



26th ANNUAL REPORT

Office of the Ombudsperson

2011 – 2012

**The University of Iowa
Office of the Ombudsperson**
C108 Seashore Hall
Iowa City, IA 52242-1402

Phone: 319-335-3608

ombudsperson@uiowa.edu

www.uiowa.edu/~ombud

Susan Johnson
University Ombudsperson

Cynthia Joyce
University Ombudsperson

Stormie DeJaynes
Secretary

Please contact us to meet or talk with an Ombudsperson.

Additional copies of this report may be obtained by contacting our office or on our website at
<http://www.uiowa.edu/~ombud/reportdoc.shtml>

THE UNIVERSITY OF IOWA
OFFICE OF THE OMBUDSPERSON

26th Annual Report
July 1, 2011 – June 30, 2012

Contents

THE OFFICE OF THE OMBUDSPERSON	1
YEAR 26 ACTIVITIES.....	1
VISITOR STATISTICS.....	2
Faculty, Staff and Student Visitors	2
Demographic Information.....	2
CONSULTATIONS	3
VISITOR CONCERNS.....	3
Codes Used for Visitor Concerns.....	3
Total Visitor Concerns	4
Faculty Concerns.....	4
Merit Staff Concerns.....	5
P&S and Merit Exempt/Confidential Staff Concerns	5
Undergraduate Student Concerns.....	5
Graduate and Professional Students, Postdocs, Residents and Fellows	6
Discrimination and Harassment	6
Disrespectful Behavior	7
CAMPUS ISSUES.....	7
FOLLOW-UP ON PREVIOUS CAMPUS ISSUES	8
EVALUATION AND OUTCOMES.....	8
CONCLUSION	9

THE OFFICE OF THE OMBUDSPERSON

The Office of the Ombudsperson is a resource for any member of the University community - faculty, staff and students - with a problem or concern. We provide informal conflict management services, and we advocate for fair treatment and fair process. Our services are confidential; we will not disclose any information without the express permission of the visitor who provided it (unless we hear of future physical harm to anyone or are subpoenaed by a court), and we do not keep permanent records. We are neutral and do not take sides or make judgments about situations. Rather, we seek to support the interests of all parties and the institution as a whole. Finally, our office operates independently of other campus offices and resources, and we are not part of the traditional hierarchy of the University.

In addition to providing information and informal conflict management to community members with complaints or problems with the University, we also watch for trends on campus and report them to University administrators.

Currently, Cynthia Joyce is the staff Ombudsperson, and Susan Johnson, Professor in the Carver College of Medicine, is the faculty Ombudsperson. Stormie DeJaynes is our office manager. Both Susan and Cynthia are available to help faculty, staff and students on campus.

YEAR 26 ACTIVITIES

In 2011-2012, Susan and Cynthia provided 33 presentations of the office's 2010-11 *25th Annual Report* and gave 20 informational presentations about the Ombuds Office to various units across campus. We also delivered 45 workshops on conflict management to faculty, staff and students; this number includes 10 workshops Susan provided on effective and appropriate email communication. In addition, our office was visited by 139 students taking College Transition courses in the fall of 2011.

Cynthia and/or Susan served on the following committees and groups in 2011-12:

- Behavior Risk Management Committee
- Confidential Offices Working Group
- Threat Assessment Outreach Group
- Working at Iowa Steering Committee

We also have quarterly meetings scheduled with seven offices on campus, including the President, the Senior Associate to the President, the Vice President for Human Resources, the Office of the Sexual Misconduct Response Coordinator, the Threat Assessment Team, Organizational Effectiveness, and Faculty and Staff Disability Services.

In 2011-12, we partnered with the Office of Retention to develop a list of problem-solving resources for undergraduate students (<http://www.uiowa.edu/~confmgmt/documents/UndergraduateStudentProblemSolvingResources.pdf>), which we emailed to students in the fall. We developed a companion resource for graduate students, with input from the Graduate College (<http://www.uiowa.edu/~confmgmt/documents/GraduateStudentProblemSolvingResources.pdf>). Both documents are available on UI's Conflict Management website (<http://www.uiowa.edu/~confmgmt/>).

Outreach activities beyond campus included ongoing communication with other ombudspersons throughout the State of Iowa and the development and dissemination of contact information for CIC ombuds offices. Both Cynthia and Susan attended the annual conference of the International Ombudsman Association in April 2012, and Cynthia serves as a reviewer for the *Journal of the International Ombudsman Association*.

