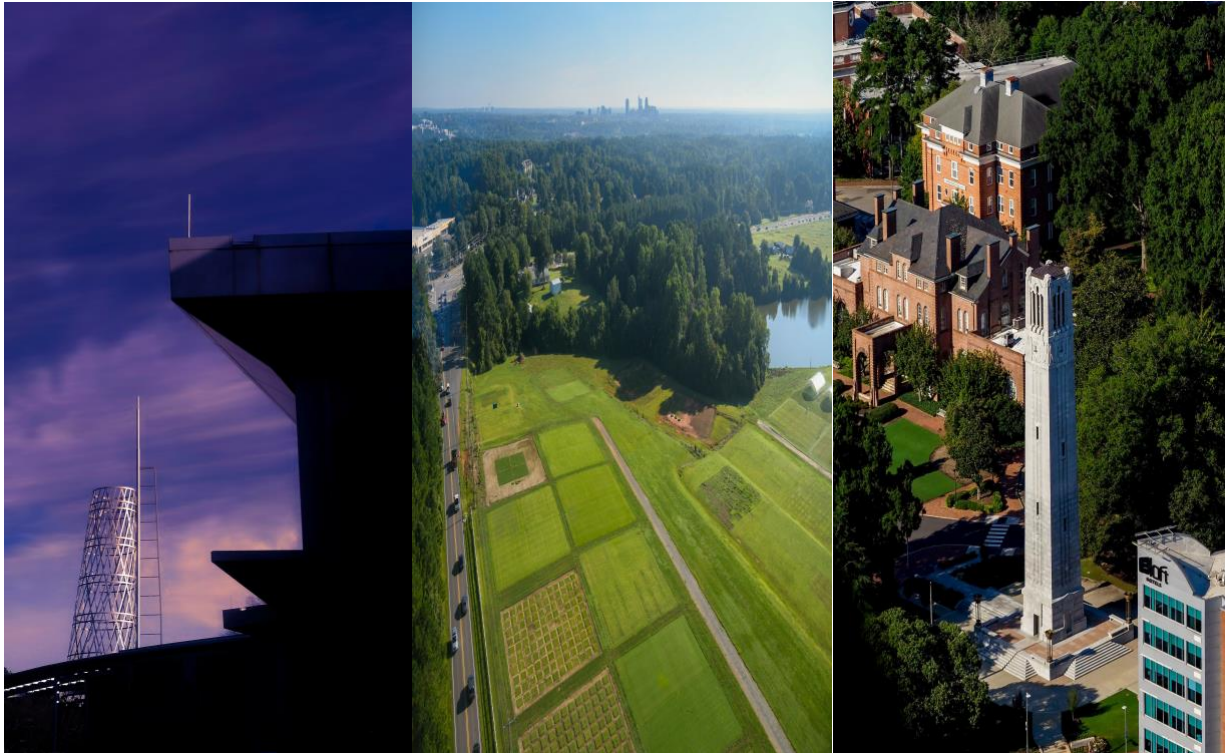


NC STATE UNIVERSITY



NC State Faculty & Staff Ombuds Office

Annual Report 2021

1/1/2021 - 12/31/2021

**Roy Baroff, MA, JD, CO-OP®
NC State Faculty & Staff Ombuds**

**Certified Organizational Ombuds Practitioner®
International Ombuds Association**

Message from the NC State Faculty & Staff Ombuds Roy Baroff:

Welcome to the NC State Faculty & Staff Ombuds Office Annual Report!

Unfortunately, 2021 was like 2020 and filled with much uncertainty due to covid. People tapped into their reserves to get through 2020 and, thus, people that came to the ombuds office in 2021 were more exhausted and even the “smallest” issues seemed insurmountable. It was a challenging year for all concerned.

This report provides a snapshot of services for the year along with some of the stories and impacts of the work.

The ombuds office is now in its 8th year of operation and based on personal and professional considerations, I will be retiring from NC State ombuds services at the end of June 2022. It has been an honor and privilege to help establish and then serve as the first NC State University Faculty and Staff Ombuds.

