

## Certificate of Excellence in Emergency Department Workplace Fairness

The American Academy of Emergency Medicine strongly supports fair working practices for emergency physicians. Consequently, it will certify excellence in the ED workplace if ED physician employees are guaranteed the following five workplace conditions:

- A reasonable due process policy.
- A reasonable policy of financial transparency that protects physicians against financial exploitation.
- A reasonable policy of financial equity that allows physicians to share in the department's profits.
- A reasonable policy of political equity that allows physicians to improve their own working conditions.
- Employment arrangements that do not impose post-contractual restrictions.



The Academy recognizes the existence of many different emergency department business models. The following examples are provided as guidelines that comply with the principles outlined above. These guidelines are not absolute, but reflect the spirit of fairness encouraged by the Academy. Thus, any group that believes it meets conditions for fairness is encouraged to submit an application for a certificate of excellence. Applications will be reviewed by the Academy. Departments that are deemed to fall outside fairness criteria will be provided direct feedback and given ample opportunity to reapply. Emergency physicians are encouraged to contact AAEM (anonymously, if desired) to report a listed group that they believe is not in compliance, along with an explanation.

Principle	Examples of fair employment practices
Due process	Unilateral termination without cause and without rights defined in the medical staff bylaws is acceptable only during a provisional period of employment, not to exceed one year. Termination with cause requires a fair hearing upon request of the terminated physician.
Financial transparency	Partners are automatically provided information on total group charges, collections, management, and operational expenses, and other group income distribution on at least a quarterly basis.
Financial equity	For democratic groups, full partnership opportunities are available through a predefined process that does not exceed three years. Share distribution among partners is transparent.
Political equity	Governance procedures are published, with processes for election of leadership and partners, appointment of medical directors and administrators, and bylaws amendments.
Political equity	Practicing physicians must make all practice decisions (including those involving hiring, firing, staffing levels, and clinical processes) and have a primary fiduciary responsibility to their patients, not to a corporate entity or shareholders. No layperson (defined as a non-physician or non-practicing physician) can have a commercial interest in the practice or the right to control the professional judgment of any practicing physician. No layperson may be a corporate officer or director or occupy a position of similar control. Physician employment by hospitals or non-profit entities is permissible when in accordance with state law.
No post-contractual restrictions	Non-compete or similar clauses that affect where a physician may work upon leaving the group or upon group turnover are not conditions of employment.

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Signature

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Title

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Hospital/Group Name

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I verify that I am a current AAEM member