

Ombuds Office

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Date: September 30, 2017

To: Charles Staben, President
Patrick Hrdlicka, Chair, Faculty Senate
Elizabeth Brandt, Faculty Secretary
Summer Howard, Chair, Staff Council
McKenzie MacDonald, President, ASUI

From: Barbara L. Beatty, Ombuds

I am pleased to provide you with the 2016-17 Ombuds Office Annual Report in accordance with *Faculty-Staff Handbook* 3820. This was my first full year as the University Ombuds, and I have been here for one and one-half years to date.

I continue to appreciate the confidence the university administration, faculty senate and student leadership place in the Ombuds Office and the role and function of the ombuds. Without your support, it would not be possible to work effectively in pursuing greater academic and workplace satisfaction and resolutions to many of the sensitive issues brought to the Ombuds Office. I am dedicated to doing my part to empower civility and collaboration throughout the University of Idaho, and take pride in being part of our community.

I am grateful for the commitment the community has given to maintaining this important service for faculty, staff, students, and administrators.

Sincerely,

Barbara Beatty

Barbara L. Beatty, M.D.R.
University Ombuds

The Ombuds Office 2016-2017 Annual Report

UNIVERSITY OF IDAHO

July 1, 2016– June 30, 2017



PREPARED BY
BARBARA L. BEATTY, M.D.R.
UNIVERSITY OMBUDS

September 30, 2017

Message from the Ombuds



The 2016-2017 fiscal year completes my first full fiscal year as the University of Idaho Ombuds with approximately one and one half years of service to date. I am even more honored to serve the faculty, staff, students, and administrators as the university's seventh ombuds the longer I am here. I continue experiencing the commitment the university community exhibits towards excellence.

I appreciate President Chuck Staben, Provost and Executive Vice President John Wiencek and the Faculty Senate for their continuing support of the Ombuds

Office and recognizing how our service is integral to accomplishing the Strategic Plan. This commitment to the Ombuds Office and our guiding principles--confidentiality, impartiality, informality and independence--demonstrates respect for all individuals in the Vandal community, especially those who choose to seek the Ombuds' assistance with resolving challenging issues.

Everyone I meet appears to contribute to the mission and goals of the University in their individual and collective ways, and it is evident in helping to make the university a better place to work, learn and live. I am grateful for the privilege to serve as the University Ombuds, and I thank each you for your continued trust and the honor of serving in this capacity.

Sincerely,

Barbara Beatty

Barbara L. Beatty, M.D.R.
University of Idaho Ombuds

September 30, 2017

"Out beyond right and wrong there is a field. I will meet you there." – Rumi¹

¹Rumi was a 13th century Persian poet, philosopher and teacher.

The Ombuds Office 2016-2017 Annual Report

UNIVERSITY OF IDAHO

History of the University of Idaho Ombuds Office

The Ombuds Office at the University of Idaho has now reached the quarter century mark and has grown from one part-time faculty ombuds to a full-time ombuds serving the entire university population, including faculty, staff, students, administrators and the occasional concerned parent, retiree or alumni. The previous and first full-time ombuds serving all constituents, R. Ellen Schreiber, retired at the end of 2015. Barbara L. Beatty joined the university in April 2016 as the seventh Ombuds. See Appendix A for the history of the Office.

Mission, Purpose and Function

The mission of the University of Idaho Ombuds Office is to foster and support a positive and productive working, learning and living environment for faculty, staff, students, and administrators. The office fulfills this mission by promoting mutual respect, enabling fair process and helping resolve problems that emerge within the university.

The Ombuds Office officially became policy in 1999. The Faculty Staff Handbook (FSH) 3820 A-1. States *“The establishment of an ombuds office is predicated on the following premises: (1) disagreements are inevitable in human organizations; (2) unresolved conflict inhibits productive enterprise and disrupts interpersonal relationships; and (3) an impartial third party may afford insights and informal processes for conflict resolution.”*

The primary purpose of the Ombuds Office is to assist members of the university community with resolving their own problems or conflicts informally, and at the lowest level possible, by providing a safe place where they can speak confidentially and candidly about their issues of concern. The ombuds services are voluntary, and people contacting the ombuds are referred to as ‘visitors.’ Visitors receive assistance with clarifying their concerns, understanding applicable policies and procedures, and identifying resources and response options to address their concerns. Like many US academic ombuds offices, the UI Ombuds Office embraces a ‘solutions-focused’ approach to problem solving. While the ombuds may help the visitor to identify possible response options, at all times, the visitor remains empowered to and responsible for selecting his or her own course of action or non-action. The office also serves as a supporter of positive change by helping to identify issues of concern, and by providing timely upward feedback when appropriate.