With warm regards and best wishes,

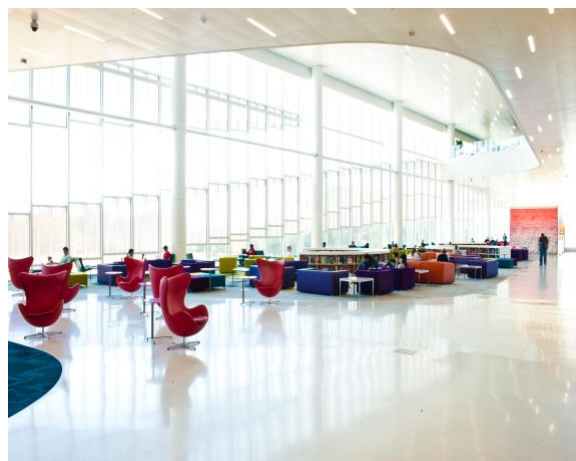
Roy Baroff

Roy Baroff, MA, JD, CO-OP
NC State Faculty & Staff Ombuds



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Summary

Office Scope - Development - Operations

The ombuds office supplements existing conflict engagement services at the university and fits within NC State's conflict resolution system as an alternate communications channel and resource. People can speak with the ombuds in confidence and obtain assistance on a wide range of workplace issues. The ombuds office can serve as a first stop for support, resource identification and often leads to utilization of other services.

Faculty ombuds services began February 2015 with Staff services added January 2017. The office serves all with a faculty appointment (about 2400) along with all other university staff (about 6900). Use of the office is on a voluntary basis. The ombuds participates in a range of university activities from attending Faculty Senate, Staff Senate, and University Council meetings to providing multiple departmental and unit presentations. The ombuds also has regular administrative meetings with senior university leaders to share trend information, surface issues and provide observations.

Case and Post Contact Survey Data

The office opened 246 cases in 2021 (See case information below and Appendix A.) A post contact survey is provided to ombuds visitors for office improvement and to gauge impact. Results indicate high visitor satisfaction with services and demonstrate a range of impacts. (See Post Contact Survey Results below and Appendix B)

Observations - General Considerations

Based on the work of the office along with Case Data and Post Contact Survey results, a few issues / themes are noted along with some continuing from 2020:

1. Covid19 – many vaccination, work location and return to campus issues continued with a shift to concerns about whether flexibility would remain. NC State developed policies to address both flexible work and remote work that are helpful, yet concerns remain about implementation and eligibility.
2. Career advancement – staff are interested in defined paths to advance and to be rewarded for expanded work. Similarly, professional faculty expressed concerns about workload, compensation, and position stability due to covid impacts.
3. Faculty – Grad Student / Post Doc - conflicts around expectations and treatment.

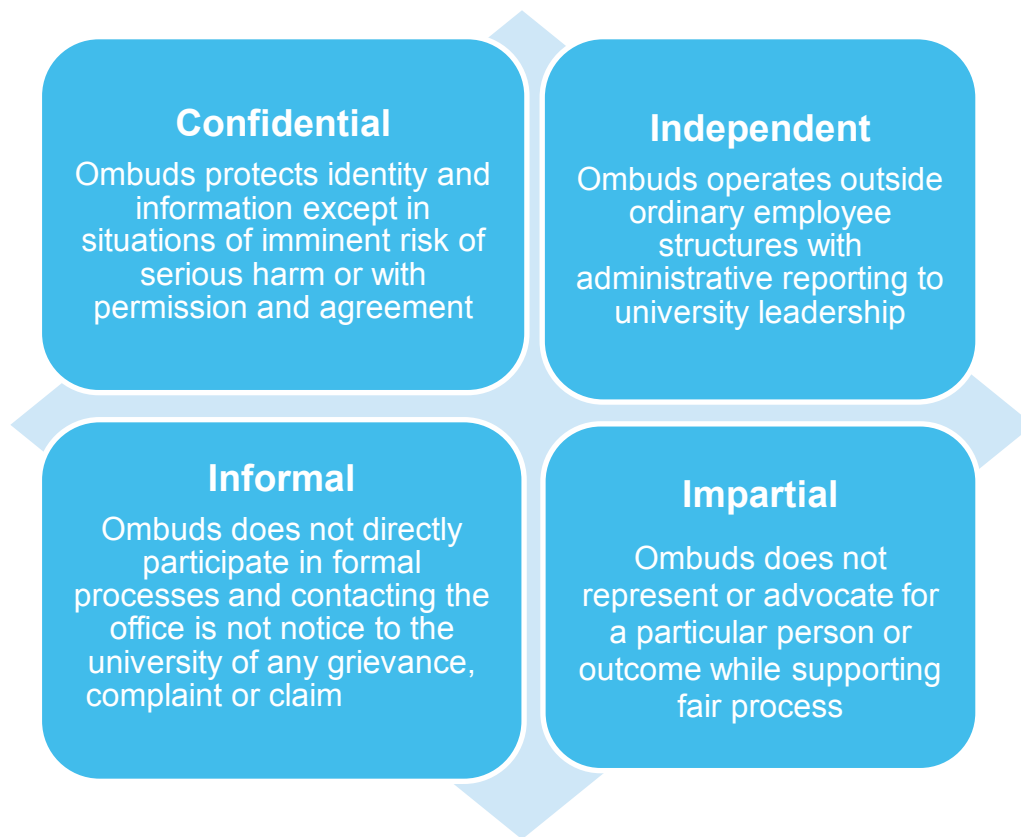


Organizational Ombuds Role and Services

The NC State Faculty and Staff ombuds office has two primary roles –

- 1) direct services to individuals and groups
- 2) share information and surface trends to support conflict engagement / resolution across campus while protecting the confidentiality of sources

