

## Appointment of the University Ombudsman at USC

In August of 2006, the University ombudsman position was created by former Provost Becker. Following an internal search, Jim Augustine, a School of Medicine professor and former chair of the Faculty Senate, was appointed as the first University ombudsman at USC. The University ombudsman deals with problems and concerns that are outside the faculty grievance process and other formal channels. Somewhat similar positions exist for dealing with staff, graduate student, and undergraduate student concerns at the University of South Carolina.

In December 2006, Jim Augustine became an Associate Member in good standing of the International Ombudsman Association. The University ombudsman adheres to the *Code of Ethics* and the *Standards of Practice* of the *International Ombudsman Association (IOA)* and serves as a confidential, neutral, informal and independent resource for faculty concerns and conflicts.

A website for the University ombudsman was launched in September, 2006 and can be located at this URL: <http://www.sc.edu/ombuds/> providing information about the office, the ombudsman, annual reports, the *IOA Standards of Practice* and the *IOA Code of Ethics* as well as links to other ombuds-related resources.

## International Ombudsman Association

The International Ombudsman Association (IOA) was officially formed in July 2005 following the merger of the University and College Ombuds Association (UCOA) and The Ombudsman Association (TOA). The Association supports organizational Ombudsmen worldwide working in corporations, universities, non-profit organizations, government entities and non-governmental organizations. IOA is the largest international association of professional organizational Ombudsmen practitioners in the world, representing more than 737 members - 145 of whom reside outside U.S. borders. About a third of the total membership belongs to the academic sector.

The IOA is dedicated to excellence in the practice of Ombudsman work. The IOA Code of Ethics provides a common set of professional ethical principles to which members adhere in their organizational Ombudsman practice. Based on the traditions and values of Ombudsman practice, the Code of Ethics reflects a commitment to promote ethical conduct in the performance of the Ombudsman role and to maintain the integrity of the Ombudsman profession.

## IOA Ethical Principles

### *Confidentiality*

The Ombudsman holds all communications with those seeking assistance in strict confidence, and does not disclose confidential communications unless given permission to do so. The only exception to this privilege of confidentiality is when such disclosure is required by law or where there appears to be imminent risk of serious harm.

*Neutrality and Impartiality*

The Ombudsman, as a designated neutral, remains unaligned and impartial. The Ombudsman does not engage in any situation which could create a conflict of interest.

*Informality*

The Ombudsman, as an informal resource, does not participate in any formal adjudicative or administrative procedure related to concerns brought to his/her attention.

*Independence*

The Ombudsman is independent in structure, function, and appearance to the highest degree possible within the organization.

**IOA Standards of Practice and IOA Code of Ethics**

The IOA Standards of Practice are based upon and derived from the ethical principles stated in the IOA Code of Ethics.

[http://www.ombudsassociation.org/sites/default/files/IOA\\_Standards\\_of\\_Practice\\_Oct09.pdf](http://www.ombudsassociation.org/sites/default/files/IOA_Standards_of_Practice_Oct09.pdf)

[http://www.ombudsassociation.org/sites/default/files/Code\\_Ethics\\_1-07.pdf](http://www.ombudsassociation.org/sites/default/files/Code_Ethics_1-07.pdf)

**Definition of “Ombudsman”**

The word “**Ombudsman**” is Swedish and means “representative.” It is not gender specific, although many universities are using the terms “ombuds,” or “ombudsperson,” in an effort to make the word gender neutral. The modern use of the term began in 1809, when the Swedish government created the office. Sweden and several other European countries appointed a relatively senior and respected official who would have access to all levels of government, from the prime minister, through the heads of ministries, to directors of lower-level administrative agencies, and could cut through red tape and work to resolve problems relatively expeditiously. Since the 1950s, many states, universities, and businesses have created ombudsman offices. (*John C. Keene, University Ombudsman, University of Pennsylvania, Almanac - Vo. 54, No. 27, 2008.*)

**2012-2013 Activities**

The University ombudsman continued his participation as a member of the Nominations and Elections Committee (NEC) of the International Ombudsman Association and on the Certified Organizational Ombudsman Practitioner (CO-OP) Appeals Committee of IOA.

On September 12, 2012 the University ombudsman made a presentation to the **Faculty Senate** on the role of the office and provided senators with a copy of the annual report of the University ombudsman.