VISITOR STATISTICS¹

Faculty, Staff and Student Visitors

In 2011-12, the Ombuds Office provided services to 502 visitors, virtually identical to the 501 visitors served in the previous year. Overall, the percentages of faculty, staff and student visitors have remained relatively constant over the past five years (Figure 1). This year, 49% of visitors were staff, 27% were students, 17% were faculty members, and 6% were “other” visitors (alumni, community members, former or prospective employees, parents, patients, and vendors).

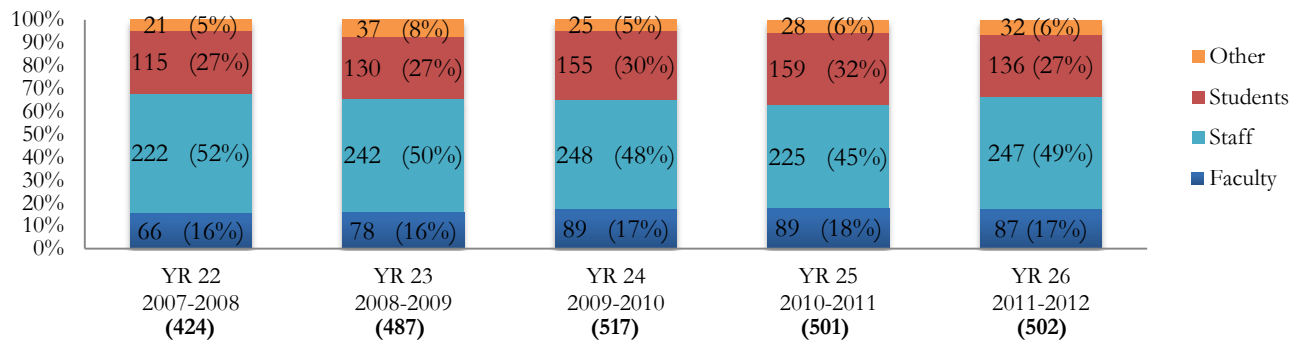


Figure 1 - Faculty, Staff and Student Visitors

Another way to look at our visitors is to compare our numbers to the total population of each group on campus. In 2011-12, 4% of faculty, 2% of staff, and 0.4% of students visited the Ombuds Office. Overall, the office served 1% of the total campus population. This is consistent with the experiences of other ombuds offices, which typically serve between one and five percent of their organizations’ constituents.

Figure 2 displays the last five years of visitors in each category. From 2010-11 to 2011-12, we had a 27% increase in P&S and Merit Exempt/Confidential staff visitors and a 30% decrease in Merit visitors.

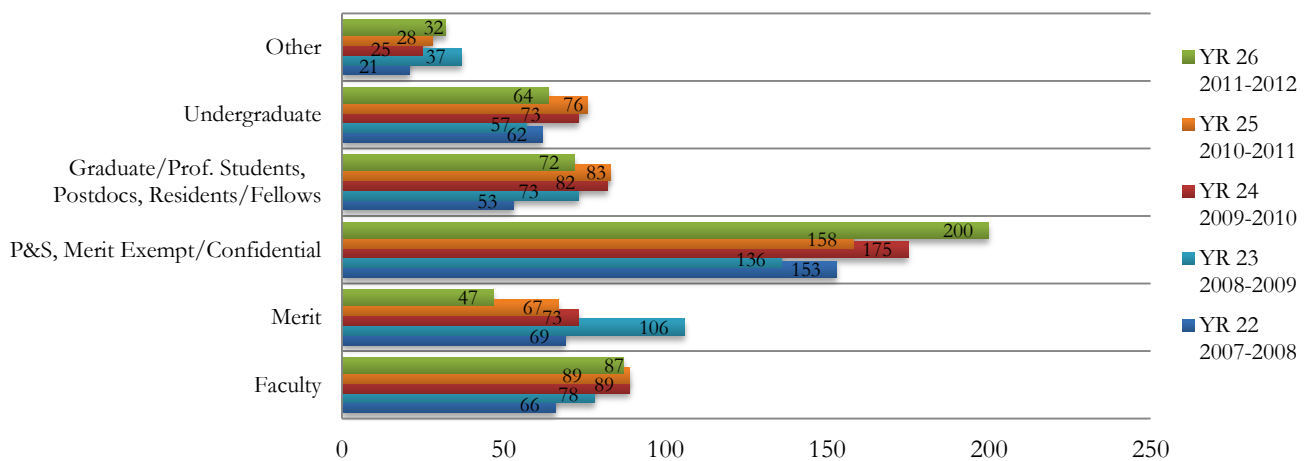


Figure 2 - Visitors to Ombuds Office by Status

Demographic Information

As in the past, the Ombuds Office serves more visitors with racial or ethnic minority backgrounds and more female visitors than would be expected given campus demographics. This year, one fifth (21%) of our visitors for whom demographic information was available were racial/ethnic minorities, compared to 11% for the campus as a whole

