

## **UC Santa Barbara**

<http://www.ombuds.ucsb.edu/>

### **History of the UCSB Office of the Ombuds**

*About Us Our Staff History Advisory Committee Charter Agreement Annual Reports*

The Office of the Ombuds was established at UC Santa Barbara in 1970 as an alternative channel for communication and dispute resolution. The first Ombuds, Geoffrey Wallace, served in the role of Campus Ombuds for over 30 years until he retired in 2004, at which time the office was closed temporarily. A Task Force on Dispute Resolution and Mediation was appointed by Executive Vice Chancellor Gene Lucas "to consider the support [the office] provide[s] for dispute resolution and mediation in the context of the current budget constraints and the structural changes that have occurred on the campus since the inception of this program." The Task Force report recommended the reopening of the Office of the Ombuds, and the Executive Vice Chancellor supported the recommendation and re-opened the Office of the Ombuds in January 2005. Read the task force's final report [here](#).

Currently, we have four staff members: the Campus Ombuds, the Associate Ombuds, the Analyst, and a part-time Faculty Ombuds.

### **The Ombuds Concept**

The first ombuds office was established in Sweden in the early 1800's to provide citizens with a place to bring their concerns and complaints regarding the government. The word "ombudsman" (OM-buds-man) is Swedish in origin, although many contemporary offices choose to use "ombuds" or "ombudsperson" to describe themselves. The basic purpose of an ombuds is to help people informally resolve conflicts or complaints. Organizational ombuds provide information, options, and impartial review for individuals, as well as feedback and recommendations for system change to senior management.

### **Our Role**

<http://www.ombuds.ucsb.edu/role/>

We assist the campus community with the informal resolution of any University-related complaint or conflict. We offer a safe and confidential place to discuss concerns.

### ***Roles and Responsibilities for the Office of the Ombuds***

*The Ombuds will:*

- Listen to your questions and concerns
- Help identify and evaluate options
- Offer an impartial perspective
- Facilitate difficult conversations as an impartial third-party
- Make referrals to appropriate resources
- Provide training for conflict management skills
- Recommend constructive change in University policies and procedures

*The Ombuds will not:*

- Provide legal advice
- Offer psychological counseling
- Make decisions or render judgments on issues
- Conduct formal investigations
- Participate or testify in formal processes, including lawsuits or grievances
- "Take sides" or advocate for individuals or for the University in a dispute
- Accept notice on behalf of the University

The Office of the Ombuds supplements, but does not replace, existing resources for conflict resolution at UCSB. If you are not satisfied with informal attempts at resolving a conflict, you may

choose to initiate a grievance process. We can give you information about these types of formal processes but cannot handle or get involved with them.

Consulting with the Office of the Ombuds is completely voluntary. All members of the University community have the right to speak with the Office. Retaliation for exercising that right will not be tolerated.

### **Authority of the Office of the Ombuds**

We have the authority to contact senior officers of the University, to gather information in the course of looking into a problem, to mediate disputes, to bring concerns to the attention of those in authority, and to attempt to expedite administrative processes. We are entitled to inquire informally about any issue concerning the University and affecting any member of the University community. This means we might initiate an informal inquiry without having received a specific complaint. Campus individuals who are contacted by us with requests for information are expected to cooperate and, as much as possible, to provide appropriate information as requested. We will not request a department or individual to breach confidentiality.

We may make any systemic recommendations we deem appropriate with regard to resolving problems or improving policies, rules, or procedures. However, we have no actual authority to impose remedies or sanctions or to enforce or change any policy, rule, or procedure. These recommendations for change are based on perceived trends. While we do not keep records of specific complaints or problems, we do keep track of general statistical patterns and bring concerns to the attention of those with the authority to make institutional improvements. These data may signal emerging issues, indicate new trends, highlight vulnerable groups, or suggest areas of improvement. Our data collection never includes details that could identify individuals' confidential information.

