

# **West Virginia University**

## **School of Medicine**

### **Resident/Fellow Leave**

The resident/fellow leave guidelines of the West Virginia University School of Medicine exist to ensure the safety and general welfare of the residents/fellows and the effectiveness of the training programs. The guidelines are in accordance with the guidelines of West Virginia University, West Virginia University School of Medicine, ACGME, the regulatory and/or accrediting agencies, the ABMS Certifying Boards and are approved by the Graduate Medical Education Committee.

The Program Director and the Competency Committee will review resident/fellow leave time to assure that Residency Review Committee requirements are met. Due to the potential for stress and fatigue during residency training, it is expected that residents/fellows will take advantage of whatever amount of annual leave you are able to take each year in accordance with this policy without consequence to your education. If not requested, annual leave may be assigned at the discretion of the Program Director.

However, use of leave may impact on a resident's/fellow's ability to complete program requirements. Therefore, a resident/fellow who takes all the allowable annual and sick leave may not be able to complete the program requirements in the allotted training time and/or may not be eligible to take the required and/or applicable board examinations at the conclusion of the training period without additional training time. The institution is not responsible for providing additional training time and, in fact, may not be able to do so without requesting permission from the ACGME, where permission may or may not be granted, and is beyond the control of WVUSOM.

In addition to WVU leave policies, the ACGME and the applicable board may have requirements that must be followed in order to obtain a certificate and sit for certifying boards. Additional training as a resident may be required.

#### **ANNUAL LEAVE**

Full time residents/fellows will accrue two (2) days of annual leave per month. A day in the leave system is equal to 7.5 hours. **While, as a resident/fellow, you are entitled to use, and may request the use of, the entirety of your annual leave, the \_\_\_\_\_ program recommends that its residents/fellows request no more than \_\_\_\_\_ days of annual leave per year to ensure that program requirements are met. [insert breakdown for PGY years].** Annual leave must be accrued prior to using it. Annual leave time caps at 24 accrued days which will appear in the leave system as 180 hours. Once you accrue 24 days, you will stop accruing annual leave. Unused accrued annual leave time carries over from year to year, and at the end of your residency or fellowship, beginning from the day following your last day worked, any unused time, up to the maximum allowable accumulation of 24 days (180 hours), will either be paid to you in a lump sum or you may choose to remain on the payroll until your leave is exhausted if you are leaving the institution, or, if you are staying on for fellowship training or as faculty, unused accrued leave will transfer over to your new position or to another qualifying state agency.

Annual leave will be granted on a “first come, first served” basis and is determined by the total number of Department providers present during the time period requested. All annual leave must be approved, in advance, by your Program Director and reported to the Residency Manager, as well as the Chief Resident/Fellow and Service Chief. Program Directors have the right to deny annual leave at the requested time. The amount of time that can be missed on any one rotation is limited by the educational goals of the rotation. Only 1 week of annual leave may be taken on single month rotations, and only 2 weeks of annual leave may be taken on 2-month rotations. No more than 2 days of annual leave time may be taken during a 2 week rotation. Additional weeks may be taken on multi-month rotations, however no block of time greater than 2 weeks may be granted, and only one week of annual leave time may be used in any one calendar month. Extended annual leave or combining annual leave with meetings is discouraged due to prolonged absence from the program. Such requests require special approval from the Program Director and must fall within the requirements of the ACGME and the applicable Board.

A resident does not have the option of reducing the time required for the residency by forgoing annual leave.

In the \_\_\_\_\_ program, annual leave time may not be used during the following rotations or dates which are considered “blackout” periods:

### **SICK LEAVE**

Full time residents/fellows will accrue 1.5 sick days per month. Sick leave must be accrued prior to using it. Sick leave may be used by an employee who is ill or injured, when a member of the immediate family is seriously ill, or when a death occurs in the immediate family. Immediate family is defined as: father, mother, son, daughter, brother, sister, husband or wife, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandmother, grandfather, granddaughter, grandson, stepmother, stepfather, stepchildren, or others considered to be members of the household and living under the same roof.

If you have any question regarding whether sick leave can be used, please contact the Residency Manager. **Excessive/unexplained absences may affect your competency evaluation and/or your promotion to the next level of training.** Sick leave for more than five (5) consecutive work days cannot be granted to an employee without satisfactory proof of illness or injury as evidenced by a statement of the attending physician or by other written proof. An employee who has been absent from work for an extended period because of illness or injury must obtain medical clearance before returning to work. The University may require verification of an illness or other causes for which leave may be granted under this policy regardless of the duration of the leave. A copy of all medical documentation must be sent to the medical management unit.

## **HOLIDAYS**

While the University provides scheduled holidays to its employees as state employees, the requirements of medical coverage do not allow for all these holidays to be taken as scheduled. The Program Director and Residency Manager will assist in scheduling and coordination of available holiday time.

If you are on a service where physicians observe a state holiday, you will not be required to work on that holiday. As professionals, you are exempt from overtime or compensatory time, therefore, if a service requires you to work on a state holiday, you will not be compensated additional amounts for that worked holiday.