On October 3, 2012 the University ombudsman made a second presentation to the **Faculty Senate** on the topics of faculty incivility and bullying in academia.

On October 23, 2012 the University ombudsman gave a seminar to the **Women's Faculty Organization** on the topics of uncivil behavior, faculty incivility, and bullying in academia.

On Thursday, November 8, 2012, the University ombudsman gave a presentation on the duties of the ombudsman, incivility in academia and his thoughts on leadership and conflict resolution to participants in the **Academic Leadership Development Program (ALDP)**, established by the Southeastern Conference Academic Consortium (SECAC) to help develop the leadership skills of tenured faculty on SEC campuses.

On January 10, 2013, the University ombudsman made a presentation introducing attendees at the **New Faculty Orientation** to the work of the University ombudsman.

On February 26, 2013 the University ombudsman made a presentation at the **Academic Leadership Workshop** on *“Bullying and Other non-protected Harassment.”*

On March 28, 2013 the University ombudsman made a presentation to the **School of Music** faculty on *“Incivility, Harassment and Bullying in Academia.”*

On May 1, 2013 the University ombudsman participated in a panel discussion on *“Women in the Workplace – Gender Bias/Gender Issues.”* This event was sponsored by Provost's Advisory Committee on Women's Issues (PACWI) as part of **The Women's Leadership Institute**.

On August 13, 2013 the University ombudsman made a presentation introducing attendees at the **New Faculty Orientation** to the work of the University ombudsman.

The University Ombudsman participated in a number of meetings of the **Faculty Issues Committee**.

### **Visitors and Topics of Concern (2012-2013)**

During the period of this report (August 15, 2012 to August 14, 2013) the University ombudsman met with 49 faculty members who were first time visitors to the ombuds office. A number of other faculty member's concerns were dealt with by phone. These cases may have involved the University ombudsman's simply listening to a visitor's concern, offering information about University policies and procedures, discussing a concern and clarifying an issue, helping identify and evaluate a range of options for resolving a problem, gathering information and offering referrals to other resources, helping visitors prepare for a difficult conversation or writing a letter as needed, facilitating communication - indirectly or through shuttle diplomacy, or working for collaborative agreements between those involved in a dispute. The University ombudsman also tracks perceived issues and trends and makes recommendations for institutional change as appropriate.

For the past six years the University ombudsman has done an informal survey of Carnegie Foundation Tier I institutions with faculty ombudsman based primarily on annual reports, self-reports, or reports in the Ombuds Blog. Although the number of these published annual reports is limited the number of faculty visitors to the ombuds office at this sample of thirty-six Carnegie Tier I schools during the past six years averages 44 faculty visitors per year.

Over the past seven years the University ombudsman has assisted some 360 faculty members for an average of 51 visitors per year. Thus the number of faculty members utilizing the services of the University ombudsman seems to be in keeping with other Carnegie Foundation Tier I institutions.

In order to preserve the confidentiality of visitors to the University ombudsman, no notes, documents, or records of any kind are maintained related to the identity of individual faculty members including their gender, race, department, college or school. The only information retained from contacts by faculty visitors with the University ombudsman is that regarding the nature of the issue discussed. The International Ombudsman Association has a series of nine Uniform Reporting Categories under which are an extensive series of subcategories that permit placement of any issue, question, concern, or inquiry. Faculty conflicts and concerns are described under the appropriate category.

### **Uniform Reporting Categories – faculty concerns in each category (2012-2013)**

(1) Compensation & Benefits - *Questions, concerns, issues or inquiries about the equity, appropriateness and competitiveness of employee compensation, benefits and other benefit programs.* Visitors in this category = 3

(2) Evaluative Relationships - *Questions, concerns, issues or inquiries arising between people in evaluative relationships (i.e. senior faculty-junior faculty, program director-faculty, chair-faculty, dean-faculty, faculty-student).* Visitors in this category = 15

(3) Peer and Colleague Relationships - *Questions, concerns, issues or inquiries involving peers or colleagues who do not have a direct supervisory relationship (e.g., two faculty members within the same department or conflict involving faculty members of the same college/unit).* Visitors in this category = 8.

