

**Annual Report of the Faculty and Staff Ombudsperson
September 1, 2008 through August 31, 2009**

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Mission and Functions of the Office of Ombuds Services

The Office of Ombuds Services provides the University of Houston faculty and staff with an informal mechanism for resolving workplace conflicts and addressing questions and concerns related to their employment with the University. To ensure the highest quality and most effective services, the Faculty and Staff Ombudsperson is independent, neutral, and maintains confidentiality to the extent allowed by law.

The Ombudsperson strives to promote fairness and foster a positive work environment by offering a number of mechanisms for early conflict resolution and problem-solving including: listening to faculty and staff members' concerns and complaints regarding workplace and employment issues; providing information and assistance in accessing and interpreting University policies and procedures; making referrals to appropriate University resources; helping faculty and staff analyze complaints by identifying issues and outlining available options; coaching faculty and staff in addressing and managing conflict; facilitating communication and mediating conflict between disputing parties; reviewing and analyzing trends in concerns and complaints; and making recommendations to the President and Provost regarding changes to University policies and procedures that may eliminate or reduce recurring workplace problems, enhance the effectiveness of University resources, or increase the quality of work life for University employees.

Because ombuds services are informal, neutral, and confidential, the ombudsperson does not: represent faculty or staff in any formal hearings, processes, or procedures; engage in administrative decision-making; determine the merits of a faculty or staff member's complaint; conduct formal investigations; provide legal representation or advice; or provide psychological counseling.

Communication, Outreach, and Service Activities

I served on the 2008-2009 Faculty Handbook Revision Committee.

To provide the campus with information regarding the Office of Ombuds Services, I have spoken at faculty and staff meetings including:

- Council of Deans meeting, November 4, 2008
- College Business Administrators' meeting, November 13, 2008
- Staff Council meeting, June 4, 2009
- Advancement Services staff meeting, August 14, 2009

I welcome invitations to speak to groups regarding my position as ombudsperson, ombuds services provided, and other related topics. Please do not hesitate to contact me to meet with any employee group.

Summary of Cases

During the 2008-2009 academic year, I received 80 cases from 27 faculty, 48 staff, and 5 students (see Table 1). College and division affiliations of visitors who utilized ombuds services include: Gerald D. Hines College of Architecture (1), C.T. Bauer College of Business (14), Cullen College of Engineering (3), College of Education (3), Conrad Hilton College of Hotel and Restaurant Management (3), College of Liberal Arts and Social Sciences (7), College of Natural Science and Mathematics (3), College of Optometry (1), College of Pharmacy (1), College of Technology (5), Law Center (4), Division of Administration and Finance (8), Division of Academic Affairs (5), Libraries (5), Division of Research (1), Division of Student Affairs (2), Division of University Advancement (4), and Office of General Counsel (2) (see Table 2).

A significant number of cases involved issues related to interpersonal conflict, communication strategies, policy/procedure inquiries, and problematic management style. Concerns regarding academic issues, group dynamics, and discrimination were also expressed by a number of visitors. A smaller number of cases involved career management, compensation, course assignments/scheduling, staff workload/workflow, personal issues, the physical work environment (see Table 3). Faculty complaints were against higher administration, deans/associate deans, department chairs, faculty peers, faculty subordinates, staff, and students. Most of the staff complaints were against staff supervisors (56%) with a smaller number of complaints made regarding higher administration, deans/associate deans, department chairs, faculty, staff peers, and staff subordinates (see Table 4).

Coaching, making phone calls, providing policy/procedure information, and making referrals were the most frequently used strategies to address faculty and staff members' issues and concerns. I also used email, engaged in shuttle diplomacy, and facilitated meetings in a number of cases (see Table 5). Referrals were made to the Dean of Students Office, the Employee Assistance Program, and UH and other websites (see Table 6).

