

<b>Clinical Practices of the University of Pennsylvania</b> <b>POLICY</b>	Number: _ _ _  Page 1 of 8
<b>SUBJECT: CPUP Members Paid Time Off and Leave</b>	Effective: 7/1/2022

<b>KEY WORDS:</b>
Full Time Faculty
Penn Medicine Clinician
Time Off
Vacation
FMLA
Leave
Maternity

**POLICY**

Paid time off and leave for CPUP faculty and Penn Medicine Clinicians (PMCs) shall be requested and implemented in a consistent manner across CPUP practices, with consideration given to department-specific needs and consistent with relevant University of Pennsylvania policy and federal law.

**PURPOSE**

The purpose of this policy is to:

- ensure the fair and consistent application of leave standards
- ensure that productivity targets are adjusted for the proportionate amount of time available for clinical work

**IMPLEMENTATION**

Department chairs, business administrators, and faculty members and PMCs share responsibility for implementing this policy consistent with its terms.

**PROCEDURE**

Fair and consistent implementation requires that each faculty member receive:

- 2 weeks of CME/professional development annually which cannot be carried over from year to year and cannot be used for leave.
- 22 days of vacation which cannot be carried over from year to year. Scheduling paid time off shall be at the discretion of the department. Each department is responsible for creating a time off request form or system. In addition, faculty and PMCs are not required to accrue paid time off before requesting it in any fiscal year, and shall not be paid for accrued but unused vacation on termination of employment for any reason.

CPUP clinics close in observation of the following holidays: New Year’s Day, Martin Luther King Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day. University policy 608 (Special Winter Vacation) by its terms does not apply to clinicians practicing with UPHS. Departments

<b>SUPERSEDES:</b> CPUP Faculty Scheduled Time Off, effective 7/1/22	<b>ISSUED BY:</b> <i>Deborah Driscoll, MD</i> Deborah Driscoll, MD, Vice Dean for Professional Services & SVP John Sestito, VP and Executive Director, CPUP

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shall schedule clinical coverage during this period as required for continuity of operations and patient care.

CPUP departments shall administer sick leave, short-term disability, and family/medical leave consistent with University policies 613 (“Sick Leave and STD for Faculty and Staff at or Above Legacy Position Grades 29/E”) and 631 (“Family and Medical Leave”). Department business administrators or chief operating officers are responsible for tracking use of vacation, sick leave, short-term disability, and FMLA leave consistent with University policy and leave administration. CPUP members are responsible for reporting time off in accordance with departmental and University policies. In addition to vacation and sick time, this includes but is not limited to periods of incapacity of more than 3 consecutive days or other qualifying events under FMLA. For questions regarding University process and approvals, please contact the Division of Human Resources at 215.898.1326.

Departments shall continue the total base salary (sum of (i) any Academic Base (for Standing Faculty), Faculty Salary (for Academic Clinicians), or Staff Salary (for Penn Medicine Clinicians), plus (ii) the Base Salary Supplement) for the duration of an approved short-term disability leave (i.e. FML for the CPUP member’s own serious health condition). Under University policy, for FML taken to care for a family member, only five days of sick leave may be taken per year; the remainder of the leave is unpaid, except when vacation is used. Intermittent FML taken to care for a family member may require the exhaustion of accrued but unused vacation.

The following principles shall apply to the use of FMLA and the resulting productivity adjustment to reflect such leave:

- All faculty start at 46 weeks per year accounting for 2 weeks of CME/professional development and 22 days of vacation annually. Per University policy, updated as of 7/1/19, vacation need not be used prior to short-term disability. *FMLA weeks in which vacation is charged concurrently will not adjust productivity expectations, as vacation usage is expected each year.*
- Productivity impact represents the weeks of required adjustment to clinical productivity expectations.
- Productivity impact must be applied to the year in which the leave occurs.
- There are four possible leave components, which must occur in the following order:
  - Sick leave - 22 days per year. *Continuous FMLA weeks in which sick leave is used concurrently will result in productivity impact (adjusted productivity expectations).*
  - STD – full pay continuation is required. *FMLA weeks concurrently covered by STD will result in productivity impact.*

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- Paid parental leave – 4 weeks (20 work days) per year; eligibility is the same as FMLA. Paid parental may be taken concurrently with FMLA or may be taken at any other time within the year after the birth or adoption of a child. Paid parental leave cannot be used intermittently and is limited to 4 weeks per year, irrespective of multiple births (e.g. twins), adoption, etc. *Paid parental leave will result in productivity impact only when used concurrently with FMLA.*
- Unpaid leave - will fill out the balance of the FMLA up to 12 weeks. *Unpaid FMLA weeks will result in productivity impact.*
- Productivity impact due to the use of intermittent FMLA leave shall be determined by the Department chair in each case, based on the effect of such leave on availability for clinical duty.

See the attached Appendix to the policy which offers examples implementing the above principles.

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## APPENDIX

**Example 1(a): MATERNITY:** A faculty member has requested 12 weeks of FMLA for maternity leave, all within one academic year.

- Starting at 46 weeks.
- The faculty member earns a \$50,000 incentive upon achieving target RVU's set at 5,000.
- FMLA runs concurrently with available sick leave, then short-term disability through the eighth week.
- 4 weeks of paid parental leave follows STD.
- Use of vacation is not required prior to STD.

