

Ombuds and Conflict Resolution Specialists: Navigating Workplace Challenges in Higher Education

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ABSTRACT

Higher education institutions navigate a number of challenges, but managing interpersonal workplace dynamics is critical for the success of any university. This article highlights a growing trend to enhance administrative capacity through the implementation of conflict resolution specialists that address employee issues, provide educational outreach within the university system, and serve a systemic review function that helps administrators understand employee trends and issues. Eleven universities were profiled and the research illustrates how universities pragmatically designed a fit for such a role, what the ombuds and conflict resolution directors' top functions were, and the value created by their work. The top three employee issues identified affirm the need for informal conflict resolution channels because they exemplify typical workplace conflicts rooted in evaluative relationships and its accompanying emotions, and therefore do not meet the standard criteria for more formal and right-based grievance procedures traditionally employed by Human Resources and legal departments. The purpose of ombuds and specialists also appeared to be more in alignment with the universities' stated values and a way to demonstrate commitment to the

quality of work-life for its employees. The authors conclude that expanding the evaluation methods would help make the business case for the use and expansion of conflict resolution options, especially for organizational ombuds.

AUTHORS' NOTE AND ACKNOWLEDGEMENTS

Prior to publication, the authors did their best to verify all information. Each featured ombuds or conflict resolution specialist was personally contacted and, after sending back comments and revisions, granted permission after reviewing our research. Institutional websites, annual reports and phone calls were utilized.

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KEYWORDS

Conflict Resolution, Ombuds, Conflict Resolution Specialist, Higher Education, Faculty, Administration, Workplace

OMBUDS AND CONFLICT RESOLUTION SPECIALISTS: NAVIGATING WORKPLACE CHALLENGES IN HIGHER EDUCATION

Whether you believe that higher education is the gateway to social, economic, and intellectual enhancement or that it is another bureaucratic enterprise on the decline, one thing is certain, higher education institutions are complex endeavors that blend business principles with ambitious educational vocations. Such an endeavor requires navigating the intricacies of internal and external forces, satisfying multiple levels of stakeholders, fostering environments for diverse disciplines, securing scarce resources, coordinating the everyday interdependence, and most importantly for the purpose of this article, managing the conflicting governance cultures that make higher education a unique enterprise.

Within higher education there coexist two distinctive governance cultures: on the one-hand a bureaucratic, more corporate culture of administration with an emphasis on centralized decision-making, organizational hierarchy, and a system of policies, procedures, and objectives intended to make higher education run more like a business. On the other hand, faculty-led cultures are characterized by a *laissez-faire*, collegial culture of educators that value debate, shared decision-making, and autonomy meant to foster environments that stimulate creativity and critical assessment— sometimes of the very systems and practices that it operates within. In addition, supporting staff are accountable to both cultures and perform a delicate dance between the two. Administrators face a number of dilemmas because the same policies that protect productive faculty with tenure or multi-year contracts also protect the less productive (Bolman and Gallos, 2011), and there is an increasing need to keep up with the external pace of accreditation, diversification, and innovation. Some might be reluctant to admit that some of these unique features may contribute to a higher likelihood of interpersonal and group conflicts among employees but conditions are ripe for competition over resources, conflicting views, and power struggles.

The research also indicates that administrators are often unprepared to manage these conflicts because the career ladder from faculty to administration does not typically include administrative experience or leadership training. In fact, about 3% of academic leaders in the U.S. have any type of leadership training or preparation (Gmelch, 2002, as cited in Bolman and Gallos, 2011) and many say the move into a leadership position was unanticipated (Cullen and Nickerson, 2017). One study of 400 experienced and new deans asked, “what tasks and activities those new to leadership roles struggled with most, and what experienced leaders wished they had known before taking their positions” and found that “the struggles they identified were strikingly similar, falling into three nearly universal categories: the ability to lead organizational change, the ability to think strategically and solve problems creatively, and the ability to develop new leaders and communicate effectively” (Cullen and Nickerson, 2017). Each of these elements are critical for organizational health in a university.

Nevertheless, there appears to be a light at the end of the tunnel illustrated by a growing number of institutions implementing internal conflict resolution specialists available for their employees. These specialists “fill in the gaps” of existing employee mechanisms by providing a menu of services aimed at managing workplace conflict in ways that are more constructive, effective, cost efficient, and compatible with the stated values and mission of the American university system. This article provides information on eleven different higher education institutions to demonstrate how conflict resolution specialists and ombuds find their place within their university system, how they operate, and what their primary functions are.

A BRIEF HISTORY OF CONFLICT RESOLUTION IN HIGHER EDUCATION

Some form of dispute resolution has existed in higher education for centuries. Student conflicts have used a number of avenues including deans, department chairs, student affairs, and more formal grievance and peer-jury processes. Similarly, employee conflicts have traditionally been escorted through the formal chain of command before being investigated by human resources, legal services, or a similar adjudication office. In both cases, the designated decision-maker conducts some form of investigation, decides on the merit, and issues a verdict that may be an implication of innocence or wrong-doing followed by disciplinary action or exoneration. All of which is a rights and power-based approach to conflict management based on a zero-sum method that mirrors the legal system and falls short on addressing the underlying interests or concerns that drive workplace disputes and affect interpersonal employee relationships. This approach is often costly in both time and resources and does very little to positively impact workplace morale because most workplace complaints don't meet the test of legal standard, meaning they are inappropriately handled.

The last few decades of the twentieth century witnessed a global expansion of alternative dispute resolution (ADR) approaches and the emergence of the ombuds field in the U.S.—propelled by the social protest movements in society at large and specifically on college campuses in the late 1960s. This was a catalyst for the first few student and campus ombuds programs including Simon Fraser University in British Columbia (1965), East Montana State University (1966), and Michigan State University (1967) who were responding to growing unrest on their campuses. The term 'ombudsman' is of Swedish origin meaning "representative" and is a conflict management role utilized in organizations. It is often used interchangeably with the terms 'ombudsperson' and 'ombuds' for short.

According to the history of ADR in higher education, by 1979 the Center for Mediation in Higher Education was set up to encourage institutions to adopt the use of mediation at all levels (Warters, 2000, p. 15), followed by funding from the William and Flora Hewlett Foundation in the mid-1980s intended to assist universities in the development of practice-relevant theory in conflict analysis and resolution (Volpe & Chandler, 1999). This snowballed into twenty prestigious universities, including Harvard, Syracuse, Northwestern, and several additional Big Ten state universities to develop research, educational courses, and practice activities in conflict resolution. It accelerated the use of ADR methods as a dispute system alternative. By 1990, ADR approaches experienced sufficient growth and recognition to initiate the first National Conference on Campus Mediation Programs, convened by Professor Neil Katz and Campus Mediation Center Director Bill Warters, at Syracuse University (Katz, as cited in Georgakopoulos, 2017, p. 170-178).

The growth of conflict resolution specialists and services continued throughout the 1990s and first part of the 21st century. Especially noteworthy was the establishment of ombuds offices and other conflict resolution specialists set up by universities to handle employee disputes in addition to student issues. By 2016, nearly 400 colleges and universities were listed as members of the International Ombudsman Association, with the majority of these institutions having services for all members of the university. This growth indicates the use of more creative and suitable methods, supplementing traditional practices in addressing day-to-day conflicts with informal methods that include preventative measures such as coaching and conflict management training, as well as facilitated interventions such as mediation, conciliation, group facilitation, and arbitration on the more formal end of the spectrum. For some ombuds it also includes providing insight for administrators on trends and areas of concerns that they identify. It is likely that this expansion was precipitated by a number of landmark employee lawsuits experienced by institutions like the University of Minnesota and the University of Georgia. Now universities in states like Georgia and Florida follow state laws that require public colleges to have a "college ombudsmen" who can assist to "resolve complaints" (Florida Dept. of Education, 2017).

Another factor fueling the growth of ADR services for all members of the university community is an increased awareness of the cost and effects of poorly managed conflict which is considered to be the largest reducible cost in organizations (Cram and MacWilliams, 2014). Workplace conflict contributes to the exorbitant cost of legal cases, worker absenteeism and presenteeism, turnover rates, and it is estimated that managers spend 25% to 60% their time settling disputes between team members (Raines, 2013). ADR services like informal consultations, mediation, problem-solving, and leadership training are also more closely aligned with the vision, mission, and values of a modern university that emphasize community, inclusiveness, diversity, collaboration, and communication. Most importantly, it provides compatible methods for effectively dealing with the substantive, procedural, and interpersonal issues at the core of most workplace disputes. It is particularly appropriate for navigating the institutional complexity of coalitions, departments, and divisions, each competing for scarce resources such as funding and access to those with decision-making power, and all with differing underlying interests.

The authors consider this trend to be a recognition of the need to manage the human side of higher learning organizations and the potential of conflict resolution services to enhance administrative capacity and organizational effectiveness which can positively impact morale and quality of work-life balance for its employees.

METHODS

This research began as part of a graduate-level collaborative learning course on “Organizational Conflict Interventions” with a special focus on the role of ombuds. The professor and his teaching assistant conducted preliminary research on organizations that employed ombuds who were internal-facing, meaning their duty was to assist the organization’s employees and not external customers. The students then conducted preliminary research on organizations of their choice either from the compiled list or from their own research that met the criteria of internal-facing, non-federal, higher education or private sector organizational ombuds. If the organization was willing to participate, the students conducted an informal case study. From this research, the professor and his now two assistants and co-authors selected only colleges and universities with internal-facing ombuds for employees, then expanded the sample set to eleven in total to add variety to the sample in terms of public/private universities, size of population, and sectarian or non-aligned. The authors further developed the research using qualitative methods including secondary data and telephone or email correspondence with the conflict resolution specialists at each of the institutions. The authors were particularly interested in how and why the universities created the role, the structure and operation of their office, what the day-to-day work of an ombuds consisted of, their standards of practice, who they serve, the perceived value of the ombuds, and how that value was evaluated.

The ombuds or conflict resolution offices in the sample set for this research can be found in Table 1. Profiles for each of them can be found in Appendix A and the general findings are presented in the following section. Although the sample size is not large enough to make robust generalizations, the purpose was to explore the intricacies of the unique role within complex university systems and not to describe large quantifiable trends. In addition, the authors hope that this research and article can provide different examples of how higher education administrators contemplating the use of conflict resolution specialists can establish the role(s) within their own university community and the advantages of doing so.

Table 1. University Ombuds or Conflict Resolution Offices profiled

University	Ombuds or CR Title	Location
East Carolina University	Director of Conflict Resolution and Mediation Program	Greenville, NC
Kennesaw University	Campus Ombuds (2)	Kennesaw, Marietta, GA
Lehigh University	Ombudsperson (2)	Bethlehem, PA
Northeast Ohio Medical University	Ombuds	Rootstown, OH
North Carolina State	Faculty Ombuds Staff Ombuds	Raleigh, NC
Marquette University	Ombudsman	Milwaukee, WI
University of California, Santa Barbara	Campus Ombudsman Associate Ombudsman Assistant Ombudsman Faculty Ombudsman	Santa Barbara, CA
University of Missouri Kansas City	Faculty Ombudsperson Staff Ombudsperson	Kansas City, MO
University of Minnesota	Director of the Office of Conflict Resolution	Minneapolis, MN
University of South Florida and University of South Florida, St. Petersburg	Ombuds Officer Campus Ombuds	Tampa, FL St. Petersburg, FL
Stony Brook University	Ombudsman	Stony Brook, NY

SUMMARY OF FINDINGS

The research led to a better understanding of how ombuds or conflict resolution offices were created at these universities and how universities took a pragmatic approach to design a fit within their institution. The majority were born out of a need or expressed desire from stakeholders for its implementation and it is likely that the International Ombudsman Association (or its former associations) facilitated their formation by providing support as an external body with standards of practice and the framework needed to give the role credibility. The majority of ombuds and conflict resolution directors of various ages and background had specialized training and/or experience in conflict resolution methods—a divergence from other types of organizations where ombuds are often senior members of the existing institution. All of them provided a menu of services including coaching, mediation, training, etc., and all of them used active listening and problem-solving or option generating techniques as a critical entry point for managing employee issues. They had three major functions which included addressing the top employee issues, conducting educational outreach, and serving as a conduit to bring systemic issues to the attention of leaders. Surprisingly, all used some form of qualitative and/or quantitative data to demonstrate value, typically through annual reports, highlights of employee trends, or tracking the

number of visitors. None appeared to use any cost-savings or cost of conflict metrics although their collaboration with other offices is promising for its future realization. Finally, a few universities have top-level administrators who recognized the role's function as essential to any healthy human organization. Each of the findings is detailed in the following sections.

A PRAGMATIC RATHER THAN PURIST APPROACH

The authors found that most institutions took a pragmatic rather than purist approach to creating a fit for a conflict resolution role within the culture and operations of their organization. Some varied by title, scope of constituents, and some served dual capacity roles within their university, but most (nine out of eleven) could be categorized as "Organizational Ombuds."

The Swedish term "organizational ombudsman" is often translated as "commission man" or "representative" and is an internal person that assists the organization's members with the resolution of conflicts or concerns. "The primary duties of an organizational ombudsman are (1) to work with individuals and groups in an organization to explore and assist them in determining options to help resolve conflicts, problematic issues or concerns, and (2) to bring systemic concerns to the attention of the organization for resolution" ("What is an Organizational Ombudsman," 2017). Nine out of eleven used some variation of ombuds title: campus ombuds, faculty ombuds, university ombuds, ombuds officer, or just ombuds. All could be categorized as organizational ombuds and explicitly followed the International Ombudsman Association's Standards of Practice, meaning the ombuds role was to "preserve the *confidentiality* of those seeking services, maintain a *neutral/impartial* position with respect to the concerns raised, work at an *informal* level of the organizational system, and [be] *independent* of formal organizational structures" ("What is an Organizational Ombudsman," 2017).