The ombuds' helps people navigate and become empowered to address their issues. It identifies and connects people with resources and provides conflict coaching. In the ombuds field, people using services are referred to as “visitors.” The office follows the International Ombuds Association (IOA) Standards of Practice and Code of Ethics.



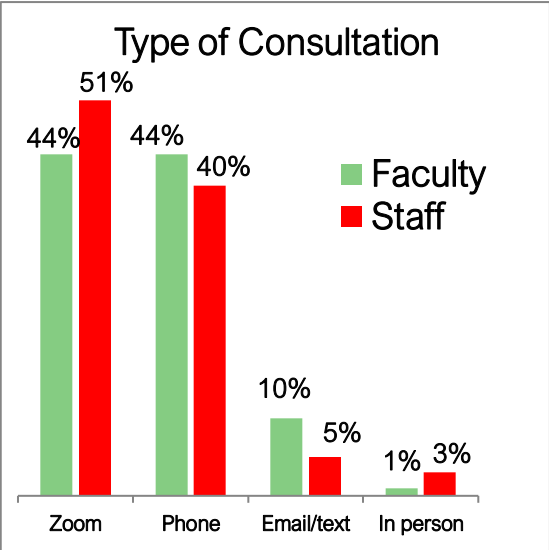
Program Operations

Due to covid-19, the office moved to a virtual platform along with use of meeting space on campus as needed. The online presence remains anchored by its website - facultyombuds.ncsu.edu and staffombuds.ncsu.edu.

The ombuds virtually attended faculty and staff meetings across campus to provide office introductions and updates. The ombuds regularly attended Faculty Senate, Staff Senate, and University Council meetings. The office also provided various conflict resolution related trainings / workshops to groups across campus including Lunch & Learn programs (Conflict Leadership with the Faculty & Staff Ombuds).

Direct ombuds services focus on individual consultations. (See figure – Type of Consultation) Ombuds services include conflict coaching, providing information, and discussing policies, regulations, and rules that impact employees. The office identifies university and other resources that may be helpful and makes confidential inquiries. The office also works with groups as a meeting facilitator and provides some training programs.

With the continued shift to mostly virtual appointments, people have become quite comfortable with phone and zoom. The virtual experience continues to be quite positive for visitors as it eliminates travel logistics.