### **Common Concerns**

You can talk with us in confidence about any concern related to UCSB, no matter how large or small. We will listen to your issues and help you brainstorm possible options. Here are a few common concerns:

- Bureaucratic runarounds and red tape
- Ethical dilemmas
- Performance feedback (academic or employment related)
- Tenure and job security
- Grade disputes
- Disciplinary matters
- Interpersonal difficulty
- Unfair treatment
- Bullying
- Academic honesty
- Workplace conflict with supervisors and/or employees

### **Contact Information**

Phone: (805) 893-3285  
 Fax: (805) 893-8919  
 Location: 1205-K Girvetz Hall  
 Email: See Below\*

#### **\*A Note about Email**

The Office of the Ombuds does not communicate via email, as email is not a confidential medium. We discourage you from using email to contact us about confidential matters, including

scheduling an appointment. We recommend that all communication with our office be done by phone or in person

\*\*\*\*\*

### **We Can Help**

The Office of the Ombuds is a safe place at UC Santa Barbara to come and discuss workplace issues, interpersonal conflict, academic concerns, bureaucratic runarounds, and many other problems. We serve faculty, staff, students, parents, or anyone else with a campus-related concern. You can speak freely to us because we keep our discussions confidential. Get in touch with us as a first step or as a last resort-or at any point along the way.

### **Kirsi Aulin**

Campus Ombuds

Kirsi holds a BA in French Literature from Bryn Mawr College and a M.S. in Counseling Psychology from California State University at Northridge. Kirsi is also a Licensed Marriage and Family Therapist. Kirsi has held various counseling positions where she has worked with children, families, and AIDS patients. Before coming to the Office of the Ombuds, she worked with UCSB students at Student Health Services. She has been trained as a mediator through the Institute for the Study of Conflict Transformation. Kirsi was hired as the Associate Ombuds in September 2007 and the Campus Ombuds in July 2012.

### **Bill Forgie**

Faculty Ombuds

Bill received his Ph.D. in Philosophy from Cornell University. After 37 years of service in the Philosophy Department at UCSB, he retired in June of 2005. He served as Chair of the Philosophy Department from 1977-1980 and again from 1987-1990. Bill also chaired the Academic Senate Committee on Educational Policy and Academic Planning (CEPAP) during 1994-1995 and served as the Senate's Charges Officer from 1999-2005. In 2004 he chaired the UCSB Conflict Resolution Task Force, the committee appointed by the Executive Vice Chancellor to consider how the UCSB campus might best serve the faculty, staff, and student body in conflict resolution and mediation. Bill has been the Faculty Ombuds since April 2006.

### **Summer Turner**

Analyst and Intake Coordinator

A native of Santa Barbara, Summer earned a BA in Geography from UCSB and returned to the area in 2008 after living in Northern California for nearly six years. Before joining the Office of the Ombuds in 2010, Summer worked on campus in Counseling Services, the Office of the Registrar, and also completed training in Transformative Mediation. When not at work, she enjoys spending time with her two dogs and cat, being outdoors, reading, and doing Pilates.

## UC Irvine

<http://www.ombuds.uci.edu/>

### **OFFICE OF THE OMBUDSMAN**

Confidential • Impartial • Independent • Informal

An alternate channel for confidential, neutral and informal dispute resolution services for the UC Irvine campus and medical center.

<http://www.ombuds.uci.edu/homepage.shtml>

### **OFFICE OF THE OMBUDSMAN**

The term "Ombudsman" is an English translation of the Swedish word *ombudsman* from the Old Norse *umboosmaor*, meaning representative. An Ombudsman is one who advocates for fairness, equity and administrative efficiency.

The Office of the Ombudsman is an informal resource built on three essential principles: independence, impartiality and confidentiality.

#### **Purpose of the Office**

The Office of the Ombudsman provides a safe and comfortable environment to discuss complaints, concerns or problems confidentially. When appropriate, the office will initiate an informal intervention with the goal of facilitating a resolution that is acceptable to all parties involved.

The ombudsman acts as an independent, impartial resource. If a matter cannot be resolved through our office, a referral will be made. When appropriate, the office can make recommendations regarding policy review and change.

The Office of the Ombudsman serves all students, faculty, staff and administrators of the UCI community – both on the main campus and at the medical center.

#### **Informal Resource**

The Office of the Ombudsman offers an alternative opportunity to resolve complaints, concerns or problems in a timely and private manner. Users of the office are provided a confidential place to explore options to make informed decisions. The Office of the Ombudsman does not replace or substitute for formal grievance, investigative or appeal processes made available by the university. Also, the office does not have any authority to make decisions or enact policy.

#### **Independence**

The Office of the Ombudsman reports directly to the Chancellor and the Executive Vice Chancellor for administrative and budgetary purposes only. Therefore, the ombudsman has access to all decision makers. The Office of the Ombudsman's role and function is defined by the International Ombudsman Association Standards of Practice and Code of Ethics.

#### **Impartiality**

The office is neutral and does not represent the university or individual in matters brought to its attention. The office advocates for fairness and equity. When given permission, the ombudsman may assist in finding an informal resolution through mediation, shuttle diplomacy or by other means.