Of the eleven, only two institutions profiled, East Carolina University and University of Minnesota, employed "directors" for their conflict resolution programs, both of which are housed under the Office of Equity and Diversity and who report to second in command, as opposed to the majority of ombuds who report directly to the president. According to the Standards of Practice for the International Ombudsman Association, it is critical to distinguish the role of ombuds from other dispute handling offices like HR (Human Resources), EAP (Employee Assistance Programs), Legal and General Counsel, OED (Office of Equity and Diversity), WD (Workforce Development), or the like. By creating directors instead of ombuds, these two universities are able to exercise some flexibility in the establishment, purpose, and the services provided. For example, at University of Minnesota, the Director of the Office of Conflict Resolution (OCR) Julie Showers, has the same functions of an ombuds but on occasion assists in the adjudication process of formal grievances since the office handles both informal and formal channels. An ombuds would not be able to perform this function because it would be in contradiction with the standards of practice.

Another pragmatic approach to fulfilling the function of a conflict resolution specialist on a budget is to appoint faculty members who can serve dual roles. In the federal government, this is referred to as collateral duty. Four of the eleven served dual roles as faculty and ombuds, and most received reduced time and/or stipend to fund the operations as well as it being considered part of their service to the university. A looming question remains about the purity of impartiality and independence for such a role, but all of them felt confident that they upheld the principles. Dr. Day, the Faculty Ombuds at University of Missouri Kansas City (UMKC), asserts that as a faculty member she does not conduct performance appraisals of faculty or have power over other faculty that would compromise the principles of practice. Similarly, none of the other three appeared to serve any administrative or supervisory roles and therefore, did not have formal power over other employees.

However, the authors also observed that most of the institutions who used dual-role ombuds served a significantly smaller number of “visitors” per year than those who had one or more full time staff assigned to their office. Dual-faculty ombuds served between 5 and 50 visitors per year while other ombuds served between 100 and 400 visitors per year. The only exception was Kennesaw University who employs two dual-role campus ombuds and handles approximately 200 cases per year. These numbers do not reflect the number of employees reached through various mediums like presentation, workshops, ombuds blogs, and other forms of outreach. However, it could be an indicator of the limitation of the dual-role and is a factor for universities to consider when evaluating the scope of impact that an ombuds or conflict resolution specialist can make when serving dual-roles.

ORIGINS, ESTABLISHMENT, AND ROLE OF THE IOA

Not surprisingly, most of the universities profiled (six out eleven) established a conflict resolution channel for employees because of an immediate conflict or issue they faced and a need for ongoing resolution. For example, the University of Minnesota established the Grievance Office which later evolved into the Office of Conflict Resolution after a landmark sexual discrimination lawsuit in 1973 that negatively impacted the university. Similarly, Kennesaw University and all other Georgia system universities implemented ADR channels after a widely publicized 1983 University of Georgia dispute that awarded Professor Jan Kemp \$2.5 million for wrongful termination. A few years into implementation, University System of Georgia Chancellor Stephen Porch, in a speech, noted that the conflict resolution initiatives have “saved the system millions of dollars per year in litigation costs” (Yarn, 2014, p.99). Others like Marquette University identified diversity issues as a catalyst to pursuing a conflict resolution role while some said they were responding to frustrations regarding faculty grievance procedures. Four other universities simply adapted to the growing trend in the 2000s and took preventative measures to mitigate escalating conflicts.

The establishment of these offices or roles were also methodical and most included an initial influential champion, a working group committee, and collaboration with key stakeholders (which included support from high level administrators). At the University of California Santa Barbara, the establishment of the Office of the Ombuds followed a 1970 Academic Senate recommendation for its implementation. Even so, after the ombuds who served for 30 years retired, UCSB issued a ten-person task force on “Dispute Resolution and Mediation” to examine ways that problems between and among staff, faculty, and students were resolved on the UCSB campus and to recommend the optimum conflict prevention and mediation matrix for the campus. The task force found that despite conflict and complaint resolution resources available, none ensured neutrality and the campus was lacking a systemic process that allowed the latitude to deal with intra- or inter-department conflicts. Thus, they made the recommendation to reopen the ombuds office in January 2005. Similarly, at East Carolina University a committee was set up with representatives from Student Affairs, Legal, Inclusion and Diversity, the Chairman of the Faculty, and the Vice-Chancellor of Employee Relations to determine the best fit for the director of Conflict Resolution and Mediation Program. At the University of South Florida St. Petersburg, faculty member Deni Elliott served as a campus ombuds for 12 years at the satellite campus. Consideration for a system-wide ombuds was propelled by then, General Counsel Steven Prevaux, under the direction of President Judy Genshaft, and included key stakeholders like the Board of Regents, union officials, faculty leaders, and high-level administrators at their three campuses regarding the possibility and desirability of a USF System-wide Ombuds for its 17,000 plus employees. A USF System-wide Ombuds role was then established in 2016.

In all cases, gaps were identified in the existing dispute systems and establishment of a conflict resolution specialist was intended to enhance administrative capacity, organizational effectiveness, and expand the safety net for university employees. The International Ombudsman

Association, which officially formed in July 2005 following the merger of the University and College Ombuds Association (UCOA) with The Ombudsman Association (TOA), likely played a key role in facilitating the formation of these ombuds offices because the associations essentially provided a blueprint for the institutions to establish them. The IOA resources include a formal charter with Standards of Practice (SOP) and a Code of Ethics based on the four guiding principles of independence, impartiality or neutrality, confidentiality, and informality. The IOA also published a manual for establishing offices in academic settings in 2014 (Byer, 2016, p. 215-216). The manual defines the parameters of the ombuds scope of practices, the limitations of the ombuds' authority, and qualifications to become an ombuds. The American Bar Association Section of Dispute Resolution also enacted a charter detailing the "Standards for Establishment and Operation of Ombudsman Offices". All offices with "ombuds" titles stated either through personal communication or on their websites that they followed the IOA Standards of Practice, most were IOA members, and a few held a Certified Organizational Ombudsman Practitioner or CO-OP® credential. In line with the SOP, all but one of the ombuds report directly to the university president and they exist outside of the organizational structure, thus they cannot be found on an organizational chart. This is an indicator of the independence and the impartiality that they exercise, which could be difficult to summon buy-in for in a traditionally bureaucratic system if it were not for established industry standards that give the ombuds' operations credibility. All ombuds offices were funded by either the president or provost and others received administrative benefits in reduced teaching or service obligations in exchange for serving a dual-role. The two titled directors were structured under the Office for Equity and Diversity but had independent offices like an ombuds.

CHARACTERISTICS, SERVICES, AND ISSUES

The authors held special interest in the substance of these programs hoping to learn more about the ombuds and directors' background and skills, the services in demand, the types of issues they tend, and their main functions. Previous research and experience, with federal and student ombuds prompted the authors to believe that organizational ombuds are often senior internal transfers and come from diverse vocational backgrounds. However, out of those profiled here, all but one had some form of specialization in conflict resolution or similar field. The ombuds and directors had the following credentials: (2) PhDs in Conflict Resolution; (1) PhD Organizational Communication; (1) Renown Scholar and Practitioner in Dispute Resolution; (4) Certified Mediators; (2) Certified Organizational Ombudsman Practitioner (CO-OP®); (1) Certificate in Dispute Resolution; (1) Professional in Human Resources (SPHR); (5) Juris Doctorates with some specialization in labor, arbitration, or related focus; and (1) who had a renowned career focused on Ethics and Labor Practices (Note: some respondents had more than one credential, so numbers add up to more than eleven). Only one did not meet any of the aforementioned criteria but rather was selected on a rotating basis in a dual-faculty role for having good rapport and "perceived people skills." He is also a contributing member of the IOA. The authors believe this level of specialization is an indication of the rise in conflict resolution education in the last three to four decades that has provided an opportunity for those interested in the field to specialize in conflict resolution methods.

In addition to credentials, those profiled seemed to personify a sense of commitment and purpose for their unique function within the organization as being one in which employees' voices and concerns matter, even if they don't warrant administrative adjudication. Kerry Egdorf, Ph.D. of Marquette, emphatically stated, that "fairness matters" and "having a voice matters" (Egdorf, personal communication, July 11, 2017). She sees her role, among other value-added functions, as providing the avenue for those who feel vulnerable, hurt or injured, or just confused, to speak in a safe place about their concerns and issues and to hopefully obtain some form of fairness while possibly gaining new skills, resources, and perspectives. Many explained that their credentials contributed to their proficiency and that skills like patience, listening, and empathy

were highly important. Julie Showers, J.D. of University of Minnesota, explained that such a role requires one to possess a lot of patience and empathy “because it requires patience to listen to other people, and it requires empathy to be able to relate to other people’s problems” (personal communication, March 1, 2017). Deni Elliot, Ph.D. of the University of South Florida, St. Petersburg, explained that as Campus Ombuds she used active listening to provide the visitor with validation and clarity and then to provide guidance or resources specific to the issue.

The majority provide services in coaching, facilitation, mediation, trainings, and customizable interventions but not surprisingly it seems all of them begin with active listening and problem-solving as a critical entry point. It is important to note that listening as an ordinary act is not the same as active or reflective listening skills that conflict resolution specialists are trained to practice. Reflective listening, for example is a special type of listening that involves paying respectful attention to the content and feelings expressed in another person’s communication, often one with high emotion, and sending your understanding of the essence back to the speaker in your own words to ensure accuracy (Katz, Lawyer, Sweedler, 2011). It allows the speaker to feel heard, understood, and their feelings validated which allows the speaker to digest emotions and gain the clarity needed to move into discussion and action plans. It is intended to empower the speaker so they can self-determine what the best resolution is for them. According to one of the ombuds at Lehigh University, listening is the main activity he performs, followed by option generation.

All of the offices make it known to their university communities that they address employee issues and are an independent, impartial, informal and confidential resource. “Sometimes all you need is someone to point you in the right direction,” says the Stony Brook University Ombudsman Office home page (2017). They explain they are a resource to help employees make sense of their complex organizations and what resources are available to them. Many offer examples of the types of issues brought to them like North Carolina State that lists sample cases ranging from facilitated group sessions for strategic planning to assistance in addressing salary or compensation concerns. Angela Dash, Ph.D. at Northeast Ohio Medical University handles concerns from “overcoming simple practical difficulties to handling sensitive complex issues” like incivility, ethical dilemmas, and harassment or discrimination (“What matters does the ombuds handle?” 2017).

In addition to what they publicly state, the authors wanted to learn about the most important functions or what they spent the most time doing. Although no aggregate data was possible because all of the offices have different methods of evaluation, tracking, and reporting, three functions stood out in their annual reports and correspondence. They provide insight into typical workplace dynamics within higher education. The first function is addressing the top employee issues which included (1) addressing evaluative relationships, (2) issues related to performance appraisals, and (3) poor communication. The second top function was conducting education outreach efforts which included internal networking to enhance the knowledge and use of their services as well as trainings, blog posts, and disseminating resources. The third was the systemic review function of providing administrators with insight into employee trends and issues coupled with recommendations.

FUNCTION 1: ADDRESSING THE TOP EMPLOYEE ISSUES

Among top employee issues, addressing evaluative relationships was cited as the concern brought to them most often. At Kennesaw University, the Ombuds reports that the majority of the cases involve evaluative relationships (half of all cases) and peer/colleague relationships (about a sixth). Similarly, North Carolina State’s Annual Report (2016) cited relationships with supervisors as the number one concern of visitors and relationships with peer and colleagues the second most frequent concern. Dr. Day of University of Missouri Kansas City said she spends a lot of

time facilitating issues around performance appraisals and Dr. Egdorf of Marquette University said the most frequent concerns brought to her are issues between supervisees and supervisors, or between co-workers, and issues related to performance appraisals and employee duties/responsibilities. At the University of California Santa Barbara, the top 3 most common concerns included communication, respect/treatment, and performance appraisal/grading. According to Julie Showers, J.D. (University of Minnesota), most complaints stem from miscommunication between supervisors and employees and in her 2016 annual report the most common issues across all types of employees included: “poor communication from leaders; an inability or unwillingness to hear and respond to employee concerns and perspectives; behaviors that were intimidating, insulting or shaming in both private and public settings; disrespectful email communication; inconsistent application of rules and policies; and the unavailability of training and support for supervisors around these issues. The policy most often cited in informal consultations was Board of Regents policy: *Code of Conduct*” (OCR Annual Report, 2016).

At first glance, it could appear that all of these universities face serious relationship and leadership problems, but for those familiar with group dynamics and for those working within higher education these concerns are commonplace. Relationships with authority are complex and evaluations can be either affirming or contradicting of an employee’s self-identity and therefore, an area of contention. However, considering the distinctive governance cultures that coexist one could see this as a possibly problematic convergence of the two. On the one hand the *laissez-faire*, collegial culture of educators who create, explore, and teach with relative freedom and on the other hand the more bureaucratic corporate culture of administrators who are tasked with evaluating performance and meeting university objectives. In addition, staff interdependently lie somewhere in the middle, likely with their own set of workplace culture(s), and a need for effective leadership and communication. Julie Showers identified in her annual report (2016) a lack of training and support for supervisors around these issues. Those who go into supervisory positions often lack administrative experience or leadership training.

