



GME Policy – Grievances

PURPOSE

It is the goal of the Graduate Medical Education Committee to outline a procedure for resolving grievances within the supervised residency programs.

1. Definition

- a. A “grievance” is defined as any controversy or claim arising out of an alleged violation of any provision of stated GME program policies/procedures other than evaluation of academic or clinical performance, evaluation of professional behavior, the non-reappointment decision, or any other academic matters including but not limited to the failure to attain the educational objectives or requirement of the training program. Appeals related to these academic matters are covered under the Academic Action Review Policy.
- b. Grievances may be filed by the individual residents or by groups of residents.
- c. The grievance procedure is intended to be an informal process to resolve disagreements internally and is not intended to be an adversarial forum. At each step, residents and program faculty are encouraged to resolve differences through discussion and negotiation. However, the procedure as set forth provides for those instances in which outside assistance in resolving conflict is needed.

2. Principles

- a. Grievances relate to violations of stated program policies. No grievance will be filed under this policy that petitions for a change in program policy.
- b. Throughout the grievance procedure, another resident or St. Joseph Medical Center staff employee, who shall be identified as an “associate,” may accompany the aggrieved resident.
- c. The resident may confer with an associate during proceedings; however, the associate may not actively participate or present at the hearing.
- d. Attorney representatives may not attend the grievance proceedings for either party.
- e. The resident(s) must initially file a grievance within the current academic year (July 1 to June 30) or within 90 calendar days after the resident knew or should have known of the act or omission upon which the grievance is based, whichever time period is longer.
- f. Interpretation of any aspect of this policy and procedure will be the responsibility of the Chair of the Graduate Medical Education Committee (GMEC), whose decision shall be final.

PROCEDURE

Program Level

1. The written grievance letter must meet the time limit stated above, and include the following information:
 - a. A factual description of the grievance,
 - b. The date in which the grievant(s) first became aware of the alleged violation,
 - c. The remedy sought; and
 - d. As attachments any documentation relevant to the grievance.
2. The program director must schedule a meeting within 30 calendar days after receiving the letter, to include the program director, aggrieved resident(s) and their designated associated (if any), program administrator/coordinator, and other faculty members who have direct knowledge of the circumstances around the grievance.
3. Failure of the program to hold the meeting within the 30 calendar day time limit will result in the grievance automatically proceeding to the Institutional level.
4. The Program Director will chair the meeting at which all parties will be allowed to present their evidence.
5. The decision on the grievance will be issued by the program director and will include a determination of whether the specified policy/procedure has been in fact violated, and if so, a proposed remedy.
6. This answer shall be presented in writing to each grievant within 7 calendar days after the meeting.
7. Aggrieved resident(s) may accept the finding of the Program Director, or may file a grievance through the GMEC.
8. The finding of the program director will be final unless the next level of grievance is filed within 7 calendar days after the date of the Program Director's decision.

Institutional Level

1. Resident(s) may file their grievance to the Chair of the GMEC following the program level response.
2. The written grievance letter must meet the time limit stated above, and include the following information:
 - a. A factual description of the grievance,
 - b. The date in which the grievant(s) first became aware of the alleged violation,
 - c. The remedy sought; and
 - d. As attachments any documentation relevant to the grievance.

3. The Chair of the GMEC will call a special meeting of the Committee within 30 calendar days after receipt of this grievance.
 - a. A quorum (outlined within the GMEC Charter) must be present to review the grievance;
 - b. At least one resident member of the GMEC must be present;
 - c. The DIO or designee must be present;
 - d. The Program Director or designee must be present, but will not vote in proceeding;
 - e. Attendance of the Resident's associate is permitted at the Resident's option.
 - f. Appropriate faculty are permitted to attend even if not required to be present at the meeting as a party to the grievance.
4. The chair of the Grievance Committee will allow each party to state their case with a time limit of 20 minutes each and a final rebuttal of 10 minutes each.
5. The aggrieved resident(s) will make the initial presentation and rebuttal.
6. Committee members may ask questions at the conclusion of each presentation and rebuttal but should not ask questions during the presentation except for short requests for clarification of fact.
 - a) The chair of the Committee will permit or deny questions that interrupt presentations according to this rule.
7. Each member of the Committee has one vote and all votes are equal, and a simple majority is required to reach final decision. All decisions of the Committee are final.
8. Remedies will be restricted to restoration of right of services provided by the program; remedies will not include changes to the GME policy or procedure.
9. Following Committee review and decision, it shall issue a written statement of its findings within 7 calendar days of its final meeting which will be transmitted to all parties to the dispute.