#### **Confidentiality**

The Office of the Ombudsman is a voluntary resource independent of the university. Visitors to the office can expect that what they say will be kept in confidence. The ombudsman will not disclose any information without a visitor's expressed permission. The exceptions to

confidentiality are disclosures of child or elder abuse and imminent risk of serious harm to self or the general public.

### **Notice**

The Office of the Ombudsman does not serve as an office of notice or record for the university. The office does not conduct formal investigations nor does it maintain or keep records. If the ombudsman deems it proper, he or she will refer visitors to the office most appropriate to his/her concern or complaint.

If the visitor wants to put the university on official notice for a policy or law violation, complaint or concern, he or she must contact his/her supervisor, manager or designated office of record for the university. In addition, the visitor is responsible for adhering to timelines or deadlines as stated per policy when filing formal grievances or appealing decisions.

The Office of the Ombudsman will strongly assert the protection provided by the California Evidence Code Section 1119 et seq. in resisting participation in formal or legal proceedings on behalf of the university or individual(s) using the office. Use of the office is voluntary. The Office of the Ombudsman accepts matters with the understanding that the user of the office will not depose or subpoena the ombudsman or staff members.

### **OMBUDS QUICKLINKS**

- [Office of the Ombudsman](#)
- [Mission Statement](#)
- [Summary of Services](#)
- [Standards of Practice \(PDF\)](#)
- [Code of Ethics \(PDF\)](#)
- [Charter](#)
- [Principles of Practice](#)
- [Benefits of Using the Office](#)
- [FAQs](#)
- [Meet the Staff](#)
- Annual Case Data
  - [2009-2010](#)
  - [2010-2011](#)
  - [2011-2012](#)
- [Cal Caucus Journals](#)
- [UCOP Intolerance Report Form](#)
- [Declaration of Best Practices for UC Ombuds Offices \(PDF\)](#)
- [Mediation Program](#)

### **MISSION STATEMENT**

#### **The Office of the Ombudsman pledges to:**

Adhere to the Standards of Practice of the International Ombudsman Association, which consist of the principles of confidentiality, informality, impartiality and independence.

Be committed to the pursuit of equity and fairness.

Provide all members of the UCI community a safe place to talk about concerns, explore options, and make informed decisions.

Persist in building and preserving collaborative relationships with whom we work.

Identify campus trends and provide upward feedback.

Hold ourselves to the highest ethical standards to earn and maintain the trust and respect of those we serve.

<http://www.ombuds.uci.edu/faq.shtml>

## **FAQS - FREQUENTLY ASKED QUESTIONS**

### **What does it mean that the Office of the Ombudsman is independent from the university?**

The Office of the Ombudsman reports directly to the Chancellor and the Executive Vice Chancellor for administrative and budgetary purposes only. Therefore, the ombudsman has access to all decision makers. The Office of the Ombudsman's role and function is defined by the International Ombudsman Association Standards of Practice and Code of Ethics.

### **How is the Office of the Ombudsman informal?**

Use of the office is voluntary. The office is not a replacement or substitute for formal grievance, investigative and appeal processes provided by the university. Conversations with an ombudsman are confidential and considered "off the record."

The office intervenes when requested, to assist parties in finding a resolution when privacy, discretion, and promptness are desired.

### **How is the Office of the Ombudsman different from an "office of record"?**

The Office of the Ombudsman can receive information in confidence and is not obligated to report what is disclosed. The exceptions to confidentiality are disclosures of child or elder abuse and imminent risk of serious harm to self or the general public.

An office of record may be obligated to conduct a formal investigation once given notice of a matter, concern, or complaint; the Office of the Ombudsman is not bound by this obligation. In short, by coming to the Office of the Ombudsman, the visitor has control over what he or she discloses and can decide how he/she wants the matter to be handled.

The office keeps no documents or permanent records that identify visitors to the office.

### **Does the Office of the Ombudsman identify and report trends and systemic problems?**

Yes. The office extracts demographic statistics such as: gender, ethnicity, type of complaint, whether the visitor was a student, staff, faculty, administrator, and the outcome.

The statistics have no identifying links to the visitor. The information compiled gives the office data to make recommendations regarding systemic change where appropriate.

### **What if a matter is brought to the attention of the Office of the Ombudsman and it cannot be resolved informally?**

The office will refer the visitor to an appropriate office.

### **Can I use the Office of the Ombudsman when I have filed a grievance or retained an attorney or union representative?**

No. The office is an informal resource designed to resolve complaints, concerns or problems before a grievance has been filed or an attorney or union representative has been retained.

