

**Marshall University  
Joan C. Edwards School of Medicine  
Graduate Medical Education Committee**

**POLICY ON GRIEVANCES REGARDING  
NON-ACADEMIC ISSUES**

**Effective Date: August 1, 2013**

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**SECTION 1. PURPOSE OF POLICY AND STATEMENT**

The purpose of this policy is to provide fair and prompt consideration to all trainee grievances and to set forth procedures for raising and addressing grievances by residents or fellows (collectively known as trainees) enrolled in graduate medical education programs sponsored by the Marshall University School of Medicine. The Due Process for trainee grievances related to academic and misconduct issues are addressed by the Graduate Medical Education Committee Policy on Appeal for Disciplinary Actions.

Trainees are encouraged to bring issues or concerns forward to School of Medicine graduate medical education leadership, program leadership or through another mechanism comfortable to the resident. Residents may raise and resolve issues without fear of intimidation. Individuals, including Program Directors, Program Coordinators, and GME staff, are prohibited from retaliating against a resident reporting a grievance.

The Designated Institutional Official (DIO) maintains an open-door policy for trainees to address concerns regarding grievances and alleged retaliation.

**SECTION 2. DEFINITION**

2.1. This policy establishes the following definitions:

2.2.1. Grievance: An official statement of a complaint over something believed to be wrong or unfair.

2.2.2. Complainant: The person bringing the complaint.

2.2.3. Due Process: Procedures that inform and provide a framework to respond or act in ways that are not arbitrary or personally biased, applies to all trainees, and provides appropriate appeals procedures.

2.2.4. Trainees: All physicians enrolled in post-graduate medical education as part of the formal education process of residency or fellowship.

### **SECTION 3. PROCEDURE FOR CONCERNS REGARDING THE PROGRAM OR THE CLINICAL LEARNING ENVIRONMENT OF FACULTY.**

31. Any concerns or feedback regarding the program or the clinical learning environment or of a faculty member, can be reported in the following ways. Each reporting mechanism is independent and need not follow nor precede each other:
  - 3.1.1. Rotation/Service Evaluations: Trainees are required to evaluate the service/rotation and provide feedback to the program.
  - 3.1.2. Program Evaluation Committee (PEC): The role of the PEC is to support continuous program improvement and trainee feedback to the PEC further supports that mission.
  - 3.1.3. Internal Program Evaluation: Trainees are required to complete an annual evaluation of the program.
  - 3.1.4. Program Leadership: Trainees can report concerns/feedback to Program Directors.
  - 3.1.5. Designated Institutional Official (DIO): Trainees can report concerns/feedback to the DIO at any time or if unsatisfied with program level action or if the concern is about a major clinical learning service (i.e., ICU, ED)

#### **32 Trainees may also opt to anonymously report concerns/feedback by utilizing the following:**

- 3.2.1. DATIX/MIDAS: Trainees may submit anonymous concerns regarding concerns/issues or opt to self-identify for feedback.
- 3.2.2. Anonymous Reporting of Clinical Learning Environment- Trainees can anonymously report concerns or provide feedback by completion of an on-line form or opt to self-identity to obtain feedback. The form is located on the GME Homepage\_  
<https://jcesom.marshall.edu/residents-fellows/>
- 3.2.3 Marshall Health Incident Report – Trainees can complete a Marshall Health Incident form to provide feedback/concerns related to Marshall Health clinical learning environment or faculty. The form can be submitted either anonymously or with trainee contact information. It is located on the GME Homepage\_  
<https://jcesom.marshall.edu/residents-fellows/>