FUNCTION 2: EDUCATION OUTREACH

A second function identified was the need for education and outreach to promote their office, their role, the services they provide, and conduct training and initiatives on identified areas of need and build internal capacity in conflict resolution skills. A few examples include: “Escaping the Conflict Cycle” at NEOMED (2016); “The Be Nice Campaign: Hard on Problems; Soft on People” at NC State; and “The Provost’s Academic Leadership Workshop” at East Carolina coordinated by Director Nkaze Nkengtego, Ph.D. and sponsored by the provost on “Diagnostic and Communication Tools for Managing Conflict and Change” delivered to 50 deans, department chairs and other top administrators (2016). Many of the ombuds indicated that educational outreach was paramount to its integration, acceptance, and growth. Some use blogs, others go college by college introducing themselves and hosting workshops, and some are integrated into orientations and campus community events. All used different methods or a hybrid, but all with the same purpose: to create awareness of the options available to employees through their services and to promote conflict resolution competency within the institution. Although difficult to measure, some kept track of outreach estimates and it expanded their numbers from 200 in-person visitors to reaching thousands of university members. The continuous networking, education, and relationship building with other university offices that serve faculty and staff like Human Resources, Equity and Diversity, Legal, and OEO helped them attract visitors and receive referrals. Several expressed that serving visitors was enhanced significantly when all of these “helping offices” worked together collaboratively, appreciated that each had a unique function, and made referrals to each other when appropriate.

FUNCTION 3: SYSTEMIC REVIEW

The function of systemic review was particularly interesting. The authors were surprised to find that all eleven of the offices provided some systemic review function to university administrators either through evaluative annual reports or directly reporting to the top administrators such as a chancellor, provost, or both. According to the IOA Standards of Practice:

“The Ombudsman identifies trends, issues and concerns about policies and procedures, including potential future issues and concerns, without breaching confidentiality or anonymity, and provides recommendations for responsibly addressing them” (JIOA, 2013, p.107).

This function is important because ombuds have a unique role that may give them insight into “emerging systemic trends and unintended consequences of organizational standards and procedures” as well as the ability to “anticipate conflicts and tensions during times of organizational change” (JIOA, 2013, p.54). Such a function requires crafting recommendations based on anonymized feedback and having good rapport with top administrators.

In a recent article in the Harvard Negotiations Journal on the *Disparities Within the Academic Ombuds Field* (Byer, 2017), Tessa Byer, M.A. identified a disparity in standardizing academic ombuds' duty in making recommendations for institutional improvement. She found that, “the IOA standards make it clear that ombudspeople are expected to make recommendations but it is not clear if they should be made publicly or privately” (Byer, 2017, p. 235). In her research, she found that 43 percent of interviewees made private recommendations directly to leaders and administrators, 33 percent made public recommendations like an annual report, and 24 percent did not make recommendations at all. She concludes that those who do not make recommendations could either feel it is not their duty to do so, or it could be affected by their relationship with leaders in the organization. Nevertheless, those interviewed in this research emphasized their ability to provide a “heads up” or serve as an “early warning system” on systemic issues. At the University of California Santa Barbara, the Office of the Ombuds even has the right to inquire and look into matters that they believe warrant their attention without receiving any complaints from members of the community. Ombuds Steven Prevaux at University of South Florida, believes that organizational ombuds are key in revitalizing corporate culture and advancing the university's strategic mission, and Ombudswoman Buehler at Stony Brook NY, addresses systemic issues where she recognizes barriers and provides aggregate data as well as recommendations to remedy the situation. This holistic view of employee trends and systemic issues from the perspective of someone who is both within and outside of the university system is a unique feature and one of great value.

DEMONSTRATING TANGIBLE AND INTANGIBLE VALUE - COOPERATION MAY BE THE KEY

In addition to the top three functions, the question of value and how to measure it continues to be a subject of disagreement in the ombuds field. The IOA provides evaluation categories that can be used in annual reports but some believe the tangible and intangible benefits that are felt by employees are not necessarily measurable and the need for strict adherence to confidentiality and low-key exposure makes this difficult (Rowe and Gadlin, 2014). Dr. Day of the University of Missouri Kansas City, is aware of the paradox between the standards of practice that eliminate individual record keeping and the ombuds' need to uphold informality and confidentiality, and yet demonstrate to others the benefits of the services provided (personal communication, February 21, 2017). Although she does not track everything she does and with whom, her annual reports highlight themes and the number of visitors she receives. All of the offices subscribed to some form of measurement using variables such as the number of visitors they receive, estimates of outreach efforts, and visitor surveys. The use of surveys was interesting because although not

everyone completes them, they can provide useful information if designed to do so. There were several examples of creative ways to demonstrate value of services. For example, at the University of South Florida System-Wide Ombuds Office, visitors rate their satisfaction on a Likert scale and are asked if they felt they had the opportunity to express workplace concerns, if they were better able to address concerns, and the likelihood of referring others to the ombuds office. At North Carolina State the visitor survey asks what the visitor *might have done* if they had not contacted the Ombuds Office. Out of twenty-three visitors, three reported they believe they would have filed a lawsuit; two would have filed a formal grievance; and one would have left the University (Annual Report, 2016). All three could have been costly alternatives.

According to Ombudswoman Buehler of Stony Brook, “80% of all cases come to me during an ‘informal’ process where things have not escalated into a major conflict or a ‘formal’ process such as formal complaints or grievances. It’s my opinion that this is a good indicator of the value of an ombudsman – to help visitors address problems/conflicts early on before it involves formal processes and formal complaints to other offices – expending more time and energy, conflict and use of institutional resources” (D. Buehler, personal communication, March 14, 2016). Not to be overlooked is the strong possibility of emotional healing that can take place for both the person who feels they have been mistreated in some way and the other parties to the dispute. A letter from Marquette University President Lovell and Provost Myers alludes to this important therapeutic aspect that is more likely to occur with ADR than with legal processes when he states:

“In any healthy organization, particularly one as diverse and complex as Marquette University, disputes, grievances, and interpersonal conflicts are inevitable. As a Catholic, Jesuit institution committed to the tenets of *cura personalis*, it is important that we have in place a variety of resources for individuals to seek resolution and ultimately heal” (“About the office of ombuds,” 2017).

None of the programs explicitly used any cost-savings, cost of conflict, or return on investment calculations to evaluate their work. Some within the field have argued that practitioners cannot assume their value and they must work toward cultivating evaluative goals, capacity, and value, especially in budget-challenged organizations, such as universities (Schenck and Zinsser, 2014 as cited in Byer, 2016). There are many challenges to evaluation including objectivity, access to data for cost measurability, the less visible intangible consequences or benefits of services, and the lack of standardization for this practice. Part of the issue lies in the fact that, “while there exist well developed analytical tools to monitor and analyze organizations’ income, expenditure, and other financial data, most organizations lack systems monitoring cost of conflict” (Buss, 2011, p. 58). Some factors are easier to measure such as turnover rates and legal fees while others are more difficult such as missed opportunities, miscommunication, and unpleasant work environment (Buss, 2011).

However, there does appear to be a path in the right direction. Nearly all of the ombuds or directors of conflict resolution served a separate yet cooperative role with other offices like Human Resources, Legal, Ethics, and Diversity, and receive referrals from a variety of departments and offices. Their efforts to educate and cooperate with others is critical to building rapport and trust within the university system, but it could also be the beginning of creating cooperation with offices such as finance and legal to “start collecting and analyzing a selected set of easily visible and measurable data” that can increase the ability to evaluate effectiveness and cost-savings (Buss, 2011, p. 59). For example, a reduction in the number of employee lawsuits could mean significant cost-savings in legal fees because for a medium size enterprise (500 or less employees) the average cost of defense and settlement is \$125,000 per lawsuit and 275 days to resolve (Hiscox, 2015). If the case goes to court, a median judgment is an additional \$200,000 not including the cost of settlement, payout, or productivity losses (Employment

Practice Liability, 2013). At the University of Minnesota, in fiscal year 2016, Showers conducted 186 consultations of which only 5% filed a formal grievance (OCR Annual Report, 2016, p. 4). An estimate of formal grievance cost could provide a cost-savings evaluation that further supports (not demonstrates) the value of their Office of Conflict Resolution.

In the broader context of the field of conflict resolution, this topic is weighed down with reluctance and theoretical disagreement which is reflected in its practicing branches like that of the ombuds field. Some remain more comfortable with qualitative descriptions and rely heavily on the four standards of practice for the role's distinction from other units within the organization. Several of the participants interviewed perceived their value, at least in part, to be based on the top administrators continued support and funding for their office. However, given universities' need to evolve and keep up with a number of external and internal trends, it is the opinion of the authors that conflict resolution professionals should do the same and strive to improve their own systems of evaluation as many of the professionals interviewed here have done regardless of the IOA's lack of consensus on the subject. It is part of the need to make a business case for conflict management because "in a seemingly rational and number-driven business world, no matter how compelling a case...might be, people from accounting, finance and other quantitative backgrounds prefer to make decisions on the basis of financial estimates before accepting conflict cost management as a business case" (Sutton, 2007 as cited in Buss, 2011, p. 60).

CONCLUSION

Unfortunately, our research revealed that despite those profiled, many universities still default to HR, EEO, and legal services to handle interpersonal employee conflicts. Some research suggests that less than 10% of complaints meet the test of legal standards, while over 90% consists of perceiving actions as offensive and its accompanying emotions (Herman as cited in Condrey, 2010). Therefore, the problem lies not in the use of these offices but rather in their limited focus and resources because each has its own purpose. None of them are designed to mitigate interpersonal issues that do not break the procedural policies and regulations they oversee. The research is reaffirmed considering the top employee issues identified among the eleven universities: (1) addressing evaluative relationships, (2) issues related to performance appraisals, and (3) poor communication, which are better suited for informal conflict management channels.

In addition, higher education employees are often reluctant to utilize the legal or rights-based procedures because of the power discrepancies inherent in the bureaucratic hierarchical culture of higher education administration. Institutions that rely heavily on power and rights-based methods to address employee conflict needlessly escalate the cost of poorly managed conflict and neglect promoting understanding, compassion, empowerment, and creative problem solving for employees and students as the norm rather than the exception. There are two reasons this may be the case. One is a pervasive culture of looking at conflict through a legal and/or production framework and seeing employee conflict as a liability. Another reason is a general lack of profound understanding about dispute resolution alternatives which seemed to be required for those in decision-making positions to gain the trust and support necessary to establish ombuds—as was evident in the establishment of most of the universities in the sample.

Higher education leaders who embrace the growth and expansion of conflict resolution resources help reframe the organization's understanding of conflict as one in which conflict is normal and expected, and who provide opportunities to manage it constructively are implementing "best practices" for its institutional inhabitants. Universities that overlook the essence of typical workplace disputes are neglecting the research that shows that procedural justice, a sense of fairness, a commitment to halting offensive behavior, and psychological satisfaction are just as important and related to the universities' interest in protecting its legal and financial resources as

well as public reputation. Leaders who are reluctant should bear in mind the sentiment expressed by an ombuds interviewed in Byer's (2017) research who stated, "to suggest a University would not need one would be a fantasy because it would have to be a place where all policies are fair, no one abuses power, and all communicate well, and all community members understand their rights and responsibilities" (p. 224).

The research indicated that the ombuds and conflict resolution directors' collaboration with other offices is promising for further development of evaluation methods in which tangible data could be used for cost-savings and cost of conflict metrics that can facilitate making the "business case" for these services to satisfy the more corporate culture of administration who is tasked with resource management. However, as important as the tangible data on return on investment might be, it is at least equally important for proponents of these services to also advocate for the value of the intangible benefits. The most general being that it humanizes the institution by providing "zero barrier offices" that are safe, credible and accessible (Rowe and Gadlin, p. 217) and one in which "ombuds become the one individual in a complex institution that constituents trust the most" (Byer, p. 236). It is a way for higher education institutions to manage their distinctive governance cultures in a proactive manner and demonstrate commitment to their espoused values.

Marquette's leaders illustrate this practice by publicly stating that their ombuds office is an "invaluable service to our employees" and it exemplifies congruency with the institutional values and tenets of *cura personalis*, defined as caring about the academic, spiritual, and developmental needs of the whole person; *justice*, defined as fair processes and consistent implementation; and *excellence*, defined as self-reflection and continuous institutional improvement (President Lovell and Provost Myers). Ombuds Egdorf at Marquette University captured the spirit and essence of this important benefit when she stated, "I think it sends out a message to the organization or our university that we care about our employees, faculty, students, and constituents and that we care about their experience here. To me there's a lot of value in that" (K. Egdorf, personal communication, March 17, 2017).

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Dr. Neil Katz has enjoyed an illustrious 45 year-old career in higher education and in organizational consulting. In addition to visiting professorships at Colgate University, the University of Missouri-St. Louis and McMaster University in Canada, Neil spent his initial 37 years as a professor in public affairs in the renowned Maxwell School of Citizenship and Public Affairs at Syracuse University. In addition to his teaching and research, Dr. Katz served as founder or director or associate director of five different conflict resolution programs at the University.

Dr. Katz has recently started his 9th year in the Graduate Conflict Resolution Studies Program at Nova Southeastern University in Ft. Lauderdale where he serves as a senior Professor and recent chair.

