The University of Iowa
OFFICE OF THE OMBUDSPERSON
C108 Seashore Hall
Phone: 319/335-3608 / Fax: 319/335-3071
E-mail: ombudsperson@uiowa.edu

Maile-Gene Sagen
maile-sagen@uiowa.edu
University Ombudsperson

Bernard Sorofman
bsorofma@blue.weeg.uiowa.edu
University Ombudsperson

Laura Macrowski
laura-macrowski@uiowa.edu
Secretary

Copies of this report may be obtained be calling, writing or e-mailing the Office of the Ombudsperson
~OR~

THE UNIVERSITY OF IOWA
OFFICE OF THE OMBUDSPERSON

ANNUAL REPORT

TABLE OF CONTENTS

INTRODUCTION

Two significant trends became evident in academic year 1999-2000 for the Office of the Ombudsperson. The first is another major shift in the clientele seen in the office from students to staff, and the other is the prevalence of incivility reported to the office by all constituent groups. We will describe both trends in more detail in this report.

We report 331 new cases in this Fourteenth Annual Report, and together with the 19 cases open at the close of the previous year, we served a total of 350 people this year. In addition, we report 231 telephone calls to the office for general information. While we do not count these telephone calls as "cases," they take considerable time. Generally, these telephone calls are anonymous.

PERSONNEL

The Co-Ombudspersons are appointed by the President of the University. Maile Sagen (Sagen) serves as the professional staff ombudsperson full-time and has held that position since 1989. Professor Sorofman (Sorofman) serves as faculty ombudsperson half-time and has just completed his first year of a four-year term. Laura Macrowski (Macrowski) is the office secretary and has been in the office since 1992.

THE OFFICE

The Office is in C108 Seashore Hall and is open Monday through Friday, between 9:00 a.m. and 5:00 p.m. Appointments may be made in person, by telephone, by e-mail, or by letter. Voice mail messages may be left in the evenings, weekends, and holidays. The office may also be contacted by FAX and information about the office is available on the University's home page on the World Wide Web.

ACTIVITIES, 1999-2000

Once again the ombudspersons participated in a variety of orientation programs for faculty, staff and students during the year. We also arranged several individual and group meetings to introduce Professor Sorofman to administrators, deans, directors and supervisors as he began his appointment in the office. Those meetings provided an opportunity to discuss the work of the office as well as issues of current concern as well.

Informational material about the office was distributed around the campus to publicize and promote the office. Posters are displayed in the residence halls and on Cambus at the beginning of the academic year. We note the continued dramatic increase in the use of our web page. The total cumulative hits from July '99 through June 2000 totaled 14,389 compared with 10,311 last year. Requests for information per month ranged from 911 to 1,687, and the average successful requests per day ranged from 32-55.

Both ombudspersons met with the Faculty Welfare Committee this year to discuss the work of the office and to share common concerns. We also attended the Campus Colleague Lunch for new freshmen, the Public Safety Meeting and participated in mediation training workshops.

Sagen has met with the committee to review the Sexual Harassment/Consensual Relationship Policy and the committee to review the Sexual Abuse Policy. She is also serving on the advisory committee for the Employee and

Labor Relations Unit of Human Resources (ELR) and the advisory committee for the Integrated Employee Assistance Program (UIEAP).

Sorofman is representing the office on the Emeritus Faculty Committee conducting exit interviews for resigning faculty. He also participated in the AAUP workshop for junior faculty on promotion and tenure.

Both ombudspersons attended the California Ombuds Caucus and the annual meeting of the University and College Ombuds Association. Sagen completed a two-year term on the Board of Directors of the University and College Ombuds Association and has been re-elected to a second two-year term. This year she chaired the new ombuds orientation workshop for UCOA and co-edited the new UCOA Handbook.

