

GRIEVANCE & DUE PROCESS

The internship program is designed with professional and personal growth and development in mind. We expect that interns will enter the program with skills that need further development and that interns will experience some challenges that create problems that need to be addressed, either through an informal or formal process.

It is a goal of the internship program to provide opportunities for interns to acknowledge and address areas of concern. In the majority of cases, areas of concern are restricted to developmental problems and can be resolved through means agreed upon in an informal setting. In some cases, a more formal process is needed to outline steps to be taken. Both options will be described in this document.

Since every aspect of the intern's work is supervised in some way, the particular supervisor for the activity in question is the person responsible for communicating a concern and developing a remediation plan if needed. If the concern or deficiency is not related to a specific activity or supervisory relationship, the Training Director is responsible for addressing the issue with the intern or for identifying the person best suited to do so.

We encourage informal conflict resolution whenever possible, when the issue of concern is one that does not warrant disciplinary action. In cases where state or federal laws have been violated, the dictates of the law precede the disciplinary/grievance process.

INFORMAL CONFLICT RESOLUTION

Anyone, intern, staff or service recipients, can state a concern and has the right to have that concern addressed. Ideally, the person who has a concern will be able to resolve that in discussion with the individual about whom the concern is stated. In some cases, it may be either more appropriate or more effective to share the concern with a supervisor who can assist in resolving the conflict.

Some Examples:

- a) If there is a concern/complaint about the clinical work of an intern, the intern's clinical supervisor is the person most likely to address that with him/her. It is the responsibility of the

supervisor to either articulate or put in writing for the intern the nature of the concern. They will then discuss methods for addressing the concern. This is the most typical route for finding workable solutions. If the problem addressed is of a more serious nature, the supervisor will consult with the Director of Training about possible further action.

- b) If a support staff has a complaint about an intern's interaction with him/her, the Training Director is responsible for addressing the issue with the intern. Ideally, there will be a resolution reached through discussion.
- c) If an intern is dissatisfied with the nature of his/her interaction with a staff member, this may be addressed directly with the particular individual or may be brought up in discussion with a supervisor or the Training Director.

Problematic Behavior

There are circumstances under which an intern's behavior may be considered problematic, rather than developmental. Problematic behavior refers to behavior which interferes with professional functioning in one or more of the following ways:

- The intern does not acknowledge, understand or address the problem when identified;
- The problem is not merely a reflection of a skill deficit that can be rectified by academic or didactic training;
- The quality of services delivered by the intern is consistently negatively affected;
- The problem is not restricted to one area of professional functioning;
- A disproportionate amount of attention by training personnel is required and/or;
- The intern's behavior does not change as a function of feedback, remediation efforts, and/or time.

In addition, an intern may demonstrate certain behavior, attitudes or characteristics that go beyond the developmental areas of professional growth expected of a professional in training. Examples include:

- Inability and/or unwillingness to acquire and integrate professional standards to one's repertoire or professional behavior;

- Inability to acquire professional skills in order to reach an acceptable level of competency;
- Inability to control personal stress, psychological dysfunction and/or excessive reactions that interfere with professional functioning. (Lamb et al., 1993)

When a combination of interventions does not rectify the problem or when the intern seems unable or unwilling to halt his/her problematic behaviors attitudes or characteristics, the Intern Training Committee may need to take more formal action. Problematic behavior may be addressed in a formal manner, if informal resolution is not considered appropriate.

FORMAL GRIEVANCE PROCESSES

When an intern receives an “inadequate” rating at any time during an evaluation process, the following action is taken:

1. The **Intern Training Committee** meets to review the rating and develop a course of action;

The Intern Training Committee typically consists of the intern’s Clinical Supervisor and Training Director, or designee)

2. The intern is informed that the Intern Training Committee is meeting and has the opportunity to provide information related to the rating;

3. The Committee makes a decision that is shared with the intern. Possible decisions include:

- a) no further action required;
- b) warning
- c) a remediation plan identified and instituted;
- d) Probation
- e) Termination

Both the intern and the Committee are expected to provide relevant information in a timely manner.

