

GRADUATE MEDICAL EDUCATION
POLICIES FOR HOUSE STAFF

LEAVE OF ABSENCE

MemorialCare policy is to grant leaves of absence to all eligible residents on a nondiscriminatory basis and in compliance with all applicable collective bargaining agreements, and state and federal laws.

This policy is not intended to address every possible leave of absence that may be available to House staff. If you have any questions about a leave of absence, please contact the Graduate Medical Education Office.

1. **Vacation Leave**

Each resident is entitled to use the defined number of vacation days established by the policies of each resident's department. Vacation time does not accrue from year to year and must be scheduled and taken in the same academic year (July 1 – June 30) the vacation is earned. In addition to any department regulations concerning vacations, all vacation time must be scheduled with the prior approval of the designated department faculty member and/or administrator.

2. **Educational Leave**

Residents are entitled to two week paid educational leave. The educational leave may be utilized for independent research, study or to attend an educational conference approved by the program director. To the extent that a resident's department does not include educational leave as a portion of one's annual vacation leave, each resident is entitled to use the department educational leave days consistent with the policies and procedures of his/her department.

3. **Total Leave**

The total number of annual vacation/educational leave days for all Housestaff members is 30 days or 4 weeks per academic year. The department allocates the distribution of vacation and educational leave. All residents receive a minimum of two (2) weeks of vacation leave.

4. **Sick Leave**

There is no formal sick leave allotment. Sick leave is deducted from the resident's accrued Paid Time Off benefit hours during this absence from work.

5. **Jury Duty**

It is the policy of LBMMC/MCH to allow residents who are required to serve on jury duty to fulfill their civic obligation, with up to 5 days pay at their regular hourly rate to offset regular pay which could be lost in the service of this jury duty. Leave of absence for jury duty will normally be granted. When granted, no loss of pay will occur.

- a) The resident must notify their program director and the GME office upon receipt of the notice to serve.
- b) The resident is excused from work on the day of service, unless released from service for the day.
- c) The resident must provide official court documentation for all days of service, including but not limited to days for which jury duty compensation is expected.
- d) Daily court fees paid to the resident are to be remitted and signed over to LBMMC/MCH in order to receive jury duty compensation. It is not the intent of this policy that the resident

- receives remuneration for a day of jury duty service at a rate greater than that which he/she would have received if they had performed actual work.
- e) Jury duty pay will equate to the residents regular hourly rate for non-exempt residents.
 - f) An exempt resident will receive his or her full salary for any week in which he or she performs any work without deduction for absences caused by jury duty.
 - g) The resident is responsible for telling the judge that he/she is a resident physician and are only allowed thirty (30) days away from their residency program per year; are scheduled for night call; and patient care.
 - h) If a resident is assigned to a lengthy trial, graduation will be delayed.

6. **Maternity/Paternity/Adoption Leave**

The residency program supports a six-week unpaid maternity/paternity/adoption leave for the birth of the resident's own child, for the placement of an adopted or foster child with the resident. Such leave must include use at the beginning of the leave of any remaining unused accrued Paid Time Off benefit hours. Before returning to work from a maternity leave of absence, the resident must provide a written verification from her health care provider indicating that she is fit to return to work. Requests for extensions of a maternity/paternity/adoption leave of absence will be considered if they are received by the Program Director in writing before the expiration of the approved leave. The resident will be paid for the time they are here past the June 30 date to a maximum of six weeks at their regular rate of pay.

9. **Family & Medical Leave**

A resident may request from his/her department an extended unpaid family and medical leave for, for the resident's own serious health condition, or for the serious health condition of the resident's parent, spouse, or child. Such leave must include use at the beginning of the leave of any remaining unused vacation leave. The duration of the family medical leave must conform to one's departmental and American Board requirements together with applicable state and federal law. (California Family Care and Medical Leave Act of 1993, and the Federal Family and Medical Leave Act of 1993).

10. **Bereavement Leave**

In the event of a death in the immediate family of an eligible resident, up to three (3) working days off will be granted to arrange and/or attend the funeral. For purposes of this policy, a resident's immediate family is defined to include the resident's current spouse, father, mother, sister, brother, child (inclusive of unborn children after the first trimester of pregnancy), stepchild, grandparents, grandchildren, mother-in-law, father-in-law, and domestic partner (as defined by California Family Code, Section 297). Eligible full-time residents will be paid their straight-time (benefit) hourly rate up to a maximum of twenty-four (24) hours. Residents may be asked to provide satisfactory evidence to support their request. Residents who require more than these maximum time periods may request the opportunity to use any accrued Paid Time Off benefit hours, or a personal leave of absence. This requires the approval of the program director and GME office.

Leave cannot be carried over from one academic year to the next.

Holiday, weekend days or three-day weekends will be counted against the total allowable leave for residents on rotations that require or expect weekend availability.