while they are employed in their training program. Each type of leave may dictate specific resident responsibilities, general procedures, and institutional or legal guidelines.

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#### **Jury Duty and Court Witness Leave of Absence**      *Initial Approval by GMEC: October 12, 2010*

Jury Duty and Court Witness services performed by residents must be reported to their Program Directors prior to serving.

#### **Associated Policy(ies)**

None

#### **Responsible Positions (Title)**

Residents and Fellows

DIO

Chief Medical and Academic Officer

#### **Equipment Needed**

None

#### **Procedure Steps, Guidelines, Rules, or Reference – Related to Jury Duty and Court Witness Leave**

1. Residents who are requested to serve as jurors will be granted time off for this purpose. The resident/fellow will present the summons for duty to his/her Program Director prior to absence from work.
2. The resident/fellow must present to his/her Program Director court verification indicating the time served.
3. Residents who are released early from jury duty are expected to immediately contact their Program Director or Attending regarding their work status and assignments.
4. Residents may retain any stipends received from the court for serving on jury duty.

#### **Court Witness:**

1. Palmetto Health will pay for time off for residents to serve as a court witness only when the resident/fellow is required to attend at Palmetto Health's written request.
2. Travel expenses will be reimbursed to residents who serve as a court witness for Palmetto Health.

## References

None

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## **Military Leave of Absence**

*Initial Approval by GMEC: November 2, 1993*

Residents are entitled to a leave of absence and reinstatement upon return from leave of absence for military service (including Reserve and National Guard duty), as provided for by applicable state and federal laws. The provisions of such laws change from time to time and for that reason no effort is made to set forth the law in this policy. The employee should submit his/her orders to their Program Director.

## **Associated Policy(ies)**

Palmetto Health FMLA

## **Responsible Positions (Title)**

Residents and Fellows

Program Directors

DIO

## **Equipment Needed**

None

## **Procedure Steps, Guidelines, Rules, or Reference – Related to Military Leave of Absence**

Resident/fellow must present military orders as early as possible, but no later than 30 days upon return from military service. Military pay will be supplemented by Palmetto Health to the extent that the resident will not suffer income loss due to military service. This applies only to those periods of military duty where the resident is receiving military pay (as opposed to periods of duty where the resident/fellow is serving “for points only”, without pay) and is limited to a time period not to exceed 15 days per annum. The limit will be extended by 30 days (total of 45 days per annum) if subject to involuntary call-up.

Where leave is paid and found not to be supported, the compensation will be taken out of his/her next paycheck(s).

At the discretion of the resident/fellow’s Program Director and consistent with ACGME and RRC/CODA requirements, if time away from the resident/fellow’s educational program exceeds the maximum allowed by program requirements, the resident/fellow’s training may be extended as additional months or fractions thereof to meet these requirements. Additional training may also be required by specialty/sub-specialty boards for eligibility for certifying board exams (board certification requirements are provided by each program director).

NOTE: Residents/fellows should follow up with Payroll for further guidance.

## References

None

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**Personal Educational Leave of Absence**

*Initial Approval by GMEC: October 12, 2010*

A resident/fellow is considered to be on Educational Leave of Absence when absent from work for personal educational development that is not related to the residency program curriculum. Duration of educational leave of absence is up to 1 (one) year.

**Associated Policy(ies)**

*None*

**Responsible Positions (Title)**

Residents and Fellows  
Program Directors  
Program Coordinators  
DIO  
PH Human Resources

**Equipment Needed**

*None*

**Procedure Steps, Guidelines, Rules, or Reference – Related to Personal Educational Leave of Absence**

1. A resident shall request approval with as much advance notice as possible to his/her Program Director. Sixty days notice is preferred.
2. The Program Director will consult with the DIO and Palmetto Health Human Resources as appropriate when considering the request.
3. The Program Director must notify the Resident/Fellow and the Program Coordinator of the final decision.
4. Educational leave is not covered and may require extension of training.

**References**

*None*

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**Medical and Long Term Disability Leave of Absence**

*Initial Approval by GMEC: November 2, 1993*

Residents are provided leave for their own medical disability due to non-occupational illness or injury.

**Associated Policy(ies)**

Palmetto Health FMLA

**Responsible Positions (Title)**

Residents and Fellows

Program Directors  
DIO

### **Equipment Needed**

*None*

### **Procedure Steps, Guidelines, Rules, or Reference – Related to ~~Sick~~/Medical and Long-Term Disability Leave of Absence**