Definitions:

(as adapted from Department of Psychiatry and Behavioral Neurobiology, University of Alabama at Birmingham)

Verbal Warning: The intern is given verbal feedback from a supervisor and/or the Training Director to emphasize the need to discontinue the inappropriate behavior under discussion. No record of this action is kept.

Written Warning: The intern is given written feedback indicating the concern of the Training Director and Intern Training Committee regarding the problematic behavior. The feedback also documents the discrepancy between the intern's performance and the agency's expectations. A remediation plan is outlined as specifically as possible (target behaviors, timeline, etc.) and the implications of failure to accomplish remediation are reviewed.

A copy of this letter will be kept in the intern's file. Removal of this letter at the end of the internship will be considered by the Training Director and the Intern Training Committee.

Probation: The intern is given a time-limited, remediation-oriented, closely supervised training period. The purpose is to assess the ability of the intern to complete the internship and to return the intern to a more fully functioning state. Privileges may be revoked and the intern may be terminated for unsuccessful completion of the remediation plan outlined in the probation terms. Probation terms will include identification of the specific behaviors targeted for remediation, the process suggested for remediation and the means of reevaluating behavior change. Information regarding Probation remains in the intern's file along with written confirmation of the results following the probationary period.

Termination: Dismissal from the internship results in permanent withdrawal of all internship responsibilities and privileges. When remediation plans do not rectify the problem behavior or concerns the Training Director and the Intern Training Committee will determine the possibility of termination of the intern's position. This action is considered the last available option and is taken seriously by the Training Director and Intern Training Committee.

Terminated interns will not receive a certificate of internship completion.

Remediation Plan

The necessity for designing a remediation plan will involve multiple sources, including at least an individual supervisor and the Training Director. A summary of all written remedial plans will be sent to the intern's home academic department. Possible steps for remediating problems may include (but are not limited to):

1. Increasing the amount of supervision time;
2. Involving an additional supervisor;
3. Shifting the focus of supervision or modifying the supervision format used;

4. Adjusting, reducing or limiting the intern's workload (e.g., clinical, administrative);
5. Requiring additional academic or didactic training;
6. A recommendation/requirement of personal therapy and/or a leave of absence;

When a combination of remediation steps does not rectify the problem or the intern is unable or unwilling to rectify the problem, C&CS may need to take a more formal action such as (but not limited to):

1. Placing the intern on probation with specific performance expectation to be successfully met within a predetermined time frame - unless which termination of contract will result
2. Giving a limited endorsement, specifying areas of clinical work that the intern is competent to perform;
3. Designing a remediation plan involving additional time at C&CS to complete the internship;
4. Terminating the internship contract;
5. Recommending a career shift;
6. Reporting unsuccessful completion of the internship to the academic program

Any of the above requires agreement of the Training Director, C&CS Director and UHS Director.

Addressing Serious Violations

There are behaviors that extend beyond "problematic behaviors" and are regarded as more serious violations that may require the filing of a grievance and activation of a formal review.

Such behaviors include, but are not limited to, the following:

- Sexual Harassment
- Insubordinate behavior
- Exploitative or abusive behavior
- Behaviors not listed elsewhere in this document but which represent an infringement on the rights, privileges and responsibilities of trainees, professional and supportive staff and/or other volunteers/employees or clients of UHS
- Removal of a client or patient's protected health information from C&CS
- Violation of the APA Code of Ethics
 - If an intern is charged with violating the APA Code of Ethics, s/he may be temporarily suspended from engaging in any and/or all clinical or direct services (e.g., supervision of master's level practicum student). The Training Director makes this decision in consultation with the C&CS Director. The suspension is immediate

upon verbal notification, with written notification (including reasons) received by the intern within one working day.

A formal Investigative Committee of at least three members, chaired by the Training Director or designee, will be established within three working days to monitor the situation and to establish a corrective or remedial plan.

