



**University Health & Counseling Services
Case Western Reserve University**

**INTERN COMPLAINT OR GRIEVANCE ABOUT SUPERVISOR, STAFF MEMBER,
TRAINEE, OR THE TRAINING PROGRAM**

There may be situations in which the intern has a complaint or grievance against a supervisor, staff member, another trainee, or the program itself, and in which the intern wishes to file a formal grievance. The following steps are intended to provide the intern with a means to resolve perceived conflicts that cannot be resolved by informal means. Interns who pursue grievances in good faith will not experience any adverse personal or professional consequences. The intern who wishes to file a formal grievance should:

1. Raise the issue with the supervisor, staff member, other trainee, or Training Director in an effort to resolve the problem.
2. If the matter cannot be resolved, or it is inappropriate to raise the matter with the other individual, the issue should be raised with the Training Director. If the Training Director is the object of the grievance, or is unavailable, the issue should be raised with the UH&CS Director of Counseling.
3. If the Training Director cannot resolve the matter, the Training Director will choose an agreeable staff member acceptable to the intern and request that staff member attempt to resolve the matter. Written material will be sought from both parties.
4. If resolution fails, and the complaint is against another trainee or the program, the Training Director will convene a review panel consisting of the UH&CS Director of Counseling, and two non-supervisory staff members of the intern's choosing. The review panel will review all written materials (from the Intern and the other party(ies) and have an opportunity, at its discretion, to interview the other individuals with relevant information. The review panel has final discretion regarding outcome. If resolution fails and the complaint is against a staff member, grievance procedures dictated by CWRU personnel policies will be followed.
5. An intern who believes that he or she has experienced sexual harassment should request a copy of the CWRU sexual misconduct policy and procedures from the Office of Inclusion, Equal Opportunity and Diversity. Please note that the subject of the complaint/grievance may fall under specific CWRU policies and procedures as specified by the Office of Inclusion, Equal Opportunity and Diversity, in which case those policies and procedures shall govern resolution of the matter. Please be directed to <http://www.case.edu/diversity/> for more information.

**DUE PROCESS:
PROCEDURES REGARDING INADEQUATE PERFORMANCE BY AN INTERN**

Definition of Inadequate Performance

Inadequate performance is defined broadly as an interference in professional functioning that is reflected in one or more of the following ways: 1) An inability and/or unwillingness on the part of the intern to acquire and integrate professional standards into one's repertoire of professional behavior; 2) an inability to acquire professional skills in order to reach an acceptable level of competency; and/or 3) an inability to

control personal stress, strong emotional reactions, and/or behaviors which interfere with one's professional functioning.

Remediation and/or Sanction

Remediation and/or sanction actions are implemented when inadequate performance includes one or more of the following characteristics:

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

The corrective action process will follow the following steps and may be initiated by either the intern's supervisor or the Training Director (TD):

1. **Written Acknowledgement.** Written acknowledgement formally acknowledges the concern with the performance, that the issue has been addressed with the intern, and the actions that will be taken to address the issue. The written acknowledgement will be removed from the intern's file when the intern adequately responds to the concerns and successfully completes the internship.

2. **Written Warning.** The written warning letter indicates the need to discontinue an inappropriate action or behavior. This letter will contain:

- a. a description of the intern's unsatisfactory performance;
- b. actions needed by the intern to correct the unsatisfactory behavior;
- c. the timeline for correcting the problem;
- d. what action will be taken if the problem is not corrected; and
- e. notification that the intern has the right to request a review of this action.

A copy of this letter will be kept in the intern's file. Consideration may be given to removing this letter at the end of the internship through consultation with the intern's supervisor and Training Director (TD). If the letter is to remain in the file, documentation should contain the position statements of the parties involved in the dispute.

Other remediation or corrective actions that may be considered include:

Schedule Modification

Modifying an intern's schedule is an accommodation made to assist the intern in responding to personal reactions to environmental stress, with the full expectation that the intern will complete the internship. Several possible courses of action may be included in modifying a schedule. These may include:

- a. Increasing the amount of supervision, either with the same or other supervisors;
- b. changing the format, emphasis, and/or focus of supervision;
- c. recommending personal therapy
- d. reducing the intern's clinical or other workload
- e. requiring specific academic course work.

Probation

If the supervisor determines that there has not been sufficient improvement in the intern's behavior to remove the written warning or modified schedule, then the supervisor and TD will implement a probationary period for the intern. A probationary period would involve close supervision with active

involvement from both the supervisor and TD. All detail, requirements, and expectations of the probation period will be in writing. The supervisor and the TD will meet a minimum of once a month during the probationary time to monitor the intern's progress in addition to the intern's weekly supervision. It is the decision of the TD as to whether or not the intern during this time should continue seeing clients. The TD will discuss the intern's status with the intern's graduate program training director. When requirements and expectations of the probationary period have been satisfactorily met, as determined by the supervisor and the TD, the intern and the intern's graduate program training director shall be notified in writing that the probationary period is terminated.

Dismissal

Dismissal from the internship may occur if probationary attempts are deemed to have little or no behavioral impact or it has been determined that the intern has violated APA ethics and/or state laws, and/or safety and welfare concerns require immediate dismissal. This action is decided by the TD and the UH&CS Director of Counseling. The intern will be notified, if appropriate, in person and provided with a written letter of the decision to dismiss. The TD will report the decision to the intern's graduate program training director.

Please note that the intern's inadequate performance may fall under a specific CWRU policy and procedure, in which event such policy or procedure shall govern resolution of the matter.

Appeal

In the event that an intern does not accept the finding of the due process review, the intern will submit, in writing, an appeal within 10 working days of the finding. A review panel consisting of the UH&CS Director of Counseling and two non-supervisory staff members will review all written materials and have an opportunity, at its discretion, to interview other individuals with relevant information. The review panel will have 10 working days to review materials and interview others (if necessary) and arrive at a resolution. The review panel has final discretion regarding outcome and will report the decision to the intern's graduate program training director.