The Art of Ombudsing: Using Multiple Frames to Resolve Conflict

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ABSTRACT
Organizational ombudsmen play a vital role in framing problematic situations in order to generate options for dispute resolution. This paper shows the utility of a theoretical but practical model taken from corporate management literature (Bolman & Deal, 1984). This can serve as an overarching framework for reframing organizational disputes for the ombudsman practitioner. This model can (1) launch and add insight into ombudsman interaction with parties, (2) provide a shared vocabulary to assist parties in conflict analysis, and (3) create a comprehensive narrative for both personal insights and systems perspectives.

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KEYWORDS
Ombudsman, mediation, conflict resolution, frames, narrative

INTRODUCTION
Organizational ombudsmen provide impartial, independent, and confidential dispute resolution to employees within organizations and rely on several well-established alternative dispute resolution (ADR) processes to assist parties in reaching solutions. These include individual coaching, in which an employee brings a concern and privately discusses options for handling the matter on his/her own; shuttle diplomacy, in which the ombudsman goes back and forth between parties with information and negotiable options without bringing the parties together; and facilitation and mediation, in which ombudsmen bring together all involved parties to arrive at solutions that are mutually agreeable.

The process of generating options from which to proceed is fundamental to most ADR processes. It is important to note that differences exist in whether the ombudsman believes it is his/her responsibility to propose options or whether the options should come solely from the parties. Although few researchers have explored the process of generating options (Witzler, 2014), the assumption is that the ombudsman assists the parties in identifying alternative positions, interests, or behaviors as a byproduct of either elicitive questioning or discussions with the parties regarding desired outcomes in the matter. One might ask, “Just how does an ombudsman assist parties in conceptualizing
problems, imagining solutions, and developing a variety of ways of seeing the problem? How, in fact, does an ombudsman propose options that are appropriate? Is there a guiding principle or a step-by-step process in which certain types of options are considered first?"

This paper explores how a specific model from corporate management and leadership literature may provide a useful framework in explaining this process and answering these important questions. The model arises from the bestselling text from Lee G. Bolman and Terrence E. Deal (1984) entitled *Modern Approaches to Understanding and Managing Organizations*. First published in 1984, and now in its 5th edition, the book is a classic in the management and leadership field.

This model offers different lenses through which to frame and reframe issues and conflicts, suggesting a structure and order that can organize clues about motives of the parties. It provides a way to introduce relevant external factors that give the ombudsman a path through the dead ends and murky alleyways of conflict to a superhighway where the ombudsman and parties can together more readily develop options that may bring the situation to a satisfying end result. Ombudsmen do not work solely on instinct, but also with more tangible coinage. To fully appreciate the blending of intuition, practical theory, and techniques, it is necessary to first review the stages of conflict resolution, and especially the general process of framing and generating options which an organizational ombudsman employs. Second, this paper will review the Bolman and Deal organizational model to familiarize the reader with the concepts contained therein. Finally, readers will explore a case study that illustrates how the Bolman and Deal model may prove a useful overarching framework for the organizational ombudsman to situate her practice of problem setting and generating options.

**PSYCHOLOGICAL DIMENSIONS IN OMBUDSMAN PRACTICE**

Several general stages characterize an ombudsman’s problem solving intervention. First, the party (or parties) contact the ombudsman and arrange a confidential meeting. If the interaction establishes clear expectations for building baseline trust and comfort, the party presents an initial characterization of the situation. The ombudsman outlines the guiding principles of her role and sets general expectations of how she might be useful in resolving problems. Thus, the ombudsman and parties establish an initial implicit agreement about the scope of the work they will pursue together. As the party begins to tell his story, the ombudsman takes note of a variety of information and cues, including psychological, substantive, and procedural information.

Moore (1996) describes the utility of spotlighting the role of psychological conditions that affect the parties in conflict. Moore recommends that mediators (expanded by this author to include ombudsmen who are mediating) consider the psychological readiness of the parties in addition to their substantive concerns, such as the remedies they desire or the procedural preferences for achieving their substantive resolution. Moore (1996) also considers substantive interests which:

> [A]re often central needs on which negotiations focus, including particular goods such as money and time. *Procedural* interests refer to the preferences that a (mediator) has for the way that the parties discuss their differences and the manner in which the bargaining outcome is implemented. Possible procedural interests might be that each person has the opportunity to speak his or her mind, that negotiations occur in an orderly and timely manner... leading to a written document or contract if it should result from the (process). He should then design appropriate procedures to reduce potential negative impacts and enhance positive ones. (p. 72)
The ombudsman begins to ask herself the following questions: What seems to have been the most injurious event that harmed the party, what seems to matter most to the party about that event, what is the history of the relationship between the parties currently, what sort of relationship is anticipated in the future, and what remedy is the party seeking?