In addition to his professorships and service at various Universities, Neil is head of his own consulting firm, Dr. Neil Katz and Associates, which works with many prestigious clients in the private and public sector including major work on ombuds in federal government and in higher education, labor-management partnership, leadership, negotiation, mediation, and emotional intelligence. Dr. Katz also serves on the editorial board of scholarly journals and has been the recipient of several award such as the Martin Luther King Jr. Award from the city of Syracuse for his work and commitment to the principles of Dr. King, and a recent William Kriedler Award from the Association of Conflict Resolution for his lifetime contribution to the field of Conflict Resolution.

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APPENDIX A UNIVERSITY PROFILES

EAST CAROLINA UNIVERSITY

ORIGIN AND EVOLUTION OF THE CONFLICT RESOLUTION AND MEDIATION PROGRAM

Nkaze Chateh Nkengtego was appointed as director of the Conflict Resolution and Mediation Program (CRMP) at East Carolina University (ECU) in 2015 after a committee of key ECU stakeholders including directors from Student Affairs, Legal, Inclusion and Diversity, the chairman of the faculty, and the vice-chancellor of Employee Relations determined the university would benefit from an office that would assist in managing conflict informally and proactively, and have a better chance of dealing with root causes. After much debate, the decision was made to call it the Conflict Resolution and Mediation Program (CRMP) reporting to the director of the Office for Equity and Diversity (OED). This arrangement seemed desirable because it would not require setting up a separate academic unit since the committee suspected many of the issues might deal with possible discrimination.

THE CRMP ORGANIZATIONAL STRUCTURE AND LOCATION

The CRMP has a one-person staff, the director. The position is not formally aligned with any specialized resources such as Human Resources, legal services, employee assistance, equity and diversity or any others. Although housed in a separate office, the director of CRMP reports directly to the associate provost / director of the Office for Equity and Diversity (OED). Her supervisor reports to the vice-chancellor / provost of Academic Affairs, who funds the Conflict Resolution and Mediation Program. The CRMP is housed on the main campus in an administrative building. Purposefully, it is situated on a different floor from OED so as not to mix the two offices.

STANDARDS OF PRACTICE

The CRMP follows the International Ombuds Association (IOA) Standards of Practice and Code of Ethics, publicly proclaiming its commitment to confidentiality, informality, neutrality and impartiality, and independence. The widely-circulated brochure of its *raison d'être* and available services emphasizes the principle of voluntariness and highlights that visitors “com[e] freely and can stop availing themselves of services offered at any time” (“Conflict Resolution and Mediation Programs,” 2017).

ISSUES, SERVICES AND CONSTITUENTS

The CRMP serves faculty, staff and student employees only. The director regularly meets with other offices who also serve the same stakeholders to discuss issues and concerns. The CRMP publicly proclaims its vision is to “provide services to promote a non-adversarial, non-threatening culture of resolving workplace conflict and to promote a culture that views conflict as constructive, not destructive.” Following its vision, the mission of CRMP includes *education* on conflict resolution, *service* through a variety of approaches to resolving interpersonal conflict, and functioning as a *resource navigator* “to provide guidance to “visitors on resources outside the scope of CRMP to address their concerns” (“Mission and Vision,” 2017).

The director reports that in 2016 she had meetings and/or interventions with 341 visitors and “touched” or reached an additional 449 participants through presentations. Among the most

popular services provided were conflict coaching, facilitation of groups and meetings, shuttle mediation, workshops and occasional face-to-face mediation. The range of issues the CRMP can assist with include relationships with supervisor(s) and/or co-worker(s), workplace disharmony, communication misunderstandings, and contentious meetings that benefit from facilitation.

STAFF BACKGROUND AND CREDENTIALS

The Director of CRPM, Dr. Nkengtego, accepted the position at ECU with extensive training in alternative dispute resolution. She earned a Ph.D. in Conflict Analysis and Resolution from Nova Southeastern University (FL) and completed an internship with United Nations Ombudsman and Mediation Service (UNOMS) in New York. In addition, she was certified as a circuit court mediator in Florida and was a registered neutral with the American Arbitration Association.

PERCEIVED VALUE

Based on our informal conversations during a workshop with academic department chairs, deans of various units, the associate provost and the vice-chancellor / provost of Academic Affairs, it seems the CRMP has obtained many supporters for its added value to East Carolina University by providing low cost services for employees to help resolve or mitigate conflict in its early stages while providing a safe place to informally discuss and understand concerns before they escalate. The high number of visitors in the early history of the program is an indication of the need and potential reach of the program. In addition, the director plays a role as a valuable sounding board for university administrators on what employees' need are, their concerns, issues that need to be addressed, and what skills supervisory-level employees might need to be more effective leaders within the organization.

The director of the Conflict Resolution and Mediation Programs (CRMP) tracks the number of the employees reached through either individualized meetings and/or interventions, as well as through presentations and workshops. This is a tangible way to demonstrate value of the program which is important for continued funding. Another indication of the value that the provost/vice chancellor places on the CRMP is a sponsored Provost's Academic Leadership Workshop in June 2017 for 50 of his deans, department chairs and other top administrators on "Diagnostic and Communication Tools for Managing Conflict and Change" put on with the assistance of CRMP, OED, and outside presenters from the Department of Conflict Resolution Studies at Nova Southeastern University.

KENNESAW STATE UNIVERSITY

ORIGIN AND EVOLUTION OF THE OMBUDS PROGRAM

The University of Georgia system, with a population over 400,000 students and staff across 31 different institutions, has the most comprehensive integrated conflict management system of which ombuds play a critical role. Until the 1980s, most of the dispute resolution systems were traditional highly-structured, legalistic, and punitive processes which served mainly to protect the university through a formal grievance procedure and hearing offices, and resided across university legal departments, Human Resources, and student affairs including students serving in student judiciary processes. A widely publicized 1983 dispute that implicated the high-profile football program with academic misconduct and rewarded Jan Kemp, the Academic Remedial Program coordinator, \$2.5 million dollars for wrongful termination from her position served as a major catalyst for change (Yarn, 2014 p. 88).

One of the responses to the Jan Kemp dispute was the appointment of a Blue Ribbon Committee to look at the University's dispute resolution system. The committee developed five (5) broad goals for direction: 1) establish a system-wide C.R. program that will 2) decrease the reliance on adversarial processes and 3) resolve disputes efficiently and fairly at the lowest possible level, and in doing so 4) foster a healthier community and 5) lead the nation in ADR for higher education (Yarn, p. 89). By 2004, almost all campuses had some form of mediation program or ombuds office. From 1998-2011 over 800 mediations and 4000 cases were handled and on one campus every administrator and supervisor completed a course in conflict management skills (Yarn p. 92). A few years into implementation, Chancellor Stephen Porch in a speech noted that the conflict resolution initiatives have "saved the system millions of dollars per year in litigation costs" (Yarn, p. 99). One of the initiatives that emerged from the Blue Ribbon Committee report was the Office of the Ombudsman at Kennesaw State University (KSU) which debuted in 1996.

OMBUDS ORGANIZATIONAL STRUCTURE AND LOCATION

Over the years of existence, the Kennesaw University Office of the Ombudsman has been organized and staffed in a few arrangements, ranging from distinct collateral-duty ombuds for each constituency (faculty, staff, and student), to two full-time ombuds serving all three constituencies, to the present context of two collateral-duty part-time ombuds. The KSU Ombuds is organizationally linked to the president's office. The charter is signed by the president and the ombuds. All funding for the office flows from that office.

The ombuds serves approximately 40,000 faculty, staff, and students of KSU. The ombuds primarily target and serve faculty and staff, and assist in directing students to the range of other resources available to them. Each of the two campuses of Kennesaw State University has an ombuds who is a faculty member receiving 1/5th release time and a stipend to serve as Campus Ombuds. In 2014 Dr. Tim Hedeem was selected to serve as ombuds to the Kennesaw campus, and Dr. Joel Fowler was selected to serve as ombuds to the Marietta campus.

STANDARDS OF PRACTICE

The KSU Office of the Ombudsman website clearly states their commitment to the IOA Standards of Practice and the IOA Code of Ethics:

"The University Ombuds provides **confidential, impartial, informal, and independent** services to assist individuals with resolving problems or concerns. All members of the university community can seek assistance from an Ombuds at no cost. The Ombuds can help by listening as a sounding board, assisting in examining resolution options, suggesting possible referrals, making informal inquiries, or otherwise reviewing matters received...All communication with the Ombuds Office is understood to be **confidential**. The Ombuds will not confirm communicating with any party or disclose information without that party's permission, except in cases where there is an imminent risk of harm to self or others. The Ombuds office is **impartial**, serving as neither advocate nor apologist for any members or offices of the KSU community. Hence the Ombuds assists visitors in finding ways to address their problems, rather than by prescribing or pursuing a particular solution for a visitor... The Ombuds Office operates **informally**, has no authority or role in any formal process on campus...The Ombuds functions **independently** of other campus processes and offices, and has no vested interest or agenda, other than assisting visitors with reaching a satisfactory resolution to their concerns" ("Visitor Information," 2017).

ISSUES, SERVICES, AND CONSTITUENTS

The ombuds report the majority of their cases involve evaluative relationships (50% of all cases), peer/colleague relationships (1/6 of cases), or services/administrative issues (1/5 of cases). The office has identified seven (7) distinct actions/services they provide: listening, informing, coaching, referring, facilitating, inquiring, and communicating upward. Listening is involved in most every case, conflict coaching plays a role in 50%, while informing and referrals are provided in roughly 25% of cases. Most of the contacts/consultations with the ombuds take place by phone (approximately 60%), while the others take place in person. Both ombuds report each case takes an average (mean) of sixty-three minutes of time; the median is 60 minutes. The ombuds report they have approximately 200 visitors a year, roughly half of those faculty members, a quarter staff members, and a quarter students. In addition to the visitors, the ombuds are engaged in several out-reach activities and group facilitations during the year.

STAFF BACKGROUND AND CREDENTIALS

Both ombuds are active in IOA and have completed the IOA's fundamentals course and additional ombuds-specific training. Dr. Timothy Hedeem is a well-recognized name in the dispute resolution field as both a scholar and a practitioner. He holds various teaching and administrative positions in the academic undergraduate, masters and doctorate programs in conflict management at KSU, is very active in IOA and in the Dispute Resolution Section of the American Bar Association. He has conducted mediation trainings and consultations on dispute system design throughout the United States and is a member of the Commission on Dispute Resolution of the Georgia Supreme Court. In addition, Dr. Hedeem was one of the primary authors of a recent 600-page report and an 18-month research study on ombuds in the federal government.

Dr. Joel Fowler recently joined the ombuds community. His academic background is in mathematics. His career has included time as faculty moderator, mathematics department chair, and associate vice president for academic affairs. He, along with Tim, began as an ombuds in 2014, during the consolidation of Southern Polytechnic State University and Kennesaw State University.

PERCEIVED VALUE

Kennesaw State University has had a long tradition of valuing the contribution that ombuds make to the campus climate and in resolving disputes informally. Administration support has been clear and continuous. Visitor surveys indicate a high level of satisfaction and reveal that, in the absence of ombuds services, employees would have sought more formal and costly remedies such as grievances, resignations, and external legal action. Of those responding to surveys in recent years, all agree or strongly agree that the Ombuds Office served them according to their expectations, and followed IOA's Standards of Practice concerning confidentiality and impartiality (Hedeem, personal communication, August 1, 2017).

LEHIGH UNIVERSITY

ORIGIN AND EVOLUTION OF THE OMBUDS PROGRAM

The Ombuds Office was established in the early 2000s in response to the growing general trend toward establishing an ombuds role in higher education. At the time, Lehigh joined the nearly 380 other higher education institutions with ombuds. The office was set up to provide another channel of communication within the college community for students, faculty, and staff.

OMBUDS ORGANIZATIONAL STRUCTURE AND LOCATION

The ombuds is considered as one of several avenues for conflict resolution which include department chairs, deans, the provost's office, the Employee Assistance Program, and General Counsel. However, only the ombuds functions outside of the organizational chart and reports directly to the president. The office is staffed by two senior full-time professors appointed by the president, based on faculty recommendations. The office has traditionally staffed one female and one male professor. The professors receive a small stipend for their service as ombuds and the obligation is expected to last two to three years by choice of the faculty member. There is no formal space designated for housing. Each member of the Ombuds department uses their faculty office for meetings with visitors. The private offices are located apart from administrative buildings and yet are accessible to the campus community.

STANDARDS OF PRACTICE

Although the office does not have a formal charter, it is guided by the professional principles of confidentiality, impartiality, independence, and informality, as defined by the International Ombudsman Association Code of Ethics and Standards of Practice.

ISSUES, SERVICES AND CONSTITUENTS

The two ombuds serve "students, staff, faculty, and others who may bring a complaint against the university" on a campus of about 7,000 students. Each of the ombuds attends to approximately 24 cases or visitors per academic year. Academic and non-academic support staff are the most frequent visitors. Cases include performance evaluation feedback and issues concerning university policies (sick leave, vacation leave, and scheduling, for example). In most of the cases listening, option generation and problem solving are the main services provided by the ombuds. The number of visitors, the general issue, and the type (student, staff, faculty) of visitor are documented and reported to the president.