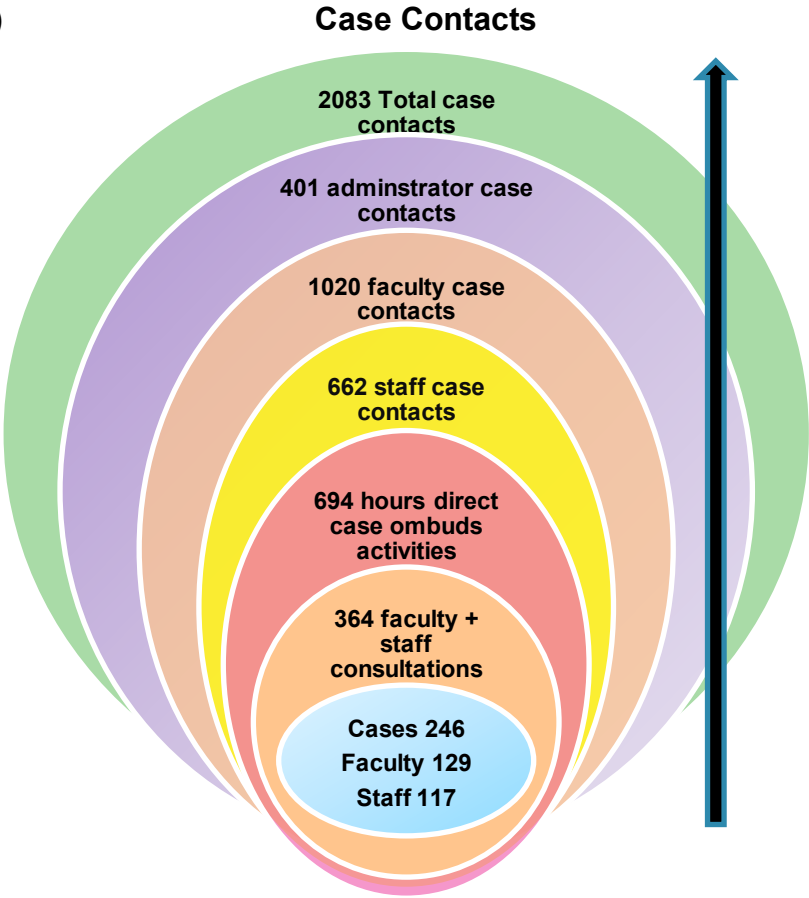
Office Information

The office collects a range of Case Data to inform ombuds work, understand office usage, and identify trends. The office also invites all who use services to provide anonymous feedback of their experience and the impact of services via a Post Contact Survey.

Case Data (See Appendix A)

In 2021 the office opened 246 cases - Faculty 129 / Staff 117 (21% increase from 203 cases in 2020). Each case generates a range of activities and contacts. (See figure – Case Contacts)

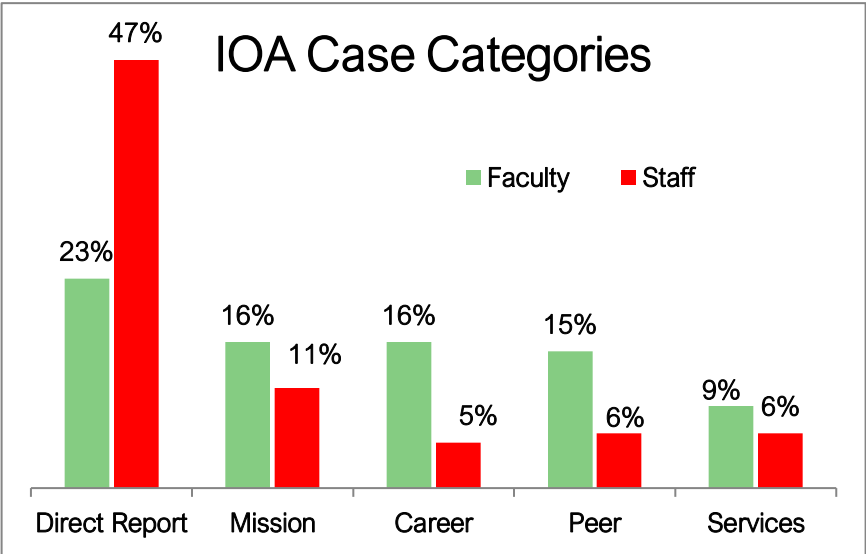
Overall, based on the types of issues presented, it is almost certain that covid-19 aspects contributed to the increased cases as faculty and staff continued to deal with both health and work considerations. This past year there was also an almost palpable exhaustion by visitors to the ombuds office and, for many, they noted how challenging even the “smallest” issue turned into a significant problem. This overall “exhaustion” was and continues to have impacts across the university as NC State makes its way through covid.



In terms of an ombuds meeting, it typically lasts an hour or more. The ombuds listens, helps the visitor clarify the issues and then works with the person to develop and consider options for how to proceed. In most every case the ombuds consults / coaches with the person (in 93% faculty / 90% of staff cases) and helps identify resources (in 84% faculty / 85% staff cases). Another option unique to the ombuds office, is to make a “confidential contact” (used in 22% faculty / 16% staff cases). This entails the ombuds office contacting university resources, inquiring on a particular topic without disclosing the specifics of the visitor contact or identifying the visitor, and then sharing the information with the visitor who can then decide how to proceed.

Case Categories

The office uses the IOA Uniform Reporting Categories with each case assigned a primary and secondary category by the ombuds (there are often multiple issues presented in each case). The primary case categories for 2021 were widely distributed while issues with Direct Report’s continued to lead. Faculty and staff also raised concerns about day-to-day aspects that connected to overall mission considerations.

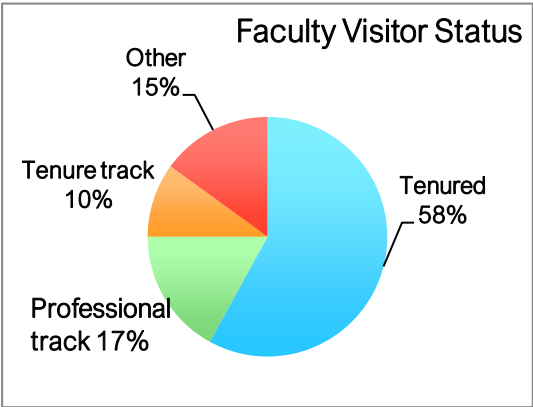


Overall, these categories are to be expected as visitors brought issues focused on their department or unit management, their jobs and future as well as peer and service-related considerations. The uptick on Mission fit with covid-19 concerns vis a vie university needs.

