Stanford University Dept. of Obstetrics and Gynecology

Time Away/Leave Policy/Conference Attendance

**Stanford GME policy – for ALL Residencies (pages 36-39 of Policies and Procedure Manual)**

**Family and Medical Leave Act**

Family and Medical Leave is leave authorized by the federal Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA). In most cases, FMLA and CFRA run concurrently with each other and with periods of Short-Term Disability, including leave due to work-related illness or injury. Eligible house staff are entitled to up to 12 weeks of unpaid leave for a qualifying reason during a 12-month period. The criteria for eligibility are one year of service, **and** 1250 hours during the 12 months preceding the leave and that the leave entitlement has not been used within the last year. (As discussed below, CFRA does not run concurrently with periods of Pregnancy Disability Leave.)

FMLA will not be provided beyond the end date of a fixed term appointment.

See appendix D for a more detailed description of FMLA and CFRA leave.

***Reasons for Taking Leave***

Unpaid FMLA/CFRA leave will be granted for any of the following reasons:

* The birth of your child, or placement for a child with you through adoption or foster care;
* To care for your spouse, domestic partner, child or parent who has a serious health condition;
* For a serious health condition that makes you unable to perform you job; or
* Leave is for a qualifying exigent circumstance relating to the active duty or deployment of a
* qualifying service member
* Leave is to provide for the care of a family member who is an ill or injured military service member.
* Certain kinds of paid disability benefits may be used to provide salary replacement during unpaid leave.

***Advance Notice and Medical Certification***

You are required to provide advance notice of leave and medical certification. Taking of leave may be denied until requirements are met.

• Ordinarily you must provide 30 days advance notice when the leave is “foreseeable”.

• If the reason for the leave is not foreseeable, then you are required to provide as much advance notice as possible.

• STANFORD HEALTH CARE requires medical certification to support a request for leave because of a serious health condition, and may require second opinions (at STANFORD HEALTH CARE’s expense) regarding the need for leave and/or a fitness-for-duty report prior to your return to work.

California State Disability Claims may be filed online or you may pick up a claim form at the GME Office. If you file a claim online, you need to print and submit a copy to the GME Office to ensure your leave dates are recorded correctly with the payroll department and in MedHub.

SDI dates not communicated correctly to the GME Office may result in over or under payments from SDI

which the resident will be responsible for repaying.\*

• For CA State Disability Forms: http://www.edd.ca.gov/disability

Note: \*Stanford will not reimburse for any under or overpayments as a result of inaccurate information provided by the resident.

***Job Benefits and Protection***

• For the duration of authorized FMLA/CFRA/PDL leave, STANFORD HEALTH CARE will maintain your health coverage under its group health plan for a period not to exceed six (6) months, provided you continue to pay any premiums you were paying prior to the leave.

• Upon return from authorized leave, consistent with applicable law, you will be restored to your original or equivalent positions with equivalent pay, benefits, and other employment terms.

• The use of leave will not result in the loss of any employment benefit that accrued prior to the start of your leave.

**NOTE:** Residents are advised that absences of longer than four (4) weeks per year may require additional training in order to comply with board regulations. Please contact your program director for more information.

In cases where a leave of absence has been approved by the Department Chair and the Chief Medical Officer, residents will be paid in full during the additional weeks of residency required to be board eligible if the GME Office is notified. If the GME Office is NOT notified of the leave, continuation of pay during any required make-up time is at the discretion and cost of the residency program

**Pregnancy Leave**

In accordance with California law, a female resident must be granted an unpaid Pregnancy Disability Leave of up to four (4) months if the employee is incapable of performing her job duties because of medical disability resulting from pregnancy, delivery, or post-childbirth recovery, as verified by a physician. In addition, under the California Family Rights Act (CFRA), eligible employees have a right to unpaid family care/baby bonding leave of up to 12 weeks in the 12-month period following the birth, adoption or foster care placement of a child. With the consent of the resident, GME will offset unpaid time and/or applicable state disability benefits with any unused personal time off (up to 3 weeks) and/or any unused sick days (up to 20 days).

**Failure to file for SDI benefits or ineligibility for California SDI benefits will not result in STANFORD HEALTH CARE paying the equivalent of the disability benefit available from the State of California**.

