



Cherokee Nation Health Services Family Medicine Residency Leaves of Absence Policy

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Policy Title: Cherokee Nation Family Medicine Residency Leaves of Absence Policy

Purpose: To describe the methods of vacation and leaves of absence for residents within the Cherokee Nation Family Medicine Residency Program, and the potential impacts on duration of training.

General Information

Residents shall be afforded annual leave, sick leave, and medical, parental and caregiver leave subject to the conditions or qualifications for leave.

All leave must be approved in writing in advance of being taken. Rare exceptions associated with unexpected events may be approved retroactively.

Leave is available to be taken starting the day the resident is required to report.

Leave forms are available in the office of the Program Coordinator, as well as on New Innovations.

Annual Leave

Residents will be given paid time off (PTO) each year, which consists of both vacation and sick leave. A total of four (4) weeks consisting of a maximum of twenty (20) “working days” (Monday – Friday), or the equivalent of 160 PTO hours, shall be given over a 12-month period to each resident. PTO shall be granted at the discretion of the Program Director.

PTO does not carry over from year to year and residents are not paid unused PTO at the end of the year. Residents who are terminated before the end of their training year will be paid only through their final active working day and will not be paid for unused PTO.

Requests for PTO from clinical rotations should be submitted in writing to the Program Coordinator or Program Director and submitted for approval at least 72 hours in advance. Written approval for leave PTO must be given by the supervising physician, Chief Resident, and Program Director in order to be granted. Requests for PTO on scheduled clinic days should be submitted a minimum of 2 weeks in advance. PTO may not be taken on more than 2 scheduled clinic days per month. PTO utilized for sick leave may be approved retroactively, but should be communicated to the Program Director on the date it is taken. A leave form should be completed and turned in to the Program Coordinator no later than the



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date the resident returns to duty. PTO must also be submitted electronically in the Cherokee Nation's electronic timekeeping system.

PTO utilized as sick leave that is taken for more than three (3) consecutive days may require a provider's statement of illness or injury to assure the resident is able to return to work. For all instances of illness/injury resulting in hospitalization, a statement from the resident's treating provider indicating their ability to return to work will be required.

Educational Leave for interviews, board examinations, scholarly activity presentations, and continuing medical education conferences are limited to ten (10) additional days of leave during the entirety of training. Educational leave is separate from PTO and is tracked internally by the Program Coordinator. Once the educational leave allowance has been exhausted, any additional leave for educational purposes taken by the resident shall be taken as PTO.

Under certain circumstances, additional sick leave without pay may be approved. The Program Director in consultation with the DIO (Designated Institutional Official) and Cherokee Nation Human Resources Department may approve these instances on a case-by-case basis. Extended leaves may require time to be made up based on Accreditation Council for Graduate Medical Education (ACGME) and board eligibility requirements.

Certain rotations will have limits on the amount of PTO that may be taken without having to make up the time missed on rotation; time missed for educational purposes during these rotations will also count towards the maximum permitted time missed. Residents should refer to the Goals and Objectives for each rotation prior to the beginning of that rotation to familiarize themselves with that rotation's PTO restrictions, if applicable. If the amount of leave taken during certain rotation blocks exceeds what is permissible in order to meet residency requirements, the resident will be required to make up the necessary amount of time missed in order to meet these requirements.

Medical, Parental, and Caretaker Leave of Absence

Residents may take up to six (6) weeks of leave for qualifying reasons during their training as described in the Medical Resident Medical, Parental, and Caretaker Leave of Absence Policy. Residents should refer to this policy in PowerDMS for details.

Military Obligations

Time off for a military obligation may not exceed one (1) weekend per month. If the resident requires additional time off for military obligations in a non-medical assignment during the Agreement Period of the Program, a leave of absence for the required time off may be granted upon presentation of the resident's specific military orders. Such leave shall be with full pay minus that which the employee received from the military for service while on short-term military leave.



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A resident who is called to active duty for a period of one (1) month or more and who is granted a military leave of absence will be eligible for continuation of employee and dependent health insurance benefits through COBRA provisions. Group Life Insurance will be kept in force for up to 12 weeks for residents called to active duty. Residents will be eligible to continue supplemental life products for up to 12 weeks providing premiums are paid.

