

## Grievance and Appeal Procedure

Proposed actions in change of resident status (including suspension, termination, non-renewal of contract, and/or non-promotion) are subject to this grievance/due process procedure.

- I. The resident shall be advised in writing of the residency Program Director's decision of suspension, termination, non-renewal of contract, and/or non-promotion. That notification shall include a written explanation from the Program Director detailing the reason(s) for such action. The written notification also shall advise the resident of the right to request a hearing pursuant to this paragraph.
- II. Within ten (10) days of the written notification of suspension, termination, non-renewal of contract and/or non-promotion, the resident may request a hearing before a committee. The resident's request shall be in writing and submitted to the Program Director.
- III. The committee shall consist of at least one (1) member of the Teaching Faculty, one (1) representative from the United Hospital Center Human Resources Department, and one (1) resident. The committee shall elect one of these members to preside as Chair at the hearing. The faculty and resident members will be appointed by the program Director for each hearing requested.
- IV. The committee shall convene the hearing within (10) days of the resident's written request and shall notify the resident in writing of the date, time, and place for the hearing as soon as possible, but not less than seventy-two (72) hours in advance of the hearing.
- V. The resident and the program Director or his/her designee shall be present at the hearing and each shall present such information or materials (oral or written) as they wish to support their case. No other representatives shall be present during the hearing. Each party shall be permitted to review all materials.
- VI. Neither the Program Director nor any designee acting in his/her place shall be allowed to vote or to be present during the committee deliberations.

- VII. A majority vote of the committee shall decide the issue(s) before it. The committee shall render a decision affirming, reversing, or modifying the proposed change in the resident's program status.
- VIII. Regardless of the outcome of the hearing, the committee will provide the resident and the Program Director with a written statement of its decision and the reason(s) for such decision within ten (10) days from the date of the conclusion of the hearing. If written materials are submitted to the committee, such materials shall be appended to the committee's report.
- IX. The decision of the committee is final and binding, unless the resident or Program Director appeals the decision within five (5) working days, submitting a written request for a review along with a written explanation of the reason for the appeal. That request for reconsideration is given to the President and Chairman of the Board of Directors of United Hospital Center in a sealed envelope. The Chairman of the Board of Directors shall appoint an Ad Hoc committee to review and recommend action.
- X. The Ad Hoc appeal committee shall consist of two (2) members of the medical staff and three (3) members of the Board of Directors, none of whom may be current faculty members in the residency program in question. The Ad Hoc appeal committee shall begin deliberations within ten (10) days of receipt of the written request for interview. The recommendation of the Ad Hoc committee shall be made within thirty (30) days. The appeal committee's recommendation, together with the previous decision of the residency program's Due Process Committee shall be considered by the Board of Directors at its next regularly scheduled meeting at which time it shall issue a final and binding decision, which shall promptly be communicated to the resident in writing.