### **Is the Office of the Ombudsman an advocate for those who use the office?**

No. The office does not take sides. An ombudsman is a designated neutral. The office advocates for a fair process.

### **If I have a dispute or conflict when there is a power imbalance, how can the office help?**

The role of an ombudsman is to remain impartial, to listen to and acknowledge all parties' concerns and interests, to gather facts and ask appropriate questions as an informal means to help parties identify acceptable outcomes.

### **How can I be sure that my contact with the Office of the Ombudsman is confidential?**

Confidentiality is the foundation of the office and is a fundamental principle in our professional Code of Ethics and Standards of Practice. As a visitor to the office, you can expect that conversations with an ombudsman are confidential and "off the record." The exceptions to

confidentiality are disclosures of child or elder abuse and imminent risk of serious harm to self or the general public.

The agreement to maintain confidentiality is what allows the office to be an alternative channel of communication. An ombudsman will not disclose the identity of a visitor who uses the office nor disclose any information regarding a voiced complaint, concern or problem without the visitor's expressed permission.

The office provides an alternative resource for a visitor to explore and consider options in order to make an informed decision.

**If I am a patient with a concern, where do I seek help?** UC Irvine has a separate Patient Relations group dedicated to helping patients with their concerns. The telephone number for patient relations is 714-456-5080.

## UC Berkeley

<http://campuslife.berkeley.edu/ombuds>

### Ombuds Office for Students & Postdoctoral Appointees

The Ombuds Office can be your first step, your last resort, or anything in between. If you wish assistance sorting through a campus-related conflict or concern, please contact us. The Ombudsperson will listen to your concerns, serve as a sounding board, discuss your options with you, and help you get a new perspective and determine the next steps to take.

The office is strictly confidential and no one will know you have spoken with us unless you wish them to. The only exception to this confidentiality is where there appears to be imminent risk of serious harm or danger.

### How the Ombudsperson Helps

You may contact the Ombuds Office at any time during a conflict if you want assistance sorting through the situation. The Ombudsperson will listen, help you come up with next steps, and discuss other resources that might be helpful.

#### The Ombudsperson **DOES**:

- Listen impartially and provide unbiased feedback
- Provide a confidential place to discuss complaints and consider options
- Refer students and postdocs to appropriate campus services and resources
- Assist with problem-solving to minimize the escalation of conflict
- Assist people in conflict to develop mutually acceptable outcomes
- Encourage and empower students and postdocs to find their own solutions to problems and concerns
- Coach individuals on how to communicate their concerns non-defensively

#### The Ombudsperson **DOES NOT**:

- Advocate for individuals or take sides
- Participate in formal procedures, including legal proceedings
- Keep records identifying individuals who meet with the Ombudsperson
- Serve as an office of notice for the University
- Provide legal advice
- Share information with others without permission
- Keep confidential any imminent risk of serious harm or danger
- Conduct formal investigations or write formal investigative reports
- Change policies or academic and administrative decisions

All UC Berkeley undergraduates, graduate students, and postdoctoral appointees, as well as faculty and staff members who work with these groups, can contact the Student Ombuds Office for assistance. Please call 510-642-5754

<http://campuslife.berkeley.edu/ombuds/about>

### About the Ombuds Office

#### Mission Statement

The mission of the Ombuds Office for Students and Postdoctoral Appointees is to provide an informal dispute resolution process in which the Ombudsperson advocates for fairness, justice, respect for differences, and reasonable solutions to student and postdoctoral issues and concerns. The Ombuds Office also serves as an alert mechanism for systemic change on campus.

#### What Is An Ombuds?

An Ombudsperson or Ombuds, from the term Ombudsman, is a confidential\*, impartial, independent, and informal resource within organizations and corporations, designated to assist the community in managing and resolving conflicts and other types of organizational concerns.



The first Ombudsman position was created and established in 1809 by the parliament of Sweden to hear and resolve citizen complaints against the government.

\*Conversations are confidential unless there appears to be imminent risk of harm or danger.

#### **Additional Services Through the Ombuds Office:**

Advocate for fairness, equity, and a healthy campus environment

Serve as a facilitator in group problem-solving

Consult with university units and departments on options for conflict resolution

Mediate between parties

Suggest the redirection of matters to formal channels when appropriate

Promote equality, inclusion, and access for all persons

Identify and report about campus trends and problem areas

Make recommendations regarding changes in policy and procedures

Educate the university community about conflict resolution

\*\*\*\*\*

<http://campuslife.berkeley.edu/ombuds/standards>

### **Standards of Practice**

#### **Standards**

The Ombuds Office provides a safe, calm, and professional setting in which to address difficult and complex matters, operating with the utmost integrity and the highest professional standards pursuant to The International Ombudsman Association's Standards of Practice and Code of Ethics and the Berkeley Campus Principles of Community.

