



April 27, 2017

To: Stephen Kerber and Bryan Lueck,
Co-Chairs, Faculty Welfare Council for AY 2016-17

From: Joel Hardman and Mary Sue Love,
Faculty Ombuds

Re: 2016 Annual Report

The Faculty Ombuds Service operates under the Welfare Council of the Faculty Senate and is tasked with the following duties as described in its operating papers:

The Ombuds Service at SIUE provides impartial, confidential and informal resolution of disputes for faculty members and administrators. The program seeks to help those faculty or administrators with interpersonal misunderstandings as well as those concerned with more administrative or academic issues. These misunderstandings may be between two or more faculty members or between a faculty member and an administrator. The main purpose of the Ombuds Service is to mediate conflict. It will not serve to adjudicate breaches in formal administrative policies (a formal grievance procedure is in place for this purpose). As a result, the Ombuds faculty will listen, offer options and facilitate resolution to those in conflict. This will be done without preference to one party over another. Rather, the goal of the Ombuds faculty will be to mediate disputes and ensure that all party's voices are heard (http://www.siu.edu/ugov/faculty/welfarecouncil/ombuds_service_policy.shtml).

The Faculty Ombuds adhere to the International Ombudsman Association (IOA) Standards of Practice

(https://www.ombudsassociation.org/IOA_Main/media/SiteFiles/IOA_Standards_of_Practice_Oct09.pdf) and Code of Ethics (https://www.ombudsassociation.org/IOA_Main/media/SiteFiles/Code_Ethics_1-07.pdf), which include the principles of independence, neutrality and impartiality, confidentiality, and informality. As such, the Ombuds service provides an independent, neutral, confidential and informal place for faculty to discuss their concerns and get guidance on the options available to resolve disputes.

This report covers Spring, Summer, and Fall 2016, the fifteenth full year of operation for the Faculty Ombuds Service. Below we summarize our work with faculty, while maintaining the strictest anonymity/confidentiality for all concerned, and outline activities related to maintaining and strengthening effective Ombuds services.

Summary of Work with Faculty

In adherence to the IOA Standards of Practice and Code of Ethics, we do not keep records. However, we do log the number and types of cases that we see. In 2016, the Office has continued to provide services to faculty in a wide range of situations.

The raw numbers for 2016 show that we had 91 contacts over 34 separate cases (see Table I below). “Contact” refers to any interaction we have had with (or on behalf of) a visitor while “situation/case” refers to each unique concern brought to the office. The number of cases rose markedly last year, along with the number of contacts. Overall, the cases that the office has seen have risen steadily since records have been kept.

Table I: Number of cases and number of contacts with visitors

| <i>Year</i> | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 |
|------------------------|------|------|------|------|------|------|------|------|------|------|------|------|------|
| # contacts | 40 | 35 | 48 | 39 | 30 | 27 | 32 | 54 | 68 | 131 | 77 | 77 | 91 |
| # situations/ cases | 21 | 17 | 18 | 17 | 16 | 19 | 17 | 16 | 21 | 23 | 37 | 20 | 34 |

Nature of Engagement with Visitors

The Ombuds keep 10 drop-in office hours a week along with 10 more hours for investigation and other appointments. Faculty may visit during these times, or schedule an appointment at a time suitable for them. The Ombuds role has typically involved meeting with visitors to listen to their concerns, brainstorming to identify options and resources, guiding visitors to the relevant university resources and policies, and helping them to arrive at their own solutions to problems. On many occasions, we researched relevant policies and/or contacted Human Resources representatives to obtain information for visitors.

As per our office policy, the two Ombuds consult about the cases brought to the office. In every case, we ask the visitor’s permission to share his/her situation with the Ombuds who was not present at the initial visit, and this permission is usually granted. This opportunity for the two Ombuds to consult with each other has proven to be very important and effective in responding to our visitors’ concerns. This practice ensures that both Ombuds are involved (to varying degrees) in most situations brought to the attention of the office, providing the benefit of two perspectives and two analytical approaches.

