



February 10, 2023

To: Igor Crk & Robert Bitter  
Co-Chairs, Faculty Welfare Council for AY 2022-23

From: Seran Aktuna and Nicole Klein,  
Faculty Ombuds

Re: 2022 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.

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

The Faculty Ombuds adhere to the International Ombuds 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 workplace disputes.

This report covers Spring, Summer, and Fall 2022, the twentieth 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 also outline the activities we engaged in to maintain and strengthen 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. Instead, we log the number and types of cases that are brought to our attention, as reported below.

In 2022, the Office continued to provide services to faculty and administrators in a wide range of situations. We interacted with faculty and administrators via multiple means: (a) Individual meetings with visitors, (b) facilitated group discussions and/or mediations, (c) visits to departments to (re)introduce the faculty ombuds service, and (d) emails to Deans, Chairs, Directors to remind them of the nature of our services as faculty ombuds.

We had 86 contacts with faculty and administrators involving 17 cases and 2 additional informational meetings with administrators over inquiries about ombuds services and how to set up ombuds programs for non-faculty constituents at SIUE (see category #7 under Visitor Concerns below). “Contact” refers to any interaction we have had with (or on behalf of) a visitor while “situation/case” refers to each unique case brought to the office. The number of individual cases brought to our attention in 2022 was lower than in 2021. However, one case we worked on in 2022 was a highly complex one involving multiple constituents. We met with the initial visitor multiple times and then facilitated four large-group meetings, each involving 10-12 faculty and staff members.

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

| <i>Year</i>            | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 |
|------------------------|------|------|------|------|------|------|------|------|------|------|------|
| # contacts             | 68   | 131  | 77   | 77   | 91   | 52   | 41   | 46   | 71   | 68   | 86   |
| # situations/<br>cases | 21   | 23   | 37   | 20   | 34   | 21   | 16   | 25   | 25   | 21   | 17   |

It is important for the faculty ombuds to make personal connections with faculty who may be unaware or unclear of the nature of our services. Each semester we reach out to a rotating set of Chairs and Deans to offer a short introduction during their School/College or Department meetings. In 2022, we presented to 49 faculty members in 5 different departments.

#### *Nature of Engagement with Visitors*

Ombuds operations continued to be mostly virtual in 2022, as this mode seemed to be preferred by individuals who reached out to us. We connected with visitors via Zoom, on the phone, and when requested, in person. 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. As needed, we researched relevant policies and/or contacted relevant administrators to obtain information for visitors. We also facilitated four large-group conversations over the spring and the summer that involved everyone (faculty and staff) in a unit.

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 meeting, 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. If permission was not granted, it was typically due to the visitor working in the same School/College or department with the non-present

Ombuds and who wanted additional privacy. For this reason, it has been beneficial for the two Ombuds to be from different Schools/Colleges.

### *Composition of Visitors*

As in past years, tenured, tenure-track, and non-tenure-track faculty comprised most Ombuds visitors. We worked with visitors performing in different roles at SIUE such as Chair, Program Director, and Dean. As was the case in 2021, in 2022 we again worked with Chairs who used Ombuds services to explore strategies for working with challenging faculty members and managing faculty who were in a conflict with others in the department. 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 in Edwardsville.

### *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.” (<https://www.siu.edu/ugov/faculty/ombuds/about/service-policy.shtml>) 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. Therefore, we offer 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. Below are the nine 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

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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.”

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 processes 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, 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 2022 involved concerns surrounding issues about performance appraisals, respect/treatment, assignments/schedules, retaliation, and equity of treatment in evaluative relationships (Category #2), followed by communication concerns, respect/treatment in peer and colleague relationships, and trust/integrity of colleagues (Category #3). There was an increase in 2022 in the number of visitors with concerns that relate to the university in part or whole, specifically the leadership and management, organizational climate, use of positional power/authority, and communication. We also worked with several visitors who had concerns about their career progression or job classification/description (Category #4).

In several cases we were consulted by visitors for help in addressing conflict within a department/unit. Depending on the situation, we offered mediation or facilitated conversation help and explained how faculty involvement needed to be voluntary for all parties involved.

A pattern we noted in 2022 was that many meetings with individuals were longer, lasting about an hour or more, due to the complexity of issues at hand. In most cases there were multiple concerns to discuss, and, in some cases, visitors were visibly upset, requiring more time to gather their thoughts. Another noted pattern was that in 2022 we made more referrals to mental health providers than we have in previous years.

### **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 in a mediation process or facilitated conversation 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 prohibits 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 being a confidential “sounding board” and helping visitors work through their options in a conflict situation. 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 several 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:

#### *Outreach*

Throughout 2022 we sent reminders about our office to all faculty in the form of an e-mail and a link to our website listing our services. 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 five different departments, meeting 49 faculty members and their chairs. We sent all new faculty detailed information about ombuds services during and after their orientation.

#### *Professional Development*

To stay abreast of current issues, we kept up with the International Ombuds Association through their newsletters and emails. We also kept up with the Ombuds Blog maintained by long-time academic ombuds, mediator, attorney, and IOA Board member Tom Kosakowski, to learn the trends in the profession. Seran also attended a workshop on negotiation and an IOA webinar titled, “The Artful Ombuds: Elevating Concerns while Masking Identities.”

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

The Ombuds office performs an important service that provides faculty a neutral, confidential setting to discuss the inevitable conflicts of the workplace. It is an important informal step where a faculty member, including those in supervisory roles, can have a place to talk through their conflicts or concerns in their departments, classrooms, and labs. Conversations with a trained ombuds can help the faculty and administrators resolve an issue, rectify gaps in knowledge, clarify possible options, plan (and even practice) responses, and can serve as either an alternative to or a step prior to pursuing a formal grievance.

We believe that the Ombuds office serves as a necessary resource for faculty and administrators at SIUE, as attested by the number of visitors who continue to use our services.

In 2023 we will continue to visit individual departments to meet with faculty, to clarify our role at SIUE, and to address specific questions regarding the Ombuds role vis-à-vis the Faculty Association. As in previous years, we will look for opportunities to collaborate with Lynn Bartels on faculty development programs. We will explore informational materials and resources that could be provided to faculty to aid with conflict management. We will also continue our own professional development by keeping up with the International Ombuds Association through readings, trainings, and discussions with other Ombuds.

We look forward to the coming year.

Seran Aktuna and Nicole Klein  
Faculty Ombuds