STAFF BACKGROUND AND CREDENTIALS

Both of the ombuds are professors: one is a professor of economics with research interests in labor relations and has held several administrative capacities at LU, and the other is a professor in mathematics who is involved in various committees meant to enhance the university. Both ombuds share an interest in serving the campus community, helping improve performance of the people in the organization, and the overall experience of living and working at LU. The ombuds believe their people skills are an important part of being recommended by colleagues and subsequently selected by the president to fulfill the role. One of the ombuds, Dr. Thornton is a member of IOA and has written a short article for the IOA newsletter.

PERCEIVED VALUE

The Ombuds Office at LU informally reports back to the president of the university regarding any systemic trends, problems, or complaints while ensuring confidentiality, impartiality, and independence of the office. Aside from general number of cases and issues, the ombuds provide a vital humanizing service and a compassionate ear and problem solving to mitigate issues that carry potential to escalate. They give referrals to appropriate resources such as the Harassment Officer or Ethics and Compliance, provide clarity for constituents trying to navigate a complex bureaucratic system, and provide key administrative stakeholders with the information they need to make improvements.

MARQUETTE UNIVERSITY

ORIGIN AND EVOLUTION OF THE OMBUDS PROGRAM

The Office of the Ombuds grew out of a task force on gender equity commissioned by the president after an audit revealed that the university had diversity issues, particularly with gender equity issues among the faculty. According to MU's ombudsman, Dr. Kerry Egdorf who began in 2007, it was recommended that "having an ombudsman fit with the mission of the university, and it could address diversity issues as well as other issues for faculty, staff, and administrators" (Egdorf, personal communication, April 11, 2017). The mission, values, and practices of the Ombuds Office, established in 2002, were then designed to closely align with the mission of the Catholic, Jesuit University. The work of the ombuds emphasizes three core principles:

Cura personalis: Each visitor is treated with care and respect. The Ombuds listens, helps to identify and evaluate visitors' options for dealing with troublesome matters, makes appropriate referrals, provides information on university policies and procedures, and works to facilitate a fair resolution of issues.

Justice: While not taking sides in a dispute, the Office of the Ombuds embodies Marquette's commitment to justice by advocating for fair processes and their consistent implementation.

Excellence: The Office of the Ombuds contributes to organizational excellence by informally bringing concerns and issues to the attention of decision-makers (with visitors' permission) and by formally raising organizational issues to enhance the university's self-reflection and continuous improvement processes ("The Ombuds and Marquette's Mission," 2017)

OMBUDS ORGANIZATIONAL STRUCTURE AND LOCATION

The Office of the Ombuds operates independently out of its own office in a multi-functional building, Cudahy Hall. The Ombuds does not appear on any organizational chart and reports directly to the President. Dr. Egdorf's appointment is part-time for 25 hours a week and she continues to teach. She is the only staff member in the office. In addition to reporting directly to the president and obtaining a budget from the president, she also sends a report each year to Internal Audit outlining her activities.

STANDARDS OF PRACTICE

The Office of the Ombuds is very transparent in its commitment to the IOA Standards of Practice and its Code of Ethics. The website contains a very clear and concise definition of the standards which they refer to as "essential characteristics of the Ombuds" and includes: confidential, impartial, independent and informal ("Essential Characteristics of the Ombuds," 2017). Marquette is also known for a landmark case in which a former ombuds was challenged by an employee on its confidentiality standard. In *Cotrone v. Marquette University, 2007* the plaintiff alleged that the ombuds had violated standards of confidentiality by bringing her issue to her supervisor, but the court found that the ombuds (defendant) had followed the process's rules, did not disclose the visitor's identity, and there was no evidence of any subsequent harm caused. It is likely for this reason that the Standards of Practice are explicitly stated and detailed on the website.

ISSUES, SERVICES, AND CONSTITUENTS

The ombuds serves as a confidential, neutral and informal resource to facilitate resolutions to workplace concerns for faculty and staff. The ombuds listens, discusses questions, concerns, or complaints, and helps the visitor identify and evaluate options or may refer them to available resources. The ombuds provides coaching, mediation, and problem-solving for visitors but may also provide feedback without disclosing identities to appropriate personnel or make recommendations to administration regarding organization-wide problems that she identifies. According to Dr. Egdorf, the most frequent concerns brought to her are issues between supervisees and supervisors, or between co-workers, and issues related to performance appraisals, employee duties and responsibilities. Among her most frequent interventions are conflict coaching, facilitating conversations, and facilitating meetings.

STAFF BACKGROUND AND CREDENTIALS

Dr. Kerry Egdorf, holds a Ph.D. in Organizational Communications from Ohio University and a Graduate Certificate in Dispute Resolution from Marquette. Formerly, she was a full-time faculty member at Marquette, but now splits her time serving as an adjunct assistant professor and fulfilling her duties as ombudsperson. Dr. Egdorf is an active IOA member and her office sponsored a "Whistleblower Laws and Policies" program with Chuck Howard, who is chair of the American Bar Association Ombudsman committee.

PERCEIVED VALUE

It is impossible to address the value of the ombuds without considering its place within the overall mission and values of this Catholic, Jesuit University which is explicit about its commitment to the tenants of *cura personalis* (Latin for the "whole person" or the "entire person" including their academic, spiritual, and developmental self), justice, and excellence. The value of the office is showcased on the website's home page with a letter from the President addressed to the Marquette Faculty and Staff which places the ombuds work as central to the values of the University and as "an invaluable resource to our employees" recognizing that "in any healthy organization, particularly one as diverse and complex as Marquette University, disputes, grievances and interpersonal conflicts are inevitable" and that "it is important that we have in place a variety of resources for individuals to seek resolution and ultimately heal" ("About the Office of the Ombuds" 2017).

Considering other forms of demonstrating value, the Ombuds Office at Marquette seems to excel. The ombuds estimates that in a typical year she might work with 3-4% of the 2,400 full and part-time employees which would be somewhere between 72-96 visitors a year. In addition, her activities reach many through her occasional articles, involvement in meetings as a facilitator or attendee, and particular expertise such as leading a strategic planning workshop. She also fulfills a systemic function by providing a "heads up" or "early warning system," being present at university wide meetings and having important conversations with many stakeholders. She is able to identify broader trends or patterns that exist and discuss those with appropriate administrators. Dr. Egdorf believes strongly in the intangible benefits of the Ombuds Office. She states emphatically, that "fairness matters" and "having a voice matters" (Egdorf, personal communication, July 9, 2017). She sees her role, among other value-added functions, as providing the avenue for those who feel vulnerable, hurt or injured, or just confused, to speak in a safe place about their concerns and issues, and to hopefully obtain some form of fairness while possibly gaining new skills, resources and perspectives.

NORTH CAROLINA STATE UNIVERSITY

ORIGIN AND EVOLUTION OF THE OMBUDS PROGRAM

The North Carolina State University Ombuds (NC State) program was born from an interest in determining the feasibility of an ombuds office following several years of debate by the faculty senate over challenges within the faculty grievance system. NC State formed a committee that included faculty leadership and various stakeholders such as representatives from the general counsel, human resources and the office of faculty development to research ombuds models, and eventually to pass a resolution in favor of establishing the position in 2012. A request for proposals (RFPs) was utilized to screen viable candidates for the position of ombuds culminating in the hiring of Roy Baroff, J.D. Baroff is a Certified Organizational Ombudsman Practitioner (CO-OP®), attorney, mediator, arbitrator, educator, and serves as the faculty and staff ombuds. He began in 2014 as the faculty ombuds with the initial rollout of the office in February 2015. Commencing in January 2017, his services now extend to all staff employees.

OMBUDS ORGANIZATIONAL STRUCTURE AND LOCATION

Intentionally organized in a semi-hierarchical matrix, the ombuds reports directly to the provost and the chancellor, the result of a small ad hoc working group's input which also includes a charter. The initial annual report is a very comprehensive 59-page document and serves as a record of the office's activities for the first 17 months of existence. The office has its own off-campus building which provides the confidentiality, discretion, and comfort an employee visitor may need, yet is within walking distance of the campus with ample parking.

STANDARDS OF PRACTICE

The office adheres to the core tenants of the International Ombuds Association (IOA) Standards of Practice and Code of Ethics: confidentiality, independence, impartiality, and informality. Its independence is emphasized by a clear statement that "the office is independent in structure, function and appearance to the highest degree possible. It operates independent of ordinary line and staff structures and exercises sole discretion over whether and how to act regarding individual matters or systemic concerns" (NCSU Faculty Ombuds 2016 Report). In addition, the faculty and staff ombuds is certified by the IOA as a Certified Organizational Ombudsman Practitioner (CO-OP®), which requires a candidate to pass the written certification examination, hold a higher education degree, have one year of full-time experience or 2000 hours of practice as an organizational ombudsman, and pass a full review by the board of certification.

ISSUES, SERVICES AND CONSTITUENTS

The faculty and staff ombuds engages with all faculty-appointment and staff employees. Typical issues include problems with peers, supervisors, department regulation or policy, or anything that impacts their ability to work. The annual report documents that relationships with supervisors was the number one concern of visitors, with relationships with peer and colleagues the second most frequent concern. The ombuds does conflict coaching, negotiation, facilitation, and training but does not do formal mediation. When conducting conflict coaching, he provides guidance by providing a space for visitors to talk and to explore options based on the discussions. In addition, the ombuds conducts systemic reviews (his observations and recommendations on six issues is documented in the annual report) and introduced two major initiatives to promote "conflict competence" among his constituents. One was a series of meetings to "Meet the Faculty Ombuds" and the other an initiative called "The Be Nice Campaign: Hard on Problems; Soft on

People.” In 2016, 111 faculty cases were handled and a pilot program to include staff was launched.

The ombuds advertises his services through websites, occasional blog posts, and introduces himself department by department at faculty meetings, conducts presentations for college leadership (NC State has 13 colleges), and attends special committee meetings (not as a committee member) to be up to date on what is going on in the university. The ombuds meets yearly with the chancellor and provost to discuss trends, provide a “heads up” on systemic issues and provide aggregate data published in the annual report that is useful to the university leaders.

STAFF BACKGROUND AND CREDENTIALS

Roy Baroff, J.D. has the credentials needed to excel as an ombuds in higher education including a 30-year career as a practicing attorney, mediator, facilitator, arbitrator, adjunct professor, membership on the American Bar Association’s Ombuds Board for Dispute Resolution, and professional presentations at the IOA conference. Of all the skills needed, Baroff reports that the ability to mediate, facilitate, and to remain impartial and neutral prove the most valuable. Mr. Baroff stated (2017), that the combination of mediation, negotiation, conflict resolution and alternative dispute resolution strategies, analytical skills and professionalism, and 10-year experience as an adjunct professor all contributed to him being selected as the first official ombuds at NC State.

PERCEIVED VALUE

Each organization has mechanisms in place to help solve problems, some of them are formal and some of them are informal. Mr. Baroff believes the ombuds sort of fills in the gaps that NC State has with other conflict resolution mechanisms in place and prevents conflicts from falling between the cracks or escalating. Mr. Baroff recognizes that NC State is a data-driven institution and he uses the IOA reporting categories to compose an annual report on the demographics of visitors, types of cases, issues, and includes a post-visit confidential survey. The annual report documents 116 cases that were brought to the ombuds during the February 2015 to June 2016 period. The preliminary data from the post-survey was encouraging in presenting the value-added function of the office. Visitors proclaimed high levels of satisfaction with the ombuds being helpful in identifying and considering options to address concerns, providing useful information, helping the visitor to be better able to handle their situation, and having their issue resolved or close to resolution as a result of the ombuds involvement.

Perhaps even more significant was some preliminary data on what visitors reported they might have done if they had NOT contacted the office. Out of the 23 who filled out the survey, three reported they would have filed a formal grievance; two would have filed a formal complaint, and one would have left the university. The results documented in the Annual Report are discussed within the reporting structure. The results of the first year and a half of the ombuds’ efforts were seen as significant enough to warrant the president and the provost increasing the ombuds service as a contractor from 20 hours a week to 30 hours a week and adding staff services to his duties as of January 2017. This has proved to be a popular move as in the first six months, over 50 staff visitors have reached out to the ombuds.

NORTHEAST OHIO MEDICAL UNIVERSITY (NEOMED)

ORIGIN AND EVOLUTION OF THE OMBUDS PROGRAM

Northeast Ohio Medical University was created in 1973 as a public multi-professional health sciences university now serving physicians, pharmacists and graduate health researchers. Forty years later the Office of the Ombuds was established in 2014 to promote fairness, dignity, equity, and respect for all visitors with the major goal to ensure all members of the university are treated fairly, equitably, and with dignity and respect, and to serve as a catalyst for change by bringing systemic concerns to the attention of the university for resolution. The 2016 Second Annual Report emphasizes “honorable organizational practices, humane and just administration, as well as caring and productive teamwork...in an effort to effectively manage conflict and difficult situations.”

The university president, the general counsel and the Ombuds signed the Office of the Ombuds Charter in 2015 to focus on internal practices. NEOMED’s ombuds reports to the highest level possible (president) in the organization in congruence with the IOA’s Standards of Practice and is free from control, limitations, and interference by any university official. University officials support the IOA standards and code of ethics by providing the ombuds with a confidential mobile phone to limit emails and voice messages. As a medical university, professional counselors deal with stress, wellness and health concerns through the university’s Employee Assistance Program and the limitations of the ombuds role is defined so visitors know the parameters of the ombuds’ as to confidential “off the record” conversations.

