



John Karl Scholz, Provost  
150 Bascom Hall  
University of Wisconsin-Madison

September 11, 2020

Dear Provost Scholz,

We are pleased to submit the Annual Report of the UW-Madison Ombuds Office for the Academic Year 2019-20. It has been a busy year as we continue to serve the campus as a confidential, informal, impartial, and independent resource for all university employees and have learned how to operate in a virtual environment.

The Ombuds Office saw 238 cases in AY20. In spite of the challenges resulting from Covid-19, this was a slight increase over last year and continues the 200-250 caseload pattern over the past three years. This year our report includes an estimate of the time we spent on individual cases. We view this as the most meaningful quantitative measure of our direct involvement with Visitors. Note that the mean is heavily skewed by one extremely time-consuming case. As in previous years, Academic Staff dominated our caseload (49%). This was followed by University Staff at 13% and Graduate Student Employees at 12%. We continue to believe that the University staff is underserved.

AY20 saw a notable increase (11%) in the number of cases related to Evaluative Relationships to 70%. We believe this indicates a need to significantly improve the skills of all people in supervisory positions, regardless of their position on campus. Details on specific aspects of evaluative relationships mentioned by visitors are presented on page 7. Most often mentioned were respect, supervisory effectiveness, communication, bullying and performance appraisal.

Thirty-five percent of our visitors reported that Hostile and Intimidating Behavior (HIB) was an issue. This is a 5% increase over last year. Slightly over half the visitors who reported HIB issues were Academic Staff, which was similar to last year. We think it is significant that 60% of the HIB reports came from visitors who have worked on the campus more than five years. We are concerned that after several years and a campus wide focus on HIB there has been no decline in this metric. We are also concerned about the fairness of HIB investigations. As a result, one member of our team, Gery Essenmacher, is participating in a committee of administrators, analyzing the impact of the HIB policy since its implementation.

We believe that Covid-19 may have had a modest impact on the numbers of Visitors we had in AY20, since the rate of new Visitors slowed a bit after mid-March. The pandemic has certainly changed our practice in some significant ways. We had to move our office from the Lowell Center to the Extension Building; our weekly team meetings have been virtual since early last spring; all of our visitors meet with us either by phone or virtually; and we had to design a completely new virtual orientation process for our two newly appointed Ombuds. Previously we had relied on an annual regional conference to provide this training.

Looking to the future, we anticipate campus employees will seek our services when they are instructed to return to work on campus, rather than working from home. Since the beginning of AY21 in July we have seen several Visitors who have this concern. Also, once Campus life returns to near normal and the TTC process begins to move forward, we anticipate an increase in the number of Visitors due to issues related to that process.

The entire Ombuds team looks forward to meeting with you on September 21st. We will be introducing you to our newest Ombuds, Lezli Redmond, and discussing this report and the continuing work of the Ombuds Office.

Respectfully submitted,

The Ombuds Team: Ann Hoyt, Mike Ashmore, Rick Nordheim, Gery Essenmacher, Lezli Redmond

UW Ombuds Office

University of Wisconsin-Madison

432 N Lake Street, Room 105

Madison, WI 53706

Phone: 608/265-9992

email: [uwombuds@mailplus.wisc.edu](mailto:uwombuds@mailplus.wisc.edu)

website: [ombuds.wisc.edu](http://ombuds.wisc.edu)

cc: Eden Inoway-Ronnie, Beth Meyerand, Heather Daniels, Jake Smith, John Leese

## **Ombuds Visitors and Issues Overall Summary AY2020**

### **Impact of the Ombuds Office**

The confidential nature of the service provided by Ombuds precludes an outcome assessment by visitors or third parties. Thus, we gauge our effectiveness through such indices as the timeliness of making initial contacts with Visitors, the number and range of interventions provided to visitors, and unsolicited feedback from Visitors and other University offices. Quality assurance is maintained through weekly staffing meetings in which on-going cases are discussed in detail. In addition to visitor-centered activities, impact on the campus community can be observed in our modeling of effective communication and problem-solving strategies in campus meetings when requested by visitors. Finally, we attempt to generalize what we learn from working with specific individuals to the larger campus community.

