



Grievance Procedure for Faculty, Residents, Fellows and Allied Health Learners

Introduction and Purpose

Johns Hopkins Medicine ("Institution") seeks to provide a supportive educational, training, and professional environment. The institution provides several avenues of redress for individuals who believe they have been treated unfairly. The purpose of this procedure is to provide a formal mechanism to resolve grievances of faculty, postdoctoral fellows, residents, and learners of the Institution. This procedure is only to be used to resolve serious matters which meet the definition of a "grievable" matter and cannot be resolved through informal discussions or processes, and is only to be applied after reasonable efforts have been made to settle the dispute informally.

Applicability

This procedure applies to current faculty members, postdoctoral fellows, residents, allied health learners and students (each, a "grievant").

Grievable Matters

A "grievable" matter is a complaint that a grievant has been directly and adversely affected in his/her education, training, or professional activities as a result of an arbitrary and capricious act, or failure to act, or a violation of Institutional policy or procedure by the Institution, or anyone acting officially on behalf of the Institution, other than the matters exempted below.

The following matters are not grievable and are specifically excluded from consideration under this procedure:

- 1) Complaints alleging discrimination or harassment on the basis of sex, gender, marital status, pregnancy, race, color, ethnicity, national origin, age, disability, religion, sexual orientation, gender identity or expression, veteran status, or other legally protected characteristic; sexual misconduct, domestic violence, dating violence, or stalking; or that are otherwise within the purview of the Institution's Office of Institutional Equity ("OIE"). Grievants with such complaints are to be referred to OIE.
- 2) Complaints pertaining to general levels of salary, fringe benefits, or other broad areas of financial management and staffing.
- 3) Complaints that do not involve the grievant's educational, training, or professional activities or institutional Responsibilities.
- 4) Complaints, the resolution or remedy of which would conflict with an Institutional policy, a policy of Johns Hopkins (or its subsidiaries), federal, state, or local law or regulation, or any contract to which the Institution is a party.
- 5) Complaints pertaining to subject matter within the purview of another Institutional policy or procedure. For example, disputes involving grades, promotions, disciplinary action, and matters covered by the Johns Hopkins Personnel Policy Manual are not grievable.

Composition of the Grievance Committee

The Dean shall appoint a standing grievance committee ("Committee") comprised of two or more members of the faculty to serve three-year terms. Committee members may be reappointed for an additional consecutive three-year term. One member shall be appointed as chair. Whenever a grievance is submitted, the Dean shall appoint one or more individuals to serve as ad hoc member(s) who, if possible, should be of the same status as the grievant (e.g., another resident if the grievant is a resident). For any grievable matter addressed by the Committee, the Committee will be composed of an odd number of members. If needed in order to reach an odd number of members, the Dean

shall appoint two individuals as ad hoc members. The grievant may request that the Dean replace one or more members of the Committee if the grievant can reasonably show a bias or conflict of interest within five (5) days of being informed of the composition of the Committee.

Grievance Procedure

The steps to be followed in filing a grievance are described below. At every stage, the grievant may discontinue this procedure if he/she believes that the conflict has been successfully resolved.

1) The grievant must submit a written grievance to the appropriate department director if the grievant is a faculty member or to the Director of Graduate Clinical Education if the grievant is a fellow, resident, or learner. The grievance must be submitted within 30 days of discovery of the decision or event leading to the grievance or the conclusion of an informal dispute resolution process, whichever is later. In the event the grievance is initiated against the grievant's Department Director or Director of GCE, the grievant may instead submit the grievance to the Vice Dean for Faculty.

2) A delay in the filing of the grievance may constitute grounds for rejection of the grievance. The written grievance should include a) a description of complaint, b) the name of the person(s) against whom the grievance is initiated, c) a description of any informal attempts at resolution, d) a description of the remedy sought, and e) any other information the grievant believes to be relevant. The grievant should attach any relevant documentation. The department director or associate dean, as applicable, will forward the grievance and documentation to the Committee for consideration.

3) The standing Committee will determine whether the grievance presents a grievable issue. If the Committee decides that the matter is not grievable, the Committee will dismiss the grievance and provide written notification to the grievant stating the reasons for such decision. Such decision shall be final and may not be appealed. If the Committee determines that the matter is grievable, the Dean will appoint an ad hoc member(s) to the Committee as provided for above. The Committee will provide written notification to the parties and assemble the relevant documentation and facts. The Committee may interview and/or request additional information from the grievant, the individual against whom the grievance is initiated, witnesses, and relevant University personnel. The Committee will formulate its findings and recommendations based on a majority vote and will forward its recommendation in writing to the Dean.

4) The Dean will inform the parties to the grievance in writing of his/her decision and the reasons for the decision. The Dean's decision is final and binding on all parties to the grievance.

Administration

A good faith effort will be made to complete the process within 90 days, but this time frame may be extended as reasonably necessary. Legal counsel for any party may not participate in meetings or deliberations pursuant to these procedure. The Office of the General Counsel will not act as the prosecutor or defender of any party, but will act as an impartial legal advisor to the University. Any reference to the "Dean" made herein shall mean the Dean and/or the Dean's designated Vice Dean.