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Corporate Ombudsman Association research, 2 of 2

1982-1984

PRELIMINARY FINDINGS FROM A PILOT STUDY
OF CORPORATE OMBUDS PRACTITIONERS

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(This draft by Mary Rowe following notes by Lee Robbins)

The selection of a given ombuds practitioner is critical to the success of the office. Who the practitioner is powerfully influences the scope and direction of that practitioner's work. Formal disciplinary training appears not to matter a great deal by comparison to being a "natural mediator" with experience.

Ombuds practitioners appear to follow rather few standard rules. Their actions appear individualized for each client, following an ethos of "communication, consultation, co-determination." Practitioners appear participative and collaborative, rather than hierarchial and controlling, following an integrative, rather than distributive conflict resolution philosophy. This fact perhaps underscores why the ombuds function must lie outside normal management control structures.

Ombuds practitioners work in a highly personalized fashion. They cite as necessary skills:

- listening;
- patience;
- personal familiarity with the organization and its key people;
- experience with people (e.g., Personnel; line manager job, conflict resolution).

Among the principal conflicts handled are:

- person vs. person problems: meanness, harassment, personality conflicts;
- person vs. supervisor: terminations, evaluations, job assignments, salaries;
- person vs. "the system": interpreting/changing policies, procedures, structures, bureaucratic decisions;

- most typical case: worker & supervisor, or supervisor & worker.

How are cases handled?

- careful listening (often cited as having been absent in previous handling of the problem);

- developing individual options with the client;

- providing suggestions and perhaps coaching on specific contacts for the client (or ombuds practitioner) to make next;

- conciliation and shuttle diplomacy;

- very rarely making binding decisions;

- rarely turning problem over to top management for decision;

- some generic intervention;

- some training of other helping personnel.

How is the function publicized?

- High case loads with lots of face-to-face contacts;

- Lots of individual phone calls;

- Getting to know managers very well;

- Some writing, articles, in-house publications, posters, etc.

What records are kept?

- Not many, sometimes not any, sometimes not even much aggregated data. We suggest this is partly because of confidentiality and partly because of the highly informal, individualized nature of high case load interactions;

- Few have forms for clients to fill out.

How are practitioners evaluated?

- Predominantly by word of mouth, intuition; ("happy client") letters;

- Some feel their formal, annual reports are given little attention by management;

- Some feel uncomfortable with lack of formalized evaluations; we suggest ceos may intuitively or explicitly prefer informal evaluations of the practitioner as an extension of the whole function.

- The community "votes with their feet;" (a good practitioner is heavily used).

What methods are used to affect policy?

- operative idea is "persuasion," not "control;"

- upward feedback of data, including anecdotal information, (not so much in Reports, but in personal visits to management);

- formal and informal training of managers (participative training more often than didactic).

Confidentiality

Ombuds practitioners lay heavy emphasis on privacy and confidentiality, sharing information only by joint agreement with the client, except in very extreme cases.

Ombuds practitioners are typically well-paid in relationship to either their supervisory responsibility or their formal decision-making authority. Management apparently sees this job as analogous to a senior psychiatrist or highest level management consultant. Salaries in our sample ranged from \$40K to several over \$100K.

We have a hypothesis that ombuds practitioners typically will practice best on their own (like psychiatrists) rather than in hierarchial structures (like personnel officers). Linking practitioners in a network (one per plant in a big company) appears to work well. There are also very successful examples of large offices with linked services (EA, ombuds services being the most common linkages).

There are various modes of ombudsmanry: the lifetime professional, the very senior manager who becomes ombud as a "last career," the two-year or four-year stint on the way to other jobs.

The profession is highly integrated by race, gender, age, and background (technical, non-technical; HR and other, etc.). Formal charges to corporate ombuds practitioners also vary widely (non-union, union-inclusive; with or without the right to adjudicate a matter internally; with or without aegis over senior managers; with major or minor focus on systems change). Case loads are also highly integrated, typically

reflecting closely the background population of the company, including managers as clients.

Ombuds practitioners perceive that top management support is critical, perhaps because the typical ombuds approach is at least partially in conflict with traditional corporate norms. Most practitioners report to or have direct access to the highest level in their organization. Some practitioners believe that being perceived as having more power than they have would be helpful. Some would actually want more power, some would not.

Most companies with an ombuds practitioner also appear to have other "alterative channels." Practitioners typically report close working relations with these other colleagues.

The Craft of Ombudsmanry

James B. Hendry, Ombudsman
World Bank, Washington, D.C.

In pulling some thoughts together for this Workshop, I thought it might be helpful to look up the definition of "craft" to see what aspects of "Ombudsmanry" I should try to highlight. I quickly rejected the definition which refers to "craft" as "skill in deceiving to gain an end," although this interpretation is probably not unknown to practitioners of Ombudsmanry at some time or other. I preferred, rather, the definition which says that "craft" is "an occupation or trade which requires artistic skill." Artistic skill implies to me the exercise of imagination, and therefore something which also requires making choices from a wide range of possibilities. Although cases coming to an Ombudsman tend to fall in fairly predictable patterns, at least according to my experience, each one comes with its own special characteristics and requirements. Therein lies the need for the Ombudsman to practice his craft, and to decide how best to play his role. This exercise of choice can arise in several ways and at various stages, but I have selected only four aspects of an Ombudsman's task to focus upon.