(4) Career Progression and Development - *Questions, concerns, issues or inquiries about administrative processes and decisions regarding entering and leaving a job, or what it entails, (i.e., recruitment, nature and place of assignment, job security, and separation).* Visitors in this category = 8

(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.* Visitors in this category = 5.

(6) Safety, Health, and Physical Environment - *Questions, concerns, issues or inquiries about Safety, Health and Infrastructure-related issues.* Visitors in this category = 3.

(7) Services/Administrative Issues - *Questions, concerns, issues or inquiries about services or administrative offices.* Visitors in this category = 2.

(8) Organizational, Strategic, and Mission Related - *Questions, concerns, issues or inquiries that relate to the whole or some part of an organization.* Visitors in this category = 0.

(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.* Visitors in this category = 5.

As this report marks the 7<sup>th</sup> anniversary of the University Ombudsman the following summary of the work of the University Ombudsman during these past seven years is provided

	year ①	year ②	year ③	year ④	year ⑤	year ⑥	year ⑦		
Reporting categories	2006- 2007	2007- 2008	2008- 2009	2009- 2010	2010- 2011	2011- 2012	2012- 2013	All years	
<i>1. Evaluative Relationships</i>	23	12	16	7	4	15	15	92	26%
<i>2. Career Progression and Development</i>	12	18	8	15	6	14	8	81	23%
<i>3. Peer and Colleague Relationships</i>	0	5	9	10	9	6	8	47	13%
<i>4. Values, Ethics, and Standards</i>	9	3	11		6	4	5	38	11%
<i>5. Legal, Regulatory, Financial and Compliance</i>	0	1	3	3	4	8	5	24	7%
<i>6. Services/Administrative Issues</i>	6	4	0	5	4	3	2	24	7%
<i>7. Compensation and Benefits</i>	6	4	0	3	3	4	3	23	6%
<i>8. Safety, Health, and Physical Environment</i>	5	4	0		8	1	3	21	6%
<i>9. Organizational, Strategic, and Mission Related</i>	0	2	2	5	1	0	0	10	3%
	61	53	49	48	45	55	49	360	100%

**Final Comments**

- It is worth reminding our colleagues on the four-year campuses and on the Palmetto college campuses that the services of the University ombudsman are available to all **tenured, tenure track and non-tenure track faculty on these campuses.**

- More than a year ago in an online issue of the *Chronicle of Higher Education*, Jason B. Jones noted that “the New Faculty Majority and the Campaign for the Future of Higher Education released a joint study entitled, “Who Is Professor ‘Staff,’ and how can this person teach so many classes?” ([Executive summary](#) | [full report](#)). The executive summary of that report addresses aspects of the working conditions of contingent faculty. Of concern to this University ombudsman has been the observation that our hard-working 580 non-tenure track faculty on the Columbia and other four-year campuses and on the Palmetto college campuses often feel underappreciated, underpaid, and in some instances disrespected. From time to time issues arise regarding the salaries and workload of non-tenure track faculty, their lack of job security, and their need for conditions that support their work and professional development. Perhaps the Faculty Welfare Committee or some other group within the Faculty Senate or a joint task force involving the Provost’s office and the Senate might undertake a **thorough and systematic study** of issues related to NTT Faculty contracts, appointment, rank, and promotion; evaluation, recognition, and compensation; governance; and other relevant policy matters.
- It was reassuring to note that the Faculty Senate at its June 12, 2013 meeting unanimously passed a resolution encouraging the University’s administration to adopt a policy on workplace bullying similar to the one that the Faculty Welfare Committee has developed over the past year (text available on the Faculty Senate’s Blackboard site). At the time of this report, this proposed policy and intended changes to the Faculty Manual are still awaiting the final approval from the General Faculty. All those in the Faculty Senate, on the Faculty Welfare Committee and in the University administration who have been working on this matter for a considerable time now are to be commended for their attentive and persistent efforts to deal with this issue.
- Whatever success has been achieved during this past six years by the University ombudsman is attributable to the cooperation and support of faculty and administrative leaders in the University who were willing to listen to various matters brought to their attention and work with all parties concerned to find a fair and just resolution to the issues at hand. The University ombudsman is particularly appreciative of the administration’s willingness to support the work of this office without violating the independence, neutrality, informality or confidentiality of the ombuds process.

Previous Annual Reports may be found on the University Ombudsman Website at <http://www.sc.edu/ombuds/annual.shtml>