

Project Vida Health Center
Community Psychiatry Residency
Graduate Medical Education Policies and Procedures

Grievance Policy

APPROVED: 03/1/2023, 07/26/2023

EFFECTIVE DATE: 7/26/2023

REVISED: 7/01/2023

Purpose: This policy is established to provide a mechanism for resolving disputes and complaints that may arise between a graduate medical education trainee (herein after “GME Trainees”) and their program director or other persons involved with the administration of the graduate medical education (GME) Program. Trainees are encouraged to bring concerns or complaints about work-related conditions to the attention of their respective Program Directors. In order to ensure prompt and constructive problem solving, this policy provides trainees the opportunity to present their grievances formally.

Policy:

There shall be a process for adjudicating GME Trainee complaints and grievances related to the work environment or non-academic issues related to individual GME program(s) or faculty.

1. Complaint – A written or verbal expression of dissatisfaction with the working and learning environment, individual residency programs or the faculty.
 2. Grievable Complaints (“Grievance”) - A grievable complaint is a concern or issue that a GME Trainee may feel is unjust and/or an unfair practice that may affect their ability to carry out duties as required by both the Accreditation Council for Graduate Medical Education (ACGME) and the GME program.
1. Grievable complaints include the following:
 - A. A program consistently exceeding the ACGME Duty Hour regulations without regard to the GME Trainee’s well-being.
 - B. Complaints related to a GME Trainee feeling unsafe and/or unprotected due to lack of security provided by the program or Medical Center.
 - C. Complaints related to a disciplinary action other than adverse actions including nonrenewal of Trainee appointment or dismissal (please refer to GME Policy Renewal and Non-Renewal of the GME Trainee Appointment and Performance Assessment of GME Trainees) brought forth by the Program Director as a result of GME Trainee Misconduct.
 - D. Complaints related to inappropriate behavior, including mistreatment, by any member of the clinical learning environment as outlined in Project Vida Health Care Center Policy: Standards for Professional Behavior.
 2. Complaints based solely on the following actions are not subject to this process and thus are considered "not grievable":
 - A. Decisions regarding and/or documentation of areas of deficiencies in academic performance or remediation (see GME Policy: Performance Assessment of GME Trainees).
 - B. Establishment and revision of stipends, position classifications, or general benefits.
 - C. Work activity accepted by the GME Trainee as a condition of employment or work activity that may be reasonably expected to constitute a part of the job.
 - D. The content of policies, procedures and other rules applicable to GME Trainees.
 - E. Work and duty assignments within the Project Vida Health Care Center program(s) curriculum.

- F. Grievances related to discrimination on the basis of age, color, disability, gender identity, marital status, national or ethnic origin, political affiliation, race, religion, sex (including pregnancy), sexual orientation, veteran status, and family and genetic information shall be referred to the appropriate office for consideration.
3. A trainee will use the Adverse Action Appeals Policy to appeal actions that could result in suspension, non-promotion, probation, non-reappointment or dismissal from training or which otherwise threaten a trainee's intended career development.

Procedure:

- Step 1: The GME Trainee and program director shall make a good faith effort to resolve complaints informally. If the complaint is not resolved informally and if the complaint is grievable, as defined above, the GME Trainee shall notify the program director in writing of the nature of the grievance, all pertinent information and evidence supportive of the grievance and a statement of the relief requested. Within 7 calendar days after receipt of this notice, the program director shall meet with the GME Trainee and attempt to reach a resolution along with a mutually agreeable third party (e.g., member of GME Office). Within 5 calendar days of this discussion, the program director shall notify the GME Trainee in writing of the resolution of the grievance and shall address both the issues raised and the relief requested. A copy of the program director's notification shall be provided to the office of Graduate Medical Education.
 - Step 2: If the program director's written resolution is not acceptable to the GME Trainee the GME Trainee shall notify the Office of Graduate Medical Education in writing within 10 calendar days of receipt of the program director's notification of resolution. If the DIO is the Program Director of trainee's residency program, the DIO will form a subcommittee to address the trainee's complaint. The GME Trainee's notification shall include a copy of the program director's resolution and all other information supportive of the GME Trainee's grievance. Failure to submit the grievance in the ten-day period shall constitute waiver of the grievance process and the decision of the Program Director will be final. Within 10 calendar days of receipt of the grievance, the subcommittee shall meet with the GME Trainee to discuss the grievance and attempt to reach a resolution with a third-party present. Within 10 business days of this meeting, the subcommittee shall send to the GME Trainee a written response to the issues and relief requested. A copy of this response shall be provided to the GME office/DIO/Program Director.
 - Step 3: If the GME Trainee disagrees with the decision by the GME subcommittee, the GME trainee shall present a written statement to the GME Vice Chair within 10 calendar days of the receipt of the GME's subcommittee decision. The statement shall describe the nature of and basis for the grievance and include copies of the decisions of the subcommittee. Failure to submit the grievance in the ten-day period shall constitute waiver of the grievance process and the decision of the GME subcommittee will be final. The Vice Chair shall review all written information and decide whether further meetings or inquiry could be helpful to resolve the issue. Within 10 calendar days of receipt of the GME Trainee's statement, the Vice Chair or his/her designee shall provide to the graduate medical trainee a written decision on the grievance. This decision shall be final.
4. The grievance procedure may extend these times for good cause through the office of Graduate Medical Education.
5. Confidentiality: All participants in Steps 1, 2 and 3 of the grievance processes shall not discuss the matter under review with any third party except as may be required for purposes of the grievance

procedure. The Chief Executive Officer of Project Vida Health Center may be notified of a grievance and such notification shall not constitute a breach of this confidentiality requirement.

6. The residency program has alternate ways of reporting to provide a GME trainee a safe and confidential way of reporting grievances or complaints such as contacting the appointing ombudsman (see Attachment A). The GME trainee may also use the anonymous reporting link located in the sponsoring institution GME website to report a complaint.

Attachment A

PV Psychiatric Residency Program Ombudsman
Bill Schlesinger
CEO, Project Vida
(915) 465-1191, ext. 207
w.schlesinger@pvida.net