
UNC Hospitals Graduate Medical Education
Resident and Subspecialty Resident
Serious Medical Illness and Parental Leave Policy

All duly appointed residents and subspecialty residents within a UNC Hospitals' Graduate Medical Education ("GME") program who are not eligible for leave under the Resident and Subspecialty Resident Family and Medical Leave Act Policy may be eligible for leave under this Serious Medical Illness and Parental Leave ("SMIPL") Policy for one or more of the qualifying reasons listed below. Residents who qualify for leave under the GME FMLA Policy are not eligible to take leave under the SMIPL policy.

If SMIPL leave is taken, depending on the length of time a resident is on leave, **residency training may need to be extended, contingent upon specialty or subspecialty board requirements and RRC requirements.** *See also Leave of Absence Policy.*

Except in case of emergency, prior to beginning SMIPL, all required documentation must be submitted in accordance with the procedure outlined below, reviewed by the Program Director and delivered to the Office of Graduate Medical Education.

A resident is prohibited from moonlighting while on SMIPL leave.

Qualifying Reasons for Leave and Length of Leave

Eligible residents may take up to **12 workweeks** of leave in a 12-month period (a rolling 12-month period) for one or more of the following reasons:

- (1) For a serious health condition¹ that makes the resident unable to perform the essential functions of his or her job; and
- (2) For birth of a son or daughter and to care for the newborn child (must be taken within 12 months of the birth of the child).

Leave under this policy can only be authorized by the Program Director (or Department Chair, if appropriate) in conjunction with the Designated Institutional Official for GME.

When two spouses work for the same employer, they are only entitled to a combined total of 12 weeks of leave during any 12-month period if the leave is taken for the birth of the resident's son or daughter.

¹ "Serious health condition" means an illness, injury, impairment or physical or mental condition that involves inpatient care (an overnight stay in a medical care facility) or continuing treatment by a health care provider. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomach, minor ulcers, headaches other than migraine, routine dental or orthodontia problems, periodontal disease, etc., are examples of conditions that do not meet the definition of a serious health condition.

Payment During Serious Medical Illness and Parental Leave (SMIPL)

Residents must use their paid time off ("PTO") concurrently with SMIPL leave. After a resident has exhausted his or her PTO, he or she will receive an additional amount of paid leave to run concurrently with the resident's SMIPL leave, in the following amount:

- If the resident's program provides 3 weeks of PTO, the resident will receive an additional 3 weeks of paid leave to use during SMIPL leave, for up to a total of 6 weeks of paid leave;
- If the resident's program provides 4 weeks of PTO, the resident will receive an additional 2 weeks of paid leave to use during SMIPL leave, for up to a total of 6 weeks of paid leave;

Any SMIPL leave taken after the resident's available paid time off is exhausted will be unpaid.

Intermittent Leave or Reduced Schedule Leave

If there is a medical need for leave that can be best accommodated through an intermittent or reduced schedule, Serious Medical Illness leave may be taken intermittently (separate blocks of time) or on a reduced schedule (fewer hours than the resident's usual schedule). Parental leave cannot be taken on an intermittent or reduced schedule basis.

If a resident needs Serious Medical Illness leave intermittently or on a reduced schedule basis for planned medical treatment, then the resident must make a reasonable effort to schedule the treatment so as not to disrupt unduly the employer's operations.

PROCEDURE

Before taking leave, a resident or subspecialty resident shall give written notice to the Office of Graduate Medical Education that SMIPL leave is being requested. The resident's written notice must explain the reason for the requested leave so that the Hospital can determine whether the leave qualifies as SMIPL leave under this policy. If a resident or subspecialty resident takes leave for a reason that qualifies under this policy, the leave will be designated as such.

The resident shall give the Office of Graduate Medical Education 30 days notice in writing of the intent to take SMIPL. For medical emergencies, the resident should provide this notice as soon as feasible.

Certification

When a resident requests Serious Medical Illness Leave, the resident is required to provide certification from a health care provider in support of the leave request. The GME office will provide the appropriate certification forms for the resident to complete and return. Residents are responsible for providing a complete and sufficient certification at the time the resident gives notice of the need for leave or within five business days. It is the responsibility of the resident to make sure the physician portion of the paperwork is completed and returned to the GME office within these time limits.

Health Benefits

During the paid portion of a resident's SMIPPL leave, the resident's coverage under any group health plan will continue on the same conditions as during the resident's active employment. However, once paid leave is exhausted, the resident may continue coverage under the residents' health plan coverage only by paying the full premium cost (no contribution by the employer).

The obligation to maintain health plan coverage stops if the resident's premium payment is more than 30 days late.

The GME Office may recover the insurance premiums it paid toward the resident's insurance if the resident fails to return to work after the resident's SMIPPL leave expired for a reason other than the continuation, recurrence, or onset of a serious medical illness, or other circumstances beyond the resident's control.

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