An Ombuds Office mission and purpose are accomplished by the following:

- listening to concerns compassionately and non-judgmentally
- analyzing problems and exploring possible response options
- providing information about policies and services
- providing individual and group/unit conflict coaching
- facilitating dialogue between individuals and groups
- mediating disputes

The Ombuds Office adheres to and operates by the *Standards of Practice and the Code of Ethics* established by the International Ombudsman Association (IOA) for Organizational Ombuds. The four key tenants are:

- **Confidentiality***
- **Impartiality/Neutrality**
- **Informality**
- **Independence**

(Definitions Appendix B.)

**Certain limitations apply, e.g., concern for imminent harm to self or others and abuse of populations that cannot take care of themselves.*

- providing leadership, management and supervisory consultation/coaching
- referring to campus and community resources
- coordinating with other university offices
- providing training in human relations, communication and conflict resolution
- noting trends and impacts
- bringing systemic problems to the forefront

The benefit to the University of Idaho is the potential for greater workplace satisfaction, higher morale, less turnover and fewer unnecessary formal processes, including legal action.

The Ombuds Office does not maintain records about individual or group issues. The office only keeps general statistical information as used in this report.

An ombuds is not an official agent of the university and will not serve as a witness nor offer testimony in any formal proceeding, unless required by law. Individuals using the services of the Ombuds Office retain their rights to all formal procedures ordinarily available to them and are solely responsible for determining their course of action.

Year in Review

2016-2017 resulted in a typical caseload for the Ombuds Office. The ombuds had 237 individual cases, the most ever reported in the 25 year history of the office. The ombuds conducted 2 mediations, 28 facilitated discussions and 1 group facilitation; provided eight visitors with long-term coaching; and gave 22 trainings and 2 guest lectures. See Appendix C for descriptions of each type of service.

“Do your little bit of good where you are. It’s those little bits of good put together that overwhelm the world.”
 --Marshall Rosenberg²

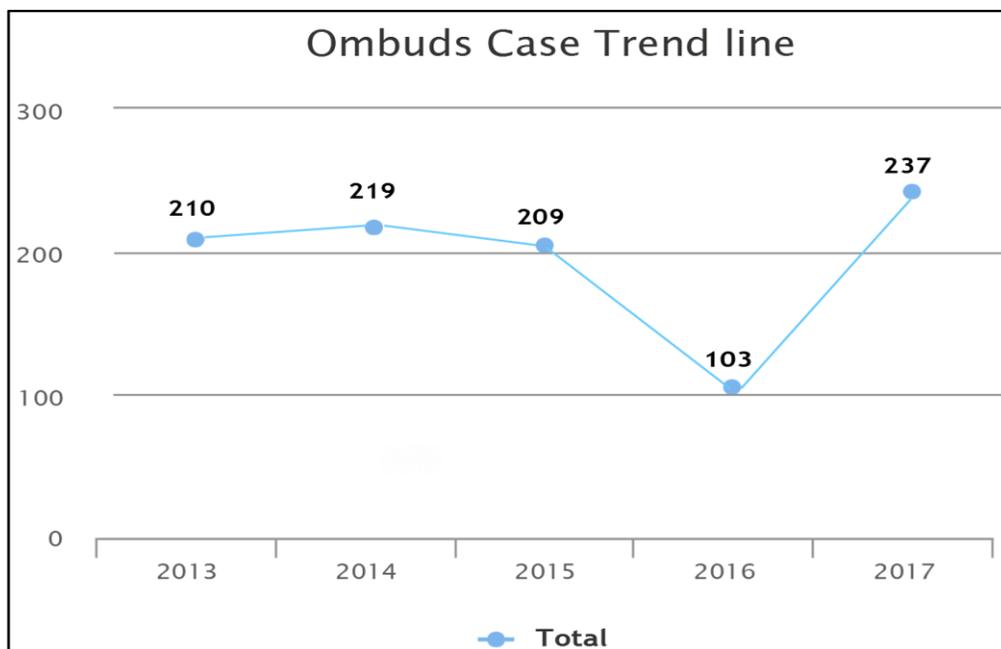


Figure 1: Total number of Ombuds cases by year. The previous year, 2016, was a transition year with no ombuds during one month and three different Ombuds throughout the year, resulting in variations in data collecting methods.

²Marshall Rosenberg was an American psychologist, mediator, author, and teacher and developed the process referred to as Non-violent Communication, Compassionate or Collaborative Communicatio

Number of Cases by Month

The case distribution by month follows a typical ebb and flow throughout the academic year and has been similar for at least the past five years. The middle of summer is typically a slow time for visitors whereas the beginning of each semester shows peaks in caseload.