Trends and Recommendations

- (1) Cases involving staff discipline and grievances and faculty promotion and tenure policies have highlighted some ambiguities and needs for revisions in university policies and procedures. As a result of questions and concerns presented to me and my review of the related policies, I make the following recommendations:

- (a) University Staff Discipline and Grievance Policies

- There is confusion among staff regarding whether disciplinary action can be appealed or grieved. Part of the confusion stems from outdated statements and appendices in the "Progressive Discipline" and "Grievances" sections of the Staff Handbook indicating that employees can appeal/grieve formal disciplinary action. However,

there are more recent MAPP policies that do not list discipline as being grievable and human resources does not currently permit grievances for disciplinary action. A number of staff members have expressed dissatisfaction with this policy and have sought ombuds assistance in holding informal facilitated meetings to discuss and correct factual inaccuracies in written disciplinary actions. To address employees' confusion and concerns, I recommend the following:

- Provide the most recent (2008) version of MAPP 2.04.01 (Employee Grievances) in Appendix C of the Staff Handbook.
- Provide the most recent (2008) version of MAPP 2.04.03 (Discipline and Dismissal of Regular Staff Employees) in Appendix D of the Staff Handbook.
- Make the "Progressive Discipline" and "Grievances" sections of the Staff Handbook consistent with current HR policies.

(b) University Faculty Promotion and Tenure Policy

- Add a section to the University Promotion and Tenure policy that addresses situations in which a faculty member decides to remain at the University of Houston for their terminal year after receiving a negative tenure decision. Specifically, information regarding the nature of a faculty member's employment during that year (title, salary, teaching load, summer support, professional development funds, office space, merit evaluations, etc.) would be helpful.

- (2) In cases involving complaints against other individuals, 84 percent of the staff complaints related to supervisor-employee relationships. Many of the cases involved reports of employees displaying uncivil and inappropriate behavior toward their supervisor. Staff also complained about uncivil behaviors from their supervisors including yelling and disrespectful comments. Possible causes of the behaviors seem to include frustration with management, not understanding demands on supervisors from others, not knowing how to appropriately communicate feelings, lack of communication regarding changes, new expectations of increased performance standards, and fear of job loss. More extensive leadership training focusing on motivation, communication, teambuilding, constructive feedback, and the effective implementation of change would be helpful for supervisors. I also recommend providing additional training opportunities for non-supervisory employees that address communication strategies, teamwork, stress management, and performance improvement.

Table 1
University Positions of Visitors

| Position of Visitor | Number of Cases | | | | Annual Totals |
|----------------------------------|------------------------|------------------------|-----------------------|-----------------------|----------------------|
| | 9/1/08-11/30/08 | 12/1/08-2/28/09 | 3/1/09-5/31/09 | 6/1/09-8/31/09 | |
| Faculty Dean | 1 | 0 | 0 | 1 | 2 |
| Faculty Associate Dean | 1 | 2 | 1 | 0 | 4 |
| Faculty Department Chair | 0 | 0 | 0 | 1 | 1 |
| Faculty Full Professor | 1 | 0 | 1 | 1 | 3 |
| Faculty Associate Professor | 3 | 1 | 6 | 0 | 10 |
| Faculty Assistant Professor | 2 | 0 | 4 | 1 | 7 |
| Faculty Visiting Assistant Prof. | 0 | 0 | 0 | 0 | 0 |
| Faculty Clinical Assistant Prof. | 0 | 0 | 0 | 0 | 0 |
| Librarian | 0 | 0 | 0 | 0 | 0 |
| Staff | 6 | 8 | 20 | 14 | 48 |
| Student | 2 | 1 | 1 | 1 | 5 |
| Total Cases | 16 | 12 | 33 | 19 | 80 |