### **Observed Problematic Trends on Campus**

- Interactions between supervisors and staff including uncomfortable interactions, perceived bullying and stressful environments.
- Badly needed training in good supervising techniques, especially for new supervisors.
- Employee concerns regarding disciplinary and performance management issues.
- Continuing problems related to HIB: number of cases increasing; unavailability of campus wide data on number of HIB complaints, including number of investigations, hearings, and disciplinary actions; relationship of investigators to the department or unit in which the investigation is being conducted; possible real and/or perceived bias in HIB investigations; and substantial stress to all involved in investigations, particularly respondents.,
- Need for coaching employees in communication strategies with supervisors, subordinates, and co-workers.
- Lack of employee understanding of University policies regarding a wide variety of personnel issues including FMLA, benefits, emeritus, insurances, retirement or termination benefit questions, ethics, and personal/personnel relationships.
- Continuing issues with ethnic and gender discrimination.
- Continuing difficulties of meeting the needs of University staff.

## The Data

<b>Total Cases</b>	<b>238</b>	<b>Years Employed</b>	<b>Total (%)</b>
Total # Visitors	243	<= 5	97 (41)
(4 cases had multiple visitors)		> 5	132 (55)
Contacts with non-response	15	Unknown	9 (4)
<b>Total Contacts</b>	<b>253</b>		

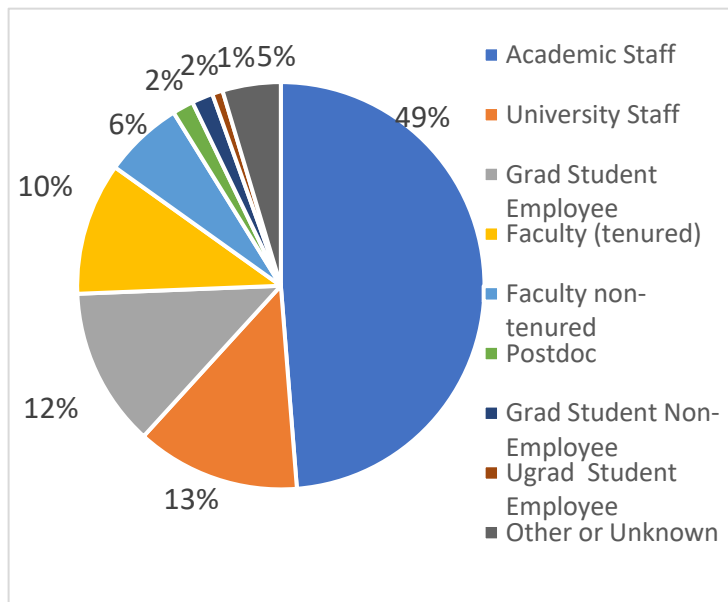
Primary Topics	#	(%)
more than one topic can be noted on a case		
HIB	83	(35)
AD/Disability	14	(6)
Gender	11	(5)
Ethnicity	10	(4)

Action / Impact	Total	(%)
Provide information, feedback, Perspective	206	(87)
Refer to campus/community resource	140	(59)
Consult with other parties	22	(9)
Provide information only	15	(6)
Other	17	(7)

