

Clinical Associates Postdoctoral Fellowship Due Process & Grievance Procedures

Due Process Procedure

If a trainee's behavior is deemed problematic and/or the trainee receives a rating of "Unsatisfactory" or "Needs Improvement" from any of the evaluation sources, the following procedures may be initiated. These follow a basic Notice, Hearing and Appeal structure.

1. Notice. The trainee will be notified in writing by the training director of the specific concerns. The trainee's supervisor will meet with the Training Director no later than 3 weeks after the trainee has been notified of a deficiency and/or problematic behavior to discuss the problematic behavior or inadequate rating and determine what action needs to be taken to address the issues reflected by the problematic behavior or rating.

2. Hearing. The trainee will be notified in writing at least one week in advance that a hearing is scheduled and the trainee will have the opportunity to provide a statement related to his/her response to the problematic behavior or rating.

In discussing the problematic behavior or rating and the trainee's response (if available), the Director of Training may adopt any one or more of the following methods:

i) The first step to address a problematic behavior or rating would be an attempt at informal resolution. The Director of Training may recommend remedial training for the trainee that may include completing additional reading, taking a course pertinent to the problematic area, or preparing a presentation that would require the trainee to consolidate his or her knowledge of the subject matter in question. Other informal remedial actions may also be suggested to address the unique circumstances of the trainee at the discretion of the Director of Training.

ii) If an informal resolution to problematic behavior or rating cannot be achieved, the trainee's direct supervisor, with the approval of the Training Director, will issue an "Acknowledgement Notice" formally acknowledging the following:

- a. That supervisors are aware of and concerned with the problematic behavior or rating.
- b. That the problematic behavior or rating has been brought to the attention of the trainee
- c. That supervisors will work with the trainee to specify the steps necessary to rectify the problem or skill deficits addressed by the problematic behavior or rating, and:
- d. That the problematic behaviors or rating are not significant enough to warrant serious action.

iii) The third course of action is to place the trainee on "Probation" which defines a relationship such that supervisors and the Director of Training actively and systematically monitor, for a specific length of time (up to 6 months), the degree to which the trainee addresses, changes and/or otherwise improves the problematic behavior or conduct associated with the rating. The probation is a written statement to the trainee and includes: The actual problematic behaviors or rating, the specific recommendations for rectifying the problem, the time frame for the probation during which the problem is expected to be remedied, and the procedures designed to ascertain whether the problem has been appropriately rectified.

The Probation document will be prepared by the trainee's direct supervisor in collaboration with the Training Committee and will be approved by trainee's direct supervisor and the Training Director.

iv) The Director of Training may also determine that the disposition is to "Take no further action." The Director of Training will then meet with the trainee to review the action taken. If "Probation," is determined, the trainee may choose to accept the conditions or may choose to challenge the action (see Appeals section below).

Once the Acknowledgment Notice or Probation is issued by the Director of Training, it is expected that the status of the problematic behavior or rating will be reviewed no later than the next formal evaluation period or, in the case of probation, no later than the time limits identified in the probation statement (up to 6 months). If the problematic behavior or rating has been remedied to the satisfaction of supervisors and the Director of Training, the trainee and other appropriate individuals will be informed, and no further action will be taken. If the trainee is placed on probation and the issue is not satisfactorily resolved during the probationary period, but progress has been achieved, the probationary period may be extended up to an additional three months at the discretion of the trainee's direct supervisor with the approval of the Training Director.

3. Appeal. If no progress has been realized during the probationary period, the Training Director may notify the trainee of an intent to terminate the fellowship after consulting with the Training Committee. The trainee would then have 10 days in which to seek an appeal. If an appeal is not sought, the trainee will be notified of termination from the program.

Appeal Process

Attempts to resolve disagreements will be undertaken immediately as outlined below. If the trainee disagrees with the decision to initiate (or extend) a formal remediation plan approved by the Training Committee, the trainee may appeal in writing to the Training Director within one (1) week following the decision to initiate (or extend) the remediation plan. The Director may attempt to mediate the dispute in collaboration with the trainee and their direct supervisor. If the disagreement remains unresolved after mediation, the postdoctoral fellow has the right to appear before the Training Committee at the next scheduled training committee meeting to appeal a decision. The postdoctoral fellow may also solicit additional professionals to present on their behalf during this appeal if desired. After hearing the trainee's appeal in person, the Training Committee will decide if the remediation plan should be altered.

The Training Committee will have one week to inform the trainee of their decision. If a disagreement remains, and cannot be resolved through informal mediation, the trainee may submit a second appeal in writing within two weeks of being notified on the Training Committee's decision. The Training Director will appoint a three-person advisory committee consisting of training faculty not directly involved in supervising the trainee to review the appeal. The Appeals Committee will provide a written report delineating the committee's findings and recommendations to the Training Director within 30 days.

Grievance Procedures

1. It is the program's intent to be receptive to all trainees' expression of problems encountered during fellowship training and to make reasonable and timely efforts to resolve any causes of trainee dissatisfaction.

2. The training team are expected to be candid and to act in good faith in dealing with problems and dissatisfaction expressed by fellows. No faculty member will interfere with a trainee's right to express or

file a grievance. Fellows are assured freedom from restraint, discrimination, or reprisal in exercising that right.

3. Unless a fellow has grave reservations about expressing dissatisfaction to his/her immediate supervisors, any problem or dissatisfaction should initially be addressed on the first relevant level, to the supervisors.

4. If a satisfactory resolution cannot be achieved on that level the issues should be taken to the Training Director (assuming that was not done as part of step #3).

5. Upon receipt of the written grievance, the Training Director, or their designee, will convene a Grievance Committee consisting of the Training Director or designee and two other training faculty members.

6. The Grievance Committee will have 30 days to resolve the grievance if possible. If not, the Committee may take any or a combination of the following actions:

- a. Refer the grievance to the next scheduled Training Committee meeting
- b. Call a special Training Committee meeting to consider the grievance.
- c. Consult with legal counsel
- d. Consult with other professional organizations (e.g., APA, APPIC)
- e. Advise the Training Committee on areas of concern in the management of the grievance.

7. The Grievance Committee will maintain minutes of all meetings. The Committee will also retain records of all documentation, such as written summaries.

8. The full Training Committee, upon request of the Grievance Committee, will review and evaluate grievances not resolved at any lower level within 60 days. The decision of the full Training Committee will be determined by majority vote excluding the member(s) involved in the grievance.

9. If the fellow is not satisfied with the decision of the Training Committee, they may consult with the American Psychological Association, the Association of Psychology Postdoctoral and Internship Centers, or consult legal counsel. At any stage of the process fellows may consult formally or informally with the Training Director, American Psychological Association, the Association of Psychology Postdoctoral and Internship Centers, or legal counsel about their problems, dissatisfactions, or grievances.