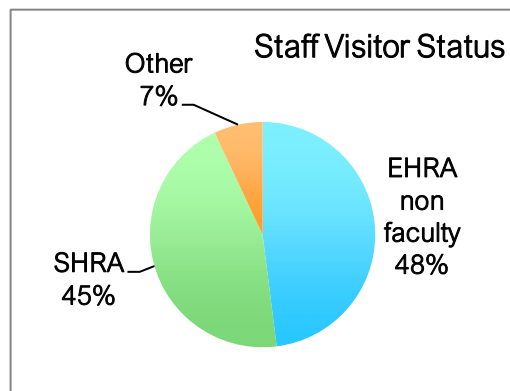
Much of the ombuds’ work is to help visitors develop informal options for how to address a situation. Sometimes it also includes identifying and helping a visitor connect with existing university services. The goal is for the visitor to consider as many options as possible from which to develop an action plan. The work also seeks to aggregate the individual visits into trends and issues to be surfaced to leaders across the university. (See Observations below)

Visitor Demographics

A range of data is collected in terms of who seeks help from the ombuds. It includes status, role, gender, length of service, ethnicity, and age. (See figure Faculty Visitor Status and Appendix A)



Comparing visitor data to NC State populations (Fall 2020 data) poses some interesting considerations. For example, in their role, 27% of faculty visitors were professors and this closely matches NC State at 29%. At the same time, only 18% of visitors were professional track while the NC State population is at 41%. There are no specific conclusions to draw; however, this data could suggest more robust outreach to professional faculty. Additionally, gender was 43% female / 57% male closely matching NC State faculty demographics (41% female / 59% male). For length of service, 57% of faculty members contacting the office served for 10 years or less.



The staff visitor employment status is noted in the figure while gender was 72% female to 27% male (NC State staff - 55% female). This elevated gender percent of visitors has also been present in past office data and may demonstrate how the office can be a resource for those in protected groups. For length of service, 60% who contacted the office served for 10 years or less and most (56%) were employees with no supervisory duties.

Post Contact Survey Information (See also Appendix B)

To gain feedback on operations and to learn about the impact of ombuds services, the office provides a Post Contact Survey to those served by the office. The survey is voluntary, anonymous and provided via an online link. The survey seeks information on the following topics: Contacting - Visiting the office / Contact with the Ombuds / Actions taken if the Ombuds Office not contacted / Actual actions taken post ombuds contact.

Overall, the results based on a 9% response rate were very positive. The ombuds was easy to contact, responded timely and quickly set up meetings (96% Strongly Agree / Agree). Interaction with the ombuds was also deemed quite positive as people felt “better able to handle the situation after talking to the ombuds” (96% Strongly Agree / Agree). Visitors also noted the issue / concern was now resolved or closer to resolution 41% Strongly Agree / 18% Agree / 23% Neutral / 18% Disagree. That some “disagreed” this is not unexpected as the ombuds role, particularly, its role as impartial, means the office is supportive, yet not an advocate for specific outcomes and situations are not always resolved.

In terms of office impact, multiple responses indicate that contacting the ombuds was helpful. Question 4 asked (among other queries) if “the ombuds helped identify and consider options to address concerns” with 96% Strongly Agree / Agree. Additionally, 86% Strongly Agree / Agree, that “I felt better about the situation after discussing with the Ombuds.”

Finally, the survey included two direct impact questions. Question 5 - “If you had not contacted the Faculty / Staff Ombuds Office, what do you think you would have done?” and Question 6 – “After contacting the Faculty / Staff Ombuds Office, what did you actually do?” These questions, even with small numbers, highlight that contact with the office had a range of significant impacts (see partial results below).

Action	Q5 – if not contacted ombuds office	Q6 – after contacting ombuds office
Continued to struggle on my own	15	-
Filed grievance or other administrative action	4	0
Consulted private attorney to consider lawsuit	3	0
Left the university	9	2

Observations

Various observations emerge from the work of the office, and it should be noted that the number of cases present a small “slice” of the university so all observations should be considered with that in mind.

