

## **C290: Ombuds/Dispute Resolution Services for Faculty**

Approved By: Faculty Senate

Last Updated: **Draft 3/7/19**

Responsible Faculty Committee: Faculty Senate Policy Committee

Office Responsible for Administration: Ombuds/Dispute Resolution Services for Faculty

Revisions to the Policy Rationale, Policy Statement, and Applicability sections of this document must be approved by the full Faculty Senate.

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### **POLICY RATIONALE**

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The University of New Mexico (UNM) is committed to providing a working and learning environment where all members of the UNM community work together in a mutually respectful and constructive manner. At times however, workplace conflicts can occur, and when possible under the circumstances, UNM encourages faculty to address and resolve complaints informally at the least adversarial level. Ombuds/Dispute Resolution Services for Faculty is a confidential, impartial, informal, and independent resource for faculty concerns and conflicts.

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### **POLICY STATEMENT**

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Ombuds services are provided for all faculty and faculty administrators. Ombuds services include individual consultations, joint meetings/mediations, no-cost mediation training, and periodic workshops. The services provide for confidential respectful consultations about experiences and concerns, discussion of options, information about policies and relevant UNM resources, collaborative problem-solving, and mediation. Difficulties experienced often include, but are not limited to, communication breakdowns, information voids, differing views about how work is done, interpersonal tensions, and difficult collaborations. The Ombuds office adheres to the principles and standards of practice established by the [International Ombudsman Association \(IOA\)](#) and to UNM policies and procedures.

#### **1. Confidential**

Participants' identities and the contents of their conversations are private. Only with the individual's permission would ombudspersons contact other UNM individuals or services to help resolve a dispute. The exceptions to confidentiality are disclosures of imminent harm to self, others, or property or if disclosure is required by law.

Ombuds Services does not keep permanent records regarding any participants. Any recordkeeping or note-taking related to a specific individual is used only as a temporary aid to help informally serve participants. These informal records are kept in the sole possession of the office, securely maintained, and destroyed in accordance with IOA standards.

## 2. Impartial

Ombudspersons are neutral and maintain no personal stake in the outcome of any dispute. The Ombuds office promotes a fair non-judgmental process. It does not take sides or advocate for an individual.

## 3. Voluntary

The use of Ombuds services is voluntary. The guiding standard is resolution of difficulties at the least adversarial level. The focus is on alternative ways for resolving problems other than by formal institutional procedures. Ombuds staff do not participate in formal proceedings.

## 4. Independent

Ombudspersons exercise autonomy regarding their responsibilities. The Ombudsperson for Faculty reports to the Provost, or designee, for administrative and budgetary purposes only.

## 5. Protection from Retaliation

Retaliation against a faculty member for raising an issue or participating in Ombuds services is prohibited in accordance with *University Administrative Policy Manual Policy 2200* "Reporting Suspected Misconduct and Whistleblower Protection from Retaliation"

## 6. Scope of Services

The ombudsperson does not:

- handle legal issues or formal grievances or provide legal advice;
- accept legal notice for UNM, should you wish to go "on record" about an issue or put UNM on notice; or
- address disputes between faculty and persons or organizations not affiliated with UNM.

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## APPLICABILITY

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All academic UNM units, including the Health Sciences Center and Branch Community Colleges.

Revisions to the remaining sections of this document may be amended with the approval of the Faculty Senate Policy Committee and Operations Committee.
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## DEFINITIONS

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**Ombudsperson.** One who assists individuals and groups in resolution of conflicts or concerns. The Ombuds for Faculty is a designated neutral position appointed by UNM to facilitate informal resolution of faculty concerns and to bring systemic concerns to the attention of the organization for resolution.

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## WHO SHOULD READ THIS POLICY

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- Faculty members
- Faculty administrators

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## RELATED DOCUMENTS

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### *Faculty Handbook*

- Policy [C07](#) "Faculty Misconduct and Progressive Discipline Policy"
- Policy [C09](#) "Respectful Campus"

### *University Administrative Policy Manual*

- Policy [2200](#) "Reporting Suspected Misconduct and Whistleblower Protection from Retaliation"
- Policy [2720](#) "Prohibited Discrimination and Equal Opportunity"
- Policy [2740](#) "Sexual Misconduct"

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## CONTACTS

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Direct any questions about this policy to Ombuds/Dispute Resolution Services for Faculty.

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## PROCEDURES

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These services are voluntary and are available to faculty at all levels and to faculty administrators. When pertinent and with permission of the individual, the Ombuds/Dispute Resolution Services for Faculty coordinates services with Ombuds Services for Staff, Ombuds Dispute Resolution for Graduate Students, and with the Dean of Students office.

Initiation of requests for appointments for individual consults or joint meetings/mediations begins with the individual faculty member. In the mediation process, the mediators provide a private safe setting and facilitate the individuals' conversations. The mediators do not tell the individuals what to do. The individuals decide if and how they will resolve their difficulties, and they can create mutually satisfactory agreements for moving forward.

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## HISTORY

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**Effective:** New Policy

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## DRAFT HISTORY

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March 7, 2019 – Revise for minor changes made by Operations  
December 17, 2018 – Revise draft to include Policy Committee changes.  
November 27, 2018 – Revise draft to include changes requested by the Ombuds for Faculty.  
November 13, 2018—Revise draft to include recommendations from Ombuds for Faculty.  
October 24, 2018 – Draft new policy