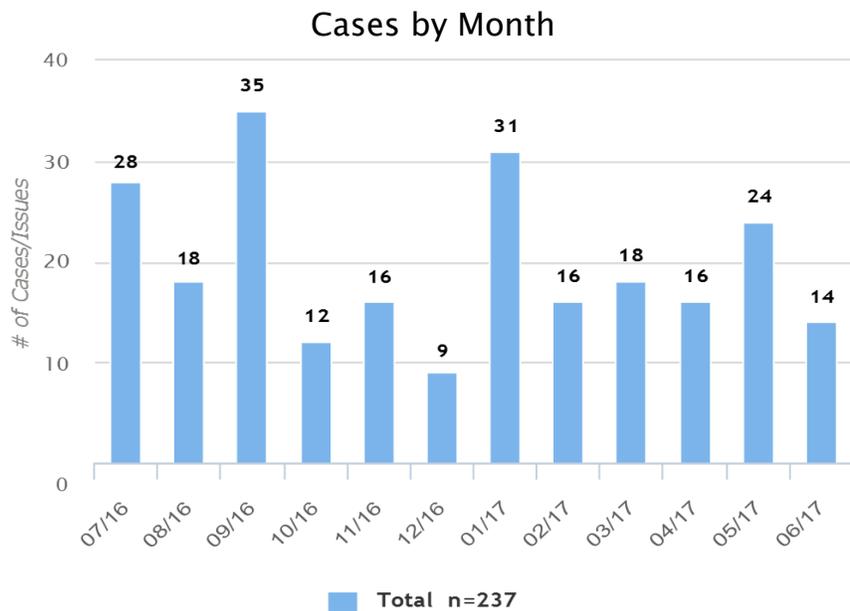


Figure 2: Cases by month, 2016-2017

Nature of Visitors and Contacts

This year saw a slight increase in the number of female visitors (141/59%) compared with male visitors (96/41%) In prior years, the distribution was virtually equal. Ten percent of visitors were referred, 90% were self-referred. In 2015-16, 19% of cases were referred and 81% were self-referred to others (administrators, supervisors, advisors, HR, Counseling and Testing Center, EAP, and co-workers/peers.) These statistics may indicate that the Ombuds Office is becoming more established each year and that people know of the service and are willing to use it.

University Affiliation

The Ombuds Office provides services to all faculty, staff, students, and administrators of the university with the affiliation designation tied to the party initiating an individual case. The affiliation of all parties within a case is not gathered. The people involved in any one case may include one or multiple administrators; chairs; supervisors; exempt, classified, part-time, temporary staff; students; or other individuals connected with the university. The ‘Other’ category includes temporary help (TH), consultants, visiting faculty, former students, former employees, parents, employment applicants, retirees, and campus visitors that are tracked as long as an issue pertains to a current experience with the university.

Table 1 on the next page shows the distribution of cases based on the initiators’ university affiliation. Visitor affiliations remained largely consistent and within normal fluctuations of the previous five years. Exempt and classified staff continue to make-up the largest number of cases at 41%. Tenured and non-tenured faculty cases combined were 28%. Graduate and undergraduate student cases combined represented 22% of cases and Administrators, including Directors, comprised 6% of visitors.

Table 1: University Affiliation by Percentage of Cases

<u><i>Affiliation</i></u>	<u><i>2012-13</i></u>	<u><i>2013-14</i></u>	<u><i>2014-15</i></u>	<u><i>2015-16</i></u>	<u><i>2016-17</i></u>
Percentage	%	%	%	%	%
Classified Staff	34	37	33	31	23
Exempt	18	19	12	15	18
Faculty (tenure-track)	14	20	16	22	22
Faculty (non-tenure track)	1	1	5	4	6
Administrator (Director up)	11	9	8	7	6
Undergraduate	9	7	10	10	8
Graduate Student	5	3	8	4	9
Graduate Assistant (TA/RA)	2	0	0	0	4
Other	3	4	7	6	4
Retiree	0	0	0	0	1
Total					100%

The most notable difference from last year was the increase in undergraduate, graduate and graduate TA/RAs visits by seven percent in 2016-2017.

Volume of Individuals and Number of Contacts per Case

Table 2 shows that single party cases are the most common, although in past years two-party cases have been more common in some years. Individuals the ombuds gathered basic information or clarification from, such as in Human Resources or other departments, were not counted as parties to a case.

Table 2: Number of Vistors and involved parties per Case 2016-2017

<i>Individuals (parties) Involved/Case</i>	<i>No. of Cases/Issues</i>	<i>Percentage</i>	<i>Total No. Contacts</i>	<i>Contacts per No. Individuals</i>
1	165	70 %	349	1 - 13
2	44	19 %	248	1 - 27
3	12	5%	71	1 - 15
4	7	3 %	78	4 - 27
5 - 11	8	3 %	106	9 - 27
Totals	236	100 %	852	1 - 27

Types of Appointments

Face-to-face consultations were the preferred type of contact for visitors, accounting for 75% of all visits. Twenty-five percent were by phone and five percent were conducted by email, Skype or other means. The percent total is 104% accounting for cases with substantial contacts using multiple methods. Two cases were partially conducted by video conferencing. It will be interesting to see if video technology will be a growing trend for handing ombuds cases, particularly at distance campuses and extension offices. The new Cisco video phones and use of Skype and Zoom have provided improved communication and the ability to connect with visitors.

