

THE UNIVERSITY OF NEW MEXICO

**OMBUDS SERVICES
FOR
STAFF**

2018 ANNUAL REPORT

JOELLEN RANSOM
STAFF OMBUDS

OMBUDS SERVICES FOR STAFF

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LETTER FROM THE STAFF OMBUDS

Dear UNM Affiliate,

We are happy to share the UNM Ombuds Services for Staff 2018 Annual Report which describes the roles and services of our office. Recognizing that conflict is inevitable and can be constructive in an environment that values diverse opinions and perspectives, UNM offers ombuds services. Ombuds listen and empower people to develop insight into how best to move forward together. We support individuals, teams, and leadership seeking to proceed together in ways that align with the university's policies, mission, and values. Ombuds Services is a vital resource for the UNM community which is committed to maximizing collaboration and productivity while minimizing the human and organizational costs of conflict.

The office consists of myself; Anne Lightsey, Associate Ombuds; Jon Lee, Associate Ombuds; and Adilene Ruiz-Olivas, Administrative Assistant. We worked with a total of three student employees, two Rezler Scholars, and two student interns in 2018. Many thanks to student employees Edith Mendoza and Fouad Rtaimate for your contributions to this office! Together, we provide a continuum of services to support people's access to useful skills, processes, and resources to enhance communication and problem-solving efforts on campus. Ombuds services are informal, impartial, independent, and confidential.

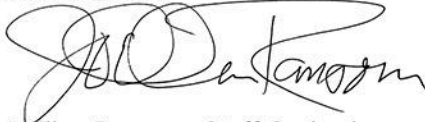
Our 2018 accomplishments were unprecedented. **In 2018, we provided 386 individual visits, 28 ombuds mediations, and reached 1125 people through 73 professional development presentations/classes.** We listened to UNM agencies and individuals' throughout the year in order to promote listening, shared understanding, and successful collaboration on campus. We participated on the policy committee that updated UAP 3220: Ombuds Services for Staff. Anne Lightsey, with assistance from volunteer interns Rachel Yarrington and Arianna Trott, developed and provided *Crucial Conversations* and *Crucial Accountability* classes for staff and faculty interested in enhancing their communication skills. We hired and mentored students interested in ombuds work.

For Title IX, we continued participating in SMART meetings and, upon request, provided *Supportive Listening* and *So, I Have to Report* trainings at staff meetings and retreats. We engaged with NM State Risk management through the NM ADR Bureau by mediating for state agencies and providing quarterly reports on the numbers of presentations, visits, and mediations provided. We provided skill development at the 2018 NM ADR Symposium.

Anne Lightsey, Jon Lee, and I were each awarded the credential Certified Organizational Ombudsman Practitioner (CO-OP®) by the IOA CO-OP® Board. We attended the International Ombudsman Association (IOA) 2018 annual conference, and Jon Lee presented at the IOA conference this year. Jon Lee helped to create and host the inaugural Four Corners Ombuds Retreat in Santa Fe and was co-chair for the American Bar Association committee that organized the first-ever International Ombuds Day celebration. We contributed to IOA and ABA committee work that informs and supports our role as UNM ombuds.

This report provides data from our work in 2018. We hope that you will find this report interesting and useful, and we encourage you to contact us with your thoughts and suggestions.

Best Regards,

A handwritten signature in black ink, appearing to read "JoEllen Ransom". The signature is fluid and cursive, with a large initial "J" and "R".

JoEllen Ransom, Staff Ombuds

THE YEAR IN REVIEW

2018 ACHIEVEMENTS

VISITS AND MEDIATIONS

- Provided 386 individual visits,¹ up from 288 in 2017
- Provided 28 ombuds mediations,² up from 15 in 2017

VISITORS IDENTIFIED TRENDS

- Utilizing the International Ombudsman Association's (IOA) Uniform Reporting Categories³, visitors identified what brought them to Ombuds Services. The top 3 categories visitors identified were:
 - **Communication** (Evaluative Relationships, e.g.: Supervisor/Employee)
 - **Departmental Climate**
 - **Change Management** (Organizational/UNM Related)

PROFESSIONAL DEVELOPMENT AND OUTREACH

- Gave 162 hours of professional development workshops and presentations reaching 1125 people
- Developed and provided *Crucial Accountability* workshops for staff and faculty interested in enhancing their communication skills
- Anne Lightsey was certified as a *Crucial Conversations* trainer, and we began providing this course for interested staff and faculty supervising staff
- Provided Title IX workshops: *Supportive Listening*, and *So, I Have to Report* at staff meetings and retreats helping 429 people practice the skills of listening to accounts of sexual misconduct without causing harm, and offering resources

¹ A visit is a private conversation with a skilled neutral in which the visitor can think out loud about a workplace situation, gain clarity and perspective, and receive information about resources and possible constructive approaches. Afterwards, the next steps are entirely up to the visitor.

² Mediation is a confidential process facilitated by experienced neutrals in a private, neutral setting. Ombuds mediations are preceded by individual visits. The parties determine the topics and outcome of their mediation. This is a voluntary process.

³ There is more information about trends in the section of this report titled "IOA Uniform Reporting Categories" and in Appendix C.

INTERNSHIPS

- Hosted and mentored two graduate students in collaboration with the UNM Counseling Program. Rachel Yarrington served as a volunteer intern conducting research into the impact of ombuds confidentiality on visitors' choice to report concerns to the organization. Arianna Trott served as a volunteer intern with Rachel Yarrington developing and delivering communication workshops with Anne Lightsey
- Hosted two Rezler Scholars from Hungary, Petra Macher and Lili Urban. Petra has a graduate degree in organizational psychology, and Lili is a practicing attorney in Hungary. Both Rezler Scholars studied mediation and learned about Ombuds Services. Additionally, Petra researched and completed a Civility Handbook which is included as Appendix F of this report. Their presence allowed for a rich exchange of ideas, and we enjoyed working with each of these scholars

COLLABORATING WITH UNM AGENCIES

- Met throughout the year with Staff Council, Policy Office, SMART Committee, CARS, OEO, EOD, the VP of HR, The Women's Resource Center, and the UNM Wellness Alliance to broadly talk about practices, trends, resources, and collaborative approaches to serving the UNM community

COLLABORATING WITH STATE AGENCIES

- Mediated for several state agencies as requested by NM State Risk management through the NM ADR Bureau
- Provided quarterly reports of our numbers of presentations, visits and mediations
- Met with ADR Bureau staff and recommended update to quarterly reporting format
- Provided a skill development workshop at the 2018 NM ADR Symposium

PROFESSIONAL DEVELOPMENT

- Awarded the credential Certified Organizational Ombudsman Practitioner (CO-OP®) by the IOA CO-OP® Board
- Attended the International Ombudsman Association (IOA) 2018 annual conference
- Contributed to IOA and American Bar Association (ABA) committee work that informs and supports our role as UNM ombuds
- Collaborated to develop and host the first Four Corners Ombuds professional retreat in Santa Fe
- Attended presentations, and workshops addressing Title IX

TESTIMONIALS

VISITS

At the conclusion of each one-on-one visit, visitors are asked to complete an anonymous survey. Here is what they had to say about their visit with Ombuds Services for Staff:

"I'm very grateful for the opportunity to process my issue without fear of recourse/consequence--things can be delicate."

"Right now, I can tell that I will be chewing on this conversation for a few days, and I look forward to what insights and ideas that produces. That being said, I feel a good amount of relief that simply being heard can provide. Venting is more important than many assume, at least I think it is! Thanks again."

"Thanks for listening. I feel I have additional tools and insight into moving forward with addressing my issue."

"Great service. It helped more than I thought it would."

"I'm so glad I came here before I confront my supervisor. It helped me to release my emotional stress and see and hear things more clearly. I am very happy. THANK YOU SO MUCH!"

"I wish there was an Ombuds for student matters. It's so helpful. Thank you."

"Very helpful regarding reframing concerns to supervisors."

"I felt listened to, understood, and learned new things about myself and the possibilities. I feel that coming to Ombuds IS self-care."

"Thanks so much--today really helped me to really identify my concerns, and develop a plan for 'next steps.'"

"This follow-up session was very helpful to get sense that I am on the right track and that my actions over the past couple of weeks are making positive change. The ombuds asks good questions and helps me connect the dots in a complicated relationship and environment. I am grateful for the service and hope things improve (continue to improve, even if extremely slowly). This helped me understand to depersonalize and focus on work relationship."

"Excellent service. I left feeling heard. It's always great to talk to a neutral party!"

"It was helpful to think through different strategies to address concerns."

"The ombuds is great! Helped me walk through a complex situation."

"Very happy with the ideas I am walking out with. Thank you."

