

SOUTHERN ILLINOIS UNIVERSITY
EDWARDSVILLE

February 18, 2019

To: Dan Segrist,
Chair, Faculty Welfare Council for AY 2018-19

From: Seran Aktuna and Nicole Klein,
Faculty Ombuds

Re: 2018 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/assets/docs/IOA_Standards_of_Practice_Oct09.pdf) and Code of Ethics

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

This report covers Spring, Summer, and Fall 2018, the sixteenth 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 2018, the Office continued to provide services to faculty in a wide range of situations.

The raw numbers for 2018 show that we had 41 contacts over 16 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. Over the past 11 years, there have been an average of 21 cases and 62 contacts per year, with peaks in 2013 and 2016. The 2018 cases and contacts are lower than the previous year, which was lower than the year before. We talk about the change in numbers in our reflection below.

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

| <i>Year</i> | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 |
|------------------------|------|------|------|------|------|------|------|------|------|------|------|
| # contacts | 30 | 27 | 32 | 54 | 68 | 131 | 77 | 77 | 91 | 52 | 41 |
| # situations/ cases | 16 | 19 | 17 | 16 | 21 | 23 | 37 | 20 | 34 | 21 | 16 |

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 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 and/or other 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 his/her 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 and tenure-track faculty comprised most Ombuds visitors, although we did work with visitors performing in different roles at SIUE such as Chair or Dean. 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.

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.” Given that the Collective Bargaining Agreement between the University and non-tenure track faculty¹ as well as that between the University and the SIUE Faculty Association² encourage faculty to utilize informal conflict mediation such as that offered by the Ombuds Service, we worked with all faculty. We offered informal, impartial and confidential services to mediate conflict. 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).

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.”

² Article 7 of the SIUE Faculty Association Agreement: Grievance Procedure, Section 7.04 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 2018 involved concerns surrounding faculty performance evaluation, followed by concerns regarding peer and colleague relationships. We saw issues of respect/treatment, trust/integrity, bullying/mobbing, reputation, communication, assignments/schedules, performance appraisal, climate, and fair treatment. Several cases related to difficulties with the evaluation process, including conflicts 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.

As always, when there are concerns regarding possible Title IX issues, we strongly encourage our visitors to report their concerns to the Office of Equal Opportunity, Access and Title IX Coordination. However, this was not a concern for any visitors in 2018.

We worked with several visitors to help them understand the grievance process. As this process was changing for most divisions after the ratification of the contract agreement with the Faculty Association, we worked to understand and clarify processes 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 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. As the details of the new Faculty Association contract unfolded, we met with Tom Jordan to explore the changes to the policies most likely of concern to our visitors—starting with Article 7--Grievance Procedure. We also met with Ashley Cox from Call For Help, Inc, who served as the university's confidential advisor for Title IX concerns to explore the role of the Ombuds in Title IX reporting.

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 verbal feedback expressing gratitude for the service and a deeper understanding about their options. Other cases did 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 improved as a result of the course of action planned during the visit. In two 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:

Evaluation of the Ombuds Service

The Welfare Council conducted an evaluation of the Ombuds Service in 2018, with a response rate of 18% (92 respondents; 87 faculty (94.6%) and 5 administrators (5.4%)). Of the respondents, 44.2% said they used the ombuds service at some point since its inception while 55.8% did not. Respondents in general expressed satisfaction with the help they received from the ombuds, although a few appeared to have an incomplete and/or inaccurate understanding of the ombuds role and responsibilities. We address in our reflection section below how we will be responding to the findings of this report.

Outreach

Throughout 2018 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 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/>).

Conclusions and Reflections

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. Faculty members who responded to Welfare Council's evaluation of the ombuds service indicate that they find the services provided valuable as well.

Looking at the decline in the number of cases, it would be wonderful to attribute this to a decrease in faculty conflict over the last two years. While this may be a contributing factor, it is likely that a considerable amount of conflict is still occurring. We believe that several factors may be at work that have decreased utilization of the service. First, faculty members must know about the service and then must trust both the Ombuds and the Ombuds process. While outreach was done in 2018, we feel that it might not have been sufficient and are already adding other ways to increase visibility in 2019. Second, there has been more turnover in Ombuds than in previous years. While most Ombuds in the past have served 6 years, that was not the case in 2014-2017. A new, although previously experienced, Ombuds began in 2017, followed by a brand new Ombuds the following year. This could have affected both the visibility and familiarity of the Ombuds. And third, some faculty may be confused about the roles of the ombuds vis-à-vis the Faculty Association and may not understand that the role of the Ombuds is the same as previously. It is worth considering that faculty who would have visited the Ombuds in prior years may assume that they now must contact the Faculty Association for all employment related conflict. Indeed, this seems to be the case for some faculty given their responses to the Welfare Council's survey. As mentioned above, the ombuds and the Faculty Association roles are complementary, and we look forward to working with the Faculty Association and the Non-Tenure Track Association.

We continue to believe that the ombuds office is necessary resource for faculty and administrators at SIUE, and most faculty who responded to the ombuds review seem to concur. We will be visiting individual departments in 2019 to address specific questions regarding the Ombuds role following the institutionalization of the Faculty Association and to meet more faculty in person.

Planning

In 2019, the Ombuds service will continue to provide a valuable service to the Faculty as an informal and confidential venue for dealing with inevitable workplace conflicts. In 2019, we are planning for several initiatives to provide outreach to the faculty at large. These include:

1. Efforts to establish greater visibility of the Ombuds and the Ombuds service starting with informational department visits as aforementioned when we will also address any confusion about the role of the Ombuds service for all represented and non-represented faculty.
2. Collaborations with professional development resources such as the Midweek Mentor and informational emails.
3. Addressing concerns about bullying and mobbing in academia through pairing with the Office of Academic Innovation and Effectiveness to provide several opportunities for department Chairs. These include a Chair book discussion group, featuring a book on dealing with faculty incivility and an invited speaker on academic bullying.
4. Highlighting our services to campus personnel at all levels via visits to meetings, emails, updated information on the website, and an all-faculty survey about workplace civility.

5. Attending the Summer Academic Ombuds meeting at DePaul University to continue with our professional development and inform our efforts at consistent improvement of the SIUE Ombuds service.

We look forward to the coming year.

Seran and Nicole

