

## Graduate Medical Education Leave Policy for Residents/Fellows (effective 7/1/25)

1. **Vacation:** Residents/Fellows shall receive 3 weeks (21 calendar days = 15 weekdays + 6 weekend days) of paid vacation per contract year to be taken in periods of time mutually agreed upon by resident/fellow, training site, and Program Director. Weekdays and weekend days are not interchangeable.
2. **Holidays:** Due to the 24-hour nature of patient care, residents/fellows are not entitled to holiday leave. A Program Director may choose to: a) allow time off without using leave while a resident/fellow rotates on a clinic or service that closes for a holiday, or b) reassign the resident/fellow to another clinic or service (including call) on a holiday.
3. **Meetings:** Residents/Fellows may receive up to 7 calendar days (5 weekday + 2 weekend days) of paid leave for professional meetings per contract year and non-cumulatively. Leave taken under this section *does not* count towards the thirty (30) days of allowable leave in Section 8 below.
4. **Sick Leave:** Residents/Fellows will be given 12 calendar days of paid sick leave per contract year for personal and dependent illness. Sick leave is non-cumulative from one contract year to the next. Residents/Fellows are responsible for notifying their program director of any absence because of illness. Residents/Fellows shall provide medical verification for absences due to illness when requested. Residents/Fellows who use all allotted sick leave may not meet ACGME or certification board requirements. Refer to Section 8 below. If incapacity results in more than 3 days, the UND Long-Term Medical and Family Leave Policy will be followed. Residents/Fellows who do not qualify for FMLA leave may qualify for extended leave pursuant to federal law or within the discretion of the program.
5. **Additional Sick Leave:** Additional *unpaid* sick leave may be granted with written permission from the resident's/fellow's program director. If granted and if incapacity results in more than 3 days, the UND Long-Term Medical and Family Leave Policy will be followed (<https://und.policystat.com/policy/4413435/latest/>) sick leave shall not be credited as training time and will result in makeup requirements as described in Section 8 below.
6. **Medical, Parental, and Caregiver Leave:** Residents/fellows are eligible for up to six consecutive weeks (42 calendar days = 30 weekdays + 12 weekend days) of paid medical, parental, and caregiver leave **once** and at any time during a residency/fellowship program, starting the day the residents/fellows are required to report. Residents/Fellows with a short-term medical, parental, or caregiver leave of 12 calendar days or less would likely utilize sick leave, instead of this section. Vacation and sick leave is in addition to the 6-week paid leave.
  - a. Residents/fellows will request FMLA leave from UND Human Resources by completing the form located at: <https://powerforms.docusign.net/8c3a0fe7-228e-46ff-b4d4-8c20c7d1e446?env=na3&acct=0b6b418b-b8d9-464a-afd1-2c657718f7b9&accountId=0b6b418b-b8d9-464a-afd1-2c657718f7b9>. Generally, employees must give notice of the need for leave at least 30 days in advance of the start date of the leave if the need for leave is foreseeable.
  - i. UND Human Resources will adjudicate the eligibility of a resident's/fellow's leave request for medical, parental, or caregiver leave consistent with institutional policy and applicable law and will provide a written response with its decision to the resident/fellow and respective supervisor/program director.