- [International Ombudsman Association Standards](#)
- [University of California Berkeley Principles of Community](#)
- [Declaration of Best Practices for UC Ombuds Offices](#) (.pdf)

#### **Cornerstone Principles of the Ombuds Office**

- **Confidential** The Ombuds Office holds all communications with those seeking assistance in strict confidence. The only exception to this confidentiality is where there appears to be imminent risk of serious harm or danger.
- **Impartial/Neutral** The Ombuds Office considers the interests of all parties involved in a situation impartially to assist the parties in reaching mutually acceptable agreements that are fair, equitable, and consistent with the policies and procedures of the University of California, Berkeley.
- **Independent** The Ombuds Office is independent in organizational structure, function, and appearance to the highest degree possible. The Ombuds Office for Students and Postdoctoral Appointees reports to the Vice Chancellor for Student Affairs and Dean of the Graduate Division for administrative purposes only.

**Informal** The Ombuds Office does not participate in any formal adjudicative or administrative processes or procedures. Use of the Ombuds Office's services is completely voluntary and not a required step in any formal grievance process or University procedure. Many of these procedures recommend seeking the services of the Ombuds Office for informal resolution prior to accessing the formal process.

### **Ombuds Office FAQ**

#### **What happens when you go to the Ombuds Office?**

The Ombudsperson will provide a comfortable, confidential environment to discuss problems, concerns, or complaints. She will review basic information about the office and you will be able to discuss your issue(s) and review your options, working to develop strategies for pursuing resolution.

### **What happens to information provided to the Ombuds Office?**

The Ombuds Office does not keep records with identifying information. Data is kept about the type of visitor (undergraduate, graduate, etc.) and the nature of the situation, but the records do not include any names or specific identifying information. The data are used to prepare the Annual Report, which is available to the Berkeley campus community and the public.

### **How is the Ombuds Office different from the Student Advocate's Office?**

The Ombuds Office supplements existing conflict management systems on campus, such as formal grievance procedures. The Ombuds Office is uniquely INFORMAL, NEUTRAL, INDEPENDENT, and CONFIDENTIAL\*. This allows the Ombudsperson to address concerns before they become disputes requiring formal interventions or grievances. The Ombudsperson offers confidentiality\* for those who fear retaliation or fear being perceived as a "troublemaker" and for those who want to avoid the loss of confidentiality and control typically associated with a formal process.

*\*The only exception to the confidentiality of Ombuds Office communications is where there appears to be imminent risk of harm or danger.*

The Ombuds Office does not represent or advocate for any individual or group. The Ombuds Office does advocate for fair policies and procedures, justice, equity and inclusion, and a healthy, welcoming, University environment.

The Student Advocate's Office (SAO) offers students and student groups "representation" during their disputes with the University. Please refer to the Student Advocate's Website for additional information: <http://www.ocf.berkeley.edu/~advocate/>

### **What kinds of issues do you help with?**

Issues that students and postdocs have brought to the Ombudsperson include grade disputes, thesis or dissertation issues, unfair treatment, unclear agreements, admissions, housing, billing disputes, dismissals, authorship issues, etc. The Ombudsperson can help with almost any academic and administrative issue confronting students and postdoctoral appointees.

### **What doesn't the Ombuds Office do?**

The Ombuds Office does not offer legal advice or mental health counseling, does not have any formal authority to render decisions about issues brought to the office, and does not participate in formal hearings or other formal processes. The Ombudsperson does not record formal complaints on behalf of the University, and the Ombudsperson is not designated by the University as an individual authorized to receive reports of any violations of University policy. Communications made to the Ombudsperson regarding possible violations of University policies or of unlawful practices do not constitute notice to the University. This allows the Ombudsperson to preserve the confidential and impartial nature of the office. If you need or want to file a formal complaint, the Ombudsperson will refer you to the appropriate office and/or policy.

