Incivility and Abrasive Conduct in Institutions of Higher Learning and the Ombuds Role

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INCIVILITY AND ABRASIVE CONDUCT IN INSTITUTIONS OF HIGHER LEARNING AND THE OMBUDS ROLE

by

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INCIVILITY AND ABRASIVE CONDUCT IN INSTITUTIONS OF HIGHER LEARNING AND THE OMBUDS ROLE

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by

Hector Escalante
DEDICATION

This dissertation is dedicated to my wife Hatzin Escalante. She kindly tolerated the hours and hours I spent on this dissertation journey. She understood that completing a doctorate was a life-long goal of mine, and she was supportive throughout the hours I spent locked in my office. I also dedicate this dissertation to my son, Joel, and my daughters Jannie, Mav, and Maya. Often, they sacrificed “dad time” to allow me to pursue my goal of earning a doctorate. Finally, I dedicate this dissertation to my mother Mariana Escalante for encouraging me to “Go to college Mijo!” She always knew I could do it.
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When I began this dissertation journey in 2013, Professor Thomas Nelson sat across from me and said, “This will be a transforming experience!” His enthusiasm both excited and scared me. After all, I was just working towards earning a degree. In retrospect, I can agree that this has been a transforming experience. My perspective on the world has changed and I have become a better Ombuds. I have had the privilege of sharing the experiences of the co-researchers and have learned from them.

I would first like to acknowledge my academic advisor and guide, Dr. Thomas Nelson. He has been a constant compass for me as I worked through the process of earning this degree. Thank you, Dr. Nelson for your continued encouragement and guidance.

Secondly, I would like to acknowledge my committee members, Dr. Draheim, who encouraged me to pay attention to the details of APA, Dr. Stevenson, who dared me to be bold, and Dr. Dash, who helped me understand transcendental phenomenology. I would also like to thank all the talented professors in the Benerd School of Education. I have met many of them, and they are all talented and compassionate educators. Finally, I’d like to acknowledge Leo Libres for helping me with the myriad logistical details required to maneuver registration and day to day requirements of graduate students. I truly could not have completed this degree without all these wonderful people.
Incivility and Abrasive Conduct in Institutions of Higher Learning and the Ombuds Role

Abstract

by Hector Escalante

University of the Pacific
2017

Current research indicates that abrasive conduct or incivility is on the rise in higher education and Ombuds are in a unique position to address this behavior. By applying transcendental phenomenological methodology to examine Ombuds experience when handling these types of cases and how the complex structures of higher education impact what they do, this study provides insights into how other institutions and organizations can address the rise in abrasive conduct amongst university faculty, staff and students. I interviewed ten university Ombuds experienced with cases of incivility, and I asked them open-ended questions regarding how they define and identify abrasive conduct. I also asked them questions regarding their roles and how they work within the structure of academia. I analyzed the data gathered from these interviews using Moustakas’(1994) modification of the Van Kaam Method. Four common themes emerged from the data analysis. The four theses are listed below:

1. The Visitor’s story is the Ombuds experience
2. How Ombuds define and identify abrasive conduct

3. The powerful impact of the academic structure

4. Guiding dynamics and the role of the Ombuds

The results of this research provide insight to Ombuds and organizations regarding how the Ombuds role can help identify, address and prevent abrasive conduct.
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Chapter 1: Introduction

“She always rolls her eyes at me whenever I make a suggestion in a department meeting.” “He pushed me as he walked by, but nobody saw it.” “My boss yelled at me in front of a student.” “I’m leaving the university because I cannot work for this person anymore. She is a monster!” These are common complaints that an Ombuds hears on a weekly if not daily basis. They all have a common thread. That thread is incivility or abrasive conduct. As an organizational Ombuds in higher education I often listen to people voice angst, concern, and pain when they experience disrespect, abrasive conduct and other uncivil behavior. My visitors are often victims of bullying, discrimination, micro and macro aggressions, privilege, and violence. One may believe that abrasive conduct in the workplace is just part of the work experience, but experts on abrasive conduct such as Leymann (1990) and Adams (2014) found that abrasive conduct was extremely costly and its impact could be felt by victims and organizations for years (Namie & Namie, 2009).

When handling cases of incivility, I often ask what my roles and responsibilities are as a university Ombuds. I also ask if incivility in higher education is on the rise. Research in this area and this research indicates that it is (Clark, 2013; Twale & De Luca, 2008; Volpe & Chandler, 2001). If this is true, what are the roles and responsibilities of an Ombuds handling cases involving abrasive conduct? What does an Ombuds experience and how does the Ombuds experience cases involving abrasive conduct?
This study proposes to investigate the phenomenon of incivility in academia amongst university employees and the roles and responsibilities of the Ombuds in higher education. This study focuses on the dynamics of incivility such as causes and interventions, how Ombuds define and identify incivility and how they manage cases of incivility involving any combination of faculty and staff. For the purpose of this study, the terms incivility and abrasive conduct will be used interchangeably.

Chapter one will begin with a brief background of the proposed study. The research problem will be described, and the framework will be reviewed. Chapter one will conclude with a brief description and summary of the study.

**Background of the Study**

A desire to better understand both how Ombuds handle incivility cases and what they experience in their day-to-day interactions with university employees who visit their offices prompted this study. The International Ombudsman Association (IOA) Standards of Practice (SOP) guide most organizational Ombuds’ practice, but much of what is known about Ombuds’ work with incivility cases is sparse and usually not based on empirical research. Morse (2010), an academic Ombuds, wrote that Ombuds are change agents who handle incivility by being catalyst for change. She asserted that Ombuds can serve as part of a larger community to bring about cultural change. Keashly (2010), a workplace bullying researcher, found that incivility is on the rise in academia and Ombuds are in a unique place to address incivility. However, much more research is needed to better understand how Ombuds handle these types of cases.

The first area involves the textural qualities Ombuds experience. For example, what do Ombuds experience when handling these types cases, what do they believe
causes incivility, how do they define it, and what do they perceive to be its impacts? Secondly, this study will focus on the roles and responsibilities of organizational Ombuds and how they conceptualize their role within the university structure when handling incivility cases. There is a vast body of empirical research on incivility in higher education; however, we know little about how Ombuds handle cases of incivility and their lived experiences in these situations.

I will elaborate on how researchers define incivility in chapter two; however, as a point of reference, I will define incivility or abrasive conduct as the disingenuous and disrespectful approach towards others during times of disagreement. Incivility has no intention of seeking common ground nor is there a “willingness to engage in genuine discourse” (Clark & Carnosso, 2008, p. 20). I will also use the term “abrasive conduct” to refer to incivility. Incivility, as defined by academic research consistently contains these four common characteristics:

- persistence, lasting days, weeks or years (Keashly, 2010; Björkqvist, Österman, & Hjelt-Bäck, 1994);
- psychological stress and/or physical distress impacting the victim’s ability to work, study, or carry on normal day-to-day activities (Clark, 2013; Einarsen & Mikkelsen, 2003);
- threatens human dignity and respect (Emry & Homes, 2005);
- costly at individual and organizational levels, as well as at emotional and cultural levels (McKay & Thomas, 2008).
Description of the Research Problem

The ethical problem this research addresses is that incivility exists and may be on the rise amongst faculty, staff and students in academia. While there is an abundance of scholarly research in this area, research regarding incivility in higher education and how Ombuds experience it is sparse. It is clear from the literature review that there is no clearly prescribed manner in which Ombuds handle cases of incivility. Research does indicate that incivility in higher education is on the rise (Twale & DeLuca, 2008). 95% of Americans surveyed experienced abrasive conduct in the workplace (Pearson & Porath, 2005). Research also reveals that the pain and anguish that incivility causes can be devastating to individuals who experience it (Fogg, 2008). Ombuds often deal with visitors who enter their offices devastated by a bully boss or employee. The negative effects of these encounters not only impact the victim, but also observers of this destructive behavior, and the institution that tolerates it (Dash, 2015; Einarsen & Mikkelsen, 2003). Ombuds typically adhere to what are called “Standards of Practice” (IOA, 2015) and International Ombudsman Association (IOA, 2009) best practices. However, Ombuds interpret those standards and practices differently, and recently, those standards have been questioned and challenged by practicing Ombuds (Sebok & Rudolph, 2010). Existing research indicates that incivility is on the rise in higher education and there are various definitions and types of incivility, ranging from passive aggressive behaviors to extreme biases and violence (Baillien, Neyens, De Witte, & De Cuyper, 2009; Clark, 2013; Fogg, 2008). This research addresses the rise in abrasive conduct in higher education and how Ombuds interact with those who are victims of this type of negative behavior.
This study sought to fill the gap in scholarly study regarding incivility and the Ombuds role with a qualitative transcendental phenomenological research method. What I hoped to gain from this study was to better understand how academic Ombuds experience incivility cases and how they conceptualize their roles as Ombuds within the university environment. It is clear from the literature review that there is very little research, qualitative or quantitative, which seeks to understand the role of the organizational academic Ombuds and their interactions with incivility cases. It is critical that we better understand how Ombuds handle cases of abrasive conduct because employees in academia are suffering from uncivil behavior every day in higher education, and Ombuds are in a unique position to help people and institutions reduce and possibly eliminate incivility from their campuses.

This study will use a transcendental phenomenological methodology and utilize semi-structured interviews with Ombuds in higher education. The problem this research addresses involves the role of the Ombuds when managing cases of incivility. The way an Ombuds experiences a case involving incivility is not clearly prescribed nor defined by current best practices and standards of practice. We know that Ombuds handle cases of incivility on a regular basis (Rowe, 1984), but what we do not know is what they experience when handing these types of cases and how they conceptualize their role as Ombuds within the context of academia.

**Purpose Statement**

The purpose of this study is to better understand what and how Ombuds experience when working with cases of incivility amongst academic employees.
**Research Questions**

There are two primary questions driving this research. First, what do Ombuds in higher education experience when handling cases of abrasive conduct or incivility? For example, what does incivility look, sound and feel like when an Ombuds is handling a case and how do they identify and define it?

Secondly, how do Ombuds handle cases of incivility within the academic environment? For example, what are their roles, responsibilities and challenges, given the academic structure? What do they do, given the complex structures of academia?

**Significance of Study**

While there is an abundance of empirical research examining incivility, racism and other biases in education, there is a lack of scholarly studies examining how Ombuds handle cases of incivility and what they experience when handling them. This study is significant because it potentially adds to scholarly practice by providing insights into common Ombuds definitions of incivility, as well as trends in practices and procedures while managing cases of incivility. It also identifies and defines types of cases Ombuds deal with that involve some form of incivility and what practices are most effective.

**Conceptual Framework**

The theoretical framework used for this study is Transcendental Phenomenology (Moustakas, 2003). It will be described in detail in chapter 3; however, to contextualize and focus this study, I also rely on the International Ombudsman Association (IOA) Standards of Practice (SOP) as a significant framework. The IOA Standards of Practice are Confidentiality, Impartiality, Independence, and Informality (IOA, 2015). The IOA SOP is the framework by which most organizational Ombuds abide. They guide the
Ombuds practice; however, a few Ombuds have voiced concerns over the IOA SOP relevance in today’s social environment, as they have not been revised for many years. The IOA Standards of Practice framework will be fully reviewed in chapter two.

**Description of the Study**

This study examines the phenomenon of incivility in institutions of higher learning and what Ombuds experience as well how they conceptualize their roles and responsibilities as organizational Ombuds. The phenomenon, or as Creswell (2013) states “what the individuals have experienced” (p. 79), is what Ombuds experience, what the experience sounds, feels and looks like, and how Ombuds handle cases involving incivility amongst faculty and staff within the academic environment.

I apply a transcendental phenomenological research methodology to investigate the nature and dynamics of incivility in academia and the Ombuds role as informed by Moustakas (2003). A transcendental phenomenological approach affords me the best opportunity to better understand the lived experiences of Ombuds when dealing with abrasive conduct.