#### **Medical Leave**

1. All residents must contact their immediate supervisor (senior resident or attending physician), their Program Director, and Program Coordinator when an illness requires absence from duty.
2. Twelve (12) sick days are provided per year for medical leave and paid. If additional time is necessary and approved, this time may be extended leave and will be paid with approval of the Program Director and provision of supporting medical documentation.
3. Residents may also be eligible for Family Medical Leave Act (FMLA). The resident/fellow must contact FMLA Source at 1-866-441-3652 regarding eligibility, the leave process and designation of leave.
4. Any Palmetto Health employee out on Medical Leave of Absence (five or more consecutive scheduled work days missed due to a personal medical condition) must be cleared by Employee Health prior to returning to work. You are encouraged to be proactive in calling Employee Health to schedule your return-to-work visit. Employees only need to bring a provider note to their Employee Health visit clearing them to return to work if they have been seen by a provider during the Medical Leave of Absence. If Employee Health cannot safely clear an employee without a provider's note, then the employee will be required to obtain one.
5. At the discretion of the resident/fellow's Program Director and consistent with ACGME and RRC/CODA requirements, if time away from the resident/fellow's educational program exceeds the maximum allowed by program requirements, the resident/fellow's training may be extended as additional months or fractions thereof to meet these requirements. Additional training may also be required by specialty/sub-specialty boards for eligibility for certifying board exams (board certification requirements are provided by each program director).
6. In the case of adoption as a change to family status, residents should refer to PH's policy on Adoption.

#### **Maternity Leave**

*Initial Approval by GMEC: November 2, 1993*

1. The length of maternity leave time will be determined by the resident/fellow's physician and her Program Director. In the instance of the birth mother, time away will be counted first against the sick leave allowance, and then vacation and holiday. After all sick, vacation and holiday time has been exhausted; the continued approval will be based on the Program Director and DIO. This time may be treated as leave without pay, unless medical documentation supports the need for extended leave.
2. The resident may be eligible for Family and Medical Leave (FMLA). The resident/fellow must contact FMLA Source at 1-866-441-3652 regarding eligibility, the leave process and designation of leave.
3. At the discretion of the resident/fellow's Program Director and consistent with ACGME and RRC/CODA requirements, if time away from the resident/fellow's educational program exceeds the maximum allowed by program requirements, the resident/fellow's training may be extended as additional months or fractions thereof to meet these requirements. Additional training may also be required by specialty/sub-specialty boards

for eligibility for certifying board exams (board certification requirements are provided by each program director).

### Long-Term Disability

1. If a resident/fellow remains disabled beyond a period of 6 months, the resident/fellow may be eligible for Long Term Disability (LTD). The coverage amount for approved LTD is 60% of base monthly earnings up to a maximum of \$3,000 per month.
2. **The current LTD carrier is The Guardian.** Total Rewards ([totalrewardsresolutioncenter@palmettohealth.org](mailto:totalrewardsresolutioncenter@palmettohealth.org)) can provide additional information on maximum duration of LTD benefits.
3. At the discretion of the resident/fellow's Program Director and consistent with ACGME and RRC/CODA requirements, if time away from the resident/fellow's educational program exceeds the maximum allowed by program requirements, the resident/fellow's training may be extended as additional months or fractions thereof to meet these requirements. Additional training may also be required by specialty/sub-specialty boards for eligibility for certifying board exams (board certification requirements are provided by each program director).

### Paternity Leave

*Initial Approval by GMEC: February 8, 2005*

1. The resident may be eligible under the Family and Medical Leave Act (FMLA) – see policy. The resident must review FMLA policy and contact FMLASource at 1-866-441-3652 regarding eligibility, the leave process and designation of leave.
2. The length of paternity leave time will be determined by the resident/fellow and the Program Director. At the time that the resident takes time out from work for family leave, the resident will be paid (5) sick days and the time will be tracked by FMLASource. In the instance that the father requests, if approved, any additional leave time would count first against the sick leave allowance, and then vacation and holiday. After all sick, vacation, and holiday time have been exhausted; the continued approval will be based on the Program Director and DIO. This time may be treated as leave without pay, unless medical documentation supports the need for extended leave. Total Rewards can provide additional information.
3. At the discretion of the resident/fellow's Program Director and consistent with ACGME and RRC/CODA requirements, if time away from the resident/fellow's educational program exceeds the maximum allowed by program requirements, the resident/fellow's training may be extended as additional months or fractions thereof to meet these requirements. Additional training may also be required by specialty/sub-specialty boards for eligibility for certifying board exams (board certification requirements are provided by each program director).

### References

*RRC/CODA Discipline-specific requirements*

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## **Vacation and Holiday Leave of Absence**

*Initial Approval by GMEC: November 3, 1993*

Residents are provided vacation and holiday benefits.

### **Associated Policy(ies)**

*None*

### **Responsible Positions (Title)**

Residents and Fellows  
Program Directors  
DIO

### **Equipment Needed**

*None*

### **Procedure Steps, Guidelines, Rules, or Reference**

1. Total Maximum of twenty (20) working days (defined as Monday-Friday) per year are provided for PGY 1 and 2 and twenty-three (23) working days for PGY 3 and above. All vacation and holiday time must be scheduled and approved in advance by each department. Five of these days will be scheduled by the department for a week, near the end of the calendar year. Unused leave will not be paid at year end or as a terminal benefit.
2. At the discretion of the resident/fellow's Program Director and consistent with ACGME and RRC/CODA requirements, if time away from the resident/fellow's educational program exceeds the maximum allowed by program requirements, the resident/fellow's training may be extended as additional months or fractions thereof to meet these requirements. Additional training may also be required by specialty/sub-specialty boards for eligibility for certifying board exams (board certification requirements are provided by each program director).

### **References**

*None*