

Postgraduate Medical Education (PGME)

Title:	UBC PGME Leave of Absence Policy	Number:	011
Approved By:	PGME Committee		
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Contact:	postgrad@postgrad.med.ubc.ca		

Preamble

Residents are both learners in postgraduate training programs and Health Authority employees whose terms and conditions of employment are governed by a collective agreement between the Health Authorities as represented by Health Employers Association of BC (HEABC) and Resident Doctors of British Columbia ("Collective Agreement"). From time to time a Resident may need to be absent from training for an extended period. In these circumstances Residents must seek a leave of absence ("LOA") as set out in this policy.

Policy

1. Request for Maternity, Paternity, Adoption, Compassionate, and Education Leave of Absence ("LOA")

- 1.1 Requests for a LOA under the above noted categories must be submitted in writing to the Program Director. Program Directors may grant LOAs under these categories and if granted they will be paid LOAs as determined by the terms of the Collective Agreement.
- 1.2 The Program Director or PGME Office may require additional information from the Resident related to the request for LOA. Residents must comply with these requests in a timely manner. A failure to respond to a request for information may result in the LOA being delayed or not being granted.
- 1.3 Once the LOA is granted, the Program Director or Program Office must notify the PGME Office of the dates of the leave and type of leave and of any subsequent changes to those dates or the type of leave that may occur.
- 1.4 Any requests for accommodation upon return from a LOA need to be communicated in writing to the Program Director, who will then notify the PGME Deans, who will then refer the resident to the UBC Centre for Accessibility ("CA").

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2. Request for Short Term Leave (Illness/Injury)

- 2.1. Requests for leave related to illness or injury for less than 4 weeks (Short Term Leave) must be made to the Program Director. When a resident is absent from training related to illness or injury for longer than 4 weeks, they must follow the Medical Leave of Absence section of this policy.
- 2.2. The Resident must notify the Program Director in writing of the request for a Short Time Leave. The Program Director will advise the resident on the approval of the request.
- 2.3. In the event a Resident is unable to obtain Program Director approval prior to a Short Term Leave, the Resident (or delegate) will contact the Program Director and supervising staff the first day of the absence. Residents who fail to notify the Program Director regarding a Short Term Leave will be considered Absent without Leave.
- 2.4. Residents are to notify the Program Director and their supervising staff when they will be returning to work.
- 2.5. Depending on the circumstances of the Short Term Leave, the Resident may be referred to the CA for support of the resident to return to work. The Resident and /or the Program Director may request referral to CA by contacting the PGME Office.
 - 2.5.1. The PGME will make the referral to the CA.
 - 2.5.2. The Resident is responsible for contacting a disability advisor in CA and for providing any medical documentation requested by the CA to complete the assessment.
 - 2.5.3. A disability advisor from the CA will contact the Program Director and PGME Office to obtain background information and to discuss the impact of a Short Term Leave on the Resident's training. Neither the Program Director nor the PGME Office will be provided with copies of any medical documentation submitted by the Resident to CA.
 - 2.5.4. The Resident will be required to provide medical documentation from the Resident's treating physician to the CA attesting to the Resident's fitness to return to training and identifying any limitations or restrictions related to the Resident's medical condition that may require accommodation. The CA will recommend whether the Resident is fit to return to training.
 - 2.5.5. If the Resident requires accommodation, the CA will act as a resource for the Program as described in the PGME Accommodation for Residents with Disabilities Policy to determine appropriate accommodations based upon the Resident's documented needs and the requirements of the Program.
 - 2.5.6. A Resident's failure to provide requested medical information to the CA will result in a delay in the Resident's return to training and may prevent the Resident's return to the Program.

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- 2.5.7. The CA will provide a written recommendation to the PGME Office regarding the return from Short Term Leave. The PGME Office will discuss the recommendations with the Program Director.
- 2.5.8. The Program Office will notify the PGME Office when a Resident returns to training and will advise of any accommodations to be provided (see relevant PGME Policy relating to Accommodation).

3. Request for Medical Leave of Absence (“Medical Leave”)

- 3.1 Residents have a professional responsibility to withdraw from patient care when they are impaired by illness, whether due to physical or mental reasons, emotional disturbance, cognitive concerns, or impairment to alcohol and/or drugs. The Health Professions Act requires that any health practitioner notify the College of Physicians and Surgeons of B.C. (CPSBC) regarding a health concern or impairment that may constitute a risk to patient or public.
- 3.2 Residents who anticipate they will be absent for more than four (4) weeks, or Residents whose Short Term Leave has extended beyond four (4) weeks, must request a Medical Leave. The request must be in writing and submitted to the Program Director who will forward the request to the PGME Deans.
- 3.3 Requests for Medical Leave will be referred by PGME Office to the CA. The Resident is responsible for contacting a disability advisor in CA and for providing any medical documentation requested by the CA to complete the assessment of the request for Medical Leave.

