

ADMINISTRATIVE LEAVE WITHOUT PREJUDICE

A resident/fellow may be placed on Administrative Leave without Prejudice for reasons including but not limited to the investigation of an alleged Code of Conduct Violation (see “*Code of Conduct*”), or the need for a Fit for Duty Evaluation (see “[Fit for Duty/Employee Assistance Evaluation](#)” policy). Administrative Leave without Prejudice is not a sanction. It is taken in an effort to protect the safety and wellbeing of the resident/fellow, of patients, of other individuals with whom the resident/fellow has contact, and/or of the School of Medicine and its affiliated hospitals. Because continuous training is vital to all residency and fellowship programs, the length of Administrative Leave without Prejudice can be no longer than 90 days. A resident/fellow will receive full pay and benefits while on Administrative Leave without Prejudice.

The Program Director must consult with the DIO/designee regarding all cases being considered for Administrative Leave without Prejudice.

If a Program Director is considering placing a resident/fellow on Administrative Leave without Prejudice, he/she will meet, if possible, with the resident/fellow in order to gain his/her input before making that decision. Documentation of that meeting (or attempt) will be placed in the resident’s/fellow’s file.

If the concern giving rise to the Administrative Leave without Prejudice is not substantiated or is satisfactorily resolved, the resident/fellow will return to the program. Administrative Leave without Prejudice can result in an extended appointment period (extension of training) to meet all of the requirements of the program and all of the requirements to be eligible for board certification (see “*Contract Extension due to Leave*” policy). If this occurs, a resident/fellow may choose to use vacation time to offset any appointment extension that results from the Administrative Leave. If the resident’s/fellow’s time away from the program due to Administrative Leave without Prejudice results in an extension of training, this leave may be reported only as approved leave.

If an alleged Code of Conduct Violation is the reason for placing the resident/fellow on Administrative Leave Without Prejudice and the allegation is substantiated, see the *Academic Deficiencies and Code of Conduct Violations/Non-Academic Deficiencies Review Process* policy.

[If a Fit for Duty/EAP Evaluation](#) is the reason for placing the resident/fellow on Administrative Leave without Prejudice, see the *Fit for Duty/Employee Assistance Evaluations* policy.

If an investigation into an allegation including those involving an alleged Code of Conduct Violation extends beyond the 90 days of Administrative Leave without Prejudice, the Program Director and the DIO/designee will make a determination regarding the resident’s/fellow’s status in their training program. Such a determination will be based on both the preponderance of evidence (whether it is more likely than not that a violation occurred) and on an analysis of the requirement of continuous training that is vital to all residency and fellowship programs as well as any concerns regarding the safety and wellbeing of the resident/fellow, of patients, of other individuals with whom the resident/fellow has contact, and/or of the School of Medicine and its affiliated hospitals. The Program Director and the DIO/designee may take action which may include but is not limited to reinstatement, extension of training, non-renewal or termination (see the *Academic Deficiencies and Code of Conduct Violations/Non-Academic Deficiencies Review Process* policy).