



## Graduate Medical Education Departmental Policy

Policy Title: **Time Off**

Policy Number: 43.1

Effective Date: 11/20/24

Version: Revision

### I. Purpose

To establish a uniform policy that ensures all appropriate steps are taken when a GME physician requests time off from work/training that supports UW Health's commitment to create and maintain a work environment that balances work, education, and personal needs. This policy will apply to all voluntary and involuntary time off.

### II. Scope

This policy will apply to all GME physicians in Accreditation Council for Graduate Medical Education (ACGME) accredited programs sponsored by the University of Wisconsin Hospitals and Clinics Authority (UW Health). While all GME physicians in UW Health programs will be allowed the time off associated with the below leave types, the pay will be determined by the employer. For the purposes of this policy, pay is assumed to be for employees of UW Health. Portions of this policy may vary based on employer.

### III. Definitions

**GME Physician:** The term "GME physician" shall refer to both resident and fellow physicians, including post-doctoral fellows (unless otherwise specified).

**Program(s):** Will refer to ACGME-accredited program(s).

**UW Health:** The name "UW Health" shall mean University of Wisconsin Hospitals and Clinics Authority, which is the sponsoring institution of the ACGME-accredited training programs. "UW Health" is the trade name of University of Wisconsin Hospitals and Clinics Authority and its affiliates.

**Serious Health Condition:** A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either inpatient care or outpatient care that requires continuing treatment or supervision by a healthcare provider. The definition of what qualifies as a serious health condition should be verified by referencing the resource for whichever leave is being taken (i.e., Department of Labor for FMLA, Department of Workforce Development for WFMLA, etc.).

**Day:** Working day, as defined by program policy, unless otherwise specified.

**Week:** Workweek, as defined by program policy.

**Intermittent Leave:** Leave taken in non-contiguous periods of time due to a single illness or injury, rather than for one continuous period of time.

**Continuous Leave:** Leave that is taken and not broken up by periods of work.

### IV. Procedure

Wellbeing is supported by having time away from work/training to engage with family and friends, as well as to attend to personal needs and to one's own health. Programs must give GME physicians the opportunity to attend medical, mental health, and dental care appointments, including those scheduled during their work hours (ACGME CPR VI.C.1.d.(1)). Physicians, both in training and in practice, are an integral part of UW Health (UWH) and the vision of providing "Remarkable Healthcare." This policy supports UW Health's strategic plan foundational competency of staff and physician wellbeing.

A. **Program Policy:** Each program must have a policy for administering leave that ensures coverage of patient care if a GME physician is unable to perform their patient care responsibilities for reasons including, but not limited to, fatigue, illness, and family emergencies. The program policy must align with this policy and must be implemented without fear of negative consequences for the GME physician who is unable to provide the clinical work (ACGME CPR VI.C.2).

B. **Scheduling:**

Requirements

1. All GME physician requests for time off must be approved by their program director, or delegate, and in some cases, approval must also be granted by the director of Graduate Medical Education (GME), the Designated Institutional Official (DIO), or their delegate.
2. Programs must provide its GME physicians with accurate information regarding the impact of extended time off upon the criteria for satisfactory completion of the program and upon a GME physician's eligibility to participate in examinations by the relevant certifying board(s) (ACGME IR IV.H.1.g). To meet ACGME or Board requirements, GME physicians may be required to make up leave taken. In some cases, space for such additional training at the time desired may not be available at UW Health (UWH).
3. All GME physician program time must be scheduled in the GME physician management system, MedHub, and QGenda, unless otherwise specified. All leave time must therefore be recorded in MedHub which contains the official schedule and feeds billing for affiliate sites and Centers for Medicare & Medicaid Services (CMS) cost reporting.
4. All leave must be entered in full day increments using a 365 day/year convention to align with CMS and other billing rules. There is no mechanism to request nor approve partial days of leave in MedHub. When a GME physician needs a partial day off (e.g., for a wellness appointment, sick child, or family emergency) and is still able to complete some of the day's work, the time off may be approved and does not require leave time usage.
5. Leave time shall be allotted for each academic year (e.g., June 24 - June 23), except for specified leaves indicated below. Unused leave may not be carried over to the next year except as provisioned in "Vacation" below. A pro-rated amount of leave shall be allotted for partial training years or working less than full-time.
6. Unused leave shall be forfeited with no payout available.

