

UNIVERSITY OF MARYLAND MEDICAL CENTER GRADUATE MEDICAL EDUCATION POLICY AND PROCEDURE MANUAL	PAGE: 1 of 5	PROCEDURE NO: GMS - E
	EFFECTIVE DATE: 7/1/07	
SUBJECT: LEAVE OF ABSENCE		
APPROVALS: Graduate Medical Education Committee Approval: 8/23/2007; 2/16/2023		

1. **Purpose**

To provide uniform guidelines for the continuation of certain fringe benefits during periods of absence due to illness, injury or personal business and to provide for a smooth re-entry of the resident into the training program. The period of absence is defined as longer than 29 calendar days.

2. **Scope**

This policy applies to all residents participating in resident training programs sponsored by the University of Maryland Medical Center.

3. **Responsibility**

It is the responsibility of the program directors to approve/deny leave of absence (LOA) requests, to explain to the resident his/her rights under this policy, and to obtain the required documentation from the resident. The resident requesting a leave of absence is responsible for any payments to continue fringe benefits during the leave and to arrange for payments to be sent to Kelly Benefits in a timely fashion.

4. **Procedures**

4.1 Requesting a Leave of Absence

Residents must request a leave of absence through the Lincoln Financial Group portal or by calling 1-844-208-1665. Leave of absence requests will be reviewed in light of the operating needs of the Medical Center; leave of absence requests will not be unreasonably denied. Final approval or denial of a leave of absence requests rests with the Program Director. Leave of absence may be requested for the following reasons:

- 4.1.1. personal disability;
- 4.1.2 continuing education;
- 4.1.3 personal business (including family and medical leave);
- 4.1.4 military leave;
- 4.1.5 professional leave.

4.2 Definitions

4.2.1 Personal Disability Leave

In the event a resident is incapacitated and prevented from

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performing the duties of his/her position for more than 30 calendar days due to personal injury or illness, a leave of absence request must be submitted to the resident's program director. Failure to request a leave of absence will be deemed an expression of intent to resign and the resident will be dismissed from the training program unless there is evidence of the resident's inability to submit a leave of absence request.

The leave of absence begins on the 30th day of disability and may be granted for a period of time not to exceed 12 months from the last day worked or the length of employment, whichever is less.

4.2.2 Personal Business Leave

Residents may be granted leave without pay to attend to matters of a personal nature, such as care for a disabled family member, child rearing, or the birth or adoption of a child, etc. (See policy HRM [411](#), Family and Medical Leave) Personal leave may not exceed six months.

4.2.3 Military Duty Leave

If a resident enters active duty in any branch of the armed forces, either by orders or by choice, for a period in excess of two weeks per year (which is governed under the Military Training Leave policy HRM [405](#)), he/she will be granted a military leave of absence without pay. No required length of service or probation period with the Medical Center is necessary for a resident to receive a military leave. A resident will be granted leave to serve in the armed forces for a period that does not exceed the maximum allowed by state and federal statutes. Residents must immediately provide the Program Director with a copy of their orders to report for active duty.

4.2.4 Professional Leave

Residents with 12 consecutive months of Medical Center service may be granted leave without pay to continue their education. This education must be directly related to the current job of the resident or to a position within the Medical Center to which the resident may reasonably aspire. An educational leave may not exceed two years. All academic training must be received from an accredited institution. Upon return to full-time residency, the resident must provide an official transcript from the institution for which the leave was approved.

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4.3 Continuation of Medical Benefits while on LOA

4.3.1. During Personal Disability LOA

The UMMC will continue the health, dental, life, short term and long term disability benefits of a resident on an approved LOA for personal disability or to attend to the needs of family members (up to 12 weeks per year). Any contributions towards insurance premiums required of the resident while on active status must be received by Kelly Benefits by the first of the month following the date leave begins, or coverage will be terminated. If no premium contributions are required, the resident will be continued on the insurance plan at the expense of the Medical Center for the duration of the LOA. When the LOA terminates, the resident may continue benefits at his/her own expense as provided by the law and the terms of the insurance plans.

4.3.2 During other LOA (Non-disability)

Benefits will be continued until the last day of the month in which the LOA begins. After this, the resident on an approved LOA (other than as defined in 4.3.1) is responsible for the full premium cost of insurance benefits for the duration of the LOA. Failure to make payments by the first of each month will result in termination of coverage.

4.4 Use of Paid Leave while on Leave of Absence

4.4.1 During Personal Disability

During the first 30 calendar days before a leave of absence begins, residents must use accrued sick leave, personal leave, and vacation leave in that order. After a leave of absence has begun and a resident has qualified for short-term disability benefits, he/she may supplement the insured benefit with earned sick, vacation, or personal leave or may continue with accrued leave benefits at his/her discretion in lieu of filing for insurance disability benefits. However, paid leave may not be used to supplement Worker's Compensation benefits. All available sick, vacation, and personal leave must be exhausted prior to receiving long term disability benefits.

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Vacation leave and personal leave earned while a resident is on a leave of absence will not be paid while a resident is on this leave of absence, but will be available for use upon a resident's return to work.

4.4.2 During Other Leave of Absence (Non-Disability)

Any accrued vacation, and/or holiday leave benefits will be paid to a resident for the first 30 calendar days prior to the beginning of a leave of absence. Additional paid leave accrued after the first day of the leave of absence will only be available upon the resident's return to duty or as terminal leave benefits. At the discretion of the Program Director, any accrued but unused vacation and holiday leave may be given to the resident as a lump sum, or may be paid to the resident in bi-weekly paychecks until it is exhausted or until the resident returns to work, whichever comes first. Otherwise, a portion of the accrued vacation and holiday leave may be left in the bank and made available upon the resident's return to work. Once the resident ceases receiving paid leave, any additional leave balances will not be made available until the resident returns to work or terminates residency upon expiration of the leave of absence.

4.5 Return to Work

4.5.1 Resident's Responsibility to Inform Program Director

A resident on leave of absence is required to notify his/her Program Director of readiness to return to work at least two weeks prior to the anticipated date of return. If leave of absence is due to a disability, a doctor's statement will be attached to a resident's request for a leave of absence and may be used in submitting a short-term disability insurance claim. (See Policy CRP[302](#), titled "Disability Insurance").

If the doctor's statement does not specify a return date or the resident cannot return on the expected return date, the resident is responsible for informing his/her Program Director of medical progress.

4.5.2 Medical Clearance

A resident returning from a personal disability leave of absence will be required to submit a statement from his/her attending physician which

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certifies his/her fitness to return to work. The Medical Center may also require further certification by the Employee Health Services physician.

4.5.3 Returning from Military Duty

A resident returning from a Military Leave will be returned to residency training with the Medical Center as specified by Federal law.

4.6 Documentation

An attending doctor's statement must accompany the leave of absence request for personal disability, and any subsequent request for extension. This statement must specify that the resident is physically or mentally unable to perform the responsibilities of his/her job. The Medical Center reserves the right to require further certification by the Employee Health Services physician.

4.7 Impact of Leave of Absence on Resident's training

When a resident requests any type of leave of absence, the Program Director is required to inform the resident of the effects, if any, that the leave of absence will have on the ability of the resident to satisfy the criteria for completion of the residency program and for assuring that the resident has access to the eligibility criteria for certification in the specialty/subspecialty program.