PURPOSE:
To clarify the types and amounts of leave time generally available to graduate medical education residents.

DEFINITIONS:
Paid Time Off (PTO) – any days away from work for which the resident receives payment from their employer
Approved Leave – PTO taken within the guidelines outlined below
Resident - Any physician enrolled in a UT Southwestern graduate medical education program, including interns, residents, and fellows.
Sick Leave – PTO used for absences due to sickness, injury, confinement due to pregnancy, and/or the sickness or injury of an immediate family member when the employee is needed to care for and assist the ill immediate family member. The terms sickness or injury, for purposes of using sick leave are not limited to their commonly understood meanings, but also include absences required for medical, dental, optical, or mental health examination or treatment; or absences for physical therapy and laboratory work or tests as ordered by a licensed practitioner.
Vacation Leave – PTO scheduled in advance according to the protocol of the individual program, to be used at the resident's discretion
Discretionary Leave – PTO above and beyond Vacation Leave that may be approved at the discretion of the Program Director for specific personal or professional reasons

PROCEDURE:
Paid Time Off will be provided in accordance with the policies of the employing institution. Employers may vary in their offerings.

Residents Employed by UT Southwestern

Vacation Leave
1. In accordance with state law, vacation leave accrual rates and the maximum number of hours that can be carried over from one fiscal year to the next are determined by the length of an employee’s state service, and this information is published annually in the UT Southwestern Vacation and Holiday Schedule.
2. One month's vacation leave accrual is posted on the first day of employment and on the first day of each succeeding month that the employee is eligible to accrue leave.
   a. An employee who is in a non-paid status on the first day of a month - and who does not return to paid duty during that month - does not accrue vacation leave for that month.
   b. An employee away from work on any type of leave the first day of a month is not entitled to use the leave accrued for that month until after the employee has returned to duty.
   c. An employee away from work on any type of leave, who subsequently separates from employment without having returned to work, is not entitled to any leave accruals for any calendar month following the month in which the last day of duty occurs.
3. Unused vacation leave carries forward to the next fiscal year. However, the number of hours carried forward cannot exceed the limits set by state law, and these limits are stated annually in the UT Southwestern Vacation and Holiday Schedule. Vacation leave hours in excess of the maximum carryover limits at the end of the fiscal year will be credited to the employee's sick leave balance on the first day of the next fiscal year.
4. Vacation is defined as occurring Monday through Friday during normal business hours. Days for which work would not otherwise be scheduled do not require use of PTO.
5. Vacation accruals may be used in accordance with EMP-252 (Vacation Leave) in the UT Southwestern Policy Handbook. Under certain specified and limited circumstances, compensatory time may be granted for residents not yet eligible to use vacation accruals.

Sick Leave
1. Full-time residents accrue sick leave at a rate of eight (8) hours per month.
2. A resident’s initial monthly accrual of sick leave will be credited on the first day of employment. Sick leave will be credited on the first day of each succeeding month that the resident is eligible to accrue the leave.
3. A resident who is in a non-paid status on the first day of a month will not accrue sick leave for that month unless the resident returns to duty during that month. A resident who is away from work on any type of paid leave on the first day of a month will accrue sick leave for that month. A resident who is away from work on any type of leave and who subsequently separates from employment without having returned to work is not entitled to any leave accruals for any calendar month following the month in which the last day of work occurs.
4. Sick leave accumulates, with unused accruals carrying forward each month.
5. Sick leave pay shall be granted only in cases of actual illness. Time taken off must be cleared with the Program Director (or designee). The residency program administrative office must be notified when a house staff is on sick leave. House staff may not use sick leave their last ten (10) workdays unless a physician statement is provided. Information on use of short- and long-term disability to cover sick leave/temporary disability (maternity leave inclusive) should be referred to the Benefits Program sections. Unused sick leave will not be paid upon termination.

Residents Employed by Parkland
1. Residents will be provided with twenty-five (25) days of preloaded PTO leave time that can be used for vacation time, holidays, illnesses (both their own and their family members), attendance at professional meetings and seminars, board and licensure exams, interview days, and any other circumstance approved by the Program Director, during each academic year.
2. PTO must be authorized and approved by the Resident’s Program Director or his/her designee and is subject to the requirements of the UTSW Graduate Medical Education Paid Time Off Utilization Policy.
3. Unused PTO carries forward to the next fiscal year, but unused days are not available for cash out.