A resident who is called to active duty will be paid the difference between their regular pay and their military base pay for up to a period of one (1) year from their activation date. For claiming payment for military leave, the resident must submit a copy of the military payroll check to the payroll division of Cherokee Nation accounting department.

This military leave of absence must be made up at the end of the Agreement Period in order to complete the Program.

Jury Duty

A resident who is summoned for jury duty in tribal, federal, or state courts in the Cherokee Nation or state of Oklahoma should provide a copy of the summons or subpoena to their Program Coordinator, who will provide it to their Program Director. The resident must request a statement from the court clerk showing the dates of attendance and provide it to their Program Coordinator when they return to work.

Jury duty time will not count towards the resident's PTO. The resident shall be paid the difference between their regular pay and the amount received from the courts for serving as a juror (excluding any transportation allowance the resident may receive). To receive full compensation for the period of service to the court, the resident shall present a copy of any check or other remuneration received for the court appearance to Cherokee Nation's payroll accounting department. Time missed from the training program may extend the training time of the program depending upon Board and/or ACGME requirements.

Holiday Time Off

The Program Director may approve time off on a holiday for a resident who is rotating on a clinic or service that closes due to holiday or may reassign the resident to another location. Reasonable accommodations will be made to grant requests for time off for religious/cultural holidays. Time off for religious/cultural holidays and activities is not considered paid holiday leave, but may be scheduled to align with a resident's required one in seven days off or taken as PTO, etc. Reasonable accommodations will be made to grant requests for other religious activities, such as daily prayer, fasting, etc., which may be accommodated through leave, schedule adjustments, call coverage changes, etc. A request is not guaranteed approval but reasonable accommodations will be made provided the request it does not alter the structure and function of the program.

Administrative Closings/Inclement Weather

In the event Cherokee Nation Health Services closes a clinic or service where a resident is scheduled to be present, the Program Director or their designee will notify the resident as soon as possible. The



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Program Director may elect to reassign the resident to another clinical assignment for patient care or allow the resident to stay home without having to use PTO. If a clinical site/service remains open to provide essential patient care and the resident is unable to report to training/work due to travel/weather conditions, the resident should inform both their supervising physician and Program Director as soon as possible, and this absence will be counted as PTO. The Program Director, or designee, is the only individual that may have final approval for the resident to stay home.

Bereavement Leave

Residents may utilize bereavement leave as granted for employees under Cherokee Nation Human Resources Leaves of Absence Policy (Chapter V, section F of Cherokee Nation Human Resources Policies and Procedures). Any bereavement leave taken will count towards the maximum permissible amount annual leave, which is twenty (20) “working days”, M-F, or the equivalent of 160 hours of PTO, in order to meet residency requirements.

Impact of Leaves of Absence

An extended leave of absence, for any reason, may prevent a resident from fulfilling the requirements for participation in educational and scholarly activities and achieving the resident’s responsibilities as further described by the Cherokee Nation Family Medicine Residency program, as well as their executed Agreement of Appointment. A leave of absence may require extension of training to meet Program or Board eligibility criteria.

A resident is considered to have voluntarily resigned from the program if a) the resident is unable to return to work after exhausting all available PTO, parental leave and other approved or statutory leave, or b) the resident fails to return to work as scheduled at the end of the authorized or statutory leave.

- Residency positions will be protected during the period of approved Family Medical Leave or as required by law.
- Residency positions in a prescribed Aid for Impaired Residents' Program may be protected.

Leave Allocation during Extension of Training

If an extension of training is required, residents are allocated additional PTO according to the following:

- Less than three (3) months – no additional leave
- Three (3) to six (6) months – 25% of the leave allocated within a twelve-month period
- Six (6) to nine (9) months – 50% of the leave allocated within a twelve-month period



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- Nine (9) to less than twelve (12) months – 75% of the leave allocated within a twelve-month period
- Additional year of training, twelve (12) months – all paid leave equivalent to an entire academic year is allocated