

10/15/2021

Ombuds Annual Report FY21



Allison Monyei Whaley, J.D., CO-OP®
MONTGOMERY COLLEGE OMBUDS FOR EMPLOYEES



Letter from the Ombuds

Greetings! I am Allison Monyei Whaley and I am proud to serve as Montgomery College's Ombuds for Employees. In my first year as ombuds, my mission is to meet people where they are. Make connections. Familiarize people with this resource. Empower the people that utilize the service. Share information with those that don't know about it. Educate others on self-help conflict resolution skills. Build up courage and character. Above all, operate with integrity.

To all interested stakeholders, I present the FY21 Annual Report, which covers an abbreviated reporting period from my start date to June 30, 2021. Annual reports serve as a vehicle of upward communication to provide non-identifiable information to organizational leadership on trends and themes of staff concerns, and act to identify systemic trends that point to a problem on a larger scale.

I joined Montgomery College in October 2020, when the world was well into a global health crisis and the workplace had fundamentally changed. In this virtual workspace, I have been able to meet with 135 visitors - providing a place where people can solve their own conflicts, whether it be through mediation, conflict coaching, guided conversations, group trainings, facilitation or simply being a sounding board. While the data contained in this report is not an indication of the total number of employees experiencing conflict on our campuses, it provides useful information and identifies some of the factors influencing workplace conflict and ideas to address them.

It is important to note that all interactions with the Ombuds Office have been conducted virtually and that lens provides a unique view into the nature of conflict as we are physically separated. The areas of concern are consistent: Evaluative Relationships, Organizational, Strategic, and Mission Related, and Peer and Colleague Relationships still account for over 65% of visitor concerns. A more global concern is that as we begin to return to our workplaces, some of the conflict resolution skills that we had may have atrophied, causing us to revert to more ancient methods of resolving conflict – fight or flight reactions.

I am committed to raising awareness about the value of the office within the college. I plan to observe Conflict Resolution Week, beginning with Ombuds Day, which is a joint effort between the American Bar Association (ABA) and the International Ombuds Association (IOA), on October 14, 2021 and ending with Conflict Resolution Day on October 21, 2021.

MC can be a champion of dignity and recognize that conflict is a normal occurrence and a useful signal of the need for change. The very existence of the Office of the Ombuds demonstrates the college's commitment to establishing dialogue processes so that conflict can be managed in a dignified way, ensuring that people's concerns can be heard and acknowledged and recognizing that this is key to our continued growth and prosperity. I am grateful for the continued support of this office and I am excited to grow the service by beginning the search process to add an Ombuds for Students in 2022.