¹ Throughout this report, all percentages are rounded to the nearest whole number and may not always total 100%.

(Figure 3). This is an increase from the prior year, when 17% of our visitors were racial/ethnic minorities. In addition, 66% of our visitors this year were female, compared with 56% in the University community.

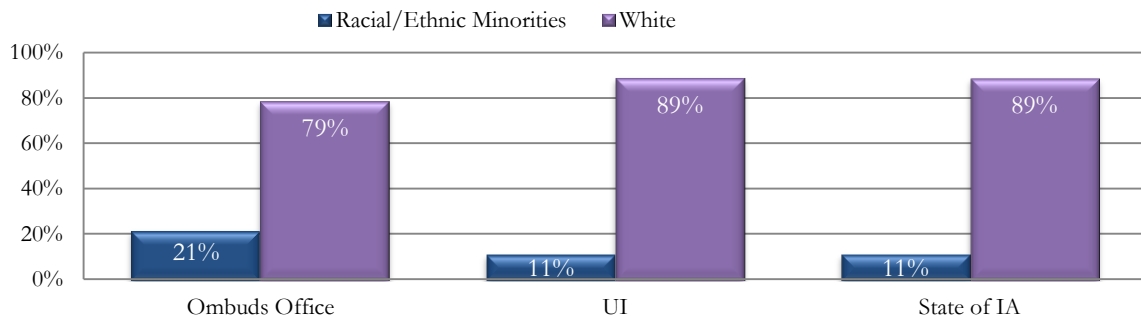


Figure 3 - Demographic Information

NOTE: Race/ethnicity information for Ombuds Office visitors is based on the number of respondents who chose to answer this optional question. Figures for UI students are from "A Profile of Students Enrolled at The University of Iowa Fall 2011," by the Office of the Registrar; figures for UI faculty and staff are from the "Annual Equal Employment Opportunity and Affirmative Action Workforce Report November 2011" prepared by Equal Opportunity and Diversity. Figures for the State of Iowa are from the U.S. Census Bureau: State and County QuickFacts <http://quickfacts.census.gov/qfd/states/19000.html>.

CONSULTATIONS

The Ombuds Office always has been available as a resource to supervisors, administrators and Human Resources Representatives to help them solve conflicts in their areas. In Year 25, we decided to create a new visitor category, Consultations, so that we can gather data about, and get feedback from, this group of visitors.

Our consultation work is guided by the same principles we use with other visitors to the office: confidentiality, independence, informality and neutrality.

A consultation gives supervisors or HR representatives the opportunity to talk confidentially with an Ombuds about problems they are facing. We can help expand the list of possible solutions, share our experiences with successful resolutions of similar problems in the past, and help the consulting visitor find other resources on campus that may be helpful. Often consultations consist of a single conversation by phone or in person. The Ombuds is not involved further in the situation unless invited to be.

This year, 39 of our 502 visitors (8%) were consultations. Our satisfaction survey was returned by 46% of this group, and these respondents reported 92% satisfaction with interactions with the Ombuds Office.

VISITOR CONCERNS

Codes Used for Visitor Concerns

We use codes developed by our professional association, the [International Ombudsman Association](#) (IOA), to categorize visitor concerns (Table 1).

Number	IOA Code	IOA Code Description
1.	Compensation/Benefits	Compensation & Benefits: salary, health insurance, retirement, etc.
2.	Evaluative Relationships	Evaluative Relationships: supervisor/employee, faculty/DEO, TA/student, etc.
3.	Peer Relationships	Peer/Colleague Relationships: issues about respect, trust, communication, etc.
4.	Career/Academic Progression	Career & Academic Progression/Development: application processes, job classification, tenure, resignation, etc.