Ideally, several results emerge from the initial and ongoing engagement with the ombudsman. These results include a general understanding of the situation, the range of potentially satisfactory solutions, and an assessment of the likelihood of a productive problem solving relationship between the parties. A critical aspect for success in any stage of the intervention is the establishment of a working relationship that is devoted to building mechanisms for trust and cooperation for solving the conflict at hand. The ombudsman can also help parties find creative options for resolution through self-reflection – leading and guiding them to reflect on their needs, worries, and hopes in a trusting and non-evaluative space. This reflection fosters more effective reality testing of the parties’ own feelings and attitudes, as well as reality testing cues from the environment. A party’s ability to accurately read and respond to stimuli from outside can help him move away from thinking in preconceived categories. Carl Rogers (1961), the renowned psychotherapist and master of communication, states that this person is:

able to take in the evidence in a new situation, as it is, rather than distorting it to fit a pattern which he already holds…. This increasing ability to be open to experience makes him far more realistic in dealing with new people, new situations, new problems, and older familiar ones as well. It means his beliefs are not rigid, that he can tolerate ambiguity.

(p. 43)

FRAMING AS ART AND RELATIONSHIP

As trust develops, an interaction begins in which the ombudsman and the party together develop potential options for viewing the context or “framing” the situation, evaluating the options that seem possible and discarding some, and, finally, shifting into a tentative adoption of a strategy to implement action (or perhaps even “wait and see non-action,” which is sometimes appropriate). Ackoff (1979) describes this process as “designing a desirable future and inventing ways of bringing it about” (p. 100). As parties and the ombudsman share information and the working relationship gels, the ombudsman develops a working formulation of the problem that she tentatively shares with the parties for inspection and analysis. We can define this preliminary casting as framing.

Donald Schon (1983), although not writing specifically about ombudsmen in *The Reflective Practitioner*, suggested framing happens through a process he calls “reflective practice.” He said:

In real-world practice, problems do not present themselves to the practitioner as givens. They must be constructed from the materials of problematic situations which are puzzling, troubling and uncertain. In order to convert a problematic situation to a problem, a practitioner must do a certain kind of work. He must make sense of an uncertain situation…. When [he] sets the problem, [he] selects what [he] will treat as the “things” of the situation, [he] sets the boundaries of [his] attention to it and [he] imposes upon it a coherence which allows [him] to say what is wrong and in what directions the situation needs to be changed. Problem setting is a process in which, interactively [he] names the things to which [he] will attend and frames the context in which [he] will attend to them…. It is through the non-technical process of framing the problematic situation that we may organize and clarify both the ends to be achieved and the possible means of achieving them. (p. 40)
Schon (1983) explained that the specialized practitioner, in the course of his practice, “experiences many variations on a [relatively] small number of cases, [presented over and over in which he] develops a repertoire of expectations, images and techniques. He learns what to look for and how to respond to what he finds” (p. 60).

One can also apply Schon’s model of reflective practice to describe the ombudsman’s orientation to problem solving within the organization. As an experienced problem solver for the organization in which she works, the ombudsman has developed an understanding not only of the general types and peculiarities of conflicts that often percolate and arise there, but she also has had experience and developed a repertoire of remedies that are likely to satisfy both organizational and individual interests in that culture. And, according to Schon (1983), “frames are the interpretive schemes that mediators use to make sense of and organize their activities while at work on a dispute” (p. 60). Kolb (1994) described this activity in the following way:

What a mediator (or ombudsman who is mediating or coaching or providing organizational consultation) does in a case is a blend of intentional and explicit technique, the tacit and taken-for-granted ways each has developed of dealing with the typical cases in practice, and more general beliefs about the causes of conflict and the possibilities for its resolution. We see frames as a way to capture some of the implicit but nonetheless powerful orientations mediators have toward their role. This focus on frames derives from our observation that mediators are rarely passive actors in the process. Rather, they actively orchestrate the ways the dispute will be handled and let the parties know in no uncertain terms what is expected of them. Frames give focus to the myriad of choices mediators make while at work in a dispute, and suggest as well what comes to be seen as problematic and difficult. (p. 469)