Observations for 2020 include:

1. **Covid-19 / Work location flexibility** – many vaccination, work location and return to campus issues continued with a shift to concerns about whether flexibility would remain. NC State developed policies to address both flexible work and remote work that are helpful, yet concerns remain about implementation and eligibility. Some of the early issues were about safety on campus with offices and sometimes buildings mostly empty. Other issues stemmed from a perceived lack of flexibility by local managers and supervisors while senior leadership encouraged such flexibility. The university exceptions policy was deemed by some to be too narrow. Retention and resignation issues, present throughout the academy, also showed up at the ombuds office. **Recommendation:** Going forward it will be crucial that implementation of flexible and remote work policies be transparent as to criteria to avoid issues of unfair and / or biased treatment.
2. **Career advancement** – (carryover from 2019 and 2020) staff want defined paths to advance and want to be rewarded for expanded scope of work. People both understand that they have been asked to do “more” during the pandemic; however, they also want to be appreciated and rewarded. Career path concerns also remain a challenge within the State, the UNC system and university structures.

Related to this issue is a concern about how Job Descriptions are reviewed. Current State of North Carolina policy provides significant discretion to those in supervisory roles and concerns were raised about whether such a system could show bias. **Recommendation:** Build Job Description review into yearly performance evaluations to keep them accurate and provide reward in title changes and compensation as appropriate.

Professional faculty also brought many workload and career uncertainty concerns to the ombuds office. Many visitors expressed that they had been “asked” to take on additional work as covid impacted their respective departments; however, there was not always recognition in terms of compensation or advancement. Visitors did not believe they could “turn down” requests as this would negatively impact their next contract. **Recommendation:** Consider how increasing workload can translate into additional compensation at the time of the additional work.

3. **Faculty – Grad student/Post Doc** – multiple cases included expectational and treatment issues between faculty and grad students and post docs that work for and with them. The ombuds office identified resources for visitors across the university including the Graduate School. **Recommendation:** Create an Expectation Discussion Checklist that outlines topics for review and agreement when a grad student and / or post doc joins a program. Such a checklist should include a process for how to handle conflicts that may arise.

Conclusion

For the faculty and staff ombuds office, 2021 presented a continuation of ongoing covid developments including and brought on new challenges. The office successfully provided ombuds services with a mostly virtual platform. Looking forward, as ombuds services continue development at NC State, the office will continue to serve as a zero-barrier resource for university employees to bring concerns and receive confidential, independent, informal, and impartial support to navigate issues and seek solutions. The office will also seek to surface issues and provide conflict engagement support across the university.

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Appendix A Faculty & Staff Ombuds Office 2021 Calendar Year Case Data Summary

(NCSU* - comparison data where available from Fall 2020)

2021 Case Totals		Total case contacts
Faculty	129	1020
Staff	117	662
Total	246	1682

Initial contact	Faculty	Staff
Email	71%	54%
Phone	29%	37%
Physically in person	0	9%

Referred by	Faculty	Staff
Visitor (self)	31%	24%
Presentation	22%	32%
Colleague / Co-worker	22%	29%
Ombuds contact	10%	5%
Website / E-news / Print	8%	8%
Group process	6%	2%

Type of consultation	Faculty	Staff
Zoom	44%	51%
Phone	44%	40%
Email	10%	5%
Physically in person	1%	3%

Ombuds activity / each case	Faculty	Staff
Consultation / Coaching	93%	90%
Identify resources	84%	85%
Confidential contact	22%	16%
Communication support	18%	18%
Review written material	-	2%
Other (group / unit process)	6%	1%

Primary Case Categories	Faculty	Staff
Direct Report Relationships	23%	47%
Career Progression	16%	5%
Organizational Mission	16%	11%
Peer relationships	15%	6%
Values / Standards	10%	4%
Services / Administrative	9%	6%
Compensation / Benefits	6%	7%
Legal / Regulatory	3%	9%
Safety / Environment	1%	4%

Faculty Visitor Demographics		
Status	Ombuds	NCSU*
Tenured	58%	44%
Professional track	17%	41%
Tenure track	10%	14%
Other (Post doc / Grad)	15%	-

Role		
Professor	27%	29%
Associate Professor	19%	15%
Professional tracks	18%	41%
Leadership	14%	-
Assistant Professor	8%	13%
Other (Post doc/Grad)	14%	-

Gender		
Female	43%	41%
Male	57%	59%
Ethnicity		
African American / Black	6%	5%
Asian	11%	10%
Latinx	5%	4%
White	78%	72%
Years of Service		
Less than 5 years	35%	24%
5+ - 10 years	22.5%	18%
10+ - 15 years	10%	13%
15+ - 20 years	9%	15%
20+	23%	30%

Age		
20+ - 30	7%	2%
30+ - 40	16%	21%
40+ - 50	26%	28%
50+ - 60	24%	24%
60+ - 70	23%	20%
70+	4%	7%

Staff Visitor Demographics		
Status	Ombuds	NCSU*
EHRA non-faculty	48%	35%
SHRA	45%	55%
Other (temp / student)	7%	7%

Role		
Employee (no supervision)	36%	-
Director / Associate Dir.	31%	-
Supervisor / Manager	27%	-
Other	5%	-

