



UCF/HCA GME Consortium Grievance Policy (IV.D)



Purpose/Intent: The ACGME requires sponsoring institutions to establish unbiased formal grievance and due process procedures. These policies and procedures minimize conflict of interest by adjudicating parties by adopting a multi-tier grievance process and allowing trainees to appeal their matter to a different body at each level.

Summary: When concerns cannot be worked through the informal mechanisms as set forth in the *Policy regarding Resident Forum and Trainee Complaints, Concerns*, or if there is a formal disciplinary action pursuant to the *Policy regarding Trainee Performance, Renewal, Promotion, and Discipline*, the trainee has the opportunity to appeal without fear of prejudice. The procedure outlined below is designed to provide a method of dealing with trainees' grievances in a prompt and equitable manner. The proceedings are informal in nature. The emphasis is placed on a method of getting at the facts, assuring that these are reported accurately to the proper authority, and providing a decision which is fair to all concerned. It is necessary that trainees follow the sequence of stages described below. For purposes of this Policy, grievable matters include suspension, dismissal/termination, restriction in privileges, non-renewal, non-promotion, formal remediation, and trainee complaints related to the work environment and educational program that are not resolved through the Policy regarding Resident Forum and Trainee Complaints and Concerns. Oral counseling, notes of concern, referrals to the Professional Resources Network (PRN) Impaired Physicians program, failure to meet eligibility requirements, and medical knowledge remediation are not subject to grievance and due process procedures. Discrimination and sexual harassment complaints will be referred to the UCF Office of Institutional Equity (oiie@ucf.edu and <http://eeo.ucf.edu>) and detailed procedures are in the UCF/HCA GME Consortium Policy Regarding Resident Forum and Trainee Complaints, Concerns, Harassment.

Procedures:

A. Stage I [Program Director]

1. The trainee shall state, in writing, his/her complaint to the program director of the program in which the trainee is contracted. This must be submitted within sixty (60) calendar days of the action the trainee is appealing.
2. The complaint shall be reported by the program director to the department chair (if applicable) and both the local Assistant Designated Institutional Official (DIO)/Graduate Medical Education (GME) Director for that program site and Consortium GME office.
3. The program director shall meet with the trainee to discuss the grievance/complaint. Every effort shall be made by the program director to deal with the complaint on its merits without undue delay. However, the program director shall be allowed up to ten (10) working days (Saturdays, Sundays, and holidays excluded) after the receipt of the complaint to resolve the matter. The program director shall discuss response with Clinical Competency Committee (CCC) and prepare a written answer to the trainee with review by assistant DIO/GME director for that program site within the ten (10) day period.
4. A copy of the answer shall be forwarded from the program director to the GME director, the department chair (if applicable), and, if it involves a disciplinary action, to the Consortium Graduate Medical Education (GME) office for filing in the trainee's official GME file.

B. Stage II [DIO]

1. Stage IIa: [DIO]

- a. If the aggrieved trainee is not satisfied with the answer of the program director or if the answer is not received from the program director within the time allowance stated in Stage II, the trainee may appeal directly to the DIO or the Associate DIO (if DIO was provided details of case and needs to be recused from making decision); or

2. Stage IIb: for non-renewal of contract or termination [Dean or Designee]

- a. If the aggrieved trainee is not satisfied with the answer of the program director or if the answer is not received from the program director within the time allowance stated in Stage II, the trainee may appeal directly to the Dean or the Dean's designee.
- b. The Dean or designee has the option of appointing a committee to provide advice. This committee shall include program director(s) and/or associate program directors from other departments. The Associate DIO (if not previously involved) and trainees may also serve on the committee. The committee shall submit a written report of its findings to the Dean or designee.
- c. The committee may optionally hold a hearing as part of the deliberations when the grievance is related to termination, restriction in privileges, and non-renewal of appointment. The trainee may have a spokesman of personal choice to represent him/her at a scheduled hearing. At the hearing, the trainee or the trainee's spokesman shall not be permitted to question individuals but shall be furnished, in advance of the hearing, a list of those persons scheduled to appear before the committee so as to offer the trainee an opportunity to submit questions in writing to such persons prior to the hearing. The hearing committee may make a non-binding recommendation to the Dean or designee.
- d. The appeal shall be made, in writing, within five (5) working days (Saturdays, Sundays, and holidays excluded) after receiving the decision from the program director or, if no decision is received, within five (5) working days (Saturdays, Sundays, and holidays excluded) after expiration of the program director's time allowance as stated in Stage I.
- e. The individual receiving the appeal shall investigate the appeal and shall forward a decision in writing to the trainee within ten (10) working days (Saturdays, Sundays, and holidays excluded) after receipt of the appeal except when a committee meeting or hearing is afforded, in which case the written decision shall be issued within thirty (30) days after receipt of the appeal.
- f. Copies of the appeal and the decision shall be forwarded to the, program director, the local GME Director, and to the Consortium GME office for filing in the trainee's official GME file.