Be Well,



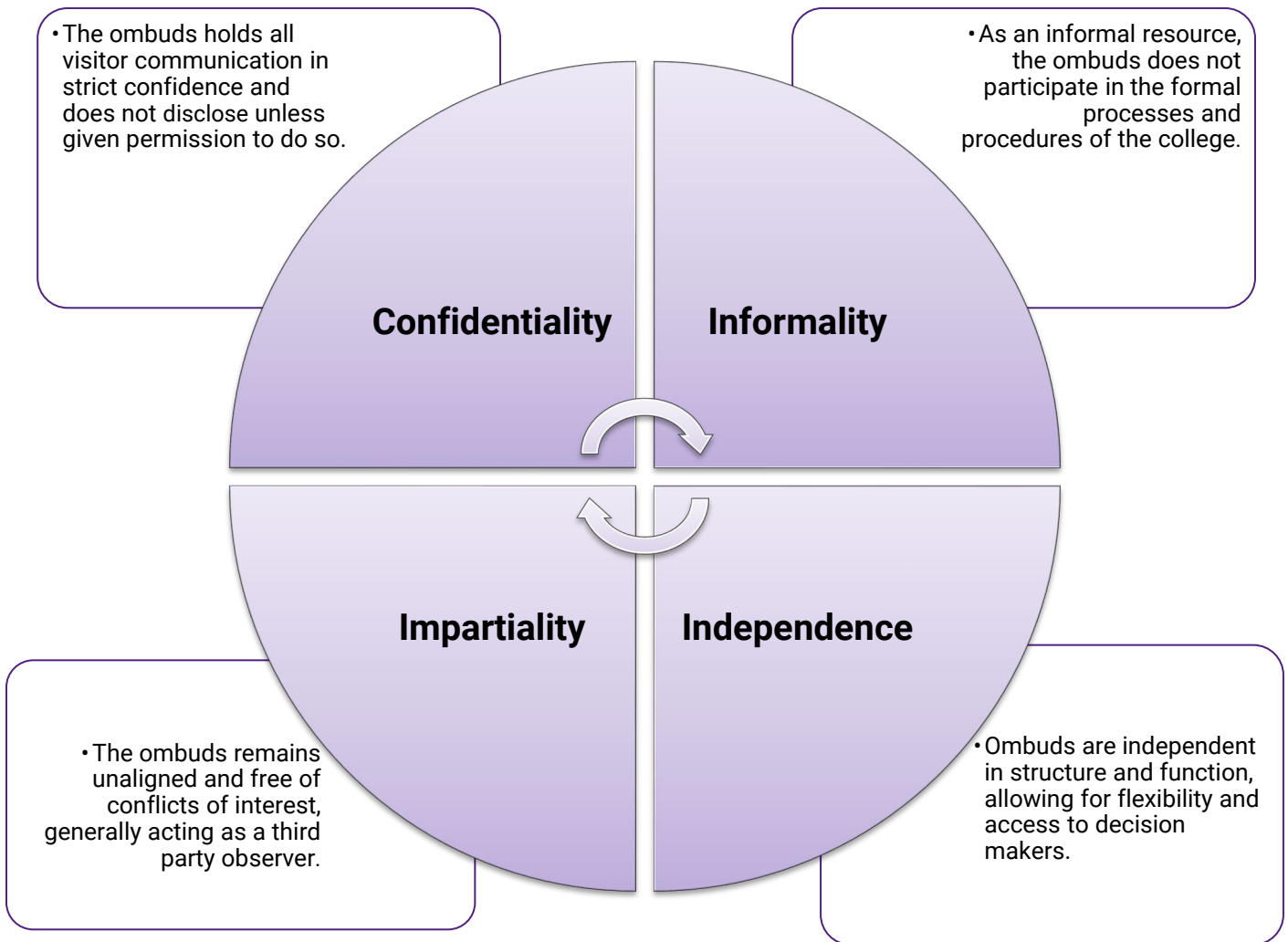
Allison Monyei Whaley, J.D. CO-OP®, SHRM-CP
Montgomery College Ombuds for Employees



Ombuds in Practice

WHAT IS AN OMBUDS?

The Office of the Ombuds is a confidential, impartial and independent resource available to all employees on a voluntary basis needing support in exploring options available to them for addressing conflict that negatively impacts their work. The ombuds function at Montgomery College is outlined in [Montgomery College Policy and Procedure, 39001, College Ombuds](#) and the office operates in accordance with the International Ombudsman Association (IOA) Code of Ethics and Standards of Practice.





WHAT DOES THE OMBUDS DO?

The ombuds helps employees develop and analyze a range of options so the employee can make more informed decisions about what they may or may not want to do in addressing their concerns. This includes, but is not limited to:

What Is A Visitor?

Ombuds offices typically refer to those seeking services as “visitors” rather than clients to avoid any confusion about the informal, non-legal and non-therapeutic nature of the ombuds function.

This term also distinguishes ombuds services from those that are based on advocacy and alignment with the party or parties involved.

