

University of Connecticut (UConn) Ombuds Office: Office Charter: ¹

I. Introduction

The UConn Ombuds Office, staffed by Ombudspersons (“Ombuds”) serving the Storrs main and regional campuses, including UConn Law School and UConn Health (collectively, the “University”), provides resources and assistance to individuals seeking to informally resolve workplace and academic or learning environment problems in a confidential, independent manner. The Ombuds Office is designed to be a confidential, neutral resource where staff, faculty, administrators, graduate students, professional graduate students (including medical and dental students), residents and other professional (post-undergraduate) trainees (collectively, University Ombuds service population) can seek assistance in identifying available options, facilitating productive communication, and surfacing responsible concerns regarding university policies and practices.¹ The role and authority of the Ombuds² are established by the Office of the President for all University campuses and for UConn Health, the Chief Executive Officer and Executive Vice President for Health Affairs (CEO/EVPHA), but the services of the Ombuds Office are neither directed nor controlled by the President or the CEO/EVP. Further, other than as explained below, communications made to an Ombuds are not shared with UConn or any of its officials. This Charter defines the role, privileges, and responsibilities of the UConn Ombuds Office.

II. Purpose and Scope of Services

The Ombuds Office provides informal dispute resolution services to the University Ombuds service population.² The Ombuds Office is a place where these constituents can seek guidance regarding workplace and academic/learning environment problems or concerns at no cost and without fear of retaliation. Consultation with the Ombuds Office is entirely voluntary and may not be compelled by the University or an employee.

To the extent permitted by law, the Ombuds Office receives questions and concerns about individual situations or broader systemic issues and keeps them confidential. The response of an Ombuds is tailored to the dynamics of the situation and the nature of the concerns. The Ombuds will listen, make informal inquiries or otherwise review matters received, offer resolution options, make referrals, and informally mediate disputes independently and impartially. Ombuds will assist individuals in reaching resolutions that are consistent with the stated ideals, objectives and policies of the University including, where applicable, those policies which may be specific to an individual school, campus or department within the University.

Services offered by the Ombuds Office supplement, but do not replace, other more formal processes available to UConn and UConn Health employees, students and trainees. The Ombuds serves as an information and communication resource. The

¹ Undergraduate students may use services provided by the Division of Student Affairs, such as the Office of Student Services and Advocacy.

² The terms "ombudsperson" and "ombuds" are considered synonymous and are used interchangeably throughout this document.

Ombuds also is a catalyst for institutional change for the University through reporting of trends and identifying opportunities to enhance policies and procedures. The Ombuds has no authority to impose remedies or sanctions. Nor does the Ombuds have the authority to enforce, make exceptions to, or change any University policy, rule, or procedure, including those policies, rules, or procedures which may be specific to an individual school, campus, or department within the University.

Services of the Ombuds Office include but are not limited to:

Providing individual problem assistance services

- Listening impartially to concerns and providing a confidential place to collaboratively explore problems
- Developing options for informal approaches to resolving concerns
- Pointing individuals toward available services and resources and obtaining applicable information, including university policies, procedures, and materials
- Exploring early problem solving approaches as a means of avoiding escalation of conflicts and empowering individuals to find their own solutions to problems when appropriate
- Coaching and training and/or referral to resources on communication and interpersonal relationship skills in the workplace and academic/learning environment.

Providing conflict resolution services

- Facilitating communication between parties during conflict
- Serving as facilitator for group problem solving and consensus development
- Assisting groups in the design and implementation of collaborative decision making processes
- Mediating and advising mediation as an informal conflict resolution process
- Alerting individuals or groups to available formal channels for conflict resolution

Serving the University-wide campus communities

- Identifying observed trends or problems areas
- Providing feedback relating to changes in policies or procedures
- Educating and informing campus communities about conflict resolution through presentations and office literature
- Modeling fairness, equity, inclusion, and civility in carrying out duties

The Ombuds Office will publish an annual report describing the Ombuds office's activities and including aggregate data on the concerns raised to the office in a manner that protects the identity of individuals seeking assistance.

Receiving Notice for the University

The Ombuds Office does not receive or record complaints on behalf of the University and the Ombuds is not designated by the University (including UConn Health or any other University campus or department) as an individual authorized to receive reports of any violations of University policy or the law. **THEREFORE, COMMUNICATIONS TO THE OMBUDS OFFICE REGARDING POSSIBLE VIOLATIONS OF UNIVERSITY OR UCONN HEALTH POLICIES OR UNLAWFUL PRACTICES DO NOT CONSTITUTE NOTICE TO THE UNIVERSITY OR ANY OF THE UNIVERSITY'S AFFILIATES, EMPLOYEES, STUDENTS, TRAINEES, OR AGENTS. Any such information shared with the Ombuds Office is not shared with the University.** This allows the Ombuds to preserve the confidential and impartial nature of the office. If an individual discloses information that might evidence a violation of University policy or violation of any policy specific to a particular campus, department, or school or unlawful activity, the Ombuds will provide information necessary **to permit the individual** to make an official report to the appropriate office and, if requested, will assist the individual in making such report.