**Researcher Positionality**

As a researcher, reflecting on Experiential Learning Theory and Kolb’s Experiential Learning model (2014) is key. In simple terms, it states that we learn through our experiences and how we reflect on what we are learning. The term meta-cognition also applies, as I think about what I am thinking about when I place myself in the context of the learning situation. Constructivism (Knowles, 1973) most closely aligns with Experiential Learning Theory and is where I most closely align my philosophical views. I believe that humans learn best when they derive knowledge and meaning while
interacting with their environment. This study examines how Ombuds in higher education learn, work, and adjust to the presence of incivility in their environment as it relates to how they conceptualize their role. The specific environment is academia, and the experiences center on the Ombuds role when managing incivility cases. I am currently a practicing Ombudsperson, which could potentially influence the analysis to some degree. It is also for this reason that I will acknowledge and bracket my experiences as an Ombuds in higher education and abide by the principles of transcendental phenomenology as prescribed by Moustakas (1994).

**Chapter Summary**

It is my expectation that the contributions of this research to the academic conversation regarding incivility better informs and guides Ombuds as they work towards the prevention and intervention of incivility. The research problem is both ethical and academic. Current research clearly indicates that incivility is on the rise in higher education (Clark, 2010). Yet, there is a clear gap in scholarly writing regarding the experiences and roles of the Ombuds when handling cases of incivility. For example, how do they define and identify incivility during conversations with visitors? Furthermore, how do they handle cases of incivility and what methods do they choose?

This research study aims to close the gap in academic writing regarding incivility and the role of the Ombuds, but more importantly, this research hopes to contribute to the effort on university campuses to reduce or eliminate the destructive effects of abrasive conduct. Chapter Two continues this discussion by taking a close look at existing literature that examines the dynamics of incivility, the role of the traditional organizational Ombuds and how Ombuds handle cases of incivility. From chapter two we can conclude that there
is an abundance of research regarding incivility in the workplace. The antecedents, interventions and impact of incivility in the workplace are well researched. However, we can also conclude that there is a gap in understanding the Ombuds role when they handle cases of incivility.

In chapter Two, I review existing literature regarding incivility, specifically its definitions, antecedents, interventions and the Ombuds role. I thoroughly review The IOA Standards of Practice, as they are the framework from which I am approaching this research project. In chapter three, I discuss the transcendental phenomenological methodology of this research, the description of the participants and the specifics of data collection, and data analysis. Chapter four is a thorough discussion of the findings. Four themes emerged, which provide answers to the two-overarching question this research asks. Chapter five is a discussion regarding the conclusions and implications of the findings from chapter four. Further research is also recommended.
Chapter 2: Literature Review

Introduction

The role of the 21st century Ombuds continues to be defined by those who practice “Ombudsing” and those who conduct research about Ombuds. Consequently, research regarding incivility in academia and the role of the Ombuds is still, to some extent, sparse (Keashly & Neuman, 2010). This literature review sought to answer what the role of the Ombuds is when the handle cases involving incivility between faculty, staff and students and to answer the question, “What is the role of the Ombuds when handling cases of incivility and how do they handle them?” First this literature review focused on what current scholarly literature says about the role of the organizational Ombuds in America. Secondly, this literature review examines the overarching topic of incivility and the role of the Ombuds.

The existing body of research I examined indicates that incivility is a rising concern in American organizations and educational institutions (Baron & Neuman, 1996; Clark, 2013; Björkqvist et al., 1994). Pearson and Porath (2005) found that 95% of Americans surveyed experienced abrasive conduct in the workplace. Yamada’s (1999) research indicates that workplace bullying is not uncommon, especially in competitive types of careers. Clark (2013) has spent many years researching abrasive conduct in nursing education and careers. In a 2011 survey, Clark found that 75-90% of all doctor visits are stress-related and she contends that there is a strong correlation between incivility and stress. She goes on to say that “Incivility in nursing does not exist in a
vacuum; instead it is a microcosm of the greater American society, and thus must be situated in context” (2013, p. 29). If she is correct, incivility in academia is also a microcosm of what is occurring in American society and deserves further attention. Research regarding societal divisiveness is relevant in this study because the current state of American society and the tensions over issues such as politics and post-election fall-out often bring visitors to the Ombud’s office.

This literature review sought to explore the body of literature regarding abrasive conduct in higher education and the role of the Ombuds. While the Journal of the Ombudsman Association (Sebok, 2010) has published several valuable articles regarding incivility, and many Ombuds have eloquently written about the Ombudsman profession (Gadlin, 2014a; Kosakowski, 2015; Morse, 2010; Rowe, 1984), I found very little research regarding the role of the Ombuds during times of incivility in higher education. Keashly and Neuman state that “academics have paid relatively little attention to bullying in their own institutions” (2010, p. 48). This gap is something I hoped to fill with this study.

**Purpose of Literature Review**

The purpose of this literature review is to explore existing comparative research regarding definitions of incivility in higher education, causes and interventions for abrasive conduct, and specifically, the role of the Ombuds when uncivil and abrasive conduct occurs in higher education. My intent is to use this literature review as the starting point for further research regarding incivility in academia and the role of the Ombuds. I have an interest in the nature and value of interpersonal relationships amongst faculty, staff and students, and what an Ombuds can or should do when handling cases of
incivility. I intend to research the phenomenon of abrasive conduct and also its reciprocal, civility and dignity in higher education. I am especially interested in situations that involve faculty, staff and students during times of conflict and change. While incivility is a focus of this literature review, the primary questions are first, how do Ombuds in higher education define and identify the dynamics of incivility in academia? Secondly, what are the roles and responsibilities of the Ombuds while handling cases of incivility?

This literature review does include causes of abrasive conduct, interventions that prevent or deal with abrasive conduct and what specifically an Ombuds should do in these situations. I also hope to research the degree of incivility that may exist in higher education institutions (HEI).

The Various Roles and Duties of an Ombuds

Before discussing abrasive conduct in academia and the role of the Ombuds and what existing literature says about it, it is important to discuss the various roles and duties of an Ombuds from a holistic point of view by asking “What does an Ombuds do?”

A primary duty of an organizational Ombuds is to meet with individuals who may be experiencing workplace conflict. They work with individuals and groups and often listen to their stories. However, the Ombuds role is much deeper than that. This section addresses what the literature says regarding the multiple levels of what an Ombuds does.

Even now, after many years of Ombuds practice and research, there is still some confusion in organizations about what an Ombuds does, in part because there are several types of Ombuds (Gadlin, 2000; Gadlin, 2014a). The International Ombudsman Association website (2013) identifies three types of Ombudsman: (a) organizational
Ombudsman; (b) classical ombudsman; and (c) advocate Ombudsman. Ombuds in American institutions tend to be organizational Ombuds. Organizational Ombuds are not elected officials nor do they have the capacity to change or create new policy, while some classical and advocate Ombuds do. Early American Bar Association (ABA) resolutions, such as the ABA 1971 Resolution set the tone for guiding Ombuds principles in the federal government and significantly influenced organizations such as the International Ombudsman Association (IOA) (Howard, 2010). Progressive ABA Resolutions (2004) such as the 2004 Resolution sought to clarify how an Ombuds should practice and also to identify what types of Ombuds exist. These ABA resolutions clearly influenced the operations of the contemporary Ombuds in America (Talbot, personal communication, July 21, 2015). The IOA Standards of Practice, i.e., confidentiality, impartiality, independence, and informality are also progenies of the ABA influence (2004). Even after the 2004 ABA resolution, there were still many variations "in duties and structures" which existed amongst Ombuds (ABA, 2004, p. 506). The ABA 2004 resolution states, "Federal, state and local governments, academic institutions, for profit businesses, non-profit organizations, and sub-units of these entities have established Ombuds offices, but with enormous variation in their duties and structures" (2014, p. 2). Hence, even the ABA acknowledges that there are incredible variations in the Ombuds role.

Who Were the Original Ombuds?

Original Western European Ombudsmen were legally trained, highly skilled, high ranking and powerful officials in their countries (Howard, 2010). In contrast, the first American and Canadian Ombudsmen were neophytes in the field who were selected because of a need for a neutral third-party position to deal with dispute resolution and
were considered organizational Ombudsman (Gadlin, 2000; Howard, 2010). The first organizational Ombudsmen were often hired because of desirable personal characteristics and an understanding of the organizational culture at the time (Alcover, 2009; Gadlin, 2000; Shelton, 2000). These early American Ombuds were pioneers in a new and burgeoning field. As the Ombuds role and duties evolved, a key role of the Ombudsman was to give a voice to people who otherwise might not speak up because of real or perceived disadvantages within their organization (Gadlin, 2000). Conflict resolution and management became a major role and function of the Ombud’s office (Rowe, 1984). Consequently, many of the early Ombuds were lawyers or people with legal backgrounds (Ramos, personal communication, June, 2015).

Patterns and Trends in the Ombuds Role

Even though there are no clear delineations of how an Ombuds functions, there are patterns or trends in the literature regarding practicing Ombuds. For example, Ombuds typically have broad authority and report to the highest levels of an organization (Silver, 1967; Howard, 2010; IOA, 2013). Though the term “Ombudsman” was originally a buzzword, it became part of a dispute resolution system’s jargon, and now virtually all Ombuds deal with complaint processing or operate within a conflict resolution system or program (Volpe & Chandler, 2001). Organizational Ombuds function as a complaint processor and "decision recommender" (Silver, 1967; Rowe, 1990; Rowe, 1987; Howard, 2010). They do not create, change or override policy; however, they may review policy and make recommendations for change (IOA, 2013). As participants in conflict resolution, an Ombuds may be the only person dealing with cases involving conflict or may be part of a bigger team such as a conflict resolution mechanism or conflict
management system (Alcover, 2009; Yarn, 2014). According to Ziegenfuss and O'Rourke, "Ombudsman work involves three primary activities: complaint processing, education and training, and consultation" (2010, p. 23). It is my observation that the amount of attention dedicated to these three primary activities varies from Ombuds to Ombuds. The organizational structures and the individual in the role greatly dictates what an Ombuds does, in part because of the variety in nature and structure of an Ombud’s position and the personal skills and preferences of the individual in the Ombuds role within an organization. Some Ombuds focus on professional development, while others focus on one-on-one sessions to deal with their organization. It is important to note that there is significant interpersonal aspect to what Ombuds do. They primarily work with individuals and groups who are struggling with workplace issues. To do so, Ombuds require an incredible amount of empathy. This requires an Ombuds to be empathetic while balancing the need to be impartial. In an article for the Journal of the International Ombudsman Association, Newcomb & Duquet (2017) wrote, “The challenge for the ombudsman: to achieve a balance between empathy and objectivity” (p.4). It is this balance between empathy and objectivity that often guides the Ombuds role. This discussion regarding empathy, objectivity and impartiality serves as a transition to the four standards of practice that often guide the Ombuds.

There are four guiding principles, or Standards of Practice, by which most organizational Ombuds abide: confidentiality, independence, impartiality, and informality. These principles provide the Ombuds with a framework and can give an incredible amount of insight into how Ombuds conceptualize their roles. The International Ombudsman Association (IOA) Standards of Practice (SOP) were
established by IOA to provide structure, consistency, and guidance to all organizational Ombuds (IOA, 2013).