- ▶ Providing a safe and confidential environment where employees can feel heard and process concerns with a designated neutral (active and empathic listening).
- ▶ Conducting conflict analysis - helping employees gain a clear understanding of the conflict from different points of view.
- ▶ Conflict coaching - helping employees enhance strategies and skills useful for addressing conflict such as framing or reframing understandings of underlying concerns, needs and expectations.
- ▶ Educating and clarifying organizational policies and procedures.
- ▶ Generating a range of options, evaluate the pros and cons of those options, to address concerns.
- ▶ Providing information and referrals - educating employees about other resources available to them.
- ▶ Informally mediating disputes on a voluntary basis (facilitated dialogue to open channels of communication).
- ▶ Engaging in shuttle diplomacy (acting as an intermediary between employees in a dispute, without direct contact)

In addition to serving visitors that come to the ombuds for assistance, the ombuds also provides training and educational opportunities about workplace collaboration, assessing conflict behaviors, and preemptive conflict resolution. The ombuds is accessible to anyone who needs voluntary mediation services.

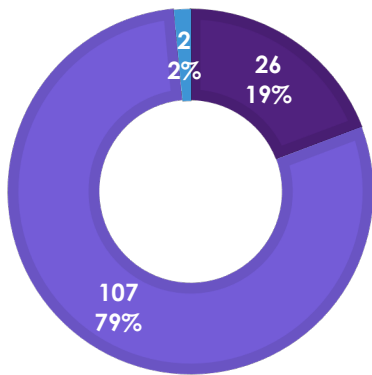


Visitor Trends

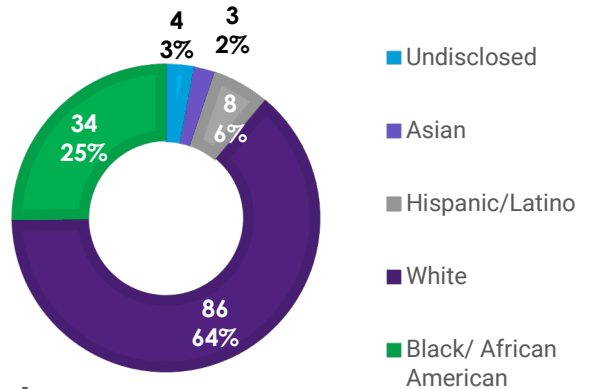
Montgomery College’s employees serve three campuses, two workforce development and continuing education centers, three community engagement centers and three additional offices, which includes Central Services, all located in Montgomery County, Maryland. According to MC’s Office Human Resources and Strategic Talent Management, there were 2,504 employees working for MC as of September 2021.

From October 5, 2020 to June 30, 2021, the Office of the Ombuds received 117 unique visitors. Some visitors may visit the office multiple times to resolve a conflict, which brings the total number of visitors to 135. Visits tend to occur between 9am and 6pm, as the ombuds exhibits flexibility in accommodating staff appointment needs. On average, visits are about 110 minutes each. During the pandemic, all consults were held virtually via Zoom, Teams or by phone.

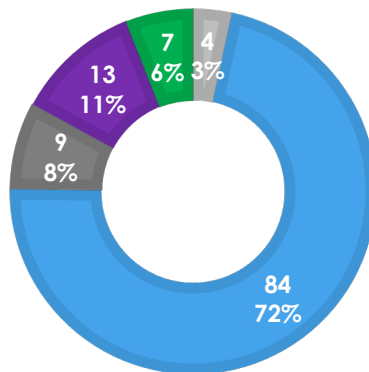
Visitors by gender
 ■ Male ■ Female ■ Undisclosed



