Section 24
Leaves of Absence

VACATION

- House Officers accrue Vacation Leave at the official rate of 13.33 hours per month. This provides a total of twenty (20) Vacation Leave “working days” per year. Due to the complexities of rotation schedules for House Officers in various training programs, twenty-eight (28) calendar days or one (1) calendar month will be given as Vacation Leave depending upon the mode of scheduling of a given service. A part-time House Officer receives the proportionate amount, based on the percent and duration of the appointment.
- Vacation Leave shall be requested by the House Officer in writing and scheduled with the agreement of the Program Director or his/her designee.
- Vacation Leave may be scheduled in full or may be split depending upon the requirements of the training program and the written requests of the House Officer.
- To the extent allowed by the training requirements of the program, Vacation Leave will be granted in accordance with House Staff requests.
- Changes in the Leave schedule may be initiated by the Program Director when required by department activities. The Program Director shall endeavor to give advance notice of any change.
- House Officers wishing to make a change in the posted Leave schedule must submit a written request. Approval of such requests is subject to the staffing requirements of the training program and the discretion of the Program Director or his/her designee.
- Vacation Leave must be taken during the period of appointment unless an exemption is granted to the department by the Associate Dean for Graduate Medical Education.

PROFESSIONAL LEAVE

- With the approval of the Training Program Director, House Officers may be granted up to five (5) work days of Professional Leave with pay, per academic year, to pursue scholarly activities pursuant to their educational curriculum. Additional days may be granted with the approval of the Training Program Director.
- Time not taken may not be carried over from one academic year to the next and will be forfeited.

SICK LEAVE

- House Officers shall accrue Sick Leave at the rate of eight (8) hours (one [1] working day) per month, which is the equivalent of twelve (12) working days per year. A part-time House Officer receives the proportionate amount, based on the percent and duration of the appointment.
- Each House Officer shall immediately notify his/her Training Program Director of any illness and, if requested by the Program Director, shall provide physician records to document illnesses lasting three (3) or more days.
- Sick Leave is not to be used as additional Vacation.
- Sick Leave which remains unused at the end of an appointment year will carry over to the following appointment year if the House Officer is reappointed. In the event the House Officer is not reappointed, unused Sick Leave will be forfeited.
Sick Leave not used beyond the predetermined date for separation is forfeited.

SICK LEAVE-FAMILY ILLNESS AND BEREAVEMENT

- **Family Illness** - A House Officer shall be permitted to use not more than thirty (30) days of Sick Leave in any calendar year when required to be in attendance or to provide care because of the illness of the House Officer's spouse, parent, child, sibling, grandparent or grandchild. In-laws and step-relatives in the relationships listed also are covered. This provision also covers other related persons residing in the House Officer's household.
- **Family Bereavement** - A House Officer shall be permitted to use not more than five (5) days of Sick Leave when the House Officer's absence is required due to death of the House Officer's spouse, parent, child, sibling, grandparent or grandchild. In-laws and step-relatives in the relationships listed also are covered. This provision also covers other related persons residing in the House Officer's household. In addition the House Officer shall be permitted to use not more than five (5) days of Sick Leave in any calendar year for bereavement or funeral attendance due to the death of any other person. The House Officer shall provide prior notice to the Training Program Director as to the need for and likely length of any such absence.

PERSONAL LEAVE OF ABSENCE

- A House Officer may be granted a Personal Leave without pay when other leave balances have been exhausted, for the House Officer's convenience, but in granting the Leave, the best interests of the training program shall be considered.
- Personal Leave(s) may be granted for personal needs not otherwise specifically provided for by this policy.
- The Training Program Director may approve a Personal Leave for a period not in excess of six (6) months. The Associate Dean for Graduate Medical Education may grant individual exceptions to the 6-month limit.

PREGNANCY/CHILDBEARING DISABILITY LEAVE

- A House Officer disabled due to pregnancy, childbirth or related medical conditions shall be granted a Medical Leave of absence of up to four (4) months, but not to exceed the period of verified disability.
- Pregnancy Disability Leave may consist of leave without pay and/or paid leave such as accrued Sick Leave and accrued and/or advanced Vacation Leave.
- If a House Officer on an approved Pregnancy Disability Leave is also eligible for Family and Medical Leave (noted below under Family and Medical Leave), up to twelve (12) workweeks of Pregnancy Disability Leave shall run concurrently with Family and Medical Leave under Federal law.
- Upon termination of a Pregnancy Disability Leave that runs concurrently with Federal Family and Medical Leave, an eligible House Officer is also entitled to up to twelve (12) workweeks of State Family and Medical Leave.
- A pregnant House Officer enrolled in the House Officer Disability Plan should contact the House Officer Disability Plan Coordinator to discuss eligibility for coverage and the procedure to follow to obtain the disability benefit.
- For House Officers disabled by pregnancy, childbearing or other related medical conditions, the University shall continue its contribution for the House Officer’s health insurance benefits
for the length of such disability, up to four (4) months.

- As an alternative to or in addition to Pregnancy Disability Leave, the University will temporarily modify the job duties of a pregnant House Officer or transfer the House Officer to a less strenuous or hazardouos position, if requested by the House Officer and medically advisable according to the House Officer’s health care provider, provided that the temporary transfer or modification of duties can be reasonably accommodated by the University. Such a temporary modification of duties or transfer will not be counted toward a House Officer’s entitlement to up to four (4) months of Pregnancy Disability Leave. At the conclusion of the Pregnancy Disability Leave (or earlier upon the House Officer’s request if that request is consistent with the advice of the House Officer’s health care provider), the House Officer will be returned to her original position and/or duties.