Number	IOA Code	IOA Code Description
5.	Policy Violations	Violation of Policy: Legal, Regulatory, Financial & Compliance: criminal activity, fraud, harassment, discrimination, disability, etc.
6.	Safety/Health/Environment	Safety, Health & Physical Environment: working conditions, parking, housing, security, health concerns, etc.
7.	Services /Administration	Services/Administrative Issues: quality, timeliness of services; administrative decisions
8.	Organizational Issues	Organizational, Strategic, & Mission Related: leadership, reorganizations, organizational climate, etc.
9.	Values/Ethics/Standards	Values, Ethics, and Standards: codes of conduct, plagiarism, research misconduct, etc.

Table 1 – Codes Used for Visitor Concerns

Total Visitor Concerns

Half of all visitor concerns in 2011-12 involved an evaluative relationship (Figure 4). This includes problems between supervisors and employees, administrators and faculty members, advisors and graduate students, undergraduates and teaching assistants, etc.

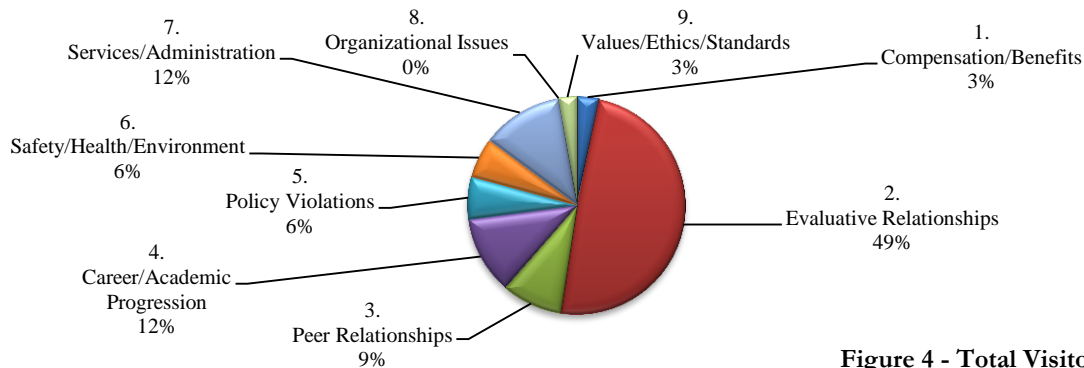


Figure 4 - Total Visitors Concerns

Faculty Concerns

We have seen a drop in faculty visitor concerns about evaluative relationships (problems between faculty and department chairs or other administrators) over the last three years, from 48% in 2009-10 to 41% in 2010-11 to 37% this year (Figure 5). Faculty concerns about relationships with colleagues dropped slightly, from 18% last year to 14% this year. Faculty visitor concerns about career/academic progression increased (from 9% last year to 13% this year), as did concerns about services/administration (12% last year to 17% this year).

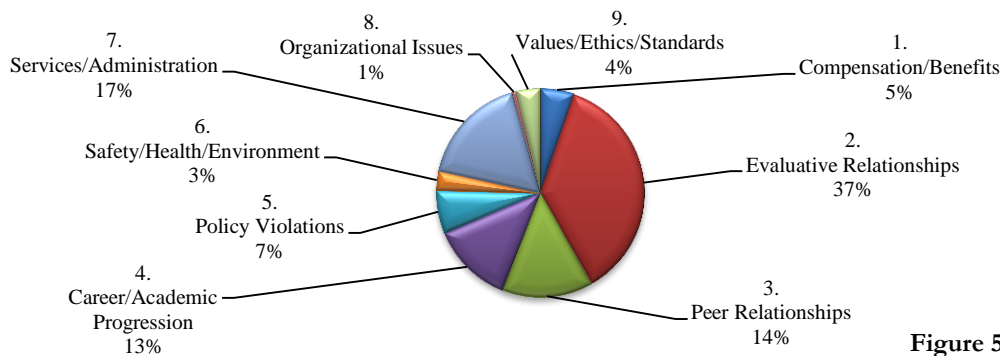


Figure 5 - Faculty Concerns

Merit Staff Concerns

Merit staff visitors to the Ombuds Office dropped 30% from 2010-11 to 2011-12. Almost half (48%) of all Merit visitor concerns this year involved evaluative relationships, or problems between staff members and supervisors (Figure 6). Merit staff concerns about coworkers dropped from 25% last year to 21% this year, and concerns about career progression increased from 8% last year to 13% this year.