Listening -- In a sense, listening is not an option, for unless someone listens there can be no identification of what the problem is about. But how one listens is obviously very important. Many people come to an Ombudsman looking for a "safe" place to get a hearing for their concerns, a place where they can try out some ideas on what to do, or a place to get an experienced person's view of what the options are. What the Ombudsman must decide is how to provide this listening function most effectively - specifically, in an informal, neutral and totally confidential setting. This involves choices such as the selection of the office setting, whether to take notes, whether to keep records, how much time to allot for a session, and what ground rules to set at the start.

Deciding Whether to Intervene -- After listening to someone discuss his or her problem, the question usually arises whether to intervene in some way to speed-up the resolution process. In some cases the person will not want anything done beyond listening, but in others it becomes a matter to consider and the solution is not always obvious. Intervention by a third party will bring the problem into the open, which usually entails some risk the intervention will be resisted and that reprisals in some form may be taken. The Ombudsman's mandate is to protect the interests of the institution, not to represent the staff or the management, and in pursuit of that mandate the Ombudsman will usually want to resolve a problem constructively (as opposed to burying it or getting around it). But the client may be more hesitant to pursue the problem openly -- particularly true in harassment cases. The question at this point then becomes whether to urge a client to accept intervention, or to recognize that doing so may be at a cost the client is unwilling to pay.

Deciding How to Intervene -- An Ombudsman usually has exceptional latitude on how to intervene -- for example, he will have access to any person, executive or staff, and any records in the organization, but may not have the power to make a decision that is binding. An important underlying objective of the Ombudsman is to make the organization's resolution - process work as it should. The means to the end of resolving a dispute should therefore help to restore the process rather than subvert it or go around it. One rule of thumb which incorporates this view is to start any intervention at the lowest possible level and proceed upwards from there only when it has become obvious that nothing is getting resolved. But even within that rule of thumb there will be many subordinate choices -- how to set up meetings, who to see first, what approach to use, and the like.

Providing Feedback -- The Ombudsman in most organizations is not only expected to help resolve disputes, but is also expected to provide the senior management with recommendations about where the important problem areas are and what kinds of broad policy changes should be studied. This can be done in many ways; the perception of which ones are effective may be subject to change over time. A minimum effort to accomplish this goal would be regular written reports to senior management, but this can be supplemented in a variety of ways. For example, there should also be follow-up meetings, preferably one-on-one, with the CEO and the head of personnel. I have recently been engaged in meeting with groups of managers in the various units of my organization -- operations, administration, service -- to raise the issues which seem most important as judged from the clients who seek the help of the Ombudsman. Part of my theme in these sessions is that it would be salutary if every manager could be an Ombudsman for some time before becoming a manager, and in the process see some of the damage a manager can inflict on people and on his organization by mishandling the human resources entrusted to him. A second-best solution is to sensitize managers to this by meeting with them. Another way to introduce the lessons of experience, and at an earlier stage, is to participate in management training programs. Finally, feedback can be given to staff through participation in staff meetings small enough to allow extensive questions and answer sessions, and through regular (though generalized) written reports which keep the staff aware that an Ombudsman is available to help them.

Draft 1

Corporate Ombudsman Research Program 1986-87

Research Group

Lee Robbins: Co-Principal Investigator
University of Pennsylvania

Mary Rowe: Co-Principal Investigator
Massachusetts Institute of Technology

James Ziegenfuss: Co-Principal Investigator, Coordinator
Pennsylvania State University

Purposes. There are four primary purposes for the corporate ombudsman program.

1. to increase knowledge of the ombudsman concept, methods, and impact
2. to increase ombudsman members' understanding of their roles and activities
3. to contribute to enhanced ombudsman function
4. to increase recognition of the ombudsman function on a regional and national basis

Program. The program was initiated in 1984 with some preliminary identification of research needs and directions. This was extended in 1985 with the development of a data collection survey instrument (personal interview and mail components). In 1985 some 15 personal interviews were conducted with results presented at the 1986 meeting in St. Louis. Topics included job roles, power, complaint volume and nature, salaries, etc. (see attached survey form topic summary).

The program is very "applied" in nature with the intention being to contribute information that is useful to practicing ombudsman. Secondly, this information will be used to expand the more academic business literature.

Tasks - 1986-87. There are several specific tasks to be accomplished by the research group in 1986-87.

1. Completion of the national survey of corporate ombudsman.
2. Analysis and write-up of ombudsman views on specific impacts of ombudsman work.
3. Contribution of assistance toward preparation of ombudsman handbook.

