The purpose of the procedure is to secure at the lowest possible level equitable solutions to individual grievances which may arise about the interpretation or application of the Residents.

Residents are entitled to address concerns or complaints related to the work environment and issues related to the programs or faculty through a grievance process. Probation, dismissal and any other action that could threaten a resident’s career should follow the due process.

Grievance Procedure Guidelines:
- Payroll;
- Hours of work;
- Working Conditions;
- Clinical Assignments; and
- Any issues related to the program, faculty or policy interpretation.

Process

Preliminary Procedure:
No matter shall be submitted for the Grievance Procedure unless it has first been discussed personally by the Resident and Program Director. If the Program Director is personally involved in the matter, then the Designated Institutional Official or the GME Office shall be substituted for the Program Director. Both parties shall make a good faith effort to resolve the grievance in an informal manner. If the grievance is not resolved, the Resident may proceed to Step One of the Grievance Procedure.

Step One:
The grievance shall be submitted with ten (10) calendar days following the grievable event or within ten (10) calendar days after the Resident first becomes aware of such an event, whichever is longer. The grievance shall be in writing and must contain a statement of the grievance, the facts upon which it is based, and the remedy sought. The grievance shall be filed with the Graduate Medical Education Office.

The grievance shall be heard by a committee consisting of one (1) uninvolved Resident and one (1) member of the Active Medical Staff appointed by the Designated Institutional Official, and one person from the Active Medical Staff or one Resident mutually acceptable to and agreed upon by the two aforementioned appointed members. The Program Director shall be the Chair of the Committee, shall attend to the administrative matters and may participate in the deliberations but shall not have a vote.

The Committee shall be formed within fourteen (14) calendar days of the filing of the grievance. The Committee shall hear the case as promptly as is practicable with due notice to all parties and in any event
within ten (10) calendar days after constitution of the Committee unless delay is mutually agreed upon by all parties. Evidence and argument may be submitted in writing or personally or both. Either party or both may be assisted by counsel or other advisor of choice. The attorney or counsel will not actively participate in the proceedings unless authorized by the committee chair. A record of the hearing shall be kept.

The Committee shall decide whether the subject is grievable or not. Should the Committee decide that the matter is not grievable, the proceeding shall be stopped. The decision of the Committee in this regard is final. If the Committee finds the matter grievable, they are to recommend a remedy or procedure acceptable to settle the dispute. All committee decisions and recommendations shall be decided by a majority vote of the voting members of the Committee. The decision and the recommended action shall be in writing and shall be delivered to the parties involved in the dispute and to the GME Office. The Program Director and GME Office shall review the Committee recommendation and within five (5) calendar days notify in writing the parties involved in the dispute and the DIO of his/her approval of the Committee recommendation; and, if disapproval, of his/her decision on the grievable matter.

If no notice of appeal, as provided for in Step Two, is filed within five (5) calendar days of the Program Director and GME Office written decision, the decision of the Program Director and GME Office shall be final. The Graduate Medical Education Office shall be responsible for seeing that any necessary action to resolve the grievance in accordance with the decision is carried out.

Step Two:
If any party to the grievance is dissatisfied with the decision resulting from the procedure in Step One, the Resident may appeal the case to the GMEC Chair. The notice of appeal to the GMEC Chair shall be submitted in writing within five (5) calendar days following receipt of the decision in Step One. The GMEC Chair or his/her designee shall review the record of the case as presented to the Committee in Step One. The GMEC Chair may call for further evidence or argument at his/her discretion. The GMEC Chair may affirm, reverse, or modify the decision. The decision of the GMEC Chair is final.