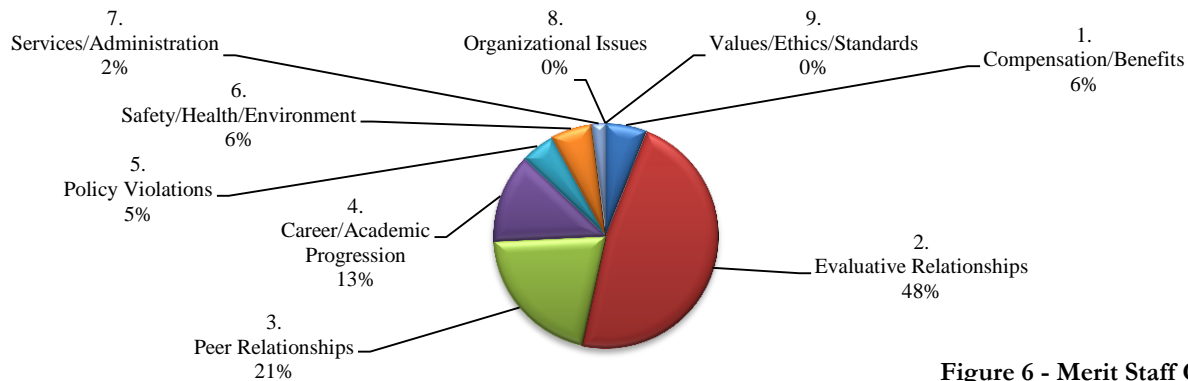


Figure 6 - Merit Staff Concerns

P&S and Merit Exempt/Confidential Staff Concerns

P&S visitors to the Ombuds Office, which include Merit Exempt and Merit Confidential staff, increased by 27% from 2010-11 to 2011-12. P&S concerns about evaluative relationships increased from 57% last year to 63% this year (Figure 7); within this category, the largest increases were in the sub-codes of Trust/Integrity and Supervisory Effectiveness. P&S concerns about peer (coworker) relationships dropped from 11% last year to 6% this year. The percentage of P&S visitors with concerns about career/academic progression stayed relatively constant from last year, but did include 25 concerns about job loss.

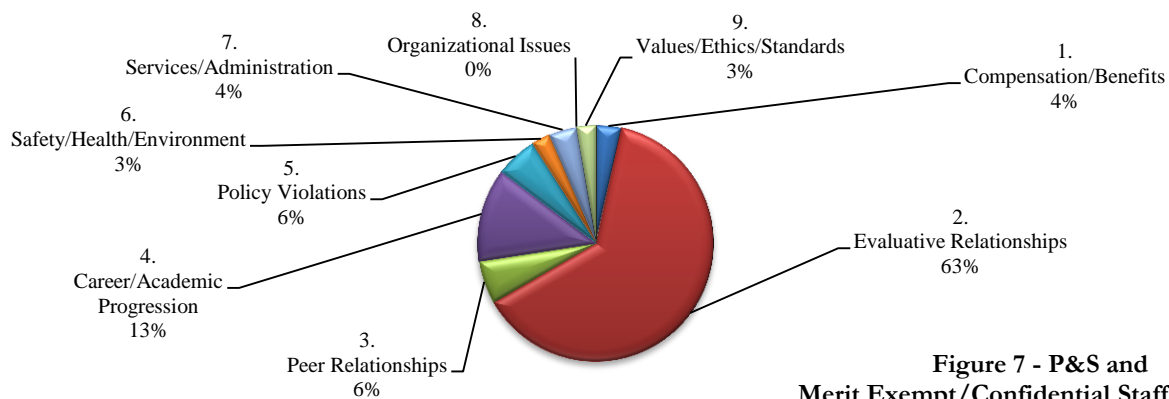


Figure 7 - P&S and Merit Exempt/Confidential Staff Concerns

Undergraduate Student Concerns

The percentage of undergraduate visitor concerns about evaluative relationships (including issues with professors, teaching assistants, or supervisors) this year remained relatively unchanged from last year (31% in 2010-11 compared to 35% in 2011-12) (Figure 8). We saw a decrease in undergraduate concerns about academic/career progression (10% last year to 4% this year), and policy violations (12% last year to 6% this year). We have seen a continued increase in undergraduate visitor concerns about service/administration (such as University decisions about grades, program requirements, graduation, financial aid), from 14% in 2009-10 to 24% in 2010-11 to 29% in 2011-12. Although the overall undergraduate concerns related to safety/health/environment remained constant from last year to this, we saw a substantial drop in the sub-category of substance abuse this year.