Table 2
Visitor's College or Division Affiliations

| College or Division Affiliation | Number of Cases | | | | |
|--|---------------------|---------------------|--------------------|--------------------|------------------|
| | 9/1/08- 11/30/08 | 12/1/08- 2/28/09 | 3/1/09- 5/31/09 | 6/1/09- 8/31/09 | Annual Totals |
| Gerald D. Hines College of Architecture | 0 | 0 | 1 | 0 | 1 |
| C.T. Bauer College of Business | 4 | 3 | 6 | 1 | 14 |
| College of Education | 1 | 0 | 2 | 0 | 3 |
| Cullen College of Engineering | 1 | 0 | 0 | 2 | 3 |
| Conrad Hilton College of Hotel and Restaurant Management | 0 | 1 | 2 | 0 | 3 |
| College of Liberal Arts and Sciences | 3 | 1 | 2 | 1 | 7 |
| College of Natural Sciences and Mathematics | 0 | 0 | 2 | 1 | 3 |
| College of Optometry | 0 | 1 | 0 | 0 | 1 |
| College of Pharmacy | 0 | 1 | 0 | 0 | 1 |
| College of Technology | 0 | 0 | 5 | 0 | 5 |
| Graduate College of Social Work | 0 | 0 | 0 | 0 | 0 |
| Honors College | 0 | 0 | 0 | 0 | 0 |
| Law Center | 2 | 0 | 0 | 2 | 4 |
| Department of Athletics | 0 | 0 | 0 | 0 | 0 |
| Division of Academic Affairs | 0 | 0 | 4 | 1 | 5 |
| Division of Administration and Finance | 0 | 3 | 2 | 3 | 8 |
| Division of Research | 0 | 0 | 1 | 0 | 1 |
| Division of Student Affairs | 0 | 0 | 1 | 1 | 2 |
| Division of University Advancement | 1 | 0 | 0 | 3 | 4 |
| Office of General Counsel | 0 | 0 | 0 | 2 | 2 |
| Office of the President | 0 | 0 | 0 | 0 | 0 |
| Libraries | 1 | 1 | 3 | 0 | 5 |
| Anonymous | 1 | 0 | 1 | 1 | 3 |

**Table 3
Visitors' Issues and Concerns**

| Issues and Concerns | Number of Cases | | | | |
|--------------------------------|---------------------|---------------------|--------------------|--------------------|------------------|
| | 9/1/08- 11/30/08 | 12/1/08- 2/28/09 | 3/1/09- 5/31/09 | 6/1/09- 8/31/09 | Annual Totals |
| Academic | 2 | 3 | 2 | 4 | 11 |
| Career management | 2 | 1 | 0 | 1 | 4 |
| Staff compensation | 0 | 4 | 1 | 0 | 5 |
| Communication strategies | 5 | 3 | 4 | 6 | 18 |
| Course assignments/scheduling | 2 | 0 | 0 | 1 | 3 |
| Staff workload/workflow | 0 | 0 | 3 | 1 | 4 |
| Discrimination | | | | | |
| Age | 1 | 0 | 0 | 0 | 1 |
| Race | 1 | 0 | 1 | 0 | 1 |
| Disability | 1 | 0 | 1 | 0 | 1 |
| Religion | 0 | 0 | 0 | 1 | 1 |
| Sex | 0 | 0 | 1 | 0 | 1 |
| Sexual harassment | 2 | 0 | 3 | 1 | 6 |
| Faculty/Staff Relations | 0 | 0 | 0 | 0 | 0 |
| Group dynamics | 0 | 0 | 3 | 3 | 6 |
| Interpersonal conflict | 7 | 5 | 5 | 11 | 28 |
| Faculty salary | 1 | 0 | 1 | 1 | 3 |
| Personal issues | 1 | 0 | 0 | 1 | 2 |
| Policies and procedures | | | | | |
| Staff Discipline | 2 | 3 | 5 | 2 | 12 |
| Faculty promotion and tenure | 4 | 0 | 1 | 0 | 5 |
| Faculty classification | 0 | 0 | 2 | 1 | 3 |
| Faculty teaching/performance | 1 | 0 | 0 | 1 | 2 |
| Faculty merit evaluation | 2 | 0 | 2 | 1 | 5 |
| Faculty research | 0 | 1 | 0 | 1 | 2 |
| Faculty grievance | 1 | 0 | 2 | 1 | 4 |
| Staff grievance | 1 | 0 | 3 | 1 | 5 |
| Sick leave/vacation | 0 | 1 | 4 | 0 | 5 |
| Performance evaluation | 0 | 1 | 2 | 2 | 5 |
| Immigration/visa | 0 | 0 | 0 | 0 | 0 |
| Dept. chair appointment | 0 | 0 | 0 | 0 | 0 |
| Staff promotion/classification | 0 | 1 | 1 | 0 | 2 |
| Staff transfer | 0 | 0 | 0 | 0 | 0 |
| Staff work schedule | 0 | 0 | 1 | 1 | 2 |
| Staff termination | 0 | 0 | 0 | 0 | 0 |
| Smoking | 0 | 0 | 0 | 0 | 0 |
| UC Facility Use | 0 | 0 | 0 | 0 | 0 |
| Resignation | 1 | 0 | 1 | 0 | 2 |