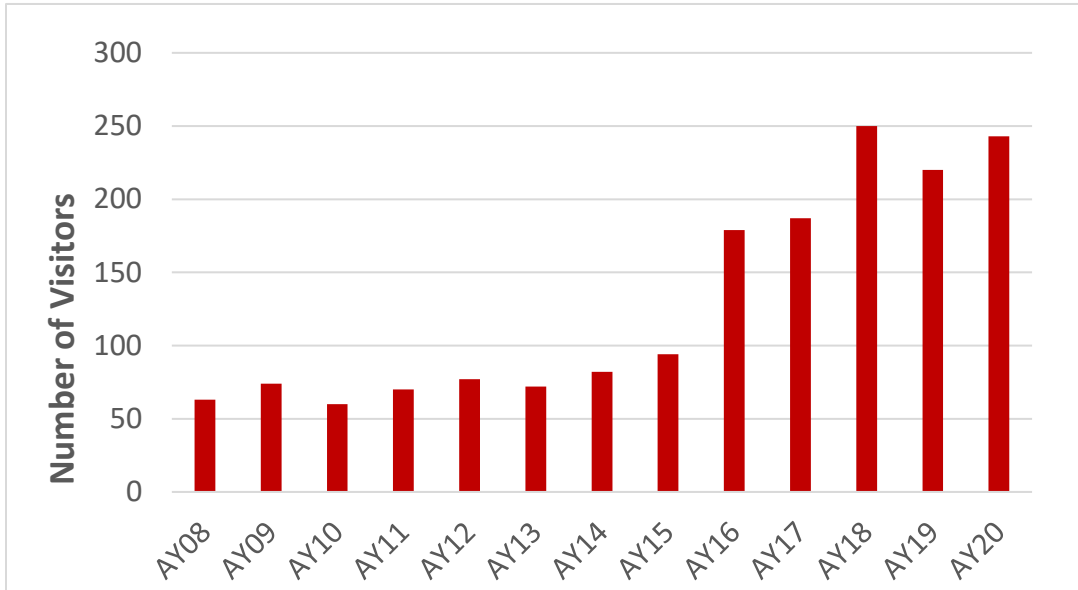
Number of cases for which action was noted followed by % of cases; more than one topic can be noted

### Who Was Served?

Position	#	%
Academic Staff	116	49%
University Staff	31	13%
Grad Student Employee	30	12%
Faculty (tenured)	25	10%
Faculty non-tenured	15	6%
Postdoc	4	2%
Grad Student Non-Employee	4	2%
Undergrad Employee	2	1%
Other or Unknown	11	5%
<b>Total</b>	<b>238</b>	



### Annual Number of Visitors History



### Time Spent with Visitors

Since “interaction” with Visitors consists of meetings (either face-to-face or virtual), phone calls, and email exchanges (often brief but ongoing), it is not possible to count the number of meetings. Instead, the Ombuds have been recording the amount of time they spend with Visitors. Given here is an enumeration of time spent for the 238 cases reported during the academic year 2019-20.