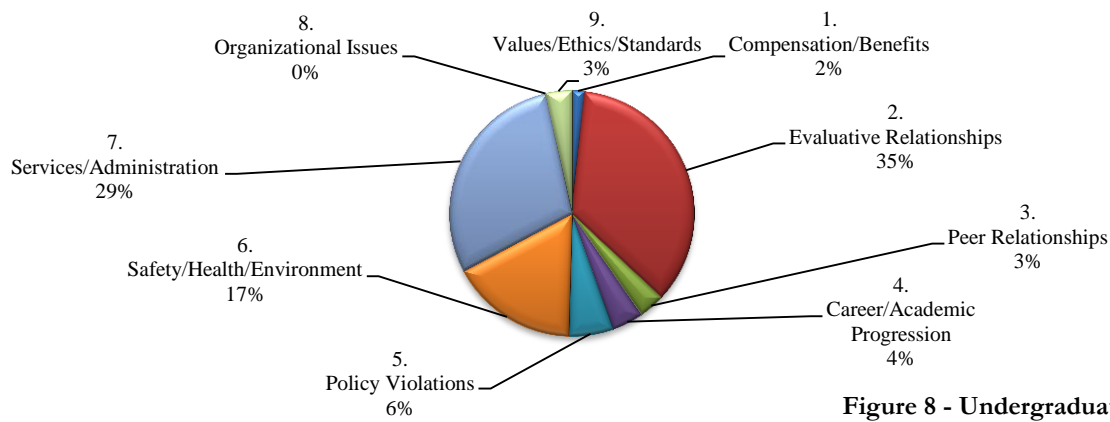


Figure 8 - Undergraduate Student Concerns

Graduate and Professional Students, Postdocs, Residents and Fellows

As in the past, we have combined concerns from graduate and professional students, postdocs, residents and fellows. The main concern of this group remained evaluative relationships (Figure 9), although we saw a drop from 57% last year to 40% this year. We saw substantial increases in this group’s concerns about peer relationships (2% in 2010-11 to 10% in 2011-12) and service/administration (9% in 2010-11 to 19% in 2011-12) from last year to this year.

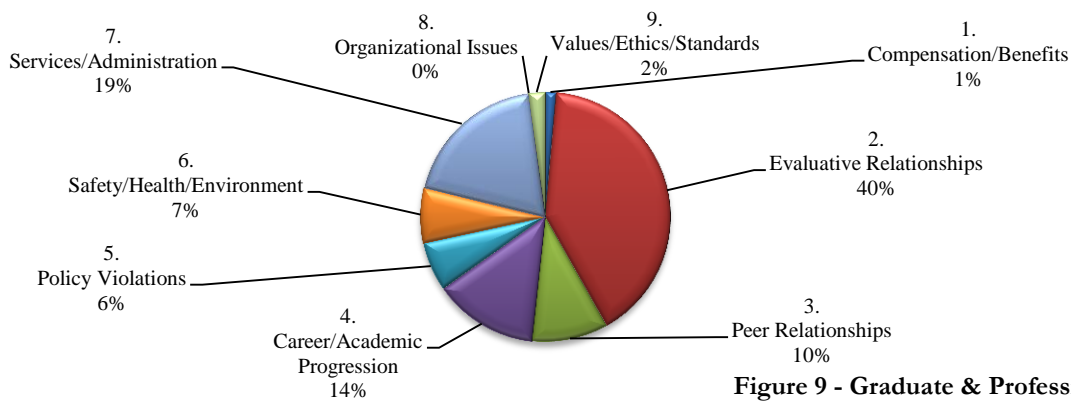


Figure 9 - Graduate & Professional Student, Post Doc, Resident and Fellow Concerns

Discrimination and Harassment

Eight percent (41) of our visitors this year complained of discrimination and harassment, which is very similar to figures from previous years (Figure 10). Of these complaints, 14 involved sexual misconduct/harassment, 5 involved other forms of harassment, 11 involved disabilities, and 11 involved discrimination unrelated to disabilities.

