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**INTEROFFICE MEMORANDUM**

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**TO:** HOUSESTAFF  
**FROM:** RESIDENCY PROGRAM OFFICE  
**SUBJECT:** LEAVE OF ABSENCE (LOA) POLICY  
**DATE:** 4/12/2012

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Dear Residents,

Please find attached a copy of Article XII from the House Officer's contract which outlines the current LOA policy for residents. Maternity leave, paternity leave, bereavement, and medical leave are all types of leaves governed by this policy and qualifying for FMLA benefits. See article XII for additional detail.

In preparation for a LOA (if it is anticipated), residents should do the following:

- 1) Notify the Program Office (either via the Administrative Director and/or your advisor)
- 2) Notify the chief residents
- 3) Cancel appropriate clinic weeks within 60 days (except in case of emergency)
- 4) Submit LOA forms to HR 30 days in advance of leave (except in case of emergency):  
[www.bmc.org/benefits/hr-forms.htm](http://www.bmc.org/benefits/hr-forms.htm)
- 5) When leave officially starts notify the Chief Resident who will then notify the Program Office
- 6) Confirm your first day back to work by notifying the Chief Residents and Program Office

Additionally, any resident taking a leave of absence should be aware of the following **ABIM** policy regarding board eligibility:

“Up to one month per academic year is permitted for time away from training, which includes vacation, illness, parental or family leave or pregnancy-related disabilities. *Training must be extended to make up any absences exceeding one month per year of training.* Vacation leave is essential and should not be forfeited or postponed in any year of training and cannot be used to reduce the total required training period.”

Please contact the Program Office at any time with questions or concerns. The attached LOA policy can also be found in the “Resources” section of New Innovations and on the residency program web site: <http://www.bumc.bu.edu/im-residency/internal/policies/>.

Sincerely,

Laurie Dubois  
Administrative Director - Medical Education  
Internal Medicine Residency Program  
617-638-6500

## ARTICLE XII – LEAVES OF ABSENCE

Section 1. All House Officers who have been employed for at least one year and completed at least 1,250 hours of service during the twelve month period immediately preceding the commencement of leave are eligible for leave pursuant to the Family and Medical Leave Act (FMLA) of 1993. Consistent with the Family and Medical Leave Act of 1993, eligible persons covered by this Agreement may be entitled to up to twelve (12) weeks of unpaid medical leave for serious illness or serious illness of said person's spouse, parent or child, and up to twelve (12) weeks of unpaid family leave for the birth or care of a child, for adoption of a child under age eighteen or foster care placement of a child under age eighteen. All applications for FMLA must comply with the Hospital's policies and procedures governing such leave. House Officers returning from family leave may be required to complete missed rotations in order to become board eligible. Should a department require a House Officer to complete missed rotations, the Hospital shall compensate the House Officer at his/her current PGY level and provide malpractice coverage and all other applicable hospital benefits.

(a) Maternity Leave. House Officers are entitled to twelve (12) weeks maternity leave. Upon the request of the pregnant House Officer, the Hospital shall make a reasonable accommodation with respect to her duties, provided that a reasonable accommodation can be made. Adoption shall be treated the same as birth for all appropriate leave-time purposes. Unused sick and vacation can be used for this 12 week leave.

(b) A House Officer will not be required to make up missed on-calls after returning from maternity leave. House Officers returning from maternity leave may be required to complete missed rotations in order to become board eligible.

(c) A House Officer may elect to take an unpaid maternity leave of one (1) year coinciding with the academic medical year, July 1 through June 30. Any House Officer who so elects such a leave must inform the hospital no later than January 1 of the year of the effective date of the leave. Any request for a leave after this date will be granted only at the discretion of the Chief of Service or his/her designee. After the leave, a House Officer shall be assured a position at the House Officer's PGY level if a position is available in future academic years. The House Officer must inform the Hospital that the House Officer will accept reappointment to the position by January 1 of the year of the House Officer's return. In the event a House Officer declines to accept the next available position, the Hospital is not obligated to offer further appointment.

Section 2. Parental Leave. House Officers are entitled to two (2) weeks parental leave in order to attend to the birth, adoption, or care of a new child in the employee's immediate household. Unused sick and vacation time may be used for this leave.

Section 3. Bereavement Leave. In the event of death of a House Officer's mother, father, spouse, significant other, parents of spouse or significant other, brother, sister, child, grandparent, grandchild, or other members of the House Officer's immediate household (for a

period of six (6) months or more), the House Officer is entitled to receive up to three (3) working days leave without loss of pay for the purpose of attending funeral services or arranging for burial, provided that the House Officer is in active service at the time of such death. It is understood that these days must be days upon which the House Officer is scheduled to work. Leave without loss of pay under this section shall not be deducted from sick leave or vacation leave.

All House Officers shall be permitted one (1) day's leave without pay in order to attend the funeral of a relative not included above. A House Officer may choose to use accumulated sick leave for this purpose. If a House Officer requires additional leave for bereavement purposes due to the death of someone specified above, authorized leave for such purposes shall be deducted from sick leave allowance.

Section 4. Submission of Request for a Leave. According to BMC's FMLA policy # 07.19.000, unless the need for an absence is not foreseeable, a request for a leave of absence covered under this article must be submitted to the FMLA and Leave Coordinator in the Human Resources Department in writing and supported by appropriate documentation (including medical certification indicating the need for the House Officer's absence and the anticipated date of return) at least 30 days before the commencement of the leave. Appropriate forms are available online at [www.bmc.org/benefits/hr-forms.htm](http://www.bmc.org/benefits/hr-forms.htm) or from Human Resources.

It is the responsibility of the House Officer to inform the Program Director and Program Coordinator of a leave of absence. The House Officer will be expected to provide appropriate information and documentation (including medical documentation) during and upon return from a leave of absence, as may be requested by BMC and in accordance with law. The House Officer's Program Director must review and sign the request for leave. It is the responsibility of the Program Director and Program Coordinator to ensure that GME is informed of the leave. Additionally, Human Resources must notify GME's Finance Business Manager upon receipt of a completed House Officer's leave request.

Section 5. Return from Leave. The House Officer must comply with all Human Resources and Occupational and Environmental Health (OEM) requirements prior to returning from an applicable leave. It is the responsibility of the House Officer to notify GME's Finance Business Manager upon return from a leave.

Section 6. Make Up For Extended Leave. The provisions above are not intended to alter responsibilities and obligations of appropriate hospital authorities with regard to certification of completion by House Officers of board eligibility. For combined leaves exceeding one month, a review by the Residency Program Director is required. If it is determined that the resident 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 may be required to make up training time. Failure to meet the required time for completion of the program may affect the eligibility of the resident to take the Specialty Board. The Board eligibility requirements are available from the Program Director or the specialty board.