Although she often follows the reflection and framing process described above, the ombudsman does not simply impose her formulations or reframing on the party. Instead, there is a highly interactive process in which the ombudsman uses elicitive questions to discover the party’s psychological and substantive interests in order to drive the reflective process. The transactional nature of the process allows the ombudsman to remain open to the discovery of deepened understanding of the party, as well as the discovery of new twists and turns regarding the problem. This verbal inquiry turns into the ombudsman’s preliminary reframing of the situation, but remains open to the party’s feedback, thoughts, beliefs, and emotional tone which serve to refine the framing dialogue. Mayer (2009) stated that:

[The evolution of an enduring conflict can be tracked by the various ways the conflict has been framed over time. Struggles over framing are often central to the way a conflict is enacted. Each framing both reflects the nature of the conflict and promotes a particular set of interests and approaches to engagement. One of the most profound impacts of agreements in enduring conflict is their potential for developing, promoting, and solidifying a new framing of a conflict. To the extent that these new narrative frames are rooted in the fundamental needs of the disputants and the structure of the conflict they can have a permanent impact on how people engage in a conflict. (p. 195-196)

In summary, we see how the ombudsman begins her work by 1) establishing trustworthy contact with the party; 2) developing an information gathering dialogue to understand the history and interests of the party with an eye towards the psychological, substantive, and procedural needs em-
bedded in the situation; 3) deepening a relationship with the person as she listens closely, offering feedback so that the two interact to deconstruct the interwoven elements of the presenting problem; 4) creating a framework of the problem for the party; 5) assessing the reframing jointly with the party, and reaching consensus regarding tentative strategies possible for resolution; and 6) shifting to agreement on which option to implement. In any event, the “… options must satisfy the substantive, procedural and psychological interests of the parties if they are to be considered as acceptable solutions to the conflict” (Moore, 1996, p. 154).

**BOLMAN AND DEAL FRAMEWORK**

Bolman and Deal suggest four perspectives through which to understand organizations as well as reframe organizational problems. The four categories, or lenses, are as follows: Structural, human resource, political, and symbolic. Although there are both weaknesses and strengths in viewing issues and organizations through any of the lenses, the authors described the selective applicability of each, showed how they can help individuals understand what is happening within organizations, and demonstrated how they can illuminate different approaches to deal with difficult situations within organizations.

Bolman and Deal’s book is written for an audience of managers and leaders, but the framework is useful for anyone in an organization who may have to engage in problem solving when issues arise. They believe that:

> [U]nderstanding organizations is nearly impossible when the manager is unconsciously wed to a single, narrow perspective. Most organizations are complicated… Managers in all organizations – large or small, public or private – can increase their effectiveness and their freedom through the use of multiple vantage points. [They] believe that managers who understand their own default frame – and who can adeptly rely on more than one limited perspective are better equipped to understand and manage the complex everyday world of organizations. Sometimes they can make a significant difference in how that world responds. (Bolman & Deal, 1984, p. 4)

The four frames described are based on the four major schools of organizational research and theory. For each frame, Bolman and Deal provided a label and consolidated the central assumptions and propositions.
Table 1

<table>
<thead>
<tr>
<th>Structural</th>
<th>Emphasis</th>
<th>Problems Arise When</th>
<th>Preferred Solutions</th>
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<tbody>
<tr>
<td></td>
<td>Formal roles, policies, and coordination processes.</td>
<td>Existing structure does not fit the needs of the organization.</td>
<td>Identification of the mismatch, possible reorganization.</td>
</tr>
<tr>
<td>Human Resource</td>
<td>Individual worker’s skills, needs, and attitudes.</td>
<td>Human needs to belong and contribute one’s skills are thwarted.</td>
<td>Tailor organization to enable people to feel good about their contributions.</td>
</tr>
<tr>
<td>Political</td>
<td>Changing coalitions around interests that change as issues come and go.</td>
<td>Power is so unevenly distributed that it is difficult to accomplish goals, feel secure.</td>
<td>Develop solutions through political skill and complex conflict resolution.</td>
</tr>
<tr>
<td>Symbolic</td>
<td>Unlike others, this abandons assumptions of rationality. Organizations are bound by histories, rituals, and myths more than by rules.</td>
<td>Individuals are not aware of their symbolic roles and do not embody the organization’s symbols and rituals in meaningful ways.</td>
<td>Develop improvements through clarity of symbols and myths that link to productivity.</td>
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The *structural frame* emphasizes the importance of formal roles and relationships. Structures – commonly depicted in organization charts – are created to fit an organization’s environment and technology. Organizations allocate responsibilities to participants (“division of labor”) and create rules, policies, and management hierarchies to coordinate diverse activities. Problems arise when the structure does not fit the situation. At that point, some form of reorganization is needed to remedy the mismatch.