4. Contribution of articles to ombudsman newsletter.
5. Presentation of results of surveys and research at annual ombudsman meeting.
6. Planning of future research work.
- 7.
- 8.

Personnel. There are three principal researchers in the group: Lee Robbins, Doctoral candidate, Social Systems Sciences Department, Wharton School, University of Pennsylvania; Mary Rowe, Ph.D., Special Assistant to the President and Ombudsman, MIT; James Ziegenfuss, Ph.D., Assistant Professor of Health Care Management, Graduate Program, Public Administration, Pennsylvania State University.

Dissemination of Results. Results of the research group work will be disseminated through presentation at the annual ombudsman conference, through the newsletter, and through professional publications.

Funders-Sponsors. The work of the research group is sponsored by the Corporate Ombudsman Association and by the universities represented by the researchers. Individual corporate donors contribute funds to the research effort through the Association. University support is contributed through overhead and through the researcher's volunteered time.

Budget. (see attached)

See telephone questions
for questions

**Summary of 13 Corporate Ombuds Interviews
(conducted Spring '86)**

Note: Lee Robbins' cases are labeled A,B,C,D,E,F,G.

Mary Rowe's cases are labeled either "M" or "M - * responding" (in the latter case the response should be considered as having a multiplied weight).

Michael Baker ~~Y~~ "X"

1) Characteristics of an effective ombuds:

Personal: maturity/experience (A)

- good listener (A,B,C,F)
- patience (A,B,C,M)
- tact/discretion (B)
- representative categories if several ombuds like race, gender, age(D)
- trustable/impartial (E,M)
- able to handle erratic schedule, emergencies (E)
- empathy/compassion (F,G)
- creative (F)
- passion, comittment to change (M)
- self-confidence (M)
- not easily pushed around/independent (E,M)
- humor (M)
- courage (M)

Training: employee relations bkgnd. helpful (A)

- personnel/social work/onsing./industrial psych helpful (B,C,D,E)
- employment law (C,M)
- OD desirable (D,M)
- conflict resolution (M-2)
- crisis intervention (M)
- contact with other corporate ombuds (M)
- skills building (M)
- a bit on research (M)

Experience: in human relations areas (D)

- general management (M)
- know culture of org./key people (E,F,G,M, M-3 -- know CEO)
- be known to employees as fair & trustable(E,G)
- but not part of any clique (E)
- general management (M)
- feminist organizations (M)
- cross cultural (M)
- technical positions (M-3) (presumably in tech org.)

2) How to locate candidates and select an ombuds for a large corporation:

Locating candidates:

- depends on type of org./first ask purpose, why need ombuds (A,M)
- look within for someone familiar with org., widely trusted, long tenure (A,B,C,D,E,F,G)
- ask experienced corporate ombuds (B)
- someone who is already informal ombuds (C,M)
- skills/background in management analysis (E)
- look particularly in personnel (wide overview/exp. in handling personal problems) (E,F)
- look for people who best fit a list of ideal characteristics as in 1 above (F)

Selection:

- need agreement of high or top level human resource mgr. (A)
- psychological evaluation (A)
- look at human qualities first (B)
- some knowledge of organizational dynamics (B)
- labor relations and, in unionized case, experience in dealing w. unions (C)
- labor law (C)
- psychological sensitivity/human relations skills ("knowing your own limits"-C) (C,D)
- suited to company (e.g., need more innovative, aggressive, patient person in rigid co.) (D)
- interviewing on the criteria (F)
- not a hard-line company person but a objective type (G)
- common sense - based on exp. & background, willing to admit error (G)

Who should agree (note asked only in Rowe interviews)

- technical person who understands environment (M-3)
- comfortable with individuals from varied (sex, race, etc.) backgrounds (M)
- CEO to agree (M-4)
- employee group/staff association (M)
- his boss (M-6)
- a wide group of senior managers (M)
- a vertical cross section of employees who would act as an advisory group (M)

3) Does the respondent's office have a reputation for handling a particular type(s) of problems especially well. How did this reputation develop?

a) Proportion of caseload this type represents?

- substance abuse <- worked hard at it, fit personal interests of ombuds -a) 5% (A)
- no or not as yet (B, G)
- problems which can't be solved by normal chain of command (E,F)
- career development <- employees believe ombuds is best route - "but it shouldn't be this way", [a) 22% (F)]; (C,F,M)
- EAP, grievances <- confidentiality and fairness, a) 40%, 60%, b) these +00 (D)
- *Performance appraisal (F, M)
- Policies needing change (M-3)
- Bad managers (M-2)
- Harassment (M)
- Frightening/scary problems, emergencies (M-2)
- personality clashes (M)
- cases needing mediation (M)

* These estimated a typical number around 20%.

b) Personal reputation of respondent for a particular type of problem?