Experienced and astute Ombuds such as Gadlin (2000), Kosakowski (2015), Morse (2010) and Rowe (1987) have written and spoken about the Ombuds role and incivility for many years. In 2010, the *Journal of the International Ombudsman Association* dedicated an entire edition on workplace bullying. Organizations such as The Consortium on Abrasive Conduct in Higher Education, or CACHE, (2016) are raising awareness of the existence and rise of incivility in higher education. Researchers such as Clark (2013) study civility and incivility in nursing education and careers, but few researchers address the role of the Ombuds during times of abrasive conduct incivility. Dr. Loraleigh Keashly (2010), associate professor at Wayne State University, Detroit has researched bullying in the workplace and recommends that Ombuds view this construct as a systemic issue and not just an interpersonal construct. According to Keashly, the Ombuds role, while dealing with abrasive conduct, is to use the “contingency approach” (2010, p. 17). Keashly states, “The contingency approach is grounded in the idea that effective intervention in a conflict depends upon matching the action (s) to the phase of conflict development and different issues that are prominent in each stage” (2010, p. 17). It is out of the scope of this paper to fully discuss this approach; however, it is important to note that discussing the role of the Ombuds while dealing with bullying is becoming more and more relevant in these changing times.

It is important to note that some classical Ombudsman, such as Donald C. Rowat, feel that the organizational Ombuds is a distortion of what an Ombuds is supposed to be and do (2007). Rowat writes, "But the idea soon became distorted by a misapplication of
the word to mean any office set up to receive complaints regardless of whether it was independent of the organization being complained against” (2007, p. 43). Rowat believes that the Ombuds role can only be effective if the office functions outside of the organization, thus making it truly an independent position. The Ombuds that I have encountered all work within the organizations they serve, so Rowat’s ideal is not the norm.

The Four Standards of Practice

The literature I reviewed does consistently state that an organizational Ombudsperson is typically an independent, impartial, informal and confidential conflict resolution resource to faculty, staff, students and administration and is someone who they can turn to for help with complaints about the organization, university and external community (Alcover, 2009; IOA, 2014; Howard; ABA, 2004). Therefore, it is impossible to research the Ombuds role without discussing the commonly accepted guiding principles, otherwise known as Standards of Practice (SOP). There are four SOP by which most Organizational Ombuds abide. These SOP are also the primary framework by which most Ombuds measure and view the way they “Ombuds.” They are as follows: Confidentiality, Impartiality or Neutrality, Independence, and Informality (Howard, 2010; IOA, 2013).

Practicing and aspiring Ombuds often reference The International Ombudsman Association as a model for Ombuds offices, and they provide this four-pronged framework (I.O.A, 2015; Howard, 2010; ABA, 2004; Gnazzo & Wratney, 2003). It is important to note that some Ombuds offices do not strictly follow the IOA SOP. Some
organizations implement executive orders for the Ombuds office. However, the executive orders I have encountered all resemble the IOA SOP.

**Confidentiality.** Any information provided to an Ombuds is confidential, unless the complainant gives the Ombuds permission to disclose his or her identity (ABA, 2004; Howard, 2010). According to this principle, the Ombuds does not reveal the identity of a complainant if the complainant does not wish to be exposed (ABA, 2004). Without confidentiality, the Ombuds cannot function effectively. There are exceptions to confidentiality. In the judgments of some American courts, an Ombuds is not guaranteed the same privileges that a lawyer, doctor, or psychological counselor has (ABA, 2004). According to Howard (2010), a strong proponent and expert in Ombud’s functions, the courts have yet to make up their minds about an Ombud’s privilege to confidentiality (Howard & Wratney, 1999). In 1999, the Eighth Circuit Court of Appeals did not recognize the confidentiality privilege in the Carman v. McDonnell Douglas case (Howard & Wratney, 1999). The American Bar Association 2004 Resolution states that "an Ombuds may be compelled by protective service laws or professional reporting requirements to report suspected abuse" (2006, p. 516). Howard (2010) and the ABA (2004) recommend that the office of an Ombuds clearly delineate confidentiality as a guiding principle in any and all written documents, especially in an Ombud’s charter. Most Ombud’s charters and websites indicate that confidentiality is only breached if there is imminent risk of harm to self or others, or other "limited circumstances" (Howard, 2010, p. 518). With that said, the University of California recently updated its Sexual Misconduct Policy to specifically protect the confidentiality afforded to the Ombuds
(Kosakowski, 2015). It appears that organizations and universities must decide for themselves the level of confidentiality afforded to the Ombuds.

**Independence.** All Ombudsman function as independent entities in structure, function and appearance (IOA, 2015). An Ombuds may be part of an organization and still operate independently from it. There is a challenge with this structure because working for the organization where an Ombuds operates can create the perception of bias and a lack of independence (Rowat, 2007; Howard, 2010). According to the IOA Standards of Practice, "An Ombudsman exercises sole discretion over whether or how to act regarding an individual's concern, a trend or concerns of multiple individuals over time" (2009, 1.3). Without this real and perceived principle of independence, the Ombuds role would be compromised. People who speak to Ombuds concerning their situations generally want the safety and freedom to speak to someone who is not an “Agent of Notice.” There are some challenges to maintaining independence for an Ombuds. The IOA Foundations of Organizational Ombudsman Practice curriculum content outlines the following challenges to independence:

- Unclear parameters
- Tensions with HR, Legal or Security
- Connections with colleagues
- Legal pressures
- Overlapping functions
- Push for expediency among colleagues who think the Ombudsman might have valuable information (IOA, 2013).
According to Bruce Macallister, ESQ, Laboratory Ombudsman, there are lessons to be learned from previous legal action against the Ombuds. Ombuds should not involve themselves in legal negotiation for anyone (2001). Also, it is critical that visitors treat their conversations with Ombuds as confidential as well because "they run the risk that a court may decide that they have waived confidentiality" (Macallister, 2001, p. 17). This becomes an issue if a court deems that the visitor has waived confidentiality and is consequently entitled access to Ombud’s records. Lastly, Macallister (2001), Howard (2010), and the IOA (2013) strongly recommend that Ombuds keep no formal records.

**Impartiality.** Impartiality is a necessary standard because Ombuds are expected to engage in conflict resolution as impartially as possible to assist in identifying solutions or options to a complainant (Howard, 2010). Impartiality was not initially mentioned in early Ombud’s charters or in the 1967 ABA resolution (Howard, 2010). Howard contends that “it was probably assumed that the Ombuds would be widely respected, since it required that she be confirmed by two-thirds of a legislative body and thus could not be partisan” (2010, p. 28). In the subsequent 2001 and 2004 ABA Resolutions, impartiality was recommended for Ombud’s offices because independence and impartiality interact with each other and do not exist without each other (Howard, 2010). Furthermore, the IOA Code of Ethics outlines the need for impartiality because Ombuds are often involved in advocating or initiating “action on specific matters when the individual or group is found to be aggrieved” (Howard, 2010, p. 55). This type of advocacy requires a high level of impartiality and independence. The IOA Code of Ethics also states “The Ombudsman, as a designated neutral, remains unaligned and
impartial. The Ombudsman does not engage in any situation which could create a conflict of interest” (http://www.ombudsassociation.org, 2007).

**Informality.** Ombuds are expected to be informal because they cannot be effectively trusted if the population they serve perceives the Ombuds to formally or informally advocate for an organization. The IOA Code of Ethics recommends that Ombuds not participate in any “formal adjudicative or administrative procedure related to concerns brought to his or her attention” (http://www.ombudsassociation.org, 2007). This informality is necessary to better promote trust and protect complainants from possible retribution from the employer. Often, people who come to the Ombuds with a complaint, feel that they are in danger of retribution (Rowe, 1990). The IOA Foundations of the Organizational Ombudsman course recommends that Ombuds not keep formal records, and clearly communicate that the Ombud’s is not an office of notice (IOA, 2013). As previously stated, this informal aspect of the Ombuds role protects the complainant and also protects the Ombuds from legal action, while promoting communication of complainants that might not otherwise happen (Howard, 2010).

These four core guiding principles are the progenies of 12 essential Ombudsmen characteristics articulated by the American Bar Association in 1967 (Howard, 2010). The original recommendations did not include neutrality nor confidentiality. It is also important to note that an Ombuds does not typically serve as an office of notice for the organization he or she represents. (ABA, 2004; IOA Code of Ethics, 2007). Below is a chart summarizing the four Standards of Practice and a brief summary of each standard:
### Table 1. *I.O.A. Standards of Practice Summary*

<table>
<thead>
<tr>
<th>Standard</th>
<th>Summary</th>
<th>Challenges to SOP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Confidentiality</td>
<td>An Ombuds is a confidential resource, unless the visitor communicating with the Ombuds gives permission to disclose his/her identity (ABA, 2004; Howard, 2010).</td>
<td>Some Ombuds are mandated reporters and are limited in their ability to be totally confidential.</td>
</tr>
<tr>
<td>Independence</td>
<td>An Ombuds is an independent entity in structure, function and appearance.</td>
<td>Working within an organization where an Ombuds operates could create the perception of bias and a lack of independence.</td>
</tr>
<tr>
<td>Impartiality</td>
<td>Ombuds are expected to impartially engage in conflict resolution to provide possible solutions or options to a complainant (Howard, 2010).</td>
<td>Being completely neutral is difficult given that human nature is inherently biased.</td>
</tr>
<tr>
<td>Informality</td>
<td>Ombuds do not formally or informally advocate for an organization. The IOA Code of Ethics recommends that Ombuds not participate in any “formal adjudicative or administrative procedure related to concerns brought to his or her attention” (2007, p.1). The term “off the record” is used to describe informality.</td>
<td>Because some Ombuds are mandated reporters, they are not completely informal.</td>
</tr>
</tbody>
</table>
Other Roles, Skills and Limitations of the Ombuds

Ombuds also may function in other roles depending on the organization and context in which they work. For example, often Ombuds act in an ex-officio role to maintain neutrality (Alcover, 2009). The Ombuds typically avoids being a "member" of any group because of a possible conflict of interest.

Because of the type of work Ombuds do, they are expected to be proficient in a variety of skills, such as conflict resolution, alternate dispute resolution, mediation, coaching, negotiations, problem-solving and listening (Newhart, 2007). Typically, Ombuds deal with problems such as interpersonal conflict, conflict of norms, policy disputes, disputes about initiatives, conflicts of values and ethics, and institutional non-responsiveness (Harrison, 2004; IOA, 2013). Many of these types of situations include elements of abrasive conduct ranging from bullying to racial tensions. To deal with such conflicts and problems, Ombuds incorporate techniques such as "active listening, giving hearing to feelings, defusing rage, creative problem-solving and developing options, investigation, fact findings, shuttle diplomacy, mediation and coaching” (Harrison, 2004, p. 3).

In the 1970s the use of Alternative Dispute Resolution (ADR) began to spread (Barrett & Barrett, 2004) and the Ombuds became associated with the term as the third-party dispute resolution expert (Gadlin, 2000; Harrison, 2004; Howard, 2010). Alternative dispute resolution in higher education became especially popular, as administrators, faculty and students looked for non-legal resolutions to conflict (Yarn, 2014). As a conflict resolution expert, Ombuds are often sought out to solve organizational and interpersonal conflict.
Ombuds have general limitations that are often communicated in the Ombud’s charter and in the standards of practice outlined and accepted by the Ombuds, leadership and the organization to which the Ombuds belongs. The Ombuds is not a panacea for all organizational problems and is more of an early-alert system than a problem solver (Silver, 1967; T. Kosokowski, personal conversation, June 30, 2017). Ombuds are generally most effective early on in a dispute (Silver, 1967). Common limitations to the Ombuds are as follows:

- Make, change or violate a law, policy or process established by a government or private organization;
- Conduct formal investigations and publicly shame officials or company and university employees;
- Act as offices of notice on behalf of an individual.
- Does not replace formal channels such as HR or other conflict management systems;
- Advocate on behalf of union employees or management (Howard, 2010; IOA Best Practices, 2009).

The role of the Ombuds has evolved considerably over the last 200 years and continues to evolve. The 21st century organizational Ombuds will also need to maneuver situations involving abrasive conduct such as bullying, mobbing, racism, ageism, sexism and other manifestations of incivility. It is for this reason that I now turn to the phenomenon of incivility in the workplace, and the role of the Ombuds.

