



Policy Name:	Grievance Policy		
Approval Authority:	Graduate Medical Education Committee	Effective Date:	November 14, 2023
Responsible Office:	Office of Graduate Medical Education	Contact:	gmeadmin@vcuhealth.org

1. Policy Statement:

The purpose of this policy is to establish a fair and transparent procedure for residents and fellows to raise and address grievances related to their training program. This grievance procedure does not cover controversies or complaints arising out of individual corrective actions; termination of a trainee; alleged discrimination; alleged sexual harassment; and salary or benefit issues, which are covered in the Assessment, Promotion and Discipline Policy and/or Virginia Commonwealth University Health System (VCUHS) Policies addressing discrimination, harassment, and salary/benefits. Issues of alleged discrimination or harassment will be referred to and investigated by Human Resources/Employee Relations.

2. Who Should Read This Policy

Residency and Fellowship Program Program Directors, Program Coordinators and Trainees.

3. Scope

This policy applies to all VCU Health System sponsored graduate medical education programs

4. Definitions

Grievance: Any unresolved dispute or complaint a trainee has with the policies or procedures of the Training Program or any unresolved dispute or complaint with his or her Program Director or other faculty member.

5. The Policy

The following outlines the expected process to be followed when an applicable grievance arises. The trainee relinquishes the right to escalate grievances if they do not follow timelines required of them as outlined.

- A. Program Level Resolution: A significant effort should be made by an aggrieved trainee and the Program Director to resolve a grievance at the program level.
 - i. The trainee should notify the Program Director, in writing, of the grievance.
 - 1. This should occur within 14 calendar days of the event precipitating the grievance.
 - 2. All pertinent information and evidence related to the grievance should be included.
 - ii. The Program Director will set up a mutually convenient time to discuss the complaint with the trainee within 7 days of receipt of the written grievance.

- iii. The Program Level Resolution of the grievance procedure will be deemed complete when the Program Director informs the aggrieved trainee in writing of the final decision.
 - 1. A copy of the Program Director's final decision will be sent to the Department Chair and to the Senior Associate Dean of Graduate Medical Education/DIO

B. Department Level Resolution: If the grievance is with the Program Director, or if the trainee believes that the Program Director cannot fairly adjudicate the concern due to a conflict of interest, or if Program Director's final written decision is not acceptable to the trainee, the trainee may choose to proceed to a department level resolution.

- i. The trainee notifies the Department Chair of the grievance in writing within 14 calendar days of the receipt of the Program Director's final decision.
 - 1. The written notification should include all pertinent information, including a copy of the Program Director's final written decision, and evidence that is pertinent to the grievance.
 - 2. Within 7 calendar days from the receipt of the complaint, the Department Chair will set a mutually convenient time to discuss the complaint and attempt to reach resolution.
 - 3. The department level resolution of the grievance procedure will be deemed complete when the Department Chair informs the aggrieved trainee in writing of the final decision.
 - a. Copies of this decision will be kept on file in the Department Chair's office and sent to the Senior Associate Dean of Graduate Medical Education/DIO

C. GME Level Resolution: If the trainee is in disagreement with the final decision made by the Department Chair, they have the option to initiate a formal GME-level resolution process for their grievance. It is important to acknowledge that certain situations may not be conducive to resolving the grievance by directly communicating with the program director or department chair. In such instances, trainees are encouraged to reach out directly to the Designated Institutional Official (DIO) or Associate Designated Institutional Official. The DIO or Associate DIO will provide guidance and support to the trainee in navigating the process for addressing their concerns. The formal GME Grievance Resolution process will adhere to the protocol outlined below.

- i. The aggrieved trainee must initiate the GME level resolution process by presenting their grievance in writing, along with copies of the final written decisions from the Program Director and Department Chair and any other pertinent information.
- ii. The written grievance, copies of the final written decisions from the Program Director and Department Chair and any other pertinent information should be presented to the office of the Senior Associate Dean of Graduate Medical Education/DIO within 14 calendar days of the trainee's receipt of Department Chair's final written decision.
 - 1. Failure to submit the grievance within 14 days will result in the trainee waiving their right to proceed further with this procedure. In this situation, the decision of the Department Chair will be final.

- iii. Upon receipt of the written grievance, the Senior Associate Dean of Graduate Medical Education/DIO will appoint a Grievance Committee (see section D).
- iv. The aggrieved trainee will be contacted to set a mutually convenient time to meet with the Grievance Committee. The Grievance Committee will review the materials presented by the affected parties, following the protocol outlined in Section E.
- v. The Grievance Committee will provide the trainee with a written decision within 7 calendar days following completion of its deliberations. A copy of the decision will be placed on file in the Graduate Medical Education Office.
- vi. The decision of the Grievance Committee will be final and will be sent to the department.

D. The Grievance Committee Composition

- i. Upon request for a GME level resolution, the DIO will form a Grievance Committee and will include:
 - 1. Two (2) Housestaff Council members
 - 2. Two faculty members, of which at least one is a Program Director
 - 3. One member from the GMEC appointed by the DIO
- ii. No members of this committee will be from the trainee's own department.
- iii. The DIO choose a member of the committee to be the chair.

E. Grievance Committee Procedure

- i. All committee members as well as the aggrieved trainee should be present throughout the proceedings.
 - 1. Attorneys representing either party involved will not be permitted in these proceedings.
- ii. The appointed chair of the Grievance Committee presides over the hearing, determines procedure, and assures there is reasonable opportunity to present relevant oral or written information and maintain decorum.
 - 1. The Grievance Committee Chair will determine if information is relevant to the hearing and should be presented or excluded and is authorized to exclude or remove any person who is disruptive to the proceedings.
- iii. The Grievance Committee Chair will choose when to recess and reconvene the hearing.
 - 1. Upon conclusion of the presentation of oral and written information, the hearing record is closed.
 - 2. The Grievance Committee will deliberate outside the presence of the parties involved.
- iv. Decisions are determined by a majority of the committee and are final.
- v. A transcriptionist may be present for the purpose of recording the meeting minutes.
 - 1. Minutes and the final written decision of the Grievance Committee will be placed on file in the GME office.

F. Confidentiality

- i. All participants involved in the grievance proceedings are expected to maintain confidentiality of the process by not discussing the matter under review with

any third party except as may be required for purposes of the grievance procedure.

G. Non-Retaliation

- i. Retaliation against a resident or fellow for raising a grievance is prohibited and may result in disciplinary action.

Approved: Program Directors Council: June 3, 1998.

Approved: GMEC, June 10, 1998

Approved: MCVH Medical Staff Executive Committee: November 11, 1998

Approved: VCU School of Medicine Executive Committee of the Faculty: October 14, 1998

Approved: Program Directors Council, December 12, 2000

Reviewed: GMEC, January 2002

Amended: GMEC, December, 2006

Reviewed: GMEC, September 11, 2012

Revised and approved: GMEC, November 14, 2023