

Radiation Oncology Residency Program Vacation, Conferences, Maternity Leave, and Corrective Action

POLICY

Time off and leaves of absence have been made available to house staff in order to balance the demands of the radiation oncology training program with trainees' personal needs and the needs of their families. All time off shall be granted according to this policy and the policies of the training program, as well as University of Pennsylvania Health System (UPHS) policy, where appropriate.

SCOPE

Residents are permitted four weeks (20 working days) of vacation time during any one academic year. Residents are requested not to take vacation during the first week of any rotation, and no more than two weeks of vacation during a single rotation. Any time off taken during the Christmas and New Year holiday weeks, aside from Christmas Day and New Year's Day themselves, is considered part of the allotted 20 days of vacation time.

All vacation must be requested in writing using the appropriate form at least two weeks in advance. The attending physician of the rotation the resident is on at the time of the requested absence must approve and sign the vacation request form. The form is then signed by the Program Director, and all approved departmental absences are recorded by the Program Coordinator.

Any vacation requests that are submitted with less than two weeks notice must be pre-approved by the Program Director. The resident must submit an explanation in writing for such requests. Acceptable reasons for such requests include family or personal emergencies, or a death in the family. .

Cross-coverage may be required from another resident if the attending on the service is also out the same days as the vacation request. While residents are rotating at satellite facilities or on away rotations, vacations must be approved by the supervising staff and Program Director. Vacation request forms are to be forwarded to the Program Director at HUP as soon as they have been approved by the supervising faculty member at the satellite or affiliated facility. Vacation requested during elective or research time must be signed and approved by the Program Director only.

Sickness

If a resident is ill for a prolonged period of time (absence longer than seven consecutive days), the Chairman of the may consider the resident to be on medical leave and may continue paying his/her salary for the period of time until long-term disability comes into effect. A demanding personal problem may justify a leave of absence. If the Chairman finds that the circumstances warrant the leave, then the Chairman may elect to grant a paid leave up to one month. If a resident is totally disabled and therefore unable to work, the department will continue his/her salary for a maximum of six months.

The resident covered under applicable long-term disability will cease to receive his/her house staff salary. The resident should not receive an amount greater than pre-disability income while on total or partial disability. If the resident returns to work on partial disability, the monthly insurance benefit plus the salary from part-time employment is not to total more than the full-time salary paid prior to disability. Fringe benefits continue only to the end of the resident's current contract year, (i.e. the contract year in which the disability occurred). If

the resident is reappointed, benefits will continue on a contract year to contract year basis. After the resident's third year, he/she falls under the University's long-term disability plan.

Family/Medical Leave: Upon commencement of training, residents are eligible to apply for family/medical leave under the Family and Medical Leave Act of 1993 (“FMLA”).

- (a) Residents may use up to 12 weeks of FMLA leave in any rolling 12-month period. Residents should apply through the program director. FMLA leave is available for the birth, placement for adoption, or placement for foster care of a child, or for the house officer’s own serious health condition or the serious health condition of a family member, as defined by University of Pennsylvania Medical Center leave of absence policy (#2-06-07).
- (b) Residents may receive up to six weeks of paid FMLA leave (of the 12 total weeks available) in any rolling 12-month period, when the leave is taken for their own serious health conditions, or for the birth, placement for adoption, or placement for foster care of a child. Once such paid leave is exhausted, the house officer may use any available vacation for the remainder of his or her FMLA leave. Residents may also receive short-term disability benefits if enrolled in the short-term disability plan and eligible under the terms of the plan. FMLA leave will be unpaid for house officers not receiving short-term disability benefits who have exhausted or are not using vacation.
- (c) It shall be left to the discretion of each the Program Director, based on scheduling requirements, whether a resident whose FMLA leave would otherwise be unpaid must use vacation while on FMLA leave.
- (d) Spouses or domestic partners who are both employed as residents will be eligible in any rolling 12-month period for a total of 12 weeks of FMLA leave for the birth, placement for adoption, or placement for foster care of a child, of which total there shall be no more than six weeks’ paid leave.
- (e) Benefits continue for the duration of the leave, for which the resident must continue his or her contribution. Residents taking unpaid FMLA leave must make contribution payments on a monthly basis, or benefits may lapse.
- (f) Residents may be required to provide certification from a health care provider (consistent with Department of Labor requirements) in connection with an application for FMLA leave, or such leave may be delayed or denied, and in order to return from such leave.
- (g) A resident may not perform any work while on FMLA leave.
- (h) Residents are ineligible for “other medical leave” under University of Pennsylvania Medical Center Leave of Absence Policy (#2-06-07).

A request for an extended leave of absence may be granted or denied at the discretion of the Program Director, and in evaluating any such request, the Program Director may take into account the resident’s performance, reason for the request, and likelihood of returning to the program

Military Leave shall be covered by UPMC policy (#2-01-05) and shall be administered in accordance with the Uniformed Services Employment and Re-employment Rights Act and related regulations.

IMPLEMENTATION

The implementation of this policy is the responsibility of the Program Director.

PROCEDURES

1. Resident absences from training shall fall into the following general categories:
 - Vacation
 - Personal days (including occasional days off due to minor illness or injury)
 - Family/medical leave
 - Military leave
 - Extended leave of absence

Residents shall have access to Human Resources to discuss a potential need for leave.

MONITORING

If cumulative absences negatively impact the number of months of training for a resident with respect to the number of months required to satisfy the criteria for completion of the residency program, the program director must assess the resident's ability to fulfill his/her educational obligations and may require additional training time. Each request will be assessed by the Departmental Educational Committee, and a final decision will be made to determine the amount of additional training required.