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INTRODUCTION

Since the founding of this Medical School, disputes among faculty, administration, or students have been very successfully settled through a series of informal procedures. Typically a complaint or dispute by a faculty member is brought to the attention of the grievant's department director and is resolved through informal discussion. Where a medical student or graduate student has a complaint, he or she may bring it to the associate dean for student affairs. Postdoctoral students normally appeal to the associate dean for postdoctoral programs. In some circumstances, the dean is asked to help in the informal resolution of grievances. The formal procedure set forth below is not meant to supplant attempts at resolving complaints through informal means. When at all possible, complaints and disputes should be settled through informal discussion. The procedures presented here are to be applied only after every effort has been made to settle disputes informally.

Nothing in this document shall be construed to impinge upon the managerial responsibilities of any regularly constituted body of the University. Moreover, no action may be taken with respect to the grievance that would conflict with or modify a policy approved by the board of trustees of the University, any policy of The Johns Hopkins Hospital, any federal, state, or local law or regulation, or any contract to which the University or School is a party.

PURPOSE


The purpose of this procedure is to provide a formal mechanism to resolve grievances of faculty, fellows, housestaff, or students of the School of Medicine; this formal mechanism is to be used in any particular case only if the usual informal processes have failed to resolve it.

DEFINITIONS

A. A grievance is a complaint by a faculty member, post-doctoral fellow, member of the housestaff, or student that he or she has been adversely affected in his or her professional activities as a result of an arbitrary and capricious act or failure to act or a violation of a University or School of Medicine procedure or regulation by the grievant's supervisor, department director, or other school administrator or body.

Excluded from consideration under this grievance procedure are:

1. Complaints alleging discrimination or harassment on the basis of race, color, sex, age, religion, homosexuality, national origin or ethnic origin, or handicap. These complaints are to be referred to the University's Affirmative Action Officer.
2. Complaints pertaining to general levels of salary, fringe benefits, or other broad areas of financial management and staffing.

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3. Disputes that are personal in nature or that do not involve the grievant's professional activities.
4. A complaint, the resolution or remedy of which would conflict with a policy approved by the board of trustees of the University, a policy of The Johns Hopkins Hospital, federal, state, or local law or regulation, or any contract to which the University or the School is a party.
5. A complaint pertaining to a subject matter within the purview of any other standing committee of the University or School, unless the complaint arises from a committee's alleged failure to act or to follow the policies or procedures of the University or School. For example, disputes involving grades, student promotions, or other evaluation of the grievant's academic work could only be considered under these procedures if the normal procedures for handling these matters were found not to have been followed.

B. A grievant is a faculty member, post-doctoral fellow, member of the housestaff, or a student currently enrolled in the School of Medicine who brings a grievance pursuant to this procedure.

C. As used in this grievance procedure, the term "faculty member" means any person holding a full- or part-time appointment to the faculty of the School of Medicine.


D. As used in this grievance procedure, the term "dean" means the Dean of the Medical Faculty or his or her designee.

COMPOSITION OF THE GRIEVANCE COMMITTEE

Each year, the dean shall appoint a Grievance Committee. The Grievance Committee shall have a chairman and ten additional members. At least one full professor, one associate professor, one assistant professor, one medical student, one graduate student, and one postdoctoral fellow or member of the housestaff shall be members of the Committee.

INITIATION OF A FORMAL GRIEVANCE AND SUBSEQUENT PROCEDURE

A. In the event that informal discussion fails to resolve a dispute involving a faculty member, fellow, member of the housestaff, or student, a formal grievance may be initiated. Grievances except those brought by a student or fellow must be initiated through the grievant's department director, whether the grievance involves members of the grievant's own or other departments. In the case of a grievance against the grievant's department director, senior school administrator, or any committee of the School, the grievant may submit a statement directly to the Grievance Committee chairman. A grievance brought by a student or fellow may be initiated either through the appropriate department director or through the associate dean for student affairs (in the case of medical students or graduate students) or the assistant dean for postdoctoral programs (in the case of fellows). All grievants must submit a written, signed, and dated statement of


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the grievance. This statement should include (1) a factual description of the complaint or dispute resulting in the grievance, (2) the name of the person(s) against whom the grievance is initiated, (3) a brief description of all informal attempts at resolution, and (4) any other information that the grievant believes to be relevant or helpful. The grievant should attach to the written complaint any documentation in his or her possession bearing on the subject matter of the complaint. The grievant should be aware that initiation of a formal grievance is a serious matter and must not be undertaken over trivial matters or out of malice.

B. Within three days of receipt, the department director, associate dean for student affairs, or assistant dean for postdoctoral programs shall forward the statement of grievance to the chairman of the Grievance Committee of the School of Medicine. The department director, associate dean, or assistant dean shall include his or her own statement that an informal resolution of the grievance has been unsuccessful. Upon receipt of the statement of grievance, the chairman of the Grievance Committee shall send to the grievant a written statement that the grievance is under consideration. The Grievance Committee chairman, in consultation with other members of the Grievance Committee, shall decide whether the grievance presents a grievable issue. If it does not present a grievable issue, the Grievance Committee chairman shall notify the grievant, stating the reasons for the Committee's decision. Otherwise, the Grievance Committee chairman shall notify the person(s) against whom the grievance is filed, and shall provide a copy of the grievant's statement. The Grievance Committee chairman or the chairman's designee shall assemble all relevant documentation and facts. A report of this information shall be forwarded to the parties involved. On the basis of the assembled information, the Grievance Committee chairman or a designee shall attempt to achieve a resolution of the grievance in a manner appropriate to the circumstances. Such a resolution shall be subject to the approval of the dean.

In cases where the Grievance Committee chairman requests that the grievant consult another body within the University, the grievant may resubmit the grievance to the Grievance Committee chairman for action should the other University body decline to consider the matter.

C. If the Grievance Committee chairman or a designee is unable to resolve the grievance to the satisfaction of the parties involved, a subcommittee shall be convened of at least three members of the Grievance Committee acting as a Grievance Panel. No member of the Grievance Committee who has an interest in the matter giving rise to the grievance shall participate in the work of the Grievance Panel; if possible, however, the Panel should include a medical student if the grievant is a medical student or a graduate or postdoctoral student if the grievant is a graduate or postdoctoral student. All pertinent assembled information bearing on the grievance shall be provided to the panel. The Panel shall establish a date at which time the grievant and all others involved shall have the opportunity to appear personally for an airing of the matter. Within a reasonable time after the conclusion of the meeting(s), the Panel shall submit to the dean a

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recommendation for the resolution of the grievance. In cases where the grievance procedure has been initiated against the dean, the recommendation shall be submitted to the provost of the University. The recommendation shall be based on a majority vote of the Grievance Panel. The chairman of the Panel shall vote only in the case of an evenly split vote. In cases where the recommendation is in favor of the grievant, appropriate remedial action shall be suggested. The Grievance Committee shall attempt to resolve grievances within four weeks of receipt of the statement of grievance.

D. The dean (or provost) shall issue a written determination of the grievance within two weeks of receipt of a recommendation from the Grievance Panel. The decision of the dean, or of the provost in the case of a grievance against the dean, shall be the final University action in this matter. If the decision of the dean or provost is to grant remedial relief in favor of the grievant, the grievant, in consideration of the relief being granted, shall execute a complete release of all claims against the University and the School of Medicine, its officers, agents, and employees arising out of the matter giving rise to the grievance.

GMEC Approval Date	Chair, GMEC