### **SECTION 3.**

### **CONCERNS REGARDING A FACULTY MEMBER**

31. Should any trainee have a concern regarding the behavior of a faculty member, or a specific interaction, the following reporting options have been established:
  - 3.1.1. The trainee should provide the faculty member written feedback through the faculty evaluation process. All faculty evaluations are confidential, meaning the faculty member will receive the evaluation, but the evaluator will not be identified. In the event of small programs, faculty evaluations will be held and not formally reviewed until enough evaluations have been received to protect the anonymity of the trainee.
  - 3.1.2. If the trainee does not feel there has been resolution to the concern, or the trainee does not feel comfortable writing the concern on the faculty evaluation, the trainee can bring the concern to the Program Director's attention. This meeting will be kept confidential. Counseling will be provided to the faculty member, but the trainee's name will be kept confidential. In the event the trainee can be identified due to the small size of the program, the DIO shall be consulted prior to any action.
  - 3.1.3. If the trainee does not feel the Program Director has resolved or address the concern, or the trainee does not feel comfortable discussing the concern with the Program Director, the trainee should discuss the concern with the Designated Institutional Official (DIO). The name of the trainee who brings the issue to the DIO will be kept confidential.
32. Counseling will be provided to the faculty member as needed.
33. All counseling will be kept in the strictest confidence. The trainee will not be informed of the details regarding counseling the faculty member.
34. The trainee should bring forward any additional events in the same manner.

#### **SECTION 4. CONCERNS REGARDING THE PROGRAM DIRECTOR**

- 4.1. Should any trainee have a concern regarding the behavior of a Program Director, the following reporting options are available:
  - 4.1.1. Trainees are encouraged to discuss concerns first with the Program Director to resolve the issue.
  - 4.1.2. Should the trainee not be comfortable discussing the concern with the Program Director, the trainee should bring the concern to the DIO.

- 4.2. All concerns brought to the DIO will be kept confidential.
- 4.3. All counseling will be kept in the strictest confidence. The trainee will not be informed of the details regarding counseling the Program Director.
- 4.4. The trainee should bring forward any additional events in the same manner.

## **SECTION 5. CONCERNS REGARDING ANOTHER TRAINEE**

- 5.1. Should any trainee have a concern regarding the behavior of another trainee, the following reporting structure has been established:
  - 5.1.1. Trainees are encouraged to discuss the concern with the colleague as the first step. This first step in resolution discussion should be viewed as an opportunity to resolve issues and develop interpersonal and communication skills.
  - 5.1.2. Should attempts to resolve the concern/issues not be resolved, the trainee should bring the concern to the Chief or Program Director.
  - 5.1.3. Should the trainee feel the resolution has not been addressed by the Program Director, the trainee should bring the concern to the DIO.
- 5.2. All concerns brought to the Program Director or DIO will be kept confidential.
- 5.3. All counseling will be kept in the strictest confidence. The trainee will not be informed of the details regarding counseling the trainee.

## **SECTION 6. CONCERNS REGARDING STAFF OR OTHER LEARNERS**

- 6.1. Should any trainee have a concern regarding the behavior of a graduate medical education staff member or another learner, the following reporting structure has been established:
  - 6.1.1. Trainees are encouraged to discuss the concern with the staff member or other learner. This resolution discussion should be viewed as an opportunity to resolve issues and develop interpersonal and communication skills.

- 6.1.2. Should attempts to resolve the concern/issues not be resolved, the trainee should bring the concern to the Program Director or, if a member of the Office of GME, the DIO.
- 6.1.3. Should the trainee not feel the resolution has been addressed by the Program Director, the trainee should bring the concern to the DIO.
- 6.1.4. In the case of the other learner, the DIO may consult with the Dean or appropriate person.
- 6.2. All concerns brought to the Program Director or DIO will be kept confidential.
- 6.3. All counseling will be kept in the strictest confidence. The trainee will not be informed of the details regarding counseling the staff member or other learner.

## **SECTION 7. FEAR OF RETALIATION**

- 7.1. Trainees may bring forth grievances to the appropriate avenue without fear of retaliation or prejudice.
- 7.2. The Marshall University School of Medicine Graduate Medical Education Community has a ZERO tolerance for such retaliation.
- 7.3. Should a trainee feel they are subject to retaliation, the trainee should immediately contact the DIO.

## **SECTION 8. FINAL APPEAL**

In all grievance matters pertaining to this policy, the decision of the DIO is final.