

## **Parental/Medical/Caregiver LOA**

Over the course of an entire residency, House Staff participating in an ACGME program are provided the opportunity, beginning the first day they are required to report, to a one-time, six-week term of paid leave for approved parental, medical, or caregiver purposes which will be utilized in conjunction with any sick or vacation leave. While such paid leave is limited to six weeks, House Staff may be eligible for additional, unpaid leave for parental, medical, or caregiver under FMLA or other unpaid leave policies. House Staff will remain eligible for any available health or disability insurance benefits during a Parental/Medical/Caregiver LOA.

House Staff may take parental leave for the purpose of childrearing after the birth of their child or the placement of their child following an adoption or foster care arrangement. Leaves for childrearing shall be applied equally to House Staff, regardless of gender or gender identity.

House Staff may take medical or caretaker leave to address their own serious health condition or a serious health condition that is impairing their child, spouse, or parent. Care of a serious health condition includes inpatient care in a medical care facility, incapacity that requires treatment under the direction of a healthcare provider, or treatments by a healthcare provider that would otherwise likely result in a period of incapacity longer than three days in the absence of treatment.

In addition to the one-time 6 week paid Parental/Medical/Caregiver LOA, House Staff participating ACGME program is eligible for a one-time, one week of Paid Time Off outside the first six weeks approved for Parental/Medical/Caregiver LOA. It must be used in the same academic year in which 6 week paid Parental/Medical Caregiver LOA ends. Any existing paid leave balance, either sick or vacation leave, will be used concurrently.

Requests for maternity/paternity/caregiver leave (whether paid or unpaid) must be submitted to Professional Staff Services as soon as possible but no later than when the House Staff begins the leave. Requests must be accompanied by a memo from the UTHSA Program Director (on the approved extended leave template) and must include the leave start date, the expected date of return, and a breakdown of the type of leave to be utilized (i.e., vacation, sick, parental, or LOA). The memo must include the number of days allowed for each type of paid or unpaid leave and shall indicate the House Staff has been informed of the impact that the LOA could have on the timing of a House Staff's ability to complete all requirements of their training program and eligibility to sit for examinations by certifying boards. House Staff may be offered FMLA coverage (if eligible) or 30-day Medical Leave (if not eligible for FMLA or the one-time six week Parental/Medical/Caregiver LOA if participating in an ACGME program) on the first day of their maternity/paternity leave and will be required to utilize available paid sick and vacation leave in conjunction with any other eligible leave coverage,

and such paid sick and vacation leave shall run concurrently with any FMLA, Parental/Medical/Caregiver LOA or 30-day Medical Leave.

When all available paid leave has been exhausted, the House Staff may be placed on unpaid leave until they have been cleared to return to work. While on maternity/paternity/caregiver leave, house staff are not eligible to use “No Call” status or any other “free” day including holiday leave. A physician’s return to work clearance must be provided to Human Resource Benefits prior to being allowed to return to duty.

### **Family Medical Leave Act (FMLA)**

1. The US Department of Labor Family Medical Leave Act (FMLA) provides up to twelve weeks of unpaid job protected leave to eligible House Staff for certain family and medical reasons. Federal eligibility requirements state that an employee must have worked for an employer for at least 12 months and worked at least 1,250 hours during the previous 12 months. The FMLA provides leave to care for:

- the birth of a child and to care for a new-born child within one year of birth;
- the placement of the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
- to care for the employee’s spouse, child, or parent who has a serious health condition;
- a serious health condition that makes the employee unable to perform the essential functions of his or her job;
- any qualifying exigency arising out of the fact that the employee’s spouse, son, daughter, or parent is a covered military member on “covered active duty”; or
- twenty-six workweeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness if the eligible employee is the service member’s spouse, son, daughter, parent, or next of kin (military caregiver leave).

House Staff are expected to utilize available vacation/sick leave in conjunction with FMLA coverage. Once all available paid leave has been exhausted, the House Staff will be placed on Leave of Absence without pay.

2. To inquire about going on a leave of absence or to apply, email:

[UHS.Benefits@uhs-sa.com](mailto:UHS.Benefits@uhs-sa.com).

House Staff may not return to work until they have reported to University Health Human Resources department, provided a physician’s return to work clearance and received approve to return to duty.

### **Medical Leave**

1. Eligible House Staff may take 30 calendar days of continuous leave during the first twelve months of employment because of his/her own serious health condition.

Eligibility requirements state that the employee must have worked 6 months and 16 hours per week in the last 6 months. House Staff are expected to utilize available paid vacation/sick leave in conjunction with Medical Leave, which will run concurrently together. Once all paid leave has been exhausted, the House Staff may remain on leave without pay.

2. The Certification of Healthcare Provider form must be provided to Human Resources within 15 days from the request. House Staff may not return to work until they have provided a physician's clearance form to Human Resources and have received Human Resources approval to return to duty. To inquire about going on a leave of absence or to apply, email: [UHS.Benefits@uhs-sa.com](mailto:UHS.Benefits@uhs-sa.com).