The ombuds supplements formal channels. Issues like employee sexual harassment, ethical dilemmas, workplace bullying, grade disputes, supervisor employee disputes, professional misconduct, etc. can be addressed with other offices, however, the ombuds functions as a neutral, confidential and off-the-record resource. Outreach and education is accomplished through training initiatives and when appropriate, the ombuds can refer visitors to other resources for assistance. Most visitors are assisted through one-on-one problem-solving conversations which incorporate a conversational framework to increase self-awareness, their awareness of other perspectives, and enhances their confidence and competencies to approach similar issues in the future. Publication of annual reports are to guide the ombuds outreach and education efforts in relation to issue prevention and appropriate systems change (Second Annual Report, 2016).

OMBUDS ORGANIZATIONAL STRUCTURE AND LOCATION

The Ombuds, Angela E. Dash, Ph.D., reports to the university president, and serves as a neutral, confidential and off-the-record resource for all students, faculty and staff seeking fair and equitable resolutions to issues at the university. Careful consideration was given as to the location of the ombuds office which is housed in the NEOMED L Room L209 with sound proof wall panels and white noise machines to protect the confidentiality of the conversations. Only the ombuds has access to the dedicated cell and its call log.

STANDARDS OF PRACTICE

The Office of the Ombuds charter specifically references the IOA’s four pillars of confidentiality, independence, neutrality and fairness, and follows the IOA’s Code of Ethics. The essence of ombuds’ mission is communicated on page one of the Charter. NEOMED benchmarks its progress against specific medical universities and incorporates best practices into their culture including those from other ombuds offices. The ombuds is also available to meet visitors at unusual times to protect the privacy of the visitor. The charter states “The Ombuds shall not keep

records containing identifying information on behalf of the university, and shall not create or maintain documents or records for the University about individual matters. Therefore, neither the Ombuds nor the Office of the Ombuds will have records subject to the Public Records Law in Ohio or the university's Record Retention Schedule Section VIII" (Charter Agreement, 2015). A very inclusive charter defines the privileges, responsibilities, and limitations of the Office of the Ombuds and confirms the university's commitment to respect the IOA tenets of confidentiality, informality, impartiality, and independence. The ombuds is an independent division of the office of the president, reporting to the president, and is listed on the organization chart. The ombuds is responsible for the annual report and compilation of data from her office.

ISSUES, SERVICES, AND CONSTITUENCIES

Currently the ombuds serves 959 students, 2,500+ teaching faculty members and 400+ staff members. In the first year of existence the ombuds dealt with 43 cases and based on these identified patterns and concerns, the ombuds conducts numerous workshop development trainings like "Conditions of Organizational Conflict" open to all stakeholders. The 2016 Annual Report indicates usage included 53 visitors, a 140% increase in student usage, and over 100 meetings including interventions with visitors and disputants in an effort to bring about resolution. The Office of the Ombuds collaborated with the Anel Mohan Kohli Academic and Information Technology Center providing publications and learning materials available to the campus community. Statistics indicated new issues included 2 faculty (4.2%), 12 students (25%), and 34 staff members (70.8%) with 43% being staff managers.

The first fourteen months saw evaluative relationships as the largest categorical issue with 2016 issues of evaluative relationships representing 41% (n=31) which is the same number reported in 2015. Evaluative relationships include concerns or inquires related to supervisor-employee or student-faculty/staff relationships with workplace bullying (n=6) the largest issue in the category (Annual Report, 2016). The 2016 report lists the second largest issue within the evaluative relationship category as the quality/quantity of communication (n=5) and issues of respect/treatment (n=5). 44% of issues presented by visitors concerned categories within the evaluative relationships, 18% were from peer and colleague relationships while 14% represented organizational, strategic and mission concerns (Annual Report, 2016). The number of issues presented in 2016 were 73, an increase over 2015 issues of 69 (Annual Report, 2016). The types of assistance provided indicated 38% of cases (n=17) were to develop and consider options, 8 (18%) were informative, 7 (16%) were issue identification and clarification, 7 (16%) preparation for difficult dialogue, 7 (16%) involved the ombuds researching issues, 3 (7%) were upward feedback and the remainder were referrals or a single third-party intervention.

Using the 2015 Annual Report, the Office of the Ombuds focused on strategic outreach and education to include new student and new employee orientations, campus workshop deliveries focusing on group dynamics, personality differences, escaping the conflict cycle and workplace hostile environments and bullying. These presentations educated students and new staff to the role of the ombuds. Additionally, the ombuds contributes to the campus publication "The Pulse", has an ombuds table at the yearly picnic, presents to academic and student leadership, conducts yearly leadership group coaching programs and hosts an all-campus Conflict Resolution Day.

As the director and Ombuds, Dr. Dash presents a series of workshops including: 1) workplace bullying; 2) emotional intelligence; 3) navigating personality differences; 4) three common communication blockers; 5) practical mediation strategies; and 6) conditions of organizational conflict (Second Annual Report, 2016).

STAFF BACKGROUND AND CREDENTIALS

Angela E. Dash is the sole staff member and holds a Ph.D. from Nova Southeastern University, a Masters of Public Administration and a Bachelor of Arts. With twenty years of experience in Georgia's judicial system, she brings her experience from the Governor's Office of Disability Services Ombudsman, the State Court of Fulton County in Atlanta, the Atlanta Judicial Circuit and the DeKalb Juvenile Court to this position. Hired as the chartering director, Ombuds in October 2014, Angela's main focus was to create the Office of Ombuds from its infancy to reality. Even though NEOMED is an academic institution, Angela described her role as an organizational ombuds and is responsible for every facet of the department, including the annual report. Angela is a member of the IOA and ACR, served as a charter board member of the Georgia Chapter of the ACR and served as a CASA (court appointed special advocate).

PERCEIVED VALUE

The university's Ombuds' Charter specifically addresses the value of the Ombuds' program using traditional cost-effectiveness metrics and works in conjunction with the University President to determine appropriate evaluation mechanism to ensure accountability, purposefulness and mission of the Ombuds office. The charter was signed by the university president, the ombuds, and the university's general counsel, with leadership support evident in the expansion of trainings offered and professional development options.

STONY BROOK UNIVERSITY – THE STATE UNIVERSITY OF NEW YORK

ORIGIN AND EVOLUTION OF THE OMBUDS PROGRAM

The Office of the Ombuds was originally established in 1966 by President John Toll based on a recommendation from the university faculty. The office's mandate was "to informally investigate problems not adequately resolved by regular procedures and channels" (Ombuds Office Charter). In 1988, it was re-established to focus on operations and facility issues, particularly to improve service delivery and community relations. In 1989 the position was expanded "not only to provide assistance to individuals who encounter problems working through the bureaucracy, but also to energize problem solving capabilities of campus systems overall and to facilitate communication amongst campus consistencies" (Ombuds Office Charter). The Ombudsman Office is currently staffed by one Ombudsperson, Donna Buehler, who began as a director of the EAP (Employee Assistance Program) in 1998 and was later transferred to the Ombuds office in 2014.

OMBUDS ORGANIZATIONAL STRUCTURE AND LOCATION

The ombuds functions independently and reports to the president's office, and chief deputy for administrative and budgetary purposes only. Donna Buehler's Ombuds Office has an allocated budget, from the president which includes resources to operate, professional development money, and full-time salary for the Ombuds. The ombuds provides feedback to the president's chief deputy and leadership team to inform them of the kinds of issues and trends the office deals with and to provide guidance to leaders (Ombuds Office Charter). The office is granted the authority to inquire about any issues pertaining to the university that may affect a member without receiving a specific complaint, acting on its own discretion (Ombuds Office Charter).

Two offices are available on the east and west campuses. The main Ombuds Office is located on west campus. The east campus office is located in the Health Sciences Center using the Human Resource Services department satellite office one afternoon per week (although the office door

does not list the Ombuds Office due to the independent and confidential nature of the Ombuds Office).

STANDARDS OF PRACTICE

The Ombudsman Office charter uses the IOA Standards of Practice, IOA Code of Ethics, ABA Standards for the Establishment and Operation of Ombuds Offices, and the IOA Guidance for Best Practices and commentary on the ABA Standards for the Establishment and Operation of Ombuds Offices. The ombuds is ensured independence through the reporting structure in which the ombuds only reports to the president's office outside of the university structure. The ombuds supports an impartial and fair process and open communication without any formal record keeping. The ombuds only reports aggregate data on utilization, trends, problems, and suggests recommendations to university administration.

ISSUES, SERVICES AND CONSTITUENTS

"We are here to point you in the right direction," says the Stony Brook University Ombudsman Office home page. The ombuds serves any member of the Stony Brook campus community including students, faculty and staff, with one-on-one services, referrals to the appropriate resources, and training and workshops designed to educate on conflict resolution strategies. On average the ombuds attends to 2-4 visitors a day and up to 15-20 a week. The ombuds does outreach and promotes services to departments and at student orientations. According to the ombuds, there are three main categories that issues fall under: One, concerns/complaints that have to do with evaluative relationships e.g. employee/supervisor, student/faculty, where there may be complaints about grades or performance appraisals or lack of fairness, lack of respect or bullying. The second category has to do with administrative services – behavior of service providers, timeliness in getting a response, lack of clarity about policies/procedures, etc. And, the third category impacting primarily with faculty/staff is problems associated with organizational change/leadership and effective supervision (Buehler, personal communication, August 17, 2017). One example of an atypical but interesting issue is co-mediating authorship/plagiarism issues between researchers at my university and another university. So, the ombuds at each university are working together with researchers and following up with our Research Integrity Officers (Buehler, personal communication, August 17, 2017).

STAFF BACKGROUND AND CREDENTIALS

The current Ombuds, Donna Buehler, has a background in many areas including clinical social work, public speaking, crisis management, business skills, behavioral health and wellness. She also completed a 40-hour mediation certification training and was previously the director of the EAP (Employee Assistance Program) and director of Healthier U, an employee wellness program. Her experience, training, and knowledge of the university, the culture, and campus resources serve her well in her ombuds role.

PERCEIVED VALUE

According to Buehler, "80% of all cases come to me during an 'informal' process where things have not escalated into a major conflict or a 'formal' process such as formal complaints or grievances. This is a good indicator of the value of an ombudsman – to help visitors address problems/conflicts early on before it involves formal processes and formal complaints to other offices – expending more time and energy, conflict and use of institutional resources" (Buehler, personal communication, October 20, 2016). Value, is also exemplified in the number of cases she attends to, 2-4 on daily basis which she responds to in 24-72 hours, and the fact that about

“half of the cases are resolved and half received coaching and consultation to address their situation – as it can’t be easily resolved” (Buehler, personal communication, October 20, 2016). She also addresses systemic issues when she recognizes problems and barriers, as well as to suggestions on how to remedy the situations.

UNIVERSITY OF CALIFORNIA SANTA BARBARA

ORIGIN AND EVOLUTION OF THE OMBUDS PROGRAM

Following the recommendation of the Faculty Senate, the Ombuds Office was established in the early 1970s as “an alternative channel for communication and dispute resolution to provide informal dispute resolution services to faculty, staff, students and anyone with a University-related concern” (UCSB Office of the Ombuds, 2013b). Geoffrey Wallace, campus ombuds, and Amelia Frank, Associate Ombuds served the ombuds program for 17 years cooperatively, and Wallace for a total of 30 years. When Wallace retired in 2004, a ten-person task force examined dispute resolution and mediation as options when problems arose involving staff, faculty and students, and to recommend the optimum conflict prevention and mediation matrix for the campus. The task force found that despite conflict and complaint resolution resources available, none ensured neutrality and the campus was lacking a systemic process that allowed the latitude to deal with intra- or inter-department conflicts. Thus, they recommended the Ombuds Office reopen in January 2005.

OMBUDS ORGANIZATIONAL STRUCTURE AND LOCATION

The new Ombuds Office adopted a totally different organizational structure from the previous with different metrics, processes and procedures to ensure efficacy and accountability. The office is now comprised of three full-time and one quarter-time staff members: Caroline Adams, Michael Steinberg, Shauna Shea and Michael O’Connell. To ensure independence, the ombuds head is classified as Management and Senior Professional (MSP) and reports directly to David Marshall, Executive Vice-Chancellor (EVC) for administrative and budgetary purposes only with access to the highest level of administration. In addition, an ombuds advisory committee made up of 2 faculty, 2 staff and 2 students (1 undergrad, 1 grad) provides oversight, accountability, and feedback about work of the office. The Office of the Ombuds reopened in the middle of campus in Girvetz Hall, an academic building and utilizes the ‘white noise’ acoustic system to protect confidentiality.

STANDARDS OF PRACTICE

The office has both a charter agreement and declaration of best practices adopted from IOA Standards of Practice, IOA Code of Ethics, and IOA Best Practices. It asserts that the office function independently of other organizational entities, be confidential and impartial, limit the scope of services to informal means of dispute resolution, and requires the ombuds be IOA members who continue training (UCSB Office of Ombuds, 2013c).

One interesting assurance for UCSB Ombuds is that they are legally protected from university intrusion into confidential matters. “The Ombuds Offices shall be provided legal counsel independent from the University in the event they are asked for documents or testimony related to any litigation or other formal process, or when any other conflict of interest arises between the Ombuds Office and the administration or the University” (UCSB Office of Ombuds, 2013g, p.6). This practice is one that many ombuds, especially in the federal sector have called for and UCSB integrated it in the reestablishment of their Ombuds Office.