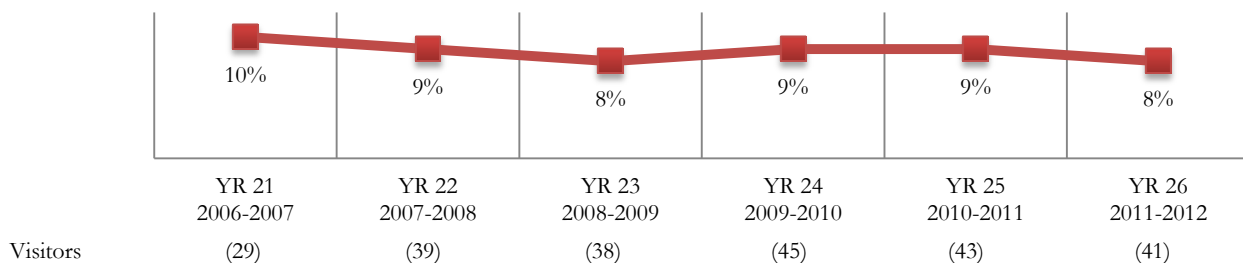


Figure 10 - Discrimination and Harassment

Disrespectful Behavior

The Ombuds Office first noted disrespectful behavior on campus in 1991, and since then the office repeatedly has voiced concerns about this problem. Of our 502 visitors this year, 22% (108) complained of disrespectful behavior, which is the first decrease in six years (Figure 11). Disrespectful behavior includes bullying, and explicit complaints about workplace bullying were made by 24 (5%) of our visitors this year, also a small drop from 6% in 2010-11. Of the 24 complaints about bullying, 17 involved a supervisory relationship and 7 involved a peer relationship.

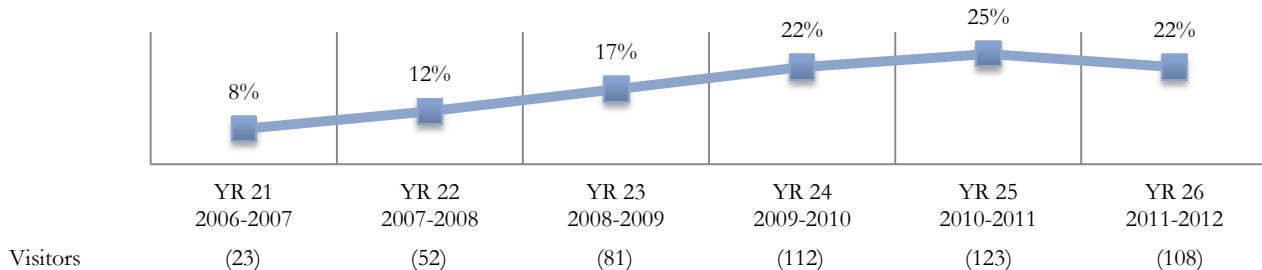


Figure 11 - Disrespectful Behavior

CAMPUS ISSUES

Every year, the Ombuds Office identifies trends or themes that concern us. This year, we highlight several difficult issues to which the campus has responded in a positive way.

- **Resources for Community Members Accused of Violating University Policies.** Regardless of the circumstances, it can be a devastating experience to be accused of violating a University policy. People in this situation (known as respondents) may be frightened and embarrassed and may not know where to turn. Along with other confidential offices on campus, the Ombuds Office is a resource for UI community members in this situation, and we typically see a number of these visitors every year. Given the challenges faced by these individuals and also by University departments who interact with them, an ad hoc committee including representatives from our office, Faculty and Staff Services/Employee Assistance Program, University Counseling Service, and the Office of the Sexual Misconduct Response Coordinator, developed brochures that include resources and suggestions for the individuals accused and for departments who interact with these individuals.

<http://www.uiowa.edu/~confmgmt/documents/InformationforthoseAccusedofViolatingaUniversityPolicyBrochure.pdf>

<http://www.uiowa.edu/~confmgmt/documents/BestPracticesforInteractingwithRespondentsBrochure.pdf>

