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**Policy Title:** Paid Time Off Utilization (formerly Leave Time)



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**PURPOSE:**

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

**DEFINITIONS:**

**Paid Time Off (PTO)** – any days away from work for which the trainee receives payment from their employer

**Approved Leave** – PTO taken within the guidelines outlined below

**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 trainee'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. Although employers may vary in their offerings, the following parameters are generally applicable.

**Vacation Leave**

Fifteen days of vacation are allocated for use in each year of training as stipulated by the house staff contract with the hiring institution. Specific times for vacation may be requested using form(s) submitted to the Program Director's office in accordance with individual program procedures. It is scheduled by the Program Director or designee. All vacation benefits must be taken within the current contract agreement year. Unused vacation benefits will not be paid upon termination. 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.

**Discretionary Leave**

Residents will have an additional 10 days of paid time off to use for sick leave and/or at the discretion of the Program Director for special circumstances including: attendance at professional meetings and seminars, board and licensure exams, interview days, bereavement (beyond what is already provided by the hiring institution), or standard and elective rotations away from UT Southwestern Medical Center premises.

**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.

**Sick Leave**

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) work days 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.

### **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.

**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.