Visitors by race



Visitors by role



■ Chairs ■ Staff ■ PT Faculty ■ Faculty ■ Administrators

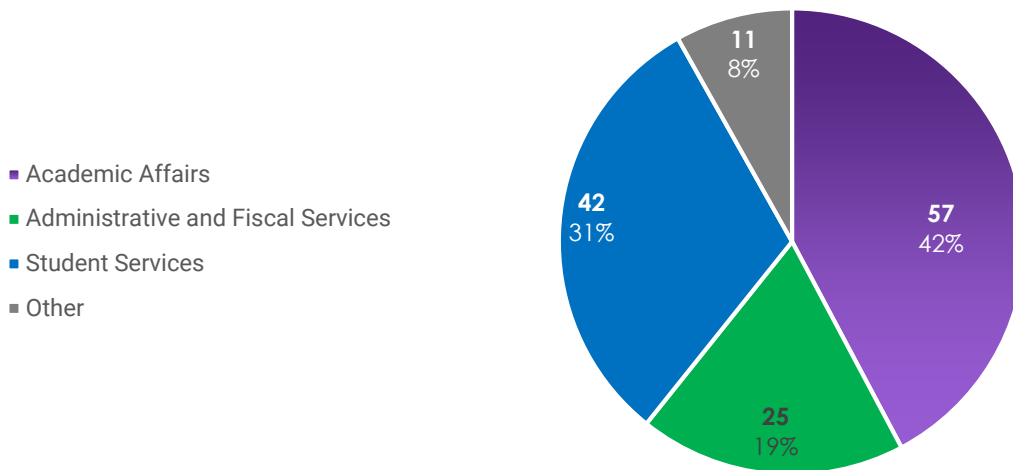


Pandemic Impact: When the ombuds assumed the role in October 2020, Montgomery College was already under mandatory remote work status and did not transition from that status until August 2021. All visits were conducted via distanced means (phone, Zoom, Teams, etc.) and the ombuds noted that visitors expressed more comfort in being able to communicate from their selected location as they could ensure their own privacy.

VISITOR ORIGIN BY DIVISION

In order to compile trends across the College, the ombuds consolidated data under division rather than department to provide an extra layer of privacy for visitors. It is critical that the Office of the Ombuds insures the privacy and confidentiality necessary for employees to feel safe in being candid and honest about concerns in the workplace.

Visitors by division



In order to protect the confidentiality of visitors, only those divisions with significant numbers of visitors are displayed. The Other category includes the President’s Office and Advancement and Community Engagement, as well as visitors who did not identify their division. It is important to note that increased activity from a division is not solely an indicator of issues as it can also be interpreted as a larger number of employees or better knowledge about the Office of the Ombuds and its services.

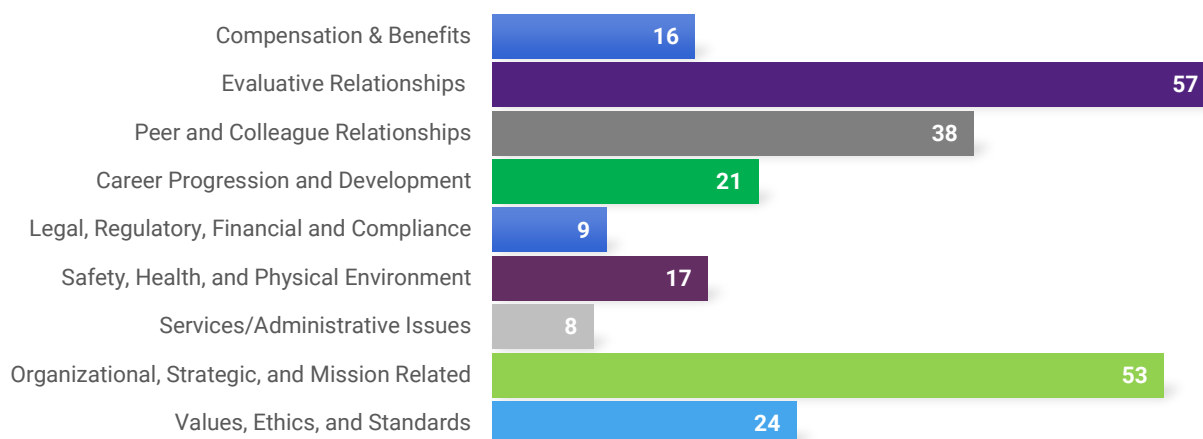


VISITOR CATEGORIES OF CONCERN

The international Ombudsman Association encourages the use of the following nine uniform reporting categories to identify trends in requests for services, classify the kinds of issues for which people use an ombuds, and to provide consistent data points over time:

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. Compensation & Benefits 2. Evaluative Relationships 3. Peer and Colleague Relationships 4. Career Progression and Development 5. Legal, Regulatory, Financial and Compliance | <ol style="list-style-type: none"> 6. Safety, Health, and Physical Environment 7. Services/Administrative Issues 8. Organizational, Strategic, and Mission Related 9. Values, Ethics, and Standards |
|--|---|

FY21 Visitor concerns by category



Many visitors share more than one concern and each is reflected here. Visitors reported a total of 243 concerns. The highest reported concerns reported by visitors to the ombuds fall under Category 2: Evaluative Relationships and Category 8: Organizational, Strategic, and Mission Related.

Evaluative Relationships looks at issues arising between people in evaluative relationships (i.e. supervisor-employee) such as: performance appraisal/grading, departmental climate, and discipline and equity of treatment. Very closely related to the supervisor-employee relationship is **Organizational, Strategic, and Mission Related**, which covers concerns that relate to the whole or some part of an organization such as: leadership and management, use of positional power/authority, communication, organizational climate, change management, priority setting and/or funding. Within these categories, some of the more frequently raised concerns were about the effectiveness of managers and opportunities for additional management skill building, the role and reputation of Human Resources, how to report ethical expectations and civility issues, and departmental change management.



For example, 360 evaluations were paused during the pandemic, and a significant amount of time has passed in a new and different work setting when feedback and adjustments are crucial to success. Understanding how the supervisory workforce has managed the pandemic workplace is useful and insightful data as the College moves forward in returning to campus. In an effort to support, the ombuds revamped the Managing Conflict in the Workplace presentation given to new supervisors to include techniques to combat conflict avoidance and apprehension and has also committed to working with MC ELITE to increase Crucial Conversations refresher training for supervisors to be able to approach conflict with courage instead of fear or anger.

Recommendation: *To address visitor concerns about evaluative relationships, the College should include managerial training and direct report feedback on benchmarks such as workplace culture management, conflict management, and accountability as a metric in supervisor performance evaluations. Consider using 360 evaluations for all supervisors on a biannual basis with a blind participant process and solicit narratives from direct reports.*

A close third is **Peer and Colleague Relationships**, which looks at concerns involving peers or colleagues who do not have a supervisor– employee relationship (e.g., two staff members within the same department.) While this category is the third most reported, many employees shared that their main source of conflict had been alleviated for the time being due to working remotely during the pandemic. Employees are cautious about privacy when discussing sensitive workplace concerns and more employees found that a virtual visit was easier to accommodate whereas a physical visit may not have been possible. College employees are aware that policy enforcement responsibilities often obligate a Human Resources (HR) or compliance function to intervene even if that staff member prefers no intervention (assuming the concern does not require a mandatory report). The level of confidentiality the ombuds affords (to the extent permissible by applicable laws) allows employees to feel safe in candidly and honestly voicing concerns without fear of reprisal. The College should be aware of the interpersonal challenges that will arise as we return to campus and anticipate an increase in small conflicts as we get reacclimated to a robust workplace.

Mediation with the ombuds is one of the services that colleagues in conflict routinely consider and use to seek resolution. However, mediation with the ombuds is similar to an informal facilitated conversation and may differ from traditional mediation services. This process involves an impartial third party to assist in a difficult conversation to surface tensions or issues of concern, clarify misunderstandings, and improve communication and working relationships. The ombuds uses a pre and post caucus meeting system that allows each party an opportunity to have a confidential conversation with the ombuds prior to and after the mediation. A two- party mediation will often involve about 12 hours of consult and meeting time. A mediated session may result in the development of voluntary, mutually acceptable, enforceable resolutions. If a party is interested in mediation services, it is crucial that all parties want to



move forward with mediation. Parties should not be compelled or coerced to use the ombuds services or attend a mediation with the ombuds. This preserves the informal and independent nature of the ombuds and allows self-determination for those who choose the mediation option.