- **Complex Cases.** Increasingly, we are seeing complex cases with numerous elements that involve a number of offices on campus. These cases are challenging and time-consuming and take a toll on everyone involved. To try to resolve these situations (and when given permission by visitors), the Ombuds Office has more and more frequently initiated and/or participated in group meetings and collaboration with other individuals and departments, such as supervisors and managers, local Human Resources, Employee and Labor Relations, Faculty and Staff Services/Employee Assistance Program, Faculty and Staff Disability Services, Threat Assessment, and others. These meetings can ensure that everyone involved in a situation is informed about its status; in addition, group meetings can lead to better solutions to the issues.
- **Employee Job Loss.** Obviously, terminating an employee's position is traumatic for the individual involved and often difficult for the individual's department. We handled 29 cases in 2011-12 in which a staff member lost his/her job or was worried that job loss was likely. Some of these cases involved concerns about poor performance or poor behavior, but a number involved layoffs. We recognize the necessity for layoffs due to financial constraints and reorganizations. However, we continue to hear allegations that departments have

decided to terminate employment rather than engage in efforts to improve performance or address interpersonal problems; we also have heard concerns that decisions to lay off employees have been made because the employees are disliked or are out of favor with administration. In our view, layoff decisions for personal or performance reasons are inappropriate and unethical. We urge departments and local and central Human Resources to continue to work to ensure that layoff decisions are made for financial or reorganization reasons alone.

We were impressed that the recent layoffs involving Merit staff sparked collaboration among Employee and Labor Relations, Faculty and Staff Services/Employee Assistance Program, and Employment Services to address employee concerns, concerns of departments losing employees, and concerns of departments receiving new employees through the Merit bumping process.

FOLLOW-UP ON PREVIOUS CAMPUS ISSUES

We continue to monitor campus issues we have described in previous reports and to discuss progress or new developments when they seem significant.

- **Disrespectful behavior on campus.** In 2011-12, after five years of increases, the proportion of visitors to the Ombuds Office reporting disrespectful behavior *declined* slightly. Although this is encouraging, we continue to urge the campus to work toward shared agreement on what constitutes respectful behavior as well as reaffirmation that respectful treatment of all members of the University community is foundational to our shared academic enterprise.

Over the last year, we were involved in the development of resources to support respectful behavior on campus, including a continuum of disrespectful behavior (<http://www.uiowa.edu/~confmgmt/documents/RespectContinuum-pdf.pdf>) and a list of training opportunities related to respect (<http://www.uiowa.edu/~confmgmt/documents/RespectatUITraining.pdf>). We also have begun to provide workshops on respectful behavior in general and abrasive behavior in particular.

- **Email.** In our Year 24 report, we discussed the issue of how email can contribute to the initiation and/or escalation of interpersonal conflict in the workplace. To help the campus address this issue, we developed a discussion-based workshop on email, and in the last 18 months, 20 sessions have been held across campus with faculty, staff and student groups. An outgrowth of these workshops is the document “Email and Conflict: Tips and Resources” (<http://www.uiowa.edu/~confmgmt/documents/EmailandConflict.pdf>). We also will continue to offer email workshops to any group that is interested.

EVALUATION AND OUTCOMES

The Office of the Ombudsperson routinely asks visitors for feedback. This year, the overall response rate to our online satisfaction survey was 42%; our response rate has dropped since we stopped sending out reminders to visitors. Of the survey respondents, 83% expressed satisfaction with the services we provided, and 57% stated that interactions with the Ombuds Office helped them develop skills or learn approaches that might be useful in resolving future problems.

We asked a new question on our satisfaction survey this year: “If you had not contacted the Office of the Ombudsperson, what would you have done?” Of the people who responded to this question, 19% said they would have used a formal conflict management option (e.g., grievance), 17% answered that they would not have talked with anyone about the issue, 16% stated that they would have looked for another position on campus, and 8% said they would have left the University. One third of survey respondents were not sure what they would have done if they hadn’t contacted the office.

Here are some examples of the kinds of positive outcomes achieved this year, at least partly through involvement of the Ombuds Office. In every case, collaboration with departments across campus has been essential.

- An undergraduate student is able to graduate after receiving credit for overseas and on-campus courses.
- A graduate student and faculty advisor are able to work together to complete an article for publication.
- A faculty member is able to resume a research program in a repaired lab space.
- A supervisor successfully addresses bullying behavior by an employee.
- A staff member is able to report unethical behavior without revealing his/her identity.
- The parent of an undergraduate student is referred to an on-campus resource with the expertise needed to resolve a housing problem.

CONCLUSION

The number of visitors to the Ombuds Office has been relatively constant over the last few years, which we take to mean that the campus has been relatively stable. We are very encouraged to see more and more collaboration across campus to resolve conflicts, address systemic issues, and improve campus functioning and climate. We are especially pleased to see progress towards a more respectful campus environment.

We thank everyone on campus who has worked with us this year, and, as always, we thank President Sally Mason for her staunch support of our office.