

UNIVERSITY OF KENTUCKY <b>ADMINISTRATIVE REGULATIONS</b>	IDENTIFICATION <b>AR II-7.0-5</b>	PAGE <b>1</b>
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## GRIEVANCE PROCEDURE FOR HOUSE OFFICERS

### I. Introduction

It is the intention of the University to deal fairly with house officers; i.e., those individuals with a recognized professional degree in one of the health professions engaged in postgraduate training; Doctor of Pharmacy (Pharm.D.) and pastoral care residents; and others in training on the Graduate Medical Education rolls in the University of Kentucky College of Medicine, or other appropriate Colleges or in affiliated health care settings.

In the normal course of working together on a day-to-day basis, problems in connection with the working relationship can be expected to arise. In most cases, the problem can and should be resolved at the first level of supervision. However, when a mutually satisfactory solution cannot be worked out at the first level, the house officer should be given an opportunity to appeal the decision without fear of prejudice.

The procedure outlined herein is designed to provide a method of dealing with house officer grievances in a prompt and equitable manner without placing an unreasonable burden on the University's resources and personnel. The proceedings are informal in nature. Procedural due process in this context does not require many of the features of the formal judicial proceedings employed by courts-of-law, such as public hearing, representation by counsel, cross-examination of witnesses, and adherence to rules of evidence. Thus, emphasis is placed on a method of getting at the facts, assuring that these are reported accurately to the proper authority, and providing a decision which is fair to all concerned.

### II. Grievance Procedure

#### A. Stage I

1. The aggrieved house officer shall state, in writing, any personal complaint to the program director of the program in which the house officer is contracted. This must be submitted within sixty (60) calendar days of the action the house officer is appealing.
2. The complaint shall be reported by the program director to the department chair.
3. Every effort shall be made by the program director to deal with the complaint on its merits without undue delay. However, the program director shall

be allowed up to five (5) working days (Saturdays, Sundays, and holidays excluded) to resolve the matter satisfactorily. The decision of the program director shall be termed an answer for the aggrieved house officer.

4. The program director's answer shall be in writing.

5. A copy of the answer shall be forwarded to the department chair and to the Graduate Medical Education office for filing in the house officer's official Graduate Medical Education file.

B. Stage II

1. If the aggrieved house officer is not satisfied with the answer of the program director or if the answer is not received from the program director within the time allowance stated in Stage I, the house officer may appeal directly to the department chair.

2. The appeal shall be made, in writing, within five (5) working days (Saturdays, Sundays, and holidays excluded) after expiration of the program director's time allowance as stated in Stage I.

3. The decision of the department chair shall be given in writing to the house officer within five (5) working days (Saturdays, Sundays, and holidays excluded) after receipt of the appeal.

4. Copies of the appeal and the decision shall be forwarded to the appropriate dean, as well as to the appropriate program director and to the Graduate Medical Education office for filing in the house officer's official Graduate Medical Education file.

C. Stage III

1. If the aggrieved house officer is not satisfied with the decision of the department chair, or if the decision is not received within the time allowance outlined in Stage II, the house officer may appeal to the dean of the college.

2. The appeal shall be made, in writing, within five (5) working days (Saturdays, Sundays, and holidays excluded) after receiving the decision or, if no decision is received, within five (5) working days (Saturdays, Sundays, and holidays excluded) after expiration of the department chair's time allowance as stated in Stage II.

3. The dean or the dean's designee shall investigate the appeal and shall forward a decision in writing to the house officer within seven (7) working days (Saturdays, Sundays, and holidays excluded) after receipt of the appeal.

4. Copies of the appeal and the decision shall be forwarded to the Medical Staff Executive Committee of the UK Chandler Hospital, as well as to the appropriate department chair, program director, and to the Graduate Medical Education office for filing in the house officer's official Graduate Medical Education file.

D. Stage IV

1. If the aggrieved house officer is not satisfied with the decision of the dean, the house officer may appeal to the Medical Staff Executive Committee of the UK Chandler Hospital if the stated grievance is one of the following:

- a. A charge of unfair termination of residency;
- b. Non-renewal of agreement (contract);
- c. Non-promotion to the next level of training;
- d. A charge of discriminatory act in violation of University fair employment rules and regulations;
- e. A charge of violation of pertinent basic University policies, including the University's sexual harassment policy(s);
- f. A charge of violation of the Code of Professional Behavior;

2. The appeal shall be made, in writing, within five (5) working days (Saturdays, Sundays, and holidays excluded) after receiving the decision or, if no decision is received, within five (5) working days (Saturdays, Sundays, and holidays excluded) after expiration of the dean's time allowance as stated in Stage III.

3. The Chair of the Medical Staff Executive Committee of the UK Chandler Hospital shall appoint a grievance hearing committee and shall designate a chair. The grievance hearing committee shall be composed of at least three (3) impartial members who are members of units outside the house officer's department and are either department chairs, program directors, or associate program directors.

4. The grievance hearing committee shall investigate the grievance, accumulate and study the facts in the case, conduct hearings if deemed necessary, and submit a written report of its findings and recommendations for disposition to the Medical Staff Executive Committee within a period of ten (10) working days (Saturdays, Sundays, and holidays excluded) after notification of committee appointment, unless extended for cause.

5. The house officer may have a spokesman of personal choice to represent the house officer at a scheduled hearing. At the hearing, the house officer or the house officer's spokesman shall not be permitted to confront and cross-examine other individuals but shall be furnished, in advance of the hearing, a list of those persons scheduled to appear before the committee.

6. The Medical Staff Executive Committee, excluding any members who previously rendered decisions at Stages I - III or participated as a grievance hearing committee member at Stage IV, upon reviewing the committee's recommendation, shall render a final decision and so notify the house officer in writing. A member(s) of the grievance hearing committee may be in attendance to present the case, but shall then leave the room and shall not be in attendance for the rendering of a decision.

7. A copy of the grievance committee's report of findings and recommendations, together with a copy of the final decision of the Medical Staff Executive Committee shall be forwarded to the program director, the department chair, the appropriate dean, and to the Graduate Medical Education office for filing in the house officer's official Graduate Medical Education file. In any case involving sexual harassment, copies of the grievance committee's report and the Medical Staff Executive Committee's final decision also shall be forwarded to the Office of Institutional Equity.