

The University of Alabama Hospital Graduate Medical Education Policy and Procedure	GMEC Approved Date: May 5, 2026
	Next Review Date: Spring 2027

PURPOSE:

Per ACGME requirements (IR: 4.13.), the Sponsoring Institution must maintain a policy that states that neither the Sponsoring Institution nor any of its ACGME-accredited programs will require a resident/fellow to sign a non-competition guarantee or restrictive covenant.

POLICY:

The purpose of this policy is to ensure that the Graduate Medical Education Committee (GMEC) is providing appropriate oversight regarding the use of restrictive covenants in resident/fellow agreements per Accreditation Council for Graduate Medical Education (ACGME) Institutional Requirements. A restrictive covenant, in its broadest sense, is a provision that precludes an employee from competing with the employer and/or from working for a competitor of the employer, for some period of time after the employment has been terminated. The Accreditation Council for Graduate Medical Education (ACGME) specifically prohibits the use of restrictive covenants in resident/fellow agreements and requires the Sponsoring Institution to maintain a policy that prohibits programs from requiring a resident/fellow to sign a non-competition guarantee or restrictive covenant.

In accordance with the ACGME Institutional Requirements, the University of Alabama Hospital (Birmingham) prohibits the use of restrictive covenants. Programs may not ask for a signature by a resident/fellow on a non-compete or restrictive covenant clause as contingency of the GME training program.

The program director must ensure documentation required for signature by residents/fellows is in compliance with this policy and educate residents/fellows on this policy.

Residents/Fellows must notify the GME Office through the GME Hotline at (205) 934-5025 (option to be reported in an anonymous manner) immediately of any documents that contain language which could be interpreted as non-compete or restrictive covenant language.