The *human resource frame* (Bolman and Deal’s term, the author would suggest an alternative that more effectively captures the humanistic element of the framework) establishes its territory because organizations are inhabited by people. Individuals have needs, feelings, and prejudices. They have both skills and limitations. They have great capacity to learn and a sometimes even greater tendency to defend old attitudes and beliefs. From a human resource perspective, the key to effectiveness is to tailor organizations to people – to find an organizational form that will enable people to get the job done while feeling good about what they are doing. Problems arise when human needs — such as the need for achievement, to belong, and to practice one’s skills — are throttled.

The *political frame* views organizations as arenas of scarce resources where power and influence are constantly affecting the allocation of resources among individuals or groups. Conflict is expected because of differences in needs, perspectives, and lifestyles among individuals and groups. Bargaining, coercion, and compromise are all part of everyday organizational life. Coalitions form around specific interests and may change as issues come and go. Problems may arise because power is unevenly distributed or is so broadly dispersed that it is difficult to get anything done. Solutions are developed through political skill and acumen much as Machiavelli suggested centuries ago.

The *symbolic frame* abandons the assumptions of rationality that appear in each of the other frames and treats the organization as theater or carnival. Organizations are viewed as held together more by shared values and culture than by goals and policies. “They are propelled more by rituals, ceremonies, stories, heroes, and myths than by rules, policies, and managerial authority… Problems arise when actors play their parts badly, when symbols lose their meaning, when ceremonies and rituals lose their potency. Improvements come through symbol, myth, and magic” (Bolman & Deal, 1984, p. 5-6).
Keeping these four frames in mind, let us turn our attention to an example of a conflict that might appear in the office of the ombudsman and analyze options according to the assumptions found from each frame.

APPLICATION OF BOLMAN AND DEAL MODEL TO HYPOTHETICAL OMBUDSMAN CASE SCENARIO

The following scenario is fictional, but is representative of casework in an organization comprised of individuals engaged in scientific research. There are three parties involved: The Principal Investigator (PI) of a prominent laboratory in a pharmaceutical research facility, and two postdoctoral fellows (postdocs) from European countries who have been recruited and brought to the organization to provide expertise in a particular area of brain imaging and surgery. One is an informatician/mathematician with expertise in creating innovative computer scans and the other is a physician with a PhD and clinical skills in surgery.

The PI contacted the ombudsman for assistance in managing a dispute between these two researchers. The PI expected the two to collaborate on research and clinical applications of a particular brain imaging technology as applied to surgical techniques. The PI stated that the postdocs had not been getting along for some time and had ceased essential communication, thus stalemating the exchange of scientific information. The PI admitted that he had tried to “stay out of it” hoping the two would eventually work out their differences and the expected scientific collaboration would find a productive track. However, a recent incident occurred in which the two exchanged angry words and the physician shoved the mathematician, jamming her arm into a revolving door. This occurred in front of other members of the lab, disrupting the work of the lab and creating a division of loyalties among the staff. The mathematician postdoc who was shoved has threatened to bring charges against the physician and demanded the early termination of his appointment due to what she felt was a violation of workplace respect and what constituted workplace violence. The PI explained that he spoke to both separately and told them he would like them to work with the ombudsman to mediate the dispute. Both reluctantly agreed, possibly to mitigate disciplinary proceedings.

The ombudsman at this point entered in an information gathering discussion with the PI. The discussion ascertained the PI’s involvement in the development of the collaboration – how he recruited and selected the two postdocs and his scientific and personal impressions of their work and maturation as scientific colleagues. The ombudsman needs to know how active and direct he has been regarding his expectations of the postdocs in the collaboration. He may or may not have been specific about his expectations with respect to authorship of papers from the work, allocation of scientific resources, boundaries of their personal scientific input with respect to each other and him, and expectations of guidance and mentoring from him for the duration of the two-year project. It was important to understand how involved the PI was willing to be in managing the conflict and how he saw his role in influencing the social and professional culture of the lab and the caliber of communications and relationships that develop there.