"Absolutely excellent experience! Thank you. The session was very helpful and time well spent."

"This process was incredibly useful for me. I feel I've discovered some key insights that will inform my work moving forward. The Ombuds was incredibly helpful and welcoming."

"I struggled on coming here--embarrassed and felt the issue was drama and trauma. Staff reassured me this is somewhat normal and to not feel out of place. To embrace gifts and accept being a human being. I can only control me. Thank you Ombuds!"

"This has been a great session. I felt heard, empathized with, and able to recognize the power I've all along but forgot I had."

"This was an incredible process, beyond my hopes, thank you for your skills and heart."

"I am highly impressed by the process and skill level of staff. Very helpful."

"I am so grateful. My time here is always well spent and I leave empowered and invigorated and definitely less stressed."

"Amazing experience. My first time here and staff are great. I think this service is very useful and a great benefit for UNM staff."

"The ombuds was extremely helpful and insightful--I came to talk about an issue and ended up talking about something else which was more meaningful for me. Thank you."

"Really a positive, helpful experience. Would recommend to anyone."

"The ombuds was extremely helpful, friendly, compassionate, creative, precise, thoughtful, and an expert listener, and reflector. Please know that I felt like I received the feedback that I needed very much. My outlook and indeed my health and relationship with UNM is better now."

"The open environment and active listening with impartiality helped me to just talk my way through the issue and see solutions I wouldn't have seen before."

"Amazing how the ombuds can re-state what you say by putting it into a more positive and healing manner. I now feel and think I have a solid direction to keep moving in that will give me many happy and fruitful outcomes. Thank you!"

"Keep this office and its service going! It is so valuable to our staff and it benefits not only our UNM community, but every community our staff touch outside UNM (for the better)."

MEDIATIONS

At the conclusion of each ombuds mediation, parties are asked to complete an anonymous survey. When asked, "How might we improve mediation services for UNM Staff?" they responded:

"This was very helpful. The process of reflecting back info is a great exercise."

"I think a lot of things I knew were confirmed. I got to engage in an opportunity to be heard in way I'm not sure I could before."

"I feel we can move forward."

"I feel we made stronger connections."

"The slowing down, the reflections, even just the acknowledgement of how difficult and important the work is, is really meaningful."

"I think you do a great job: more staff needs to know about this service--market yourselves!"

PROFESSIONAL DEVELOPMENT

Ombuds Services offers several workshops related to the development of listening, communication, and conflict management skills. These workshops are offered directly through Ombuds Services and through UNM Employee and Organizational Development (see Appendix D for professional development list). Training attendees had these things to say about their experiences:

"So very fun, challenging, helpful, eye-opening, inspiring, and fulfilling."

"Practical tools I can actually use in real life."

"Thoughtful, realistic effective tools and engaging instruction."

"Another great learning opportunity that will strengthen my relationships, both personal and professional."

"Would love to see this offered for all leaders on campus."

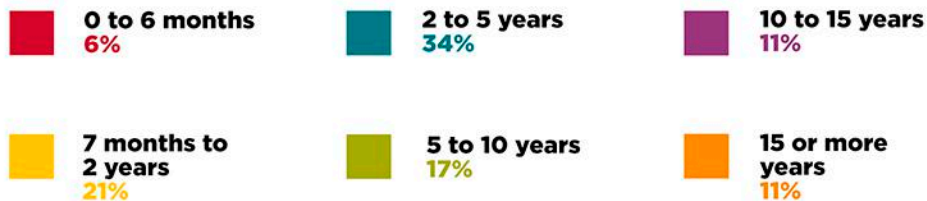
"Really helpful class! Probably one of the best workplace trainings offered. I really loved all of the real-world examples."

"Thank you so much! Very helpful. I love Ombuds trainings."

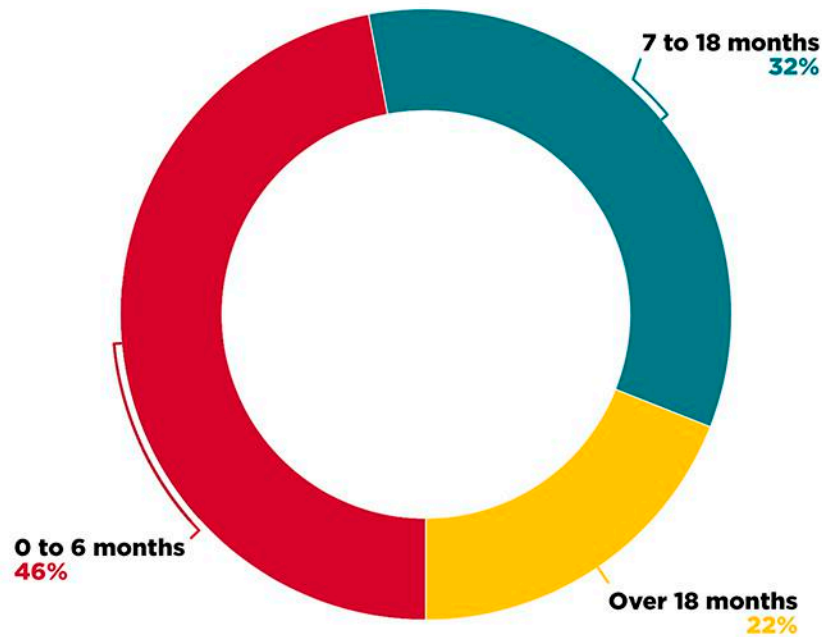
ANONYMOUS VISITOR SURVEY RESULTS

Visitors to Ombuds Services for Staff have the opportunity to complete a feedback questionnaire at the conclusion of their visit. Feedback is collected anonymously and is unattributable to a respondent in accordance with the confidentiality of the Ombuds Services for Staff program. Here are the results from surveys completed in 2018:

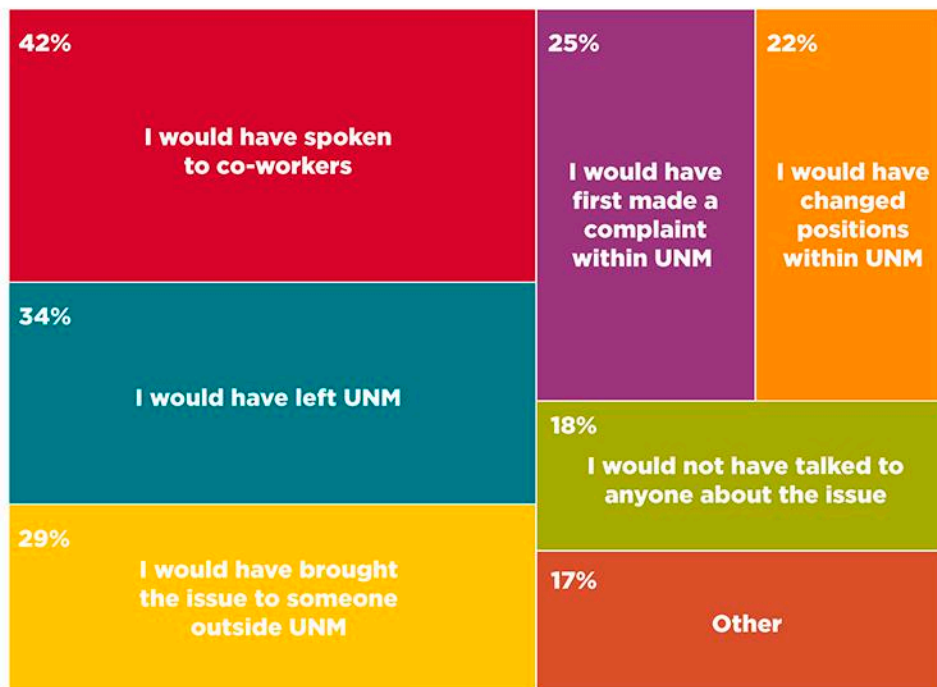
HOW LONG HAVE YOU BEEN EMPLOYED IN YOUR CURRENT POSITION?



