

Attachment 4

Brief Report to KSU Faculty Senate

**Ombudsperson Activities
June 1, 2009 – June 30, 2010**

Submitted by:

**Michael Dikeman
Rebecca Gould
Todd Simon**

The confidential nature of the ombudsperson relationship requires that the identity of the client be protected. There is no specific information about any individual or their status. All conversations, actions, and outcomes are privileged information and appear as aggregate data.

August 20, 2010

To: Betsy Cauble, Faculty Senate President

From: University Ombudspersons
Michael Dikeman
Rebecca Gould
Todd Simon

Re: Annual Report

This report represents the activities of the K-State Ombudspersons from June 1, 2009 to June 30, 2010. The activities of the three ombudspersons have been combined to provide an aggregate view of our work, to protect confidentiality and to maintain the anonymity of those with whom we work.

A Summary of Cases from June 1, 2009 to June 30, 2010 is provided below.

Ombudsperson	#Cases	%	Hours	%
MD	13	32.5	62	34
RG	14	35.0	72	39
TS	13	32.5	49.25	27
Total	40		183.25	

Of the 40 cases, 26 were with women and 14 were with men. Three individuals were minorities. Fourteen of the cases assisted individuals who were unclassified professionals, and 26 were faculty (tenure/tenure track/non-tenure track). Cases came from 8 colleges and 13 administrative units. One case was referred to mediation.

The Nature of Complaints*

Complaints	Number	Complaints	Number
Workplace climate	12	Annual evaluation	7
Promotion/tenure	7	Workload/assignment	1
Compensation	3	Appointment	2
Contract/termination	6	Inquiry	0
Discrimination	0	Policy & procedures	1
Sexual harassment	1	Other	4

**The nature of complaints do not equal 40 because of multiple complaints per some individuals.*

Case*	Issue	Time (Hours)	Grievance	Pending	Resolved	Unknown
1	Promotion	1			X	
2	Workplace climate	3				X
3	Promotion and tenure	12			X	
4	Annual evaluation	6			X	
5	Annual evaluation	6		X		
6	Annual evaluation, workplace climate	11		X		
7	Termination	7			X	
8	Sexual harassment	2			X	
9	Workplace climate	3.5			X	
10	Promotion	7.5		X		
11	Termination	2			X	
12	University policies & procedures	3			X	
13	Compensation	2		X		
14	Other	4		X		
15	Contract	.25			X	
16	Compensation	4		X		
17	Promotion	4		X (deferred)		
18	Other	3			X	
19	Termination	10			X	
20	Workplace climate	2			X	
21	Compensation	1.5				X
22	Workplace climate	3			X	
23	Workplace climate	1.5		X		
24	Workplace climate	6	X			

Case*	Issue	Time (Hours)	Grievance	Pending	Resolved	Unknown
25	Workplace climate	8			X	
26	Contract	4		X		
27	Promotion	2				X
28	Annual Evaluation/ Appointment	12			X	
29	Workplace climate	4			X	
30	Annual evaluation	5			X	
31	Workplace climate and termination	12			X	
32	Annual evaluation	3			X	
33	Workplace climate	6			X	
34	Annual evaluation	2				X
35	Workplace climate	2			X	
36	Other	4			X	
37	Promotion	3			X	
38	Appointment	7			X	
39	Assignment	1				X
40	Other	1				X
	Total	183.25				

*The confidential nature of the individual/ombudsperson relationship requires that the identity of the client be protected. No specific information about any individual or their status is provided. All conversations, actions, and outcomes are privileged information and only reported in aggregate.

Recommendations for improvements to processes and the University Handbook

1. The use of indirect written communications or reprimands at the time of evaluation without any previous communications with employees catches many faculty and staff off guard and is inconsiderate of the employee. This information should be shared in advance of the evaluation.
2. Terminations, changes of responsibilities, and evaluations need to follow the appropriate process as outlined in the University Handbook.
3. Understanding of **health issues** that ‘sideline’ some employees for periods of time need to be carefully considered and accommodations made as appropriate.

4. Spell out requirements for the position in the letter of expectations for all new hires as per the University Handbook C21.1. Encourage faculty to revisit the letter to review expectations.
5. Employees on '**term contracts**' do not have any recourse when their positions are terminated without cause. Term appointments need to be explained fully to the employee at the time of hire. Information on term contracts/appointments is 'interspersed' among regular appointment information in the University Handbook. The ombudspersons suggest moving term appointments to a separate section in the University Handbook. Differences between individuals on term appointments with a right of notice of non-reappointment versus term appointments with no right for a notice of non-reappointment also needs to be clarified.
6. When a complainant meets with an administrator as outlined in Appendix G (I), this is a time for 'discussion'. The administrator then follows this meeting with a written response. When the meeting and response occur simultaneously, this is in violation of University Handbook policy/procedures.
7. Additional clarification needed in the University Handbook includes:
 - a. Timeframe for administrative appeals and grievances during the summer months
 - b. Aspects of Notices of Non-reappointment that are grievable.
 - c. Differentiation among policies that are specific to faculty, term appointments, and unclassified professionals.