"It is never what people do that makes us angry. It's what we tell ourselves about what they did that makes us angry."
 — Marshal Rosenberg

Visitors continue to report that being able to talk openly with an informed, confidential and impartial person about their concern was the most helpful feature of the Ombuds Office.

Cases vary significantly for involvement needed. This involvement was reported as ‘*number of contacts*’ in Table 2. Seventy percent of cases involved one visit or contact with no further ombuds/visitor/other involvement. This single contact may involve several hours of consultation in a single session. A typical session is scheduled for 90 minutes; however many last longer than this. The remaining cases involved multiple consultations or contacts, either with the visitor alone (the person bringing the case) and/or with others as needed. The total number of contacts for 2016-17 was 852 as noted in Table 2.

Seven cases involved five to eleven individuals and total contacts ranging from eight to 27 depending on the case. These cases were complex and often involved contacts with others that were not directly involved in the cases. Those secondary contacts were not counted.

Nature of Problems

Every organization will have concerns or problems that emerge within the normal process of conducting business. The University of Idaho, like other organization, provides multiple resources in addition to the Ombuds Office to help members of the community address their issues constructively. It is the confidential, impartial, informal, and independent features of the Ombuds Office that most often prompt visitors to seek ombuds services, especially as an initial resource. While contact with the Ombuds Office is confidential, the presenting *issues* are tracked. In noting the *nature* of problems, the Ombuds Office can inform the University of areas requiring attention. Figure three below, shows the distribution of problem categories received by the Ombuds Office across three years, 2015, 2016 and 2017. Descriptions of each category are in Appendix D.

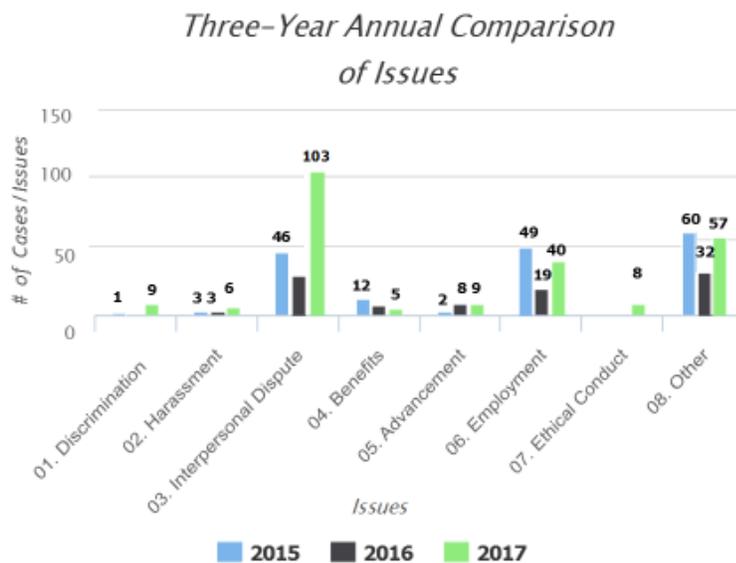


Figure 3: Problem type by FY years, 2015, 2016 and 2017

Resolution of Problems

Ombuds use a variety of processes to assist visitors with addressing concerns, and most cases involve multiple actions, thus the Actions categories below are *not* mutually exclusive. Five basic categories of ombuds' actions are summarized in Table 5.

Table 3: Actions Used by Ombuds 2016-2017

<i>Action</i>	<i>Cases</i>	<i>Percentage of Cases*</i>
Information	217	92%
Problem exploration	213	90%
Intercession (e.g., mediation, shuttle diplomacy, facilitated discussions)	47	20%
Referrals (e.g., EAP, Counseling and Testing, HR, Civil Rights, Diversity)	11	5%
Longer Term Coaching	5	2%

*Cases, n = 237. Categories are *not* mutually exclusive and therefore exceed 100%.

Outreach and Other Services

The Ombuds Office contributes to the university's Strategic Plan as a service that supports all of the goals: *Innovate, Engage, Transform* and *Cultivate*. The Office provides direct problem resolution services for faculty, staff, students, and administrators with the intended result to enable individuals to reduce conflict and work collaboratively to reach their own and the university's goals. Outreach activities include teaching communication and conflict resolution classes for Professional Development and Learning (PDL,) individual seminars and group facilitations for academic and support departments and for student groups.

Outreach activities help members of the university community become informed about the role of the ombuds and the availability of services as well as provide a venue for meeting the ombuds. It also helps acquaint the ombuds with areas of rising concern.

New Employee Orientation/Benefits Orientation. Attending live monthly New Employee Orientation sessions was an effective outreach activity that reached nearly all new Moscow-based employees and some new employees from off-campus locations. Additional agenda items necessitated Human Resources to to discontinued the live presentation by the ombuds and revert to the voice-over discussion in the general online orientation video. Whenever possible the ombuds meets new faculty and staff personally to welcome them to the university.