Residents Employed by Children’s
1. Each Resident will receive two (2) weeks of PTO leave for each residency year.
2. PTO may be accrued until the third (3rd) year of residency except as noted below.
3. Any unused PTO will not be paid or otherwise credited back to the Resident.
4. Accrued PTO may be carried over after the third year of residency if the Resident serves in the role of Chief Resident.

Residents Employed by Scottish Rite
1. During the term of the training program, residents may use up to twenty-five (25) days of leave with pay which will include all vacation days, sick days, educational meetings, interviews, depositions, etc.
2. Unused PTO will be forfeited at the end of the training program.
3. Residents must submit all requested time away for approval by the Chief of Staff or his designee.
4. Residents shall be entitled to compassionate leave in accordance with the Hospital's policies. Residents may be granted sick or compassionate leave not covered under the Hospital's policies at the discretion of the Chief of Staff or his designee.

Medical, Parental and Caregiver Leave (“MPC Leave”)
1. MPC Leave includes up to six (6) weeks of paid leave (i.e., 240 hours) for absences for qualifying reasons, consistent with applicable laws at any time during the duration of the Training Program. Approved leave may be taken intermittently rather than as a single continuous period when applicable.
Graduate Medical Education Policies and Procedures

2. When approved, the Resident/Fellow shall receive one hundred percent (100%) of the agreed-upon stipend during the MPC Leave, in addition to continued health plan and disability insurance benefits.

3. If a single incident of MPC leave is for less than six weeks, the Resident/Fellow may apply for MPC leave again, up to a total of six weeks.

4. A Resident/Fellow is eligible for MPC leave on the date the Resident/Fellow reports to duty in the Training Program. There is no waiting period.

5. Qualifying Reasons for MPC Leave
   a. Medical - Due to a Resident’s/Fellow’s own Serious Health Condition that renders the Resident/Fellow unable to perform the essential functions of their job.
   b. Parental:
      i. The birth of a son or daughter of the Resident/Fellow and/or to care for such child within twelve (12) months after birth.
      ii. The placement of a son or daughter with the Resident/Fellow for adoption or foster care. This leave must be taken within twelve (12) months of the child’s placement.
   c. Caregiver - To care for the Resident’s/Fellow’s spouse, son, daughter, or a parent (collectively “Immediate Family Member”) who has a Serious Health Condition. In-laws are not included in the definition of an Immediate Family Member.

6. Residents must apply for MPC leave in accordance with procedures set forth by and available through their employing institution. Failure to apply for an approved leave of absence in accordance with this procedure or to comply with the time periods in this procedure may result in delay of approval or partial or complete denial of the leave of absence depending on the particular facts and circumstances.

7. Residents may be required to periodically report their status and anticipated return-to-work date to their employer and Program Director. Similarly, any required return-to-work documents must be processed in accordance with requirements of the employing institution. Any such requirements are available for review at any time through the employing institution.

8. If a Resident/Fellow has more than five (5) days PTO accrued at the start date of the MPC leave, the Resident/Fellow must use the remaining balance of PTO concurrently with the MPC Leave and will be paid PTO time during the MPC leave until their PTO balance is at five days. In every case, residents will have at least one week (five days) of PTO available for use outside of MPC leave.

9. When eligible for FMLA, MPC Leave shall run concurrently with FMLA.

10. When eligible for Military Family Leave for the same reason as the MPC Leave, such leave will run concurrently with MPC Leave.

11. Payments made under disability benefits plans and for workers’ compensation may be offset against payments for MPC Leave.

12. Training Program Directors are responsible for providing Residents with accurate information regarding the impact of an approved MPC Leave upon the criteria for advancement or satisfactory completion of the Training Program, and upon a Resident’s/Fellow’s eligibility to participate in examinations by the relevant certifying board(s).

Family Medical Leave Act (FMLA)
House staff are eligible for leave in accordance with the Family and Medical Leave Act (FMLA), which provides up to twelve (12) weeks [twenty-six (26) weeks for military caregiver leave] of unpaid, job-protected leave for FMLA qualifying reasons. Qualifying reasons under the FMLA include the birth, adoption or placement of a child; the employee’s own serious health condition; the serious health condition of a spouse, parent or child; a qualifying exigency arising out of the covered active duty of the employee’s spouse, parent or child (military exigency leave); or, to provide care for a covered service member with a serious injury or illness if the service member is the employee’s spouse, parent, child, or next of kin (military caregiver leave).