Gender		
Female	72%	55%
Male	27%	45%

Ethnicity		
African American / Black	16%	15%
Asian	6%	3.5%
Latinx	3%	4%
White	69%	67%
Multi-cultural / Not known	5%	10.5%

Years of Service		
Less than 5 years	37.5%	41%
5+ - 10 years	23%	20%
10+ - 15 years	17%	12%
15+ - 20 years	11%	12%
20+	12%	15%

Age		
20+ - 30	10%	13%
30+ - 40	35%	28%
40+ - 50	30%	24%
50+ - 60	14%	23%
60+ - 70	11%	11%
70+	-	1%

Appendix B Faculty & Staff Ombuds Office 2021 Calendar Year Post Contact Survey and Comments

The Post Contact Survey (PCS) is provided via an online link. Participation is voluntary and anonymous. Responses for selected sections listed below (9% response rate).

Contacting / Visiting the office	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Easy to contact office	68%	28%	5%		
Timely returned contact	68%	28%	5%		
Timely spoke/met ombuds	68%	28%	5%		

Contact with the Ombuds	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Was courteous / respectful	68%	28%	5%		
Explained role	68%	28%	5%		
Comfortable discussing issue	68%	28%	5%		
Ombuds listened carefully	68%	28%	5%		
Helped identify / consider options	68%	28%	5%		
Provided useful / helpful information	68%	28%	5%		
Better able to handle situation after discussing with ombuds	68%	28%	5%		
Issue/concern now resolved or closer to resolution	41%	18%	23%	18%	
Felt better about issue/situation after discussing with ombuds	64%	27%		9%	
Recommend others to ombuds	68%	27%	5%		

Q5 – If you had not used the ombuds office, what do you think you would have done? Q6 – After using the ombuds office, what did you do?	Q5	Q6
Not done anything / Did not do anything	3	2
Not brought the issue up as quickly	2	-
Not talked to anyone about the issue	2	-
Continued to struggle on my own with the issue/concern	15	-
Used contact with ombuds to move my situation forward	-	18
Contacted other university resources for assistance	7	4
Filed a grievance or other administrative action	4	0
Consulted with private counsel about filing a lawsuit	3	0
Left the university	9	2
Contacted media	1	0

What people are saying about the ombuds - - - (Comments from PCS)

The entire process was smooth which was a relief given the anxiety around the reason prompting me to reach out to the Ombuds office. While I hope to not have to reach out again, I would not hesitate if I had too based on my experience.

I felt distressed about a situation with my supervisor and was concerned that I may lose my job for a situation I had little control over. Speaking with Roy helped me identify ways I could talk about the problems, suggested language that would be helpful to frame the issues and gave me agency to address the concerns with my supervisor. I am acting on the advice I received and having better outcomes.

Roy offered valuable insight in helping me navigate through this situation. He invited me to "regain" my strength!

The Ombuds helped myself and my colleague to take a step back and look at how we got where we were in our relationship. His kind words and gentle encouragement and neutrality really helped calm my nerves and be more open to the process. It was a PLEASURE to work with Roy. And I am SO appreciative of the assistance he gave me and my colleague.

Before meeting with the faculty ombuds, I was frustrated with my career trajectory. I found the culture in academia too mysterious and intimidating to navigate with confidence. I knew I needed help, but I felt that going to colleagues was too risky. After meeting with the ombuds, I am more confident and equipped to build healthy relationships with my colleagues and build my academic career.

Conversations with management and HR [were not productive for me] and I planned to leave the University. I thought Ombuds (Roy) would know of a grievance or other action, but instead I came to understand and accept that my situation is not actionable. Roy offered to lead discussions with those involved and also suggested some other actions to make the situation better. That made me less angry and more hopeful and changed the way I viewed the situation. Although I still [have challenges with management] and will be ready to leave, if necessary, I realize that right now, I actually want to stay and continue the good work that I am doing for the University.

Staff

Long time EHRA staff member on grant funding came to the ombuds office with concerns about their fairly new director. From the staff member perspective, they loved their work and the university (NC State alumni) and were effective. Unfortunately, they had a very different work style as compared to the director (detail focus versus big picture) and the staff member was not receiving input and support to be successful. As a result, director indicated that when funding concluded there would be no position for staff member. Staff member came to ombuds to discuss whether there were any options to explore along with trying to reestablish a positive work relationship with the director. Visitor developed a plan to meet specific expectations articulated by director with the goal to have further conversation about future at NC State.