- harassment and manners (M-3)
- tough senior managers (M-3)
- long-term unproductive employees (M)
- EEO (M)
- getting management to changed (M-2)

4) Of the cases which involve conflicts between individuals, proportions fall into the following categories:

10% - 1/3 manager-manager 0%-A,B, 15%-C, 10%-D, some-E, 5%-F, few-G, = 10%
 M: 30%-3, 40%-2, 35%, = 35%

50-70% worker-supervisor 50%-A, most-B, 71%-C, 60%-D, none (union issue)-E, 90%-F, 85%-G,
 M: 50%-6

20% worker-worker 50%-A, a few and often turn out to involve supervisors also, 15%-C, 30%-D,
 most-E, 5%-F, 15%-G, = 20%
 M: 20%-3, 10%-2, 15%-1 = 15%

a) What do other (non-individual conflict cases) involve?

- interpretations of policies/programs (A,F,M-2)
- explaining policy to managers in particular (M-4)
- getting changes in policy (M-4)
- requests for information/referrals (A,E,M-4)
- unfair policy or policy application (grievance against the organization) (A, C (e.g., job evaluation 86%), F)
- none (due to function not widely known/official as yet) (B)
- unit transfers to new locations, developing new facilities (D)
- training of managers (D, M-4)
- DD (D)
- Special projects for corporate hdq. (D)
- errors in salary, timekeeping (E)
- mediation, go-between (M)
- personal life problems/events (esp. if work related) (M)

5) How do people in your organization know when you are doing a good job?

- a) process for evaluating ombuds function?
- b) any differences in how respondent is personally evaluated?
- c) type of systematic data if any presented to mgmt. for evaluation?

a)

- Lack of complaints, "satisfied customers", "word of mouth", increasing use (A,B,C, E,F)
- Number of clients (M-6)
- Attitude surveys (incl. 2 questions on ombuds function-A) (A, M-3)
Employees not going to outside sources of assistance (e.g., human relations comm., attorney) (B)
- Problems known to sr. mgmt./employees are resolved, "word-of-mouth" (B,C)
very structured MBO type but dealing with non-case handling functions (e.g., improving complaint handling policies in company, publicizing function, monitoring mgmt. complaint handling methods and social responsibility/legal issues for company)(C,D)
"[sometimes happy clients write letters to my boss]" (G, M)
Formal evaluation (M)

Note: some sample survey questions used in other places include the following examples: "[Circle one or more:

- I think the (name of ombuds office) is:
very effective, reasonably effective, not very effective, not effective at all.
- If I took a concern (problem or question) to the (name for ombuds), I feel that I would receive:
a great deal of help, some help, little help, no help.
- I did not know we had a (name of ombuds office)]"

b)

- little personal evaluation (A,B)
very structured MBO type but dealing with non-case handling functions (e.g., improving complaint handling policies in company, publicizing function, monitoring mgmt. complaint handling methods and social responsibility/legal issues for company)(C,D)
as a manager (D)
- formal annual evaluation by supervisor + comments solicited by supervisor (M-6)

c)

- quarterly rpt. to boss (and to union in one case) (A,E)
- annual rpt. to sr. mgmt. (A)
- annual visits to sr. mgrs. (A)
- none (e.g. "they arn't interested") (B,D)
- quantitative measures of turnover, absenteeism, etc. in divisions most served -- but can only do this when organization and environment is otherwise in a stable state (D)
- keeping mgmt. informed of developing trends incl. aggregate no. of various categories of problems and suggestions as to possible causes(E)
- summary statistics on cases; total case load (F,M)
- analysis of anonymous forms (M-2)
- calls analyzed (M-2)

6) Do you see yourself as neutral, impartial, objective?

- sometimes an advocate for one party (A,B)
- yes (B,C,D,EM-6)

Note: One respondent mentioned a system in which refers the client to people from personnel he helped trained as advocates if this is needed.

b) Is your office designated to act as an impartial third party?

- yes (A,E,M-4)
- unclear (B, M-2)

7) Does your office operate under explicit confidentiality rules?

- Yes, require client permission to share information or act except duty to warn (A, B, M-6)
- As above + legal requirements re sexual harassment, secret information (D)
- Yes, no exception mentioned (C,E)
- Question not included in early version of interview (F,G)

B) What power or influence do you see yourself as needing?

- persuasiveness (A)
- support of sr. mgmt. (A)
- as much as Sr. Mgmt. wants to provide (E)
- access to investigate (F)

a) What provides it?

- persuasiveness (A)
- support of sr. mgmt. (A,B,C,E,F,M-6)
- can go higher up (A,G)
- clients seeing function as helpful/effective (B,D)
- formal authority (C,M-3)

b) Do you think others perceive you as having more or less than you actually do? Is this helpful or harmful?

- Yes (M-5)
- yes, useful (A,D)
- No, not useful (C,F)
- Yes, both good and bad, helps with employees, makes mgrs. fearful (E,M-2 to 5)

c) Would more or less be better?