**The GME Office will verify the amount of personal time off remaining. The resident’s failure to properly designate personal time off in MedHub will not result in additional personal time off.**

California Pregnancy Disability Leave and any applicable periods of CFRA or FMLA leave run concurrently with the paid periods noted above. See Appendix D for a more detail description of these and other FMLA and CFRA entitlements. Any other arrangement should be negotiated with your department/division and cleared with the Department of Graduate Medical Education. Any pregnant house staff officer should notify her program director as soon as possible after discovery of pregnancy so that scheduling changes can be made to accommodate any leave. The sick leave policy will apply

during the extended period of disability.

**The Graduate Medical Education Office must be notified at least 30 days prior to a leave or as soon as resident is aware of the need for a leave. See “Advanced Notice and Medical Certification” above.**

**Paternity Leave**

STANFORD HEALTH CARE offers one week with pay; (5 days). Additional unpaid time off will be provided in accordance with FMLA & CFRA (see Appendix D for more information regarding these policies).

**Bereavement Leave**

Residents are eligible for up to five (5) work days of pay in the event of a death of the employee’s immediate family, including parents, legal guardian, spouse, children, stepchildren, grandparents, grandchildren, siblings, step-siblings, step-parents, mother-in-law, father-in-law and eligible domestic partners as defined in the Employer’s Health Benefits Summary Plan Descriptions.

Bereavement will be granted immediately following the death unless arrangements require other dates approved by the Program Director and the Director of Graduate Medical Education.

**Holidays**

Holidays for residents will be consistent with the schedule at the institution to which the resident is assigned and with the policies of the program and/or department

**Educational Meetings and Activities**

Request to attend educational, scholarly and professional activities/seminars should be submitted to the program director for approval. Duty hours must be entered for the dates and times you are in attendance in compliance with ACGME regulations.

**Personal Time Off**

House staff do not accrue vacation. House staff are permitted to take up to three (3) weeks of personal time off with pay during each one-year period. Personal time off must be scheduled in advance with the approval of the Director of the Residency Training Program in each department or division. Stanford Medicine believes that personal time away from the residency program is important to the welfare of house staff, so unused personal time off does not accumulate from year to year and there is no provision to pay in lieu of time off.

**A leave of absence for professional reasons will be considered on a case by case basis. Written consent must be obtained from the program director and the Director of Graduate Medical Education. Continuation of salary is at the discretion of the Chief Medical Officer. Benefits, however, will not continue for more than six (6) months.**

**Jury Duty**

If you are called to jury duty on a day in which you are scheduled to work, you will be given leave with pay for the actual time spent on jury service (time required to spend sitting on a jury or physically waiting at the courthouse in anticipation of being called to sit on a jury) and in related travel. The program director and/or department must be notified as soon as a jury summons is received.

\**Only the court, as outlined in the Jury Summons Notice can grant deferment or excused absence from jury service.*

**Sick Leave**

House staff will be granted up to 20 days of sick leave (four (4) weeks) per year, if needed. House Staff do not accumulate sick leave credit, and no additional compensation will be paid for unused sick leave. Salary will continue, offset by state disability or worker’s compensation benefits, until the 20 days of sick leave are exhausted.

**Specific to Obstetrics/Gynecology Residency- ABOG requirements**

See: https://www.abog.org/bulletins/2017%20BASIC%20Qualifying%20Examination%20Bulletin%20(final%206-17-16).pdf

Candidates for certification are required to complete 48 months of graduate medical education in an Obstetrics and Gynecology residency program(s) that is ACGME- accredited at the time of completion of training. Candidates who will complete their residency training after September 30, 2017, will not be allowed to sit for the June, 2017 Qualifying Examination.

Residents are expected to take allotted vacation time. Foregoing vacation time or necessary sick leave to shorten the required 48 months of training or to “make up” for time lost due to sickness or other absence is not permitted.

Leaves of absence and vacation may be granted to residents at the discretion of the Program Director in accordance with local policy. However, the total of such **vacation and leaves** for any reason—including, but not limited to, **vacation, sick leave, maternity or paternity leave, job interviews or personal leave**— may not exceed 8 weeks (45 days) in any year of residency training. If maximum per year weeks of leave are exceeded, the residency must be extended for the duration of time the individual was absent in excess of 8 weeks in any one year.

