



Faculty of Medicine

Respectful Learning Environment in Medical Education

Office of Accountability:	Office of the Dean of Medicine
Office of Administrative Responsibility:	Postgraduate Medical Education Office Undergraduate Medical Education Office Office of Learner Well-Being and Success
Approver:	Dean, Faculty of Medicine
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Definitions

Advisor	An individual from whom the Learner seeks advice regarding harassment and/or intimidation. Learners in the Undergraduate Medical Education (UGME) program or Postgraduate Medical Education (PGME) program would contact the Learner Well-Being Consultant with the Office of Learner Well-Being and Success.
Confidentiality	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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Faculty	Physicians or others holding full-time or part-time faculty or academic staff appointments with the Faculty of Medicine.
Harassment (as per the university definition in Respectful Workplace , as may be amended from time-to-time)	<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"> 1. Interpersonal conflict or disagreement, which is expressed in a respectful manner; or 2. Performance management, attendance management or workplace discipline, which is expressed in a respectful and appropriate manner.
Intimidation	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.
Learning Environment	The learning environment includes both formal learning activities and the attitudes, values, and informal "lessons" conveyed by individuals who interact with the Learners ¹ .
Medical Education Learner (the "Learner")	Individual registered in the UGME program (medical student) or the PGME program (resident).
Respondent	The individual for whom the complaint is about.

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

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<p>Retaliation (as per the University definition in Sexual Harassment)</p>	<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> <ul style="list-style-type: none"> a. Having invoked this policy; b. Having participated or cooperated in any investigation under this policy; or c. Having been associated with an individual who has invoked this Policy or participated in these procedures.
<p>Sexual Harassment (as per the University definition in Sexual Harassment)</p>	<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>
<p>Staff</p>	<p>A non-academic employee of Memorial University.</p>

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 their 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) programs at Memorial University of Newfoundland (Memorial).



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Scope

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

Any issues related to sexual harassment and sexual assault will be referred to and dealt with through the Memorial [Sexual Harassment and Sexual Assault policy](#) and the [University-Wide Procedures for Sexual Harassment and Sexual Assault Concerns and Complaints](#). For more information, please visit the Sexual Harassment Office [website](#), or call the Sexual Harassment Office at 864-2015.

For employee-employee situations, please refer to Memorial'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.

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:

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- 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, 2015 \(ATIPPA 2015\)](#), the University's [Privacy Policy](#), any other privacy legislation applicable to the University, or any collective/affiliation agreement that may be applicable.

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 the Learner Well-Being Consultant with the Office of Learner Well-Being and Success has had a direct prior involvement in the matter, is in a conflict



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of interest or there is a reasonable apprehension of bias, the Learner will be advised to approach the Coordinator, Learner Well-Being and Success.

Procedure

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