III. Standards of Practice

The Ombuds aspires to the Code of Ethics and Standards of Practice of the International Ombudsman Association (IOA) (<http://www.ombudsassociation.org/About-Us/IOA-Standards-of-Practice-IOA-Best-Practices/Code-of-Ethics.aspx>) as a neutral party to promote fair practices and foster integrity and timeliness in the administration of University policies and practices that may affect the University Ombuds service population. The IOA's tenets require that ombudpersons function independently of their organization, be confidential and neutral, and limit the scope of their services to informal means of dispute resolution. The IOA Standards are minimum standards, and Ombudpersons will strive to operate to "best practices" and in a way that serves the interests of the University's communities in a manner consistent with the law.

Independence

The Ombuds Office is designed to be free from direct University oversight or control. This independence is achieved primarily through reporting structure, neutrality and organizational recognition. The UConn and UConn Health Ombuds report to the Office of the President and the Office of the CEO/EVPHA, respectively, but the President and the CEO/EVPHA neither direct nor control the day-to-day activities of the Ombuds Office, and Ombudpersons do not share with the President, CEO/EVPHA, or any other University official communications made in confidence to the Ombuds Office. The University's Ombudpersons provide programmatic leadership and direction for the office and are responsible for designing, implementing, operating and coordinating all aspects of the office. The Ombuds will exercise sole discretion over whether and how to act regarding individual matters or systemic concerns.

Confidentiality

The Ombuds holds all communications with those seeking assistance in strict confidence to the extent permitted by law. Typically, the Ombuds will not confirm communicating with any individual who has sought the services of the Ombuds Office or disclose any confidential information shared with the Ombuds Office without that individual's express permission. Ombudspersons may, however, disclose confidential information without consent when such disclosure is required by law or, in the judgment of the Ombudsperson, there is an imminent risk of serious harm. The Ombuds does not participate in any formal process, whether internal or external to the University, even if given permission by the individual who consulted with the Ombuds, unless otherwise required by law.

Neutrality

Ombudspersons are neutral in their activities and do not act as advocates for any participant to a dispute or visitor to the office. The Ombuds impartially considers the interests and concerns of all persons involved in a situation with the aim of facilitating communication and assisting others in reaching mutually acceptable agreements that are fair and equitable, and consistent with the mission and policies of the University, including those which may be applicable to a specific campus, department or school.

The Ombuds will not be assigned other roles, including assignment to University committees, that would compromise neutrality. The Ombuds will take all necessary steps to avoid involvement in matters where there may be a real or perceived conflict of interest. A conflict of interest occurs when the Ombuds' personal or private interests, real or perceived, are at odds with the Ombuds' duties and obligations to the University, including the role as a neutral and independent ombuds. The Ombudspersons may withdraw services or decline to look into a matter if they believe involvement would be inappropriate for any reason, including, but not limited to, requests for misuse of ombuds services, matters not brought in good faith, a conflict of interest, matters specified in existing union contracts, or when insufficient information is provided.

Informality

The Ombuds Office is a resource for informal dispute resolution only. The Ombuds does not formally investigate, arbitrate, adjudicate or in any other way participate in any formal adjudicative or administrative process or procedure, unless required to do so by law. Use of Ombuds Office services is completely voluntary; it is not a required step in any grievance process or any University, UConn Health, or external complaint process.

To the extent permitted by law, the Ombuds does not create or maintain documents or records for the University or UConn Health about individual matters.

IV. Authority and Limits of the Ombuds

Ombudspersons have the authority to discuss a range of options available to visitors, including both informal and formal procedures, and may make any recommendations they deem appropriate with regard to resolving problems or improving policies, rules, or procedures.

Further, while the Ombuds has no authority to direct or control the activities of any University official, members of the University's administration are encouraged to make themselves accessible to the Ombuds.

The Ombuds refrains from significant involvement in issues specifically covered by contract between the University of Connecticut or UConn Health and any bargaining unit. However, the Ombuds is available to serve as an informal resource for union leadership or union employees for issues that are not governed by current contracts.

The Ombuds has no authority to bargain or negotiate with the University of Connecticut or UConn Health on behalf of any employee or with any employee or bargaining unit on behalf of the University. Interactions between the Ombuds Office and individuals in the Ombuds service population do not constitute "negotiating" or "bargaining". Rather, all communications with the Ombuds Office are for the sole purpose of discussing and working toward informal resolution of workplace or academic/learning environment concerns.

V. Retaliation for Using the Ombuds Office

Individuals in the University Ombuds service population have the right to consult the Ombuds Office without retaliation. Similarly, because consultation with the Ombuds is wholly voluntary and not a required step in any process, formal or informal, internal or external, individuals will not be retaliated against for choosing to not consult the Ombuds.

Employees may access the Ombuds Office during their normal working hours but may be required to notify the applicable supervisor and receive approval to leave their assigned work area. Employees wishing to access the Ombuds Office without notifying a supervisor may use approved leave time, scheduled break time, or visit outside normal work hours. The Ombuds Office will be available to arrange flexible hours to meet with employees.
