



February 24, 2020

To: Stephen Kerber,  
Interim Chair, Faculty Welfare Council for AY 2019-20

From: Seran Aktuna and Nicole Klein,  
Faculty Ombuds

Re: 2019 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.

(<https://www.siue.edu/ugov/faculty/ombuds/ombuds-service-policy.shtml>)

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

([https://www.ombudsassociation.org/assets/docs/IOA\\_Standards\\_of\\_Practice\\_Oct09.pdf](https://www.ombudsassociation.org/assets/docs/IOA_Standards_of_Practice_Oct09.pdf)) and Code of Ethics

(<https://www.ombudsassociation.org/assets/IOA%20Code%20of%20Ethics.pdf>) which are 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 receive guidance on the options available to resolve disputes.

This report covers Spring, Summer, and Fall 2019, the seventeenth 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, as reported below.

In 2019, the Office continued to provide services to faculty in a wide range of situations. We had 46 contacts over 25 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 brought to our attention was greater than those observed in previous years, except 2014 and 2016, as shown below.

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

<i>Year</i>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
# contacts	27	32	54	68	131	77	77	91	52	41	46
# situations/ cases	19	17	16	21	23	37	20	34	21	16	25

#### *Nature of Engagement with Visitors*

The Ombuds kept 10 drop-in office hours a week along with 10 more hours for investigation and other appointments. Faculty visit during these times, or schedule an in-person or telephone appointment at a time suitable for them. The Ombuds role typically involves 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 relevant administrators to obtain information for visitors.

As per our office policy, the two Ombuds consulted about the cases brought to the office. In every case, we asked the visitor’s permission to share their situation with the Ombuds who was not present at the initial visit, and this permission was 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, tenure-track and non-tenure-track faculty comprised most Ombuds visitors, although we did work with visitors performing in different roles at SIUE such as Chair or Program Director. As in previous years, individuals from most units sought services from the Ombuds office this year, although the vast majority of visitors were from the main campus. A few students also called/emailed us seeking help with conflict mediation, and they were referred to the appropriate units on campus.

### *Working with Represented Faculty*

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.” The Collective Bargaining Agreements between the University and non-tenure track faculty<sup>1</sup> as well as that between the University and the SIUE Faculty Association<sup>2</sup> encourage faculty to utilize informal conflict mediation such as the Ombuds Service. Thus, we offered informal, impartial and confidential services to mediate conflict for all faculty. If a visitor wished to pursue a formal grievance process, they were referred to either their Faculty Association or the SIUE formal grievance procedure, depending on their School/College and status as tenure track or non-tenure track.

### *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://ioa.memberclicks.net/assets/docs/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).

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<sup>1</sup> 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.”

<sup>2</sup> Article 17 of the SIUE Faculty Association Agreement, Grievance Procedure, Section 17.04: Informal Process, states that, “... it is desirable for Faculty and the University to resolve problems through free and informal communications. ... Members of the Bargaining Unit may choose to seek informal advice from any University resource. Nothing in this agreement shall prohibit members of the Bargaining Unit from resolving a dispute through this informal resolution process, provided such resolution is consistent with the terms and conditions set forth in this Agreement.”

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, issue 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
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 2019 involved concerns surrounding issues of respect/treatment, performance appraisal and norms of communication in evaluative relationships, followed by concerns regarding priorities, values and beliefs and respect/treatment in peer and colleague relationships. We worked with several visitors to help them understand changes to the grievance processes as per the Collective Bargaining Agreement.

We were also consulted by faculty in supervisory roles for help in addressing issues between two or more individuals they supervised. We offered mediation help in these cases and explained how mediation needed to be voluntary for all parties involved.

### **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 visitors' options for dealing with problematic relationships between members of the faculty in the unit, by facilitating communication between the parties when asked by the visitors, 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 challenging to evaluate the effects of our actions as Ombuds. Informal observation revealed that 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. We often heard positive verbal feedback and follow-up emails expressing gratitude for the service. Due to confidentiality concerns, we are unable to initiate contact with past visitors to ask whether a situation improved as a result of the course of action planned during the visit, but in three cases visitors did contact us to update us about the satisfactory resolution of their concerns.

