



David Geffen  
School of Medicine



## UCLA GME LEAVE POLICY

### PURPOSE

The purpose of this policy is to establish guidelines for leaves of absence in accordance with federal law, state law, and institutional policies.

### SCOPE

This policy applies to all UCLA accredited residency and fellowship programs in all clinical learning environments. Leave taken for any purpose may be required to be made up to ensure that the trainee meets board requirements.

### POLICY

#### I. Vacation Leave

Trainees are permitted to take up to 4 weeks or 28 days of vacation leave with compensation per contract year. Vacation time does not accrue from year to year and there is no provision to compensation in lieu of time off. Vacation leave must be taken within the year of appointment with discretionary allowance for carry over by each program department. In the event a Trainee leaves before the end of year, vacation time shall be prorated at one week per quarter. Time owed can be taken as terminal pay or vacation. Time that has been taken will not be required to be paid back.

Vacation leave with compensation shall be scheduled by mutual agreement with the residency program director, or their designee:

1. Vacation may be scheduled in full or may be split depending upon the requirements of the residency program and the written requests of the Trainee. To the extent possible, vacations will be granted in accordance with house staff requests. .
2. Changes in posted vacation schedules should be requested by members of the house staff, in writing and will be considered for approval by the program director or designee.
3. Changes in the vacation schedule may be initiated by the department should they be required.

#### II. Sick Leave

Sick leave is credited to the year of appointment and does not carry over from year to year and there is no provision for compensation in lieu of sick leave. There is no carry over between training programs. Sick leave is accrued at the rate of 8 hours (one working day) per month.

Additional sick leave without compensation may be granted at the discretion of the department chairperson. However, makeup time may be required to meet the educational objectives and Board requirements

1. Each Trainee shall immediately notify the department of any illness and, if required by the department, shall provide physician records to document illness lasting three or more consecutive days or an unusual absence pattern.
2. Not more than five days of accrued sick leave may be used when a Trainee is required to be in attendance or provide care because of illness in the family or if a Trainee's attendance is required due to a death of a relative.

### III. [Personal Leave and Uncompensated Leave](#)

Personal leave to attend to personal matters of a serious and time consuming nature may be taken by mutual agreement with the program and/or department. Personal leave in excess of vacation and sick leave is uncompensated.

### IV. [Parental Leave](#)

Compensated parental leave is a maximum of two workweeks to care for the Trainee's child after birth, or placement for adoption or foster care.

Time taken in addition to these 2 weeks AND exceeding vacation and sick leave will be leave without compensation and may require makeup for specific Board requirements.

If Trainee is eligible for Family and Medical Leave (FML) parental leave does not extend the 12 weeks available under FML.

The following conditions must be met:

- The Trainee has given written notice to the Program Director of their intention to take parental leave prior to the expected birth or adoption. It is highly recommended that the Trainee give as much advance notice as possible so that the training program may accommodate the leave request.
- Paid parental leave must be completed within the first year of the birth or placement of the child.

V. Family and Medical Leave Act (FMLA)

The Family and Medical Leave Act (FMLA) is a federal law that grants an eligible employee up to 12 weeks/480 hours of unpaid, job and benefit protected leave in a calendar year for any of the following reasons:

- incapacity due to pregnancy, prenatal medical care or child birth;
- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

To be eligible for FMLA benefits, an employee must have:

- At least 12 months of Laboratory/University service (need not be continuous), and
- At least 1,250 hours of work in the 12 months immediately preceding the leave. (NOTE: PGY1s would not normally be eligible for FMLA but they are still able to use their leaves (vacation, sick, and parental).

During a FMLA leave, the Trainee's health coverage under any group health plan on the same terms as if the employee had continued to work.

Substitution of Paid Leave for Unpaid Leave - Although FMLA leave is unpaid, the Trainee is required to use accrued sick and vacation leave before taking a leave without pay.

Medical leave is unpaid time but includes continuing medical benefits up to 12 months.

Whenever possible, the Trainee shall provide as much notice as possible. Failure to comply may result in the postponement of family and medical leave.

Notice and Certification: Requests for family or medical leave must include

- a written request from the Trainee sent to the program director and/or chair of the department indicating the start and anticipated return dates
- a letter from the Trainee's physician affirming the need for medical leave must accompany the request.

Approved requests for leave must be in writing and indicate:

## UCLA GME LEAVE POLICY

- start date
- return to duty date
- conditions for return to work
- whether time will be counted for training or how make up time will be completed
- the PGY level upon return

Medical leave up to a maximum of one year, per program, after vacation and sick leave have been used, may be granted.

Additional Medical or family leave may be granted at the discretion of the department chair after consultation with the program director and others.

The duration of the leave may affect one's departmental and American Board requirements. Additional work will be needed because of the absence.

Return to work after a medical leave will require the following:

Prior to returning to the residency, the Trainee must submit a written request to be reinstated. The letter of request to return to active appointment will include the return date and any limitations on activities or special needs. The letter should be sent to the department chair/program director. A letter release to return to duties from the Trainee's attending, which includes any restrictions or other special conditions, must accompany the Trainee's request to return.

Written approval to return to appointment will be sent by the department chair/program director. It shall include:

the start date

any limitations or special needs

the reappointment PGY level

the need to make up time for credit

additional medical or program evaluation, and if so, time and evaluation process.

Copy of the letter of approval to return to active appointment, extension of medical leave or termination from the program related to the medical leave will be sent to the Offices of the Dean and Chief of Staff.

### VI. Qualifying Time for Board Requirements:

If it is determined that training experience necessary to satisfy American Board requirements is lacking and the resident must gain such experience, the pay

status of the time spent in making up training will be determined prior to commencement of the make-up activity.

**Moonlighting while on medical leave is not allowed and may be cause to terminate medical leave.**

III. **Administrative and Religious Holidays**

Administrative holidays for Trainees will be consistent with the schedule at the clinical site to which the resident or clinical fellow is assigned with the policies of the program and/or department.

IV. **Jury Duty**

Trainees must notify the program director and program coordinator as soon as the jury summons is received. Trainees shall be given leave with pay for the actual time spent on jury service and in related travel.

V. **Military Leave**

Trainees shall be excused from their training program to meet military training obligations when such absences are approved by their program director.

VI. **Qualifying Time for Board Requirements & Make-up Time**

VII. While this policy explains the types of leave a trainee is entitled to take as an employee of UCLA, please note that it is the responsibility of the department, program, and Trainee to be in compliance with program requirements concerning the effect of leaves of absence on satisfying the criteria for completion of the training program and Certifying Board.

If make-up time is required to meet the educational objectives or American Specialty Board requirements, salary and benefits remain in effect.

The Trainee should discuss these issues with the Program Director prior to taking a leave of absence.

Generally, a first year resident enters as a PGY 1 and progresses to the next PGY level on each anniversary of appointment until the conclusion of the training program. Credit for previous training (i.e., advanced standing) is a matter for discussion between the Trainee, the Program Director and the specialty board.

## **FORMS**

N/A

## **REFERENCES**

California Fair Employment and Housing Act - Government Code §§12900 - 12996

Family and Medical Leave Act of 1993 – Public Law 103-3; 29 U.S.C sec. 2601; 29 CFR 825

## **CONTACT**

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## **APPROVAL**

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