

POLICY ON GRIEVANCES AND DUE PROCESS

PURPOSE:

This policy addresses Accreditation Council for Graduate Medical Education (ACGME) *Institutional Requirements IV.D. Promotion, Appointment Renewal, and Dismissal*:

The Sponsoring Institution must have a policy that requires each of its ACGME- accredited programs to determine the criteria for promotion and/or renewal of a resident's/fellow's appointment.

IV.D.1.b) The Sponsoring Institution must have a policy that provides residents/fellows with due process relating to the following actions regardless of when the action is taken during the appointment period: suspension, non-renewal, non-promotion; or dismissal.

(Core)

Institutional Requirements IV.E. Grievances:

The Sponsoring Institution must have a policy that outlines the procedures for submitting and processing resident/fellow grievances at the program and institutional level and that minimizes conflicts of interest. (Core)

DEFINITIONS:

See the *NSU Graduate Medical Education Glossary of Terms* dated April 1, 2021; the *ACGME Glossary of Terms* dated April 15, 2020; as well as the *Common Acronyms/Abbreviations Used in Graduate Medical Education* last updated April 4, 2019.

BACKGROUND:

The NSU Office of Graduate Medical Education is committed to ensure an educational environment in which residents may raise and resolve issues without fear of intimidation or retaliation. To this end, NSU provides an organizational system to hear and address residents' concerns and grievances.

POLICY:

All GME programs at NSU will promote fair, reasonable, efficient and equitable resolution of concerns that may arise in the course of residency or fellowship training.

NSU prohibits retaliation against any individual who, in good faith, reports a concern or participates in the review or resolution of a concern under this policy.

PROCEDURE:

Formal Grievances

Formal grievances cover dismissal, suspension without pay, demotion, non-renewal, non-promotion, or any other adverse employment action resulting in less pay (Note: This procedure does not apply to grievances regarding claims of perceived discrimination or sexual harassment. Refer to the Nondiscrimination and Anti-harassment Policy regarding claims of discrimination or sexual harassment).

All Formal Grievances will be subject to the Formal Grievance Hearing Policy located in the NSU Employee Policy Manual which can be found at: nova.edu/portal/hr/policies/formal-grievance-hearing.html (must log in to NSU employee portal to access).

Issues that do not rise to the level of Formal Grievances:

In order to provide a mechanism for communicating substantive issues and concerns between residents, the administration of Graduate Medical Education programs, and NSU, without fear of retribution, the following procedures should be followed for issues that do not rise to the level of Formal Grievances:

- A. Program Directors have the primary responsibility for receiving, evaluating and addressing concerns and complaints about any aspect of their program. Residents should raise issues related to their working environment and educational programs through the programs' Chief Resident(s) and Program Director.
- B. When residents wish to communicate concerns without disclosure of names and do not wish to speak directly to their Program Directors, they should make use of the Residents' Forum.
- C. For concerns that resist resolution via these mechanisms, residents should initiate a confidential communication with the Designated Institutional Official who will try to resolve the issue in an appropriately confidential manner.
- D. If such concerns are not appropriate for resolution in the manner set forth in items A-C above, the Designated Institutional Official may appoint a grievance subcommittee of the Graduate Medical Education Committee (GMEC) composed of two members of the Medical Staff (one of whom shall be designated by the chairperson of the GMEC to be chairperson of the subcommittee), one peer-selected resident or fellow from a different program and not associated with the grievance in any way, and one member of administration. This grievance subcommittee will make recommendations for review and final decision by GMEC.

Initial Approval by GMEC on July 7, 2017

Second Approval by GMEC on June 26, 2018

Reviewed and Approved by GMEC on April 8, 2021