

# Personal Reflection: How the Ombudsman Role Changes the Practitioner

JAN NEWCOMB & DAWN DUQUET

## **ABSTRACT**

This article presents the reflections of two practitioners who built an enduring friendship while serving together as board members of the Corporate Ombudsman Association. They were asked to review their personal experiences, focusing on how the ombudsman role had changed them. After much contemplation and drafting separate articles they discovered that, although their individual experiences were unique, their personal development was remarkably similar.

## **KEYWORDS**

Ombuds, ombudsman, corporate ombuds, personal reflection, autoethnography, practitioner research, reflexive practice

Dear Readers,

In the world of research, many individuals utilize autoethnography as a form of exploring concepts and ideas in the broader political, social, and economic context. Autoethnography allows the researcher to use self-reflection as a means to explore their own personal experience in relation to these concepts and contexts. It is different from autobiography in that autobiographies only tell the story of the individual without placing it into the larger cultural experience.

In this published piece by Jan Newcomb and Dawn Duquet, the authors discuss how the role of ombuds changed them through their own lens of experience and, as such, provide solid examples of a reflexive autoethnography. Their stories and how they have chosen to tell them lend insight into the reflective practices that benefit the field as a whole, as well as provide readers an opportunity to engage with a different form of research practice not yet often considered in the ombuds literature.

This Journal welcomes submissions of autoethnographic work; those interested in learning more about it might consult the following resources.

Chang, H. (2008). *Autoethnography as method*. Walnut Creek, CA: Left Coast Press.

Ellis, C. (2004). *The ethnographic I: A methodological novel about autoethnography*. Walnut Creek, CA: AltaMira.

Ellis, C., & Bochner, A. P. (2000). Autoethnography, personal narrative, reflexivity: Researcher as subject. In N. Denzin & Y. S. Lincoln (Eds.), *Handbook of qualitative research* (2nd ed., pp. 733-768). Thousand Oaks, CA: Sage.

Muncey, T. (2010). *Creating autoethnographies*. Thousand Oaks, CA: Sage.

Wall, S. (2006). An Autoethnography on Learning about Autoethnography. [Article]. *International Journal of Qualitative Methods*, 5(2), 1-12.

We hope that you enjoy Ms. Newcomb and Ms. Duquet's reflections and that they serve as a guide for readers to become reflexive in their own practice.

The JIOA Editorial Board

## INTRODUCTION

Many years ago, two young women living on opposite sides of the North American continent shared a common interest: Superman comics—wonderful stories about someone with extraordinary powers who used his gifts in service to others, who stood for justice and courage in the face of daunting challenges.

Jan Newcomb and Dawn Duquet never dreamed they would eventually meet.

They got to know each other while serving as board members of the Corporate Ombudsman Association. Jan is American, Dawn is Canadian; Jan is an extrovert, Dawn is an introvert. They are of different political convictions, yet the bond between them is strong. It is based on a shared belief in the tremendous advantage of the non-adversarial approach, a desire to continually broaden their perspectives, and to learn from each other. Above all, it is based on mutual respect. The result has been an enduring friendship full of warmth and laughter that has lasted almost 30 years.

Jan currently uses her ombudsman skills in a new role as coach and consultant. Dawn continues as an external organizational ombudsman. They recently shared thoughts on their ombudsman experiences, and how the role itself can change the practitioner.

## DAWN DUQUET

The office of an ombudsman is a safe harbor. There is no vengeance here. There are no losers. Simply fair process, valuing difference in the many ways it presents. We strive for the restoration of human dignity, of personal well-being. In often challenging circumstances we look for common ground, fair solutions.

Surely each voyage of dispute resolution leaves its mark on the ombudsman. Over time we are subtly changed. But how? One can only speak personally.

### *Humility*

One of the most meaningful gifts the ombudsman role has given me, I hope, is a deeper humility. North American women of my generation were raised with the growth of women's rights, equal opportunity, and affirmative action. For many of us in the past, one of the ways to gain acceptance in a man's world was to emulate them—speak, work, even dress like them—then work much harder just to be recognized, if at all. Now we are assertive, we challenge the status quo, we participate with dignity and self assurance. Humility—grounded in what for many still remains an unequal position—is not necessarily an asset.