It was during this conversation of inquiry that a cooperative spirit began to build between the PI and the ombudsman regarding the manner in which this situation could be resolved. This preliminary dialogue gave the ombudsman a beginning sense of context of the issues important to the PI as she prepared to meet with the postdocs. For the purposes of brevity, we will assume that the ombudsman met with each of the postdocs. (The ombudsman can meet with the postdocs either separately...
or together. There are advantages and disadvantages to each option and it is largely a matter of practice preference that dictates the choice.) The ombudsman engaged them in exploratory conversations as described in the sections above and generated a working hypothesis regarding how to reframe the problem to each of them.

At this point in the process, we now shift to an exploration of the Bolman and Deal model and its application in reframing the problematic situation between the postdocs.

**Structural frame.** Defining the issues: The first perspective the ombudsman may take is that the issues might fit loosely in the *structural* frame. There appears to be a problem of coordination and communication, ill-defined roles, vague goals, and no consistent processes for communication between the PI and the two postdocs. Conversations with the PI and the two postdocs revealed that there was no clear understanding about how they would collaborate on a day-to-day basis. When the two arrived in the lab, they were left to themselves to define the processes by which they would exchange information, obtain guidance from the PI, and proceed with the scientific research including publishing and authorship expectations. There was no agreement on the type or duration of guidance the PI would provide or how to establish the goals of the scientific work itself. Both postdocs felt that the lack of structure, lack of definition of roles, and vague goals contributed to their frustration during their transition to the American lab.

Options for resolution: A structural solution might include suggesting the three discuss the kinds of regular meetings or structures that would assist them in defining concrete scientific goals; clarifying each person's role and responsibilities in meeting those goals; and identifying agreed-upon processes for communication of scientific content, as well as personal checking in by the PI to see how the two postdocs were adjusting to the American lab and bureaucratic issues that they felt impeded their work.

**Human resource frame.** Defining the issues: Using this frame, the ombudsman could suggest that the issues emanate from misunderstandings of the working style of each, poor interpersonal skills, and differences in personal temperament and culture that affect each person's communication skills. In the discussions with the postdocs, they identified that they were “put out” by the way the other interacted. For example, the female mathematician postdoc preferred to do her work alone and felt resentful when other colleagues interrupted her work with questions or even invitations to lunch or breaks. For her, this was a disruption of her internal creative process. She also felt uncomfortable with the others in the lab whom she did not know well and she preferred to work independently and with little guidance or input from others.

The physician postdoc, a man, enjoyed giving advice to others who had questions and welcomed interruptions and conversation. The physician saw the mathematician as “odd, nerdish, and unapproachable.” The mathematician saw the physician as giving more attention to relationships within the lab than to the work itself. Furthermore, she did not respect his more casual working style. Thus, the two had divergent styles of working that immediately impeded the willingness to communicate, and, on a personal level, they didn’t seem to like each other. Finally, English was the second language for the mathematician and the third language for the physician. The added step of fine-tuning English to share information made the situation far worse.
Another factor contributed to the mismatch between individual needs and organizational ones. Because the mathematician arrived in the lab first, she was given the responsibility for coordination and drafting of the lab protocol which would drive the collaboration. She was not suited nor interested in the coordination aspects that would require her to meet with other lab members and work in a more collaborative style not aligned to her comfort level. Although she was given the lead on the drafting of the protocol, it was not clearly understood who would be first or second author on papers that would no doubt result from this work. The issue of authorship had never been discussed openly, but was item one on the hidden agenda of both parties.

Options for resolution: Using the human resource frame, a possible remedy might be to engage the postdocs in a discussion about how to legitimize and more effectively deploy their different working styles. Perhaps the physician would enjoy managing the protocol duties, relieving the mathematician of a task she did not enjoy. The ombudsman might hypothesize that the PI, whom both postdocs respected enormously, might play a valuable role here in several regards. The PI could make explicit his policy and expectation of the authorship question; reaffirm his confidence and trust in both of their unique qualities and talents; and consider assigning roles and responsibilities suited to their different skills and interests. This represents a structural solution to a human resource mismatch.

Political frame. Defining the issues: This view suggests that power and influence constantly affect allocation of resources among individuals, and that bargaining, coercion, and compromise are to be expected in everyday life. It is also important to keep in mind that when power is perceived to be unfairly acquired or wielded, it is natural for individuals in such a situation to guard against potential psychological, substantive, or procedural loss, a dynamic that can rock the boat in unintended ways. This can be conceptualized as a natural protective measure.