- ii. Additionally, residents/fellows are responsible for notifying their program director of their absence. In all instances, the resident/fellow leave request shall clearly indicate in their notification to their program director and in MedHub that the resident/fellow is utilizing the six-week paid medical, parental, and caregiver leave.
- iii. Refer to the UND Long-Term Medical and Family Leave Policy (<https://und.policystat.com/policy/4413435/latest/>).
- b. Residents/Fellows who take a medical, parental, or caregiver leave may not meet certification board requirements and shall be subject to the provisions of Section 8 below including but not limited to an extension of training and/or non-advancement.**
- c. Regardless of where the resident/fellow is assigned, all weekend days and holidays will be counted in the 42 calendar days of approved leave under this section.
- d. Sick and vacation leave will not run concurrently with the six weeks of leave.
- e. Pursuant to Section 5, residents/fellows are eligible for additional *unpaid* leave at least once and at any time during a residency/fellowship program.
- f. Residents/fellows and their eligible dependents will continue to receive health and disability insurance benefits from UND SMHS, if enrolled. Allowable time away is for the birth and care of a newborn, adopted, or foster child; care of an immediate family member (child, spouse or parent) with a serious health condition; or the resident's/fellow's own serious health condition. Serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves:
  - i. Inpatient care at a hospital, hospice, or residential medical care facility;
  - ii. Incapacity for more than three full calendar days with continuing treatment by a health care provider;
  - iii. Incapacity due to a pregnancy or prenatal care;
  - iv. Incapacity or treatment for a chronic serious health condition;
  - v. Permanent or long-term incapacity for a condition for which treatment may not be effective (such as a terminal illness); or
  - vi. Absence for multiple treatments for either (1) restorative surgery following an injury or accident, or (2) a condition that would require an absence of more than three days if not treated.
- 7. **Leave of Absence:** Unpaid leave of absence may be granted for individual resident/fellow need at the discretion of the Program Director. For personal and family medical leave, refer to the UND Long-Term Medical and Family Leave Policy (<https://und.policystat.com/policy/4413435/latest/>). Any leave of absence or unpaid leave shall not be credited as training time and will result in makeup requirements as described in Section 8 below.
- 8. **Makeup for Extended Leave:** The minimum amount of training time during the contract year is defined for some residencies by the Accreditation Council on Graduate Medical Education (ACGME) Program Requirements or by the requirements of relevant certification boards as 48 weeks or 11 months. In the case where any such requirements relative to a particular UND SMHS residency/fellowship program are not specific, the allowable combined total of Vacation Leave, Sick Leave, and any Additional Sick Leave taken during the contract year shall be 1 month (30 days). For combined leave totals that exceed this amount, a review by the Residency/Fellowship Program Director shall be required. If it is determined that the resident/fellow has not made sufficient progress in the program due to the amount of training time missed in excess of the thirty (30) allowable days as set out in this paragraph, the resident/fellow may be required to make up training time or to have their program extended by an equivalent amount of time to meet the requirements of their residency/fellowship program; however, for some programs, such an extension of program time may require the approval of the ACGME Residency Review Committee appropriate to that program and/or relevant certifying board(s). Each residency/fellowship program will provide its residents/fellows 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/fellow's eligibility to participate in examinations by the relevant certifying board(s).

9. **Funeral Leave:** An approved absence from work, with pay, of up to three days, may be provided to a resident/fellow to attend or make arrangements for a funeral, as a result of a death in the resident's/fellow's family, or in the family of a resident's spouse.

*Family means* husband, wife, son, daughter, father, mother, stepparents, brother, sister, grandparents, grandchildren, stepchildren, foster parents, foster children, daughter-in-law, and son-in-law.

Funeral leave for residents/fellows working less than 40 hours per week will be prorated. Funeral leave in this section counts towards the thirty (30) days of allowable leave in Section 8.

10. **Jury Duty:** Residents/Fellows shall be allowed leave with pay for jury duty when subpoenaed for such service. Any compensation received for such duty may be retained by the employee. Jury duty leave in this section counts towards the thirty (30) days of allowable leave in Section 8.
11. **Military Leave:** Residents/fellows are granted military leave in accordance with federal and state laws and regulations and University policy. To be eligible for military leave, residents/fellows must be continuously employed by the State for a period of ninety days or more immediately preceding the leave. A resident/fellow who is a member of the National Guard or Armed Forces Reserves shall be granted military leave, with pay, of up to twenty (20) days. In addition, any military leave of absence necessitated by a full or partial mobilization of the reserve or national guard forces of the United States of America, or emergency state active duty, shall be without loss of pay for the first thirty days less any other military leave which may have been granted during the contract year. Military leave in this section counts towards the thirty (30) days of allowable leave in Section 8.
12. Leave (vacation, sick, meetings, medical, parental, caregiver) shall not be subject to an accumulated "pay out" upon the completion of the program, transfer from the program, or upon the residents/fellows involuntary or voluntary termination from the program. Except as provided in Section 8 above, no leave balance shall carry over into a new contract, contract renewal, or contract extension.
13. Leave (vacation, sick, meetings, medical, parental, caregiver) shall not carry over from one contract year to the next and must be used within the contract year.
14. Leave (vacation, sick, meetings) will be prorated for contract terms that are greater than or less than twelve months except when a term is greater than 12 months for the purpose of orientation.
15. Paid leave is defined as the equivalent of 100% of a resident's/fellow's regular base salary.
16. The UND SMHS GME Leave Policy for Residents/Fellows will be available for review by residents/fellows at all times on the UND SMHS GME website located under policies at: <https://med.und.edu/policies/medical-residents.html>.

Created: 2/6/97  
Revision Date: 9/7/97  
Revision Date: 8/8/00  
Revision Date: 8/12/03  
Revision Date: 4/15/04  
Revision Date: 6/1/04  
Revision Date: 6/10/08

Revision Date: 6/10/14  
Revised by GMEC: 12/12/17  
Revised by GMEC: 10/12/21  
Revised by GMEC: 8/9/22  
Revised by GMEC: 12/10/24 (effective date 7/1/25)  
Revised by GMEC: 6/10/25 (effective date 7/1/25)