Notification

1. When possible, GME physicians are asked to notify UWH GME Administration at least 30 days before the date of the anticipated extended leave. In cases of illness and/or an emergency, notice must be given as soon as possible.
2. Failure to make timely notification (within 3 weeks after leave start date) may result in the delay or repayment of paid leave until proper notification is received.
3. Medical certification forms must be completed by healthcare provider and returned to GME Administration.
4. A leave request form is required for some leaves (please see [Leave of Absence Reference Grid](#) for specifics). Notice requirements may vary by employer.
5. The Veterans Administration Hospital (VAH) requires 45 days' notice for leave other than sick leave. Requests submitted less than 45 days require chief of staff approval and are assessed on a case-by-case basis.

C. **Leave Types:** The following leave types, paid and unpaid, are available to GME physicians (in alphabetical order).

Administrative: At times there may be a need for the program director, the director of GME, or other UWH leader, to place a GME physician on administrative leave which may be paid or unpaid, based on the circumstances. GME Administration must be notified through MedHub of

any unpaid leave.

**Bereavement:** A GME physician may take time off for a death in their immediate family. (For UWH's definition of immediate family reference [UWH Time Off](#) policy 9.40.)

1. GME physicians may use available sick leave to cover bereavement leave. If additional time off is needed, or if the death is not an immediate family member as defined in UWH policy 9.40, GME physicians may use vacation or personal leave.
2. Time away from employment/training shall be used within the seven (7) -day period immediately following the death. Where mitigating circumstances exist (i.e., delayed, or postponed funeral arrangements), and with the program director's approval, bereavement time may be used later for reasons directly related to the death.

**Career development:** Each GME physician may take up to a maximum of five (5) days per training program for fellowship interviews or other employment searches. Personal leave may be granted, or vacation used for additional time.

**Family Medical Leave Act (FMLA) and Wisconsin Family Medical Leave Act (WFMLA):** While the purpose of the leaves is similar, there are slightly different eligibility requirements and lengths of leave available between FMLA and WFMLA. Federal law, state law, or both may cover family and medical leave taken under this policy. Whenever possible, state and federal leaves taken under this policy will run concurrently, provided the eligibility requirements for both have been met. However, when leave is governed by state or federal law, but not both, the applicable law will prevail under the policy. The workweek is defined by each GME program.

1. The FMLA provides eligible GME physicians up to 12 workweeks of unpaid and job-protected leave, after the first year of employment, each academic year for qualifying reasons. See Code of Federal Regulations ([www.ecfr.gov](http://www.ecfr.gov)) and U.S. Department of Labor website ([www.dol.gov/agencies/whd/fmla](http://www.dol.gov/agencies/whd/fmla)) for details. FMLA time is tracked on an academic year basis.
2. The WFMLA provides eligible GME physicians two (2) weeks unpaid and job-protected leave each calendar year for their own serious health condition or the serious health conditions of a parent, child, or spouse. WFMLA provides up to six (6) weeks for the birth or adoption of a child. WFMLA time is tracked by calendar year. See Department of Workforce Development ([www.dwd.wisconsin.gov/er/civilrights/fmla](http://www.dwd.wisconsin.gov/er/civilrights/fmla)) for details.
3. UW Health will allow eligible GME physicians to substitute earned paid leave (vacation or sick) for the otherwise unpaid FMLA or WFMLA leave.
4. Substitution of paid leave will not extend or result in additional family and/or medical leave being available to the GME physician.
5. A completed medical certification form (Certification of Health Care Provider under the Family and Medical Leave Act, WH-380-E) from a health care provider must be provided when leave is requested for a serious health condition for the GME physician or when requesting leave to care for a qualified family member.
6. If UW Health has reason to doubt the validity of a medical certification, the GME physician may be requested to provide written documentation from a health care provider chosen and paid for by UW Health. If the original documentation and the second conflict, a third health care provider will be agreed upon and documentation obtained. The opinion of the third health care provider will be binding. UW Health reserves the right to request a GME physician re-certify as to the continuation of the serious health condition at various points in time, as permitted by law.
7. Upon returning from leave, a GME physician is entitled to be restored to their original position or to an equivalent position with equivalent pay, benefits and other terms and conditions of employment, including duties and responsibilities.