Example: A resident takes 3 weeks of leave in each of years 1, 2, and 3, but takes a total of 10 weeks of leave in year 4 (total 19 weeks). The residency program must be extended by 2 weeks because the year 4 limit was exceeded.

In addition to the yearly leave limits above, a resident must not take more than a total 20 weeks of leave over the four years of residency training. If this limit is exceeded, the residency must be extended for the duration of time that the individual was absent in excess of 20 weeks.

Example: A resident takes 8 weeks of leave in years 1, 2, and 3, and 6 weeks of leave in year 4 (total 30 weeks). The residency program must be extended by 10 weeks.

The number of days that equals a “week” is a local issue that is determined by the hospital and Program Director, not ABOG.  Stanford Ob/Gyn Residency defines a week as 5 business days.

Vacation and sick leave time may not be used to reduce the actual time spent completing the required forty-eight months of training or to “make-up” for time lost due to sickness or other leave.

Residents who have their residency extended to complete the required 48 months, may sit for the basic Qualifying Examination in June if they will have completed all 48 months by September 30 of the same year. The results of their examination will not be released until and unless the Program Director notifies the ABOG that they have successfully completed their residency prior to September 30.

**Maternity/Paternity/Family Leave** -

Residents that give birth are allowed 6 weeks (8 weeks for a C-section) of paid disability leave from GME with any additional leave being unpaid (while maintaining medical benefits). By state law, you may take up to 4-months of maternity leave (inclusive of up to 12 weeks FMLA for other qualifying medical leave). This includes any time off during the pregnancy. Any time beyond the ABOG/RRC requirements above must be made up after the final day of PGY-4 year.

Partner leave is 5 days per GME policy, but unpaid FMLA may be taken within above guidelines.

Planned leave in PGY3/4 must be taken during a clinical selective or research block. If leave is taken before PGY3, the clinical rotation missed will be made up during a clinical selective in PGY 4.

Weekend call missed during a medical or family leave must be made up over the course of the remainder of residency. For planned leaves, extra call may be taken prior to leave as long as it is within the duty hours guidelines.

**ALL LEAVE FROM RESIDENCY MUST BE APPROVED BY THE PROGRAM DIRECTOR.**

Requests for leave for the above approved reasons must be submitted to the administrative chief residents and the Program Director.

**Stanford Residency in Obstetrics and Gynecology Conference Time**

We support research and educational opportunities during residency and will consider time away from clinical duties for these activities based on the followings:

* Consideration for clinical duties requiring coverage (e.g. a clinics rotation easier to cover than Night Float, increasing chances request will be approved).
  + Residents should consider relevant planned meeting dates when making block schedule
* Reason for meeting attendance (oral or poster presentation- depending on involvement in research, networking for fellowship, educational opportunity/objective)
* Resident must be in good standing with no outstanding issues or concerns at Clinical Competency Committee (CCC) or semi-annual evaluation and up to date on case/duty hours logging, CREOG score and other residency and GME requirements
* Request must be submitted to Program Director with advanced notice (ideally prior to the final call schedule- 3-4 months with notification of submission and full request as below with acceptance)
* Formal request should include:
  + copy of acceptance of abstract/presentation
  + presentation type (poster, oral or other)
  + role of resident
  + conference program- highlighting the presentation date and time
  + clinical rotation affected
  + days requested off
  + sample travel itinerary
  + Budget (hotel, flight, conference registration)
  + letter of support from mentor including planned financial support from mentor
* Final approval will be at the discretion of the PD with input from multiple sources
* Funding: Each resident receives $2000 from GME annually for education (automatically deposited in November paycheck). Each resident is expected to use these funds to cover the first $1500 of conference expense, but may apply for funding over the $1500 prior to conference attendance. If approved, receipts must be submitted within 30 days of conference attendance to receive reimbursement.

**PGY-1 and 2**

The focus of the first two years of residency is ensuring development of clinical skills and knowledge. Time off for conferences must be requested per above guidelines and requests will be considered on a case-by-case basis and may be granted for the specific time of the research presentation (oral or poster)

**PGY-3 and 4**

Senior residents may request time off for conferences to present research, attend society meetings for chosen subspecialties, or educational opportunities. Requests will be considered on a case-by-case basis with justification. Time off for educational meetings and activities may not exceed 5 days per year in the PGY 3 or 4 years (3 days for those with a CREOG of less than 200).