In the following section, I examine what scholarly literature says about definitions of incivility, what the causes and conditions of incivility are, what preventions and
interventions exist and also the impacts and costs of incivility to a workplace environment. I also examine incivility in higher education.

**Abrasive Conduct Defined and Explored**

Incivility or abrasive conduct is a massive topic and there is much scholarly work available thoroughly examining this type of behavior. While this literature review does not exclusively focus on incivility, it does attempt to understand this phenomenon and how Ombuds conceptualize their roles when dealing with incivility. To better understand the role of the Ombuds when handling incivility cases, I examined literature which explored definitions, causes, impacts and interventions for incivility.

**Definitions.** As I reviewed the literature on incivility, I found several variations of the term “incivility” or “abrasive conduct” and several definitions. I am using the term “abrasive conduct” and “incivility” to describe uncivil behavior. For example, abrasive conduct can refer to a broad range of behavior and incivility, including racial bias (Salin, 2003) and they often overlap. There is a spectrum of behavior that can be considered as uncivil. If we were to think of this range as an arcing spectrum that begins with passive-aggressive behavior at the far left to extreme incivility such as violence and physical bullying at the far right, we would encompass the full range of incivility or abrasive conduct (See figure 4).

The literature I reviewed made a clear distinction between “abusive” or violent behavior and abrasive uncivil behavior (Namie & Namie, 2009). I chose to focus on abrasive conduct in higher education, leaving racism and sexual discrimination for future studies. However, as stated earlier, at times these behaviors may and often do overlap.
In their book, *The Bully at Work: What You Can Do to Stop the Hurt and Reclaim Your Dignity on the Job*, Namie & Namie (2009), distinguish between abusive behavior and abrasive conduct. They state that sexual abuse and physical violence constitutes abuse, while uncivil behaviors like bullying should be labeled “abrasive” (p. 5). With this construct in mind, abrasive conduct can also include specific behavior such as mobbing (two or more actors), rudeness, disrespect, micro-aggressions, passive aggressive incivility and a general assault on the rights of human beings (Emry & Homes, 2005). Abrasive conduct may be subtle such as ignoring someone or rolling one’s eyes, or it can be openly aggressive and even dangerous (Fogg, 2008; Clark & Carnosso, 2008). A colleague may interrupt meetings or yell at someone in public. Keashly (2010) states that there are a variety of constructs associated with incivility in the workplace. According to the author, “Related terms include workplace harassment, abusive supervision, social undermining, incivility, interpersonal mistreatment, ostracism, emotional tyranny, workplace victimization, and disruptive practitioner behavior” (2010, p. 11).

At times, the hidden nature of abrasive conduct makes it difficult to define or describe, especially by the target (Yamada, 1999). In some cases, abrasive conduct is what people are *not doing* rather than what they are doing (Keashly, 2010). For example, a supervisor may simply withhold key information or intentionally exclude someone from an important meeting. Furthermore, Emry and Holmes (2005) define incivility as “disregard and insolence for others, causing an atmosphere of disrespect, conflict, and stress” (p. 20). We may also examine the contrary case ‘civility’ to gain a better understanding of incivility. An early definition by Sennet (1976) refers to ‘civility’ as “the activity which protects people from each other and yet allows them to enjoy each
other’s company” (p. 264). According to Clark and Carnosso (2008), “Civility is characterized by an authentic respect for others when expressing disagreement, disparity, or controversy. It involves time, presence, a willingness to engage in genuine discourse, and a sincere intention to seek common ground” (p. 13). We could deduce from this definition of civility that incivility is the disingenuous and disrespectful approach towards others during times of disagreement. Incivility, then, has no intention of seeking common ground nor is there a “willingness to engage in genuine discourse” (Clark & Carnosso, 2008, p. 20). Einar sen and Mikkelsen (2003) also argue that abrasive conduct often refers to a familiar phenomenon, which is a systematic and continued mistreatment of others, whether colleague or subordinate.

There is not a universally accepted definition of incivility or abrasive conduct in higher education. Research on different types of hostility can be found as early as 1957 (Buss & Durkee, 1957). However, the earliest definition of incivility I found comes from research conducted by Björkqvist, Österman, & Hjelt-Bäck (1994) on aggressive behavior among university employees. The authors were interested in bully personalities and aggressive behavior in the workplace and introduced terms like “actor” to label the bully, and “victim” to describe the target of the bullying. Their research found that females experienced far more harassment than males, and subordinates were more often the victims of abrasive conduct (Björkqvist et al., 1994). They defined abrasive conduct as “Repeated activities, with the aim of bringing mental but sometimes also physical pain, and directed toward one or more individuals who, for one reason or another, are not able to defend themselves” (Björkqvist et al., 1994, p. 173). Since the study’s publication, multiple terms and definitions have emerged (Clark, 2013; Keashly, 2010; Einarsen &
For example, according to Baillien et al. (2009) “workplace bullying” can be defined as “persistent negative behavior at work. These negative acts are mainly psychological” (p. 2). Phillips and Smith (2003) on the other hand, state that there are multiple types of incivility such as physical, social and invisible incivility. Though much has been written about the defining features of abrasive conduct and definitions abound, researchers tend to agree on the following characteristics of abrasive conduct:

- It is persistent, lasting days, weeks or years (Keashly, 2010; Björkqvist et al., 1994).
- It results in psychological and/or physical distress and stress for people involved (Clark, 2013; Einarsen & Mikkelsen, 2003) often immobilizing and devastating victims’ ability to work, study, or carry on day-to-day activities.
- It’s an assault on human dignity and respect (Emry & Homes, 2005).
- It’s costly at individual and organizational levels and at emotional and cultural levels (McKay, Arnold, & Thomas, 2008).

**Causes and Conditions.** Experts agree that abrasive conduct does not occur in a vacuum (Boddewyn, 1985; Clark, 2013). This literature review suggests that abrasive conduct occurs if certain conditions are in place. For example, bullying behavior does not happen unless it is tolerated, it is beneficial to the actor, and if there is some type of trigger (Boddewyn, 1985). Clark suggests that abrasive conduct is a “microcosm of the greater American society, and thus must be situated in context (2013, p. 29). In their research on workplace incivility, Twale and Deluca (2008) found that a lack of administrative action and effectiveness promotes incivility and may create a culture of abrasive conduct. Furthermore, enabling factors such as competition, down-sizing, and a
lack of resources can also promote abrasive conduct (Salin, 2003). Keashly (2010) also found that an imbalance of power, certain personality types, and a lack of time to be civil due to work demands provide ideal contexts for incivility to occur.

A qualitative study conducted by Baillien et al. (2009) found that intrapersonal frustrations, interpersonal conflict, and intragroup/organizational characteristics can be significant antecedents to workplace bullying, and often determine how employees deal with stress and harsh work climates. Researchers have also found that victims possessed specific individual characteristics that made them high potential targets (Baillien et al., 2009). For example, shyness and personalities prone to anxiety and depression were more likely to become victims of bullying (Baillien et al., 2009; Mikkelsen & Einarsen, 2001). In an early study on workplace aggression, Baron and Neuman (1996) contend that that the existence of anger, anxiety, perceived unfairness, and a negative affect are clear predictors of future abrasive conduct (p. 171).

Salin’s workplace aggression framework (2003) provides a concise explanation of what may cause workplace incivility. He contends that there are “enabling structures” that provide the perfect context for incivilities to occur. Salin (2003) noted:

The enabling factors can provide fertile soils for bullying, making the environment conducive to bullying. In addition, where there are motivating and/or precipitating structures or processes present, the existence or lack of enabling conditions in the organization will affect whether bullying is possible or not” (p. 1217).

Below is a diagram that depicts Salin’s framework:
Twale and De Luca (2008) contend that Salin’s enabling structures are compounded by shared governance and the hierarchical structure of higher education. These enabling structures precipitate a hostile, uncivil work environment.

Preventions and interventions. There are multiple approaches and strategies that organizations apply to prevent or intervene during times of abrasive conduct (Fogg, 2008; Hearn & Parkin, 2001; Hickson, Pichert, Webb, & Gabbe, 2007; University of Minnesota Student Conflict Resolution Center, 2014). However, there are a few commonalities with all interventions. Universities addressing abrasive conduct within their organization start with the implementation of civility codes of conduct followed by learning and development for faculty, staff and students addressing incivility (CACHE, 2016; Hearn & Parkin, 2001). The University of Minnesota (CACHE, 2016)
implemented a civility code, created a civility web page and offered workshops that addressed workplace hostility and bully behavior at all levels of the university (University of Minnesota Student Conflict Resolution Center, 2014). Vanderbilt University addressed unprofessional behavior by providing training to resident doctors and staff (Hickson et al., 2007). Colorado State University put a no-bully policy into place in 2014 (CACHE, 2016). While policies are a starting point, they do not in and of themselves prevent or eliminate abrasive conduct. Steps must be taken to ensure those policies are taken seriously by leadership and that they are enforced (Fogg, 2008).

To positively change a culture of incivility, experts argue that leadership is key (Hickson et al., 2007; Salin, 2003). Leadership must be willing to acknowledge that incivility exists and that something needs to be done about it (Keashly, 2010). To determine the current state of a university’s workplace climate, researchers advise that a data-driven approach be taken, and that universities be realistic about the possible existence of incivility and how to best deal with it (Keashly & Neuman, 2013). Researchers have developed workplace aggression surveys and questionnaires to better understand the current state of an organizations’ workplace climate (Fogg, 2008; Keashly & Neuman, 2013). Furthermore, a commitment from leadership can be exhibited during orientations, on-boarding and continued professional development of staff and faculty (Keashly, 2010; Hickson et al., 2007). Listening to the language leadership uses while speaking of campus climate and morale is also useful. Clark (2013) calls for self-awareness on the part of leadership and a better understanding of conflict resolution and communication styles to help prevent abrasive conduct in the workplace. Keashly also found that an understanding of the “multi-causal nature of this phenomenon” (2010, p.
15) and the characteristics of both actor and target are helpful for prevention and management of abrasive conduct. Furthermore, Bibi, Karim, and Din (2013) suggests there is a strong correlation between emotional intelligence and the ability to maintain civility. To prevent abrasive conduct, they recommend that leaders of organizations be cognizant of their own levels of emotional intelligence.

While there are some countries that have laws protecting employees from hostile work environments, America does not (Hollis, 2016; Yamada, 1999). Current laws such as Title VII and Title IX protect employees from workplace discrimination and sexual harassment (Yamada, 1999); however, there are no laws that protect employees from incivility and abrasive conduct. Yamada (1999) suggests that the United States implement a “status-blind” law that would protect employees from bullying and other abrasive conduct. Currently, a victim must be completely destroyed by the abrasive conduct before he or she can take legal action against the actor or perpetrator (Yamada, 1999).

The findings from this literature review suggest that there may be a lack of awareness on the part of leadership regarding the existence of incivility, and policies addressing hostile work environments may not be enough to prevent nor manage abrasive conduct. Furthermore, professional development and ongoing support from leadership is key if higher education institutions are to properly address this phenomenon (Fogg, 2008; Keashly & Neuman, 2013; Nickitas, 2014; Yamada, 1999).

**Impacts and costs of abrasive conduct.** The negative impact of abrasive conduct in the work place is often unseen or ignored; however, the large body of academic work on the phenomenon of abrasive conduct suggests that uncivil acts, left
unchecked, can cost organizations and individuals incredible amounts of money and can emotionally devastate individuals (Keashly & Neuman, 2013; Pearson & Porath, 2005; Clark, 2013). Adams (2014), a British journalist, first used the phrase “workplace bullying” while investigating BBC radio for reported incivility. She sought to prove that a hostile work environment was very costly to both the organization and the individual. Similarly, Leymann (1990) treated Swedish victims of workplace “mobbing” (p. 91) and researched the phenomenon of abrasive conduct in the workplace. He saw the impact of incivility firsthand while treating his patients. Regarding abrasive conduct, he wrote “Psychological terror or mobbing in working life involves hostile and unethical communication which is directed in a systematic manner by one or more individuals, mainly toward one individual, who, due to mobbing, is pushed into a helpless and defenseless position” (1990, p. 119). Experts on abrasive conduct such as Leymann (1990) and Adams (2014) found that abrasive conduct was extremely costly and its impact could be felt by victims and organizations for years (Namie & Namie, 2009).