However, residents/fellows who work on State-defined Holidays (for example, Thanksgiving Day or a service where physicians do not observe a state holiday) may be granted an equivalent number of alternate days to be taken at a time mutually agreed upon by the resident/fellow, the Residency Manager, and the Program Director. No grant of an equivalent number of days is required of or owed by WVUSOM.

## **CONTINUING MEDICAL EDUCATION LEAVE**

All CME conferences a resident/fellow wishes to attend must be approved, in advance, by the Program Director and reported to the Residency Manager, as well as the Chief Resident and Service Chief. Attendance at CME conferences counts toward duty hours during the actual conference time. As a result, annual leave does not need to be used for CME attendance. One day of travel time, if necessary, will be granted before and after the conference without the use of annual leave.

## **LEAVES OF ABSENCE**

A Leave of Absence (LOA), including Family Medical or Military leave, may be requested by a resident/fellow after all applicable leave time has been exhausted. The University policies regarding LOA, WVU BOG 24 regarding leave and the University Human Resources Department provide guidance regarding the procedures and forms that must be completed.

Generally, LOA will be granted based on the need to attend to personal matters such as perinatal care or serious illness. No academic credit may be provided for non-annual leave. Additional months will be added to the training duration if possible, but residents/fellows are advised that LOA may impact a resident's/fellow's ability to complete program requirements. Therefore, a resident/fellow who takes a LOA may not be able to complete the program requirements in the allotted training time and/or may not be eligible to take the required and/or applicable board examinations at the conclusion of the training period without additional training time. The Department is not responsible for providing additional training time and, in fact, may not be able to do so without requesting permission from ACGME, which permission may or may not be granted. The granting of permission by ACGME is beyond the control of WVUSOM. A maximum of 6 months of LOA may be honored before a resident/fellow may be required to reapply to and be reaccepted into the program.

University policy and applicable laws control compensation and duration of leaves for pregnancy, illness, military, or injury. Educational requirements of the residency must be met irrespective of leave. Such leaves may result in the extension of time necessary to complete the

residency/fellowship. The Program will make every attempt to meet individual needs created by pregnancy or illness, and LOA will be considered and provided in accordance with University policy and applicable law, but the Program cannot control the potential inability of a resident/fellow to complete the required training if a LOA is taken.

## **PROCEDURE FOR REQUESTING LEAVE**

The \_\_\_\_\_ Program requires that annual leave requests be submitted in writing for approval \_\_\_\_\_ days in advance of the requested time off. *AN ANNUAL LEAVE REQUEST FORM MUST BE COMPLETED AND SUBMITTED FOR APPROVAL.* After all required signatures are obtained, the leave request form must be provided to your designated leave coordinator for entry into the [www.MyAccess.wvu.edu](http://www.MyAccess.wvu.edu) [https://myapps.wvu.edu/WvuMyapp/mya/Before\\_Login.jspx?\\_afLoop=2647877000358817&\\_afWindowMode=0&\\_adf.ctrl-state=7yj8nrj8o\\_4](https://myapps.wvu.edu/WvuMyapp/mya/Before_Login.jspx?_afLoop=2647877000358817&_afWindowMode=0&_adf.ctrl-state=7yj8nrj8o_4) system. If prior written approval is not sought for annual leave, disciplinary action may result, and a letter will be placed in your personnel file. Annual leave requests without the required advance notice may not be approved. Coverage for call schedules, patient care, and other obligations must be adequately arranged for by the resident **and** communicated.

**See Annual Leave Request Form attached as Exhibit A.**

## **GRIEVANCE, WITNESS, AND JURY LEAVE**

Employees who are subpoenaed, commanded to serve as jurors, or required to appear as witnesses or representatives for review proceedings of the Federal Government, the State of West Virginia, or a political subdivision thereof, or in defense of the University shall be entitled to work release time for such duty and for such period of required absence which overlaps regularly scheduled work time. Employees are entitled to leave with pay for the required period of absence during the regularly scheduled work time including reasonable travel time. For additional information, refer to the WVU Department of Human Resources Policies and Procedures.

When attendance in court is in connection with official duties, time required, including reasonable travel time, shall not be considered as absence from duty.

## **INCLEMENT WEATHER**

If a resident/fellow is absent due to inclement weather, an annual leave day must be taken unless the institution is closed.

Additional information regarding leave can be found in WVU BOG 24 or at [www.hr.wvu.edu](http://www.hr.wvu.edu).

Revised by the GMEC Taskforce: November 2, 2017

Approved by GMEC: November 10, 2017

## ANNUAL LEAVE REQUEST FORM

Date \_\_\_\_\_

Name \_\_\_\_\_

Month & Rotation \_\_\_\_\_

List the dates for which you are requesting leave.

Vacation Dates:

Conference Dates:

Boards:

**REQUESTS MUST COMPLY WITH THE WVUSOM  
RESIDENT/FELLOW LEAVE GUIDELINES.  
ONCE YOU HAVE OBTAINED THE REQUIRED APPROVAL  
AND SIGNATURES,**

Return the completed form to the Residency/Fellowship Manager.

### SIGNATURES:

Program Director: \_\_\_\_\_

Residency/Fellowship Manager: \_\_\_\_\_

Chief Resident/Fellow: \_\_\_\_\_

Service Chief/Rotation Preceptor: \_\_\_\_\_