Week of leave	Leave Components	Adjustment to weeks of productivity
1	Sick leave	1
2	Sick leave	1
3	Sick leave	1
4	Sick leave	1
5	Short Term Disability 1	1
6	Short Term Disability 2	1
7	Short Term Disability 3	1
8	Short Term Disability 4	1
9	Paid parental	1
10	Paid parental	1
11	Paid parental	1
12	Paid parental	1
		<b>12</b>

This faculty member's leave would be fully paid. Impact of leave on incentive opportunity calculation:

- 46 weeks - 12 weeks for productivity impact=34 weeks
- Incentive opportunity is prorated to 34/46, \$36,956\*\*
- Target RVU's prorated to 3,696

\*Note: If incentive is paid at \$x per RVU above target, in the above example the target would be adjusted and the incentive value for each RVU above the adjusted target is unchanged.

**Example 1(b): PATERNITY/NON-BIRTHING PARTNER:** A faculty member has available 4 weeks of vacation time (PTO) and wants 12 weeks of FMLA for paternity (or non-birthing partner) leave, all within one academic year. The faculty member elects to use 2 weeks of PTO.\*

- Starting at 46 weeks.
- \$50,000 incentive opportunity; target RVU's set at 5,000.
- Five days of sick leave may be used, per policy, followed by 4 weeks of paid parental leave followed by one-half of available vacation,. STD does not apply.

Week of leave	Leave Components	Adjustment to weeks of productivity
1	Sick leave	1
2	Paid Parental	1
3	Paid Parental	1
4	Paid parental	1
5	Paid parental	1
6	Vacation week 1	0
7	Vacation week 2	0
8	Unpaid	1
9	Unpaid	1
10	Unpaid	1
11	Unpaid	1
12	Unpaid	1
		<b>10</b>

Weeks 1-7 would be paid. Impact of leave on incentive opportunity calculation:

- 46 weeks - 10 weeks for productivity impact=36 weeks
- Incentive opportunity is prorated to 36/46, \$39,130
- Target RVU's prorated to 3,913

\*If a faculty member begins leave with 22 vacation days, he/she would end the above 12 week leave with 2 weeks plus 2 days of vacation.

**Example 1(c): CARE FOR FAMILY MEMBER:** A faculty member has available 4 weeks of vacation time (PTO) and wants 12 weeks of FMLA to care for a family member, all within one academic year. The faculty member elects to use 2 weeks of PTO.\*

- Starting at 46 weeks.
- \$50,000 incentive opportunity; target RVU's set at 5,000.
- Five days of sick leave may be used, per policy, followed by 4 weeks of paid parental leave followed by one-half of available vacation,. STD does not apply.

Week of leave	Leave Components	Adjustment to weeks of productivity
1	Sick leave	1
2	Vacation week 1	0
3	Vacation week 2	0
4	Unpaid	1
5	Unpaid	1
6	Unpaid	1
7	Unpaid	1
8	Unpaid	1
9	Unpaid	1
10	Unpaid	1
11	Unpaid	1
12	Unpaid	1
		<b>10</b>

Weeks 1-3 would be paid. Impact of leave on incentive opportunity calculation:

- 46 weeks - 10 weeks for productivity impact=36 weeks
- Incentive opportunity is prorated to 36/46, \$39,130
- Target RVU's prorated to 3,913

\*If a faculty member begins leave with 22 vacation days, he/she would end the above 12 week leave with 2 weeks plus 2 days of vacation.

**Example 2: A faculty member with FMLA for maternity that crosses an academic year.\***

- Starting at 46 weeks.
- In this example, the first six weeks of leave occur in AY1, and the second six weeks of leave in AY2. However, a sick leave balance renewed as of July 1 may not be used to continue a sick leave that began in the prior fiscal year. Thus, this example is equivalent to example 1(a).
- Paid parental covers weeks 9-12.
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Week of Leave	Academic Year	Possible Leave Components	Adjustment to weeks of productivity
1	1	Sick leave	1
2	1	Sick leave	1
3	1	Sick leave	1
4	1	Sick leave	1
5	1	Short Term Disability 1	1
6	1	Short Term Disability 2	1
7	2	Short Term Disability 3	1
8	2	Short Term Disability 4	1
9	2	Paid parental	1
10	2	Paid parental	1
11	2	Paid parental	1
12	2	Paid parental	1
			<b>12</b>

**Example 3: A faculty member with prolonged 18-week leave due to medical extension.**

- Starting at 46 weeks.
- This faculty member would have 0 weeks of unpaid leave assuming short-term disability applies to the entire leave; paid parental does not apply (or if medical leave follows childbirth, need not be used). PTO need not be used prior to STD.
- \$50,000 incentive opportunity; target RVU's set at 5,000.
- Impact of leave on incentive opportunity calculation:
  - 46 weeks - 18 weeks for productivity impact=28 weeks.
  - Incentive opportunity is prorated by 28/46.
  - Target RVU's prorated by 28/46.

Week of Leave	Academic Year	Possible Leave Components	Adjustment to weeks of productivity
1	1	Sick leave	1
2	1	Sick leave	1
3	1	Sick leave	1
4	1	Sick leave	1
5	1	Short Term Disability 1	1
6	1	Short Term Disability 2	1
7	1	Short Term Disability 3	1
8	1	Short Term Disability 4	1
9-18	1	Short Term Disability 5-14	10
			<b>18</b>