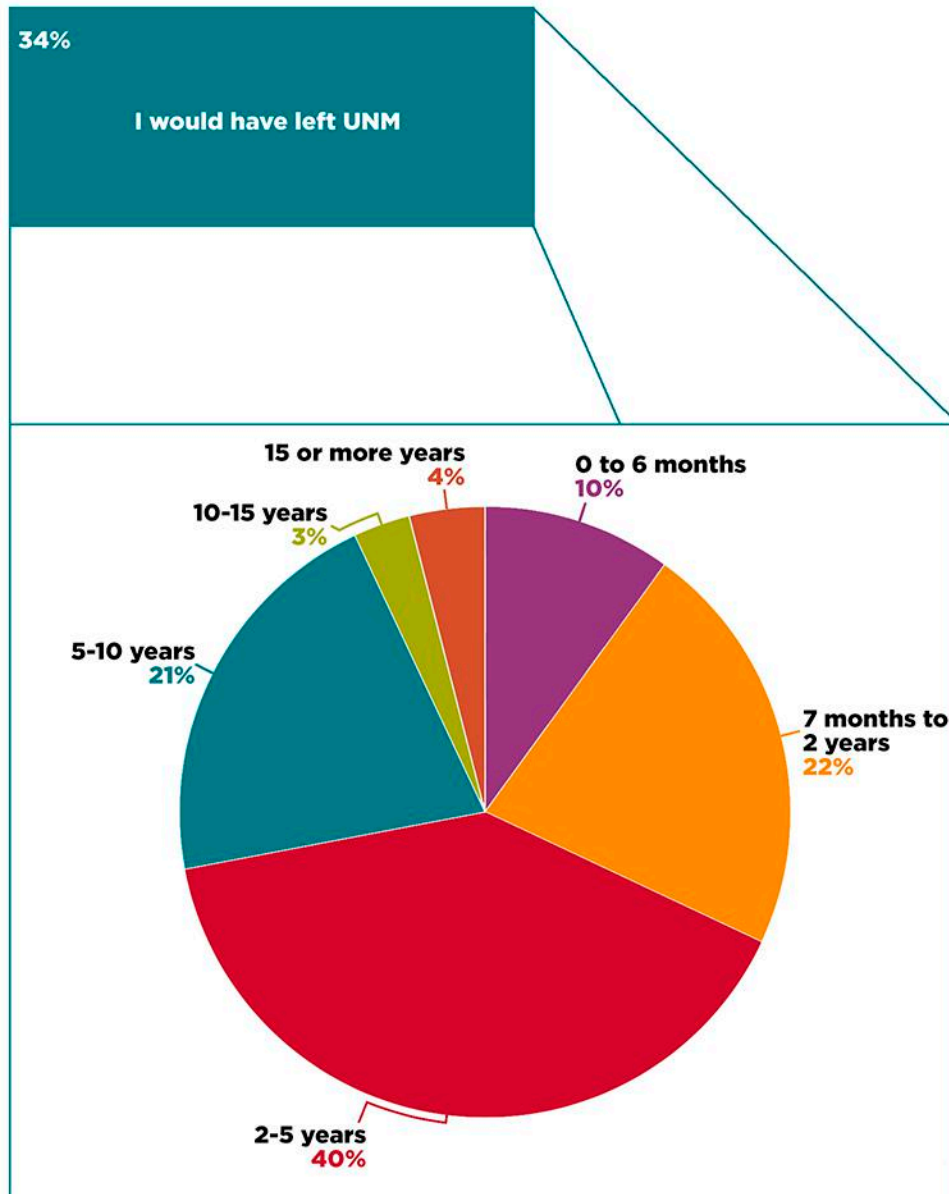
HOW LONG HAVE YOU HAD YOUR CONCERN?



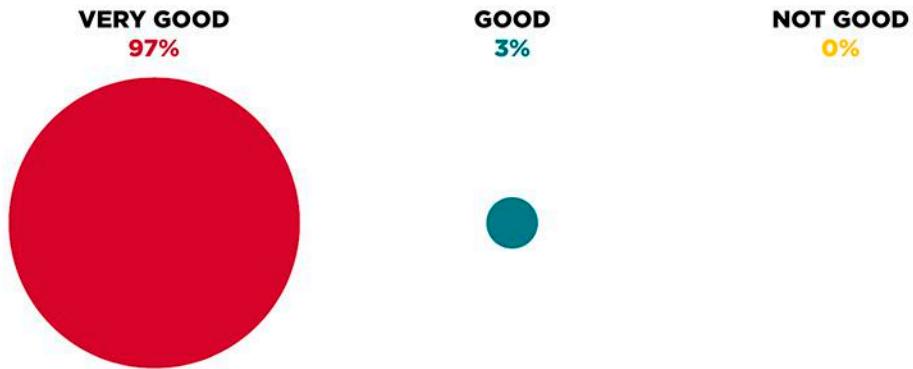
**WHAT WOULD YOU HAVE DONE WITHOUT OMBUDS SERVICES?
(SELECT ALL THAT APPLY)**



To illustrate the experience and institutional memory preserved through ombuds visits, this chart shows the length of employment of the respondents that said they would have left UNM without Ombuds Services:



PLEASE RATE YOUR INTERACTION WITH OMBUDS SERVICES FOR THIS VISIT



DID YOU FEEL HEARD WHILE YOU WERE HERE?



DID YOU RECEIVE NEW PERSPECTIVE OR USEFUL INFORMATION HERE?



DID THE PROCESS SEEM FAIR AND IMPARTIAL?



WOULD YOU RECOMMEND OMBUDS SERVICES FOR STAFF TO OTHERS?



IOA UNIFORM REPORTING CATEGORIES

Ombuds Services for Staff uses the IOA Uniform Reporting Categories (URC) to track issues and trends related to workplace conflict at UNM. These categories were developed by a group of ombuds professionals representing corporate, higher education, government, and international agency sectors so that ombuds across sectors can:

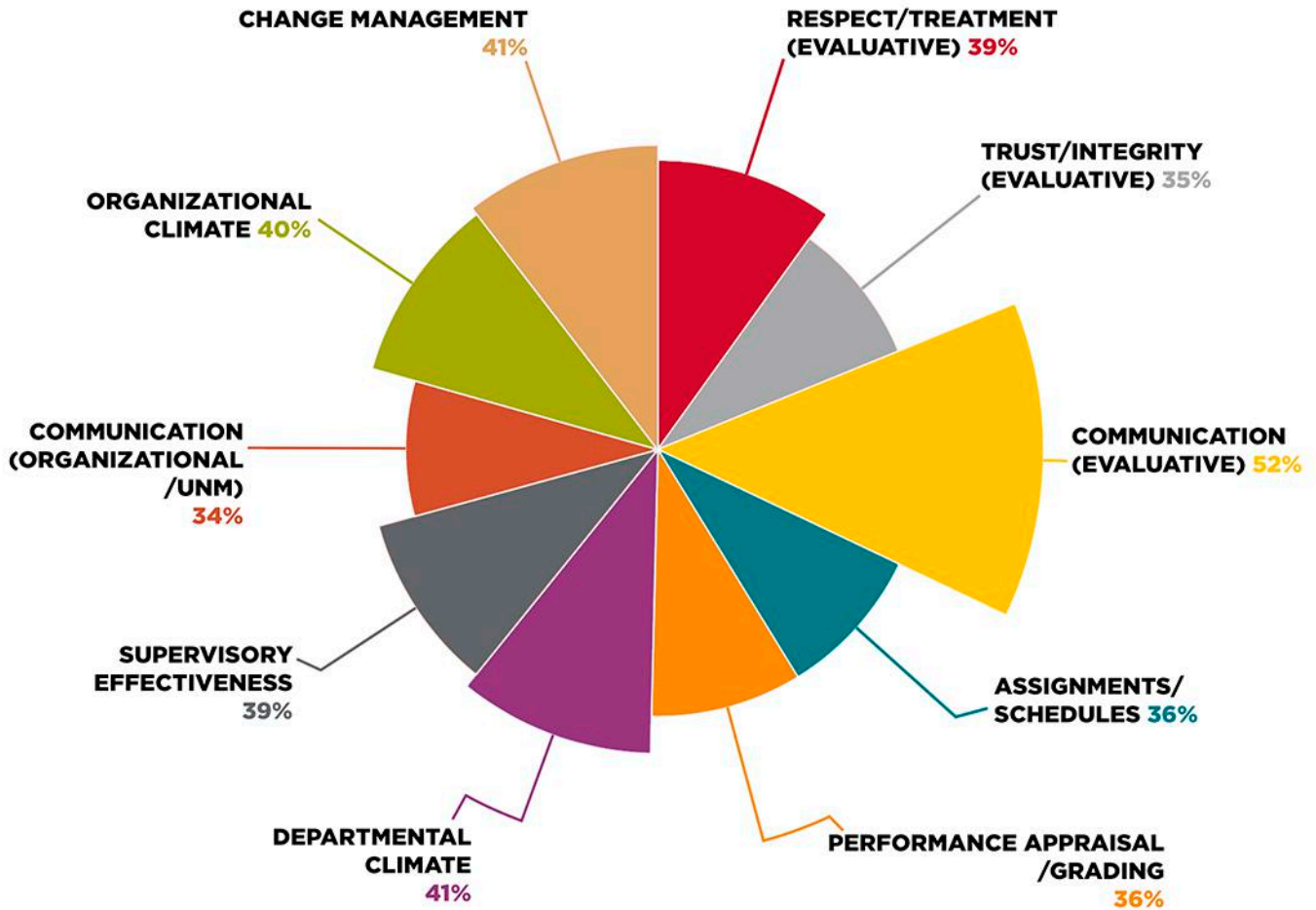
- Classify the kinds of issues for which people use an ombuds
- Identify trends in requests for services
- Develop professional development needs

The three highest reported concerns reported by visitors to Ombuds Services for Staff in 2018 across all categories were:

- **COMMUNICATION (in evaluative relationships)**
- **DEPARTMENTAL CLIMATE**
- **CHANGE MANAGEMENT (Organizational/UNM)**

For a complete list and description of the IOA Uniform Reporting categories and the percentage of reports for each concern, see Appendix C.

