

A Quick Guide to Resident Grievances

Disputes between people are inevitable. However, listed below are a few things one can do to help prevent residents from filing grievances, and to assist programs through the process when it occurs.

1) Engage in Smart Employment Practices

A. **Properly screen resident applicants.** Closely examine resident applications for breaks of one year or more in education, employment, and training. Read and examine the letters of recommendation. Are they on business stationary? Do they all appear typed on the same typewriter, have unusual phrases common, or seem signed with the same hand? A telephone call can do wonders in clearing up discrepancies and concerns. Check! Even a brilliant applicant can be unstable, or immoral.

B. **Interview candidates in person, not just by telephone.** Obtain more than one opinion of each candidate, as a second interaction might bring to light something another person missed.

2) Keep Residents informed

A. Informed means to **regularly communicate with your residents about GME, employment institution, program, ACGME and respective board certification policies.** There are often conflicts/discrepancies among different agency policies, and it is important that your residents know under what circumstances which policy takes precedent their training program.

B. **Obtain regular, timely performance evaluations, and be certain that your residents review them.** Educate residents on their strengths and weaknesses, and the role of your program's education committee with regard to promotion, renewal, and dismissal. Document these communications – a hand-written note in the evaluation file briefly acknowledging the date, content, and any behavioral actions mentioned in a conversation can be extremely valuable should a later grievance arise.

C. **Provide residents in academic trouble with clear, measurable plans for remediation.** Telling a resident his or her knowledge of a topic area or procedure is substandard may be informative, but providing a specific remediation plan with realistic goals, measurable objectives, and a realistic timeline for success is both informative and constructive. One should include in the plan actions that may be taken by the program if the goals and objectives are met, as well as actions that may be taken if they not reached.

3) Document, Document, Document!

A. **Positive and negative communications about and with a resident should be documented and placed in their file.** Again, a simple hand-written note noting the situation, parties involved, date and time of the interaction, will suffice. Negative behavioral patterns can sometimes be identified by the accumulation of these notes before a serious problem arises.

B. **Residents should be regularly told of the Program Education Committee's view of their progress.** A personal conversation would be nice, with a statement acknowledging the meeting signed by the resident very helpful.

Ahhh... but you have a problem resident, and you need to take action, now!

4) Gather all your documents supporting the action, and:

A. **Meet with the resident immediately after an infraction or when a remedial action is being placed.** State the purpose of the meeting and obtain their side. If there are issues involved that are not academic, be sure to investigate the circumstances. Sometimes individuals make conclusions without knowing extenuating circumstances that may have impacted on a situation, reporting to you the conclusion without having a full understanding of all aspects of an incident. **Document this meeting; it can be your level-one meeting in the grievance process.**

B. ***Call the GME Office for guidance, and supply it with documentation of the meeting and any behavioral or remedial plan instituted.*** This paperwork should be sent to the GME Office within 10 days of the meeting. The GME Office is your resource to help you through the process. Residents placed on probation need to be provided with a realistic, measurable plan for improvement, with faculty and program support to obtain the goals set. There must be measurable standards and a time line expressed as to when the remediation should be completed and the probation lifted. If you have any concerns, please call or e-mail the GME Grievance Administrative Consultant, Janet Harszlak, to discuss your specific situation, and to make sure GME policies and procedures are being properly followed.

But, your resident is angry, believes you are unfair, and has filed a grievance!

5) **Grievances must be filed with GME within 20 working days of any action taken or alleged violation of policy.** The GME Office will contact you regarding what documentation and files should be copied and sent to the GME Office. Be prepared to move quickly, as hearings need to be scheduled within 20 working days after the receipt of a Level II grievance request from a resident.

A. ***GME will request a copy of the Level I notes, and of the resident's personnel and evaluation files.***

B. ***Program Directors may write a statement in support of the action in question, providing details.***

C. ***The GME Grievance Consultant will consult with all the relevant parties*** (including University and UMRS attorneys, if needed) and facilitate the process, including forming a committee, and scheduling a hearing date.

These notes are by no means complete, but are intended to be a simple guide to avoiding conflicts and confusion with regards to resident grievances. Your GME contact and resource on this matter is:

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