If formal action is required, the intern is informed of such action in writing and then indicates whether s/he accepts or challenges the action.

If the intern accepts the decision, implementation occurs and the home institution is notified in writing.

If the intern challenges the decision, grievance procedures are initiated.

Again, please note that dictates of the law take precedence over any formal or informal processes at C&CS.

APPEALS PROCEDURES

If an intern does not agree with a written evaluation and discussion with the supervisor does not resolve the issue, or if an intern does not agree with the decision of the Intern Training Committee or Investigative Committee, the intern may submit a letter of addendum or disagreement to be attached to the specific supervisor's evaluation or Committee recommendation, then to be forwarded to the Training Director. In this letter, the intern may also request an appeal based on:

- 1) Denial of due process in the evaluation/grievance procedure (e.g., evaluation criteria not presented prior to evaluation or opportunity to demonstrate proficiency not provided prior to evaluation)
or
- 2) Denial of opportunity to present data to refute criticisms in the evaluation/grievance process.

The request must be submitted no later than five (5) working days after the evaluation is finalized, must identify the specific aspect of the evaluation with which the intern disagrees and must suggest what form of modification is requested.

If an appeal is appropriately requested, the following steps will be taken:

- A. An Appeals Committee, made up of three staff members, will be formed within ten working days of receipt of the appeal. The intern may designate one member of the Appeals Committee from the senior staff. The C&CS Director, or designee, will designate the other two, with recommendations from the Training Director, or designee. The Training Director and the C&CS Director are prohibited from serving on the Appeals Committee.
- B. The Training Director, or designee, is responsible for convening the committee and the C&CS Director, or designee, presides. Both review the appeal procedures and make sure that no committee member has a conflict of interest in the case presented.
 - a. The intern and the supervisor(s) involved will be notified when the appeal meeting will be held.
 - b. The Appeals Committee may request the presence of a written statement from the individuals involved, as deemed appropriate.
 - c. The intern may submit to the committee any written statements deemed appropriate, may request a personal interview or may request that the committee interview other individuals with relevant information. The involved supervisor also has these same privileges.
 - d. The committee will meet within 30 working days of the receipt of the appeal and will present a written summary of the committee's findings and any recommendations to the Training Director.
- C. The Training Director will take action based on the Appeals Committee's findings.

Examples of outcomes might include (but are not limited to):

1. Accept the original evaluation report and recommend a plan of remediation;
2. Request that the supervisor write a new report to include specific changes;
3. Rewrite the report him/herself or add an addendum to the original evaluation;
4. Recommend that probation or another remedial plan be implemented.

The recommendation of the Training Director is to be communicated in writing to the intern in a timely manner.

- D. If the intern is dissatisfied with the decision of the Training Director, she/he may request that a second and final review be made by the C&CS Director. The request must be submitted to the C&CS Director within five working days after receiving the Training Director's written decision.
- E. All appeals and outcomes are reported by the Training Director to the home academic department and to all current supervisors.

REFERENCES

American Psychological Association (2002). Ethical Principles of Psychologists and Code of Conduct. Washington, D.C.

Guidelines for Providers of Psychological Services to Ethnic, Linguistic, and Culturally Diverse Populations (1993). American Psychologist, 48, 45-48.

Lamb, D.H., Presser, Pfof, Baum, Jackson, & Jarvis (1987). *Confronting professional impairment during the internship: Identification, due process and remediation*. Professional Psychology: Research and Practice, 18, 597-603.

Acknowledgment of adaptation from written materials from University of Minnesota's *Trainee Evaluation and Due Process*, University of Denver's *Grievance Procedures*, University of Utah's University Counseling Center's *Psychology Internship Training Manual 2009-2010* and University of Alabama at Birmingham's [Department of Psychiatry and Behavioral Neurobiology](#)'s *UAB Psychology Training Consortium Policies and Procedures, 2010*.