The following chart displays the top ten reported concerns across all categories:



TOP TEN REPORTED CONCERNS TO OMBUDS FOR STAFF IN 2018:

1. **RESPECT/TREATMENT (EVALUATIVE RELATIONSHIPS)**
2. **DEPARTMENTAL CLIMATE**
3. **COMMUNICATION (EVALUATIVE RELATIONSHIPS)**
4. **ASSIGNMENTS/SCHEDULES**
5. **PERFORMANCE APPRAISAL/GRADING**
6. **DEPARTMENTAL CLIMATE**
7. **SUPERVISORY EFFECTIVENESS**
8. **COMMUNICATION (ORGANIZATION/UNM)**
9. **ORGANIZATIONAL CLIMATE**
10. **CHANGE MANAGEMENT**

APPENDIX A: UNM POLICY 3220

Administrative Policies and Procedures Manual - Policy 3220: Ombuds Services for Staff

1. GENERAL

Ombuds Services for Staff (Ombuds Services) is an independent, neutral, confidential, and informal resource that promotes constructive conflict management on campus. Ombuds Services provides informal dispute resolution and collaborative problem solving processes, free of charge, to all staff, their supervisors (including faculty supervising staff), and their coworkers. Ombuds Services operates in accordance with the International Ombudsman Association (IOA) Standards of Practice and Code of Ethics and applicable University policies and procedures.

2. CONFIDENTIALITY

Ombuds Services shall not disclose the identity of a visitor or the substance of confidential or personally identifiable communications--whether written, spoken, or otherwise--unless the office:

- receives permission from a visitor to make a disclosure;
- determines there is imminent risk of serious harm to the visitor or to others; or
- is compelled or required by law to make the disclosure.

The University supports the confidentiality of Ombuds Services and encourages parties to make use of Ombuds Services to develop options for addressing their concerns.

3. INFORMAL AND VOLUNTARY RESOURCE

Ombuds Services provides informal assistance to voluntarily pursue constructive outcomes. A supervisor may require staff to schedule an initial visit with Ombuds Services. The visitor to Ombuds Services may then choose whether to pursue such services. The level of participation with Ombuds Services is determined by the visitor. Ombuds Services is not a required step in any formal processes at the University; it supplements, but does not replace, formal processes (such as disciplinary actions).

4. RESPONSIBILITIES AND AUTHORITY

Ombuds Services tailors its responses to each visitor's concerns and questions based on the particular dynamics of a situation. Services provided by Ombuds Services may include:

- visits, or private conversations, with a neutral ombuds who will listen and may help develop options for problem solving;
- referrals to specific University offices or resources or to University policy for guidance in addressing the visitor's situation;
- informal inquiries to gain a greater understanding of a situation;
- mediations or informal conversations facilitated by an experienced neutral party; and
- trainings on constructive conflict management skills and related topics.

Ombuds Services regularly informs University leadership about campus trends or systemic problems in a manner that protects confidentiality.

5. LIMITATIONS OF OMBUDS SERVICES

Ombuds Services does not conduct formal investigations. It does not adjudicate disputes, issue findings, impose remedies or sanctions, or make decisions on behalf of the University, its administrators, or the Board of Regents. It does not take sides or advocate on behalf of any individual, University unit, or cause.

Disclosures to Ombuds Services of alleged violations of law or policy are not considered notice to the University, nor can the office accept formal complaints on behalf of the University. Visitors are encouraged to discuss any concern with Ombuds Services, and Ombuds Services can provide assistance and referral information about providing formal notice to the University of alleged violations.

While Ombuds Services can listen and provide visitors with information and assistance in constructive conflict management, visitors are solely responsible for deciding what actions they wish to take.

6. NO RETALIATION FOR PARTICIPATION IN OMBUDS SERVICES

Employees have the right to consult Ombuds Services without fear of retaliation or reprisal. Retaliation against an employee for raising an issue or participating in Ombuds Services is prohibited. Furthermore, discouraging or preventing employees from seeking Ombuds Services is inappropriate because it is contrary to the University's intent of promoting constructive conflict management and resolution.

7. RECORDKEEPING

Ombuds Services does not keep permanent records regarding any individual. Any recordkeeping or note-taking related to a specific individual is used only as a temporary aid to help informally serve visitors. These informal records created by Ombuds

Services are kept in the sole possession of the office, securely maintained, and destroyed in accordance with IOA standards.

Ombuds Services may create or maintain generic data, not attributable to specific visitors, for use in annual reporting and other similar purposes.

8. REFERENCES

UAP 2200 (“Reporting Suspected Misconduct and Whistleblower Protection from Retaliation”)

UAP 2240 (“Respectful Campus”)

UAP 2720 (“Equal Opportunity, Non-discrimination, and Affirmative Action”)

UAP 2730 (“Sexual Harassment”)

UAP 2740 (“Sexual Violence and Sexual Misconduct”)

UAP 3215 (“Performance Management”)

APPENDIX B: IOA CODE OF ETHICS

PREAMBLE

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.

The Ombudsman shall be truthful and act with integrity, shall foster respect for all members of the organization he or she serves, and shall promote procedural fairness in the content and administration of those organizations' practices, processes, and policies.

ETHICAL PRINCIPLES

INDEPENDENCE

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

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.

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 where there appears to be imminent risk of serious harm.

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.

APPENDIX C: IOA UNIFORM REPORTING CATEGORIES AND OUR TREND REPORTING DATA

Results based on 278 reports:

CATEGORY 1: COMPENSATION & BENEFITS

Questions, concerns, issues, or inquiries about the equity, appropriateness, and competitiveness of employee compensation, benefits, and other benefit programs

1A. Compensation (rate of pay, salary amount, job salary classification/level).....	18% (50)
1B. Payroll (administration of pay, check wrong or delayed).....	1% (1)
1C. Benefits (decisions related to medical, dental, life, vacation/sick leave, education worker's compensation insurance, etc.).....	4% (11)
1D. Retirement, Pension (eligibility, calculation of amount, retirement pension benefits).....	4% (11)
1E. Other (any other employee compensation or benefit not described by the above sub-categories).....	1% (1)

CATEGORY 2: EVALUATIVE RELATIONSHIPS

Questions, concerns, issues, or inquiries arising between people in evaluative relationships (e.g.: supervisor-employee)

2A. Priorities, Values, Beliefs (differences about what should be considered important—or most important—often rooted in ethical or moral beliefs).....	27% (74)
2B. Respect/Treatment (demonstrations of inappropriate regard for people, not listening, rudeness, crudeness, etc.).....	39% (109)
2C. Trust/Integrity (suspicion that others are not being honest, whether or to what extent one wishes to be honest, etc.).....	35% (97)
2D. Reputation (possible impact of rumors and/or gossip about professional or personal matters).....	26% (72)
2E. Communication (quality and/or quantity of communication).....	52% (145)

2F. Bullying, Mobbing (abusive, threatening, and/or coercive behaviors).....	18% (51)
2G. Diversity-Related (comments or behaviors perceived to be insensitive, offensive, or intolerant on the basis of an identity-related difference such as race, gender, nationality, sexual orientation).....	6% (17)
2H. Retaliation (punitive behaviors for previous actions or comments, whistleblower).....	16% (43)
2I. Physical Violence (actual or threats of bodily harm to another).....	1% (1)
2J. Assignments/Schedules (appropriateness or fairness of tasks, expected volume of work).....	36% (99)
2K. Feedback (feedback or recognition given, or responses to feedback received).....	21% (57)
2L. Consultation (requests for help in dealing with issues between two or more individuals they supervise or with other unusual situations in evaluative relationships).....	22% (61)
2M. Performance Appraisal/Grading (job performance in formal or informal evaluation).....	36% (101)
2N. Departmental Climate (prevailing behaviors, norms, or attitudes within a department for which supervisors have responsibility).....	41% (113)
2O. Supervisory Effectiveness (management of department, failure to address issues).....	39% (108)
2P. Insubordination (refusal to do what is asked).....	11% (31)
2Q. Discipline (appropriateness, timeliness, requirements, alternatives, or options for responding).....	17% (47)
2R. Equity of Treatment (favoritism, one or more individuals receive preferential treatment).....	27% (75)
2S. Other (any other evaluative relationship not described by the above sub-categories).....	3% (7)

