

## **Process for Faculty Remediation due to Professionalism Related Concerns**

Effective Date: January 1, 2019

Responsible University Official: Robert W. Wilmott, Vice Dean of Medical Affairs, School of Medicine

In cases of unprofessionalism and mistreatment<sup>1</sup> by a faculty member in the learning environment, action steps will be taken as outlined below. If or when a situation is deemed egregious by the Office of Professional Oversight, Learning Environment Committee, or Associate Deans, the process below could be accelerated. In situations where a faculty member's behavior creates risk to patient care or the overall learning environment, this process may be accelerated.

### **Process & Confidentiality:**

When the Office of Professional Oversight (OPO) receives a report of unprofessionalism and/or mistreatment by a faculty member that impacts the learning environment, the Director of the OPO will contact the reporting party, request additional information, and outline the steps associated with investigating the report. Once this initial investigation is concluded, the Director of the OPO will contact the reporting party and engage with the faculty member consistent with the level of concern as outlined below. The Director of the OPO will also follow up in a timely manner with the reporting party (typically 30 days or less).

While confidentiality remains a priority throughout the process, it should be noted that for any level of concern or step in the process, reports may be forwarded as necessary to individual Associate Deans within the School of Medicine (Faculty Affairs, Graduate Medical Education and Student Affairs), the Vice President, Human Resources, or the Director, Office of Institutional Equity and Diversity. If reports are forwarded to the previously mentioned bodies, the reporting party (if identified) will be notified. If deemed appropriate, and in following accreditation requirements, reports and remediation interventions at all levels may be shared with supervisors, program directors and clerkship directors.

### **Remediation Interventions:**

To support faculty and their professional growth, remediation resources and intervention options have been identified and are available for use at any level of professionalism-related issues. Options may include but are not limited to:

- Formal letter of apology to the impacted individual
  - One-on-one coaching with the Office of Professional Oversight (typically 3 visits)
  - Effective Communication Workshop through the UHP Behavioral Health Program
  - Imprensia Leadership and Communication Coaching
  - Javelin Learning Solutions (online coaching for healthcare professionals)
  - Fit for duty evaluation and/or counseling<sup>2</sup>
  - Missouri Physician Health Program
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- Saint Louis University Department of Human Resources

- Suspension of services, limited responsibilities, suspension of pay, non-renewal of contract and termination<sup>2,3</sup>

## **Level 1 Concern:**

**Isolated Incident (low risk/harm):** Defined as minimal risk to members of the learning environment. Examples include but are not limited to: verbal/written communication, failure to attend required activities, unprofessional workplace attire and or behaviors.

The Office of Professional Oversight (OPO), will hold an informal conversation (e.g., invitation to have a cup of coffee) with the faculty member. The Director of OPO will hold a brief conversation, introducing the issue that was reported, its impact on the learning environment and remind the individual of the expectations contained in Saint Louis University Code of Ethical Conduct for Faculty as signed and acknowledged by the faculty member.

**Isolated Incident (heightened risk/imminent harm):** Examples include by are not limited to: threats or direct impact by physical and/or emotional harm, public humiliation, denial of opportunity based on gender, race, sexual orientation, requests to complete unfair and/or unrelated work tasks.

**\*Any issues related to harassment or discrimination based on a protected classification will be forwarded to the Office of Institutional Equity and Inclusion as contemplated by the University's Policy on Harassment and Sexual Misconduct Policy.**

The OPO will hold an informal conversation (e.g., invitation to have a cup of coffee) with the faculty member. Due to the increased concern, the Office of Faculty Affairs and Professional Development (OFAPD) will be offered as a resource to the faculty member. The Director of Professional Oversight will lead an education-based conversation with the faculty member pointing out the issues being reported, our commitment to providing a quality learning environment and process related if the issue should continue.

## **Level 2 Concern:**

### **Recurring Incident:**

If a faculty member is reported within 2 years of a previously documented incident, this will be determined to be a recurrence. The OPO will notify the OFAPD and the supervisor (Chair/Division Director/Dean) when a faculty member is reported to have repeatedly acted unprofessionally within the learning environment. Details related to the report may be shared with the OFAPD and the faculty member's supervisor. Because the incident is recurring, the OPO will request that the supervisor be present in the meeting with the faculty member to review the report and subsequent follow-up. The Associate Dean for OFAPD will review all documentation associated with the report and provide consultation to the faculty member. If warranted, the OPO (in conjunction with OFAPD) can make recommendations to the supervisor for remediation/improvement.

If issues persist regarding professionalism and/or documented behaviors involving a faculty member, the OPO, in conjunction with OFAPD, will work with the immediate supervisor to establish a required Performance Improvement Plan (PIP) including zero tolerance language. The PIP will be signed by the

faculty member, Chair and Associate Dean for Faculty Affairs. The direct supervisor would be responsible for approving communication and providing notification to the faculty member regarding required performance improvement plan. (See example list of improvement plans above).

In addition, a formal letter will be placed in the faculty member's file and the supervisor will be expected to document concerns related to professionalism and/or mistreatment in the faculty member's annual review.

### **Level 3 Concern:**

#### **No Changes:**

If problems persist and no evidence of behavioral change occurs, the Department under guidance of the Chair, together with OFAPD and the OPO will notify Human Resources and the Dean of the School of Medicine. Sanctions short of termination are contemplated under Section III.I.8 of *The Faculty Manual* and include, but are not limited to, loss of teaching privileges and limitation of professional services. Recommendations for non-renewal of a faculty member's appointment or termination of a faculty member's tenure and/or appointment may be considered with Sections III.I.1, II.I.4, II.I.5, and II.I.6 of *The Faculty Manual*.

In addition, a formal letter will be placed in the faculty member's file and the supervisor will be expected to document concerns related to professionalism and/or mistreatment in the faculty member's annual review.

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<sup>1</sup>[The 2018-2019 Code of Ethical Conduct for Faculty](#) outlines expectations and restrictions of behavior that are expected of all full-time, part-time, emeritus and endowed faculty. See Appendix 1

<sup>2</sup>Denotes remediation processes that will be considered in egregious circumstances

<sup>3</sup>When considering recommendation of suspension of services, limited responsibilities, suspension of pay, non-renewal of contract or termination, an *ad hoc* Committee composed of 3 peer faculty will review all information and decide whether a hearing is necessary. The Committee will set a date for a hearing and will hear from witnesses and the faculty member. The faculty member or the School may not retaliate against any witness in any way; evidence of any retaliation may be introduced and considered by the Committee. The Committee will decide on sanctions that will be communicated to the faculty member within 5 working days. The purpose of the Committee is to provide the faculty member an opportunity to be judged by peers. An appeal of sanctions can be made to the Professional Relations Committee as outlined in the *Faculty Manual*.