

THE UNIVERSITY OF NORTH CAROLINA AT ASHEVILLE
FACULTY SENATE

Senate Document Number 8017S
Date of Senate Approval 05/04/17

Statement of Faculty Senate Action:

FWDC 10:

Creation of Faculty Ombuds Team
Faculty Handbook Sections [10.5](#) and [3.6.0](#)

Effective date: Fall 2017

Summary: This document outlines the creation of a Faculty Ombuds team, as well as the roles and responsibilities of faculty members who will serve on the team.

Rationale: Recognizing that there are cases in which: 1) faculty need appropriate venues to discuss and resolve concerns involving problematic workplace situations without filing a formal grievance, and 2) faculty may benefit from the ability to share concerns privately, particularly when power differences are present, FWDC proposes the creation of a Faculty Ombuds Team. The Ombuds will provide an intermediate step for possible resolution, without compelling faculty to file grievances. Many of our peer institutions and other colleges and universities provide similar resources. FWDC has researched extensively to ensure that this proposal represents best practices. For clarification, the introduction of this option should in no way be perceived as discouraging or preventing faculty from filing grievances when they deem it appropriate. Upon passage of this document, the Provost, in consultation with FWDC, will appoint two faculty members to begin their terms in fall 2017.

Revise: 10.5, 3.6.0

10.5 Individual Service Appointments

ADD:

10.5.13 Faculty Ombuds

The Ombuds Team will consist of 2 tenured faculty members selected by the Provost, in consultation with the Faculty Welfare and Development Committee. Ensuring diversity on the Ombuds Team will be a priority. Initially, one faculty member will be appointed for a term of 4 years, while the second member will be appointed for a term of 3 years. This staggering of terms is intended to promote continuity. Subsequently, the standard term will be 3 years, with potential for one renewal.

The Faculty Ombuds will attend a 3-day training (“Foundations of Organizational Ombudsman Practice”) offered by the International Ombudsman Association (IOA) within 12 months of being appointed, and will participate in ongoing, relevant professional development opportunities, including IOA conferences and consultation with the Title IX Office as necessary. Support for training and related travel will be provided by the Office of the Provost.

In cases where faculty have concerns related to workplace behaviors including *but not limited to* interpersonal conflicts, discrimination, harassment, or bullying, but may not (yet) wish to file a formal grievance, they may

contact either member of the Ombuds Team to initiate a conversation. Concerns *may or may not* pertain to protected class categories such as race, ethnicity, gender identity, sexual identity, disability, age, and/or religion. The ombuds will listen impartially and offer an environment that is conducive to problem solving. In addition, the ombuds may discuss multiple options for conflict resolution, including appropriate resource referrals and applicable university policies. The Ombuds cannot provide legal advice or representation at any grievance, disciplinary, or judicial procedure including court testification and non-university related issues. Any concerns related to sexual harassment or sexual misconduct should be taken directly to the university Title IX coordinator, not to the Ombuds Team. Any instances of workplace violence should be taken directly to the Manager of Employee Relations.

Although the faculty ombuds report annually to the Faculty Senate and Office of the Provost, the Ombuds Team functions independently of all university offices, and neither represents the university administration nor any individual. The Ombuds Team operates in accordance with the International Ombudsman Association standards of practice: http://www.ombudsassociation.org/IOA_Main/media/SiteFiles/IOA_Standards_of_Practice_Oct09.pdf

What the Ombuds May Do:

- Offer an environment conducive to problem resolution and impartially listen to concerns or problems
- Maintain confidentiality of information, except in instances where there is a legal obligation to report
- Gather information
- Discuss options for resolution of your problem or concern
- Discuss University policies and procedures that may be applicable to your problem or concern
- Make referrals to appropriate resources
- Facilitate difficult conversations

What the Ombuds Won't Do:

- Provide legal advice or representation
- Represent or advocate for you at any grievance, disciplinary, or judicial procedure
- Testify in formal university grievance proceedings
- Assist with non-university related issues

REVISE

3.6.0 Process for Filing a Grievance

Any faculty member having a grievance as defined in Section 14.2 may petition the Faculty Grievance Committee for redress. The petition shall be written and shall set forth in detail the nature of the grievance and the party against whom the grievance is directed. The petition shall contain any information that the petitioner considers pertinent to his case. If the grievance arises out of a single action, the petition should be filed within thirty days from the time that the grievant should have reasonably known that the action occurred. The committee shall decide whether the facts merit a detailed investigation so that submission of a petition shall not result automatically in an investigation or detailed consideration of the petition. *In cases where a faculty member wishes to address a workplace concern but does not yet wish to file a formal grievance, they have the option of contacting one of the Faculty Ombuds, whose roles are outlined in Section 10.5.13.*