Unit had experienced diversity and inclusion issues and was “dealing” with it in-house. Per staff member, the self-help efforts were making matters worse and creating a very tense environment. People were being “directed” to call each other out in group emails. Additionally, staff member had experienced a challenging interaction that was impacting inclusion. Ombuds reviewed various DEI resources on campus and supported visitor in contacts with services.

Temporary staff member sought ombuds assistance to learn more about employment status and opportunity to seek permanent employment.

Staff member raised concerns and sought assistance about returning physically to the office. They were particularly concerned about whether there would be flexibility after hearing from the unit director that since not everyone could work virtually, then no one might be able to do so.

Staff member seeking additional resources for position including compensation and staffing assistance and was also considering an offer from another university. Discussed options including retention discussion with leadership. Ombuds helped plan discussion strategy. Note: in follow up staff member reported that discussion went well and additional resources were being committed to the position to support both the individual staff member and the unit as a whole including compensation.

Staff member reached out to ombuds after seeing a statement by unit director that the staff member believed was demeaning toward students. Staff member was trying to decide whether and how to bring this to the director’s attention and had concerns about how the feedback would be received. Developed several options with ombuds to address and also decided to follow up with a colleague. As follow up, the colleague had already planned to reach out to the director with similar feedback so staff member did not connect directly.

Faculty

Faculty member sought assistance to address student behaviors/statements during class in virtual breakout rooms. The class was intended to bring different perspectives together and clear communication guidelines were in place. Nonetheless, the student made comments felt by others to be “too strong” and did not seem willing to listen to other viewpoints. Some remarks were felt to be micro-aggressions. Ombuds helped faculty connect with existing resources along with developing strategies for addressing the behaviors including using the interactions as a learning experience for the student and the class.

Faculty member in administrative position shared concerns related to a staff member that had filed a complaint about treatment. Faculty member sought help to better understand the complaint process and

discuss options and resources. Faculty member also had concerns about how staff member was acting toward them and wanted to understand what resources were available.

Faculty member contacted ombuds to express concerns about ongoing and frequent diversity related communications. While the faculty member indicated support for DEIB efforts, they also felt the frequency and “opinions” of the drafters were shifting focus from work and causing disruptions. Faculty member wanted to share this viewpoint; however, did not feel safe doing so. Instead, the faculty member and ombuds discussed a confidential communication from the ombuds whereby the ombuds would share the message of concern. Ombuds met with person responsible for the communication and shared concern in a constructive conversation. Person appreciated hearing the faculty member viewpoint while noting an effort to enhance the workplace around DEIB considerations. Person asked ombuds to thank faculty member for sharing their perspective.

PhD student sought ombuds assistance to discuss some faculty concerns as well as their “fit” in the program. With family a far distance away and covid challenges the student wanted to explore transferring to a different university and develop a strategy for how to have such a conversation with their advisor. Ombuds identified resources in the Graduate School as well as helped student think through both the idea of transfer and how to discuss it.

Tenure track faculty member reached out to ombuds concerning whether a draft publication needed IRB approval. Given the nature of the publication, faculty member did not believe such approval was necessary; however, they wanted to learn more about the process and consider options. Ombuds identified research office resources and served as sounding board for faculty considering how to proceed. Note: In follow up faculty member explained that IRB concerns were addressed as they went through the review process to develop a final updated version for submission.

Faculty member was copied on a grad student letter to other faculty raising concerns about departmental leadership and treatment. Faculty sought assistance from ombuds to consider the material and determine what, if, and how to address the issues raised. Ombuds served as sounding board for faculty who decided to connect with other faculty referenced in the material.

Two professional faculty that work in same department were seeking compensation adjustments that were held up due to covid and challenges around raises for other than protected class equity. There were also potential equity considerations. They contacted the ombuds to discuss strategies for how to move the process forward. While they had widespread support both in their department and at the college level, there remained multiple issues preventing the compensation adjustment. Discussions with ombuds led to a multi-pronged strategy by faculty reaching out to various levels across the university to seek assistance.

Faculty member met with ombuds to discuss working relations of lab members (post doc and grad student) that were not going well. Faculty member sought resources to supplement their efforts including training and utilizing the ombuds as an individual and group resource. At faculty member’s request the ombuds reached out to the individuals to provide information about the ombuds role and to determine if the ombuds could be of assistance. Faculty member also shifted some of the project and work responsibilities that seemed to calm the situation.

Professional faculty member raised protected class equity concerns related to potential non-renewal of contract. They were partially grant funded; however, the bulk of the support came from the university. The faculty member was also PI on a project bringing in funds to support the position. Faculty member was concerned about differential treatment towards them due to gender and sought resource information along with strategy assistance to discuss issues and position with direct report. Note: in follow up, faculty member reported a successful transfer to a connected yet different setting at NC State.