| | | | | | |
|------------------------------|---|---|---|---|----|
| TA reappointment | 0 | 0 | 0 | 0 | 0 |
| Free speech | 0 | 0 | 0 | 0 | 0 |
| Committee procedures | 0 | 0 | 1 | 0 | 1 |
| Employee privacy | 1 | 0 | 1 | 0 | 2 |
| Student privacy | 1 | 1 | 1 | 0 | 3 |
| Nepotism | 0 | 0 | 0 | 1 | 1 |
| Problematic management style | 2 | 4 | 9 | 8 | 23 |
| Work environment (physical) | | | | | |
| Security | 0 | 0 | 0 | 0 | 0 |
| Space allocation | 1 | 0 | 0 | 1 | 2 |
| Air Quality | 0 | 0 | 0 | 0 | 0 |
| Fire Safety | 0 | 0 | 0 | 0 | 0 |

Table 4
Individuals Complained Against by Position

| Complaints Against | Number of Cases | | | | |
|-----------------------|---------------------|---------------------|--------------------|--------------------|------------------|
| | 9/1/08- 11/30/08 | 12/1/08- 2/28/09 | 3/1/09- 5/31/09 | 6/1/09- 8/31/09 | Annual Totals |
| Faculty Complaints | | | | | |
| Higher Administration | 2 | 0 | 0 | 1 | 3 |
| Dean / Associate Dean | 1 | 0 | 1 | 0 | 2 |
| Department Chair | 4 | 0 | 3 | 1 | 8 |
| Faculty Peer | 2 | 0 | 2 | 1 | 5 |
| Faculty Subordinate | 0 | 0 | 0 | 1 | 1 |
| Staff Member | 0 | 0 | 1 | 1 | 2 |
| Student | 0 | 0 | 1 | 1 | 2 |
| Staff Complaints | | | | | |
| Higher Administration | 0 | 0 | 0 | 1 | 1 |
| Dean / Associate Dean | 2 | 0 | 1 | 0 | 3 |
| Department Chair | 0 | 0 | 0 | 2 | 3 |
| Faculty | 0 | 0 | 0 | 2 | 3 |
| Staff Supervisor | 2 | 5 | 12 | 8 | 27 |
| Staff Peer | 1 | 0 | 1 | 3 | 5 |
| Staff Subordinate | 0 | 0 | 1 | 1 | 2 |

Table 5
Strategies Utilized by the Ombudsperson in Working with Visitors

| Type of Strategy | Times Utilized | | | | |
|--|---------------------|---------------------|--------------------|--------------------|------------------|
| | 9/1/08- 11/30/08 | 12/1/08- 2/28/09 | 3/1/09- 5/31/09 | 6/1/09- 8/31/09 | Annual Totals |
| Calls made | 5 | 9 | 14 | 6 | 34 |
| Coaching | 10 | 6 | 21 | 10 | 47 |
| Emails sent | 4 | 0 | 2 | 3 | 9 |
| Facilitated meeting | 3 | 1 | 1 | 1 | 6 |
| Policy / procedure information provided | 9 | 5 | 9 | 3 | 26 |
| Referrals | 5 | 2 | 13 | 8 | 28 |
| Shuttle diplomacy | 3 | 5 | 3 | 1 | 12 |

Table 6
Referrals Made by the Ombudsperson

| Referrals | Number | | | | |
|---|---------------------|---------------------|--------------------|--------------------|------------------|
| | 9/1/08- 11/30/08 | 12/1/08- 2/28/09 | 3/1/09- 5/31/09 | 6/1/09- 8/31/09 | Annual Totals |
| Dean of Students | 2 | 1 | 2 | 1 | 6 |
| Employee Assistance Program | 0 | 0 | 2 | 1 | 3 |
| Human Resources | 0 | 0 | 3 | 2 | 5 |
| OAA/EEO | 2 | 0 | 5 | 1 | 8 |
| Office of General Counsel | 1 | 0 | 0 | 1 | 2 |
| UH website | 0 | 1 | 0 | 1 | 2 |
| Other websites | 0 | 0 | 1 | 1 | 2 |
| UH Commission on Women Pilot Mentoring Project | 0 | 0 | 0 | 0 | 0 |