\*\*\*\*\*

### **Berkeley Staff Ombuds Office**

<http://staffombuds.berkeley.edu/staff>

### **Services**

The purpose of the Staff Ombuds Office is to provide employees with a confidential, safe place to discuss work-related concerns and to strategize options to effectively resolve them. The Staff Ombuds Office uses a variety of methods to help staff resolve their work-related concerns, including:

**Individual Assessments and Referrals:** The ombudsperson candidly discusses each person's concern to fully understand the individual's experience and perspective, how they'd like to change the situation, and what options might be available to improve the situation. The ombudsperson,

when appropriate, also makes referrals to other resources on campus to support the person in resolving the situation.

**Individual Communication and Conflict Resolution Coaching:** The ombudsperson, using communication best practices and conflict coaching techniques, helps employees develop their communication and conflict resolution skills so that they are better equipped to effectively manage their situations.

**Facilitating Communications between Individuals:** At times, with the expressed permission of the employee, the ombudsperson may act as a go-between when there is fear of retaliation and/or when it is culturally inappropriate or uncomfortable to confront someone directly.

**Mediation:** Mediation is another tool the Staff Ombuds Office uses to help you resolve conflicts. It is a confidential, voluntary process by which the ombudsperson acting as mediator helps two or more people who are in conflict try to reach mutually agreeable solutions. One great advantage of mediation is that it allows the individuals involved to stay in control of their own situations, rather than turning over control to another person, whether a higher level of management, a hearing officer or arbitrator, or anyone else in a position of authority.

**Group Conflict Resolution:** The ombudsperson may also work with groups or teams on campus that are working through difficult decisions, disagreements, and/or conflict affecting multiple people. The ombudsperson role is to facilitate constructive discussions and share information and expertise related to effective group processes and conflict resolution.

**Departmental Needs Assessments:** The Staff Ombuds Office consults with departmental managers to determine their conflict resolution training and development needs. Tailor-made classes and workshops are delivered based on these needs assessments.

**Training classes:** The Staff Ombuds Office offers a variety of classes and workshops to help manage and resolve conflict in the workplace. Download our 2012-2013 schedule of classes.

**Self-Help Tools:** The Staff Ombuds Office regularly posts tools and information that staff can use on their own or recommend to others who are looking for ways to handle problematic situations or workplace conflicts. The Staff Ombuds Office also has a small lending library on relevant workplace topics. Staff members are invited to contact our office to schedule an appointment to visit the library and check out materials.

**Feedback About Systemic Trends and Issues of Concern:** The Director of the Staff Ombuds Office consults on an ongoing basis with key administrators and leaders on campus to bring systemic problems to the attention of the responsible change agents and to discuss general campus conflict trends and responses. The Staff Ombuds Office also issues [Biennial Reports](#) to provide information about non-confidential office activities and feedback to the campus community and leadership.

### **Meet Our Staff**

Our office includes Director and Ombudsperson Sara Thacker, Associate Ombudsperson Bridget Regan, and Assistant Ombudsperson Michele Bernal. When contacting our office Michele is the first person who will assist you in answering questions about our services and standards of practice, conducting intake, making referrals, and scheduling appointments. Sara and Bridget then meet with employees to listen to their concerns, problem-solve, and explore a range of options that help facilitate resolution.

### ***Sara Thacker, Director & Ombudsperson***

Sara Thacker is the Director of the Staff Ombuds Office at UC Berkeley. She holds a J.D. from the University of Iowa College of Law and a LL.M. in conflict resolution from Georgetown University Law Center. Sara is a self-described “recovered attorney” having found more progressive ways to resolve disputes after working for several years as a litigation associate at international law firms. In addition to serving as the Staff Ombudsperson for campus, Sara

developed a new ombuds services program for Lawrence Berkeley National Laboratory and currently serves as the Laboratory Ombudsperson.

Prior to joining the Staff Ombuds Office, Sara served as an Adjunct Professor and Hewlett Fellow in Conflict Resolution and Legal Problem Solving at Georgetown University Law Center where she taught courses in negotiation, mediation, and multi-party dispute resolution. Sara is a certified mediator and has mediated cases for the Equal Employment Opportunity Commission and the DC Office of Human Rights. As an experienced mediator, she also worked with the Department of Energy to create a pilot Mediation Support Advisor program to prepare employees for mediation and improve the productivity of the process.