Incivility in the workplace has both a financial and emotional cost that can devastate both organizations and individuals (Clark, 2013). A pervasive hostile work-environment can reduce employee productivity, increase sick time and employee turnover (Hollis, 2016; McKay et al., 2008). Hollis found that witnesses of abrasive conduct often wasted time with busy work and took more sick leave (2016). In a survey conducted by Keashly and Neuman (2010), 21% of employees were dissatisfied with the level of respect offered them by management. Keashly and Neuman found a correlation between this dissatisfaction and employee morale. Pearson and Porath (2005) estimate through their research that employee turnover can cost an organization 1.5 to 2 times the
employee’s salary. This cost of turn-over can be up to $50,000 per employee and this was in 2005. Furthermore, they found that employees often leave their jobs because of incivility, low morale and high stress caused by hostile work environments (Pearson & Porath, 2005). In a 2009 study, the researchers found that 95% of American workers reported incivility from coworkers, concluding that American workers experience abrasive conduct in “nearly all settings by people of all ages as part of their daily routine” (Pearson & Porath, 2009, p. 23). A mixed-method Canadian study (McKay et al., 2008) found that victims of abrasive conduct negatively impacted the respondent’s productivity. Both quantity and quality of work suffered. Furthermore, in this study, researchers found that “13% said the action they were considering taking or were taking, due to the experience they had with workplace bullying at the university, was to leave their job” (McKay et al., 2008, p. 87). Though it’s difficult to accurately determine the cost of incivility in the workplace, research demonstrates the ways it can negatively impact HEI’s and organizations that do not deal with it. This literature review suggests that abrasive conduct is costing organizations and HEIs millions of dollars (Salin, 2003), and while research on the financial costs of abrasive conduct has increased, there is still a gap in empirical data which gives us a realistic idea of how much abrasive conduct negatively impacts an organization (Björkqvist et al., 1994; Keashly & Neuman, 2010). This literature review also suggests that academia, to its own detriment, has ignored this phenomenon. Clark writes, “I strongly contend that the cost of even one uncivil individual can have a deeply systemic effect and potentially devastate a workplace” (2013, p. 19).
Abrasive conduct also has a significant emotional and psychological impact on its victims. Leymann (1990) believed that the level of post-traumatic stress disorder experienced by victims of mobbing was higher than employees who witnessed suicides. Namie and Namie also found the same correlation between abrasive conduct and post-traumatic stress disorder (2009). Additionally, a Canadian study investigating academic workplace-hostility found that the consequences of abrasive conduct could be extremely damaging to individuals (McKay et al., 2008). They found that victims often suffered physical and psychological harm. This study also found a strong correlation between faculty turn-over and abrasive interactions. McKay writes, “the action they were considering taking was…to leave their job” (McKay, 2008, p. 87).

One of the biggest impacts of abrasive conduct on its victims is increased levels of psychological and physiological distress (Björkqvist et al., 1994; Baron & Neuman, 1996; Clark, 2013). An early study conducted by Björkqvist, Österman, & Hjelt-Bäck (1994) found that females were significantly more harassed than men and experienced high levels of stress. They also found that victims of abrasive conduct “experienced higher levels of depression, anxiety, and aggression than others” (1994, p. 173), and saw higher rates of stress-related doctor visits (Clark, 2013). While we do not know what caused this stress, 75-90% of doctor visits being related to stress deserves investigation (Clark, 2013, p. 29). Stress is not the only mental health related impact. Research indicates that individuals facing workplace hostilities such as bullying were also significantly more likely to develop self-esteem problems and PTSD (Hollis, 2016), as well as higher levels of frustration and stress (Keashly & Neuman, 2010). Clearly, the
research demonstrates that faculty who experience abrasive conduct and other forms of incivility from colleagues, are negatively impacted emotionally and psychologically.

Investigating the phenomenon of abrasive conduct in the workplace reveals that people who do not afford others the dignity and respect deserved by all human beings cause distress and angst (Emry & Homes, 2008). Research by Pearson, Andersson and Porath also suggests that respect for fellow colleagues is often missing in the American workplace (2005), which leads to uncivil behavior. Abrasive conduct towards peers and staff is an affront to our self-respect and right to civil behavior, and even one uncivil individual in an organization can do much harm (Clark, 2013; Pearson & Porath, 2005).

**Abrasive Conduct in Academia**

Existing literature does indicate that the American workplace has an issue with abrasive conduct (Leymann, 1990; Yamada, 1999; Pearson, Andersson, & Porath, 2005; Keashly, 2013; Salin, 2003). As early as 1994, researchers found evidence to suggest that workplace aggressions were common (Baron & Neuman, 1996; Björkqvist et al., 1994). However, does higher education experience the same or similar phenomenon? The current literature suggests that it does and that it is a growing problem in academia (Clark, 2013; Keashly, 2010). According to Piper Fogg, “Academe, with its rigid hierarchy in what is supposed to be a collaborative culture, is a natural incubator for conflict” (as quoted by Twale & DeLuca, 2008, p.69). Given academia’s structure, we can be sure that it is not immune to incivility and its destructive impact on people.

Cynthia Clark (2013) has spent her career researching incivility in nursing education (2013). Clark conducted research on faculty-to-faculty incivility using the Faculty-to-Faculty Incivility Survey (F-FI Survey) to measure perceptions of incivility
amongst faculty. With a sample of 588 nursing faculty, she asked two basic questions (p. 99):

1. How does nursing faculty describe uncivil faculty-to-faculty encounters?
2. What are the most effective ways to address faculty-to-faculty incivility?

Clark’s research revealed seven themes, with berating, insulting and allowing occurring the most frequently (2013). The table below illustrates the remaining six most common themes, with incivility types ranging from direct aggression to passive-aggressive behavior (Clark, 2013).

Table 2. *F-FI Survey Themes*

<table>
<thead>
<tr>
<th>Themes</th>
<th>Times Mentioned</th>
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<tbody>
<tr>
<td>Berating, insulting, and allowing</td>
<td>158</td>
</tr>
<tr>
<td>Setting up, undermining, and sabotaging</td>
<td>87</td>
</tr>
<tr>
<td>Power Playing, derailing, and disgracing Excluding, gossiping, degrading</td>
<td>73</td>
</tr>
<tr>
<td></td>
<td>72</td>
</tr>
<tr>
<td>Refusing, not doing, and justifying</td>
<td>26</td>
</tr>
<tr>
<td>Blaming and accusing</td>
<td>16</td>
</tr>
<tr>
<td>Distracting and disrupting meetings</td>
<td>11</td>
</tr>
</tbody>
</table>

Clark’s research suggests that abrasive conduct does occur amongst faculty, and also reveals that faculty often are not prepared to deal with this type of behavior in the workplace (2013). Her research and the research of others indicates that organizations
often are not aware that incivility is occurring (Clark, 2013; Keashly & Neuman, 2010; Björkqvist et al., 1994;). Research conducted by Keashly and Neuman (2010) suggest that higher education institutions (HEIs) are uniquely structured to promote abrasive conduct. They state “Institutions of higher education present numerous opportunities for perceptions of injustice and opportunities for incivility. For example, student evaluations, discretionary salary increases, promotions, tenure, and reappointments can provide unique opportunities for perceptions of injustice” (2010, p. 55). However, it is important to note that often workplace incivility in higher education is difficult to research and track because of the multiple ad hoc survey instruments used to gather this information (Keashly & Neuman, 2013).

A Canadian study exploring workplace bullying in academia found that “mobbing” or multiple actors bullying one person, was prevalent amongst their sample (McKay et al, 2008). Incidentally, literature regarding mobbing suggests that most workplace bullying includes more than one person acting against the victim (Keashly, 2010; Keashly & Neuman, 2010; Leymann, 1990). In short, incivility researchers (Keashly & Neuman, 2010; Clark, 2013; & Leymann, 1990) and groups such as the Consortium on Abrasive Conduct in Higher Education (2016) contend that HEIs are not paying enough attention to the phenomenon of abrasive conduct in higher education (Yamada, 1999). As a result, researchers such as Keashly and Neuman (2013) recommend that academia should address the phenomenon with a “data-driven/evidence-based approach” (p. 13).
Role of the Organizational Ombuds During Abrasive Conduct

While this section should be the most significant, given the intent of the literature review, it is the least dense. I found very little empirical research regarding abrasive conduct in academia and the role of the Ombuds. Researchers such as Keashly (2010) offer some insight by offering findings on bullying and mobbing. She writes, “It is the experience of victimization that targets will provide to an ombudsman, not simply exposure to specific behaviors. Thus, ombudsmen need to prepare to probe for the fullness of the target’s experience as well as help the target provide specifics of incidents” (p.15). However, she has not conducted research regarding what Ombuds actually do during cases of incivility. Ombuds are typically bound by independence, neutrality, informality and confidentiality (IOA, 2016). Consequently, there are cases when Ombuds do not get involved because these standards of practice may be challenged (Sebok & Rudolph, 2010). This, in part, may explain the lack of research on the topic and is also an element of this research because the IOA Standards of Practice may greatly influence how Ombuds handle cases of incivility.

While the IOA Standards of Practice may deter Ombuds from advocating for individuals during times of incivility, there are Ombuds who have partnered with their organizations to address pervasive abrasive conduct. For example, Morse (2010), a practicing Ombuds at the University of Minnesota, noted an increased level of abrasive conduct on campus (2010). She and her colleagues sought to address incivility by defining it, then developed and administered a survey to assess the "nature of academic incivility at the U of M" (2010, p. 36). Morse decided to take action by addressing the structural problems promoting abrasive conduct on campus. As the University Ombuds,
Morse was able to effect change by working with leadership, colleagues and students to create "The Academic Civility Initiative" (2010, p. 36). Other Ombuds such as Sebok and Rudolph (2010) recommend that Ombuds be aware of the emotional hook that may occur while working with victims of abrasive conduct. Neutrality is difficult to maintain when an Ombuds hears multiple complaints regarding incivility and become emotionally involved (Sebok & Rudolph, 2010). As such, Sebok and Rudolph recommend that Ombuds dealing with bullying and other forms of incivility “manage their own emotions, listen to all parties involved, maintain a state of curiosity, clarify the role of the Ombuds and finally, advocate for fair process, not the individual” (2010, p. 33). There are many valuable articles written by practicing Ombuds regarding incivility and abrasive conduct. What is lacking is empirical research on the Ombuds role and how they handle cases involving abrasive conduct.

Ombuds must also work within the structures put in place by their organization. These structures greatly impact how Ombuds do their work. Ziegenfuss and O’Rourke’s (2011) *The Ombudsman Handbook*, provides insight into this aspect of the Ombuds role. They wrote, “Ombudsmen do not have to solve every problem and frequently are not authorized to do so, but the effective ombudsmen understand the structure of their organizations because they interact with people at every level and are part of the structure themselves” (p. 131). Ziegenfuss and O’Rourke list the following structural elements Ombuds must consider:

- Physical location and organization size
- Hierarchy, authority and independence
- Centralization
• Formality, informality, and confidentiality

• Employment and compensation

• Complexity and connected units (2011, p. 131).