Employee and Student Development. The ombuds again continued providing employee professional development classes, unit in-service trainings, department retreat facilitation, student leadership trainings, and student group presentations. Occasionally, faculty members invite the ombuds to give guest lectures on communication skills and conflict resolution. All of these sessions focused on civility, interpersonal communication, conflict management, change, collaboration, and team building. Additionally, the ombuds offers many 'Meet and Greets' (M&G) ten minute introductions to the Ombuds Office to groups whenever the opportunity arises.

University Service. The ombuds continued providing service to the broader university community through continuing ex-officio participation on the Benefits Advisory Group, the Professional Development Coordinating Committee and the newly formed Coordinated Community Response Team (CCRT.)

Professional Service. The ombuds continued to be a member of the International Ombudsman Association (IOA) and the Ombuds Committee in the Dispute Resolution Section of the American Bar Association (ABA). This year the ombuds worked with the ABA to develop and administer a discounted membership program for ombuds desiring to join the ABA.

In order to promote a broader understanding of the ombuds profession, the ombuds participated in the ABA approved lecture service to Colleges of Law to educate upcoming lawyers to this form of Alternative/Appropriate Dispute Resolution (ADR.) Faculty have asked the ombuds to continue this training. Additionally in August 2016, the ombuds gave three 90-minute talks on communication and conflict resolution to the Northwest Consortium of Professional Staff Annual Conference reaching 100+ participants.

Professional Development. The ombuds is committed to continuous professional development and engages regularly in reflective practice with other experienced academic, healthcare, government and corporate ombuds through video conferencing, telephonic consultation and on-site review, when opportunities become available. Reading and research on relevant topics are also part of the ombuds' practice. In 2016-17, the ombuds attended the IOA annual conference and the California Caucus of College and University Ombuds (CCCUO.) The ombuds attended various webinars and teleseminars as time permitted.

Effectiveness of the Ombuds Office

The definition of a successful outcome and ombuds effectiveness cannot be gauged by whether a problem is ultimately resolved according to a visitor's satisfaction or an ombuds' preference. It is always the visitor's decision how (s)he will choose to resolve their issues. There are multiple descriptors of success:

- Visitor better understands their concern and identifies solution options, is better informed and prepared to self-advocate, act or not act and better understands the potential benefits and consequences of their actions
- A potential problem is avoided
- Further deterioration or escalation of a situation is avoided
- A manifest problem is resolved
- A policy or system problem (and a potential modification) is identified
- Observations and recommendations are made to one or both of the governing bodies.

Helping visitors and all parties to be more respectful, effective, constructive, and fair in seeking solutions to their concerns, and to reduce harmful tensions or hostility are considered successful outcomes from the perspective of the Ombuds Office. However, there are many problems where no remedies or resolution options are available. Some cases can leave visitors with few options, such as:

- termination for cause or performance
- intractable disagreement over disciplinary actions and/or evaluation ratings
- expectations for a position and/or for the corresponding compensation
- many academic or employment decisions with clear processes and policies
- and many academic or employment decisions where no clear procedures or policies exist

In these cases, being heard and being able to confirm that relevant policy or action was appropriately or fairly applied, including talking about possible next steps are crucial to moving forward for all parties. Where procedures or policies are vague this also helps visitors gain insight that can assist their decision making about their issue(s) involved.

Being heard and understood is *the most powerful intervention*³. Each year this intervention alone has likely lessened the emergence of unnecessary escalation. The most common and highly appreciated benefit reported to the ombuds is being heard without judgment or fear of retaliation and being assisted with sorting out issues and response options.

When assessing impacts of ombuds services, results are difficult to measure since visitor perceptions of outcomes are often tied to factors outside of an ombuds' role (an ombuds cannot reverse decisions, change a grade, or adjudicate complaints, etc.) In addition, confidentiality precludes the use of many of the usual forms of evaluation.

Assessment. The Ombuds Office uses three methods to assess the outcomes and impacts of services. The first is a feedback and evaluation form. For individual visitor meetings, a voluntary anonymous feedback form is given to each visitor with instructions to send it directly to the President's Office. These forms are summarized for the annual ombuds evaluation discussion. A second voluntary anonymous feedback form is given to individuals that have received group training from the ombuds. These are also delivered to the President's Office.

Third is an assessment based on the ombuds' self-analysis of completed cases ranking each case resolution between 'Satisfactory', 'Neutral' and 'Unsatisfactory.' These assessments are not a measure of visitor satisfaction, but are used as an element of reflective practice. The scale attempts to help the ombuds evaluate the service provided and outcome of each case as objectively as possible. Appendix E describes the Outcome Identifiers that fall within each category that guides the ombuds' appraisals.

As in previous years, the greater number of cases gauged to be positive outcomes reflects the ombuds' observation that the activities noted below generally contributed to more positive and less negative outcomes for most issues. This was true even when the visitor had received an irrevocable action from the university. Despite not attaining a full resolution, an adverse situation that stabilizes and does not decline further, may at best be considered a satisfactory or, at the least, a neutral outcome.