One of the values of the ombuds office is that we have the time to dedicate to employees who need a listening ear for more than a few moments, whereas many administrators may not.

Next is **Values, Ethics, and Standards**, where concerns appear as questions about the fairness of organizational values, ethics, and/or standards, the application of related policies and/or procedures, or the need for creation or revision of policies, and/or standards. This also looks at culture and includes topics that may not be covered in other categories.

A takeaway from these inquiries is that there are places within the College that could benefit from a review of existing policies to ensure that the purpose of said policies reflects the College's current direction and growth. While the College has accepted recommendations in the past to develop Ethical Expectations and ethical reflective assessments, it is imperative to ensure the accountability portion of such standards to reward outstanding behavior and provide measures to address behavior that does not meet the College's standard.

Recommendation: *To address visitor concerns about values, ethics, and standards, the College should integrate accountability measures for Ethical Expectations and Code of Conduct throughout existing policies related to employee expectations, performance management, and discipline to provide a sense of responsibility and transparency for what is expected in the workplace.*

Career Progression and Development is a category where visitors are expressing internal conflict. Exploring the administrative processes and decisions regarding recruitment, selection, job classification and job description is a sensitive conversation and it is beneficial to the employee to be a safe place to ask questions without worry. Standardization of the hiring process and the publication of hiring metrics could shed some much-needed transparency into these essential functions. Promotion and career development training opportunities are also talking points as visitors explore options for growth in their departments. It is key to encourage employees to seek out resources that may be more accessible in a



virtual environment to foster growth and development instead of promotional opportunities which may be impacted by budgets.

Compensation and Benefits questions are just as prevalent as Career Progression and Development questions and are often linked. Compensation & Benefits covers inquiries about the equity, appropriateness and competitiveness of employee compensation, benefits and other benefit programs. The College has completed its Compensation Program Study and is in the beginning stages of implementing those findings. Combined with the financial impact that the pandemic has created, being able to show appreciation and value in lieu of monetary rewards will prove to be important. The Office of the Ombuds will still continue to be a resource where visitors can discuss their concerns confidentially.

More visitors expressed concern with **Safety, Health and Physical Environment**, which is directly attributable to the pandemic and the College's policies, procedures, and safety measures surrounding return to campus. A silver lining is that **Legal, Regulatory, Financial and Compliance** and **Services/Administrative Issues** do not appear frequently as visitor concerns. MC has various resources, such as Equity and Inclusion, Environmental Health and Occupational Safety, Public Safety, FSAP, and Compliance, Risk, and Ethics that cover these issues. The Office of the Ombuds can and does refer visitors to these critical and legitimate functions.

However, visitors have shared a lack of trust in existing formal reporting mechanisms and limited communications after reporting. The perceived lack of action for employees who choose to pursue those processes to resolve issues may drive them to informal options without addressing the systemic issues that may be present.

Recommendation: *In order to bolster faith in formal conflict resolution systems, protect the trust and confidence of those who pursue formal complaint measures by aggressively acting on retaliation behaviors and providing aftercare to rebuild trust and relationships. Entrust a specific employee to follow up three to six months after formal processes.*



WHY DOES MONTGOMERY COLLEGE SUPPORT THE OMBUDS?

*The purpose of the Office of the Ombuds “is to assist the College community in managing conflict constructively and to support positive change. Constructively managing conflict stimulates teamwork, promotes excellence, and enhances engagement”
(College Policy 39001).*

The Office of the Ombuds was established in 2013. In establishing the Office of the Ombuds, the College considered and adopted recommendations from the Employee Engagement Advisory Group as well as the Integrated Conflict Management System workgroup. Both of these groups included governance leaders, faculty, and staff union leaders, as well as representatives from the Office of Human Resources, Development, and Engagement.

