

**Residency and Fellowship Appointment Agreement
Grievance Policy and Procedure**

Scope: All residents and fellows participating in accredited University of Washington post-graduate training programs (i.e., residencies or fellowships).

Definition: For this policy, “grievance” is defined as any controversy or claim arising out of an alleged violation of any provision of the Residency and Fellowship Position Appointment (RFPA), other than evaluation of academic or clinical performance or professional behavior, a non-reappointment decision, or any other academic matters including but not limited to the failure to attain the educational objectives or requirements of the training program. Appeals related to these academic matters are covered under the Academic and Professional Conduct Policy and Procedure. In this policy, “resident” will be understood to refer to both residents and fellows who are issued RFPA’s. Grievances may be filed by individual residents or by groups of residents. Claims related to terms and conditions addressed in the UWHA Contract can be grieved according to the process outlined within Article 7: Grievance Procedure of the collective bargaining agreement (CBA).

Residents and program directors are encouraged to resolve differences through collegial discussion and negotiation. However, the procedure as set forth provides for those instances in which assistance in resolving conflict is needed.

Principles: **Issues of Policy:** Grievances relate to alleged violations of stated articles of the RFPA. Remedies for grievances will be restricted to restoration of rights or services provided by the RFPA. Remedies will not include changes to the RFPA or other GME policies or procedures. Such issues should be referred to the Institutional Resident/Fellow Advisory Committee (IRFAC) for consideration of revisions to the RFPA or UW GME policy. Remedies for grievances will be restricted to restoration of rights or services provided by the RFPA; remedies will not include changes to the RFPA or other GME policies or procedures.

Outside Assistance: Throughout the grievance procedure, another resident, medical student, UW staff employee, or medical school faculty member who shall be identified as an “associate” may accompany the aggrieved Resident. The Resident may confer with an associate during proceedings; however, the associate may not actively participate nor present at the hearing. Attorney representatives may not attend the grievance proceedings for either party.

Time Limit: The Resident(s) must initially file a grievance as set out in the following section within the current academic year (July 1 to June 30) or within 90 calendar days after the Resident knew or should have known of the act or omission upon which the grievance is based, whichever time period is longer.

Waiver of Procedural Steps: Any of the provisions of this policy and procedure may be waived by written mutual consent of the involved parties.

Procedure: **Step 1: Program Level:** The written grievance letter must be presented to the program director with the time limit stated above, and include the following information:

- A factual description of the grievance, the article(s) of the RFPA that may have been violated, the date in which the grievant(s) first became aware of the alleged violation, and the remedy sought.
- The letter should include as attachments any documentation relevant to the grievance.

The program director must schedule a meeting within 30 calendar days after receiving the letter, to include the program director, aggrieved resident(s) and their designated associates (if any), program administrator, and other faculty members who have direct knowledge of the circumstances around the grievance. If the program director is not available to convene this meeting, then a faculty designee will be appointed from the program leadership team. Failure of the program to hold the meeting within the 30 calendar day time limit will result in the grievance automatically proceeding to the next level.

The program director will chair the meeting at which all parties will be allowed to present their evidence. The decision on the grievance will be issued by the program director (or designee) and will include a determination of whether the specific article of the RFPA has been in fact violated, and if so, a proposed remedy. The decision shall be presented in writing to each grievant within 7 calendar days after the meeting. Aggrieved resident(s) may accept the findings of the program director, or may file a grievance through the GMEC. The findings of the program director will become final, unless the next level of grievance (Step 2) is filed within 14 calendar days after the date of the decision.

Step 2: Graduate Medical Education Committee (GMEC): Resident(s) may file their grievance to the Chair of the GMEC following program level response or waiver. The Chair of the GMEC will appoint a Grievance Committee to hear the grievance. This Committee will hold a meeting on this grievance within 30 calendar days.

- **Composition:** This committee will be composed of current sitting members of the GMEC, and will include 6 voting members, including 2 faculty members, 2 program administrators, and 2 resident members. Faculty and residents of the program involved in the dispute may not be appointed to the Grievance Committee. The Committee will be chaired by the Chair of IRFAC, unless the IRFAC Chair is a party to the grievance or if the grievance has been filed by residents in the IRFAC Chair's program. In this case, the Chair of the GMEC will appoint a substitute Chair from the available faculty members of the GMEC or IRFAC. If the Grievance Committee cannot be assembled using GMEC members exclusively, the GMEC Chair may appoint IRFAC members. The Chair will cast a vote only in case of a tie.
- **Attendance:** Attendance of the Resident's associate is permitted at the Resident's option. The appropriate faculty, program director, program administrator, and the department chair or his/her designee are permitted to attend even if not required to be present at the meeting as a party to the grievance. Only the voting Grievance Committee members are permitted to be in attendance during any pre-proceeding meetings (i.e., organizational meetings) and the deliberations of the Grievance Committee.
- **Procedure:** The Chair of the Grievance Committee will allow each party to state their case with a time limit of 10 minutes each, and to present a final rebuttal of 5 minutes each. The aggrieved Resident(s) will make the initial presentation and rebuttal. Grievance Committee members may ask questions at the conclusion of each presentation and rebuttal but should not ask questions during the presentation except for short requests for clarification of fact.
- **Decision Making:** At the conclusion of the Grievance Committee's review of the grievance, the Committee shall issue a written statement of its findings and render a

decision within 7 calendar days of its final meeting, which will be transmitted to all parties to the dispute, with a copy to the Chair of the GMEC. The Grievance Committee may require more time to render their decision in which case the Committee shall notify the parties of the expected time frame of the issuance of the decision, which shall not exceed an additional ten (10) calendar days. Each member of the Grievance Committee has one vote and all votes are equal. All decisions of the Grievance Committee are final, unless either party appeals the decision in writing to the Dean within seven (7) calendar days of the date of the decision.

Step 3: Dean's Appeal: A final appeal may be filed by either party to the grievance as noted above. This appeal shall be in writing and include all letters, documentation, and written responses from each level. The Dean or his/her designee will issue his/her final decision within 14 calendar days of receipt of the appeal of the grievance, unless more time is required in which case the Dean shall notify the parties of the expected time frame of the issuance of his decision but not to exceed an additional 14 calendar days.