Yet as years pass, I find a different kind of humility has developed. The more I listen to the situation of others, their experience, their courage, their ideas for change, the more I know I'll never have all the answers or the life experience. I continue to hear innovative

solutions I wish I'd thought of from so many in whose shoes I'll never walk. It is truly a lifelong learning process, and lessons in humility come from unexpected sources.

Retirement from a large airline in 1991 created opportunities for me to expand the work I love into different sectors, this time as an external organizational ombudsman. Quite by chance, I was introduced to two women from the Mohawk reserve near Montreal. They invited me to visit, and eventually to assist in dispute resolution in their community. It was the beginning of many warm, enriching, and enlightening friendships that continue to this day.

First Nations people seem to hold up a mirror to non-Natives. I hadn't realized I had developed a certain way of being, a manner of speech, a vocabulary reflecting the corporate culture of my career. I soon learned it was neither appreciated nor helpful in a Native community, their first lesson to me in humility. Yet, without any loss of respect, they freed me to simply be me. They did it by simply being them.

It is said that non-Natives tend to ask, "What kind of work do you do?" whereas an indigenous person might wonder, "Who are you?" They wanted to know more about who I am as a person, my values. They inspired reflection. In the process I experienced a strong feeling of vulnerability, again of humility. The outcome was a new and deeper awareness of self. I have since come to know the Mohawk people and, through them, myself.

As a non-Native, it is an honor to assist in dispute resolution in an indigenous community. Native people say there is a reason why we are given two ears and one mouth: to listen twice as much as we speak, listen with humility in order to understand more deeply, ultimately withhold judgment until all have spoken. To a great degree is that not what an ombudsman does?

So it is with much gratefulness to First Nations visitors and friends, as well as so many others along the journey, that humility continues to accompany assertiveness in the offer of service as an ombudsman.

### ***Humanity***

With all our knowledge of the law, of policy, of corporate and institutional culture, it is often our sensitivity to an individual's feelings that brings the greatest comfort to visitors. I have learned the best approach is not always the logical one, but the more humane one, the one that acknowledges feelings, their legitimacy and their ownership. One needs to be comfortable with their expression, remaining silent while the visitor releases a burden of stress often carried for too long.

The challenge for the ombudsman: to achieve a balance between empathy and objectivity. Behavior can be influenced by so many different factors, including personal health, family life, etc., to say nothing of the work situation. I have learned there is often

so much more in play than the presenting issue. Hopefully, my office is an oasis where human feelings can be expressed safely, and issues discussed without fear.

I believe empathy has increased with maturity, and objectivity with experience. Self-knowledge has grown. It is often in listening to visitors that something resonates within me, something that encourages an inner journey. I have found the role of ombudsman constantly draws me deeper.

With this increased awareness of what it is to be human, emotional intelligence too has matured. The ability to sense what's really going on, how people feel, has been enhanced. My personal comfort level with who I am is stronger. I have evolved in the ombudsman role. On a professional level, I tap into my own humanity in order to better serve.

A little thank you note from a visitor made me think about the advantages of this capacity in an ombudsman. The visitor was an employee of the police force. Her note said, "Thank you for giving me back the right to my emotions." It was explained to me that management's view was that emotions are to be left at home as they negatively affect performance.

That visitor gave me much food for thought: In certain types of work, what is the cost of muffling one's emotions in order to (allegedly) perform more effectively? What is the best way for us to help the visitor working in such an environment? How do we ourselves preserve our own wellbeing within these unique professions? While I am not aware of any existing study on accessing our humanity in our work, the experience of other practitioners regarding this issue may be of interest to all.

As it turned out, the very existence of the ombudsman's office reassured the visitor. In the prevailing workplace culture, she hadn't expected non-judgmental, empathetic listening. She was even more surprised to be asked her own views on improving the situation. For the first time, she said, she felt valued.

Without going into any more detail, her thank you note was greatly appreciated—on a human level it was more meaningful than anything else I may have accomplished to resolve the situation. It spoke to the value of creating a safe place, of recognizing the legitimacy of feelings, of accessing our own humanity in the service of others.

### ***Human Rights***

As a young girl, I accompanied my Dad on a visit to the United Nations in New York. We entered the magnificent General Assembly. I asked what all the little boxes were on the arm of every seat. "They're for our translations. Each person can listen to the speaker in their own language. All you have to do is push a button." I could have friends from all over the world and we could all understand each other! Truly wondrous for an adolescent.