The Office of the Ombuds is supported by the Advisory Committee to the Office of the Ombuds. This Advisory Committee meets three times a year. The purpose of the Advisory Committee to the Office of the Ombuds is to assist the Office of the Ombuds by relating “constituent feedback/informed opinions, objective and relevant points of view, suggestions, and ideas to the ombuds for the purpose of assisting the ombuds fulfill the ombuds’ objective of helping the college community manage conflict constructively and cooperatively and to support positive change.” (“Purpose and Expectations: Advisory Committee to the Office of the Ombuds”). Representatives from the College Council, AAUP, AFSCME, SEIU, and HRSTM serve on the committee.

The Advisory Committee was on hiatus and did not convene while the Office of the Ombuds reestablished its presence. The ombuds looks forward to reactivating this very important group of stakeholders as MC returns to standard operations.

In FY21, The Office of the Ombuds provided services to four percent (4%) of all College employees. While that number reflects a decline in services provided in years prior, FY21 data reflects nine months’ worth of visits to a newly reinstated office during a global pandemic. When concerns arise, the Office of the Ombuds is a place of respite and relief to those employees who can access it. During the pandemic, visitors have been utilizing the service virtually, and it may be more beneficial to continue offering virtual services in an effort to provide options for conflict resolution to employees who are unable to meet in person. Additionally, the office website can serve as a dynamic resource once updated with articles and conflict resolution tools as Montgomery College begins returning to campus and more people find themselves searching for assistance.



Outreach: Making Connections

A large part of the ombuds' work is preemptive in nature; building relationships and establishing connections can often help rifts heal. The ombuds has spent numerous hours connecting with various campus leaders and offices, making presentations upon request, and raising the profile of the office while continuing to serve visitors.

Highlights:

Communications and Speaking Engagements	VCU Conflict Resolution Week - Speaker and Facilitator
	ABA Webinar - Adding Value by Addressing Matters of Impact
	Wrote article for MC Compliance Week 2020
College Involvement	Equity and Inclusion Town Hall Series
	ELITE Communication and Conflict Certificate Trainer/Presenter
	Required Training Advisory Committee
	Presented at College Council, Staff Council, Germantown Campus Council, and Rockville Campus Council
HR New Supervisor Orientation	Presentation: Managing Conflict in the Workplace
	Occurs every quarter
	Average attendance: 10-15 managers
Outside Involvement	ABA Dispute Resolution Section Ombuds Committee Chair
	IOA CO-OP Recertification Committee
	Community College Ombuds Group

In addition to taking advantage of internal opportunities, the ombuds is a lifetime learner and attends conferences and trainings to stay abreast of advancements in the ombuds profession while representing the college's commitment to maintaining its conflict resolution systems.

Pandemic Impact: Many conferences and trainings held in 2020 and 2021 were in virtual formats due to the pandemic. The ombuds pursued virtual trainings and individual professional development opportunities in order to remain current and connected:

- American Bar Association Section of Dispute Resolution Virtual Annual Conference 2021
- International Ombudsman Association Virtual Conference 2021
- Coalition of Federal Ombudsmen Virtual Conference 2020



Conclusion

In FY 21, the ombuds saw a wide variety of employees from various departments through virtual means. Visitors shared many concerns, with overlapping issues about supervisors, colleagues, and general feelings about organizational culture.

The ombuds hopes that there are opportunities to discuss the data and systemic observations reflected here as well as begin to begin generating options to enhance the work environment with senior leadership. The Office of the Ombuds is grateful to continue being a resource to the employees of the College and hopes that this report can be used to better understand the concerns that bring employees to this office and how the ombuds works.

