

UNIVERSITY HEALTH CARE **HOSPITALS AND CLINICS**

GRADUATE MEDICAL EDUCATION

HOUSESTAFF POLICIES AND PROCEDURES

FAMILY AND MEDICAL LEAVE FOR HOUSEOFFICERS

Section 4 No. 2.5 Rev. 3 Review Date: December 2006 Revision Date: November 2006
Chapter: Paid Leave for Housestaff

I. PURPOSE:

Housestaff of the School of Medicine are entitled to necessary leave during training. Leave policies must be flexible enough to meet both the personal and the professional needs of residents. Housestaff are simultaneously employees who receive a paycheck from the University of Utah, and students training to become board eligible in their chosen field. Each specialty board has its own requirements regarding board eligibility and the time absent from the program. This policy is intended to provide general guidelines to address trainees' personal needs and still allow for board eligibility at the completion of training.

II. POLICY:

Housestaff are granted 21 calendar days* of vacation per year. A maximum of one week of educational leave is also provided by some programs. Leave does not accrue from one year to the next unless specifically approved by the program director. Whether leave can be taken in excess of vacation and educational time must be determined by departmental policy and the requirements of the medical specialty boards. A list of the specialty board requirements is appended at the end of this document.

Family Leave, Maternity/Paternity/Adoption Leave, and Sick Leave are handled in the same fashion, based on specialty board requirements and at the discretion of the program director (see attached table). Each program director has a written departmental leave policy on file in the Office of Graduate Medical Education. Leave time is handled on an individual basis, to be determined by the program director and Graduate Medical Education Director, if necessary, to comply with guidelines of the School of Medicine.

Leave taken for medical reasons falls under The Family Medical Leave Act of 1993. The Family and Medical Leave Policy for housestaff at the University of Utah meets the requirements of the Family Medical Leave Act of 1993, allowing up to 12 weeks of leave per year for eligible employees. In the case of a married houseofficer whose spouse is also employed by University of Utah, a combined total of 12 weeks of leave is allowed per couple for maternity, paternity and/or adoption leave. To be eligible for FMLA leave, a houseofficer must have been employed for at least 12 months and must be requesting leave for a serious medical condition (birth or adoption of a child; serious medical condition of a spouse, parent, or child; serious medical condition of the employee).

Any leave for medical reasons (stated above) in excess of one (1) week should be handled under the Family Medical Leave Act. Housestaff must inform their program directors immediately about any needed medical leave in order to allow time to arrange clinical coverage. Upon learning that a houseofficer is requesting FMLA leave, the program director or program coordinator must contact the GME Office with the information, and must require that the houseofficer contact Human Resources (581-2169) to apply for FMLA. Employees are required to contact Human Resources

at least 30 days before FMLA is to begin, or within two (2) business days in the case of an unforeseen emergency. Human Resources will approve or disapprove the FMLA leave.

Each of the U.S. Medical Specialty Boards has minimum time requirements in residency training for board eligibility. If residents take leave in excess of board eligibility requirements, they must make up time to be eligible for their board examinations. For this reason, it is recommended that any unused vacation days in the year the FMLA leave is taken be used in conjunction with the FMLA leave. Length of leave granted and/or vacation days used are to be negotiated between the houseofficer, the program director, and the GME Office.

In general, leave taken under the Family Medical Leave Act is paid, but any necessary make-up time is unpaid. For example, surgery residents receive five full years of pay for a surgery training program. Leave could include a six week absence in the second year for maternity leave, in addition to three weeks of vacation for a total of nine weeks of leave time during that one year. Because a maximum of four weeks per year is allowed by the American Board of Surgery, five weeks must be made up. The houseofficer will be paid for the FMLA leave time, but the five weeks of make-up time will be unpaid.

Program directors should make every effort to schedule pregnant residents on lighter rotations, with as little night call as possible, near the expected due date.

Each program will be expected to have a leave policy in writing that complies with this institutional policy.

NOTE: Calendar days are defined as consecutive weekdays and the attached weekend that a resident is on vacation.

AMOUNTS OF TIME ALLOWED FOR MATERNITY OR DISABILITY LEAVE
BY THE U.S. MEDICAL SPECIALTY BOARDS, 1997*

<u>Specialty</u>	<u>Amount of Time</u>
Anesthesiology	Twenty days every two years
Allergy-immunology	Discretion of program director
Dermatology	Six weeks per year
Emergency Medicine	Six weeks per year
Family Medicine	One month per year
Internal Medicine	Discretion of program director
Neurosurgery	No Policy
Nuclear Medicine	Six weeks per year
Obstetrics-Gynecology	Six weeks per year
Ophthalmology	One month per year
Orthopedic Surgery	Six weeks per year
Otolaryngology	Six weeks per year
Pathology	Two weeks per year
Physical Medicine & Rehabilitation	Six weeks per year
Radiology	Six weeks per year
Pediatrics	Three months total for residency, To be taken in any combination
Plastic Surgery	Four weeks per year
Preventive Medicine	Four weeks per year
Psychiatry	One month per year
Surgery	Four weeks per year

- Derived from results of a 1987 survey conducted by the American Medicine Women's Association, as reported in J.A.M.W.A. 42(187):70

NOTE: Calendar days are defined as consecutive weekdays and the attached weekend that a resident is on vacation.

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