Multiple themes emerged from the literature review on abrasive conduct in academia and the role of the Ombuds. However, the primary themes that surfaced are as follows:

1. Attempts to define and differentiate abrasive conduct

2. Antecedents to abrasive conduct

3. Preventions and Interventions to abrasive conduct

4. The Role of the Ombuds and complex structures

Gaps

There is not a lack of research on abrasive conduct in American organizations (Keashly, 2010; Leymann, 1990; Yamada, 1999). Topics such as bullying in the workplace, mobbing, and racial tensions in higher education and organizations have received much attention (Dash, 2015). However, incivility in higher education has received less attention. Though some researchers (Björkqvist et al., 1994; Clark, 2013; Keashly & Neuman, 2013) have been examining incivility in higher education since the 1980s, Keashly (2013) calls for more empirical data on the phenomenon. However, given the research we have, there are a few gaps, which should be explored to contribute to the discussion regarding the phenomenon of abrasive conduct in higher education. Further research in these areas would also help inform Ombuds regarding their role when dealing with abrasive conduct in higher education. They are listed below:

• We do not have a strong understanding of how pervasive the issue of incivility is in HEIs (Clark, 2013).
• Much is written about the antecedents to abrasive conduct (Baillien et al., 2009; Boddewyn, 1985; Nickitas, 2014); however, there is a gap in research regarding how effective intervention strategies such as policies, standards, and professional development impact the prevention and persistence of abrasive conduct in higher education (Hickson et al., 2007).

• Lastly, the most significant gap I identified was a lack of clarity on what the role of the Ombudsperson is during times of abrasive or uncivil behavior amongst faculty, staff and students in HEIs (Morse, 2010).

Summary

Many practicing Ombuds (Sebok, 2011; Gadlin, 2000; Rowe, 1990) have written extensively and eloquently about abrasive conduct in the context of “Ombudsing.” Keashly (2010), an expert in uncivil behavior, has addressed Ombuds and their practice regarding how Ombuds can be positive influences in the drive to change uncivil cultures. However, there is a need for more research which asks what an Ombuds can do to prevent abrasive conduct and how an Ombuds may best intervene in these tense situations. To address this gap in research, I focus on two questions:

First, what do Ombuds in higher education experience when handling cases of abrasive conduct or incivility? For example, what does incivility look, sound and feel like when an Ombuds is handling a case of incivility and how do they identify and define incivility?

Secondly, how do Ombuds handle cases of incivility within the academic environment? For example, what are their roles, responsibilities and challenges, given the academic structure? What do they do, given the complex structures of academia?
I began this literature review by seeking to better understand the role of the university Ombuds during times of abrasive or uncivil behavior and how they handle those cases. To answer that question, I first researched the traditional role of the organizational Ombuds. From there, I investigated literature addressing abrasive conduct and how researchers and experts studying this phenomenon define incivility. Finally, I looked for literature that researched the role of the Ombuds during times of abrasive conduct. I found that there is an abundance of literature and research regarding abrasive conduct, it’s causes, definitions and possible interventions; however, there is very little written about the role of the Ombuds during times of incivility. This is an exciting platform for further research as I grapple with the practice of “Ombudsing” in the context of abrasive conduct. The academic literature I encountered on this phenomenon would suggest that incivility is on the rise on university campuses, and the Ombuds could be well positioned to effect positive change in an environment where bullying, mobbing, racial bias, sexism, ageism and any other form of discrimination is tolerated. However, we must determine what the role of the Ombuds should be during these challenging times in higher education.
Chapter 3: Methodology

Introduction

The purpose of this study is to examine the phenomenon of incivility in academia and the roles and responsibilities of the organizational Ombuds when handling cases of incivility amongst academic employees. Using transcendental phenomenology requires the researcher to look at “what” people experience and “how” people experience the phenomenon. In this research, “what” Ombuds experience refers to cases of incivility and abrasive conduct. For example, what do they identify abrasive conduct to be? What do they perceive it means to them as they experience the impact of the stories their visitors share? The "how" that ombuds experience when dealing with cases of incivility, refers to how they work towards helping their visitors within the structures of academia. In other words, how does the complexity of academia influence the Ombud’s experiences with cases of incivility? How is the Ombud’s work with individuals to help them solve difficult situations influenced by their environment?

Furthermore, I examine the dynamics of incivility within institutions of higher learning and how Ombuds handle cases of incivility. I am interested in how Ombuds conceptualize their roles when handling incivility cases and what an Ombuds can or should do when handling these types of cases.

This chapter includes a description of the transcendental phenomenological methodology and the methods used to conduct research, including the selection and description of the participants. I also include the details of how the data is collected,
analyzed, and coded. I conclude with a review of the trustworthiness of the data, limitations of the study, and a summary of the chapter.

**Research Questions**

There are two primary questions driving this research. First, what do Ombuds in higher education experience when handling cases of abrasive conduct or incivility? For example, what does incivility look, sound and feel like when an Ombuds is handling a case and how do they identify and define incivility? How do they cognitively and emotionally respond?

Secondly, how do Ombuds handle cases of incivility within the academic environment? For example, what are their roles, responsibilities and challenges, given the academic structure?

**Methodology**

This is a transcendental phenomenological qualitative research study that examines the lived experiences of Ombuds within the context of incivility in academia. I am interested in what Ombuds experience when handling cases of incivility. For example, how do Ombuds identify and define incivility? What does incivility or abrasive conduct look, feel and sound like? Secondly, I am interested in how Ombuds interpret their experiences and roles when handling cases of incivility within the structure and context of academia. Because the goal of this study is to better understand how Ombuds experience “Ombudsing” cases involving abrasive conduct or incivility, an interpretivist approach is most appropriate. Furthermore, by gathering qualitative data through a semi-structured interview approach, the aim was to look for patterns and trends in the Ombuds’ interpretations of incivility and commonalities in their behavior when dealing with cases
of incivility in academia. As a researcher, the qualitative approach worked best as I endeavored to understand a phenomenon I experience daily because of my work as an Ombuds. However, I am also aware that I must exercise “epoche” as described by Husserl (1970) and Moustakas (1994) and suspend or bracket personal experiences to develop a clear insight of this phenomenon of incivility.

**Transcendental phenomenology as a methodological framework.** In *Phenomenological Research Methods*, Carl Moustakas (1994) wrote, “The challenge facing the human science researcher is to describe things in themselves, to permit what is before one to enter consciousness and to be understood in its meanings and essences in the light of intuition and self-reflection,” (p. 27). Merleau-Ponty (1968) wrote, “We see the things themselves, the world is what we see” (p. 3). The writings of Moustakas (1994) and Merleau-Ponty (1968) capture the essence of phenomenology, namely, that meaning and understanding of the world and all of its wonderful phenomenon starts with understanding that the world presents itself to us and we ultimately experience it through a type of *solus ipse* consciousness, intuition and self-reflection (Steinbock, 1997). One could even argue that without a phenomenological approach, researchers never really understand what they are researching. Husserl (1970) argued that if we only approach the world through a positivist approach, or the natural attitude, we create a “crisis of philosophy” (p. 12). He believed that looking at the world in a new way was not only an option but necessary to avoid this crisis (Husserl, 1970, p. 3). It is through the lens of transcendental phenomenological framework that I investigate the Ombuds role and cases of abrasive conduct.
The phenomenological philosophy. There are many types of phenomenological research methods available to a qualitative researcher, but they all draw from German philosophy (Moerer-Urdahl & Creswell, 2004). They also share a common philosophical purpose, which is to understand the lived experiences of human life in the world. Thus, to understand and incorporate phenomenology as a research method, we must first endeavor to understand its philosophical heritage. While there are several variations of phenomenological philosophies, they all stem from pioneers such as Edmund Husserl and Martin Heidegger (Dash, 2015; Husserl, 1970; Husserl, 2003; Husserl, 2012; Reiners, 2012).

It is from the complicated philosophies of Husserl and Heidegger that transcendental phenomenology takes root in qualitative research methodologies (Husserl, 2013). Dash (2015) provides a useful figure to better understand the major differences between Husserl’s descriptive and Heidegger’s interpretive phenomenology.
**Descriptive Phenomenology (transcendental)**
- Edward Husserl
- The researcher suspends personal opinions and biases
- The description of the personal experience is the source of knowledge

**Interpretive Phenomenology (hermeneutic)**
- Martin Heidegger
- Rejects the idea of the researcher suspending personal opinions and biases
- The interpretation of the description of the personal experience is the source of knowledge

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**Elements of transcendental phenomenology.** Epoche is a Greek word meaning to refrain from judgment or stay away from every day, common place ways of perceiving the world (Moustakas, 1994). As mentioned earlier in this paper, epoche is a difficult concept to practice, and some would even claim that it is not possible. It requires that one completely set aside all biases, prejudgments, and preconceived notions of reality and, in effect, set aside all previously gained knowledge and understanding of a phenomenon (Moustakas, 1994). Epoche and bracketing are often used interchangeably and both mean to set aside one’s own experiences and look at the world through a fresh lens (Dash, 2015). In his classic philosophical voice, Husserl (1970) wrote about epoche, saying, “The phenomenological epoche reduces me, takes me back to, my transcendental and pure ego, and at first I am in a certain sense solus ipse: not in the usual sense, as we might think of some one individual left over from general catastrophe in a world that
otherwise continues to be” (p.8). Andrews (1982) describes Husserl’s use of this Latin term, solus ipse as “the explication of self and others” or existing only for oneself. (Andrew, p. 85). One is reduced to pure ego and left alone to experience the world. One’s biases are in a sense reduced to nothing and the phenomenon is left simply to exist in one’s mind.

Phenomenological reduction is a key component of transcendental phenomenology. Husserl (2003) states that we must understand transcendental phenomenology by understanding that the world is transcendent in relation to how we experience it, and because what he calls "my pure I" or "pure being" is not removed from this transcendent world, this pure I is also transcendental (2012, p. 76). This is a somewhat complicated concept. Husserl (2003) also stated that the way one describes an experience needs to be reduced to a pre-reflective state. One needs to describe experience as it is understood from the inner-consciousness (Dowling, 2005). Another way of explaining reduction is by pre-reflectively understanding what Husserl called the "lifeworld" (Dowling, 2005). Husserl (1970) asserted that one must not attempt to understand a phenomenon in context. Explanations are to be withheld until the phenomenon is understood internally (Moran, 2000).

Imaginative variation is another key element of transcendental phenomenology. According to Moustakas, (1994) imaginative variation entails accepting that there may be a variety of possible meanings and perspectives to any phenomenon. Meaning regarding a phenomenon can be attained by considering various roles and multiple vantage points (Moustakas, 1994). In essence, “the researcher intentionally alters via their imagination, different aspects of the experience, by either taking from or adding to the proposed
transformation” (Dowling, 2005, p.133). The goal of imaginative variation is to determine if qualities or themes of the phenomenon are essential and not just incidental (van Manen, 1990). It is through imaginative variation that a researcher creates textural and structural descriptions of the co-researchers’ experiences (Moustakas, 1994).

Intentionality is also an important concept in phenomenology. Husserl writes, “Thus whatever truly is, whether real or ideal, has significance only as a special correlate of my own intentionality—intentionality of something actual or prefigured as potential” (2003, p. 21). When referring to intentionality, Husserl (1970) uses the terms noema and noesis. According to Moustakas (1994), “Noema is that which is experienced. Noesis is the way in which it is experienced” (p. 69). Husserl’s (1994) often quoted “back to the things themselves” captures the idea of intentionality because Husserl’s transcendental phenomenology is rooted in the idea that knowledge is found in meaning not in scientific research of the physical world (Moustakas, 1994). Husserl also states that we must "rob their universal basis, the experience of the world, of their naively supposed validity" (2003, p. 5). Hence, the transcendental phenomenological approach searches for the essence of an experience that is not based on presumed reality.

Synthesis is the final stage (Husserl, 1970) and requires that final meaning of the phenomenon is determined from the composite textural and composite structural descriptions (Moustakas, 1994).

