



Lexington Medical Center
Graduate Medical Education Policy
Policy # LMC.GME.08

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Grievance Policy for Graduate Medical Education at Lexington Medical Center

Purpose:

The purpose of this policy is to outline the procedures for submitting and processing resident/fellow grievances at the program and institutional levels and in turn minimizes conflicts of interest.

Scope:

This policy applies to all residents, fellows, and program personnel involved in any ACGME accredited programs under the sponsorship of Lexington Medical Center.

Policy:

This policy does not apply to complaints by residents/fellows regarding sexual harassment, sexual misconduct, violence, or discrimination of any kind, including race, color, religion, age, disability, sexual orientation, gender identity, or citizenship status. Resident/fellow complaints about harassment or discrimination fall under the Lexington Medical Center Anti-Harassment policy and should be reported to the Human Resources Department, Program Director, Designated Institutional Official (DIO), and the GME Office.

1. All ACGME-accredited training programs at Lexington Medical Center promote reasonable, efficient, fair, and equitable resolution of concerns that may arise during the course of a residency or fellowship training program. Lexington Medical Center will not tolerate any retaliation against any individual who, in good faith, reports a concern or grievance or participates in the resolution of a concern under this policy.
2. All residents/fellows in training programs at Lexington Medical Center are encouraged to report any grievances, issues, or concerns they encounter or experience in regard to the clinical learning and working environment. They are able to report these concerns without fear of intimidation, retaliation, or bullying, and all residents/fellows are provided with the proper reporting protocols at Orientation. These reporting procedures are also available in the Policy Manual, both in the GME Office and in the residency management software for 24/7 access.
3. All resident/fellow reporting of grievances will remain confidential to protect the reporting party. Any party that reports a grievance will not experience adverse events, including a negative impact on salary or benefits, working hours, or working conditions due to the act of reporting. Institutional and program leadership will ensure that residents/fellows are able to report grievances without fear of harassment, intimidation, or bullying.

Definitions:

Grievance- A controversy, claim, or written complaint related to any of the following areas, including but not limited to:

1. Compensation and working hour issues
2. Professionalism or lack thereof
3. Health and safety issues for a resident, fellow, faculty member, or patient

4. Equal employment or employment discrimination problems under any Federal, State, or Local employment practices
5. Substance abuse concerns
6. Discipline, conduct, and discharge matters, including suspension, non-renewal, non-promotion, or dismissal
7. Problems arising under the National Labor Relations Act

Procedures:

Program Level

1. Residents/fellows can report grievances to program faculty members, the Program Manager, the Program Director, or Resident forum through in-person communication. If residents/fellows do not feel comfortable reporting the issue in-person, residents/fellows can also communicate any grievances through email.
 - a. If for any reason a resident/fellow does not feel comfortable reporting their grievance to any of the aforementioned parties, they can report their grievance to the Designated Institutional Official (DIO) and other institutional leadership. Both program and institutional leadership personnel will uphold an open-door policy and ensure that all grievances are kept confidential to protect the reporting party.
 - b. A resident/fellow may choose to report a concern to the Resident forum. In this case, following a Resident forum meeting, peer-selected residents/fellows from the Graduate Medical Education Committee (GMEC) will anonymously communicate any questions, concerns, or issues from the forum to GMEC.

GME Annual Resident/Fellow Survey

1. The annual Resident/Fellow Survey can be utilized for reporting grievances. These evaluations focus on the learning and working environment and provide residents/fellows with a confidential method to report any issues and/or concerns. The GME Annual Resident/Fellow Survey also provides residents/fellows a reporting outlet if they do not feel comfortable reporting concerns directly with program or institutional leadership.

ACGME Offices

1. ACGME Office of the Ombudsperson
 - a. The ACGME's Office of the Ombudsperson serves as an independent, unbiased party and provides a safe method for residents/fellows to raise concerns about training-related issues and concerns. Reporting of grievances to the Office of the Ombudsperson will not affect the accreditation status of the program or institution. Residents/fellows may directly call the Office of the Ombudsperson to report training-related issues or to discuss how they should proceed.
 - b. In order for the Office of the Ombudsperson to officially begin an internal inquiry, requests must be emailed to ombuds@acgme.org. This email should contain a brief summary of the issue(s), any steps taken to attempt resolution, and the name, city, and

state of the residency/fellowship program. The reporting party must also include contact information for the Office of the Ombudsperson to use moving forward.

2. ACGME Office of Complaints
 - a. If for whatever reason an issue cannot be resolved through the Office of the Ombudsperson, reporting parties can raise allegations/grievances regarding the training program or non-compliance with ACGME Institutional, Program, or Accreditation Requirements with the Office of Complaints. Formal complaints can be submitted by emailing complaints@acgme.org. This reporting method can be utilized by residents/fellows at any time to report program or institutional issues. All formal complaints submitted to the Office of Complaints must include a brief summary of the allegation(s), the name, address, city, and state of the residency or fellowship program, the reporting party's contact information, and the reporting party's signature.

Due Process:

Institutional Level

1. Residents/fellows may initiate due process for grievances related to suspension, non-renewal, non-promotion, or dismissal that are not resolved through procedures of this policy by following the LMC Due Process and Appeals policy for Graduate Medical Education at Lexington Medical Center.