In this lab, power was so broadly dispersed and ill-defined that it was difficult to get anything done. When the postdocs needed equipment, instruments, or other materials, they had to personally approach the organization’s procurement officer to order the items. This proved a daunting and bureaucratic tangle that felt far from efficient and delayed experiments. The mathematician, not wanting to address the procurement clerk whom she felt was uncooperative, and not wanting to burden her PI with the difficulty, began to either do without things she needed or borrow software from colleagues in her home country’s lab. This became problematic in several ways: It limited her effectiveness in communicating with the procurement officer and her PI, and because the physician postdoc would often hear her talking on the phone in her native language, he assumed the conversation was not in English in order to exclude him. This assumption contributed to their spiraling distancing and distrust of each other because it created and fostered distance between two people who may have otherwise supported one another in dealing with a shared problem — the procurement process — and possibly devised concrete ideas to remedy the situation. The unfortunate assumption further fractured the cohesive team-building possibilities that might have been nurtured in the lab.

As it turned out, the physician had managed to effectively learn the bureaucratic system, cooperate with the procurement officer, and continue to place orders for things he needed. This engendered resentment and envy from the mathematician who was not as assertive and did not effectively navigate the procurement system. Using the political framework, the mathematician had in turn assumed that the physician was positioning himself among the Americans in hopes to remain in the country at the end of his fellowship. The physician worried that the mathematician was loyal only to
her colleagues at home and might share data or information with them without sharing it with him-
self and the others in the U.S. lab. In any event, neither had an accurate understanding of what the
other had in mind for the duration of the collaboration, larger career goals, or expectations from the
other in achieving them. They were operating from different frames about their roles, their commu-
nications, how power should and was wielded in the lab, and the ultimate personal and professional
meanings of this period in their careers.

Options for resolution: It proved useful to ask how each postdoc managed their administrative
duties, as well as to discuss their perceptions regarding responsibility for coordinating and drafting
the lab protocol that was intended to serve as the fundamental guidance for the collaboration. The
mathematician expressed her discomfort with the role of coordinating the protocol and also ap-
peared uncomfortable working jointly with other members of the lab with respect to administrative
tasks. The physician, on the other hand, expressed comfort and ease with both aspects of interaction
and responsibility. It seemed possible that the two might consider switching roles, allowing the
physician to assist with the lab protocol and administration which he might enjoy and which might
serve as a relief for the mathematician.

Symbolic frame. Defining the issues: The two postdocs held very different views of the context of
their collaboration. The mathematician left her home under tremendous political and familial pres-
sure. She was the first student from her university and the first child in her family to have the oppor-
tunity to study and work in America. She felt the weight of the burden of her academic community
and of her family’s expectations crushing her. She was charged with representing her academic spe-
cialty, that of informatics/mathematics, in a biomedical collaboration that held tremendous meaning
for her. Personally and professionally the stakes were high. She felt intense pressure to publish in
established American journals: Her future professional status largely depended on the recognition
she brought from this American collaboration. To her, successfully publishing in an American journal
symbolized not solely personal and professional achievement, but national pride and familial stand-
ing in the community at home. She single-mindedly focused on this goal rather than reflecting on
how she would integrate with the lab colleagues or develop lasting professional relationships.

In contrast, the physician had previously studied abroad and felt little performance anxiety. He was
primarily engaged in the collaboration to learn and expand his surgical expertise so that he could
stay in America and start a private clinical practice.

Options for resolution: The fact that the two cared about different symbols and power dynamics is
not automatically a problem. Instead, pointing out the multiple realities, legitimizing each, and per-
haps developing a joint symbol for their work together could soften their hardened opinions about
each other’s motivations. Ironically, not only did the two hold disparate symbolic views of what
constituted success individually, they also shared a mythic expectation that their professional and
personal identities could best be fostered in the United States. For both, the United States symbol-
ized freedom to study and to excel in ways not possible at home. An unrealistic symbolic expecta-
tion or myth about what can be achieved can present its own thorny perceptions, so there could be
value in attempting to discuss what might constitute a joint symbol to envision and conduct their
collaboration.
PRACTICE CONSIDERATIONS

In this section, we will explore this case in more depth, including the perspectives of others involved and how their frames affected the conflict. We will see how the different frames that the parties had shaped the ways they talked to one another and to the ombudsman. It is clear that the frames were not solely of use to the ombudsman: The parties themselves are operating from and reacting based on different frames.

