



## GRADUATE MEDICAL EDUCATION COMMITTEE POLICY NO. 25

- A. SUBJECT: Learner Mistreatment
- B: EFFECTIVE DATE: January 21, 2015
- C: POLICY: Policy on Learner Mistreatment

The University of Virginia Medical Center is committed to maintaining an optimal clinical learning environment to achieve safe and high quality patient care and requires the highest standards of behavior from all those who are involved in clinical learning environment, including faculty members, Trainees, staff, and all other health care Practitioners.

The University Medical Center maintains its commitment to preventing learner mistreatment by providing a procedure for reporting instances of learner mistreatment, by providing support for learners subjected to mistreatment, and by responding with corrective action. This policy is intended to ensure an optimal clinical learning environment in which all learners may raise and resolve issues without fear of intimidation or retaliation.

This policy should be considered as supplemental to [Medical Center policy #0262, Standards for Professional Behavior.](#)

### D: STANDARDS

Trainee mistreatment will not be tolerated in the clinical learning environment. Examples of inappropriate behavior or situations that would be unacceptable include the following, but are not limited to:

- Threatening or abusive language, profanity or language that is perceived by others to be demeaning, berating, rude, loud or offensive, and/or
- Actual or threatened inappropriate physical contact that is unrelated to the provision of healthcare (Assault), and/or
- Other forms of behavior that are perceived as intimidation or harassment by learners or others working within the Medical Center, and/or
- Derogatory comments and jokes pertaining to race, age, color, disability, national or ethnic origin, political affiliation, religion, sex (including pregnancy), sexual orientation, or veteran status. stereotypic or ethnic connotation, and/or
- Inappropriate or unprofessional criticism intended to belittle, embarrass, or humiliate a Trainee or others, and/or
- Requiring a trainee to perform menial tasks intended to humiliate, control, or intimidate the Trainee, and/or
- Unreasonable requests for a trainee to perform personal services, and/or
- Grading or assigning tasks used to punish a Trainee rather than to evaluate or

- improve performance, and/or
- Purposeful neglect or exclusion from learning opportunities as means of punishment, and/or
- Sexual misconduct (refer to [University Policy #HRM-040](#)), and/or
- Discrimination, harassment, and/or retaliation (refer also to [University Policy #HRM-009](#)), and/or
- Disregard for Trainee safety.

While constructive criticism is appropriate in certain circumstances in the clinical learning environment, it should be handled in such a way as to promote learning, avoiding purposeful humiliation. Feedback that has negative elements is generally more useful when delivered in a private setting that fosters discussion and behavior modification. All feedback should focus on behavior rather than personal characteristics and should avoid pejorative labeling.

#### E: COMMUNICATION OF COMPLAINTS BY TRAINEES

Communication of the Complaint: When reports of learner mistreatment and a negative learning environment involving Trainee(s) or witnessed by Trainee(s), multiple avenues must be provided for both direct and anonymous reporting given the sensitive nature of complaints and the perceived power differential in lodging complaints. Reports of mistreatment or unacceptable behavior are handled confidentially to the extent possible given the obligation to investigate the report.

In addition to the process outlined in the Medical Center policy #0262, the following include avenues of reporting instances of learner mistreatment or a negative learning environment:

- Trainee meets with Chief Resident or Housestaff Council President
- Trainee meets with Program Director
- Trainee meets with other member of faculty
- Trainee meets with Chairman
- Trainee meets with DIO or member of GMEC
- Trainee uses confidential GME hotline (434-806-9521)
- Trainee makes comment during Annual Program Evaluation
- Trainee makes comment during anonymous faculty evaluation

Information about complaints of learner mistreatment or a negative learning environment will be shared only with individuals essential to achieve resolution. Trainees must feel free to bring complaints without fear of retaliation, and those receiving complaints must not retaliate. Medical students experiencing mistreatment by a trainee in a teaching role should refer to [School of Medicine Policy 4.2000](#). Trainees experiencing mistreatment by a member of the Medical Center staff or a member of the Clinical Staff shall refer to Medical Center Policy 0262.

#### F: RESOLUTION PROCEDURES FOR TRAINEES

Resolution procedures will follow [Medical Center Policy 0262, Standards for Professional Behavior](#).

Reviewed in the GME Policy Subcommittee: September 9, October 14, December 9,  
2014 & January 13, 2015  
Approved: GMEC, January 21, 2015