This study applies Moustakas’ (1994) modified Van Kaam methodology. Moustakas follows Van Kaam’s original methodology, but expands on them, thus, in my opinion, strengthening the methodology. A summary of these steps is provided below:

1. Listing and preliminary grouping.
2. Reduction and elimination.

3. Clustering and thematizing the invariant constituents.

4. Final identification of the invariant constituents and themes by application and validation.

5. Using the relevant, validated invariant constituents and themes, construct for each co-researcher an individual textural description of the experience.

6. Construct for each research participant a textural-structural description of the meanings and essences of the experience, incorporating the invariant constituents and themes.

7. Construct for each co-research participant a textural-structural description of the meanings and essences of the experience, incorporating the invariant constituents and themes (1994, p. 120-121).

Moustakas (1994) gives final directions for the researcher by recommending that the researcher “develop a composite description of the meanings and essences of the experience, representing the group as a whole” (p. 121).

The phenomenon, or as Creswell states “what they have in common” (2013, p. 79), is that all Ombuds handle cases of incivility. What we do not clearly understand is how they handle these types of cases and what they experience when they handle them the way they do. I also examined the history of the Ombuds role in higher education and how The International Ombudsman Association (IOA) Standards of Practices (SOP) have played a role in the practice of “Ombudsing.” The focus of this research is to better understand the lived experiences of these individuals and the “nature of lived experiences” (Creswell, 2013, p. 77). For this study I first examined my experience as a
practicing Ombuds and reflected on meaning. I analyzed those experiences and “bracketed” (Creswell, 2013) myself out of the experiences to give a cognitive representation of the co-researchers’ experiences. Furthermore, the goal was to suspend personal biases and presuppositions about this topic, also known as “epoche” (Moustakas, 1994; Creswell, 2013), and attend to incivility as experienced and symbolized by Ombuds in higher education as they conceptualized their roles and responsibilities (Ferguson, 1993).

Table 3. *Participant Requirements*

<table>
<thead>
<tr>
<th>Organizational Ombuds</th>
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<tr>
<td>Minimum 2.5 years’ experience “Ombudsing” in higher education setting</td>
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<tr>
<td>English Speaking</td>
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<tr>
<td>Abides by the International Ombudsman Association Standards of Practice or similar standards</td>
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<tr>
<td>Willingness to sign consent form and be recorded</td>
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<tr>
<td>Has handled cases of incivility/abrasive conduct</td>
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**Data Collection**

Because I was interested in understanding the phenomenon of the Ombuds role in higher education when handling incivility cases, I collected data from 10 Ombuds
currently “Ombudsing” and who abide by the International Ombudsman Association Standards of Practice or similar standards. I collected data by interviewing each respondent using an interview guide containing seven open-ended interview questions (See Appendix C for interview guide). I also engaged in an informal approach by asking follow-up questions, as was appropriate for each session. The first question was, “Based on your experiences as an Ombuds, how do you define incivility or abrasive conduct.” This question served as a way to break the ice and get the conversation moving. The interviews were recorded on my Apple IPhone app called “Voice Recorder” that records and stores conversations over the phone or in person. These questions focused on the common lived experiences of the respondents and specifically their experiences handling or managing abrasive conduct cases. In an article on phenomenological research, Groenewald states, “Phenomena have something to say to us –this is common knowledge among poets and painters” (2004, p. 44). With this idea of “artfulness” and a story to be told, I sought to encourage the participants to paint an image and tell a story of what the “Ombudsing” phenomenon in higher education is telling us. To ensure confidentiality for the co-researchers, I did not provide demographics. However, they all had over 2.5 years’ experience Ombudsing and all earned a Master’s Degree or higher.

**Interview etiquette.** Kyale and Brinkmann (2009) write, “An interview is literally an inter-view, an inter-change of views between two persons conversing about a theme of mutual interest” (p. 2). During the interviews, I gained an internal view of the participant’s experiences as Ombuds in higher education. The open-ended questions used focused on understanding the phenomenon of experiencing cases of incivility or abrasive conduct in higher education. I ensured confidentiality for the participants by
interviewing them by phone in my office where there was no potential for others to hear the interview. I assigned each participant a pseudonym and did not record their names or their employer’s name. Furthermore, the information was not stored on The Cloud or on a public server.

**Types of interviews.** I conducted semi-structured open-ended phone interviews with 10 Ombuds who work for a higher education institution in the United States. I used Creswell’s standardized open-ended interview guidelines to create an interview guide of my own (See Appendix C for interview guide).

**Data Analysis and Coding**

Using Moustakas’s book, *Phenomenological research methods* (1994) as a guide, I analyzed the data and looked for themes that described the phenomenon or the essence of the experience of managing incivility cases as an Ombuds in higher education. Moustakas (1994) provides two different approaches to qualitative data analysis. He offers a modification of the Van Kaam Method and a modification of the Stevick-Colaizzi-Keen Method. I used Moustakas’s modification of the Van Kaam Method of analysis of phenomenological data. Moustakas outlines seven steps for the Van Kaam Method. They are as follows:

1) Listing and preliminary grouping, also referred to as Horizontalization. I organized the preliminary groupings into two categories:

a) What Ombuds’ experiences with cases of incivility are. For example, what do they considered incivility to be and what the causes and impacts to people and organizations were
b) While experiencing cases of abrasive conduct, how the Ombuds handle those cases

I used an excel spread sheet to list and group all the relevant invariant constituents. I did not hesitate to list any co-researcher’s comments that were relevant to the study. After listing and grouping the potential invariant constituents, I had captured hundreds of comments from the co-researchers

2) Reduction and Elimination – reduction serves to determine invariant constituents and eliminate statements that are irrelevant to the experience. There are two criteria outlined by Moustakas (1994):
   a) Does it contain a moment of the experience that is necessary and sufficient constituent for understanding it?
   b) Is it possible to abstract and label it? If so, it is a horizon of the experience…the horizons that remain are the invariant constituents of the experience.

I re-read all of the results from the horizontalization process and began to reduce and eliminate anything that did not contain a clear moment of the experience. I also confirmed that everything I captured could be clearly labeled and abstracted. I was able to do this fairly efficiently using the sorting functions in the Excel spreadsheet.

3) Clustering and Thematizing the Invariant Constituents According to Moustakas (1994) clustering and thematizing includes the following two steps:
   a) Clustering the invariant constituents of the experience that are related into a thematic label
   b) The clustered and labeled constituents are the core themes of the experience
Once I re-read the invariant constituents and went through the process of reduction and elimination, I clustered the invariant constituents into major themes that became clearer and clearer as I studied the data. There were core themes that focused on the Ombuds ‘visitors’ stories and what the Ombuds experienced as a result of empathizing with them. There were also key findings that related to the structure and environment of the experience. The emerging themes fell into two categories that directly correlated to the two research questions.

4) Final Identification of the Invariant Constituents and Themes by Application

In this step, I identified four themes and finalized the identification of these themes by re-examining the invariant constituents in the spreadsheet, in the audio recordings, and also in the transcribed recordings. I personally transcribed each interview to have a stronger sense of the story the data was telling me. From these transcribed interviews, I was able to finalize four core themes.

5) Using the relevant, validated invariant constituents and themes, construct for each co-researcher an Individual Textural Description of the experience

At first, writing an individual textural description for each co-researcher seemed daunting; however, once I understood what a textural description was, I was able to easily move through this process. The textural experience is what the co-researcher experienced in the phenomenon. For example, what did the experience feel, sound, and look like? What were the emotional and cognitive experiences for the co-researcher? This step also solidified the findings and helped cluster the data into meaningful categories.
6) Construct for each co-researcher an Individual Structural Description of the experience based on the Individual Textural Description and Imaginative Variation

As with the textural description, I initially struggled with the structural individual description. I was able to move through this process once I understood that structure and context were similar terms. The structural experiences are how the co-researcher experiences the phenomenon in relation to their environment and influencing factors such as organizational structures, personal beliefs and cognitive frameworks.

7) Construct for each research participant a Textural – Structural Description of the meanings and essences of the experience, incorporating the invariant constituents and themes.

This last step completely finalized the categories emerging from the interviews. Combining both the texture, or the what, with the structure, the how, into one concise description helped me synthesize the data into meaningful themes. (1994, p. 120-122)

While Moustakas does not number this last step, it is the final stage in this process. Using the final step in Moustaka’s (1994) modification of the Van Kaam Method, I was able synthesize the individual textural-structural descriptions into one composite textural-structural description which captured the essences of the whole experience.

**Trustworthiness of Data**

The steps I took to ensure validity of data include using a purposeful selection of participants that represent a wide range of experience. I selected Ombuds who work in higher education institutions from across the United States. It was important that the participants all had a minimum of 2.5 years “Ombudsing” experience in higher education.
It was less critical but important that I selected a diverse group of Ombuds with a mix of gender and ethnicity. I was able to select five women and four men. One of the Ombuds was a person of color. I used semi-structured interviews with a set of preselected questions that focused on answering the research questions I proposed. This process allowed me to spend as much time as is needed with the participants to develop a detailed “thick description” of the phenomenon (Creswell, 2013). I also used an interview guide to ensure trustworthiness. Each participant was asked the same field questions. To ensure that the field questions were trustworthy, I applied the “Russian Doll principle” (Clough & Nutbrown, 2012), which states that a field question should be stripped down to its most useful core. I also applied the “Goldilocks test” (Clough & Nutbrown, 2012), which encouraged the researcher to ask, “Is this question too big, too small or just right?”

I also took into consideration research ethics and how personal biases could taint the data. Phenomenology requires that researchers bracket (Creswell, 2013) previous experiences and perceptions regarding the research topic. I am a practicing Ombuds who regularly handles incivility cases, so I have my biases regarding how I should best handle them. However, I endeavored to remain as impartial as possible.

I also shared the textural and structural descriptions with the co-researchers to ensure that I interpreted the phenomenon accurately and conveyed the information the co-researchers shared with me. The co-researchers provided written feedback regarding the accuracy of the descriptions. This is also a key element to Moustakas (1994) modified Van Kaam Method.
Assumptions

The first assumption I made is that the role of the Ombuds in higher education is greatly influenced by the IOA Standards of Practice. It is very likely that the IOA Standards of practice impact “Ombudsing” because virtually all organizational Ombuds abide by these standards. A second assumption I made is that I recognized my biases going into this study. I am also an Ombuds, and I too abide by The IOA Standards of Practice. The last assumption that I made is that the respondents were truthful participants.

Limitations

Per Creswell, a phenomenological study may be too structured (2013) and may require a strong understanding of philosophical ideas. After reading Moustakas’ book, *Phenomenological Research Methods (1999)*, I better understand that there is a strong philosophical element to phenomenological studies, which could be viewed by some as a limitation. Another limitation is that each participant must be carefully selected because they should all have the same or similar lived experience as Ombuds in higher education who abide by the IOA SOP’s. The last limitation is bracketing my experiences as a practicing Ombuds.

Summary

Using a phenomenological approach best served my desire to better understand how Ombuds in higher education perceive their roles and how the IOA SOP have influenced this lived experience when handling cases of abrasive conduct. I was able to study the phenomenological experience of these Ombuds who know what it is like to be a
practicing Ombuds in higher education. I also tracked interesting new questions that arose from the original questions.
Chapter 4: Findings

What is the essence of the human experience? Is there only one way to experience being human? Transcendental phenomenologists argue that there are multiple ways to experience a phenomenon (Husserl, 1970; Moustakas, 1994). The heart of the experience lies within each individual. It is through textural and structural descriptions of the co-researchers’ experiences and imaginative variation (Moustakas, 1994) that we begin to understand the essence of the phenomenon we are researching.

The Complex Experiences of Ombuds

After interviewing 10 Ombuds who work in higher education, several themes arose from their experiences; however, there was one overriding theme that impacted both what and how they handled cases of incivility. The experiences Ombuds had when handling cases of abrasive conduct were consistently impacted and guided by the context of the experience. What the Ombuds experiences on a day-to-day basis is strongly influenced by the visitor’s story and perceptions regarding what happened to them. It is the visitor’s story that determines how the Ombuds identifies and even defines abrasive conduct. The extraordinary talents and skills that Ombuds use are driven by what the visitor’s goals and desired outcomes are. It is all about the visitor.