Composition of Visitors

As in past years, tenured and tenure-track faculty comprised most Ombuds visitors, although we did work with some administrators. Faculty Ombuds Operating Papers state that: “In those instances where one or more of the individuals involved are represented under a collective bargaining agreement Ombuds services can only be provided if they do not represent a violation of the covering agreement.” Given that the Collective Bargaining Agreement between the University and non-tenure track faculty encourages

such faculty to utilize the Ombuds Service¹, it has been our policy to work with non-tenure track faculty on issues of interpersonal conflicts and refer them to their Union representatives for non-interpersonal concerns.

Individuals from most units found their way to the Ombuds office this year. However, there were few visitors from the ‘off campus’ units (e.g. Dental Medicine, Pharmacy and ESL Center). We discuss how to increase visibility and availability to these units in our planning section.

Finally, one parent requested Ombuds services this year regarding treatment of a student. While we never turn a visitor away, as we plan for the future, we suggest opportunities to provide students with an informed Ombuds to meet their specific needs.

Visitor Concerns

The issues brought to the Ombuds office are often complicated and involve multiple issues. The International Ombudsman Association’s list of Uniform Reporting Categories (https://www.ombudsassociation.org/IOA_Main/media/SiteFiles/UTFRC-Desk-Reference-v2.pdf) provides a contextualized overview of the types of issues for which Ombuds assistance was sought in the past year. And, while we do not keep detailed or identifying records, we do tally the issues brought to our office. Below are the 9 general categories:

1. *Compensation and Benefits*: Questions, concerns, issues or inquiries about the equity, appropriateness and competitiveness of employee compensation, benefits and other benefit programs
2. *Evaluative Relationships*: Questions, concerns, issues or inquiries arising between people in evaluative relationships (i.e., supervisor-employee, faculty-student)
3. *Peer and Colleague Relationships*: Questions, concerns, issues or inquiries involving employee or student-professor relationship (e.g., two staff members within the same department or conflict involving members of a student organization)
4. *Career Progression and Development*: Questions, concerns, issues or inquiries about administrative process regarding entering and leaving a job, what it entails (i.e., recruitment, nature and place of assignments, job security, and separation).
5. *Legal, Regulatory, Financial, and Compliance*: Questions, concerns, issues or inquiries that may create a legal risk (financial, sanction, etc.) for the organization or its members if not addressed, including issues related to waste, fraud or abuse
6. *Safety, health, and Physical Environment*: Questions, Concerns issues or inquiries about Safety, Health and Infrastructure-related issues
7. *Services/Administrative issues*: Questions, concerns, issues or inquiries arising about services or administrative offices including from external parties

¹ Article VIII of the Collective Bargaining Agreement: Grievance Policy, Section 8.2.1 states that, “ ... it is usually most desirable for a non-tenure track faculty member and the immediately involved supervisor to resolve problems through free and informal communications.” 8.2.1.1 “The non-tenure track faculty member shall have the option, and shall be encouraged, to utilize the Faculty Ombuds Service as a resource to assist in attempting to resolve the problem.”

8. *Organizational, Strategic, and Mission Related*: Questions, concerns, issues or inquiries that related to the whole or some part of an organization
9. *Values, Ethics, and Standards*: Questions, concerns, issues or inquiries about the fairness of organizational values, ethics, and/or standards, the application of related policies and/or procedures, or the need for creation or revision of policies, and/or standards

As has been the case in previous years, the majority of cases in 2016 involved concerns surrounding either evaluative or peer and colleague relationships. Below we will outline the types of issues that were brought to the office this past year.

Most of the ones we saw this year continued to include some concern regarding an evaluative relationship. We saw issues of respect/treatment, trust/integrity, reputation, communication, assignments/schedules, performance appraisal, climate, and fair treatment. At least seven cases related to difficulties with the evaluation process, and four other cases were regarding conflict with a chair.