- No, about right (A,C,E,F,G,M-4)
- More (B,D,M-2)
- Less (0)

d) Most recent case in which more would have been useful:

when makes recommendation and it is disregarded (B,D-OD case,)
wrongful discharge/harassment case where respondent appears
"innocent" but obnoxious, difficult (B)

e) Do others see you as an advocate? If so, is this helpful or harmful?

- 2 - sometimes, helpful (A,E)
- 1 - No (B,C)
- sometimes, harmful (M-4)
- sometimes, neutral (M-2)

9) If you had a choice would you move the ombuds function in the organization (higher, lower, other)?

- No (C,E but was unsatisfactory when was in personnel, conflict of interest,G)
- Higher (A,B,D for OD, decentralize some ombuds functions F,M-4)
- Lower
- Should be outside personnel or human relations (E, M-6) G
- Should be direct to CEO (M-6, F)

10) What other alternative channels exist for complainants?

- Open door (M-6,C,D,F)
- Other complaint and appeal (A,B,D)
- Telephone complaint line (M-6)
- Separate EEO (M-6,A,B,D,E)
- Separate health & safety (M-6,A,B,D)
- Performance appraisal review and appeal (M-6,B,C,F)
- Separate job placement/transfer (A,C)
- EAP (C,D,E,F,G)
- union (2)

M444

a) Do you sometimes refer clients to outside assistance?
Yes (M-6,A,B,C,D,E,F,G)

11) Factors which contribute most to success of ombuds function?

- personal characteristics of ombuds (M-6,C,D,E)
- employee relations climate (M-6,E)
- educational level & maturity of employees (M-6,E)
- very hard work (M)
- knowing the CEO (M,E)
- building trust (M,B,D)
- helping people learn to help themselves (M)
- keeping confidences "a closed mouth", "no gossip" (M,C)
- strong support from Sr. mgmt. (B,C)
- union support (1)
- credibility through successful resolutions (F,G)

remainder (12-16) not collated
see originals if desired

What Actually Works? The One-to-One Approach

Mary P. Rowe, Ph.D.
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In the 1970's we tried hundreds of wonderful ideas about how to integrate academe. We tried to bring in minorities and women and permit them to thrive as well as do Anglo men, (or, if possible, to permit them to do better, since many Anglo men don't thrive in academe either.) I will not discuss all the hundreds of these ideas, though we tried hard with them.

I write about five ideas that seem actually to work, especially when undertaken together. I think each is necessary, but not sufficient, to the thriving of women and minorities. Each depends on individuals and on dealing with individuals, so I will call this the "one-to-one" idea of progress. These five ideas are:

- *commitment and action by the top administration;
- *one-to-one recruitment of minorities and women;
- *one-to-one mentoring;
- *individual responsibility for networks;
- *a complaint system that works for individuals.

An extraordinary aspect of this set of ideas is that there is no net financial cost to the institution to institute this one-to-one approach.

1. What happens at the top?

If an institution is going to change, with respect to minorities and women, it will first be because of major leadership by top management. If top management wants true integration, but nothing else is done, there will be tokenism. A few women and minorities will appear, (usually very able people). If top management is leading, and the other four elements described here are in place, real change will take place. If top management does not lead, the other four elements will not succeed on their own, in changing the institution. The other four elements may, over time, succeed in changing the top

administration, either in the sense of changing minds, or in the sense of a changeover in people. But committed top leadership is essential..... necessary, though not sufficient..... to true integration of a college or university.

What does a committed top management do? They talk and write about minorities and women, about diversity, about the excellent work of individual women and the honoring of an individual black. They get to know professional women personally, at dinner, on planes, at squash, asking the questions that men have always wondered about: "Can women really be as good at math? Can men really care as well for babies?" They discuss with minority men and women the real and symbolic issues of importance to minorities and get to know these colleagues on a personal basis. Effective top managers will listen and talk about EO issues in public, with ease and grace and commitment. These attributes then lead to a public understanding that the senior administration is at ease with women and minorities, that they place the special issues of integration high, with other important issues..... and that top managers will hold all other managers to account about affirmative action and equal opportunity.

Where top leadership is committed, they will themselves recruit, personally bringing in the Hispanic physician, the black scientist, the top female colleague in administration. They themselves will mentor, personally, and will insist on serious performance evaluation and mentoring by others. These top administrators will support internal networks of women and minorities..... and then will stay in touch with those networks. And they will establish and stand behind safe, fair, accessible complaint systems.

The hallmark of the successful top administrator is joint "problem-solving" with minorities and women. The hallmark of the successful affirmative action activist is the same: joint problem-solving with the senior administration. "Us against Them" is a terrible model, if progress is to occur and to endure.

2. One-to-one Recruitment

All of the ordinary paraphernalia of affirmative action can only set a floor beneath abuse. Genuine progress is most likely to occur when Anglo males and others decide that they personally will make a difference. All that is required in fact is that people should decide they will do something to make a difference, each year. My ordinary request of anyone who "offers to help" is this: Make sure that at least once a year you personally recruit one minority student, or one woman post-doc, invite one woman to give a speech, or add one woman to a committee or recruit one black and/or female faculty member.....