The median is just under 2 hours

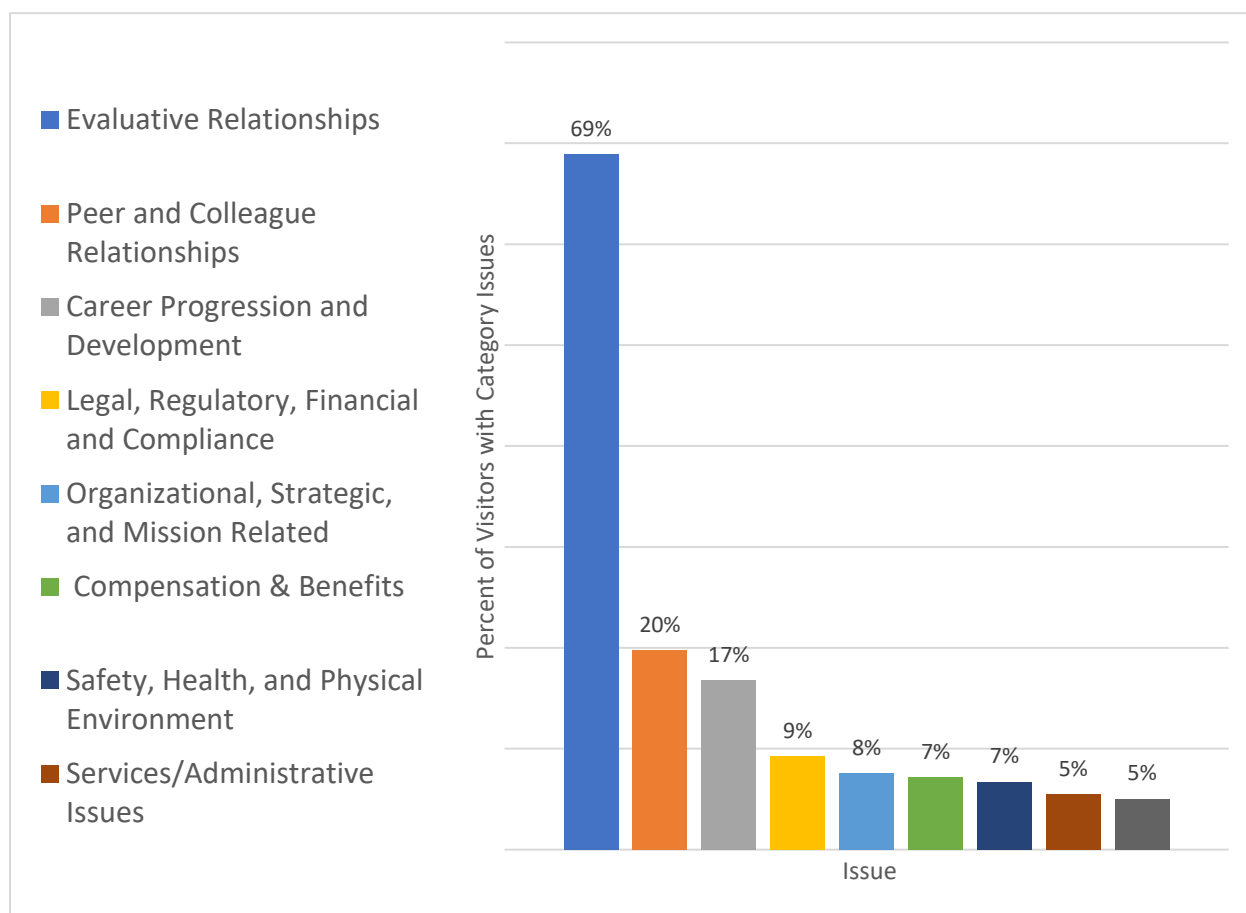
The mean is slightly above 3.3 hours

# hours	# cases
<1	41
1-2	94
2-3	53
3-4	18
4-5	11
5-6	8
6-7	3
7-8	3
8-9	1
12-13	1
15-16	1
16-17	1
24-25	1
30-31	1
195-196	1

## What Were the Issues

Note: Based on International Ombudsman Association (IOA) categories. More than one category can be noted for each case)

Issues	Number	Percent
Evaluative Relationships	164	69%
Peer and Colleague Relationships	47	20%
Career Progression and Development	40	17%
Organizational, Strategic, and Mission Related	22	9%
Legal, Regulatory, Financial and Compliance	18	8%
Safety, Health, and Physical Environment	17	7%
Compensation & Benefits	16	7%
Values, Ethics, and Standards	13	5%
Services/Administrative Issues	12	5%



Each of the Uniform Reporting Categories from the International Ombudsman Association has a number of subcategories. Below are listed all IOA subcategories recorded for 10 or more cases

<b>Evaluative Relationships</b>	<b>Number</b>
• Respect / Treatment	45
• Supervisory Effectiveness	43
• Communication	39
• Bullying, Mobbing	34
• Performance Appraisal / Grading	31
• Departmental Climate	27
• Assignments / Schedules	23
• Trust / Integrity	13
• Diversity - related	13
 <b>Peer and Colleague Relationships</b>	 <b>Number</b>
• Respect / Treatment	21
• Bullying, Mobbing	17
 <b>Organizational, strategic, and mission related</b>	 <b>Number</b>
• Leadership and Management	10

### For Those Visitors Who Reported HIB

**Total Cases      83**

<b>Years Employed</b>	<b>Total (%)</b>	<b>Position</b>	<b>Total (%)</b>
> 5	50 (60)	Academic Staff	42 (51)
<= 5	32 (39)	University Staff	11 (13)
Unknown	1 (1)	Graduate Student Employee	15 (18)
		Faculty (tenured)	7 (8)
		Faculty (non-tenured)	4 (5)
		Postdoc	2 (2)
		Graduate Student Non-Employee	1 (1)
		Undergraduate Student Employee	1 (1)