ISSUES, SERVICES AND CONSTITUENTS

The Ombuds Office serves “faculty, staff and/or students at the respective locations, and where appropriate, to others who encounter difficulties with the university, i.e., alumni, patients, applicants, family members, etc.” (UCSB Office of Ombuds, 2013g, p. 3). The academic year of 2015-2016 saw “433 cases, 97 more than the previous nine-year average of 336” (Annual Report, 2015-2016, p. 9). 46% of all visitors were staff members, and 19% were faculty (Annual Report, 2015-2016, p. 9). The Ombuds Office calculates hours projected and actually spent on each case. 49% are resolved in 1-3 hours while 24% take 4-6 hours.

Visitors make initial contact the office in a variety of ways. 74% made contact by phone while 18% were walk-in visitors and 8% were email contacts. Intake consultations determine which specialist ombuds will handle the visitor’s case. The ombuds have determined loss of departmental productivity (61%), unwarranted attrition transfer (49%), and potential for internal/external grievances (41%) are the most common risk categories.

Education and prevention program offerings are developed by Caroline and her staff to prevent concerns from arising and empower individuals to resolve conflicts. Workshops reached over 700 participants and often include other university department experts. Each workshop and presentation is designed from climate surveys and departmental interviews. The top cumulative (faculty, staff and student) concern categories were 1) respect/treatment, 2) performance appraisals/grading, 3) poor communication skills, 4) communication, and 5) departmental climate with bullying/mobbing being the bottom category. Faculty top concerns were: respect/treatment (50%), values and culture (31%), discrimination (27%) and departmental climate (27%) with equity of treatment, bullying/mobbing and use of positional power each at 10%. Academic chairs reported respect/treatment at 47%, department climate at 38%, bullying/mobbing at 26% and discrimination at 26%.

Non-supervisory staff reported management effectiveness nearly 40% of the time, respect/treatment at 24%, and communication at 20% while supervisors cited communication concerns at 34%, department climate, administrative decisions, poor communication skills and management effectiveness at 25% each. Administrators and directors were concerned with management effectiveness and respect/treatment at 32%, and also cited communication almost as often as bullying/mobbing as a concern a little under 25% of the time.

The Office of the Ombuds maintains a Facebook account and website with emergency contact links. Also offered are “confidential consultation services for conflict prevention and management, decision-making, policy questions, university processes, work relationships and career coaching” (Annual Report, 2015-2016, p. 3).

The Ombuds Office “serves as an information and communication resource, consultant, dispute resolution expert and catalyst for institutional change for its location” (UCSB Office of Ombuds, 2013g, p. 3 & UCSB Office of Ombuds, 2013c, p. 1). The Ombuds Office can also engage in systemic reviews and has the right to inquire and look into matters that they believe warrant their attention without receiving any complaints from members of the community.

STAFF BACKGROUND AND CREDENTIALS

Each staff member is a member of the International Ombudsman Association (IOA), with Campus Ombuds Caroline Adams being a Certified Organizational Ombudsman Practitioners (CO-OP™). Each of the UCSB Ombuds have different, but fitting credentials. According to the Annual Report (2015-2016, p. 5), Campus Ombuds and attorney Caroline Adams handled 44% of the cases while spearheading the launching of the Office of the Ombuds education and prevention program. Caroline presents workshops and designs departmental retreats based on specific needs,

facilitates Ombuds and legal webinars, and attends the IOA and ABA conferences. The Associate Ombuds, Michael Steinberg, was the former Associate Ombuds at Columbia University and a former case coordinator at Harvard Mediation Program at Harvard Law School. The Assistant Ombuds, Shauna Shea, is a former teacher and the part-time faculty ombuds, Michael O'Connell is a retired professor and a former EAP head. The ombuds staff has participated in 13 conferences, and hold membership on 19 service committees.

PERCEIVED VALUE

In the ten years of operation, the Ombuds Office has seen a steady increase of visitors, a testament to its need and credibility. The 2005-2006 first annual report indicated 230 visitors; the most recent report in 2015-2016 counted 433 visitors. In addition to serving as a neutral space for problem-solving and direction in terms of resources, "I think it sends out a message to the organization or our university that we care about our employees, faculties, students and constituents and that we care about their experience here. To me there's a lot of value in that" (Caroline Adams, personal communication, March 8, 2017). The office is committed to "facilitating campus-wide conflict management with an emphasis on conflict prevention" (Annual Report, 2015-2016, p.2) which is sometimes less tangible but certainly not less valuable.

Post-consultation survey results reveal some interesting data on likelihood of actions that might take place without Ombuds services. Survey respondents reported that without the availability of ombuds services, 35% had considered giving up and remained disgruntled, 16% considered filing a lawsuit, 30% planned on leaving UCSB, and 28% reported filing a formal complaint or grievance. Others considered notifying "the press, having a potentially explosive confrontation, and terminating a relationship" (Annual Report 2015-2016, p. 27).

UNIVERSITY OF MINNESOTA

ORIGIN AND EVOLUTION OF THE OFFICE OF CONFLICT RESOLUTION

The Office of Conflict Resolution (OCR) was propelled by a landmark sexual discrimination lawsuit filed against the University of Minnesota in 1973 which led to the eventual pilot program of the Grievance Office (GO) meant to provide due process, adjudication, and the protection of individual rights. By 2005, following the recommendations of the Grievance Advisory Committee and a Dispute Resolution Work Group of stakeholders, the GO evolved into the Office for Conflict Resolution (OCR). This shift in title was critical in that it demonstrated a strong desire of the stakeholders to promote less adversarial processes to manage conflict and "emphasized the broader array of resolution options rather than adjudication of only those conflicts that had matured into grievances" (Office of Conflict Resolution: Building Resolutions for 20 Years, 2014, p. 10).

Furthermore, it signified to employees a recognition that the university was "moving from the notion that conflict in an employment setting was to be discouraged to a new approach that acknowledged that human endeavors are complex and conflicts are unavoidable in workplace settings, yet conflicts can be managed constructively with skills that can be learned (Office of Conflict Resolution: Building Resolutions for 20 Years, 2014, pp. 9-10).

THE OCR ORGANIZATIONAL STRUCTURE AND LOCATION

The OCR considers itself to be uniquely positioned within the university to assist faculty, staff and student employees to identify constructive responses to conflict in an undeniably complex, dynamic workplace (Annual Report, 2016). The OCR is one of eleven offices within the Office of

Equity and Diversity (OED). It is staffed by the Director of Conflict Resolution, Julie Showers, and Program Coordinator, Amanda Klepp who books appointments, schedules and administers day to day activities. The office reports directly to the vice-president of Equity and Diversity (OED) who reports to the president of the university. The office is independent of collegiate units such as, the Office of Human Resources and the Office of the General Counsel. The OCR encourages union members to use the services of their collective bargaining agreements.

The OCR is located in Heller Hall which is on the west bank of campus, physically separate from head administrative offices and OED which are on the east bank of campus.

There is a separate Student Conflict Resolution Center (SCRC) structured under the vice provost of Student Affairs staffed by a director/ombuds and assistant director/ombuds solely for student assistance.

STANDARDS OF PRACTICE

The mission of the OCR is to create and maintain an inclusive, collaborative workplace that enables people to do their best work by addressing conflict quickly, effectively, and constructively. The OCR strictly follows the U of M "Conflict Resolution Policies and Procedures" that outlines informal and formal processes for employees. Within the informal processes, the staff follows the IOA guidelines of confidentiality, impartiality, and independence. The director of OCR is not an ombuds by definition since the OCR offers both *informal* services such as coaching, skills-building, problem solving, facilitated dialogue and mediation, and also *formal* options in which an eligible employee can file a formal petition to receive a peer hearing. The latter extends the director's role to adjudicate and potentially arbitrate in a given situation, which would not fall under the practice of an ombudsperson. Director Julie Showers, would like to see a faculty ombuds position added to the OCR but is exploring partnerships for a cost-permitting option (Showers, personal communication, March 1, 2017).

ISSUES, SERVICES, AND CONSTITUENTS

Serving all non-union employees, a typical day in the position of Julie Showers varies with facilitated dialogues, trainings, and diverse meetings but no day is like another (J. Showers, personal communication, March 1st, 2017). She handles between 150 and 190 consultations per fiscal year, the majority of which are informal. The informal services are categorized into 1) consultation: a face-to-face meeting, resource identification, brainstorming, and skill building; 2) facilitated dialogue: face-to-face discussion between the parties to a conflict with a neutral facilitator present; and 3) mediation. The formal resolution process may include: A) a peer hearing and panel decision, B) the final university decision of the senior vice president of Academic Affairs, and C) arbitration or judicial review of the final university decision (OCR P&P, 2011). In 2016, the most common issues across all types of employees included: "poor communication from leaders; an inability or unwillingness to hear and respond to employee concerns and perspectives; behaviors that were intimidating, insulting or shaming in both private and public settings; disrespectful email communication; inconsistent application of rules and policies; and the unavailability of training and support for supervisors around these issues. The policy most often cited in informal consultations was the board of regents policy: *Code of Conduct*" (OCR Annual Report, 2016, p. 7).

STAFF BACKGROUND AND CREDENTIALS

Julie Showers is a Minnesota native who practiced labor and employment law for over 25 years and has experience in leadership development, performance management, mediation, negotiation and arbitration. She holds degrees from Stanford University and the University of

Minnesota Law School. Showers was also the vice president of Labor Relations at Northwest Airlines for ten years and senior vice president of Inflight Services for two years (Showers, personal communication, March 1st, 2017). She also holds a Senior Professional in Human Resources (SPHR) certification which demonstrates a mastery of the strategic and policy-making aspects of HR management. Further, Showers explained that the role of an Ombuds requires one to possess certain skills and in particular a lot of patience and empathy “because it requires patience to listen to other people, and it requires empathy to be able to relate to other people’s problems” (Showers, personal communication, March 1st, 2017). Showers is an active member of IOA and has presented to the members on various occasions.

PERCEIVED VALUE

The OCR uses aggregate data of the number of visitors it receives, issues and trends, systemic issues, educational programming (workshops and trainings), all other initiatives or collaborations, and formal petition data to demonstrate its value to the university. For example, in fiscal year 2016, 186 consultations were conducted, a 22% increase from the previous year, of which 65 involved faculty members, 65 professional and administrative, 34 civil service employees, 17 student employees, and 5 retirees or other. Of the 186 only 5% filed formal complaints alleging one or more violations of university rules, regulations, policies or practices and the director only made one jurisdictional determination (OCR Annual Report, 2016, p. 4). The high number of consultations and low number of formal petitions is an indicator that the informal services provided by the director are an effective method of resolving or preventing issues from escalating. In addition, the OCR uses exit surveys to gather information about visitors’ satisfaction in which well over 90% indicated that the service was helpful, they would recommend it, they were treated respectfully, and 93% were satisfied with the outcome (OCR Annual Report, 2016, p. 10).

In addition to the more tangible data on service that demonstrate value of the OCR, there are many intangible ways in which the office benefits its constituents. One of these is the effort in which the university publicly reframed its approach to understanding the positive aspects of organizational conflict and its commitment to assist faculty and staff to pursue constructive paths to manage it and enhance their skill capacity. In the brochure and ceremony celebrating the 20th anniversary of the OCR, the authors state:

“Manifest in the work of the Office of Conflict Resolution in interactions with more than 3,000 faculty and staff over the past 20 years has been developing and understanding an approach to, conflict—one in which “Conflict and disagreement are seen as natural, rather than aberrational and unwelcome irritants. Prompt and skilled attention to conflict improves employees’ ability to work effectively, and thus to advance the University’s mission. The Office has encouraged the University community to adopt this constructive appreciation of conflict” (The Office of Conflict Resolution: Building Resolutions 20 Years, 2014, p. 4).

UNIVERSITY OF MISSOURI, KANSAS CITY

ORIGIN AND EVOLUTION OF THE OMBUDS PROGRAM

The Office of the Faculty Ombudsperson at the University of Missouri, Kansas City, a university system that includes four universities across the state, was established in 2010. According to faculty Ombuds Dr. Nancy Day, it was established jointly by the UMKC faculty senate and the UMKC office of the provost to provide support for faculty. According to Dr. Day, the catalyst for its establishment was an issue with perceived “mistrustful culture within the institution” that a new provost at the time sought out to change. In addition to the faculty ombuds role, two other

intervention avenues were established, a *Case Management Team* to assist faculty with problems or concerns about working with students and an *Intervention Team* to address issues related to staff or faculty “displaying concerning, disruptive or threatening behaviors” (UMKC, 2017f, para. 7). Recently, an additional part-time ombuds was added to the office with the appointment of Marita Barkis to work with concerns from the UMKC staff in her position as staff ombuds.

OMBUDS ORGANIZATIONAL STRUCTURE AND LOCATION

The faculty Ombudsperson Office includes the faculty Ombuds, and the two intervention teams. The faculty ombuds serves a dual role as part-time ombuds and full-time faculty member with a reduced course load and a stipend for related materials. Although serving as a solo Ombuds until 2017, the office recently added a second ombuds dedicated to serving staff only for 10 hours a week. The ombuds report to the provost for budgetary purposes and give a presentation of her annual report to the provost and the faculty senate. The Ombuds Office is located in the basement of a campus building housing environmental services and other services, away from main campus building which facilitates its independence and confidentiality. The location was selected specifically to have it completely separate from the main administration buildings.

STANDARDS OF PRACTICE

The ombuds adhere to the International Ombudsman Association (IOA) four standards of practice: independence, impartiality, informality and confidentiality. The independence and confidentiality are evident in its separation from the university and autonomy of the ombuds to carry out duties without a direct supervisor and with complete discretion. Dr. Day is careful with her dual role within the institution and clear about upholding standards for her Ombuds role that are distinctive from her faculty role. The Faculty Ombudsperson Charter and letter of agreement prohibits the ombuds from serving on any committee (such as Promotional and Tenure) that would have an impact on employment decisions or faculty-related resource allocations.

