



March 1, 2022

To: Igor Crk & Robert Bitter
Co-Chairs, Faculty Welfare Council for AY 2021-22

From: Seran Aktuna and Nicole Klein,
Faculty Ombuds

Re: 2021 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) 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 2021, the nineteenth 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 2021, the Office continued to provide services to faculty in a wide range of situations. We had 68 contacts over 21 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 2021 was the slightly lower than in 2020; however, there were several complex cases that necessitated multiple contacts with visitors and other related personnel on campus, such as cases of facilitated discussion or conflict mediation.

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

<i>Year</i>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
# contacts	32	54	68	131	77	77	91	52	41	46	71	68
# situations/ cases	17	16	21	23	37	20	34	21	16	25	25	21

Nature of Engagement with Visitors

Due to COVID restrictions and recommendations, Ombuds operations in 2021 were 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. As needed, we researched relevant policies and/or contacted relevant administrators to obtain information for visitors.

As per our office policy, the two Ombuds consulted about almost all 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 or Program Director. In 2021 we saw 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.siu.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

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.”

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 2021 involved concerns surrounding issues about performance appraisals, respect/treatment, assignments/schedules, retaliation, and equity of treatment (Category #2); followed by communication concerns, respect/treatment in peer and colleague relationships, and trust/integrity of colleagues (Category #3). 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.

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 the service. Of note were visitors appreciating having access to the Ombuds Service as a confidential "sounding board". 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

From September 2020-January 2021, 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.

Outreach

Throughout 2021 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 8 different departments. For new faculty in their orientation, we sent them more detailed information about our office and services.

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. The IOA is in the process of revising the Standards of Practice and Code of Ethics, and both Ombuds have been following and participating in the revision voting. Continuing virtual ombudsing that began in March 2020, we continue to seek best practices for working with visitors in virtual environments.

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 2022 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