## AY 2019-2020 Ombuds Outreach Activities

<b>AY20 and topic</b>	<b>Date</b>
Heather Daniels, Secretary Academic Staff	July 17, 2019
Patrick Sheehan	August 7, 2019
Academic Staff Assembly - Diversity topic	August 8, 2019
Legal Affairs & Patrick Sheehan	August 21, 2019
L&S Chairs & Directors Orientation	August 27, 2019
Incoming Graduate Student fair	August 28, 2019
Leadership Summit	August 28, 2019
Fall Grad Assistant E and D	6 dates Sept-Oct 2019
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University Staff Congress	September 16, 2019
Graduate Coordinators	September 20, 2019
Employee Benefits Fair	October 8, 2019
EID Retreat/resource fair	October 18, 2019
University Staff Congress, w/EAO	October 21, 2019
Eden Inoway-Ronnie/ M. Bernard-Donals	October 22, 2019
Provost - Annual meeting/report	October 30, 2019
Employee Assistance Office	twice/year
Elizabeth Schrimpf, UW Career Counselor	November 13, 2019
Title & Total Comp (TTC) Forums	November 12-13, 2019
Laurent Heller & John Horn	November 20, 2019
Barb Lanzer, Disabilities Coordinator	December 4, 2019
Brian Fox, Research Integrity	January 15, 2020
Spring Grad Assistant E and D	6 dates Feb 2019
Spring Grad Assistant E and D	6 dates Feb 2020
Academic Staff Institute	February 25, 2020
University Committee	March 9, 2020
HIB mtg: MBD/Craig Hubbell/Megan Dzyuba	March 11, 2020
Heather Daniels, Secretary of Faculty	April 15, 2020
Faculty Senate	April 20, 2020
HIB Liaisons Tricia Droes & Russell Kutz	May 6, 2020
Workforce Relations Communities of Practice	June 11, 2020
John Horn (Laurent Heller's Chief of Staff)	March 25, 2020



## **Ombuds Office Prospectus: Service and Outreach**

### **1. Maintain and expand Ombud's service to Campus**

- Provide high quality consulting to individual employee Visitors (Faculty, Academic Staff, University Staff, postdocs, and graduate students) as a confidential resource to address workplace challenges and to encourage fairness, equity, and a respectful work environment.
- Continue policy of responding to Visitors' initial contact within 24 hours.
- Empower Visitors with strategies for them to address challenges.
- Use all available means to make ourselves known to those on Campus currently unfamiliar with our office, especially University Staff.
- Interact with other units on Campus --- e.g. Employee Assistance Office, Diversity Affairs, Compliance, HR, Workforce Relations, Sec Faculty, Sec Acad Staff, Sec University Staff, VCFS, DDEEA --- to ensure that all university employees needing assistance are provided with it.

### **2. Plan for outreach to campus / governance leaders, resource partners, and employees**

- Continue opportunities for conversations with Deans and Chairs, organizations representing Faculty, Academic Staff, and University Staff, and other leaders across campus about Ombuds services and workplace/employment concerns.
- Participate in professional development opportunities such as UW Employees Benefits Fair; Engagement, Inclusion and Diversity Retreat; and Graduate Assistants' Equity Workshops.
- Make a concerted effort at outreach towards University Staff--who appear to be underserved.
- Work with leaders and student advisors in the Graduate School on outreach to students.
- Enhance efforts towards increasing Ombuds visibility among Extension employees including those working in county office locations.
- As appropriate, report on perceived "problem areas" and/or trends on Campus that generate an unusually high Visitor traffic.

### **3. Build Ombuds team's capacity to serve the campus**

- Continue a recruitment plan for new Ombuds with the goal of bringing in a diverse representation of highly qualified individuals. Maintain procedures for orderly transitions of Ombuds appointments.
- Ensure maintenance of an ongoing database of key characteristics of visitors and their issues, concerns, and proposed actions while ensuring confidentiality of visitors.
- Participate in select professional activities of Ombuds organizations, including the Academic Ombuds Summer Meeting for 2021 and maintain membership in the International Ombudsman Association.
- Coordinate meetings with campus leaders and programs, Sec Fac, Sec Acad Staff, Sec University Staff, HR, UW Legal, etc. to help educate and make connections for new and experienced Ombuds in order to foster collaboration in providing service to all employees.

### **4. Monitor issues related to hostile and intimidating behaviors and sexual harassment**

- Evaluate concerns garnered from employee Visitors, campus contacts, and Ombuds review and report to the Provost. (Please note that our role regarding HIB has become far more pronounced even though we are not a primary stop for sexual harassment.)
- Participate with VCFS in development of the campus resources and education to address HIB.
- Work to ensure the investigation procedures for HIB complaints are handled fairly.