

Chief Dinner Presentation on Scheduling

9/13/23

Where can I find this information in the contract? Primarily under Article VIII: Work Hours and Work Schedules, but there is some other information in Article XIII.

Some tips about setting schedules in ways that follow the HOA contract:

1. House Officers, by contract, need to have their schedules posted 30- calendar days in advance. The Department needs to make effort to ensure that the following are included in that posting:
 - a. Dates of the assigned rotation/schedule
 - b. The location that the House Officer will be working in, such as the name of the building or suite.
 - c. The anticipated start and end times.
2. Once the schedule is set, it cannot be changed arbitrarily. The instances where it can be changed are:
 - a. Unforeseen circumstances (see below for a more detailed description of this)
 - b. Operational needs
 - c. Patient Care needs
3. The Program needs to try and limit the number of changes though, according to the contract. This is not something they can just do carte blanche.
4. An unforeseen circumstance needs to actually be something you could not have reasonably prepared for (someone falls ill before the start of a shift, someone gets into a car accident or has another emergency, etc.). This is not to be used as an excuse for long-term short-staffing issues. For example, someone taking a maternity leave that the Department has known about for months or a scheduled Leave Of Absence is not unforeseen.
5. By contract, Departments can establish a system for scheduling requests and set deadlines for House Officers to make those requests. The Department may allow a House Officer to submit a request for a schedule after the deadline in the event of an emergency, but it is under no obligation to delay the posting of schedules or take on an additional burden to change already posted schedules due to a House Officer being late sending in a request.
6. House Officers returning from a Leave of Absence need to talk to their Program Director or designee two weeks prior to their return date.

What limits on scheduling are there under the HOA contract?

1. During the last trimester of pregnancy and for two months postpartum, a House Officer will not be scheduled for overnight call and their duties will be limited to 12 hours. The House Officer's Obstetrician may approve exceptions to this policy.
2. Can a House Officer in their last trimester or two weeks postpartum work Night Float?
 - a. Yes. But the 12-hour limit is a hard stop.
 - b. You need to be able to allow the House Officer to drop what they are doing and leave as soon as the 12 hours has been reached.
 - c. This means no chance of them being held over and no need for them to do paperwork or any other clinical hours after their Night Float is done.

- d. Be mindful of this, do not schedule someone in their third trimester for a 12-hour Night Float if there is a chance they will be held over, that is a contract violation.
3. A House Officer whose home call activities cause them to work 24 or more reportable work hours in a row must be given a minimum of 14 hours off before the start of their next shift. This is new for this contract.
4. In addition, if a House Officer is on home call and has enough activities that it prevents rest and the mitigation of fatigue, they have the right to contact their Program Director or designee to arrange an appropriate rest period and to ensure the continuity of patient care. The Department should not interfere with this right or retaliate against anyone who uses it.
5. By the HOA contract and ACGME policy, House Officers must be given one day off in every seven days they are scheduled, based on a four-week average.
 - a. At no point can a House Officer go two weeks without at least one of their release days. A release day is defined as 24-hour period without reportable hours.
 - b. House Officers still have to be granted their release days even if they have taken vacation time. For example, if a House Officer takes two weeks of vacation, they still must be provided release days for the two weeks they worked that month.
 - c. In addition to the above, the Department cannot substitute a House Officer's Preventative Care or Personal Day for a release day. They must be separate days off. (This is in Article XIII, Section G of the contract).

What about scheduling of Vacation or Preventative Care/Personal Days, and are there other accommodations Departments can make?

1. Please note that once a House Officer has vacation approved, the approval cannot be revoked unless the Employer has initiated an Emergency Operations Plan. In all other situations, the House Officer and Department must mutually agree to the change.
2. A vacation day is considered the entire period from 12am to 11:59pm. A House Officer cannot be placed on an overnight shift or call that goes past midnight on what is supposed to be the first day of their vacation. This would be a contract violation.
3. Preventative Care and Personal Days must both be requested 45 days in advance and the Department must give a yes or no to the request within seven days of receiving it. If the day cannot be accommodated, then the Department and the House Officer will work out an alternative day.
4. Personal Days can be taken in increments of a full or a half day. Preventative Care days can be full days, half days, or less than a half day.
 - a. In both cases, the Department can request that a House Officer help them find someone to cover their absence.
5. House Officers wanting time off for religious observances or holidays should request it sixty days in advance. The Employer must make every effort to accommodate this request.
6. House Officers also can attend job interviews:
 - a. The Department must first work to accommodate a day for interviews by modifying work schedules or the scheduled day off for the House Officer.
 - b. In the event the above cannot happen, the House Officer can request the use of Vacation Days or Personal Days to cover their interview dates.
 - c. The House Officer can be asked to help find coverage.