### **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:

#### *Advisory*

Guided by discussion in the Ombuds literature and new university hiring initiatives, we met with Tom Jordan, Coordinator for Policy in the Provost's office, to discuss dual appointments for faculty. These can include appointments between two or more departments and/or research centers or institutes. After discussion, we were asked to investigate the best practices for successful joint appointments and present to the Dean's Council. In August, we presented recommendations and options for hiring and evaluating academics in joint appointments, as derived from the relevant literature on joint/interdisciplinary appointments.

We were contacted by the Staff Senate for information about how the Ombuds Service was created and how it functions, as they are gathering information about a possible Staff Ombuds office. We presented information about Ombuds services to seven Staff Senators in February 2019.

#### *Faculty Development*

Throughout the year, we worked with Dr. Lynn Bartels, from the Center for Faculty Development and Innovation, on initiatives related to bullying and incivility. After reviewing Ombuds-related literature and discussion with colleagues at an Academic Ombuds meeting in summer 2019, we helped locate a guest speaker, Michael Bernard-Donals, Vice Provost for Faculty and Staff at the University of Wisconsin, Madison, who will present a workshop on campus in March 2020 on hostile and intimidating behavior in academia.

In addition, we worked with Dr. Bartels to create a Faculty Development Book Club specifically for department Chairs where one former and one current Chair led a discussion of *The College Administrator's Survival Guide* by C.K. Gunsalus over a period of monthly meetings during the fall 2019 semester.

#### *Outreach*

Throughout 2019 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. We later followed up with personal emails, asking specific Chairs if we could visit during their next faculty meeting. The outreach efforts met with success. We gave short presentations about the Ombuds Service to 14 different departments, the faculty of the School of Dental Medicine, and the Dean and Chairs of the School of Engineering. We met with the President of the SIUE Faculty Association, Kim Archer, to discuss the role of the Faculty Ombuds and the new Collective Bargaining Agreement. Through

these efforts, we reached 161 SIUE faculty members, almost 23% of the 709 full-time faculty and faculty with partial administrative titles, according to the 2020 SIUE Fact Book found at [http://www.siu.edu/inrs/factbook/factbook\\_archives.shtml](http://www.siu.edu/inrs/factbook/factbook_archives.shtml).

Knowing that many faculty access information about the Ombuds service online, we revised our web page to add links to resources for faculty, copies of annual reports and a chart that explains the process of working with an Ombuds (<http://www.siu.edu/ugov/faculty/ombuds/>).

### *Professional Development*

To stay abreast of current issues, each Ombuds receives a regular newsletter and access to Ombuds networks and resources through membership with the International Ombuds Association. In June 2019, we attended the Academic Ombuds Summer Meeting in DePaul University in Chicago, a two-day educational, training, and networking event.

### **Conclusions, Reflections and Future Plans**

The Ombuds office provides an important service that provides faculty a neutral, confidential setting to discuss the inevitable conflict of the workplace. It is an important informal step where a faculty member can have a place to talk through their conflict or concern. This process can resolve an issue, rectify gaps in knowledge, clarify possible options, plan (and even practice) responses and serve as either an alternative to or a step prior to pursuing a formal grievance.

We believe that the Ombuds office is a necessary resource for faculty and administrators at SIUE, and most faculty who responded to the Ombuds review of 2018 seem to concur. In 2020 we will continue to visit individual departments to meet with faculty and address specific questions regarding the Ombuds role following the institutionalization of the Faculty Association.

In 2020, we are planning for several initiatives to provide outreach to the faculty at large. These include:

1. To increase our online footprint, we will move the Ombuds Service website to SIUE's new responsive template. Working with University Marketing and Communication, we will update the website to a more interactive site that is cohesive with other offices on campus.
2. To establish greater visibility of the Ombuds and the Ombuds service, we will continue with informational department visits as aforementioned and highlight our services to campus personnel at all levels via visits to meetings, emails, and updated information on the website.
3. Following from #2 above, we will explore informational materials and resources that could be provided to faculty to aid with conflict management.
4. We will continue our own professional development by keeping up with the International Ombuds Association through readings and trainings, and via discussions with other Ombuds.

We look forward to the coming year.