**Holidays:** GME physicians must be available for clinical work as assigned by the program director. UW Health Wisconsin recognizes [eight \(8\) legal holidays](#).

1. If assigned to work on a UWH-observed holiday, GME physicians will be granted one additional vacation day per holiday (a.k.a. "floating holiday") to be scheduled on a subsequent day.
2. The tracking of this time is the responsibility of the training program and will be maintained outside of the GME physician management system, MedHub, or its incumbent.
3. Any used vacation from holidays worked must be entered into MedHub under vacation time to ensure the schedule accurately reflects leave time.
4. If a GME physicians requests time off for a religious holiday, in lieu of legal holidays, they should be allowed comparable leave where scheduling permits, not to exceed eight total holiday days per calendar year.

Jury duty: GME physicians may take time off without loss of pay during regularly scheduled hours of work for jury duty. However, when not impaneled for actual service, but instead on call for jury duty, the GME physician shall report to work unless otherwise authorized by the GME physician's program director. GME physicians needing time off for jury duty must provide advance notice to their program director and provide a copy of the jury summons.

Living Bone Marrow and Human Organ Donor: A GME physician may request up to six (6) weeks leave in a 12-month period for the purpose of serving as a bone marrow or organ donor. See *UWH Time Off policy 9.40* for details.

Military: For Military Service, Military Caregiver, and Military Exigency leaves, please refer to *UWH Time Off policy 9.40* for details.

Parental, Caregiver, and Personal Medical: A GME physician may take up to six (6) weeks of leave at 100 percent of their stipend for each of these leave types. GME physicians may take leave intermittently with program director approval. GME physicians have one week of paid time off reserved for use outside of the first six weeks of the first approved Parental, Caregiver, or Personal Medical leave of absence taken (IR IV.H.1.b.) in the current training program. UW Health accomplishes this by providing paid sick and vacation leaves, which are not required to be used during the forementioned leaves. [Federal Family Medical Leave Act \(FMLA\)](#), and [Wisconsin FMLA](#), run concurrently with parental, caregiver, and personal medical leave, when applicable. GME physicians may take leave non-concurrently with coordination of scheduling with their program and with program director approval.

Parental: GME physicians may take up to six (6) weeks of paid parental leave following the birth, adoption, fostering, or legal guardianship of a new child(ren). GME physicians giving birth may be eligible for personal medical leave to support recovery from childbirth. Medical leave must be taken immediately following birth and runs concurrently with parental leave. Those requiring additional time off due to complications related to childbirth may be eligible for additional personal medical leave. Please see personal medical leave below. Vacation, personal leave, or both may be taken to extend parental leave.

Caregiver: GME physicians may take up to six (6) weeks of approved caregiver leave for qualifying reasons once per training program at 100 percent of their stipend (IR IV.H.1.a)).

1. GME physicians are eligible for caregiver leave upon the first day of employment and may be taken at any time during training.
2. A *Certification of Health Care Provider for a Family Member's Serious Health Condition* form [WH-380-F](#) must be completed to verify qualifying reason for leave.

Personal medical: Personal medical leave is granted to GME physicians for a personal serious health condition as defined by FMLA/WFMLA. While FMLA does not require the allowable weeks to be paid, UWH grants paid personal medical leave up to a limited number of weeks as detailed below, while maintaining compliance with applicable

federal and state FMLA/WFMLA laws.

