

## Grievance and Due Process

**Effective:** July 1, 2016  
**Reviewed by GMEC:** June 14, 2016  
**Initial Approval by GMEC:** June 30, 1989

### Statement

Residents are provided a process for resolving academic and job-related complaints. This includes grievances related to probation, suspension, non-renewal of a resident agreement of appointment, non-promotion to the next level of training, or dismissal.

**Associated Policy (ies):** *Disruptive Behavior, Remediation, Corrective Action, Dismissal of Residents*

**Responsible Positions (Title)** *Program Director, GME office, Residents/Fellows, HR Business Partner*

**Equipment Needed:** *None*

### Procedure Steps, Guidelines, Rules, or Reference

1. **Grievance Steps:** (Consult Remediation Policy for expectations on documentation)
  - 1.1 A resident who has a dispute or grievance must discuss this with his/her Program Director who will make every effort to resolve the matter within seven (7) calendar days from the date the discussion was held.
  - 1.2. If the response is unsatisfactory to the resident, the resident must discuss the complaint or grievance with his/her Chair/ Director of Education, who will make every effort to resolve the matter within seven (7) calendar days from the date the discussion was held. (If the Program Director is also the Chair/Director of Education, this step is skipped).
  - 1.3 If the response is unsatisfactory to the resident, the resident must request a meeting with the DIO within seven (7) calendar days of the Chair/Director of Education's response. The meeting with the DIO will be conducted no more than ten (10) calendar days from the date of the request. The DIO will investigate and review the resident's grievance and will respond with a decision in writing to the resident within ten (10) calendar days from the date the meeting was held. Copies of the DIO's response will be furnished to the HR Business Partner and the Program Director.
  - 1.4 If the DIO's response is unsatisfactory to the resident, the resident may make a final appeal through Palmetto Health's Human Resources Office by submitting a written statement to the assigned HR representative within ten (10) calendar days from the decision of the DIO. The statement should recap the facts of the situation or event and must include a suggested remedy for the situation. The HR representative will provide the Corporate Director of Human Resources Operations or his/her designee with the resident's statement and documents pertinent to the dispute or grievance.
  - 1.5 The final appeal is a paper review of all documents related to the dispute or grievance. The Corporate Director of Human Resources Operations is not obligated to meet with any parties. The Corporate Director of Human Resources Operations

will respond within ten (10) calendar days in writing to the resident, DIO, and Program Director. The decision will be final.

- 1.6 Should a recommendation for Level 4 Dismissal be overturned after a successful appeal, the resident will be responsible for completing **any training time** lost during the appeal process **with** additional training in order to fulfill board requirements for length of training to sit for boards. In the case of successful appeal, the GMEC Executive Committee will determine whether the department's recommendation for probation or dismissal or additional length of training is reportable for future licensure and credentialing purposes. If it is determined that such recommendation is not reportable, documentation will be removed from the resident physician's file at the time of graduation from the program.

## 2. Grievance Timelines:

- 2.1 Failure to meet timelines or receive approval for extension of timelines will result in forfeiture of grievance rights.
- 2.2 Requests to extend any deadlines in this process will only be considered based on extenuating circumstances:
  - 2.2.1 Extensions will be considered only when requested in advance of deadlines.
  - 2.2.2 The decision to extend a deadline will be made by the Corporate Director of Human Resources (or his/her designee)
  - 2.2.3 Approvals for a delay will be communicated to the parties involved.

## References

ACGME Institutional Requirements--IV.C. Promotion, Appointment Renewal and Dismissal

Signature on File

Katherine G. Stephens, PhD, MBA, FACHE  
System Vice President, Medical Education & DIO

Signature on File

James I. Raymond, MD  
Chief Medical and Academic Officer