ISSUES, SERVICES AND CONSTITUENTS

Dr. Day serves only faculty with issues they may have with other faculty, staff, students, administrators, or the university system. The Office of the Ombudsperson at UMKC publicizes that they provide faculty visits for issues related to: a) need to discuss problems; b) helping individuals clarify concerns and develop options; c) explaining university policy and procedure; d) providing referrals to other offices; e) coaching; f) looking into problems by gathering data and the perspective of others; g) engaging in shuttle diplomacy; and h) facilitating conversations (UMKC, 2017d). In addition, Dr. Day spends a lot of time assisting faculty to help clarify and deal with their issues around performance appraisals. She assists faculty in a number of additional ways including individual sessions, creating a UMKC Faculty Ombuds Blackboard site as a repository of resources for faculty to navigate tricky work situations and conversations, publishing a separate faculty ombudsperson blog addressing common issues or topics, and conducting trainings and other systems-related strategies to address conflict and communication issues. The ombuds provides learning tools for faculty and also manages a collaborative but independent relationship with Human Resources and other administrative offices since the nature of their work with faculty may be related at times. For faculty, the most common issues brought to the ombuds are issues of performance evaluations, promotion and tenure issues, post-tenure appraisals, and difficult relationships.

STAFF BACKGROUND AND CREDENTIALS

The Faculty Ombuds Dr. Nancy Day is a full professor of Human Resources and Organization Behavior in School of Management. In addition, Dr. Day is chair of the Academy of Management's Ethics Ombuds committee. Her unique background of a Ph.D. in Social Psychology with emphasis on Organizational Psychology and a Master's degree in Psychology with emphasis on Counseling, as well as years of experience working in human resources, ethics and administrative roles gives her a strong background to function as an ombudsperson because she understands the organizational aspects of these roles and she is "capable of seeing things from different perspectives" (Nancy Day, personal communication, February 4, 2017). In addition, the learning tools she provides through Blackboard, a blog, and trainings demonstrate an understanding of conflict resolution methods. As a professor of HR, her expertise has allowed her to advocate for the Office of the Ombudsperson to be independent and to justify to the Human Resources department why the offices need to be separate which is often a challenge in organizations.

The recent addition of Dr. Marita Barkis adds impressive talents to the Office of the Ombuds. Dr. Barkis has a doctorate in counseling psychology, practices as a licensed psychologist and serves as an organizational consultant. For over a decade she served as director over UMKC's Counseling, Student Health, and Testing and Disability Services and has received training as an ombuds.

PERCEIVED VALUE

Dr. Day is aware of the paradox between the standards of practice that eliminate individual record keeping and upholding informality and confidentiality, and the need to demonstrate the benefits of the services provided. Although she does not track everything she does, her annual reports highlight themes and the number of visitors she receives. For example, themes of issues included student incivility, lack of clear definition of non-traditional faculty roles, part-time faculty disparity in rights and responsibilities, departmental gaps by not having up-to-date governing regulations or by-laws, promotion and tenure review processes, performance evaluation procedures, and under-developed communication skills. Annually she receives between 5 and 24 visitors but this does not include the amount of faculty reached through other training and educational resources that are more preventative services.

A testament to the value that the head University administrators and the personnel of the university have for the ombuds role and function is their recent expansion of services to the staff. A campus climate survey, supplemented by "listening focus groups" all indicated a high need for staff ombuds services. The staff council lobbied for the position to be funded and set up. The acting chancellor and provost acted on the requests and that staff Ombuds is now operating---demonstrating the success of the Office of the Ombuds and the readiness of the highest levels of the university to recognize the need and its benefits.

UNIVERSITY OF SOUTH FLORIDA—ST. PETERSBURG

ORIGIN AND EVOLUTION OF THE OMBUDS PROGRAM

The campus ombuds role at University of South Florida, St. Petersburg was initiated by Professor Deni Elliott. In the 2004-2005 academic year, at the invitation of then-Chancellor Karen White, Professor Elliott created a confidential process in which she could assist in helping faculty, staff members and administrators consider alternative methods for addressing their concerns. Professor Elliott has served as USFSP's campus ombuds since then, aside from sabbatical leaves and research leaves. She stepped down from the position in May, 2016. The expectation

is that the university will now initiate steps to have a separate student ombuds and campus ombuds.

OMBUDS ORGANIZATIONAL STRUCTURE AND LOCATION

The campus ombuds office at USFSP primarily served employees: staff, faculty, administration, and temporary. Dr. Elliott reported directly to the chancellor and filled this position as part of her service to the university, receiving no additional salary, course reduction or other compensation. She met with the chancellor quarterly to discuss categories of concerns brought to the Ombuds Office and has provided an informal annual report for the chancellor. She has also been available for consultation with senior leadership as requested. Although titled the “Ombuds Office” Dr. Elliott did not have a separate office for her ombuds’ duties. She meets visitors wherever they wish, including her academic office, and other sites in and outside the university. She arranged meetings in terms of convenience for her and the visitors. The Ombuds Office website informed her constituents of the campus ombuds role, areas of concern, services, standards of practice and contact information.

STANDARDS OF PRACTICE

As Ombuds, Dr. Elliott followed the IOA standards of impartiality, independence, informality, and confidentiality. In addition, confidentiality guidelines are specifically highlighted on the website to assure visitors and explain the confidentiality protocols used to protect them. As Dr. Elliott had dual roles within the university, she recused herself from situations that involved members of her department or her direct supervisor.

ISSUES, SERVICES AND CONSTITUENTS

The campus ombuds provides students and employees with an opportunity to discuss their concerns in an informal manner using conflict resolution methods such as active listening to provide the visitor with validation and clarity and then to provide guidance or resources specific to the issue. Examples include experiences with abuse of power, offensive behavior, conflicts of interest or commitment, neglect of professional duty, questionable research practices, and issues related to university policy and procedures. “The role of the Ombuds is to help visitors get clear about their concerns and help them decide among alternative avenues for resolving them” (“USFSP Ombuds Office,” 2017). In addition, the campus ombuds has a mission to *Improve our Workplace* and discusses university policies and procedures with the regional chancellor and her designees recommending changes that nurture a strong community at USFSP.

STAFF BACKGROUND AND CREDENTIALS

Dr. Elliott is a tenured full professor at USFSP and holds the endowed Eleanor Poynter Jamison Chair in Media Ethics and Public Policy in the Department of Journalism and Digital Communication. The ombuds has a very strong background and renowned reputation for her research and scholarship in practical ethics, as well as training in alternative dispute resolution processes such as conflict coaching, mediation and facilitation. She also has an expertise in active listening and a solid commitment to importance of ethical practices and facilitating processes to empower individuals to best advocate for themselves. This is an important characteristic because empowering individuals to advocate for themselves is implied in the impartiality principle but often overlooked as meaning simply detached from the issue or person. Rather, impartiality implies that the ombuds is without favoritism, but also an advocate for the individual’s capabilities to manage conflict.

PERCEIVED VALUE

The ombuds believes that among her contributions to the university is serving as an “early warning system” to potentially troublesome behaviors and practices at the university, serving as an important alternative to the formal complaint system that might go to litigation, and providing an opportunity for people to talk about their issues and explore alternatives in a safe, confidential environment with a trained listener, thereby, reducing the human and resource costs associated with the more formal avenues. On average, she has worked with between 20-40 visitors a year as well as attended meetings as a facilitator or an observer. Another indicator of the value of the campus ombuds is Deni Elliotts’ confidence that the current chancellor is seeking candidates for her replacement as she is in transition in her university duties after having served 12 years in the role.

UNIVERSITY OF SOUTH FLORIDA SYSTEM OMBUDS OFFICE

ORIGINS AND EVOLUTION OF THE OMBUDS PROGRAM

The University of South Florida (USF) like all other public universities in the state of Florida was mandated to implement student ombuds on their campuses in a 2015 directive from the State Board of Governors. USF ambitiously recognized the value of an organizational ombuds for their employees, building on the valuable work that Professor Deni Elliott had provided in her role as campus ombuds on their satellite campus in St. Petersburg. On the main campus in Tampa, President Judy Genshaft and General Counsel Steven Prevaux, engaged in several discussions about how an ombuds could have prevented cases that went to the General Counsel and developed constructive alternatives for processes to manage and resolve organizational conflict. The president gave the green light for Prevaux to have additional conversations with key stakeholders like the board of regents, union officials, faculty leaders, and high-level administrators at their three campuses about the possibility and desirability of a USF system-wide Ombuds for the 17,000 plus employees. When all key stakeholders seemed supportive, the president authorized the establishment of the USF System Ombuds Office, appointing Steven Prevaux as a full-time Ombuds Officer (relinquishing his General Counsel role) and Lauren Hartmann as Ombuds Operations Officer. The office was officially opened January 4, 2016 to “empower the success of faculty, staff, and administrators across the USF System by independently enabling informal, confidential and neutral resolution of workplace conflict and concerns in alignment with USF’s strategic mission and values” (“What We Do,” 2017).

OMBUDS ORGANIZATIONAL STRUCTURE AND LOCATION

The physical office of the system-wide ombuds is in a joint academic/administrative building on the main campus behind smoked glass windows. The ombuds office staff also travels on occasions to the regional campuses in St. Petersburg and Sarasota. The head ombuds reports directly to the University President, Judy Genshaft.

STANDARDS OF PRACTICE

The Ombuds Office observes the International Ombudsman Association’s (IOA) Code of Ethics and Standards of Practice with the four core principles of independence, neutrality, confidentiality, and informality. They also have a formal charter that sets forth the office’s structure, practices, responsibilities and limitations.

ISSUES, SERVICES AND CONSTITUENCIES

The office provides assistance to all employees by providing conflict analysis, active listening, problem-solving, career coaching, referral to appropriate resources, tailored trainings, facilitated dialogue, and informal mediation. Office staff also serve as a resource regarding regulatory policies and procedures. Employees may visit the ombuds if they feel they've been treated unfairly, need help navigating the system, have workplace concerns, believe a policy violation has occurred, or simply need help improving communication. The ombuds also provide senior administrators with a perspective on possible problematic trends at the university such as generational differences among employees.

STAFF BACKGROUND AND CREDENTIALS

Ombudsman, Steven Prevaux is an attorney and served as USF General Counsel for 13 years before launching the USF System Ombuds Office. He is an active member of the IOA and the Dispute Resolution Section of the American Bar Association. Steven is certified by the Florida Supreme Court as a mediator and appellate mediator and he will soon be a Certified Organizational Ombudsman Practitioner®. Prevaux earned a B.A. in International Relations and Psychology from the University of Michigan and a J.D. from the University of North Carolina. He explained that in addition to formal training and experience, an ombuds needs to be able to gain rapport, have situational awareness, emotional intelligence and a rich understanding of the institutional needs, goals and corporate culture. Ombuds Operations Officer, Lauren Hartmann worked in the Human Relations and Legal Departments of the Tampa Bay Buccaneers, served as a paralegal, and has a Master's in Business Administration. Her role as the chief intake person is critical because she is the first contact that a visitor makes and her expertise in rapport building and empathy skills is essential to make their work successful.

PERCEIVED VALUE

The USF System Ombuds Office has already logged significant accomplishments in just over a year of its existence. In its first year, they met with 224 individual visitors, with some visitors requiring more than one visit so the total visits exceeded 400. The ombuds conducted over 50 outreach presentations for various groups on all three campuses and provide ongoing educational services in conflict resolution services and strategies. For example, the website features resource articles such as a workplace self-assessment, management tips such as "things to say when a conversation turns negative, and how being treated "nice" matters to faculty." The office is also currently assessing visitor satisfaction data that suggest 90-100% success rate in three satisfaction areas: Was the ombuds able to help you become better able to address your concerns?; Would you refer others to the Ombuds Office?; and Did the ombuds provide an opportunity for you to express and explore your workplace concerns? In addition to aggregate data on visitors, Ombuds Prevaux believes that organizational ombuds are key in revitalizing corporate culture and advancing the University's strategic mission because ombuds can provide a systemic review function that gives administrators a holistic view and "early warning" of employee trends and systemic issues. Overall, the USF System Ombuds Office demonstrates an impressive track record in its brief existence and promises potential for substantial growth in conflict resolution and prevention as well as cost-savings possibilities in the future for the USF system.

APPENDIX B UNIVERSITY ONLINE WEBPAGES

University	Website
East Carolina University	http://www.ecu.edu/cs-acad/conflictresolution/
Kennesaw University	http://ombuds.kennesaw.edu/index.php
Lehigh University	http://www.lehigh.edu/~inombuds/
Marquette University	http://www.marquette.edu/ombuds/
North Carolina State University	https://facultyombuds.ncsu.edu
Northeast Ohio Medical University	https://www.neomed.edu/ombuds/
Stony Brook – The State University of New York	http://www.stonybrook.edu/ombuds/
University of California Santa Barbara	https://ombuds.ucsb.edu
University of Minnesota	http://ocr.umn.edu
University of Missouri Kansas City	http://www.umkc.edu/facultyombuds/about-us.asp
University of South Florida System Ombuds and University of South Florida, St. Petersburg	http://www.usf.edu/ombuds/about-us/ http://www.usfsp.edu/ombuds/