- FMLA leave for house staff who are UT Southwestern employees will be handled in accordance with UT Southwestern’s Handbook of Institutional Policies and Operating Procedures EMP-256 Family and Medical Leave and EMP-256P-01 Managing Family and Medical Leave. Employee FMLA leave requests should be submitted to the Program Director, UT Southwestern’s GME Office, and Leave Administration (preferably using the FMLA Leave Request Form available from Leave Administration). Leave
Administration will determine whether the employee is eligible for FMLA leave, provide the employee with all required forms and notices, and notify the requestor, the Program Director and the UT Southwestern GME Office whether FMLA leave has been approved or denied.

- FMLA leave for house staff who are not UT Southwestern employees will be handled in accordance with the policies and procedures of the employing institution. Non-employee FMLA leave requests should be submitted to the employing institution and copied to the Program Director and the UT Southwestern GME Office. House staff who are granted FMLA leave by their employing institution must provide a copy of the FMLA leave approval reflecting the date and expected duration of the leave to the UT Southwestern GME Office and the Program Director. In general, non-employee house staff who are approved for FMLA leave by their employing institution will also be approved for a period of leave of equal length from the Program.

Requests for foreseeable FMLA leave (e.g., scheduled surgery, birth of a child) should be submitted at least thirty (30) days in advance. Requests for unforeseeable FMLA leave (e.g., medical emergencies, hospitalization) should be submitted as soon as practicable after the house staff member learns of the need for leave. It is the responsibility of the house staff member requesting FMLA leave to provide all required notices, medical documentation and information as required by UT Southwestern or their employing institution. All FMLA leave requests should contain sufficient information about the reason for the leave, its timing, and the anticipated duration for UT Southwestern or the employing institution to be able to determine whether the need for leave may be covered by the FMLA. All house staff will be required to use any applicable, available Paid Time Off concurrently with approved FMLA leave. The Program Director will be responsible for tracking the type of Paid Time Off that will be utilized (e.g., vacation, holiday, sick). House staff who exhaust all available Paid Time Off will be placed in an unpaid status for the duration of the FMLA leave period.

**State Parental Leave**
UT Southwestern provides up to twelve (12) weeks of unpaid parental leave for eligible employees who are ineligible for FMLA leave coverage for either the birth of a natural child or for the adoption or foster care placement of children under three (3) years of age, as provided for by state law. State Parental Leave for house staff who are UT Southwestern employees will be handled in accordance with EMP- 257 State Parental Leave. House staff who are not eligible for FMLA leave and who are not UT Southwestern employees should consult their employing institution regarding other applicable parental leave policies. Employee requests for State Parental Leave should be submitted to the Program Director, UT Southwestern’s GME Office, and Leave Administration. Leave Administration will determine eligibility for State Parental Leave and will notify the employee, the Program Director, and the UT Southwestern GME Office if State Parental Leave is approved or denied. It is the responsibility of the house staff member requesting the State Parental Leave to provide all required notices, documentation and information as required by UT Southwestern. All house staff will be required to use any applicable, available Paid Time Off concurrently with approved State Parental Leave. The Program Director will be responsible for tracking the type of Paid Time Off that will be utilized (e.g., vacation, holiday, sick). House staff who exhaust all available Paid Time Off will be placed in an unpaid status for the duration of the State Parental Leave period.

**Holidays**
Some services, including clinics, may close for holidays. Holiday work schedules are to be determined by the department. Departmental holiday time is exclusive of PTO or vacation or other approved leave time.

**Jury Duty, Military Reserve Duty, Bereavement**
Leave time for purposes of jury duty, military reserve duty, and bereavement will comply with the policies of the resident’s employer.

**Effect of Leave Time on Eligibility for Board Certification**
Residents should be aware that graduation from residency and Board certification eligibility depends on the completion of a specified amount of training. See the GME policy entitled *Effects of Leaves of Absence Policy*.
The following rules apply for all approved leave: no cash conversion options, no cash-out at termination, and no accrued bank carryover.