



Faculty of Medicine

## Respectful Learning Environment for Medical Education

<b>Office of Accountability:</b>	Office of the Dean of Medicine
<b>Office of Administrative Responsibility:</b>	Postgraduate Medical Education Office Undergraduate Medical Education Office Office of Student Affairs
<b>Approver:</b>	Dean, Faculty of Medicine
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### Definitions

<b>Advisor</b>	An individual from whom the Learner seeks advice regarding harassment and/or intimidation. Learners in the Undergraduate Medical Education (UGME) program would contact the Student Wellness Consultant with Student Affairs (SA); Learners in the Postgraduate Medical Education (PGME) program would contact a Postgraduate Counsellor.
<b>Confidentiality</b>	In the context of this policy, confidentiality refers to the manner in which information regarding a complaint is treated, whether that information is provided with an expectation of privacy or not. Access to confidential records will be limited to persons authorized to access the information contained therein, except as required by law or as required to investigate a complaint or where health, safety, or security of a person or persons is a concern. Requests for confidential records will be treated in accordance with the <i>Access to Information and Protection of Privacy Act</i> , SNL 2002, c.A-1.1 and may be referred to Memorial's Information Access and Privacy Protection Office as required.

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<p><b>Faculty</b></p>	<p>Physicians or others holding full-time or part-time faculty or academic staff appointments with the Faculty of Medicine.</p>
<p><b>Harassment (as per the university definition in <a href="#">Respectful Workplace</a>, as may be amended from time-to- time)</b></p>	<p>Comments or conduct which are abusive, offensive, demeaning or vexatious that are known or ought reasonably to be known to be unwelcome and which may be intended or unintended. Types of harassment include Harassment based on Prohibited Grounds of Discrimination and Personal Harassment.</p> <p>Harassment may occur during a single incident or a series of single incidents. Whether or not a single incident constitutes harassment will depend on the nature and type of incident(s).</p> <p>Harassment, for example, does not include:</p> <ol style="list-style-type: none"> <li>1. Interpersonal conflict or disagreement, which is expressed in a respectful manner; or</li> <li>2. Performance management, attendance management or workplace discipline, which is expressed in a respectful and appropriate manner.</li> </ol>
<p><b>Intimidation</b></p>	<p>Any comment or conduct towards another person that is domineering, demeaning, threatening, or frightening, and leads to submission, compliance, acquiescence, or public embarrassment. It includes, but is not limited to: public criticism; threats; bullying; coercion; or, comments or conduct that instills a sense of fear or disrespect.</p>
<p><b>Learning Environment</b></p>	<p>The learning environment includes both formal learning activities and the attitudes, values, and informal "lessons" conveyed by individuals who interact with the Learners<sup>1</sup>.</p>
<p><b>Medical Education Learner (the "Learner")</b></p>	<p>Individual enrolled in the UGME program (medical student) or the PGME program (resident).</p>

<sup>1</sup> <http://www.lcme.org/publications/functions.pdf>

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<b>Respondent</b>	<p>The individual for whom the complaint is about.</p>
<b>Retaliation (as per the University definition in <a href="#">Sexual Harassment</a>)</b>	<p>Any threat of reprisal or any attempt to intimidate and/or any adverse behaviour or action, taken against anyone who participates in a process under this Policy in response to the initial complaint including the following:</p> <ol style="list-style-type: none"> <li>a. Having invoked this policy;</li> <li>b. Having participated or cooperated in any investigation under this policy; or</li> <li>c. Having been associated with an individual who has invoked this Policy or participated in these procedures.</li> </ol>
<b>Sexual Harassment (as per the University definition in <a href="#">Sexual Harassment</a>)</b>	<p>Comments or conduct of a sexual nature and/or abusive conduct based on gender, gender identity, sex (including pregnancy and breast feeding) or sexual orientation directed at an individual or group of individuals by a person or persons of the same or opposite sex, who knows or ought reasonably to know that such comments or conduct is unwelcome and/or unwanted.</p>
<b>Staff</b>	<p>A non-academic employee of Memorial University.</p>



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## **Respectful Learning Environment for Medical Education**

### **Overview**

University-based medical education programs are structured to produce high-calibre medical practitioners who have the knowledge, skills, and confidence to meet the health care needs of our society. To increase the Medical Education Learner's chances of success during his/her education, such programs should strive to maintain both supportive and respectful workplaces and learning environments that are free from intimidation and harassment.

This policy replaces the PGME's Policy on Intimidation and Harassment (2006).

### **Purpose**

To outline the expectations, guidelines, and processes that are intended to support individuals and sustain a respectful learning environment free from intimidation and harassment in Undergraduate Medical Education (UGME) and Postgraduate Medical Education (PGME) at Memorial University of Newfoundland (the University).

### **Scope**

All interactions in the Learning Environment wherein the Learner experiences behaviour that is in violation of the policy.

For employee-employee situation, please refer to the University's Respectful Workplace Policy.

Faculty of Medicine's graduate students are not covered by this policy and are advised to contact the School of Graduate Studies for any concern they may have.

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### Policy

#### 1.0 General

- 1.1 All Learners are entitled to interact in an environment that stresses acceptance, values diversity, requires respect for dignity and the interests of others, and is free from any form of harassment.
- 1.2 As per the [Memorial University of Newfoundland Code](#), all members of the Memorial University of Newfoundland Community, which includes Learners, Faculty, and Staff, share a responsibility to treat others with respect and fairness, be responsible and honest, and uphold the highest standards of academic integrity.
- 1.3 Behaviour that is intimidating and/or harassing towards another individual is not tolerated.

#### 2.0 Responsibilities and Duties

- 2.1 The Faculty of Medicine shall ensure that:
  - 2.1.1 Fair and just resolution processes are in place to deal with violations of this policy;
  - 2.1.2 All complaints are handled with sensitivity and confidentiality; and,
  - 2.1.3 All records of complaints, including notes of meetings, interviews, and the results of investigations, are kept confidential and handled in accordance with the [Access to Information and Protection of Privacy Act](#), the University's [Privacy Policy](#), any other privacy legislation applicable to the University, or any collective/affiliation agreement that may be applicable.

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### 3.0 Frivolous, Vexatious, and/or Malicious Complaints

- 3.1 Learners filing complaints under this policy must not file complaints that are frivolous, vexatious, or malicious.
- 3.2 Frivolous, vexatious, or malicious complaints may constitute grounds for disciplinary action.
- 3.3 Any imposed discipline related to a complaint that is frivolous, vexatious, or malicious will be taken in accordance with applicable and appropriate procedures.

### 4.0 Retaliation

- 4.1 The Respondent shall not retaliate against a Learner for bringing forward a concern or complaint of intimidation or harassment.
- 4.2 Any person who engages in retaliation or threat of retaliation may be subject to discipline.
- 4.3 A deliberate breach of confidentiality may constitute retaliation.

### 5.0 Conflict of Interest

- 5.1 In cases where either the Student Affairs Office, or the Postgraduate Medical Education Office, has had a direct prior involvement in the matters, or where they are in a conflict of interest, or where there is a reasonable apprehension of bias, the Learner should approach the relevant Advisor from the other office.

## Procedure

[Respectful Learning Environment for Medical Education - Procedures](#)