CATEGORY 3: PEER & COLLEAGUE RELATIONSHIPS

Questions, concerns, issues, or inquiries involving peers or colleagues who do not have a supervisory-employee relationship (e.g.: two staff members within the same department)

3A. Priorities, Values, Beliefs (differences about what should be considered important—or most important—often rooted in ethical or moral beliefs).....	14% (38)
3B. Respect/Treatment (demonstrations of inappropriate regard for people, not listening, rudeness, crudeness, etc.).....	23% (63)

3C. Trust/Integrity (suspicion that others are not being honest, whether or to what extent one wishes to be honest, etc.).....	18% (50)
3D. Reputation (possible impact of rumors and/or gossip about professional or personal matters).....	16% (44)
3E. Communication (quality and/or quantity of communication).....	26% (73)
3F. Bullying, Mobbing (abusive, threatening, and/or coercive behaviors).....	13% (37)
3G. Diversity-Related (comments or behaviors perceived to be insensitive, offensive, or intolerant on the basis of an identity-related difference such as race, gender, nationality, sexual orientation).....	4% (11)
3H. Retaliation (punitive behaviors for previous actions or comments, whistleblower).....	8% (21)
3I. Physical Violence (actual or threats of bodily harm to another).....	1% (3)
3J. Other (any peer or colleague relationship not described by the above sub-categories).....	0% (0)

CATEGORY 4: CAREER PROGRESSION & DEVELOPMENT

Questions, concerns, issues, or inquiries about administrative processes and decisions regarding entering and leaving a job, what it entails, (e.g.: recruitment, nature and place of assignment, job security, and separation)

4A. Job Application/Selection and Recruitment Processes (recruitment and election processes, facilitation of job applications, short-listing and criteria for selection, disputed decisions linked to recruitment and selection).....	4% (11)
4B. Job Classification and Description (changes or disagreements over requirements of assignment, appropriate tasks).....	24% (68)
4C. Involuntary Transfer/Change of Assignment (notice, selection and special dislocation rights/benefits, removal from prior duties, unrequested change of work tasks).....	22% (60)
4D. Tenure/Position Security/Ambiguity (security of position or contract, provision of secure contractual categories).....	11% (30)
4E. Career Progression (promotion or reappointment).....	18% (50)
4F. Rotation and Duration of Assignment (non-completion or over-extension of assignments in specific settings/countries, lack of access or involuntary transfer to specific roles/assignments, requests for transfer to other places/duties/roles).....	4% (11)

4G. Resignation (concerns about whether or how to voluntarily terminate employment or how such a decision might be communicated appropriately).....	19% (54)
4H. Termination/Non-Renewal (end of contract, non-renewal of contract, disputed permanent separation from organization).....	4% (11)
4I. Re-employment of Former or Retired Staff (loss of competitive advantages associated with re-hiring retired staff, favoritism).....	1% (1)
4J. Position Elimination (elimination or abolition of an individual's position).....	5% (14)
4K. Career Development, Coaching, Mentoring (on-the-job and varied assignments as training and developmental opportunities).....	19% (54)
4L. Other (any other issues linked to recruitment, assignment, job security or separation not described by the above sub-categories).....	1% (3)

CATEGORY 5: LEGAL, REGULATORY, FINANCIAL, & 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.

5A. Criminal Activity (threats or crimes planned, observed, or experienced, fraud).....	1% (2)
5B. Business and Financial Practices (inappropriate actions that abuse or waste organizational finances, facilities or equipment).....	1% (3)
5C. Harassment (unwelcome physical, verbal, written, e-mail, audio, video, psychological, or sexual conduct that creates a hostile or intimidating environment).....	8% (22)
5D. Discrimination (different treatment compared with others or exclusion from some benefit on the basis of, for example, gender, race, age, national origin, religion, etc.[being part of an Equal Employment Opportunity protected category - applies in the U.S.].....	4% (12)
5E. Disability, Temporary or Permanent, Reasonable Accommodation (extra time on exams, provision of assistive technology, interpreters, or Braille materials including questions on policies, etc. for people with disabilities).....	2% (6)
5F. Accessibility (removal of physical barriers, providing ramps, elevators, etc.).....	1% (2)
5G. Intellectual Property Rights (e.g., copyright and patent infringement).....	1% (1)
5H. Privacy and Security of Information (release or access to individual or organizational private or confidential information).....	1% (2)

- 5I. **Property Damage** (personal property damage, liabilities).....**1% (1)**
- 5J. **Other** (any other legal, financial and compliance issue not described by the above sub-categories).....**3% (7)**

CATEGORY 6: SAFETY, HEALTH, & PHYSICAL ENVIRONMENT

Questions, concerns, issues, or inquiries about safety, health, and infrastructure related issues.

- 6A. **Safety** (physical safety, injury, medical evacuation, meeting federal and state requirements for training and equipment).....**6% (17)**
- 6B. **Physical Working/Living Conditions** (temperature, odors, noise, available space, lighting, etc).....**8% (21)**
- 6C. **Ergonomics** (proper set-up of workstation affecting physical functioning).....**2% (6)**
- 6D. **Cleanliness** (sanitary conditions and facilities to prevent the spread of disease).....**1% (4)**
- 6E. **Security** (adequate lighting in parking lots, metal detectors, guards, limited access to building by outsiders, anti-terrorists measures (not for classifying “compromise of classified or top secret” information).....**1% (3)**
- 6F. **Telework/Flexplace** (ability to work from home or other location because of business or personal need, e.g., in case of man-made or natural emergency)....**7% (19)**
- 6G. **Safety Equipment** (access to/use of safety equipment as well as access to or use of safety equipment, e.g., fire extinguisher).....**1% (1)**
- 6H. **Environmental Policies** (policies not being followed, being unfair ineffective, cumbersome).....**3% (9)**
- 6I. **Work Related Stress and Work–Life Balance** (Post-Traumatic Stress, Critical Incident Response, internal/external stress, e.g. divorce, shooting, caring for sick, injured).....**30% (83)**
- 6J. **Other** (any safety, health, or physical environment issue not described by the above sub-categories).....**1% (1)**

CATEGORY 7: SERVICES/ADMINISTRATIVE ISSUES

Questions, concerns, issues, or inquiries about services or administrative offices including from external parties.

- 7A. **Quality of Services** (how well services were provided, accuracy or thoroughness of information, competence, etc.).....**4% (12)**
- 7B. **Responsiveness/Timeliness** (time involved in getting a response or return call or about the time for a complete response to be provided).....**3% (9)**

- 7C. Administrative Decisions and Interpretation/Application of Rules** (impact of non-disciplinary decisions, decisions about requests for administrative and academic services, e.g., exceptions to policy deadlines or limits, refund requests, appeals of library or parking fines, application for financial aid, etc.).....**2% (6)**
- 7D. Behavior of Service Provider(s)** (how an administrator or staff member spoke to or dealt with a constituent, customer, or client, e.g., rude, inattentive, or impatient).....**1% (1)**
- 7E. Other** (any services or administrative issue not described by the above sub-categories).....**1% (3)**

CATEGORY 8: ORGANIZATIONAL, STRATEGIC, & MISSION RELATED

Questions, concerns, issues, or inquiries that relate to the whole or some part of an organization.

- 8A. Strategic and Mission-Related/Strategic and Technical Management** (principles, decisions and actions related to where and how the organization is moving).....**21% (57)**
- 8B. Leadership and Management** (quality/capacity of management and/or management/leadership decisions, suggested training, reassignments and reorganizations).....**31% (86)**
- 8C. Use of Positional Power/Authority** (lack or abuse of power provided by individual's position).....**26% (71)**
- 8D. Communication** (content, style, timing, effects and amount of organizational and leader's communication, quality of communication about strategic issues).....**34% (95)**
- 8E. Restructuring and Relocation** (issues related to broad scope planned or actual restructuring and/or relocation affecting the whole or major divisions of an organization, e.g. downsizing, off shoring, outsourcing).....**25% (70)**
- 8F. Organizational Climate** (issues related to organizational morale and/or capacity for functioning).....**40% (110)**
- 8G. Change Management** (making, responding or adapting to organizational changes, quality of leadership in facilitating organizational change).....**41% (113)**
- 8H. Priority Setting and/or Funding** (disputes about setting organizational/departmental priorities and/or allocation of funding within programs).....**10% (28)**
- 8I. Data, Methodology, Interpretation of Results** (scientific disputes about the conduct, outcomes and interpretation of studies and resulting data for policy).....**1% (1)**
- 8J. Interdepartment/Interorganization Work/Territory** (disputes about which department/organization should be doing what/taking the lead).....**2% (6)**

8K. Other (any organizational issue not described by the above sub-categories).....**1% (1)**

CATEGORY 9: VALUES, ETHICS, & 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.

