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|  | Johns Hopkins School of Medicine<br><b>Postgraduate Training<br/>         Policies and Forms</b> | <i>Policy Number</i>  | P&F004     |
|   |  | <i>Effective Date</i> | 03/11/2020 |
|   | <i>Subject</i><br><b>Health Care and Sick Leave Policy, Postdoctoral Trainees</b>                | <i>Page</i>           | 1 of 4     |
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## **I. POLICY**

Self-care is an important component of professionalism; it is also a skill that must be learned and nurtured in the context of other aspects of residency and fellowship training. As such, postdoctoral trainees must be given the opportunity to attend medical, mental health, and dental care appointments, including those scheduled during their working hours.

It is the policy of The Johns Hopkins University School of Medicine to provide a reasonable amount of paid sick leave to current residents, subspecialty clinical fellows, and research postdoctoral fellows (collectively, “Postdoctoral Trainees”) who are unable to work because of their own or their family member’s illness or injury and for routine health appointments. This policy is administered in coordination with the University’s Postdoctoral Fellows Policy and Family and Medical Leave, and is consistent with the minimum provisions of the Maryland Healthy Working Families Act, Family and Medical Leave Act, and the Maryland Flexible Leave Act.

## **II. SICK LEAVE**

### **A. Leave maximum**

Subject to the remainder of this policy, the sum of health care and sick leave will be granted with pay for a maximum of 13 weeks for training year and cannot be carried over from one training year to subsequent years. No paid leave may exceed the termination date of the Postdoctoral Trainee's appointment. For Postdoctoral Trainees whose regular funding source does not provide for paid leave, reference to paid leave, including sick leave, refers to the time allotment only and does not confer any right for paid leave; provided, however, under the University's Postdoctoral Fellows Policy, the University provides a paid sick and safe leave benefit for up to 15 days at the beginning of each training year. This sick

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and safe leave runs concurrently with and is not in addition to any other paid sick leave provided under this policy. For new hires, this sick and safe leave will be prorated based on the month in which the postdoctoral training begins. All health care, sick, and safe leave will be prorated appropriately for part-time Postdoctoral Trainees.

#### B. **Permissible use**

1. To care for or treat the Postdoctoral Trainee's own mental or physical illness, injury, or condition.
2. To obtain preventative medical care for self.
3. Up to fifteen (15) days of available paid leave may be used to care for a family member with a mental or physical illness, injury, or condition or for their preventative medical care. A family member includes spouse, domestic partner, child, parent, grandparent, grandchild, sibling, or legal guardian.
4. If an absence from training is necessary due to domestic violence, sexual assault, or stalking committed against the Postdoctoral Trainee or their family member, and leave is being used: (a) to obtain medical or mental health attention for self; or for each of the following (b) - (e), up to fifteen (15) days of available paid leave may be used (b) to obtain medical or mental health attention for a family member; (c) to obtain services from a victims services organization; (d) for legal services or proceedings; or (e) because the Postdoctoral Trainee has temporarily relocated as a result of domestic violence, sexual assault, or stalking.

#### C. **Reporting**

Postdoctoral Trainees are responsible for reporting all absences due to illness to the Training Program Director or supervisor, as applicable, as soon as possible prior to the start of shifts for which they will be absent. Those illnesses which can be anticipated to last more than five days and are thought to qualify for Family Medical Leave must be reported to the Associate Dean for Graduate Medical Education or to the Associate Dean for Postdoctoral Affairs, as applicable.

#### D. **Timing of health care appointments**

Postdoctoral Trainees must be given the opportunity to attend health care appointments (such as those for medical, mental health, and dental care) including those that are scheduled during their working hours, at times appropriate to their individual circumstances. Postdoctoral Trainees are expected to attempt to schedule non-urgent appointments (e.g. routine dental care or preventive medical visits) during times that would minimize the impact of their absences on their patient care duties and educational experiences; however, if this is not possible, they should be permitted to miss work for such appointments. For non-urgent appointments, trainees should notify program leadership at least 5 weekdays prior to the appointment.