1. Approved personal medical leave is granted as follows for qualifying medical events within a 12-month period beginning on the first approved day of personal medical leave:
  - a. up to six weeks will be paid at 100% of stipend
  - b. leave longer than six weeks will be paid at 75% of stipend, for up to an additional six weeks
  - c. any additional approved time beyond 12 weeks (84 days for 7-day workweek programs) will be unpaid
2. Available vacation or sick leave time may be applied to extend paid time.
3. A completed medical certification form (Certification of Health Care Provider, WH-380-E) from a health care provider must be provided when leave is requested for a serious health condition for the GME physician.
4. Paid medical leave does not apply upon return to work with restricted hours (to be paid proportionately to a regular schedule).
5. Medical leave will not exceed 26 weeks (182 days for 7-day workweek programs) within a 12-month period or for a single qualifying medical event. Personal leave may be approved for use to extend time away from training.
6. Medical leave exceeding 26 weeks may qualify for long-term disability benefits, further determined by other requirements of the UWH-provided policy.
7. Any work-related injury incurred by a GME physician, that qualifies as a serious health condition, not covered under available employer Workers' Compensation benefits, will run concurrently with personal medical leave. For UW Health employees, see UWH Worker's Compensation policy 9.17. Worker's Compensation benefits are administered and may vary by employer.

Personal: A GME physician may be granted personal leave without pay at the discretion of the program director. Personal leave for more than four (4) weeks will only be allowed in extraordinary circumstances and require the approval of the residency program director and the director of GME or delegate, or the DIO or delegate.

Professional development: Each GME physician may take up to a maximum of one (1) week for exam and board preparation or to attend professional meetings or courses each year with pay. This leave time is in addition to vacation and may not be carried over to the following year. At the discretion of the program director, additional professional development time may be allowed to meet UWH program requirements, such as scholarly activity, or remediation needs of the GME physician. Professional development time may not be used for off-site elective rotations.

Sick: GME physicians may take up to ten (10) days of paid sick leave per year. Sick leave may be used when:

1. The GME physician is ill, and the illness is not serious enough to require a healthcare certification form be completed as may be required for personal medical leave. Health clearance by Employee Health Services is required for any unscheduled illness/injury absence of five (5) or more consecutive days, excluding parental leaves. See UWH Health Clearance to return to Work or Continue to Work policy 9.22).
2. A qualifying family member that requires the GME physician's care.
3. A death in their immediate family. Please refer to the bereavement section above.

Vacation: UW Health GME physicians are entitled to 15 days of paid vacation per year. Weekend days and UWH-observed legal holidays do not count against the 15 days. The yearly vacation allotment is to be used during the training year in which it is earned. In exceptional circumstances,

if the GME physician is unable to use all allotted vacation during the training year due to service requirements, the GME physician may carryover up to 5 days of vacation to the following year with prior approval of the program director. When the GME physician is leaving UWH permanently, accrued vacation must be used prior to termination or it shall be forfeited, there is no payout option.

Witness service: GME physicians may take time off with pay during regularly scheduled hours of work when subpoenaed as a witness in a matter directly related to their work duties. When not called for actual testimony, but instead on call as a witness, the GME physician shall report to work unless otherwise authorized by the GME physician's program director. GME physicians needing time off for witness leave must provide advance notice to their program director and provide a copy of the subpoena. If a GME physician is subpoenaed as a witness in a matter not directly related to their work duties, the GME physician must use either vacation time or time off without pay.

- D. **Disability Accommodation:** A medical condition, permanent or temporary, may result in the need for reasonable accommodation. Refer to policy *UW Health Disability Accommodation 9.68* for information related to this policy and procedure.
- E. **Return to work:** GME physicians will be referred to UW Health Employee Health Services to obtain clearance to return to work or to continue working consistent with *UW Health Clearance to Return to Work or Continue to Work* policy 9.22.

V. References

UWH [Time Off](#) policy 9.40

UWH [Health Clearance to Return to Work or Continue to Work](#) policy 9.22

UWH [Fitness for Duty](#) policy 9.34

UWH [Disability Accommodation](#) 9.68

VI. Coordination

Sr. Management Sponsor: Susan Goelzer M.D, M.S., Designated Institutional Official Author:  
Director of Graduate Medical Education and Medical Staff Administration Review/Approval  
Committee: Graduate Medical Education Committee

Signed By



Susan L. Goelzer, MD, MS  
Designated Institutional Official (DIO), UW Health  
Associate Dean for Graduate Medical Education  
Professor of Anesthesiology, Internal Medicine, and Population Health Sciences  
University of Wisconsin School of Medicine and Public Health