Contributing to more positive and less negative outcomes:

- non-judgmentally actively listening, empathizing and understanding
- working through an issue or problem with an impartial skilled listener
- developing a broader perspective on the problem
- identifying relevant policies and procedures
- developing constructive response options
- having difficult conversations mediated directly or indirectly

Ombuds Observations and Comments

Most concerns or problems brought to the Ombuds Office are specific to a set of circumstances or particular individuals. However, when issues appear to be systemic within a college or division, or reflect broader trends that might warrant further attention, the ombuds may share these directly with the relevant administrator(s) and make recommendations in accordance with the provisions of the *Faculty-Staff Handbook*. Individuals bringing the concerns are still kept confidential and when possible, individual colleges and departments are kept confidential.

“The ombuds is encouraged to comment on policies, procedure and processes with an eye to positive future change. These observations should be shared with the administrators and bodies with jurisdiction over those policies, procedures, and processes.” (FSH 3820 B-6)

³Gallup Polls did a survey of one million employees asking them what the most important attribute their bosses could have. The number one answer was *“The ability to be heard.”*

Workplace culture and climate. The ombuds has observed that visitors appear to be focusing forward with fewer references to past concerns about the overall direction of the university. Changing the climate and culture of an organization takes time, patience and dedication. The dedication of the current administration seems to be apparent to more and more faculty and staff. However, there continues to be a steady concern about potential or perceived retaliation. This is not the type of retaliation covered under Federal Law as protected classes. It is retaliation based on the perceived current and potential behaviors and actions of those in equal or higher positions of authority than that of the visitors.

This is concerning to the ombuds because, unless dealt with appropriately, even a small amount of retaliation can infect a culture with levels of fear that can limit the pursuit of excellence in an organization. Retaliation can quickly stop a culture from changing and reverse any small gains that might have been made. Continuing to instill from the top down to each college, department and unit the importance for respect for and civility to all individuals in the community will help minimize the stifling effect perceived retaliation can have on people.

One thing the ombuds observed was the appreciation for administrators and executive staff increased transparency about issues university and workplace. Transparency enhances trust and trust is critical to enhancing a strong, positive culture.

General Civility. Civility and basic courtesies are often a concern of visitors who come with concerns about individual colleagues, co-workers, peers, supervisors, managers and administrators (directors, deans, vice presidents.) The overall university campus is professional and generates a certain level of community cohesiveness and commitment. Individuals who are perceived as uncivil, or to the extreme, bullies, appear to not know or not be using certain traits of leadership that will engender the best from their faculty, employees and co-workers. These people can generate a disproportionate amount of dissatisfaction in their spheres of influence. There are several ways in which this could be addressed. Again, such changes are best at succeeding if there is commitment and action from the top down with a conscious effort to model such behavior throughout the leadership to individual employees.

Supervisory Training. Effectiveness and efficiency of supervisors (supervisor, manager, director, chair, and dean) continues to present as something that could be improved upon from basic skills through leadership attitudes and approaches. The majority of visitors to the Ombuds Office share that all or part of their concerns were related to what they perceived as inappropriate, unprofessional behavior by supervisors. These concerns applied to both new and experienced supervisors at several levels. The issues related to these management concerns are varied. Improving supervisory and management hiring and training will likely result in a strong positive impact on the workplace culture and climate. In turn, this significantly improves the overall culture and climate at the university enhancing our journey to our individual and collective goals.

Support for Employees. The ombuds has noted that the perspective of many first and second line employees visiting the office is that there is no real support, beyond the Ombuds Office, either informally or formally for them when actions are necessary to reduce conflict. Their perspective is that the chain of command above them and their immediate supervisor have given or will always give preference to the supervisor without considering the employee's viewpoint when an issue arises. Such attitudes and actions can be disempowering to employees who seek fairness and a desire to grow and become the best they can be in their current and future positions. Some want to eventually move to positions of greater responsibility, but believe it is futile if they cannot be treated fairly in their present positions.

The Ombuds Office exists to informally help individuals and bring observations and recommendations, as noted above, to the awareness of the governing bodies of the university. While the totality of issues brought to the ombuds represents a limited number of people, they are nonetheless significant. It is generally understood that for every one visitor, there may be several others who do not come forward that have the same or similar issues. When responded to effectively by those who have both the responsibility and authority they are likely to steer the course of a culture to a more positive place. The ombuds remains committed to helping all individuals collectively and collaboratively reach their individual and mutual goals.

Appendix A

History of the Ombuds Office

A faculty member first proposed the Ombuds Office to the Faculty Council in 1988. The office was established in 1992 under President Elizabeth Zinser and operated under the title of Office of the Faculty Ombudsman. The office was originally staffed by a half-time faculty member whose responsibility was to serve the faculty.