Sara is currently serving a three-year term on the Board of Directors for the International Ombudsman Association (IOA), the largest professional association for organizational ombudspersons. She previously co-chaired the IOA Communications Committee and has presented at annual conferences for organizational ombuds on various topics, including mediation, advanced ombuds skills, and data collection and analysis. Sara is the author of two articles on organizational ombuds, including *Good Intentions Gone Astray: How the ABA Standards Affect Ombudsmen* [PDF], *Journal of the International Ombudsmen Association*, Vol. 2, No. 1, (2009) and *Where Are the Ombuds?* [PDF], *The Independent Voice*, Vol. 1, Issue 5, (2006). She has also given public speaking presentations regarding cultural considerations in conflict resolution, the role gender plays in mediation, and alternative careers in the law. In her spare time, Sara can be found on her yoga mat or eating her way through the Bay area.

***Bridget Regan, Associate Ombudsperson***

Bridget Regan is the Associate Ombudsperson at the Staff Ombuds Office at UC Berkeley. Prior to joining the Staff Ombuds Office, Bridget was a faculty member of the International Center for Cooperation and Conflict Resolution at Teachers College, Columbia University and a Lecturer in the M.A. Program in Negotiation and Conflict Resolution at Columbia University. From 1999 - 2006, Bridget was the Director of the Brooklyn Law School Mediation Clinic and Adjunct Associate Professor of Clinical Law. Bridget was the former Director of the Simon Wiesenthal - New York Tolerance Center, the east-coast educational arm of the Museum of Tolerance.

Bridget has over 15 years experience as a mediator, facilitator, trainer and consultant. She has completed numerous advanced trainings in conflict resolution, facilitative leadership, and diversity training and coaching. Bridget's expertise includes introductory and advanced courses and presentations on negotiation, mediation, collaborative problem solving, conflict coaching, and intercultural conflict style dynamics. Bridget has extensive experience mediating a wide variety of conflicts, including workplace, community, divorce, landlord-tenant, and victim-offender. Bridget is a certified mediation trainer for the New York State Unified Court System. She is a member of a number of lawyer and ADR associations. Bridget loves exploring East Bay hiking trails with her two dogs and finding the best places for Belgian waffles in the Bay area.

***Michele Bernal, Assistant Ombudsperson***

Michele is a long time UC Berkeley employee and alum. She loves Cal. Although she has worked in other departments on campus, Michele has been with the Staff Ombuds Office for many years and very much enjoys working with employees and issues that affect them. At the Staff Ombuds Office, Michele has combined her education in social welfare to help Berkeley staff address their concerns. She completed a 24-hour mediation certificate course in 2006 and the International Ombuds Association's 101 course in 2007. When she's not on campus, Michele enjoys figure skating, watching the Cal Bears, yoga, nature and the arts.

\*\*\*\*\*

<http://newscenter.berkeley.edu/2012/11/20/sara-thacker-poi/>

**When the going gets tough, she'd rather be ombudsing**

By Barry Bergman, NewsCenter | November 20, 2012

“Persons of Interest” is a weekly series exploring the lives of students, staff and faculty, both on- and off-campus.

BERKELEY — One of Sara Thacker’s “proudest moments as an ombudsperson” — and one of the few she’s at liberty to talk about — occurred not in the quaint Hobbit-hutch cottage that houses UC Berkeley’s Staff Ombuds Office, but on the upper deck of the Bay Bridge.

Sara Thacker

And it wasn’t a professional dispute, but a personal one.

With her husband.

Over motor oil.

The details are unimportant — something to do with oil-change frequency and manufacturers’ viscosity charts — and largely indistinguishable from the everyday flare-ups common to partners, friends and co-workers in cubicles the world over. Which, to Thacker, is the point of the story.

A few quarts got the parched engine humming again, but the tension inside the car remained thicker than 30-weight. “I said to myself, ‘Ombuds skills, come to me now,’” recalls Thacker, an Indiana native whose conversational style is an engaging blend of attentiveness, sincerity and Midwestern amiability. She smoothed the ride by articulating why she believed her husband was upset with her, then having him follow suit — one of the techniques she teaches Berkeley staff to use to untangle their own issues with managers or co-workers.

“What’s important about that is that it’s really better if the other person gets it wrong, and tells you something that’s not actually what you meant,” she explains. “Because then it shines a light on where the misunderstanding is.”

And that, says Thacker, helps people to see their options. “You have the most control over your own behavior,” she observes. “There are things you can do yourself to change the situation.”

Thacker, a “recovered attorney,” is a one-time corporate litigator who left a successful career to become, first, a mediator, and then an ombudsperson — a term that dates back to early 19th-century Sweden, where people’s representatives reported back to the king. The concept took root on U.S. campuses during the 1960s, as administrators sought ways to resolve clashes with protesting students more informally and productively.

