

OMBUDSMAN REPORT
Presentation to Senate Council
April 13, 2004

One of the functions of the University Ombudsman is to present an oral report to Senate Council every 2 years; on an even year cycle. A copy of the report summarizing the number of cases, the nature of the grievances, and general trends is presented as a floor handout. An Ombudsman Workshop is held at the end of the Spring semester, on an odd-year cycle. The last workshop was held on April 24, 2003. Copies of the workshop notes are presented to each ombudsman. Copies are on file in the Senate Office.

King Charles XII of Sweden established the position of ombudsman in 1713 to act as a filter between big government and the people to facilitate the resolution of grievances. This “office” is symbolic of a willingness to make a system work in a collegial manner. The ombudsman has no power, and if the parties are entrenched or polarized then the role of the ombudsman is moot. In the University setting there is no release time for elected representatives; for most, the ombudsman position is an add-on burden.

The ombudsman has to be a good listener and be able to identify the key issues, shorn of the emotional shell that normally triggers the complaint. Sometimes this may be sufficient to defuse the situation. The role of the ombudsman becomes one of getting both parties to address these issues. A resolution of the grievance is then possible. The campus ombudsmen have been effective in providing a sounding board for faculty and administrators alike. (See Tables 1 and 2)

I would appreciate the University Faculty Senate address the following:

1. The ombudsman role normally and traditionally has been *reactive*. There has been an increasing demand to play a more *proactive* role, by being present as a third party at a private conference. I recommend the Senate research this expanding role of ombudsman at other universities, particularly at our sister institutions in the CIC.
2. If the administration and faculty of a college or unit do not intend to treat the ombudsman’s role seriously, then this service should be suspended. I recommend a mechanism be developed for placing the college or campus unit on probation should the ombudsman become marginalized. Reinstatement would follow a satisfactory appeal to a board of enquiry, such as FR&R.
3. The perception that the ombudsman is a faculty advocate should and must be dispelled. This perception arises from the high proportion of cases that pit a faculty member against an administrator. Too little use has been made of the “good office” of the ombudsman by the administration.
4. I recommend that the Ombudsman Workshop be held annually at the start of the Fall Semester, to better establish the network and provide the necessary training for newly elected officers.

David P. Gold, University Ombudsman
Emeritus Professor of Geology

GENERAL SUMMARY OF ACTIVITIES FOR ACADEMIC YEARS 2002-2004

	2002-2003	2003-2004
Number of responses	29	31
Number of cases handled	46	58
Number resolved at Ombudsman level	23	42
Ongoing	6	6
Involve administrator	15	34
Between faculty (and/or staff)	6	8

Table 1

**NATURE OF GRIEVANCES – April, 2004
(Responses from 31 of 32 units and University Ombudsman)**

ISSUE(S)	*CASES	RESOLVED	FR&R	PENDING
Admin reprimand for recommending online service for textbooks	1	1		
Annual performance evaluation	1	1		
Behavior of academic administrator and distrust of faculty	5	4		1
Denigrated contribution:	1		1	
Hostile environment	1			1
Error in CV/ incorrect review	2	3		
Faculty harassment of students	4	4		
Faculty/staff relationships	1			
General: (performance, equity, ethics collegiality, unfair treatment, etc.	8	4	?	?
Hiring decision	2	1		
Inconsistent instructions (to students)	1	1		
Intellectual property	1	1		
Intra-faculty disputes (gender/racial)	3	3		
Lost Grant Application	1	1		
Maternity leave	1	1		
Others (mainly admin/faculty relationships)	4	2		2

ISSUE(S)	*CASES	RESOLVED	FR&R	PENDING
Peer evaluation in another discipline	1	1		
Perceived misconduct by instructor	1	1		
Pressure by administrator to change grade	1	1		
Safety issues	1	1		
Salary equity	1		1	1
Stay of Tenure review	2	2		
Teaching load/course/job assignments	4	4		
Tenure and/or Promotion	7	1	?	?
Unfair evaluation of students	1	1		
Unfair treatment (Admin/staff)	1	1		
Untimely change in teaching assignment	3	2		1
Totals	58	42	2	6

Most disputes are between a faculty member and department head/ supervisor. (20+ cases)

*CASES: Number of cases referred to ombudsman

*RESOLVED: Cases resolved by ombudsman and/or Dean level

*FR&R: Cases referred to Faculty Rights and Responsibilities Committee, or to Affirmative Action Office (Af/Act)

A number of cases are reported without identifying the issues.

Note: a large number of inquiries are defused before developing into cases.

Table 2
SUMMARY OF NATURE OF GRIEVANCES
(Responses from 29 of 32 units and University Ombudsman – April 2003)

ISSUE(S)	CASES	PENDING
Tenure	3	1
(Early Tenure)	2	1
Salary/equity	2	
Reassignment/reinstatement/reappointment	4	
Rights of FT1 faculty	2	
Teaching assignments and schedule	5	
Performance evaluations	1	
Release time	1	
Unwanted physical contact/gender discrimination		
Unfriendly work place	5	
Unsupportive administration	1	
Denigrated contribution	1	
Disrespectful faculty (to staff)	3	
Collegiality (intra-faculty disputes)	1	
Hiring decisions	1	
Unauthorized use of office	1	
Unspecified “chain of command”/insensitivity	5	
General: performance, inequity, ethics, collegiality, unfair treatment, etc.	8	
Total	47	2

**COLLEGE/UNIT OMBUDSMAN
2003-2004**

UNIT	NAME	E-MAIL
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