



**San Antonio Uniformed Services
Health Education Consortium
San Antonio, Texas**

Procedures for Addressing Trainee Concerns and Grievances

I. **Purpose.** This policy ensures that SAUSHEC meets ACGME requirements to provide an educational environment in which trainees may raise concerns without fear of intimidation or retaliation and includes the following:

A. An organizational system for trainees to communicate and exchange information on their working environment and their educational programs. SAUSHEC's organizational structure is outlined in the SAUSHEC Bylaws and includes mechanisms for trainee representation. In addition, trainees may participate actively on key hospital committees (including both the Allied Health Education Committee as well as the Graduate Medical Education Committee).

B. A process through which individual trainees can address concerns in a confidential and protected manner. This policy specifically outlines this required process.

C. Fair institutional policies and procedures for academic or other disciplinary actions taken against trainees. These issues are addressed in the SAUSHEC Due Process Policy for trainees.

D. 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 SAUSHEC Due Process Policy for trainees.

II. **Procedures.** This policy outlines the various avenues available to SAUSHEC trainees to address and resolve their grievances/concerns. Before seeking formal assistance, the trainee should speak with the person(s) involved with his/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 other avenues.

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

1. At the start of the residency/training program, each trainee should be assigned a faculty advisor (who may be the program director). The advisor should create an appropriate atmosphere which encourages free and confidential (when appropriate) communication by the trainee without fear of reprisal or intimidation.

2. Although the trainee is encouraged to consult with his/her advisor as the first step in addressing concerns or grievances, the trainee may select any of the program's faculty members 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. At any time the trainee may use alternative resolution mechanisms outlined below.

B. SAUSHEC Ombudsman Program. This program offers a voluntary, neutral, and confidential means of informal conflict resolution for residents and fellows. The Ombudsman Program *does not* replace the existing, formal, processes listed above, but rather offers an alternative venue in which trainees can surface concerns without fear of retaliation, obtain clarification of policy/procedures, and discuss resolution options in an attempt to help the trainee determine the best course of action. Further details regarding the program and contact information are available at <http://www.bamc.amedd.army.mil/saushec/> under the "General" tab.

C. SAUSHEC Housestaff Council. This council includes representatives from both services and serves as a venue through which residents/fellows/trainees may elevate concerns to the attention of SAUSHEC leadership.

D. SAUSHEC Trainee Issues Ad Hoc Committees. At the request of a trainee, an ombudsman, the AHEC, the GMEC or the Housestaff Council, the Dean 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 Dean, the AHEC and/or GMEC with the full knowledge of the trainee involved. The Dean is responsible to ensure the concern/grievance is resolved in the most appropriate manner possible.

E. Dean and Associate Deans of SAUSHEC. The SAUSHEC Dean and Associate Deans all have "open door" policies for trainees, and they are always willing to meet with trainees to discuss issues or concerns. The Dean and Associate Deans 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.

F. Military Equal Opportunity Office, 59th MDW and Equal Opportunity Advisor BAMC. The offices of the MEOO/EOA are command-authorized entities that conduct formal complaint evaluations addressing issues of sexual harassment and discrimination on the basis of race, color, ethnic group, religion, and sex. A formal investigation may be conducted to determine the facts surrounding any allegations.

G. Inspector General (IG). The IG is designated by the Air Force and Army as the office with 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 Air Force or Army grievance channels (to include MEOO/EOA) in which the military member makes a complaint or discloses information the military member believes is a violation of a policy or regulation.

H. Area Defense Counsel (ADC) or Legal Defense Attorney. This individual provides confidential legal advice to military members including SAUSHEC trainees.

I. Chaplain. Trainees may seek confidential counsel with BAMC or 59th MDW chaplains who are available 24 hours/day for consultation. Consultations with chaplains are considered privileged, confidential communications as identified under the law.

K. Mental Health Resources. Trainees may choose to address their concerns with mental health providers or mental health clinics, which are available at BAMC and the 59th MDW. Available services include stress management classes, depression management, anxiety management, medication management, individual therapy, group therapy, and marital therapy. The Dean'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 his/her 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 of the trainee's MTF, or his/her designee, who must follow explicit DoD procedures to protect the rights of military members including SAUSHEC trainees.