Resident and Clinical Fellow Leave

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Trainee Leave

• What needs to be considered?

- How long is the leave?
- Are there legal protections?
- How does the UCSF GME leave policy apply?
- Do I need to consult the American Board of XXXX?
- How will the trainee be paid?
- Can the trainee continue benefits?
- What should I do?
Two Parts:

1. Job/ Benefits Protection
   - Pregnancy Delivery
   - Disability Ends
   - FMLA/PDL
   - PDL Ends; FMLA Continues; CFRA Begins
   - UC Contributions Towards Benefits Continues
   - Trainee Returns to Work

2. Income Replacement
   - New Parent Leave = 2 wks
   - Sick Leave = 2 wks
   - Disability Insurance Incomes
   - Vacation Leave = 4 weeks
   - Leave without pay

Week 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20
Policies and Laws

• Trainee-Specific Considerations
  – UCSF GME Policy
  – ACGME and American Board requirements

• Job/Benefits Protection for All Employees
    ➢ Family and Medical Leave Act (FMLA)
    ➢ Pregnancy Disability Leave (PDL)
    ➢ California Family Rights Act (CFRA)
Trainee-Specific Considerations

• UCSF GME Leave Policy
  – Four workweeks of vacation
  – 12 sick days
  – Two weeks of parental leave
  – http://medschool.ucsf.edu/gme

• American Board requirements
  – Vary
  – Compliance is responsibility of program director and trainee
**FMLA**  
*Family and Medical Leave Act of 1993*

- **Intended for:**
  - Employee’s own serious health condition (includes pregnancy)
  - Care of newborn or adopted child (includes paternity leave)
  - Care for spouse, domestic partner, child or parent who has a serious health condition

- **Protects:**
  - Employee’s job is protected for up to 12 weeks per calendar year
  - UC contributions for health (med/dent/opt) plans continue during 12-week period
FMLA (Continued)

• To qualify: employee must have at least 12 months of service and ‘worked’ at least 1,250 hours during the 12 months prior to the requested leave

• Coordinator/HR must provide employee with FMLA paperwork within 5 days of being noticed of the leave event
PDL
Pregnancy Disability Leave

• Intended for:
  ➢ Pregnancy; In California employees may take up to 4 months of leave for a pregnancy-related disability even if not eligible for FMLA
  ➢ May run concurrently with FMLA

• Protections:
  ➢ Provides job protection for up to 4 months
CFRA
California Family Rights Act of 1991

• Intended for:
  ➢ Parental baby bonding; a California Entitlement

• Protections:
  ➢ Continues to provide job protection for up to 12 weeks just like FMLA
  ➢ May run concurrently with FMLA; for pregnancy disability CFRA begins when Pregnancy Disability Leave ends
How do FMLA, CFRA and PDL Interact?

• PDL and FMLA run concurrently

• After PDL is exhausted or employee is no longer disabled (whichever is earlier) employee has 12 weeks leave under CFRA to bond with child

*Employee may be entitled to a total of 7 months leave (4 months PDL + 3 months CFRA).
How Do I Apply These Entitlements?

• Step-By-Step Guide to Routine FML Requests and Pregnancy Disability:
  ➢ http://atyourservice.ucop.edu/administrators/docs/fml_guide.pdf
$ Income Replacement $

- New Parent Leave
- Sick Leave
- Vacation Leave
- Sun Life Disability Insurance
Income Replacement

- New Parent Leave
  - 2 weeks of paid leave
- Sick Leave
  - 12 Days Per Year
- Vacation
  - 4 Weeks Per Year

- GME Leave Policy:
Income Replacement

- Sun Life Disability Insurance
  - 30 day waiting period
  - Pays 66.67% of pre-disability income up to $3000 per month; offset for other income

- How to Initiate a Claim?
  - [http://www.ucsfhr.ucsf.edu/index.php/residents/article/3479](http://www.ucsfhr.ucsf.edu/index.php/residents/article/3479)
  - Coordinator completes employer section of claim form
  - Trainee completes employee section of claim form
  - Trainee sends physician statement to physician
Example of Normal Pregnancy and Delivery

Job/Benefits Protection

- Delivery
- Disability Ends
- FMLA/PDL
- UC Contributions Towards Benefits Continues
- FMLA/PDL Ends; FMLA Continues; CFRA Begins
- FMLA Ends; CFRA Continues
- Return to Work

$ Income Replacement $
Example of Complicated Pregnancy and Delivery

Job/Benefits Protection

- Delivery
- Disability Ends
- Return to Work

Week: 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 ... .... 24

- New Parent Leave = 2 wks
- Sick Leave = 2 wks
- Disability Insurance Income
- Vacation Leave = 4 weeks
- Leave Without Pay

30-Day Waiting Period

Income Replacement
Example of Serious Illness

➢ Job/Benefits Protection

Trainee Enters Hospital With Pneumonia

FMLA
UC Contributions Towards Benefits Continues

Doctor Approves Return to Work

Week 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 28

Sick Leave = 2 wks
Vacation Leave = 2 wks

Disability Insurance
Income (66.67% up to $3000 per month)

➢ $ Income Replacement $
Roles and Responsibilities

✔ Coordinator
✔ Central Insurance Desk
✔ Trainee
Resources

• **Step-By-Step Guide to Routine FML Requests and Pregnancy Disability:**
  - [http://atyourservice.ucop.edu/administrators/docs/fml_guide.pdf](http://atyourservice.ucop.edu/administrators/docs/fml_guide.pdf)

• **GME Leave Policy:**

• **Sun Life Benefits Summary and Claim Forms**
  - [http://www.ucsfhr.ucsf.edu/index.php/residents/article/3479](http://www.ucsfhr.ucsf.edu/index.php/residents/article/3479)
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http://www.ucsfhr.ucsf.edu/index.php/residents