

IDENT	GME29
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TITLE: Family and Medical Leave Act and Vermont's Parental and Family Leave Law

PURPOSE: To ensure compliance with state and federal laws and to provide support to residents/fellows requiring family/medical leave consistent with the federal Family and Medical Leave Act (FMLA) and Vermont's Parental and Family Leave Law (VPFL).

POLICY STATEMENT: Residents and fellows may qualify for family and medical leave as outlined by UVM Medical Center policy HR-D-01. Subject to the definitions and requirements provided in the policy, residents/fellows may request and may take up to 12 weeks of time off each year for qualifying reasons, which may include:

- The birth and subsequent care of a newborn;
- Placement of a child for adoption or foster care;
- Care for a spouse, child, parent, or parent-in-law with a serious health condition; or
- Their own serious health condition.

During the family/medical leave, residents/fellows receive specified benefits and job protections. Family/medical leave is unpaid. However, residents/fellows may use their allocated vacation/personal time, paid caregiver leave, and/or may receive disability or Workers' Compensation payments, if eligible (see GME policies 30, 31, and relevant HR policies).

To satisfy their program's certifying Board, Accreditation Council for Graduate Medical Education (ACGME), and/or Commission on Dental Accreditation (CODA) requirements, an extended leave of absence(s) may require the resident/fellow to extend their training program, contingent on whether the program can accommodate the training extension.

PROCEDURE:

1. Eligibility
 - a. To be eligible for these benefits, residents/fellows must have worked at UVM Medical Center for at least 12 months and at least 1,250 hours during the 12-month period immediately preceding the beginning of the leave.
2. Unpaid Leave
 - a. Leave is unpaid but can be taken along with Short-Term Disability (GME-31 policy). In addition, residents/fellows can use all or a portion of their Paid Time Off (GME – 30 policy). Use of paid leave does not extend the leave available under FMLA/ VPFL.
3. Notice Requirements
 - a. Residents/Fellows must give reasonable notice to their program director of their intent to take a leave of absence. Residents/Fellows must follow UVM Medical Center's process for requesting family/medical leave.
 - b. As soon as reasonable, the program director or their designee should notify the GME office of the leave. The GME office requires the following actions related to a leave of absence:
 - i. In New Innovations:
 1. On the "Block Schedule", assign the resident/fellow to the GME LOA rotation for the duration of their absence.
 2. In the "Confidential Notes" section, summarize the following information:
 - a. Leave type;
 - b. Start and end date for the leave, and if applicable
 - i. Dates for paid time off, and/or
 - ii. Unpaid leave dates;
 - c. State whether an extension of training is necessary or unnecessary;

3. Update the "Training Record" with "Add Leave of Absence"; and
4. Update "termination date" (if applicable).
- ii. In ACGME ADS "Resident Roster", change the resident/fellow's "Current Status" to "Inactive - Leave of Absence", enter their first date of absence, and select the "Leave Type."
- c. When the resident/fellow returns from leave of absence, the program director or their designee should:
 - i. Notify the GME office with the resident/fellow's name, return date, and, if applicable, the revised training end date.
 - ii. In ACGME ADS, change the resident/fellow's "Current Status" to "Active Full-time" and enter the last date of their absence.

DEFINITIONS: N/A

RELATED POLICIES:

Termination of Employment, Policy HR-A-10
Short Term Disability Benefits, Policy HR-C-03
Long Term Disability Benefits, Policy HR-C-04
Family and Medical Leave, Policy HR-D-01
Supplemental Family and Medical Leave, Policy HR-D-08
On-The-Job Injuries, Policy HR-G-05

REFERENCES: Vermont and Federal Family and Medical Leave Acts.

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