Almost everyone can "make a difference" each year. Support staff are very effective recruiters of minority and female staff and students. Managers and faculty each can make a difference within their own areas. Every academic institution can apply this recruitment plan: simply convince a set of people themselves personally to recruit one woman, one minority person in some way, every year. It is the sum of these small acts (one more woman recruited to a athletic team, one minority support person promoted, one minority guest lecturer) that changes an institution.

Supposing the institution is a top-ranked, elitist one or off by itself in a rural area? The key here is the building of a recruiting network and an on-going (steady state) search. For example, one convinces each recruiter to get to know every minority and female professional of the appropriate type, that he or she meets while travelling. Each scientist should introduce herself or himself to women and to blacks, at professional conferences, on industry visits, etc. Each historian would make it a point to stop by to meet minority and female colleagues in the same field, on visits away from home. These colleagues then become one's recruiting network when a job opens up. These are the people one calls, one-on-one, when looking for female and minority candidates.

One-to-one, steady-state recruitment has always been the mode for recruiting superstars. A department may "court" a top-ranked professional for several years. Exactly the same method works for minorities and women: "visiting" and guest invitations back and forth, meetings at conferences, discussions while serving together on national committees. It is this kind of contact that builds trust and that convinces the desirable Hispanic or Asian or woman to consider moving--even to an isolated college--or to consider recommending some other appropriate person. And it is this kind of contact that persuades the host institution (at low risk) that Ms. X or Mr. Y is the right person.

3. Mentoring

Good recruiters make good mentors. This is especially true where top administrators reward and compliment successful recruiting and mentoring, and especially true where the recruiters' pride is engaged by the success of their recruits.

For a mentoring system to succeed, it must apply to everyone in the institution, minority and non-minority, men and women, at every level. It should be integrated, if possible, with performance evaluation. It must be legitimated by top administrators or there will be tension about senior men mentoring junior women. There should if possible be choices for both mentors and mentees, in case individuals don't like each other.

Many minorities and women prefer and need same-sex, same race mentors. Others prefer mentors of the gender and ethnic background who run the institution--typically Anglo males. An institution can provide both: a same-sex, same race "host" when the recruit first comes, and later a person of mutual choosing, whether the "host" or other.

I believe in highly individualized mentorships, with several mentors typically better than one. Black and female professionals appear historically to have thrived with multiple mentors. This is especially helpful if one is in an isolated college (one seeks out appropriate senior colleagues elsewhere); if one dislikes senior colleagues in one's department and the feeling is mutual (then one definitely seeks guides and mentors elsewhere), or if one is in a world-class institution and depends on world-wide referees for promotion. In short, a mentorship system should encourage multiple mentors if at all appropriate, individually chosen and individually pursued.

The successful mentorship system depends on two elements: the expectation of senior colleagues that they will guide and coach and sponsor, and the expectation of junior people that they will personally expend whatever effort is necessary to find the guidance and coaching and sponsorship they need. This is best provided where appropriate senior administrators systematically and individually encourage both seniors and juniors to collaborate. This can be done by personal encouragement, by judicious matchmaking and especially, by teaching each person that the responsibility is individually hers or his to make the mentoring work.

4. Networks

Networks are mentoring systems writ large. Minority and female networks will exist, wherever non-traditional people exist in an institution. The question is whether they will be effective. Some are extremely effective.

Will the internal networks be upbeat and useful to the members and the institution? The answers depend on the degree to which individual senior administrators foster and stay in touch with the networks.... and the degree to which individual network members take responsibility for forming, expanding and maintaining both intra-group and external relationships. A networking system is in short like a mentoring system: it will work to the extent that individuals take personal responsibility for the painstaking, sometimes tedious, one-to-one relationships that make the structure effective.

It is particularly difficult to keep minority and female networks healthy and effective because turnover is high, and because "all blacks" and "all women" do not necessarily share anything beyond a skin color or a second X chromosome.

One effective mode is for administrators to foster connections between small groups of minorities and/or women who happen to share a common specific interest. For example, the women (and men) interested in day care, the secretaries worried about safety in Building X, the minorities interested in curriculum change.... these are groups who have an effective interest in getting together and in doing an enormous amount of (free) work for themselves and their institution.

Self-formed, responsible interest groups can be supported in two ways. Some administrator (perhaps an ombudsman) should take responsibility for being sure each group is working together (problem-solving) with the line managers appropriate to their interests. And each little group can be asked to nominate a representative to an institution-wide Women's Advisory Board or Minority Interest Committee that meets with senior administrators. In one model, each self-formed, specific interest group nominates one member who is then appointed by the President to a Presidential Advisory Committee.

This model builds on the real interests motivating women and minorities, guarantees that the networks surface genuine issues continuously, and provides upward feedback as well as collegial support among the network members. No one will be "left out" because an infinite number of responsible networks can self-form, as new ethnic and other groups appear.

