Informal Conflict Resolution and the Ombudsman Resource

New Chair Orientation
September 17, 2008
Office of the Ombudsman
UC Riverside
I. Introduction

Ombudsman: Indu Sen

- J.D., USD Law
- Employment, labor and education law
- Passion for mediation
- LL.M. in Int’l Dispute Resolution, Straus Institute for Dispute Resolution, Pepperdine Law
- Was at UC Irvine prior to joining UCR in Oct., 2007
II. Office of the Ombudsman

Office of the Ombudsman at UC Riverside

- Established in 1968

- 1 Ombudsman, 1 Associate Ombudsman Extern, 1 Intern with non-confidential duties

- Serves faculty, staff, and students at all levels

- Community size is 25,000 +
III. What is an Ombudsman?

- The term “ombudsman” is historically rooted in Sweden.

- Gender-neutral term, but in the U.S., “ombuds” and “ombudsperson” are also used.

- Refers to an independent person who hears complaints of the people.

- Ombudsman Offices were first set up on university campuses in the U.S. in the late 1960’s.
IV. Ombudsman Standards of Practice

- International Ombudsman Association ("IOA") is the source for Standards of Practice and Code of Ethics for the Office

- American Bar Association ("ABA") also provides guidance on practice and establishing Ombudsman Offices

- For the UC Offices, Declaration of Best Practices document of 2006 provides further guidance
V. Ombudsman Standards of Practice Cont’d.

FOUR MAIN CRITERIA for Ethical Practice makes Office of Ombudsman unique

- Independent
- Impartial
- Confidential
- Informal
VI. What Does An Ombudsman Do?

- A Dispute Resolution Specialist
- Considers all sides of a question in an impartial way to clarify issues, provide options for resolution, and/or help resolve them
  *Simply answer a question
  *Present options and alternatives, including formal routes or other resource options on campus
  *May facilitate a resolution through independent conversations (shuttle diplomacy) or meetings with all parties
  *May mediate
  *May make recommendations for a solution
  *Not advocate for parties, but for a fair, equitable, informal process and resolution
VII. Why Informal Conflict Resolution?

A. Why is informal conflict resolution important for *members* of a department?

- Professional relationships
- Personal friendships
- Stability at employment / employment status
- Confidentiality
- Record of a conflict
- Stress
- Time
- Reputation
- Access to creative solutions to issues that fit needs of uniqueness of academic culture
- Professional growth

- Prevention of escalation of the problem into larger issues
- Protection from retaliation
- Less intimidation from power imbalance
- Not a formal complaint process
- Preventing potential lawsuits
- Being heard / having a voice and a choice
B. What are some of the interests that a department and the University may have that make early intervention and conflict resolution important?

- Promotion of a healthy culture/progressive environment
- Preservation of relationships and networks
- Prevention of formal processes / lawsuits
- Increase of productivity and efficiency
- Higher retention of human resources
- Publicity / positive reputation
- Time savings
- Finding better ways / systems of dealing with conflict
IX. Department Chairs

- Department Chairs are in a unique leadership role

- Role includes being addressing conflict b/w a range of relationship dynamics:
  - Undergrad student – graduate student
  - Undergrad student – faculty
  - Grad student – faculty
  - Staff – student
  - Staff – faculty
  - Faculty – faculty
X. Support

- Chairs need support in dealing with some of the issues that confront them, get clarification, research options, and/or receive neutral assistance to help resolve an issue.

- The Ombudsman is a resource.
XI. What Can the Office of the Ombudsman Do For You?

Ombudsman can specifically help department Chairs as follows:

- Provide upward feedback on systemic and broad-based concerns, as well as emerging trends on campus
- Provide confidential, informal, impartial off-the-record advice on issues – without notice to University, even on sexual harassment matters
- Act as a resource where you can refer people in conflict to
- Provide departmental training and workshops, and other education on conflict resolution
- Conduct conflict resolution retreats for departments to identify conflicts and collaboratively map out solutions and/or processes for solutions.
XII. Mediation Program Plans

- The Office of the Ombudsman will be developing a mediation program and refining the informal conflict resolution systems.
- Will look to Chairs for input regarding needs of faculty.
- Chairs as point persons who provide Ombudsman with feedback on issues, trends, need for systemic changes.
- Chairs will receive opportunities to be trained in mediation.
QUESTIONS?
Comments?