TABLE: COMPARISON OF CONTACTS BETWEEN 1998-99 AND 1999-2000

CONTACTS 1998-99, & 1999-2000	Year 13 1998-99		**Year 14 1999-2000**		
	N*	%**	**N***	**%****	% change from 98-99
STUDENTS:					
Undergraduates	63	19%	**50**	**15%**	(20%)
Graduates	106	32%	**53**	**16%**	(50%)
Total Students	169	51%	**103**	**31%**	(39%)
STAFF:					
P&S	65	19%	**119**	**36%**	83%
Merit	40	12%	**52**	**16%**	30%
Total Staff	105	31%	**171**	**52%**	63%
FACULTY	52	16%	**50**	**15%**	(4%)
OTHER					
(Anonymous, outside, etc.)	6	2%	**7**	**2%**	17%
TOTALS	332	100%	**331**	**100%**	0%

*N = number of clients
**% = percentage of total caseload

CONTACTS, 1999-2000

The Table shows a total of 331new contacts this year, one fewer than last year. Although the number of contacts was nearly the same, the mix of clientele shifted dramatically. This year we saw more staff than students, 52% vs. 31%, just the opposite of a year ago. While we saw more P&S and merit staff this year, the P&S contacts almost doubled. The number of faculty contacts remained about the same.

There were 87 cases open at the close of this academic year.

STUDENTS

- More than half the student cases (both graduate student and undergraduate student) were related to academic (classroom, conflict with advisor, grad, credit, drop/add) situations. In these cases we find

students who are unsure about class or administrative rules or are wanting to learn options available to them for unusual situations.

- The second largest category of undergraduate student cases, non-academic, were predominantly incivility/violence related, and to a minor extent parking-related issues.
- An estimated 32% of the undergraduate student cases and 36% of the graduate student cases involve, in some way, issues of incivility. In these cases the majority were related to power differences: faculty – student or graduate assistant – student interactions. Many of the faculty – student issues had to do with Ph.D. advising and mentoring.

STAFF

- Merit and other Unionized Employees. Most merit staff cases, 69%, were associated with job conflicts, with 54% involving workplace civility and/or communication between employees, including supervisor – employee interactions. The next most common complaint category had to do with pay or classification of position.
- Professional and Scientific employees. Cases for P&S employees fell into either job conflicts (45%) or salary/classification issues (40%).
- An estimated 34% of the P&S cases had to do with incivility or violence in the workplace. Most of the incivility issues have to do with supervisor – employee relationships.
- P&S employees had the most serious concerns about violence in the workplace.
- Job reclassification was the second most reported category of cases for P&S employees

FACULTY

- More than half (26/50) of all faculty cases were in the category of "job conflicts."
- A secondary category of academic issues accounted for 38% of faculty cases. In these cases the majority were conflicts with students.
- 26% of the cases involved incivility primarily between DEOs – faculty and/or faculty – faculty.
- 22% of the faculty cases regarded issues of tenure, job classification and promotion.
- Promotion/Tenure: Many of the same issues remain regarding tenure and promotion. Clear setting of expectations for promotion and tenure remain an issue for non-tenured faculty.

DISCRIMINATION

The number of discrimination complaints remained the same as last year at 20. Of these, seven were alleged violations of the University's Policy on Sexual Harassment and Consensual Relationships and six were alleged racial discrimination. The remaining complaints involved other forms of discrimination such as gender, religion and disability.

ABUSIVE/VIOLENT BEHAVIOR

We have added another section to our report this year as we are concerned about the number of incidents of abusive and violent behavior reported to this office during the year. Eleven people came forward with reports of physical and/or verbal abuse, sexual assault (off campus), and harassing and threatening behavior. These reports came from all constituent groups. This is the largest number of such reports the office has ever received in one year.

These reports combined with the number of reports of incivility from all constituent groups is cause for concern. Nearly 1/3 of complaints in each constituent group were issues of incivility. (See discussion in the *Issues and Observation* section page 6.)

EVALUATION OF THE OFFICE

An anonymous questionnaire is sent to all who have been seen in the office in order to gauge their satisfaction with the service. Questionnaires are mailed at the end of each semester to all cases completed by the end of the semester. During 1999-2000, 238 questionnaires were mailed and 74 returned, for a response rate of 31%. Of those returned, 65 were positive, 2 negative and 7 were mixed or neutral. This reflects a positive satisfaction rate of 88%.

Three progress indicators are also used to report the work of the office for the University's Strategic Plan each year. The first is the number of complaints and/or problems brought to the office; the second is the number of cases satisfactorily resolved, and the third is the time it takes to resolve cases for each constituent group.

This year the average time-to-resolution of complaints is 45 days. By constituent group, the time-to-resolution of cases was 32 days for students, 54 for staff and 46 for faculty. Reporting these times may give the campus community a rough idea of how long cases may take, but people should know that some cases can be resolved in a telephone call while others may take more than a year depending on the nature of the problem. It's a dubious measure at best.

