

INOVA FAIRFAX MEDICAL CAMPUS GRADUATE MEDICAL EDUCATION POLICY

Institutional Policy on Grievance Procedures

I. Purpose:

In bringing grievances or complaints forward, house staff are assured of due process and freedom from intimidation or harassment. Grievances may be brought concerning any academic or disciplinary actions taken against house staff that could result in dismissal, nonrenewal of a house officer's agreement of appointment or other actions that could significantly threaten a house officer's intended career development. Grievances may also be brought related to the work environment or issues related to the program or faculty.

House staff are encouraged to first speak with the Chief Resident or a faculty member or the Program Director or the Director of Graduate Medical Education in an attempt to achieve an informal resolution of the grievance or complaint. Alternatively, house staff may take their concerns to the Resident Advisory Committee (RAC) or the Graduate Medical Education Committee (GMEC) through their duly elected representatives.

II. Scope:

This policy will apply to all house staff enrolled in a post-graduate program at Inova Fairfax Medical Campus.

III. Definitions

House Staff or House Officer – refers to all interns, residents and fellows enrolled in a post-graduate training program.

Agreement of Appointment - refers to the resident contract

Termination – the act of severing employment prior to the date of expiration of the house officer's agreement of appointment.

IV. Responsibilities/Requirements

Grievances not resolved informally should be handled as follows:

A. Written Notice to Program Director

A good faith effort should first be made by an aggrieved house officer and the Program Director to resolve a grievance at the departmental level. If this cannot be achieved to the satisfaction of the house officer, he or she must notify the Program Director, in writing, of the grievance. This notification must include all pertinent information that supports the grievance. Within seven (7) days, the Program Director will set a mutually agreed upon time to meet and discuss the complaint with the house officer and attempt to reach a resolution. The Program Director will inform the house officer of the final decision in writing within seven (7) days of their meeting. A copy of the final decision will be sent to the

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Department Chair (if this person is other than the Program Director) and the Director of Graduate Medical Education.

B. Written Notice to Department Chair

If the final decision of the Program Director is not acceptable to the aggrieved house officer, and the Program Director is not also Chair of the department concerned, the house officer may choose to notify, in writing, the Department Chair of the grievance. Such notification must occur within seven (7) days of receipt of the Program Director's final decision. This notification should include all pertinent information, including a copy of the Program Director's final written decision, and evidence that supports the grievance. Within seven (7) days, the Department Chair will set a mutually agreed upon time to meet and discuss the complaint and try to reach a resolution. The Department Chair will inform the house officer of his/her final decision in writing within seven (7) days of their meeting. A copy of the final decision will be sent to the Graduate Medical Education Director.

C. Grievance Committee Hearing

The aggrieved house officer may present his/her grievance, in writing, along with a copy of the Program Director's final decision (and the Department Chair's final decision, if applicable), and any other pertinent information to the Graduate Medical Education Director, within seven (7) days of the receipt of the Program Director's or Department Chair's final written decision. Failure to submit the grievance within the seven-day time frame will result in the house officer waiving his/her right to proceed further with this process. In this situation, the decision of the Program Director or Department Chair will be final.

Upon timely receipt of the written grievance, the Graduate Medical Education Director will appoint a Grievance Committee and will set a mutually agreed upon time with the aggrieved house officer to meet. This meeting will occur within fourteen (14) days of receipt of the request for resolution of the grievance. The Grievance Committee will review and carefully consider all material presented by the aggrieved house officer and the Program Director at the scheduled meeting, following the protocol set out in section E. The house officer will have the right to introduce evidence and to cross-examine witnesses, but may not be represented by counsel.

The Grievance Committee will provide the aggrieved house officer with a written final decision within five (5) days of the meeting, and a copy will be placed in the resident's file and another will be kept on file in the Graduate Medical Education office. The decision of the Grievance Committee will be final.

D. The Grievance Committee

Upon written request, the Graduate Medical Education Director will form a Grievance Committee, composed of two (2) senior house officers, two (2) Program Directors, and the Director of GME. No members of this committee will be from the aggrieved house officer's own department. The Graduate Medical Director will chair this committee and select the members.

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E. Grievance Committee Procedures

- 1. Attendance:** All committee members should be present throughout the hearing. The house officer must appear personally at the Grievance Committee hearing.
- 2. Conduct of Hearing:** The Director of Graduate Medical Education will preside over the hearing as its chair, determine procedure, assure there is a reasonable opportunity to present relevant oral or written information, maintain decorum and assure that due process rights are observed. The chair will determine if information is relevant to the hearing and should be presented or excluded. The chair is authorized to exclude or remove any person who is disruptive.
- 3. Recesses and Adjournment:** The chair may recess and reconvene the hearing. Upon conclusion of the presentation of oral and written information, the hearing record is closed. The Grievance Committee will deliberate outside of the presence of the involved parties.
- 4. Decisions:** Decisions are determined by the majority of members of the members of the Grievance Committee and are final. After deliberation, the decision will be reviewed and signed by the Committee members. The house officer will be notified with a copy of the signed decision within five (5) working days of the Committee meeting.
- 5. Meeting Record:** An assistant will be present for recording meeting minutes. Minutes and the final written decision of the Committee will be placed on file in the GME office.
- 6. Confidentiality:** All participants in the grievance are expected to maintain confidentiality of the grievance process by not discussing the matter under review with any third party except as may be required for purposes of the grievance procedure.