In response to a growing need for staff ombudsman services, Carol Hahn was appointed interim staff ombudsman in 1994, and served for one year. The following year, the faculty ombudsman's services were formally expanded to include staff. Due to the increase in caseload by 1998, President Robert Hoover approved the addition of a half time, non-faculty ombudsman. R. Ellen Schreiber was appointed to the position.

From 1998 through 2009, the Ombuds Office expanded to include staff and eventually students. In January 2010, upon the retirement of then Co-Ombuds James Fazio, ombuds R. Ellen Schreiber became the university's first full-time ombuds charged with serving administrators, faculty, staff, and students.

The terms 'Ombudsman,' 'Ombudsperson' and 'Ombuds' are used interchangeably in the profession. During approximately the last ten years the shortened version 'Ombuds' has become the dominant name for this position.

Evolution of the University of Idaho Ombuds Office 1988-present

Office

- 1998-2009 **Students** were officially allowed to use the services of the Ombuds Office
- 1995 **Staff** were officially allowed to use the services of the Faculty Ombuds Office and 'Faculty' was dropped from the name
- **1992** **President Elizabeth Zinser** officially established the Faculty Ombuds Office staffed by a half-time faculty member
- 1988 **Ombudsman Office proposed** by faculty member to the Faculty Council

Ombuds

- 2016- present **Barbara L. Beatty**
- 2010-2015 **R. Ellen Schreiber** became the first fulltime ombuds (full service 1998-2015)
- 2006-2009 **James R. Fazio**, Dept. of Conservation Social Sciences
- 2003-2005 **Charles Morrison**, Counseling and Testing Center
- 1999-2003 **Thomas V. Trotter**, Dept. of Counseling and School Psychology, Special Education and Educational Leadership
- 1998 **R. Ellen Schreiber** was appointed as a half-time non-faculty ombuds
- 1994 **Carol Hahn** was appointed as an interim staff ombuds
- 1992-1999 **David J. Walker**, Dept. of Agricultural Economics/Rural Sociology

Appendix B

Tenets of the Organizational Ombuds

In fulfilling its purpose, the Ombuds Office at the University of Idaho adheres to and operates by the *Standards of Practice* and the *Code of Ethics* for Organizational Ombuds as established by the International Ombudsman Association (IOA.) Organizational Ombuds differ from Classical/Executive Ombuds and other types of Ombuds in that they do not conduct formal investigations where confidentiality cannot be maintained. Nor do they advocate for anything other than fair process. Organizational Ombuds are not official agents of the University and therefore are not required to report certain events as mandated by Federal law.

Confidentiality. All contacts, conversations and information exchanged with the ombuds remain confidential and are not disclosed by the ombuds without the consent of all parties involved. Limits to confidentiality exist when disclosure is necessary to protect someone from imminent harm and when otherwise required by law.

Neutrality and Impartiality. An ombuds is a designated neutral on behalf of all members of the university community. As such, the ombuds remains impartial and unaligned. An ombuds does not take sides, serve as an agent, represent or advocate on behalf of any party or the university. Rather, it is the role of the ombuds to consider the facts, rights, interests, and safety of all parties involved in a search for a fair resolution to a problem. An ombuds promotes and advocates fairness and justice.

Informality. Consultations are conducted ‘off the record’ and *do not constitute notice to the university* in any way. Organizational Ombuds are not mandated reporters for most Federal and State laws. An ombuds does not become involved in or part of formal institutional processes (such as mandatory reporting, formal complaints, investigations, appeals, etc.), unless otherwise specified in policy, and then only as a neutral process observer. No personal information is retained or used for subsequent formal proceedings. An ombuds will not serve as a witness nor offer testimony in any formal proceeding, unless required by law. Individuals using the services of the Ombuds Office retain their rights to all formal procedures ordinarily available to them and are solely responsible for determining their course of action.

Independence. To ensure objectivity, the office operates independently of all university entities and reports to the highest possible level of the organization. *An ombuds exercises sole discretion over whether or how to act regarding an individual’s concern, a trend or concerns of multiple individuals over time* (IOA Standards of Practice.)

Appendix C

Types of Services offered by the ombuds

Cases A ‘case’ is any new or recurrent *issue* (after a previous case closure) that is brought to the ombuds’ attention by one or more individuals seeking assistance. While the Ombuds Office does market its services, it does not proactively seek or initiate cases.

Cases vary from a single informational visit to highly complex interventions involving multiple parties and meetings, and requiring considerable time. There may be more than one case initiated by a single visitor if each issue requires independent follow-up.

The number of cases represents a conservative figure since numerous contacts occur informally and spontaneously in the course of doing ombuds business, such as during university meetings, training workshops, periodic involvement within units (when multiple concerns emerge) and during training and outreach visits.

While some of these encounters do result in case entries, numerous others are part of the ombuds’ routine function and are not entered for tracking purposes. The number of *issues* and number of contacts tracked are far better reflections of the time the Ombuds spends on cases rather than the number of individual visitors.