In summary, the progress indicators show 350 persons served during 1999-2000, a satisfaction rate of 88%, and an average time to resolution of 45 days.

ISSUES AND OBSERVATIONS

1. We note with some concern the number of reported cases of incivility this year in each constituent group. Even more serious, we note the number of reports of abusive and violent behavior between members of the campus community. Clearly, raising one's voice, using one's physical presence to violate personal space or to verbally and/or physically intimidate and threaten students, faculty or staff is unacceptable behavior. We are often asked why this is happening. One view is that there appears to be tremendous pressure today for people to succeed at any cost which has led to the prevalence of incivility in society in general. Whatever the causes, we certainly have not seen the volume of this type of behavior as we have this year. Some would describe this as workplace harassment.

   While there are many definitions of workplace harassment, we would define it as any form of offensive treatment or behavior which creates an intimidating, hostile, or abusive work environment. It can be verbal or physical behavior which is disrespectful, disparaging, threatening, abusive, or violent.

   We suggest that the University consider adopting such a definition and that an effective complaint procedure be in place for those students and employees who believe they have been victims of such conduct. We need to make clear that engaging in workplace harassment is unacceptable and will not be tolerated.

   We have been working with Human Resources and encouraging their efforts in offering workshops on how to establish and maintain a respectful workplace. We will continue to work with the Work Life and Employee and Labor Relations units on offering more workshops, especially for directors and supervisors to assist them in managing and resolving these conflicts.

2. The increase in the number of complaints from Professional and Scientific employees this year is of concern to us, because nearly half of them (45%) were conflicts in the workplace, with 34% of those having to do with incivility. The incivility complaints were primarily issues between employees and supervisors. We also found that P&S employees have serious concerns about violence in the workplace. While employees may know that the University has a violence policy, they are not sure what it covers (some think it only refers to physical violence), and they don't know how to use it. More needs to be done to familiarize employees with this policy.

Sagen was asked to meet with Staff Council representatives regarding the P&S grievance procedure to see if it needed review and updating. We feel that it could be rewritten and made more user friendly. Consideration should also be given to including workplace harassment in a revised policy.

It strikes us that P&S employees appear to be the most disenfranchised in terms of rights and privileges within the system. Certainly a review of their single grievance procedure ought to address problems they face daily in the workplace. While a grievance policy is only one piece of an integrated conflict management system, it is an important piece, and should be revised and updated on a regular basis.

The second largest complaint of P&S employees (40%) was concerns about reclassification. Perhaps it's time to review the reclassification process with supervisors and human resource representatives and with the employees as well. It might be useful to offer open workshops on the process again.

3. There may be some correlation between the discussion above and the fact that while the University has a very comprehensive policy on professional ethics and academic responsibility for faculty, no such ethical statement exists for staff. Perhaps an ethical statement which outlines the behavioral expectations of staff would be helpful in defining and guiding their ethical and professional standards of behavior with students, colleagues, and the institution. Faculty also have a grievance policy for violations of their specific statement on professional ethics and academic responsibility. Having ethical and professional standards adopted to guide staff in their conduct with a concomitant grievance procedure may be another way to address complaints of workplace harassment.

4. Once again our clientele switched dramatically in that we saw more staff than students this year. In fact, in terms of numbers, they just switched places this year. It's clear that no one can predict the campus issues from year to year to know who might seek our services more in any given year. However, we will continue to publicize the office to all constituent groups as we have each year.

5. Since more than half of the faculty complaints this year were job conflicts and the primary incivility issues were between DEOs and faculty as well as between faculty colleagues, more needs to be done in workshops on these kinds of conflicts. There are student – faculty incivility conflicts to address as well. We will work with the Associate Provost for Faculty on the DEO workshops she is planning for the fall semester to address these issues.

6. Last year we referenced a number of divisive issues facing the campus including the International Writing Program. We are very pleased to see the successful completion of the review of the IWP which has culminated in the hiring of a new director. Congratulations to all of those involved in the review, the search and the hiring of Christopher Merrill. Our best wishes to him and to the continued success of the program.

CONCLUSION

We will continue to work with Human Resources to address the civility issues and concerns we have had this year as we, too, are committed to encouraging and reinforcing a respectful workplace.

The University faces budget constraints in the upcoming academic year and all of us will need to be mindful of those constraints as we work together to make the University a supportive learning and working environment for all students, faculty and staff.