We introduce the next question trifecta for practice consideration:

1. In what way does the frame choice affect the paths for resolution?
2. How does an ombudsman choose a frame?
3. What happens when parties have different frames from one another?

It is easy to imagine the limits of reframing and generating options if one operates from only one frame. For example, in the scenario above, if the ombudsman had utilized only a structural frame, she would have set the problem in only those terms and attended to resolving it through the reframing of the lack of structure, ill-defined roles, and vague goals. A satisfactory result may have included newly defined goals, specific role identification, and a mechanism to meet regularly for critical assessment of the progress of the project. However, this path would leave unaddressed issues of working style, the political interpretations of the other's intentions, and the wide chasm between each postdocs' symbolic assumptions. Although this weakness might not threaten the satisfactory structural solution, it would not allow the parties an opportunity to recognize and address important aspects of the conflict that would not only widen their self-awareness, but perhaps also strengthen the synergy of the scientific collaboration and pursuit of individual interests.

In this situation, the ombudsman chose a structural frame intertwined with elements from the human resource frame, dancing back and forth between issues related to power as outlined in the political frame. She arrived at this arrangement only after talking with shadow, but crucial parties to the situation: the PI and the lab manager. Both provided key and new information about the impact of the conflict on the entire lab. This new information also expanded the framing possibilities by highlighting the different frames of those involved.

The PI approached the situation as one that required a disciplinary response and he thought the dispute was about a cultural difference or personal dislike. He ultimately admitted he was not really sure of these issues as he was absent much of the time. His stated goal was to shepherd the professional relationship back to a productive level so that the scientific work could continue. The PI was only secondarily concerned with improving the understanding or relationship between the two scientists. He recommended that the ombudsman speak with the lab manager to gain a broader context of the laboratory's personal and professional dynamics.

The ombudsman met with the lab manager who indeed provided new information about the professional styles and personalities of each scientist and their incompatibilities. She believed a dispute involving authorship of a paper that involved the mathematician's husband (who had worked in the lab several years prior) provided the underpinning for the deterioration of the postdocs' relationship. She further believed the dispute was a failure of a well-defined establishment of authorship process in the department, rather than a straightforward difference in personalities and work styles. This was a structural problem.
The ombudsman next met individually with each of the postdocs. During these meetings, each told their story and defended their position with respect to the shoving incident which was the stated problem. The mathematician was keenly aware of how the dynamics between the two might impact others in the lab. She felt that the situation was such a severe violation of scientific integrity that she should look for another position in order to restore order to the lab. This perspective constituted a blend of the human resource and symbolic frames, perhaps a reflection of either her perceptions of power or her perceived lack of power.

The physician, on the other hand, professed that the situation affected no one else in the lab and that sometimes “adrenalin got out of hand.” He felt that his statement to the mathematician – “I’ll be watching you” – was not a real threat and that the other postdoc should understand that people often say things in the heat of the moment that they do not really mean. He added that the mathematician told him, “I send you straight to the hell [sic],” which showed that they both acted in an unprofessional manner and that she had provoked him. He claimed not to be too bothered by the comment and distanced himself from the fact that he shoved the other postdoc, calling it an “accident.” His strategy was to “forget it” and get on with the science, and basically ignore the mathematician. He happened to mention in passing he had some concerns about how authorship was established in the lab.

FRAMING AND REFRAMING DURING MEDIATION: AN ORGANIC DYNAMIC

When the ombudsman met with the two scientists together, they each took a position on either side of the table forming a triangle and avoiding each other. As each told the story of what had happened, they debated their positions back and forth regarding who was responsible for shoving, for sending whom to “the hell,” etc. The ombudsman intentionally waited to see whether either party would surface the issue of authorship that had been mentioned by the lab manager and physician.

When neither party mentioned the authorship issue and the debate about who should be disciplined and how continued unabated, the ombudsman wondered aloud whether the triggering event in their relationship was actually authorship of the paper. This was the first conscious framing of the conflict. It captured an idea that had not been identified or vocalized by the parties or the PI. Both postdocs reacted with surprise and readily agreed.