**PARENTAL LEAVE**

- Parental Leave is a form of Family Care/Medical Leave to care for the House Officer’s newborn or a child placed with the House Officer for adoption or foster care. Such Leave must be initiated and concluded within one (1) year of the birth or placement of the child. The University shall grant a Parental Leave subject to the provisions of Family and Medical Leave Act (FMLA) and/or the California Family Rights Act (CFRA), as applicable. If requested and taken immediately following a Pregnancy Disability Leave, a House Officer eligible for FMLA/CFRA at the beginning of her Pregnancy Disability Leave shall be granted the unused portion of FMLA/CFRA leave for Parental Leave purposes, up to a maximum of twelve (12) workweeks. The amount available for use is determined by the amount which the House Officer has previously used under FMLA/CFRA in the leave year.
- Parental Leave alone shall not exceed twelve (12) workweeks within the calendar year. However, when Parental Leave is combined with a leave for pregnancy-related and/or Childbearing Disability only, the total Family Care/Parental Leave shall not exceed seven (7) months in the calendar year.
- Leave granted for bonding purposes shall be concluded within twelve (12) months following the child’s birth or placement for adoption or foster care.

**FAMILY AND MEDICAL LEAVE**

- Family and Medical Leave is provided for an eligible House Officer’s serious health condition, or the serious health condition of the House Officer’s child, spouse or parent in accordance with applicable Federal and/or State law, including the FMLA and the CFRA, or to bond with the House Officer’s newborn, adopted or foster care child in accordance with State and Federal law in effect at the time the leave is granted.
- A House Officer is entitled to up to twelve (12) workweeks of Family and Medical Leave during the calendar year, provided that:
  - The House Officer has at least twelve (12) cumulative months of University service (all prior University service shall be used to calculate the 12-month service requirement); and
  - The House Officer has worked at least 1,250 actual hours during the twelve (12) months immediately preceding the commencement date of the leave.
  - Family and Medical Leave is unpaid leave, except under the following circumstances:
    - Accrued/advanced Vacation Leave (for the specific academic year) may be used at the House Officer’s option before taking leave without pay.
    - In addition, up to thirty (30) days of accrued Sick Leave per year may be used...
as salary replacement for Family Illness Leave.
- All paid time off used for Family and Medical Leave shall be deducted from the twelve (12) workweek Family and Medical Leave maximum.

- Advance Notice and Certification
  - Whenever possible, the House Officer shall provide at least thirty (30) days advance notice. If thirty (30) days’ notice is not practicable because of a medical emergency, for example, notice shall be given as soon as practicable. Failure to comply with these notice requirements may result in postponement of Family and Medical Leave.
  - A House Officer who requests Family and Medical Leave shall be required to present medical certification prior to taking the leave and prior to returning to the training program.

- Family and Medical Leave - Related to a Family Member’s Military Service
  - Eligible employees are entitled to Family and Medical Leave Act leave for purposes related to a covered family member’s military service. An unpaid FMLA leave may be taken for any one or for a combination of the following reasons:
    - A “qualifying exigency” arising out of a covered family member’s active duty or call to active duty in support of a contingency plan, and/or
    - To care for a covered family member who has incurred an injury or illness in the line of duty provided that such injury or illness may render the family member medically unfit to perform duties of the member’s office, grade, or rank.
  - A covered family member under the subsection includes a spouse, domestic partner, son, daughter, parent, or the next of kin of the employee. Next of kin is defined as the nearest blood relative to the service member.
  - When a requested leave is due to a “qualified exigency,” an eligible employee may take up to twelve (12) workweeks of leave during any 12-month period.
  - When requested leave is taken to care for an injured or ill service member, an eligible employee may take up to twenty-six (26) workweeks of leave during a single 12-month period to care for the service member. Leave care for an injured or ill service member, when combined with other FMLA qualifying leave, may not exceed twenty-six (26) weeks in a single 12-month period.

- Effects on Benefits
  - A House Officer on Family and Medical Leave shall be entitled to continue participating in the health plan coverage (medical, dental and optical) as if on pay status for a period of up to twelve (12) workweeks in a 12-month period. Contribution toward premium cost shall remain as it was prior to the onset of Family and Medical Leave for a period of up to twelve (12) workweeks in a calendar year.

**LEAVE FOR WORK-INCURRED DISABILITY**

- A House Officer who is off pay status and receiving temporary disability payments under the Workers’ Compensation Act shall be granted a leave without pay for all or part of the period during which temporary disability payments are received, except that any leave without pay that is granted shall not extend beyond a predetermined date of separation.
- Periods of leave for work-incurred disability run concurrently with Family and Medical Leave for a House Officer who is eligible for Family and Medical Leave.
MILITARY LEAVE

- A House Officer granted temporary Military Leave for active duty training or extended military leave is entitled to receive the House Officer's regular University pay for the first thirty (30) calendar days of such leave in any one (1) fiscal year, provided that the House Officer has completed twelve (12) months of continuous University service immediately prior to the granting of the leave (all prior full-time military service shall be included in calculating this University service requirement) and provided that the aggregate of payments for temporary Military Leave, Extended Military Leave and Military Leave for Physical Examination do not exceed thirty (30) calendar days' pay in any one (1) fiscal year.

- A House Officer granted Military Leave with pay shall receive all benefits related to employment that are granted when a House Officer is on pay status.

JURY DUTY

- A House Officer who is summoned and serves on Jury Duty shall be granted leave with pay for the time spent on jury service and in related travel.
- Deferment or excused absence from Jury Service can only be granted by the court pursuant to the procedure outlined in the Jury Summons Notice.
- Make-up time may be required to meet the educational objectives and certification requirements of the training program and/or the American Specialty Board.