A disability advisor from the CA will contact the Program Director and PGME Office to obtain background information and to discuss the impact of a leave on the Resident’s training. Neither the Program Director nor the PGME Office will be provided with copies of any medical documentation submitted by the Resident to CA in support of the request for Medical Leave.
- 3.4 The CA will provide a written recommendation to the PGME Office regarding the Medical Leave and any terms upon which the Medical Leave should be granted. The PGME Office will discuss the recommendations with the Program Director.
- 3.5 The PGME Deans may grant the Medical Leave and may incorporate the terms recommended by CA into the Medical Leave. In addition, in all cases where a Medical Leave is granted the following requirements must be met:



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- 3.5.1 The Resident is responsible for responding to any requests from the CA for an update from the Resident's treating physician for an updated prognosis and estimate of return to training date and for confirmation that the Resident is compliant with the recommended treatment ("Status Update").
- 3.5.2 If a Resident does not provide a Status Update to the CA with medical documentation at least every 3 months, the CA will notify the PGME Office that will follow-up directly with the Resident.
- 3.5.3 The Resident or a delegate is responsible for maintaining regular timely contact with the CA and the Program Director to apprise of any changes in the Resident's status or Medical Leave requirements. The Program Director will notify the PGME Office of any reported changes.
- 3.5.4 Requests for an extension of a Medical Leave must be submitted to the CA along with a letter from the Resident's treating physician in support of the requested extension. The CA will assess the request and provide a recommendation to the PGME Office. The PGME Deans will consider the recommendation and in appropriate circumstances grant the extension.
 - 3.5.4.1 In the circumstance where the Resident was not initially referred to the CA, a resident requesting an extension to their Medical Leave will be referred to the CA.
- 3.5.5 Failure to respond to reasonable requests from the Program Director or PGME Office or the CA, will constitute a breach of the terms of the Medical LOA and of the Resident's professional obligations to the Program. A Resident in breach of these obligations will be deemed absent without leave and may be dismissed from the Program.
- 3.5.6 Residents on Medical Leave are expected to continue with treatment as recommended by the Resident's treating physician to ensure that the Resident will be able to return to training with or without accommodation for any medical condition(s).
- 3.5.7 At all times during the Medical Leave, including the return to training at the end of the Medical Leave, the CA will work closely with the Resident, the Resident's treating physician and the PGME Office to manage the Medical Leave.
- 3.6 Payment of salary and benefits during a Medical Leave will be determined by the employer pursuant to the terms of the Collective Agreement. The CA will forward medical documents provided by the Resident to the employer or designate for the purpose of determining eligibility for salary and benefits. Residents do not have long-term disability coverage under the Collective Agreement.
- 3.7 The PGME Office is available to assist Program Directors and/or Residents at any point during this process.

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- 3.8 Residents can also obtain support through the Employee and Family Assistance Program (<http://www.efap.ca>) and through the Physician Health Program (<https://www.physicianhealth.com>) and UBC resident wellness office (<http://postgrad.med.ubc.ca/resident-wellness>)

4. Return to Training Following a Medical Leave

- 4.1. The CA will work with the PGME Office, the Resident and the Resident's treating physician to ensure a smooth transition back to training.
- 4.2. The Resident must advise the CA and the PGME Office promptly when the Resident's treating physician recommends a return to training. This will allow the Program time to set up a return rotation and/or any transition period that may be required.
- 4.3. The Resident will be required to provide medical documentation from the Resident's treating physician to the CA attesting to the Resident's fitness to return to training and identifying any limitations or restrictions related to the Resident's medical condition that may require accommodation. The CA will recommend whether the Resident is fit to return to training.
- 4.4. If the Resident requires accommodation, the CA will act as a resource for the Program as described in the PGME Accommodation for Residents with Disabilities Policy to determine appropriate accommodations based upon the Resident's documented needs and the requirements of the Program.
- 4.5. A Resident's failure to provide requested medical information to the CA will result in a delay in the Resident's return to training and may prevent the Resident's return to the Program.
- 4.6. The Program will notify the PGME Office when a Resident returns to training and will advise of any accommodations to be provided (see relevant PGME Policy relating to Accommodation).

5. Notification to the College of Physicians and Surgeons

- 5.1. The College of Physicians and Surgeons will be notified by the PGME Office when a Resident is granted an LOA, other than a Compassionate or Educational Leave, and the Resident's educational license will be suspended. Residents are not permitted to engage in any clinical aspects of training while on leave and while their educational license is suspended.
- 5.2. A Resident must contact the College to reinstate the educational license before the Resident can return to training and provide the license verification to the Program Office on the first day they

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return to work. .

- 5.3. It is the Resident's responsibility to meet any terms imposed by the College with respect to the reinstatement of the Resident's educational license.
- 5.4. Depending on the length of the Medical Leave a Resident may be have their training and/or date of completion extended in order to meet the requirements of CFPC or Royal College.

6. Removal from the Clinical Area:

- 6.1. A Resident may be removed from the clinical area and placed on interim leave by the Program Director if the Resident exhibits behaviours or performance issues that pose risk to others or themselves.
- 6.2. The Resident's return to the clinical area may be subject to conditions imposed by the Program in consultations with the PGME Office.

7. Absent Without Leave

- 7.1. If a Resident is absent and has not contacted the Program Director to arrange time off or a leave of absence, the Resident is considered absent without leave. Programs must immediately report Residents who are absent without leave to the PGME Office to ensure appropriate steps including payroll adjustments are taken.
- 7.2. The PGME Office will make a reasonable effort to contact the Resident through the contact information on file. If this fails, the PGME Office may utilize resources such as the emergency contacts provided by the Resident.

A Resident who is absent from the Program and has not been granted a LOA will be considered absent without leave and will not be entitled to receive salary and benefits. A Resident who is absent without leave is in breach of his or her professional obligations and may be dismissed from the Program.

- 7.3. The PGME Office is available to provide guidance to Programs and Residents with respect to requests for leaves or the management of leaves.

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Related Policies and Contacts

PGME Team:

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BC College of Physicians and Surgeons: <https://www.cpsbc.ca/for-physicians/health-monitoring> Dr. Dave Unger daunger@cpsbc.ca

Action	Committee	Date	Status