5. Complaint Systems

Women and minorities (and other people) face problems within institutions: overt discrimination, subtle discrimination, red-tape, plain human meanness. If non-traditional people are to survive, there must be individualized responses to individual needs. If institutions are to change, there must be upward feedback, in addition to that which can be provided by mentoring and network systems.

A complaint system must be just that: a system of complaint-handling functions, both informal and formal. Most people just think of formal grievance procedures; this is not enough. However there is a paradox here. Unless an institution has a fair, accessible, formal complaint-and-appeal structure for grievances, the rest of a complaint system (the informal part) will not work. But if the whole complaint system works well, with both informal and formal channels and functions,.... then the formal channel(s) will be used very rarely, and most problems will be solved in an informal mode.

These are the functions that must be present in a complaint system, especially if it is to work well for women and minorities:

a) Dealing with Feelings. Dealing with traditional, white male institutions brings rage, grief and bewilderment on occasion to everyone, and especially to minorities and women. Having a problem often engenders such strong emotions that an individual cannot think through any effective response. A good complaint system must have people highly skilled at dealing with feelings.

Sometimes this is in fact all that is needed. Every experienced complaint handler has the odd experience of having someone blow up and/or weep for hours in the office, only to report back on the morrow that "everything now seems much better."

At other times, it is critical to help someone with a problem express feelings (for days or weeks or months) before a proper plan of action can be undertaken. Since this appears especially to be true for sexual and racial harassment, it is vital to the progress of equal opportunity that there be complaint handlers to support peoples' feelings.

b) Giving and Receiving Data on a One-to-one Basis. Most people most of the time do not even know the name of their college president, much less how the college determines salary equity or promotions or transfers or benefits. It is therefore very important that complaint handlers give out information and make referrals on a one-to-one basis, at the time and in the fashion needed by a complainant. This may, again, be all that is needed, to help someone understand that a specific event actually follows a customary rule or practice that is in fact not discriminatory. For example, this is common with salary equity questions.

At other times, learning how the system is supposed to work illuminates that the individual was improperly treated. Or the complaint handler may learn how a good rule is being wrongly applied, in a way that should be changed. Or that no relevant policy exists, though it should; this was for example common before the days of sexual harassment policies.

c) Counselling and Problem-solving, to Help the Complainant Help Herself or Himself. Most complaint handlers are either much too eager to take over someone else's complaint.... or to forget it or ignore it. The skilled counsellor will help a visitor develop and explore and role play options, then support the visitor to choose an option, then follow up to see that it worked. Most women and minorities (and Anglo males) would prefer to "own" their own complaints and deal on their own with their difficulties, if effective options to do so can be developed and pursued. It is therefore essential that a complaint system have counsellors who are effective at helping people help themselves.

These first three functions must be available on a confidential basis and should be available from impartial persons. Usually this will mean the availability of a college or university ombudsperson, in addition to student and employee and medical counsellors. It will help enormously also if there are women and minorities available as counsellors and ombudsperson(s) since the credibility of a complaint system is its chief asset.

d) Shuttle Diplomacy. Sometimes a complainant will need a go-between. This is especially true if one or more parties need to save face or deal with emotions before a good solution can be found.

e) Mediation. Sometimes a complainant will choose the option of meeting with others, together with a third party complaint handler. Like shuttle diplomacy this usually happens on an informal basis. However the settlements of shuttle diplomacy and mediation may be made formal.

f) Investigation. Investigation of a complaint can be formal or informal, with or without recommendations to an adjudicator--for example, to a disciplinary committee or line manager. All four of these investigatory options should be available within a complaint system.

g) Adjudication; Formal Complaint-and-Appeal Grievance Procedures. Sometimes a complainant will ask to bring a formal complaint for formal review and decision-making. This process must be perceived as accessible and fair, for minorities and women, as well as for Anglo men. (There are a number of useful publications available on this topic.)

h) Upward Feedback. Possibly the most important function of a complaint system is that it be able to receive information that will foster timely change in the institution. Are policies unintelligible or outdated? Have new problems arisen? A healthy institution is constantly changing in response to new needs and data--and in response to new diversity in its population.

These last five functions also require impartial or at least fair complaint handlers. Except for formal adjudication, which is almost never the province of an ombudsperson, it may help to provide ombudspeople or "internal mediators" in addition to other staff and line managers. In a college too small for a full-time ombudsperson, impartial third parties may be provided by designating certain college personnel as available mediators. If this plan is followed, the "internal mediators" should be given a common charge and a common training.

The one-on-one idea of progress is built on the idea that institutional progress is built from the sum of the

successes of individuals. Goals and timetables are only numbers. Women and minorities are individuals. No two are alike and each must thrive in his or her own unique terms in order to thrive at all; each needs personal attention and each needs her or his own voice.