#### E. **Family and Medical Leave**

Paid sick leave granted under this policy runs concurrently with Family and Medical Leave. Postdoctoral Trainees who have completed 12 months of full time training are entitled up to 12 weeks of leave in a "rolling" 12 month period defined as a 12-month period measured backward from the date the Postdoctoral Trainee uses Family and Medical Leave for their own serious health condition lasting three or more days or other qualifying reason. The Training Program Director or supervisor, as applicable, will utilize the "Family & Medical Leave Provisional Notification for Postdoctoral Trainees" form to notify a Postdoctoral Trainee who has indicated a need for Family and Medical Leave or when the School of Medicine becomes aware of a Postdoctoral Trainee's need for Family and Medical Leave that is provisionally granted and request the "Certification of Health Care Provider for Employee's Serious Health Condition". Certification Forms are completed by the treating medical provider and reviewed by the Office of Occupational Health Services, which makes the final determination of eligibility for Family and Medical Leave. Postdoctoral Trainees will be notified of the final determination. Benefits are maintained during Family and Medical Leave, and upon release by the health care provider

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the Postdoctoral Trainee is restored to his/her position. Additional instructions regarding Family and Medical Leave are outlined in the "Family and Medical Leave Provisional Notification".

**F. Disability benefits**

Postdoctoral Trainees who are disabled for an extended period of time may be eligible for long-term disability benefits after 13 consecutive weeks of disability. Applications for benefits are available from the Office of the Registrar. For additional information about the provisions of disability benefits, contact 410-614-3301.

**G. Return to work**

It is the responsibility of the Training Program Director or supervisor, as applicable, to ensure that a Postdoctoral Trainee is fit to return to duty after an absence for illness of any kind. Postdoctoral Trainees are not required to provide medical information to their Training Program Director or supervisor. If the Training Program Director or supervisor has a question about the trainee's fitness for duty, or if it is necessary to request verification from the treating medical, surgical, or mental health provider that the trainee is fit to return to work, the Postdoctoral Trainee will be referred to the Office of Occupational Health Services.

### **III. DEPARTMENTAL DUTIES**

**A. Leave of absence**

Each request for a leave of absence after 13 weeks of sick leave have been exhausted will be reviewed by the Training Program Director or supervisor in consultation with the Associate Dean for Graduate Medical Education or the Associate Dean for Postdoctoral Affairs, as applicable, and a decision will be made based upon the circumstances involved. The operational needs of the program will be given consideration. Leave beyond 13 weeks will be unpaid, but may be eligible for long-term disability compensation.

**B. Record Keeping**

It is the responsibility of the Training Program Director to keep accurate records of the dates and explanations for leave, as well as the type of leave (e.g., sick or parental), so as to have adequate information for payroll records and for reporting to the appropriate Board for certification. The School of Medicine Registrar and Hospital Medical Staff Office should also be informed so that certificates may be accurately prepared.

**C. Coverage for Absence**

Each program must have a process for coverage, if necessary, for trainees attending health care appointments or who require sick leave.

**D. On-Call Coverage**

Postdoctoral Trainees should not make up call missed during their absence and are not responsible for identifying their own call coverage. Extended absence is defined as leave taken under FMLA or for parental leave. Possible options for accommodating extended leaves for trainees include: having flexibility of rotation assignments (i.e. rotations without call at each PGY level so there is no need to have call covered), establishing a jeopardy system, paying residents or clinical fellows to voluntarily do extra shifts, and providing coverage by other members of the healthcare team (i.e. advanced practice providers). Postdoctoral Trainees who are required to extend their training period are expected to take call as defined by the rotation(s) they are assigned to during the make-up period. Each program must develop a plan for how it will implement on-call coverage for absences and communicate that plan to the GME Office and its trainees.

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E. **Board requirements**

The Training Program Director will determine whether or not the Postdoctoral Trainee will be required to spend additional time in training to compensate for the leave period and be eligible for certification for a full training year. That decision will be based upon the trainee's achievement of expected competence and requirements of the individual specialty Boards. Additional time in training will be compensated at the commensurate PGY level.