These same concerns were reflected in issues regarding peers and colleagues. Several visitors came to discuss disputes with colleagues around priorities, values, beliefs, respect/treatment, trust/integrity, and reputation. At least two individuals reported concerns regarding dysfunctional relationships with their colleagues.

As always, when there are concerns regarding possible Title IX issues, we strongly encourage our visitors to report their concerns to a responsible employee. We personally contacted the Provost's office and the Title IX coordinator on multiple occasions, either helping visitors find appropriate avenues to put their issues on record or helping the visitor navigate the reporting process.

We worked with several visitors to help them understand the grievance process. As this process will change with the certification of the Faculty Association, we anticipate continued work to clarify process and options regarding grievances.

Ombuds Intervention/Resolution

In line with our general approach to the resolution of conflicts mentioned on page one above, issues brought to our office were addressed through exploring the visitor(s)' options for dealing with problematic relationships between members of the faculty in the unit, by facilitating communication between the parties when asked by the visitor(s), and by gathering information on the questions at hand from the Coordinator for Policy, Communication and Issues of Concern at the Provost's Office, the Title IX Coordinator, or Human Resources.

Our commitment to informality and confidentiality prohibit us from keeping formal records or following up with visitors, making it difficult to evaluate the effects of our actions as ombuds. Some visitors seem to reach a clearer perspective on their situations during a visit, or leave with options for action that they were unaware of prior to their visit. Other cases allow us to informally track the movement of a situation toward

resolution. However, we are unable to initiate contact with past visitors to ask whether a situation has improved as a result of the course of action planned with a visitor.

Activities Related to Maintaining Effective Ombuds Services

In addition to our primary activities as outlined above, we have been engaged in numerous activities to maintain and improve the work of the Ombuds Office. These endeavors can be described as follows:

Evaluation of the Ombuds Service

The Welfare Council has not completed the annual evaluation of the Ombuds service as of the date of this report. When it is completed, we will review and include this in our next report.

Outreach

Throughout 2016 we sent reminders about our office to all faculty in the form of an e-mail brochure listing our services. We attended New Faculty Orientation, introducing incoming faculty to the types of services offered through the Ombuds Office. We sent Deans, Chairs and Directors letters reminding them how our office can work with them and their faculty, and inviting them to involve us in issues that fall within our job boundaries. In early 2016, we met with the CAS chairs to educate them on the Ombuds service. We participated in an internal professional development workshop on conflict management for chairs and an external one at the 2016 Academy of Management Conference in Anaheim, California. We also wrote three Ombuds blog posts, which were successful at prompting contacts.

Title IX Concerns

In 2016, we again met with General Counsel and the Welfare Council to discuss responsible employees and efforts to maintain independence, confidentiality, informality, neutrality and impartiality. Both Ombuds attended the Sexual Assault, Sexual Misconduct and Relationship Policy training developed by the Title IX office.

Conclusions and Reflections

As in previous years, we continue to believe that the Ombuds office is a necessary resource for faculty at SIUE, especially in an environment of growing unease and stress related to our uncomfortable budget situation. The ongoing budget crisis brings diminished support for scholarly activities, fewer release units for service to the university, and altered teaching loads due to the loss of adjunct faculty. The certification of the Faculty Association will bring with it changes to policy and procedure, and the office will need to keep abreast of these changes. In this environment, conflict and stress can be expected to rise, and the need for the Ombuds office to stay strong.

Planning

Given the budgetary constraints facing the university, we believe the Ombuds service will continue to provide a valuable service to the Faculty as we navigate this stressful time. In 2017, we also have several initiatives to improve the service and provide outreach to the faculty at large. We hope to increase visibility of our services to our off

campus facilities, work with the Provost's office to provide more training to chairs, and work with new faculty development initiatives. Finally, we will work to increase awareness and education through our blog.