9A. Standards of Conduct (fairness, applicability or lack of behavioral guidelines and/or Codes of Conduct, e.g., Academic Honesty, plagiarism, Code of Conduct, conflict of interest).....**21% (58)**

9B. Values and Culture (questions, concerns or issues about the values or culture of the organization).....**23% (63)**

9C. Scientific Conduct/Integrity (scientific or research misconduct or misdemeanors, e.g., authorship; falsification of results).....**1% (1)**

9D. Policies and Procedures NOT Covered in Broad Categories 1 thru 8 (fairness or lack of policy or the application of the policy, policy not followed, or needs revision, e.g., appropriate dress, use of internet or cell phones).....**0% (0)**

9E. Other (Other policy, procedure, ethics or standards issues not described in the above sub-categories).....**1% (2)**

APPENDIX D: PROFESSIONAL DEVELOPMENT AND OUTREACH LOG

PROFESSIONAL DEVELOPMENT PROVIDED

Supportive Listening Workshops

- 20 sessions
- 23 hours
- 388 people reached

Individual Department Presentations/Outreach

- 16 sessions
- 28 hours
- 302 people reached

Individual Department Workshops

- 14 sessions
- 21 hours
- 292 people reached

EOD Trainings

- 4 sessions
- 14 hours
- 45 people reached

Crucial Conversations Course

- 5 sessions
- 69 hours
- 76 people reached

Brown Bag Sessions

- 5 sessions
- 7 hours
- 22 people reached

TOTALS

- 64 sessions
- 162 hours
- 1125 people reached

OUTREACH MEETINGS

Staff Council
S.M.A.R.T. Committee
Unified Wellness Alliance
Wellness Alliance
CARS
Ombuds Services Open House
SHAC Open House

Whistleblower Policy Committee
Respectful Campus Policy Committee
UNM Staff as Students Event Tabling
UNM Law School Externship Program
UNM Safety Week
President's & Board of Regent's Meetings
UNM Welcome Week

PROFESSIONAL DEVELOPMENT RECEIVED/PRESENTATIONS ATTENDED

SMART Training
Campus Sexual Violence Training
Safety Planning Training
Youth Bullying Training
SANE Training
NM ADR Symposium
Native American Peacemaking

IOA Annual Conference
IOA Certification Examination
Bystander Intervention Training
Crucial Conversations Trainer Training
Title IX Coordinator Trainings
7 Habits of Effective Managers
Trauma-informed Interviewing

APPENDIX E:

CAMPUS REPORTING AND THE CONFIDENTIALITY OF CAMPUS OMBUDS

BY RACHEL YARRINGTON

The responsibility of universities to protect students from sexual violence has received significant federal attention in recent years. This heightened attention can be largely attributed to increased efforts by The United States Department of Education's Office for Civil Rights (OCR) to enforce Title IX of the Educational Amendments Act of 1972 ("Title IX"). The OCR holds that sexual violence is a form of gender discrimination and universities have an obligation to eliminate it from their campuses. Safety on college campuses has been a heightened concern since 1990 when the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("The Clery Act") was passed. The Clery Act includes a federal statute that requires universities to designate "campus security authorities" (CSAs) that are responsible for disclosing all reported criminal acts that occur on campus.

Universities comply with federal requirements by establishing and implementing campus reporting policies for their campus communities to abide by and support. Reporting policies that compel, or mandate, campus community members to report create ethical dilemmas for campus members who must adhere to confidentiality in their professional roles. Specifically, campus reporting policies seem to challenge the premise for a confidential relationship between campus ombuds and individuals seeking ombuds services ("visitors").

This report aims to explore the dynamic between campus reporting and confidentiality as it relates to the role of a campus ombuds. Part 1 will explain how confidentiality is essential to the work of a campus ombuds. Part 2 will describe the challenges universities face in creating processes that facilitate, rather than discourage reporting. Part 3 will discuss the need for individuals to have access to confidential resources on campus and describe how confidentiality can serve to increase reporting. Finally, Part 4 will explain how campus ombuds play a key role in ensuring campus safety and supporting effectual reporting.

PART 1

A campus ombuds is an independent, impartial, informal, and confidential resource for faculty, staff, students, and administrators who may be experiencing conflict with the university or with other campus community members (Escalante, 2018; IOA, 2018). This report focuses specifically on the confidential role of campus ombuds, understanding that confidentiality is one of four foundational tenets that are essential to the work of an ombuds--the other three tenets are neutrality, informality, and independence (IOA, 2009). Confidentiality is the principle that establishes safety, builds trust, and acknowledges that individuals have ultimate stewardship over the information they share. In the context of ombuds services, confidentiality is the premise that information

disclosed by a visitor to an ombuds may not be disclosed to third parties except upon the consent of the visitor. Additionally, campus ombuds provide reports about observed trends but only when the complete anonymity of each visitor is ensured (IOA, 2009).

Campus ombuds who are members of the International Ombudsman Association (IOA) assert that confidentiality is essential to performing in their job (IOA Standards of Practice 3.7). The IOA Code of Ethics states that ombuds have a professional commitment to confidentiality (IOA, 2007). Ombuds do not disclose confidential communications unless given permission by the visitor or if there is reason to believe the visitor intends to cause harm to themselves or to others. This is called the confidentiality agreement. Best practice requires that ombuds inform their visitor at the beginning of their professional relationship that they are ethically bound to maintain confidentiality within the agreed upon limits (IOA, 2009). The confidentiality agreement is critical to an ombuds's ability to establish safety and build trust with their visitor. Any additional limitations on the degree of confidentiality may reduce the usefulness and effectiveness of ombuds services.

Current areas of campus reporting, specifically regarding Title IX and the Clery Act, seem to challenge the premise for a professional confidential relationship between campus ombuds and their visitors. The IOA released a memorandum, authored by Bruce Berman from the law firm of Wilmer Hale, that examined whether universities may acknowledge campus ombuds as a confidential resource and still comply with federal laws that require certain campus personnel to report incidents of sexual violence to university officials (Berman, 2016). Berman concluded that universities can consider campus ombuds to be a confidential resource while remaining in compliance with federal mandates. The memorandum further states that designating campus ombuds as "responsible employees" under Title IX policies, and as "CSAs" under the Clery Act, is inconsistent with the campus ombuds's fundamental principles of independence, neutrality, informality, and confidentiality (Berman, 2016).

Despite IOA's commitment to confidentiality and multiple authors (Howard, Gadlin, Rowe, and Sebok) writing extensively about how confidentiality is essential to the work of an ombuds, there remains uncertainty on the part of universities regarding the legitimacy of an ombuds's claim to confidentiality (Escalante, 2018; Pappas, 2015; Howard, 2010; Thacker, 2009). Contributing to this uncertainty is that there is little case law protecting the confidentiality of the ombuds office (Escalante, 2018; Pappas, 2015). Even so, university leaders are in a position to establish the level of confidentiality needed for campus ombuds to perform effectively in their role. The confidentiality of a campus ombuds can be made certain in the form of policy that is endorsed by the university (Pappas, 2018). The University of California accomplished this by specifying in their Sexual Violence and Sexual Harassment Policy that the ombuds office is considered a confidential resource and is not required to report to the Title IX office (Kosakowski, 2015; University of California, 2018). Similarly, the confidentiality of the UNM Ombuds Services for Staff office is affirmed by UNM's policy 3220 (University of New Mexico, 2018), and their commitment to confidentiality is posted prominently in their office and on their website (<https://ombudsforstaff.unm.edu>).

Lastly, it is important for campus ombuds and universities to specify that communications with the campus ombuds does not constitute notice to the university (ABA, 2006; IOA, 2009; IOA 2015). When universities are placed on "notice" they are

required by law to take action towards addressing alleged violations, regardless of the individual wishes of those involved. Universities have designated reporting channels and offices where campus community members can formally place the university on notice. However, the university can also be placed on notice through informal methods, such as when information is disclosed to certain campus community members in management or leadership positions (ABA, 2006). Campus ombuds demonstrate their commitment to confidentiality by asserting that they are not an agent of notice to the university, nor do they accept formal claims or grievances on behalf of their visitors.