It was my first exposure to an environment dedicated to the pursuit of world peace, and where human rights matter. I never forgot how good it felt to be there, and how much I wanted to be part of it. Cross-cultural friendships are deeply meaningful for me. They permeate both my personal and professional lives. The ombudsman role has actually enhanced my feeling of belonging to the global community.

Some visitors have said to me the only place they encounter discrimination is at work. Surely, in this place where we spend so much of our daily lives, we have an expectation of respectful treatment. Organizations need to be vigilant. Their greatest asset is the diversity of their workforce, and the message needs to come from the top. The ombudsman role has made me more mindful of the possible existence of discrimination as covertly, even innocently, as it may present itself. It has made me more active in the promotion of respect. I use my recommendations to create educational opportunities regarding human rights in the workplace.

A visitor to my office had the family name Katchurian. (I share this story with his permission.) He was fed up with colleagues making fun of him by pronouncing his name like a sneeze. He wanted something done to stop this lack of respect for his family name. Valuing work relationships, he didn't want to identify any offenders. He also didn't want anyone to know he had come to the ombudsman's office.

We decided together that an awareness session on respect in the workplace could be timely for the whole group. During the session, which was very informal in nature, I mentioned having recently gone to Ottawa to hear the Dalai Lama speak. Something he said inspired me: "All languages are sacred, all cultures are sacred." I slipped this comment into our exchanges. It apparently had an effect. Several weeks later, Mr. Katchurian dropped into my office to say thanks. The demeaning pronunciation of his name had stopped. An ombudsman knows how much these expressions of thanks mean. What the visitor and I did was simple. We created a deeper awareness of the value of respect. With the help of Mr. Katchurian, I knew we had quietly influenced change.

During another awareness session, I once asked participants, "What does the word 'culture' mean to you—how would you describe your own?" A long silence ensued. With some awkwardness came a soft answer: "It's everything my mother taught me." There was an audible sigh of appreciation in the room. I later learned the respondent was of Croatian ancestry. His mother had recently lost her life during the Bosnian/Croatian conflict.

Every day we arrive at work with so much more than our professional skill. We are accompanied by silent companions wherever we go: our race, language, culture, spirituality, political beliefs, sexual orientation, education, health, relationships, joys, and sorrows. All our life experience. Our uniqueness. If diversity is truly the norm in an organization, it will reflect the diversity of the population it serves and from which it

ultimately hires qualified people. Human rights in the workplace really means respect, and ideally all that flows from it into all aspects of organizational life.

The awareness sessions I led served to highlight differences in the life experience, skills, and ideas of workplace colleagues. We talked about the nature of discrimination, shared experiences many had lived. We exchanged thoughts on how to promote greater respect. As each session progressed, a deeper appreciation of each other seemed to develop. We gradually entered an oasis of common ground—the shared desire to be valued simply for who we are and for all we can offer; in short, to be respected. As ombudsman, facilitating these gatherings was so rewarding on a human level. Inspired by diversity and difference, I came away enriched every time.

As an external organizational ombudsman, I have also become much more aware of human rights issues regarding First Nations. Indigenous communities may be in the minority in North America yet, despite the traumatic effects of colonization, they have continued to survive. They were here in North America long before our ancestors. They teach us to be mindful of history, their unique place in it, and our own as descendants of newcomers.

The Mohawk community has shared with me the primary importance of land, of preserving language, culture, and values, the most profound of which is respect.

They have shown me the benefits of restorative justice over punishment. I have learned that the philosophy of restoring what has been lost (including respect) encourages a learning experience for the offender, without diminishing their value as a continuing member of the community. By creating an opportunity to make amends in a mutually acceptable way, offenders themselves are treated with respect. What a healing, humane approach to conflict resolution! It has become part of my philosophy as an ombudsman.

Diversity and its natural companion inclusiveness are a joy for me. Our visitors enrich my life. They not only increase our awareness of the importance of human rights, but also of the need to rid ourselves of old stereotypes. They help us understand the great value of mutual respect, respect for difference...in our organizations, our communities, our country, and among nations.

In his inspiring book, “Markings”, former Secretary General of the UN, Dag Hammarskjöld reflects: “...This hunger of mine can be satisfied for the simple reason that the nature of life is such that I can realize my individuality by becoming a bridge for others...” (1964, p. 62). A bridge for others. Upon reflection, I believe this is who I wished to be, who I hope I am still becoming.