The ombudsman then was able to ask questions to elicit ways in which things could have gone very differently during the authorship process. The questions introduced other potential frames with which to view the situation. For example, the ombudsman asked the physician whether it would have changed his perspective about the mathematician's role in the authorship process if he knew that the PI had approved the authorship order, but had neglected to share that information with him. (The ombudsman had learned this information from a caucus with the mathematician.) The physician said it might have, that it was easier to blame the other postdoc based on their rocky communication history rather than on any unhappiness with the PI whom he was still trying to impress since he was so new in the lab. This line of thought represented a shift in reframing into the symbolic aspects of what it means to belong in the lab and how power is wielded in making decisions – whose work is considered valuable, with whom the PI communicates most frequently, etc.

The ombudsman shifted to testing the human resource frame when the postdocs reverted into an argument about who was to blame for the shoving incident. The ombudsman asked the physician
(first privately in a caucus) whether it was acceptable to communicate that he admitted he should have said “excuse me” or apologized when he was moving the equipment that ran into the other postdoc. He agreed to have the ombudsman share that information. Afterwards, both postdocs sat very quietly. After a few minutes, the ombudsman broke the silence by asking the mathematician whether it made a difference to learn that the physician believed he should have handled things differently and apologized. She agreed that it did make a difference. Another long silence resulted in which neither party spoke a word, or, indeed, looked up from the table. The ombudsman also sat quietly for a few minutes to allow them to process what had been said. The ombudsman was uncomfortable, but did not want to direct the interaction at this critical point. Finally, the ombudsman raised the possibility of a different perspective, a different frame as it were: One of personal apology and the possibility of acceptance and forgiveness, the human resource frame. This notion appeared to stop the action between them. They both nodded and smiled. The tension seemed to drain away.

The moment seemed comfortable at this point, so the ombudsman ventured yet another frame. She asked if they wanted to talk a few minutes about how they might introduce and use tact in their daily life in the lab to smooth the relationship, to devote time to develop the criteria for setting up boundaries and systems to resume work in the laboratory (a structural frame), or engage in both discussions. They both agreed to focus on how to resume productive work in the laboratory that incorporated ways to share space and exchange specimens when needed, preferring to focus on the structural aspects of the situation. They spelled out in detail ways in which they would like to separate their areas of scientific focus, allowing them some professional space from each other and to foster personal autonomy. As part of a set of recommendations to their PI, they agreed to inform him that they wished to switch roles of administration and lab protocol development (as mentioned above) so that the physician would assume primary responsibility for development of the lab protocol and coordinate administrative processes within the lab. They also agreed that establishing processes for regular dialogue with all members of the lab would allow everyone the opportunity to discuss emergent administrative and scientific issues. They agreed that the lab sorely needed written communication from the PI about his expectations regarding authorship processes. They ended with solutions intersecting the structural and human resource frames, with increased shared power — a dynamic in the political frame.

This case also provides an opportunity to highlight mediation techniques that involve the ombudsman mindfully using information to support the parties and foster resolution. In addition to introducing different frames to help the parties think about their perspective differently, this technique illustrates an important aspect of conflict resolution practice. The ombudsman was able to assist the parties in calling forth needed adaptive roles to “save the show” through the use of tact and information control. She consciously over-communicated some facts and under-communicated others. She intentionally imparted versions of the other party so that a closer relationship between the two might look possible to each of them by conveying reformulations or re-framings of what had gone wrong in the past. She presented entrusted information from private meetings by seeking permission and by voicing tentative overtures to maximize the timing of the new information so that the injured party might accept the information in its most positive translation.
CONCLUDING REMARKS

One of the most provocative moves an ombudsman can make is to ask questions from another frame to help parties reflect on the existence and legitimacy of different perspectives. This technique expands awareness for the parties and, through raising other frames, fosters a habit of impartiality in the ombudsman. Ombudsmen can consider different frames in order to keep a check on their own impartiality. An additional advantage may be that, for both the parties to a conflict and the ombudsman, utilizing different frames allows for shifts in focus without a presumption that one frame is “right” or “wrong.” This orientation can stimulate an expectation and ethos that there is value in simply observing differences in approaches without judgment of which is better or worse.

This fictional scenario illustrates how the Bolman and Deal (1984) conceptual model of organizational theory can provide a framework for framing and generating options for the organizational ombudsman and parties to a conflict. Each recasting suggests questions to ask and additional options to consider. Not every situation will require the same depth of attention to each. But deliberate re-framing of disputes from these vantage points may open up additional avenues for the ombudsman in forming hypotheses, imagining solutions, generating options from these frames, and facilitating the dialogue between all parties towards reaching tentative strategies that meet the psychological, procedural, and substantive interests of the parties.
REFERENCES