Mediations are formal facilitated discussions where an agreement is written. When legal issues are involved, the mediations are binding and an official agent of the university signs the agreement. Other mediations are non-binding good faith agreements between parties.

Facilitated Discussions are similar to mediations however, they are more informal and do not have written agreements.

Group Facilitations can be focused on team building, conflict resolution or general meetings and are a combination of training and working through the leadership goals of the group.

Appendix D

Types of Issues Presented

Figure 3, page 4

- Discrimination:** Nine cases involving a potential discrimination issue came directly to the Ombuds Office. The situations were discussed and the visitors was referred to the appropriate resources. This number is up from one year ago.
- Harassment:** Six cases of harassment came directly to the Ombuds Office. Four involved general harassment or actual or perceived bullying, and two were regarding sexual harassment that was referred to the Civil Rights Office.
- Interpersonal Dispute with/between:** The largest category of disputes this year were with or between individuals, totaling 103 cases. Of these, the majority were with Supervisors, followed by supervisees.
- Benefits:** There were five cases attributed to benefit issues. One cases related to retirement or health insurance, three cases involved family medical leave.
- Advancement:** There were nine cases related to faculty advancement. Of the nine cases, three were concerning salary. Increasing perceptions of salary inequities, complaints of significant disparities among similar positions and raises continued the core issues. Another three were related to promotions. Tenure and non-reappointment issues accounted for three of the remaining advancement cases, with one additional case related to a probationary period.
- Employment:** The employment category had 40 cases relating to specific areas of concern. This was the second largest category of problems brought to the Ombuds Office. The most frequent sub-categories within the employment category concerned salary agreement decisions amounting to 34 cases. Another two cases were related to the hiring process, two related to teaching load/course assignment, two related to working conditions, and two related to job descriptions.
- Ethical:** There were eight ethical concerns. Four dealt with academic honesty and authorship, and two with intellectual property and two with lab health/safety issues.
- Other:** The 'Other' category allows for the ombuds to fill in an issue that is not listed in the other categories. There were 58 cases listed in this category, up 13 from last year. Eleven were not specified and left as 'miscellaneous' and 12 dealt with policy/procedure issues. Another four dealt with academic issues and two dealt with disciplinary action. Financial aid issues accounted for five; department/unit/chair function 23. One case dealt with performance, selection and removal of a department/unit chair.

Appendix E

Ombuds Self-Appraisal of Outcomes/Impacts of Cases, 2016-17 Total n - 237

Outcome Category and Specifier

Resolved satisfactorily with Ombuds Office assistance n= 194	82%
<ul style="list-style-type: none"> • <u>Mediation</u>: agreement/compromise reached through mediation; formal action avoided; visitor given another chance or situation otherwise satisfactorily resolved. 1% • <u>Miscellaneous Techniques</u>: conflict resolved short of mediation; may involve ‘shuttle diplomacy’ or similar workshops intervention, with entire unit, or other techniques; formal action not taken. -- • <u>Facilitated Discussions</u>: Ombuds served, by invitation or suggestion, as neutral observer; may involve role as moderator, but not mediator; party(ies) satisfied with outcome; formal action not taken. 24% • <u>Coaching</u>: Long-term coaching was provided. 5% • <u>Information only or ‘light coaching:’</u> was provided by ombuds; and/or helps party to self-advocate. Visitor satisfied. 70% • <u>Policy/Procedure</u> or system modification/improvement. 0% • Other 0% 	
Neutral Outcome (Ombuds Office had no direct impact) n = 39	16%
<ul style="list-style-type: none"> • <u>Neutral Listener</u>: Ombuds role was primarily as a neutral listener; little or no ‘coaching’ \or additional information was provided. Visitor already had or did not need information, but needed ‘someone to listen;’ may have received confirmation of ideas/plans, but nothing new added by ombuds. 80% • <u>Cancels or ‘vanishes’</u>: Visitor initiated and then canceled or ‘vanished’ after setting appointment or before follow-up action was completed. 15% • <u>‘Unrepairable:’</u> situation upon arrival (e.g. temporary help, already terminated, tenure was denied for appropriate reason, or visitor resigned). 3% • Other. 	
Results Unsatisfactory n= 4	2%
<ul style="list-style-type: none"> • <u>Visitor disgruntled</u>: with ombuds efforts and discontinued visits or contacts. 0% • <u>Visitor disregarded</u> advice/solution and suffered consequences. 75% • <u>Lack of cooperation</u>: unfair practice or situation not resolved nor corrected due to 25% • Other. 0% 	

On occasion, problems would resurface or new issues arose with previously served parties. Situations that deteriorate after concluding ombuds involvement are not reflected in the ombuds assessment above.

“You can waste your life drawing lines. Or, you can live your life crossing them.”

--Shonda Rhimes⁴

⁴Shonda Rhimes America is an American television producer, screenwriter, and author.