In looking back over this journey as an ombudsman and how it has changed me, I think about all those many inspirational and now absent mentors. In later years I wish I could have thanked my father for his insight in visiting the UN. I was able indirectly to

acknowledge Dag Hammarskjöld through his nephew, Knut Hammarskjöld, who happened to be Director General of the International Air Transport Association (IATA) while I worked there. In a meaningful conversation one day, we shared our common admiration for his uncle's devotion to world peace through respectful dialogue.

And Atticus Finch! I managed to express appreciation indirectly to Harper Lee for her inspiring story of social justice in *To Kill a Mockingbird*, and directly to Gregory Peck for his moving portrayal of the southern lawyer. He happened to host "A Conversation With Gregory Peck" in Montreal a number of years ago. In answer to my question regarding Harper Lee, he said they were still in touch and had remained friends. He invited me backstage. After we had spoken for a few minutes, I asked him if I could give him a hug. He replied, "Why, of course!" A warm memory of a good man who portrayed another good man, inspiring so many including me.

I continue to thank the Mohawk community for their welcoming way, for their patience in educating me regarding the other side of history we were never taught in school, for the opportunity to work together in challenging situations, and for many warm friendships that continue to this day.

Most of all I thank all those visitors to my office for their trust, and often for their great courage in coming forward to be of service to others. It is you who have been the greatest source of change in me. Through you I continue to grow.

A lifetime of others still to thank...

## **JAN NEWCOMB**

I had just graduated from law school after four years of night classes while still working full time. Corporate America was trying to provide equal opportunities for women and I was looking forward to my last assignment prior to capturing an early retirement. The Vice President who hired me indicated that he wanted diversity and a balanced approach in the office. The two of us became the first ombudsman team in our 52,000 person division and the second in our very large international corporation.

Always concerned about abuse of power and protection of "rights," I tended to be a bit of a champion for anyone I perceived as the underdog. Thank goodness I had also obtained mediation training, because I soon experienced that there is so much more to resolving conflict than considering legal rights.

As I listened to people and the stories that found their way to my door, a common theme emerged: rather than potential "legal" violations, nearly all situations presented a serious communication breakdown and the unpleasant or confusing feelings associated with it. Sometimes there had been no communication at all with the person (or about the policy) the visitor was concerned about. Sometimes communication had been attempted but was not effective, and serious misunderstandings had developed. In the most

difficult cases, there had been deceitful and/or disrespectful communication on one or both sides.

One thing became obvious: different personalities see the world differently. The *Benziger Thinking Styles Assessment* (BTSA) (2003) helps explain this:

- *Frontal Right* thinkers are sensitive to abstract patterns and experience the world using a dynamic mental process characterized by visual imagination. They connect seemingly unrelated input to form a big picture in their minds, attending to detail only if necessary. They are creative in their approach to problem solving, looking for integrative solutions to satisfy the interests of all stakeholders.
- *Frontal Left* thinkers are very logical, analytical, and goal oriented. Facts, not feelings, are their focus. Power, hierarchy, and authority are important to them. When faced with conflict, they want to win.
- *Basal Left* thinkers follow rules and established procedures, needing details to be able to build and understand the big picture in their minds. Problem solving for them is often grounded in consulting existing policy or asking how others have done something before.
- *Basal Right* thinkers value harmony and are very sensitive to feelings and vocal tone. Conflict makes them very uncomfortable. They will tend to avoid conflict when they can, or try to make people happy if they can't.

We all have one natural thinking style preference, with additional competency development in varying amounts in the other three thinking styles. Fortunately, having significant development in three of these four thinking styles, I was able to act as an effective translator as I looked for the common ground upon which to fashion mutually acceptable solutions.

Where to begin? Often I would have an intuitive “hunch” about what was actually going on. This hunch is hard to explain because it’s just that—an intuitive initial impression formed by absorbing all available input—things like words, body language, tone of voice, place in the organizational hierarchy and energy levels. My hunch (the what) was often right, but the reason (the why) was sometimes based on my own experiences and opinions. This awareness helped me change my approach. I learned to develop the patience to hold a hunch in a temporary space, suspending judgment until in-depth information gathering was accomplished.