PART 2

Universities are responsible for establishing and enforcing fair and formal processes that ensure the rights and safety of every member of their campus community. These formal processes are dependent on community members coming forward with complaints and submitting reports, leading universities to create and employ equitable and legitimate processes while simultaneously encouraging individuals to come forward with reports. Campus reporting policies are largely shaped by law and federal guidance stemming from The Clery Act and Title IX initiatives (Holland 2018; Pappas, 2015; Berman, 2016). Federal directive was first delivered during the Obama administration on April 4, 2011, in the form of a letter from the OCR, known as the “Dear Colleague Letter” (OCR, 2011). The letter made it clear that universities were to take steps towards eliminating, preventing, and remediating sexual misconduct on their campuses. Universities were directed to immediately address incidents of harassment that they were aware of but were given little support and guidance on how to do it (Pappas, 2015; Holland, 2018). Under mounting pressure from the government, universities proceeded to establish campus reporting policies to compel, and in some instances, mandate their campus communities to report (Holland, 2018; Sable, 2006).

In 2014, OCR issued a guidance document called “Questions and Answers on Title IX and Sexual Violence” that describes how OCR evaluates whether universities are complying and meeting their legal obligations (OCR, 2014). This document was closely followed by the Title IX Resource Guide that includes recommended best practices for universities to follow to meet their legal obligations (OCR, 2015). In more recent years, the legislative climate surrounding Title IX seems to be in flux. On August 22, 2017, the US Department of Education (DOE) rescinded the “Dear Colleague Letter” and “Q&A on Title IX and Sexual Violence” and introduced new guidelines (DOE, 2017 Aug 22; DOE, 2017 Sept). The US Secretary of Education, Betsy DeVos, officially announced that the new DOE initiatives would be replacing guidance given during the Obama administration and universities were to prepare and adapt accordingly to the new changes (DOE, 2017 Sept 7). The University of California was first to respond to the announcement in a letter that stated their intention to continue addressing sexual violence despite the DOE’s rescission of the “Dear Colleague Letter” and “Q&A on Sexual Violence” (University of California; 2017, Sept 7). On November 16, 2018, the new regulations were released and opened to a 60-day public response period and are not officially published as of this writing (DOE, 2018). Indeed, federal directives and guidelines for universities regarding Title IX appear to be in a constant state of change. Current information regarding important announcements, concerns, and debates about Title IX can be found at the following websites; www.politico.com and www.knowyourIX.org.

The charged political climate surrounding Title IX speaks to how complex and challenging it is to effectively address sexual violence. As universities prioritize compliance and reporting, they inadvertently create tension between organizational interests and survivor self-determination (Pappas, 2015; Holland, 2018). Perhaps the best indicator that a gap exists between self-determination and organizational interests is demonstrated by research on the reporting of sexual misconduct (Pappas, 2015; Holland, 2018; Barnes & Freyd, 2017; Sable, 2006). The gap is also observed in research regarding whistle blowers (Rothschild & Miethe, 1999) and the reporting of harassment and bullying in the workplace (Rowe, Wilcox, and Gadlin, 2009). A brief review of this research will be provided in part 3.

To understand why the gap exists, it is important to identify and understand the values that drive both organizational interests and self-determination. Organizational interests emphasize establishing clear norms against bad behavior (i.e. sexual violence, harassment, bullying, incivility, etc.), punishing offenders, deterring future incidents of misconduct, and protecting the university from liability (Pappas, 2018). Self-determination on the other hand prioritizes individual autonomy, empowers individuals to maintain complete control of their narrative, and enables them to determine the level of help and support they need. Compelling individuals to come forward and report serves to identify and eliminate misconduct, but at the cost of self-determination and at the risk of institutional betrayal (Institutional betrayal is the idea that the individual's needs become secondary, or subordinate, to the organization's interests). Yet, simply trusting individuals to come forward and make reports puts the university and its community members at risk. Consequently, university leaders vacillate between organizational interests that value community and individual interests that value autonomy and personal choice.

The tension between organizational interests and self-determination is at the root of why universities are experiencing difficulty in establishing remediation processes that ensure the rights and safety of their campus community, while still encouraging individuals to come forward and report (Holland, 2018; Pappas, 2015). To alleviate this tension, universities are tasked with creating remediation processes that support organizational interests and support the self-determination of their campus community members. The next section will describe how confidentiality may be the bridge that can span the gap between organizational interests and self-determination.

PART 3

Individuals are reluctant to report bad behavior and misconduct for various reasons. Rowe, Wilcox, and Gadlin identified that the loss of one's privacy was among the most common reasons for why individuals remain silent or hesitate to report unacceptable behavior (Rowe, Wilcox, & Gadlin; 2009). They observed that many common barriers to reporting are rooted in fear. Individuals are reluctant to report because they fear retaliation, losing relationships, unforeseen consequences, and not having sufficient evidence. Fear of retaliation is validated by surveys such as The National Business Ethics Survey by the Ethics Research Center (ERC) in 2013. The survey revealed that 41% of respondents had observed misconduct in the work place, and 37% of them chose to not report about it. It was found that of the remaining 63% who decided to report the misconduct, 1 in 5 of them had experienced retaliation (ERC, 2013). Rowe, Wilcox, and

Gadlin observed that a distrust of those in leadership positions or negative perceptions about the organization can also dissuade individuals from reporting. Policies that compel reporting, forbid retaliation, and claim zero tolerance of bad behavior are not effective in alleviating the fears that impede reporting. In fact, the reporting process of an organization itself can serve as a barrier to reporting when it is perceived as unsafe, inaccessible, and deceptive (Rowe, Wilcox, & Gadlin, 2009).

Research examining the effectiveness of compelled reporting policies and barriers to reporting have led universities to re-consider their campus reporting processes, specifically in the area of reporting sexual assault. It was assumed that mandatory reporting would bring more cases of sexual violence to the attention of university authorities, allowing them to be more proactive in remediating cases of sexual violence and removing offenders from their institutions. However, the research remains unclear whether mandatory reporting policies lead to more adjudication of sexual violence cases, or just serve to deter survivors from disclosing and seeking supportive resources (Holland, et al. 2018; Barnes & Freyd, 2017). Among the research is a survey by The National Alliance to End Sexual Violence that found 88% of survivors seemed to agree that mandatory reporting would result in fewer victims coming forward and disclosing. A study done by Barnes and Freyd found that only 5.8% of college students would disclose under the condition of a mandatory reporting policy, compared to 21% who would disclose if university community members were required to respect their decision to report or not (Barnes & Freyd, 2017).

Research also indicates that the majority of sexual assault survivors choose to confide in a friend rather than report to authorities or seek help from professionals (Ahrens, Campbell, Ternier-Thames, Wasco, & Sefl, 2007). Wood and Stichman observed that only 1% of survivors reported their experience to a formal entity, compared to 45% that decided to disclose to an informal entity (Wood & Stichman, 2016; Paul, Zinzow, McCauley, Kilpatrick, & Resnick, 2014). Ahrens and associates found that survivors are seeking emotional support when they speak out about their experience and not recourse for action or justice (Ahrens, et al., 2007). In sum, researchers have identified that the most significant barriers to reporting sexual assault include shame, concern for privacy, distrust of adjudication system, and fear of retaliation (Wood & Stichman, 2016; Sable, et al., 2006). These same barriers continue to deter survivors from reporting despite reforms and changes in legislation (Holland, et al. 2018; Sable, et al., 2006).

The apparent reluctance of survivors to come forward and report makes it difficult for universities to efficiently address and eliminate sexual violence from their campuses. Even with this challenge, universities are not excused from their responsibility to ensure campus safety. In fact, it seems they have inherited another responsibility--to minimize harm to survivors and respect their right to self-determination. Reporting policies ensure compliance and protect universities from liability, but they do little to protect individuals who come forward and speak out about the sexual violence they experienced. In 2014, a White House Task Force on Protecting Students From Sexual Assault (WHTF) was created by President Obama to keep universities accountable and support them in their efforts to comply with federal mandates. The task force published a report, *Not Alone*, in April 2014 that advised universities to provide confidential resources to survivors of sexual assault.

“...[Sexual assault survivors] want someone on campus to talk to-- and many want to talk in confidence, so they can sort through their

options at their own pace. If survivors don't have a confidential place to go, or think a school will launch a full-scale investigation against their wishes, many will stay silent."(WHTF, Not Alone, 2014, p.11)

Research has observed that formal reporting processes involve a loss of anonymity for the individual submitting the report, leading to possible recrimination and stigmatization for that individual (Paul, et al., 2014). Establishing confidential supports and expanding voluntary reporting options have been found to encourage individuals to speak out and report (Holland, et al., 2018). In essence, if university leaders want individuals to come forward with reports, then they need to be prepared to address the needs of the individual as much as they are prepared to receive the information the individual discloses. Confidentiality provides the safety necessary to receive the fears, concerns, and determination of the individual doing the reporting.

