

## **Allied Health Education Committee (AHEC)**

### **PROCEDURES FOR ADDRESSING TRAINEE CONCERNS AND GRIEVANCES**

I. Purpose. This policy is designed to ensure that AHEC meets the requirements to provide an educational environment in which trainees may raise and resolve issues without fear of intimidation or retaliation. This includes the following:

A. Provision of an organizational system for trainees to communicate and exchange information on their working environment and their educational programs. AHEC's organizational structure is outlined in Brooke Army Medical Center, Memo 15-1. Additional mechanisms to accomplish this goal are outlined in this policy.

B. Ensuring there is a process by which individual trainees can address concerns in a confidential and protected manner. This policy specifically outlines this required process.

C. Establishment and implementation of fair institutional policies and procedures for academic or other disciplinary actions taken against trainees. These issues are addressed in the AHEC Due Process Policy for trainees.

D. Establishment and implementation of fair institutional policies and procedures for adjudication of trainee complaints and grievances related to actions which could result in dismissal, non-renewal of a trainee's contract, or other actions that could significantly threaten a trainee's intended career development. These issues are addressed in this policy as well as in the AHEC Due Process Policy for trainees.

II. Procedures. This policy outlines the various avenues available to AHEC trainees to address and resolve their grievances/concerns. Before seeking formal assistance, the trainee should speak with the person(s) involved with his or her grievances/concerns to try to resolve the issue directly. If the trainee cannot resolve the issue in this manner, he/she may pursue resolution through the various avenues delineated in this policy.

A. **Training Program options.** When possible, resolution should be accomplished at the program level through the program director, faculty advisor, or other program faculty.

1. At the start of the training program each trainee should be assigned a faculty advisor or mentor (which may be the program director) by the program director or his/her designee. The advisor should create an appropriate atmosphere for free, confidential (when appropriate) communication with the trainee without fear of reprisal or intimidation.

2. Although the trainee is encouraged to consult with his or her advisor as the first step in addressing concerns or grievances, the trainee may use any of the program's faculty or senior trainees with whom the trainee feels comfortable. In cases where the assigned advisor is not

available, or where a conflict of interest may exist, any faculty member may take the issue under consideration.

3. The trainee can always discuss any issue with his/her program director. All program directors have an open door policy and will ensure no recrimination emerges against any trainee as a result of such meetings. Confidentiality of these meetings will be maintained to the extent permitted by law and regulation.

4. If at any time the trainee feels his/her issue cannot be addressed at the program level, the trainee may use one of the resolution mechanisms outlined below.

**B. AHEC Ombudsman Program.** The DME will appoint up to four AHEC ombudsmen and ensure they have appropriate training and authority commensurate with their responsibilities as outlined below. They will serve as advisors to the AHEC.

1. At any time the trainee, or a representative authorized by the trainee, may consult with an AHEC ombudsman who functions as an independent, neutral, confidential, and informal resource for assistance and guidance. The ombudsmen's mission is to consider the rights and interests of individuals and to advocate fairness and equal treatment for all concerned. The ombuds will listen to the trainee's concerns, clarify issues of policy and procedures, discuss options, and (jointly with the trainee) will determine the best course of action to resolve the issue(s). The ombuds will work with the trainee until the issue is resolved or until the trainee no longer requires the ombud's assistance.

2. The ombudsmen are authorized access to any supervisory/command level within AHEC and are not bound by any specific supervisory authority or chain of command while doing ombuds duties.

3. The ombudsmen will respect trainee confidentiality and protect the trainee's identity except to the extent required by law or service regulation. This includes, but is not limited to, the requirement to protect trainee and/or patient safety.

4. The ombudsman program *does not* replace the existing formal complaint processes available in Military Treatment Facilities (MTFs). Rather, the ombudsman program is a complementary service and facilitates access and referral to existing agencies and processes. The services provided by the ombuds do not replace or supersede the provisions of the AHEC Due Process policy.

**C. Director of Medical Education (DME)** The Director of Medical Education at BAMC has "open door" policies for trainees, and is willing to meet with trainees at any time to discuss any issues or concerns. The DME will ensure no recrimination is taken against the trainee as a result of the meeting, and that confidentiality of the meeting is maintained to the extent permitted by law and regulation.

**D. AHEC Trainee Issues ad hoc committees.** At the request of a trainee or an ombudsman, the DME may authorize an ad hoc committee of impartial faculty and trainees to review and arbitrate

any concerns/grievances of a group of trainees or an individual trainee. This committee will make recommendations to the DME and/or the AHEC with the full knowledge of the trainee involved. The DME is responsible to ensure the concern/grievance is resolved in the most appropriate manner possible.

**E. Company Commander.** The Company Commander has resources to informally resolve issues at the lowest level and to identify barriers and corrective measures to ensure effective functioning of all personnel. Specific areas of interest include interpersonal relations, and workplace diversity issues (such as communication, trust, respect, recognition, opportunities for advancement, prevention of workplace discrimination, and sexual harassment).

**F. Equal Opportunity Advisor (EOA).** The office of the EOA is the command-authorized entity that conducts formal complaint processes addressing issues of sexual harassment and discrimination on the basis of race, color, ethnic group, religion, and sex. A formal investigation (issues clarification) is conducted to determine the facts surrounding the allegations.

**H. Inspector General (IG).** The IG is designated by the Army as the office of primary responsibility for addressing allegations of fraud, waste and abuse, or any violation of published standards/regulations. The IG is also responsible for addressing allegations of reprisal. Reprisal is defined as taking or threatening to take an unfavorable personnel action or withholding or threatening to withhold a favorable personnel action against a military member for making or preparing a protected disclosure. Protected disclosure is a lawful communication to a member of the Congress, IG or a member of a Department of Defense (DOD) audit, inspection, investigation or law enforcement organization. Other protected disclosures include those made within other established Army grievance channels (to include EOA) in which the military member makes a complaint or discloses information the military member believes is a violation of a policy or regulation.

**I. Legal Defense.** Legal Defense exists to provide confidential legal advice to military members including AHEC trainees to include a full spectrum in the areas of: family law, wills and estate planning, landlord/tenant matters, contract disputes and consumer law.

**J. Chaplain.** Trainees may seek confidential counsel with BAMC chaplains who are available 24 hours/day for consultation. Consultations with the chaplains are considered privileged, confidential communications as identified under the law.

**K. Mental Health resources.** Trainees may choose to address their concerns with a mental health provider or mental health clinic, which are available at BAMC. Available services include stress management classes, depression management, anxiety management, medication management, individual therapy, group therapy, and marital therapy. The DME's Office can facilitate this type of assistance, if desired, for the trainee.

1. Program directors are responsible to ensure that the trainee has sufficient opportunity in the work schedule to attend mental health appointments without recrimination.

2. In the DOD, confidentiality of mental health care is protected unless the individual seeking information has a legitimate need to know and is authorized by regulation or law to access this

information. The mental health provider releases only enough information to satisfy the investigational need and makes every effort to protect private, personal details. The trainee may choose at any time to authorize release of personal mental health information.

3. In emergency circumstances, the trainee may seek evaluation and mental health support at any Emergency Department at any time. Authority for directed mental health evaluations rests only with the Commander or his/her designee, of the trainee's MTF who must follow explicit DOD procedures to protect the rights of military members including AHEC trainees.