A hunch or theory is just that—a theory—until thoroughly explored and tested. Many times the initial expressed concern turned out to be “the tip of the iceberg.” As I practiced remaining neutral and listening to all sides to discern each person’s perception as well as what might also be factually true, underlying interests, feelings, and concerns were revealed. It is amazing how each person’s past experience (in addition to thinking

style) also colors perceptions of a situation—we each may see and hear the same thing but may interpret it very differently.

Although my legal training was helpful in assessing possible risks to the corporation, mediation skills were far more valuable in developing options to consider and resolving situations in a mutually acceptable manner. The best resolutions were often achieved by hosting both sides at my round table to explore the issues and hear the underlying interests at play, working together in real time to find a solution.

When this wasn't possible, because people refused to meet or were in different geographical locations, "shuttle diplomacy" became a good option. It often took more time but did protect the visitor from the potential discomfort of facing someone they perceived as an adversary. However, in peer-to-peer situations, especially when people have to continue working together, avoidance isn't as useful. Resolution is always the preferred outcome, but sometimes the best that can be achieved is a respectful "cease fire." Being a natural problem solver, I changed by learning to accept that I can't fix everything and sometimes "resolution" is not required.

Lacking an acceptable outcome, I helped visitors explore other options. Sometimes just helping a visitor come to terms with understanding and accepting the situation was sufficient. I still remember one of these stories vividly after all these years. The young man was being laid off and had a pregnant wife and two young children to support. He felt the decision had been made unfairly and was concerned about his ability to support his family.

After a thorough investigation and eventually meeting with the Vice President of Manufacturing, I had to gently deliver the news that his layoff would not be reversed. When he understood that everyone would eventually be laid off because the long term plans involved closing our division, he realized that in a tough job market he would actually have a better chance to find another job before hundreds or thousands more unemployed workers hit the streets.

A few days later he walked into my office with a huge bouquet of flowers. I told him I didn't understand the gesture because I wasn't able to save his job. He said he felt that I had done everything I could possibly have done on his behalf and he appreciated knowing that I had gone to bat for him. The happy ending came when he found that new job in Florida, moved his family there, and I received a Christmas card letting me know that all was well. This was one of many intrinsically gratifying experiences as an ombudsman. In fact, I often said it was a job I would do for free if I could afford to. I sincerely believe I learned and benefitted immensely from the privilege of functioning in this role as much or even more than the people I served. It became a continual process of staying open to unpredictable possibilities and refining my skills.

So what were the biggest personal changes or lessons learned for me? I came to realize how important the skill of “keep listening” really is to effective conflict resolution—both to what is said and how it is said, in addition to what may not be said but can be observed intuitively by paying attention to tone or body language, providing clues to a need for further exploration. I came to appreciate that attending to people’s feelings is very often more important than facts or legalities. I gained a greater understanding about why laws and legal systems are often so challenged to fashion real resolutions.

Effectively meeting the needs of both parties in a dispute is not possible in an adversarial system where there is a “winner” and a “loser.” Also, lawyers and judges tend to focus on facts and laws rather than feelings or mutually acceptable, creative solutions. However, there are some situations where a mutual resolution cannot be crafted and a decision is required. Things such as imminent threats of violence, clear sexual harassment (vs. misunderstandings), or other serious legal issues may require additional action. In these situations, I would report imminent threats of violence, coach visitors about accessing the formal system, or make recommendations to management for organizational or policy changes.

Many years later, I continue to benefit from all of these experiences. I am no longer officially an ombudsman, but still use effective communication and mediation skills as a coach/consultant helping people and organizations find elegant solutions to their concerns. After all, listening and searching for common ground go a long way toward understanding and problem solving in most any circumstance.

## CONCLUSION

Reflecting on our unique experiences, a remarkable number of common themes emerged from two very different practitioners:

- Respect for diversity—different people, perspectives, and perceptions.
- A new and deeper awareness of self and our own assumptions and biases.
- The importance of listening and the patience to fully explore an issue beyond the initially expressed concern.
- Acknowledging and honoring feelings as well as facts, laws, and policies.
- The ability to act as a translator or bridge between people, searching for common ground to aid in fashioning a resolution.
- And, perhaps most significant, continuing to develop an attitude of service, curiosity, and openness to learning, while providing a safe space for visitors to explore their concerns.

These common themes helped us grow in the ombudsman role and continue to nourish a long, enjoyable, and enduring friendship.

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