

COOPER UNIVERSITY HEALTH CARE

Graduate Medical Education Committee Policies and Procedures

Supersedes: 10/05/2018
Reviewed: 08/29/2022

Section: Policies and Procedures
Subject: Leaves of Absence Residents and Fellows Policy

Notice: The official version of this Policy is contained in Cooper Policy Network and may have been revised since the document was printed.

I. PURPOSE:

- A. Establishment and implementation of a policy for trainees (residents/fellows) considering a leave of absence (leave/LOA) from their training.

II. ACCOUNTABILITY:

- A. In accordance with Human Resources policies and federal and state laws, the Graduate Medical Education Committee (GMEC) has established the following mandatory medical leave guidelines for residents and fellows. The Program Director (PD) and the DIO will monitor and approve/disapprove changes to program resulting from leave of residents/fellows.
- B. Residents/Fellows must inform their Program Director of their need for the leave as soon as possible and provide any information that will allow the PD to determine the impact of the length of training or board eligibility.
- C. Although leave may be taken, this will often impact length of training required for board eligibility. The PD is responsible for determining how the LOA might affect the length of training. Each individual ABMS Board determines length of training for eligibility for board certification.
- D. The PD and the Clinical Competence Committee (CCC) are responsible for determination of the trainee's competence to enter independent practice. Although leave may be taken it may impact the length of training in order to assure competence.

III. POLICY:

- A. As team members of Cooper University Health Care, residents and fellows are entitled to family and medical leave and accommodations in accordance with the Human Resources [8.401 Leaves - Family and Medical Leave of Absence](#) policy.
- B. In addition to these entitlements, the trainee is eligible for paid leave at 100% of salary on day one of the training program for one six week leave for a qualifying reason under Section III.C.2 of Policy 8.401. FMLA will run concurrently with this leave, if eligible for FMLA. NOTE: Eligibility for NJTDI or NJFLI is determined by the State of NJ. If not eligible for state benefits vacation time will be used for full salary up to 3 weeks.
- C. Trainees must apply for New Jersey Temporary Disability and/or Family Leave Insurance for any leave. If not eligible for pay under [8.405 Leaves - Contracted Provider Leave](#), up to three weeks of vacation time will be applied to pay the difference between NJTDI or NJFLI (if eligible) and 100% of salary to provide the pay in paragraph B

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- above. Trainees are guaranteed a minimum of one week of PTO to reserve for vacation time in the academic year of the leave.
- D. Residents and fellows must apply for Leave of Absence online through Cooper PULSE under Frequently used Links, then request Leave Of Absence as soon as they are aware of a need for leave. Residents/fellows must follow all requirements in accordance with Human Resources Policy [8.401 Leaves - Family and Medical Leave of Absence](#), including all required documentation regardless whether the leave is eligible for FMLA or not. During a medical leave, the resident/fellow will receive salary, if eligible, in accordance with Human Resources Policy [8.405 Leaves - Contracted Provider Leave](#), or the pay provided in paragraph C above. Residents/ fellows must speak to their program director regarding leave/schedules as soon as possible in advance of anticipated family or medical leave.
- E. In order to graduate and obtain a certificate, residents and fellows must also complete all requirements of the respective training program, and the ability to complete a training program may be impacted by leaves of absence. Each specialty board has requirements on time permitted away from training per academic year and requirements as to the amount of time, number of encounters, procedures, etc., that must be completed to graduate from the program. If a resident/fellow's time away from the residency program for vacation, family or medical leave exceeds the time permitted by the specialty Board or the resident is unable to complete other training requirements due to a leave, the time or other requirements must be made up prior to graduation. Cooper will work with each resident/fellow to reasonably accommodate an extension of the program, where possible.
- F. In circumstances in which the leave plus any applicable vacation time equals or exceeds six consecutive months, the trainee's skills, restrictions, and the program circumstances must be assessed to ensure patient safety, and compliance with all applicable requirements and the ability of the program to make the needed accommodations both for the resident and to ensure appropriate training for the other residents. An ad hoc reentry committee will be convened to review potential accommodations with the resident/fellow, determine if continuation is feasible and determine what accommodations are reasonable and necessary.
- a. The committee will consist of the PD, representative of the GMEC as appointed by the DIO, faculty member of the trainee's choice, Human Resources, and additional member of the program CCC. Legal should be consulted. The Chair of the reentry committee will be appointed by the DIO.
 - b. The committee will consider input from the trainee involved, the program and any other pertinent information.

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- c. The committee will determine based on educational factors and Cooper's ability to make reasonable accommodation.

IV. PROCESS:

- A. All trainees must electronically complete and submit the HR [Request for Leave Form](#).
- B. The Program Director will provide the resident/fellow written confirmation of anticipated dates of leave, schedule changes, and any information regarding extension of training time (if applicable) prior to the leave by using the [Request for Leave of Absence Form - Resident/Fellow, GMEC](#) . The completed form is sent to the GME Office. The GME Office will record and submit the form to the DIO for review and signature of approval.
- C. For scheduled leaves of absence the trainees should plan to use three weeks of vacation time and reserve one week of vacation during the year to be used at another time. For emergency leaves and unforeseen circumstances this may not be possible. In this case, any remaining vacation time will be applied to the leave. In all cases the resident/fellow will have at least one week to use for vacation during the academic year of the leave.
- D. The Human Resources benefits department will notify the GME Office of the approved trainee leave, return to work dates and leave extensions (if applicable).
- E. The GME Office will notify the PD of the approved trainee leave, return to work dates and leave extensions (if applicable).
- F. Return to Work: The resident/fellow must receive a medical clearance from their physician releasing them to back to work status prior to being able to return to work from a medical leave. Medical clearance and return to work must be provided to and coordinated with Human Resources.

V. RELATED POLICIES:

- A. [8.401 Leaves - Family and Medical Leave of Absence](#)
- B. [8.405 Leaves - Contracted Provider Leave](#)

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