



February 23, 2021

To: Jingyi Jin and Stephen Kerber,
Co-Chairs, Faculty Welfare Council for AY 2020-21

From: Seran Aktuna and Nicole Klein,
Faculty Ombuds

Re: 2020 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/old-folders/OLDwelfarecouncil/ombuds_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) 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 2020, the eighteenth 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. Instead, we log the number and types of cases that are brought to our attention, as reported below.

In 2020, the Office continued to provide services to faculty in a wide range of situations. We had 71 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 individual cases brought to our attention in 2020 was the same as in 2019; however, there was a significant increase in the number of contacts we had with visitors, attesting to the complexity of some cases that necessitated multiple contacts with visitors and other related personnel on campus, such as in cases of conflict mediation.

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

<i>Year</i>	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
# contacts	27	32	54	68	131	77	77	91	52	41	46	71
# situations/ cases	19	17	16	21	23	37	20	34	21	16	25	25

Nature of Engagement with Visitors

Ombuds operations were in person until early March, with scheduled drop-in office hours each week. Following Covid-19 restrictions after Spring Break, we moved our services online, meeting with faculty by appointment via Zoom or on the phone. 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 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 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.

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 or Program Director. In 2020 we saw an increase in the number of Chairs who used Ombuds services to explore strategies for working with challenging faculty members and responding to 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.siue.edu/ugov/faculty/ombuds/about/service-policy.shtml>) The Collective Bargaining

Agreements 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 the Ombuds Service. Thus, 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
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

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 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.”

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 2020 involved concerns surrounding issues of respect/treatment, performance appraisal and norms of communication in evaluative relationships (Category #2), followed by concerns regarding priorities, values and beliefs and respect/treatment in peer and colleague relationships (Category #3). We also worked with several visitors to help them understand changes to the university policies following the implementation of the Collective Bargaining Agreement (Category #9).

In several cases we were consulted by visitors 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 in a mediation process 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 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 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:

Advisory

In September 2020, Nicole represented the Faculty Ombuds Service on the Discuss Listserv Working Group tasked with reviewing the origin and history of the SIUE Discuss listserv and crafting recommendations to the Chancellor following the listserv's temporary suspension after comments were made that created a hostile working environment. The committee revised the Discuss Listserv Policy and the listserv was relaunched in January 2021.

Faculty Development

Working with Lynn Bartles from the Center for Faculty Development and Innovation, the Faculty Ombuds Service co-hosted a workshop “Hostile and Intimidating Behavior in Academia” with guest speaker, Michael Bernard-Donals, Vice-Provost for Faculty and Staff at the University of Wisconsin, Madison, on March 5. Over 50 faculty and staff were in attendance at the 90-minute event.

SIUE’s ADVANCE Team will focus on chair development in 2021 and in December we provided information about possible speakers and common issues that bring Chairs to use Ombuds Services.

Outreach

Throughout 2020 we sent reminders about our office to all faculty in the form of an e-mail brochure 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 6 different departments and to the School of Nursing. Because we could not meet with new faculty and the two new deans during fall orientation in 2020, we sent them more detailed information about our office and services.

We fully 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 (<https://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. Following migration to virtual ombudsing, we did some research on best practices for working with visitors in virtual environments. We also attended the following professional development meetings in 2020:

- IOA Academic Sector meeting: “Surviving and Thriving (May 8)
- Association of Missouri Mediators Conference (November 20)
- Seran also participated in a Webinar on “Online Dispute Resolution and the Implications and Opportunities for Ombuds” by Bruce Edwards, Edwards Mediation Academy (August 13)

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 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 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 2021 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