This point of view gives hope to the individual who wishes herself to make a difference. One woman can seek to make contact with a college president. One woman can start a network. One woman can herself recruit minorities and women and seek to encourage others to do the same. It takes just one to start talking about mentoring, to mentor and to seek mentors. It takes only one woman to analyze her institutional complaint system and to ask for improvements if needed. One woman as an ombudsperson can both help individuals and help the system change (and is likely to save much more money than she costs).

Successful diversity benefits everyone. The successful change agent will exemplify this point of view, problem-solving with her male and female colleagues, rather than taking issue against them. This is perhaps most easily done by an ombudsperson. But it can be done by anyone. (And this particular set of ideas does not even cost money).....

PRELIMINARY FINDINGS FROM A PILOT STUDY
OF CORPORATE OMBUDS PRACTITIONERS

June, 1986

Michael Baker, Lee Robbins, Mary Rowe, James Ziegenfuss
(This draft by Mary Rowe following notes by Lee Robbins)

The selection of a given ombuds practitioner is critical to the success of the office. Who the practitioner is powerfully influences the scope and direction of that practitioner's work. Formal disciplinary training appears not to matter a great deal by comparison to being a "natural mediator" with experience.

Ombuds practitioners appear to follow rather few standard rules. Their actions appear individualized for each client, following an ethos of "communication, consultation, co-determination." Practitioners appear participative and collaborative, rather than hierarchial and controlling, following an integrative, rather than distributive conflict resolution philosophy. This fact perhaps underscores why the ombuds function must lie outside normal management control structures.

Ombuds practitioners work in a highly personalized fashion. They cite as necessary skills:

- listening;
- patience;
- personal familiarity with the organization and its key people;
- experience with people (e.g., Personnel; line manager job, conflict resolution).

Among the principal conflicts handled are:

- person vs. person problems: meanness, harassment, personality conflicts;
- person vs. supervisor: terminations, evaluations, job assignments, salaries;
- person vs. "the system": interpreting/changing policies, procedures, structures, bureaucratic decisions;

- most typical case: worker & supervisor, or supervisor & worker.

How are cases handled?

- careful listening (often cited as having been absent in previous handling of the problem);

- developing individual options with the client;

- providing suggestions and perhaps coaching on specific contacts for the client (or ombuds practitioner) to make next;

- conciliation and shuttle diplomacy;

- very rarely making binding decisions;

- rarely turning problem over to top management for decision;

- some generic intervention;

- some training of other helping personnel.

How is the function publicized?

- High case loads with lots of face-to-face contacts;

- Lots of individual phone calls;

- Getting to know managers very well;

- Some writing, articles, in-house publications, posters, etc.

What records are kept?

- Not many, sometimes not any, sometimes not even much aggregated data. We suggest this is partly because of confidentiality and partly because of the highly informal, individualized nature of high case load interactions;

- Few have forms for clients to fill out.

How are practitioners evaluated?

- Predominantly by word of mouth, intuition; ("happy client") letters;

- Some feel their formal, annual reports are given little attention by management;

- Some feel uncomfortable with lack of formalized evaluations; we suggest ceos may intuitively or explicitly prefer informal evaluations of the practitioner as an extension of the whole function.

- The community "votes with their feet;" (a good practitioner is heavily used).

What methods are used to affect policy?

- operative idea is "persuasion," not "control;"

- upward feedback of data, including anecdotal information, (not so much in Reports, but in personal visits to management);

- formal and informal training of managers (participative training more often than didactic).

Confidentiality

Ombuds practitioners lay heavy emphasis on privacy and confidentiality, sharing information only by joint agreement with the client, except in very extreme cases.

Ombuds practitioners are typically well-paid in relationship to either their supervisory responsibility or their formal decision-making authority. Management apparently sees this job as analogous to a senior psychiatrist or highest level management consultant. Salaries in our sample ranged from \$40K to several over \$100K.

We have a hypothesis that ombuds practitioners typically will practice best on their own (like psychiatrists) rather than in hierarchial structures (like personnel officers). Linking practitioners in a network (one per plant in a big company) appears to work well. There are also very successful examples of large offices with linked services (EA, ombuds services being the most common linkages).

There are various modes of ombudsmanry: the lifetime professional, the very senior manager who becomes ombud as a "last career," the two-year or four-year stint on the way to other jobs.

The profession is highly integrated by race, gender, age, and background (technical, non-technical; HR and other, etc.). Formal charges to corporate ombuds practitioners also vary widely (non-union, union-inclusive; with or without the right to adjudicate a matter internally; with or without aegis over senior managers; with major or minor focus on systems change). Case loads are also highly integrated, typically

reflecting closely the background population of the company, including managers as clients.

Ombuds practitioners perceive that top management support is critical, perhaps because the typical ombuds approach is at least partially in conflict with traditional corporate norms. Most practitioners report to or have direct access to the highest level in their organization. Some practitioners believe that being perceived as having more power than they have would be helpful. Some would actually want more power, some would not.

Most companies with an ombuds practitioner also appear to have other "alterative channels." Practitioners typically report close working relations with these other colleagues.

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