Studies observe that disclosures of sexual assault are most often made to informal and confidential sources (Paul, et al., 2014). This observation has led researchers to argue that confidentiality serves to increase reporting rates (Rowe, Wilcox, & Gadlin, 2009; Sulkowski, 2011). An inverse argument can also be made that the lack of confidentiality deters individuals away from reporting (Paul, et al., 2014; Sable, et al., 2006). Confidential resources have been shown to increase trust and encourage reporting because individuals prefer to talk to someone in confidence before deciding whether to submit a formal report (Paul, et al., 2014; Sulkowski, 2011). Paul and associates found that survivors were more likely to report when they had access to resources and social supports (Paul, et al., 2014). They also observed that disclosure recipients play a significant role in a survivor's decision-making process to report, and that the act of consulting with someone in confidence results in higher rates of reporting (Paul, et al., 2014). They found that survivors were more likely report to authorities when they felt that trusted others supported their decision to report (Paul, et al., 2014). (It is important to emphasize that campus ombuds are neutral regarding whether the individual should report, and only present reporting as a possible option. The element of neutrality may serve to empower the individual further in their decision to report/not report because the decision would be completely theirs; absent of any external convincing or persuasion.)

Confidentiality presents both a challenge and an opportunity to university communities. Confidentiality is an opportunity because it builds trust, respects self-determination, and serves to ensure the safety of community members (Pappas, 2015). As a challenge, confidentiality prevents community members from reporting all known instances of misconduct. This idea circles back to the difficulty universities face in remediating problems that they do not know about, making the university vulnerable to liability. The final section will describe how campus ombuds are in a unique position to enhance the opportunities inherent in confidentiality, while reducing the organizational risks that accompany privileged confidentiality.

PART 4

An effective campus ombuds understands the structure of the university they serve because they are part of the structure themselves and interact with members of the

campus community at every level. A campus ombuds represents a place where community members from anywhere in the university can come and speak freely about any issue. As an office that is confidential, independent, informal, and impartial, campus ombuds are capable of providing services that appeal to both the organizational interests of the university and the self-determination of its' members.

Campus ombuds appeal to the organizational interests by helping to establish clear norms against sexual violence, misconduct, and incivility. UNM Ombuds do this through referrals to university policies and resources. Campus ombuds have a positive influence on campus culture and are a driving force in promoting a greater civility in the environment of higher education (Keashly & Neurman, 2010). Campus ombuds are also in a position to alert university leaders and campus communities to emerging problems, identify concerns before they become significant problems, and support proactive and preventative efforts to resolve problems. Campus ombuds do not hold authority to solve individual problems, let alone campus-wide problems, however, they are in a position to provide useful feedback to those with power to remedy problems and make reforms. In this way, they serve a key role in supporting efforts to ensure campus safety while remaining confidential with regards to individual identities and specific narratives.

Campus ombuds appeal to the self-determination of community members by empowering them to maintain complete control and ownership of their narratives. By holding to neutrality, campus ombuds further empower and enable visitors to determine the level of help and support they need. Campus ombuds help to reduce barriers to reporting and ensure the safety necessary for individuals to risk speaking up. The confidentiality and impartiality of the office creates a safe space for visitors to freely share their experiences, raise their concerns, and explore their options (Escalante, 2018; Hollis, 2016). The campus ombuds's commitment to the confidentiality agreement communicates clearly to visitors that their safety is at the forefront of the professional relationship and any threats of imminent harm are immediately addressed and directed through formal safety protocols. By adhering to the limits of their confidentiality agreement, campus ombuds are able to prioritize and safeguard campus safety.

In addition to promoting campus safety, campus ombuds play a key role in supporting effectual campus reporting. As part of the organizational structure and as members of the campus community, campus ombuds are intimately aware of resources that are available to visitors who are deciding to report. Campus ombuds serve to shepherd issues through the university by referring visitors to campus resources that are appropriate and applicable to their situation. Campus ombuds also provide visitors with the opportunity to safely explore and reflect on their situation before deciding to report. Often, campus ombuds utilize reality checking to help visitors gain insight and clarity about their situation and decide if a report is even merited. In this way, campus ombuds help to field or prevent erroneous reports from clogging up formal reporting channels. In the same vein, campus ombuds can help direct valid reports to appropriate services resulting in more efficiency and timeliness. It is not the intention of a campus ombuds to duplicate services or compete with other resources. Rather, campus ombuds work to inform visitors about various options and encourage the use of university resources and services.

In conclusion, confidentiality is essential to the work of a campus ombuds and any limitations placed on that confidentiality will undermine the role of the office. As a

confidential resource, campus ombuds can bridge the gap between organizational interests and self-determination, and in effect, encourage community members to come forward and report incidents that threaten the safety of the university community. Universities that designate their campus ombuds as a confidential resource reduce the risks and enhance the benefits of confidentiality. Finally, campus ombuds can play a key role in ensuring campus safety and supporting effectual reporting on campus.

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APPENDIX F:

HANDBOOK ON INCIVILITY

BY PETRA MACHER

NOTE: APPENDIX F INCLUDES THE TABLE OF CONTENTS, ABOUT THE AUTHOR, AND THE INTRODUCTION TO THE HANDBOOK. FOR THE COMPLETE HANDBOOK, PLEASE VISIT OMBUDSFORSTAFF.UNM.EDU/COMMON/IMAGES/DOCUMENTS/INCIVILITY.PDF.

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ABOUT THE AUTHOR

Petra Macher, the author of this Handbook is a Hungarian work-and organizational psychologist and mediator. During the spring semester of 2018 she was a Rezler scholar in mediation & volunteer intern at Ombuds Services for Staff at UNM. Prior to coming to

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INTRODUCTION

The goal of this handbook is to start a conversation and address the issue of incivility at UNM in a constructive and solution-oriented way by introducing the phenomenon and cost of incivility and by offering a wide range of potential solutions learning from best practices and researches.

The handbook has been created with the help of the following resources:

- A review summary research from 2013 merging 55 researches and literature about incivility (Schilpzand, P., De Pater, I., Erez, A. (2016).
- Several other current researches and articles on the topic. (see list of articles at the end)
- Previous paper on Cost of Conflict at UNM written by Rachel Yarrington published by Ombuds Services for Staff at UNM
- Inspirations from UNM trainings/workshops in 2018 such as
 - Sexual Harrassment in the workplace (lecture by Lilia Cortina, Professor of Psychology, Women's Studies, & Management at the University of Michigan, 3/2/2018 at UNM)
 - Bystander training (Stephanie Goodwin, Director of Faculty Development and leadership, Wright State - 4/13/2018)
 - Toxic personalities at the Workplace (lecture by Jonathan Bolton, MD, from Department of Psychiatry at UNM, 4/4/2018; organized by Ombuds Services for Faculty)
- Based on 3 books:
 - Mastering Civility by Christine Porath, 2016
 - The Cost of Bad Behavior by Christine Pearson and Christine Porath, 2009
 - Choosing Civility by P.M. Forni, 2003
- And last but not least, consultation with the staff of UNM Ombuds Services for Staff

Workplace incivility is one of today's most important topics in the organizational behavior literature as it causes enormous damage to American corporations. The volume of its negative impact can be explained on one hand by the negligence and ignorance of dealing with this issue. As per definition, incivility is a low-intensity deviant workplace behavior with an ambiguous intent to harm. Because of its low-intensity and ambiguous characteristics, the importance and relevance of this phenomenon tend to be

underestimated. Even though researches show that incivility has significant negative impact not just on the targets but on the witnesses and the entire business as well (Pearson, Ch. & Porath Ch., 2009; Schilpzand, P., De Pater, I., Erez, A. 2016).

According to a previous research paper from the Ombuds Services for Staff UNM, 60-80% of an organization's performance damages are caused by conflicts between employees and not the lack of skills or knowledge. 25-50% of an individual's working hours is spent on dealing with interpersonal conflict. Based on this research, the paper argues that approximately \$19,743,360* per year is wasted due to unmanaged workplace conflict at the University of New Mexico. (Cortina, L., Miner-Rubino, K., 2007; Yarrington, R., 2017).

Ombuds Services for Staff at UNM is dedicated to address this issue and initiate discussions on it in order to help UNM to eliminate the issue on campus and to master civility that fosters performance and wellbeing of UNM employees.

OMBUDS SERVICES FOR STAFF

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