I. PURPOSE
To outline resident leave policy including FMLA, vacation, sick leave, educational leave, funeral leave, holidays, and military leave.

II. POLICY
Each program and resident is subject to and will abide by this institutional policy regarding resident leave. If any program desires to make program-specific modifications, those modifications must meet or exceed the provisions of this policy.

III. PROCEDURE
FAMILY MEDICAL LEAVE

Leave taken for medical reasons falls under the Family Medical Leave Act (FMLA) of 1993. The Family Medical Leave policy for residents 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. To be eligible for FMLA leave, a resident must have been employed for at least 12 months and must be requesting leave for a serious medical condition of the resident, a spouse, a child, a parent, a grandparent, or a sibling. The birth or adoption of a child is included.

Any leave for medical reasons, as outlined above, in excess of one (1) week must be handled under the Family Medical Leave Act for eligible employees. Residents must inform their program directors immediately about any needed medical leave in order to allow time to arrange clinical coverage. Upon learning that a resident is requesting FMLA leave, the program director or coordinator must complete a Housestaff FMLA Request Form packet and submit the completed forms to the GME Office. FMLA Request Forms should be submitted to the GME Office at least 30 days before the FMLA is to begin, or within two (2) business days in the case of unforeseen emergencies. The GME Office will submit forms to Human Resources, which will inform all parties of approval or disapproval of the request.
In general, leave taken under the Family Medical Leave Act for residents is paid, but any makeup time is unpaid and unbeneﬁted (see “Makeup Time” section of this policy).

VACATION

All residents in GME programs shall receive three weeks (15 working days) of paid vacation annually. Vacation may be assigned by the program director, or must be arranged with the approval of the program director, for appropriate coverage of all rotations. Vacation is non-accruing. At the program director’s discretion, and with the resident’s permission, it is permissible to grant a resident only two weeks of vacation in one year, and four weeks in the following year.

SICK LEAVE

Paid sick leave is non-accruing for residents. Program directors may approve up to 12 days of paid sick leave per year. Paid sick leave may be used for a resident’s own serious health condition, or for the serious health condition of a spouse, parent, child, or for the birth or adoption of a child. When a resident has been employed for more than 12 months, the resident is eligible for FMLA leave and any absence, for medical reasons, in excess of one (1) week should be handled through FMLA (see FMLA section of this policy).

HOLIDAYS

The following days will be considered holidays in accordance with University of Utah Hospital policy. Residents will observe University of Utah Hospital holidays.

- New Year’s Day: First day in January
- Martin Luther King Day: Third Monday in January
- President’s Day: Third Monday in February
- Memorial Day: Last Monday in May
- Independence Day: 4th day in July
- Pioneer Day: 24th day in July
- Labor Day: 1st Monday in September
- Thanksgiving Day: 4th Thursday in November
- Friday following Thanksgiving Day: 4th Friday in November
- Christmas Day: 25th day in December

Patients are sick on holidays as well as other days. Residents must work with their departments to cover holidays. Residents may be required to work on holidays. Many departments have a holiday call schedule, and many departments allow residents to take call from home on holidays. Residents may come in for rounds on holidays, but may leave the hospital after that as determined by the department. Residents must work with their departments to
cover call schedules and clinical rotations on holidays. Residents will be paid for these days regardless of the number of hours worked, if any.

Holidays are in addition to vacation days.

**EDUCATIONAL LEAVE/EXAMS/CERTIFICATIONS**

All residents are required to obtain a medical license, and meet ACLS requirements or obtain other certifications depending upon the department. Program directors must allow a resident time off with pay to sit for any exams necessary to receive these licenses or certifications.

Additionally, program directors may grant permission for residents to attend national meetings or other seminars or to present research papers. Such permissions are department specific and must have program director approval.

**JURY DUTY**

For the period during which a resident is necessarily absent from work in compliance with an official requirement to appear for jury services, or a subpoena to appear as a witness at a trial, deposition, or other official proceeding, the employee will continue to receive full pay. The employee is expected to deliver to the University Hospital Cashier, for deposit to the University’s general funds, any fees received in accordance with law for compelled attendance as a juror or non-expert witness.

Employees are expected to report daily to work before and after jury service or attendance as a witness, whenever feasible, in order to give as much attention as possible to regular duties.

This policy does not apply when an individual appears in court on his or her own behalf (e.g., to pay traffic fines or as a party to a civil law suit).

**FUNERAL LEAVE**

Residents are entitled to three (3) days of funeral leave in the event of a death of an immediate family member. Immediate family members include the resident’s spouse, children, parents, grandparents, spouse’s parents, spouse’s grandparents, spouses of children, siblings and their spouses, and grandchildren.

**MILITARY LEAVE**

Any resident who is a member of the National Guard or any organized reserve branch of the United States Uniformed Services is entitled to a leave of absence with pay not to exceed fifteen (15) working days per year for time spend on duty at annual encampments or rifle competitions or other duties in connection with
the reserve training and instruction requirements of the United States Uniformed Services or National Guard.

MAKEUP TIME FOR EXCESSIVE TIME AWAY FROM TRAINING

Each specialty board has its own requirements regarding board eligibility and the time absent from the training program. If a resident is away from his/her training program for any reason (vacation, sick time, FMLA, jury duty, military leave, etc.), and the cumulative number of days absent exceeds the board eligibility requirements, that resident must make up the time necessary to be eligible for board exams.

The resident must work with the program director and/or program coordinator to determine the specific specialty board eligibility requirements. Makeup time at the end of training is generally without pay and without benefits.

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