Berkeley’s Staff Ombuds Office, established in 1984, adheres to a professional code of ethics built on confidentiality, impartiality, independence and informality. A “designated neutral,” it doesn’t take sides in disputes, and will never disclose details of individual cases. It does provide regular feedback — its 2011-12 biennial report is expected by early December — on general campuswide trends, including policy recommendations for addressing “systemic” issues with roots in organizational policies, practices, structures or culture.

“It’s not just about helping individuals,” Thacker says. “It’s also about helping the university.”

“As a litigator you’re highly analytical, looking at whether or not there was a violation of law or policy,” she says. “What draws me to mediation and ombudsing is that you’re getting beyond that. It’s really getting to what matters to people.

“It’s much more satisfying to get people to come to mutually agreeable solutions than to have them imposed. It’s much more satisfying professionally, and I’ve found it’s much more satisfying to the people who are involved in that process.”

'A safe place, without fear'

Thacker grew up as a “computer brat” — her parents both worked for IBM, known to employees as “I’ve Been Moved” — and nurtured a nomadic streak well into adulthood. Following stints in Iowa and Illinois, in 2002 she quit her job at an international legal firm in Phoenix to earn an advanced law degree from Georgetown University Law Center, staying on to teach mediation and conflict resolution as an adjunct professor and Hewlett Fellow. She left Washington in 2007 for an ombuds position at Berkeley, and has led the three-person office since 2009.

Now, ensconced in the cozy Fox Cottage on Bowditch Street, she aims to create a safe place for Berkeley staff and non-Senate faculty to work out their issues with managers, colleagues and, in some cases, the changing nature of their jobs themselves.

Confidentiality is key. What happens in Fox Cottage stays in Fox Cottage — that is, unless a Berkeley staffer expressly asks that a complaint with a manager or co-worker, say, be shared. Then, the ombudsperson handling the case — Bridget Regan, Michele Bernal or Thacker herself — will communicate the problem to the other party, and, if appropriate, facilitate a conversation.

“One of the main reasons people who are having problems don’t come forward is fear,” Thacker says. “They have a fear of retaliation, they fear losing control of the situation, they fear uncertain outcomes. And so our office provides that safe place where people can come and talk about things in a real and authentic way, without fear.”

And while ombudspersons are skilled in techniques like active listening and empathy, they don’t offer psychological counseling — though Thacker and her colleagues will help connect staffers with needed services and resources. Another thing they don’t do — lack the authority to do, in fact — is impose solutions.

“Some people have the misperception that the ombudsperson ‘fixes it,’” she says. “I can provide options, but we’re not directive. I don’t tell people what to do. I present a range of options, and it’s really up to the individual to decide what option they’re most comfortable with.”

“What makes our office powerful is that we’re able to get people to see the value in finding constructive ways to come together to find solutions,” she adds. “That’s really the bread and butter of what we do.”

'The clouds, the storm, the rain'

As for the problems themselves, the office has seen a sharp uptick in complaints of lack of respect and civility. But visitors these days often want help with more than a single problem. They may be worried about workplace bullying, terminations or layoffs, workstyle differences, organizational change, feeling undervalued or unappreciated, career advancement and development — or all of the above.

“People are waiting longer, and then when they do come in there’s an intensity there, a complexity that was not there five years ago,” Thacker says. “Now I would say each case has at least five issues.”

The one constant, she notes, has been stress. “Everyone that comes to our office is stressed, because we handle the clouds, the storm, the rain,” she says. Increasingly, though, campus staff are waiting until stress reaches the breaking point before finally making a visit.

“They’re not coming in when it’s just the clouds. They’re coming in with the lightning bolts, which makes things more challenging,” Thacker observes. “We’d actually like people to think of us more as being in the problem-solving business, and to come in before the problem escalates into a conflict or a dispute or a crisis.”

Instead of avoiding conflict, Thacker urges staff to embrace it. “I really see conflict as an opportunity,” she says. “There’s a lot of conflict avoidance, but that comes from not being able to see the opportunity in a conflict situation.”

Thanks to one change she’s made as director, her office is seeing not only the potential for easing workplace tensions, but empirical proof that communication can lead to empowerment.

“We now systematically follow up on every single case, every single person,” she says. “When we first started doing it we were a little worried — you know, what would this data reveal? But what we found was that people don’t call our office to let us know when things are going well, to say ‘it worked.’

“So we were actually thrilled to hear more about the sunshine, more about the way things had changed, and that it worked for people.”

For more information or to download biennial reports on campuswide trends — including the 2011-12 report, available soon — visit the Staff Ombuds Office website.