How they experience “Ombudsing” cases of incivility is also influenced by the complicated structure of academia. There is tenure to consider, the complex layers of hierarchy and the power dynamics at play in any workplace relationship. Academic workplace environments are perfectly structured to promote and tolerate bad behavior by
its employees. Ombuds are also guided by strong influences such as the International Ombudsman Association (IOA) Standards of Practice (SOP), the values and policies of their institution, and a strong desire to advocate for fairness and equity.

There is something that is both textural and structural about this phenomenon, about the Ombud’s experience when handling cases of abrasive conduct. The dual dynamic nature of the Ombud’s experience impacts both what and how the Ombuds interacts with this complex overlapping phenomenon. What are the roles and responsibilities of the academic Ombuds when handling cases of abrasive conduct? The answer to that question is complicated. The Ombuds role is very textural. It feels, looks and sounds a specific way. It is an empathic reflection of the visitor’s experience. But no reflection is perfect. The role of an Ombuds is also intricately connected to the environment or structure of the workplace. The context in this study was academia, which includes the academic environment and community. Hence this phenomenon of “Ombudsing” cases of incivility and the role of the Ombuds is both textural and structural, and what is textural overlaps with structure and what is structural overlaps with what is textural. It is a complicated and beautiful phenomenon that involves the essence of the human experience, conflict, pain, and growth.

Regardless of the “what” and “how” of an Ombud’s experience, this research project indicates that the phenomenon of incivility is occurring in higher education (Keashly & Neuman, 2010). Three of the Ombuds interviewed have experienced an increase in cases of incivility since the 2017 presidential election. Others believe that incivility and a lack of respect and dignity for others has always existed and is now much more tolerated and even rewarded. The reality of our current state is that people are treated badly in higher education. Faculty, staff, and students experience abrasive
conduct in academia, and the Ombuds is in a unique position to help guide people through these negative and painful experiences. As one Ombuds said to me, “I just want to help them get through this place in one piece.” For clarity, it is important to note that the people I quote going forward are the university Ombuds I interviewed. They are also referred to as “co-researchers” per Moustakas (1994) description of participants. They are all university Ombuds. Each co-researcher was assigned a pseudonym.

**Participants**

The participants are 10 Ombuds who have practiced “Ombudsing” in Higher Education Institutions (HEI) in America for a minimum of 2.5 years. I initially approached The International Ombudsman Association (IOA) Research Committee for permission to request participants through their organization. They agreed and sent an email to all IOA members interested in participating in this research project. I received several emails from willing participants. From that pool of participants, I used purposeful sampling to select 10 Ombuds who each have a minimum of 2.5 years’ experience in higher education. I also utilized convenience and snowball sampling to ensure I had 10 participants. I then sent an email containing a request to obtain consent from the participants with a clear description of the purpose and intent of the research project (see Appendix B for consent form). I also followed up the email invitation with a phone call to each person I contacted. The rationale for picking 10 Ombuds with experience in higher education was that they would most likely have extensive experiences dealing with incivility cases. Having at least 2.5 years’ experience was also a factor because after 2.5 years, it was very possible that Ombuds had developed a method or process to deal with incivility cases.
Steve Aguilar. Steve Aguilar has 25 years of “Ombudsing” experience. He holds a Master’s of Education in College Counseling and Student Personnel Administration and a Bachelor of Arts in Sociology. Prior to “Ombudsing,” Steve Aguilar worked for several years as a Community College Counselor. Steve is considered an experienced and successful Ombuds by his peers and has also helped many new Ombuds throughout the years. I found Steve’s experiences with handling cases of incivility and abrasive conduct to be insightful and helpful. Steve has likely dealt with most types of issues an Ombuds faces. He has a wealth of knowledge and wisdom and was willing to share his experiences freely.

Nancy Smith. Nancy has been an Ombuds for over 13 years. She has extensive experience in the university setting and has encountered multiple cases involving abrasive conduct. She holds a Master’s degree in Social Sciences and a Bachelor of Arts in education. Before becoming an Ombuds, Nancy was a middle school and high school teacher for 11 years and taught social studies. Nancy’s contributions to the Ombuds profession are considered innovative by her peers.

Maria Mason. Maria preferred not to provide a biography but did agree to state that she has over 10 years of “Ombudsing” experience in a higher education environment.

Teri Kelly. Teri is an experienced and well-respected Ombuds who has held various roles in university settings. She has served as an Associate Ombuds and as a director. She is a licensed marriage and family therapist and is a trained mediator. She holds a master’s degree in Counseling and Psychology.

Bob Nevis. Bob Nevis has been an Ombuds for 19 years. He earned a Bachelor of Arts in Psychology, a Master’s of Science in Counseling and a Master of Arts in Educational Psychology. Before entering the Ombuds profession, he was an academic
advisor, a youth at risk counselor, a drug rehabilitation counselor, and also worked for the Xerox corporation. I thoroughly enjoyed my conversations with Bob. He is an experienced Ombuds with several years’ experience. He was candid and willing to share his insights and wisdom with me regarding how he experiences cases of incivility at a institution of higher learning.

**Violet Emerson.** Violet is a stays active in the Ombuds community. She has experienced cases of incivility many times. Violet has practiced “Ombudsing” for over four years at an institution of higher learning. She holds a master’s degree and has a background in adult basic education. She was also an English teacher, a social worker and worked in higher education.

**Kevin Bronson.** Kevin is has practiced “Ombudsing” for 14 years. He has a doctorate degree in International Education Development (degree not yet conferred). Before becoming an Ombuds, Kevin has worked in student affairs in various capacities. Before becoming the Associate University Ombuds officer, Kevin was an assistant director then director of student activities. He went on to become the Deputy Director of University Disability Services and the special adviser to the Dean of student affairs.

**Bill Porter.** Bill has handled multiple cases of incivility. He has practiced “Ombudsing” for over three years, and also has extensive experience as a mediator. He holds a master’s degree in Anthropology and a Juris Doctor. He has a background in mediation and entrepreneurship. I found Bill to be very thoughtful and engaged with his work and with the Ombuds community.

**Camelia Nash.** Camelia has over 20 years’ experience “Ombudsing.” She has a strong grasp of the university environment and has dealt with just about every kind of
case an Ombuds deals with. Camelia holds a master’s degree, and prior to “Ombudsing,” she worked as a Department Administrator for a large clinical, academic, research department. I found Camelia to be passionate about her work as an academic Ombuds and expressed a sincere desire to help promote a healthy work-place environment.

**Kara Beck.** Kara has over 2.5 of experience “Ombudsing” in higher education. She holds a Juris Doctor degree and practiced law prior to becoming an Ombuds. While Kara is relatively new to the Ombuds role, I found her to be an empathetic and intuitive Ombuds. Based on my conversations with Kara, I found that she is not afraid to tackle difficult cases and is working towards increasing campus awareness regarding how the Ombuds office can help with cases involving social justice issues.

**Major Findings**

This discussion on the findings begins with Miray’s story and her experiences as a doctoral student and how Camelia Nash, the university Ombuds, handled Miray’s case. Camelia is an Ombuds in an institution of higher learning with extensive experience handling cases of bullying and abrasive conduct. Miray, came to Camelia’s office feeling suicidal, frustrated and abused by her doctoral advisor. Miray described a complex and disturbing situation that involved multiple levels of incivility and abuse. For Miray, it began by being neglected by her advisor. She felt lost and unsure of her direction and progress. The advisor ignored her and didn’t return her emails. The abrasive conduct escalated to a level of abrasive conduct that most would consider to be completely inappropriate. The advisor was often absent, but when he was there he yelled and belittled the doctoral student. This student experienced multiple levels of bullying, including threatening to be fired and being belittled by other students in the program. She appeared to be of eastern descent, and her classmates would say inappropriate things
such as “Do you ride camels?” and “Do you walk around barefooted?” Because Miray was having difficulty connecting with other students, her advisor eventually sent an email to the chair and to the department stating that this student was dangerous and shouldn’t be allowed on campus. As Camelia stated,

There was nothing unusual about her. She just looked middle eastern to them. They responded inappropriately. Nothing about her behavior suggested something was wrong. He wrote this email to several people saying she shouldn’t be let in the building, and yet, all her classes were in the building. At that point is when she came to me.

To make matters worse, Miray was also escorted off campus by security. She was humiliated, heart broken, alone, and was about to lose her job if Camelia could not help her. The student’s academic career could soon end in disaster, and most importantly, she was considering suicide.

Camelia expertly handled this case of incivility and was ultimately able to help this doctoral student. Camelia first ensured that this person was safe by taking her to a school counselor. Camelia listened to Miray’s story, empathized with her situation, and worked to help Miray find solutions without compromising confidentiality, impartiality, independence and informality. With Miray’s permission, Camelia then worked with the dean of the graduate school and discovered that the advisor could not simply fire the doctoral student. This particular advisor was known as a notorious bully. He thought of them as “Hifalutin slaves.” Camelia was able to work with the dean and get Miray into a different program with a different advisor. This meant Miray had to take more classes and pay for them. Even though things worked out for Miray, her education took extra time and more resources. Camelia said to me, “The damage was so great to her that for
years she was still worried about these relationships and the humiliation. She eventually graduated and was doing better.” To best help Miray, Camelia engaged in multiple Ombuds roles and methods to help her. She experienced Miraya’s story and focused on what Miraya wanted to happen to solve her difficult situation. Camelia practiced the IOA SOP and found innovative ways to help her visitor. She worked within the structure and hierarchical dynamics of the institution and found a way to help Miray. Camelia was a coach, an empathetic listening ear, and a confidential resource to Miray. Camelia’s experience with Miray embodies the four themes that surfaced in the research.

The themes that emerged from the participants’ experiences can be divided into two categories. The first two themes relate to the first question of my research, which is, “What do Ombuds in higher education experience when handling cases of abrasive conduct or incivility? For example, what does incivility look, sound and feel like when an Ombuds is handling a case of incivility and how do they identify and define incivility?

The third and fourth categories relate to my second question, which is, “How do Ombuds handle cases of incivility within the academic environment? For example, what are their roles, responsibilities and challenges, given the academic structure? What do they do, given the complex structures within institutions of higher learning?

Theme #1: The Visitor’s Story is the Ombud’s Experience

The Ombud’s experience is based on the visitor’s experience. Yes, Ombuds do experience the phenomenon of an abrasive conduct through their individual perceptions and interpretations of the world. They are affected emotionally and cognitively; however, Ombuds rely heavily on the visitor’s story to handle these types of cases, and what Ombuds experience is impartial and without judgement. Ombuds strive to be impartial, and experienced Ombuds have an ability to separate what they think should
happen from what the visitor wants to happen. Descriptions of these experiences are consistent amongst the Ombuds I interviewed. Ombuds are extremely intuitive and empathetic. They are skilled listeners and “solutioners.” They are compassionate and innovative leaders within their organizations, and many of them are driven by a passion for fairness and equity. However, the trend I discovered was that it really was not about the Ombuds’ experience. When dealing with cases of abrasive conduct, the Ombuds’ experiences are deeply rooted in their visitors’ experience. The Ombuds relies on the visitor’s story and the visitor’s goals to determine how to best handle their cases.

**Bob Nevis.** Bob stated, “The starting point for me in an example of incivility is to ask the visitor what happened? What behaviors were exhibited to make you feel you were disrespected.” Bob’s comment captures this finding that the Ombuds relies on the visitor’s story and the visitor’s goals to determine how to best handle their cases.

**Steve Aguilar.** Steve said, “I listened with empathy, I reflected and never judged what my visitor was saying, all the while, I had a voice in my head reminding me that there was probably another side to this story.” The Ombuds experiences what the visitor experiences. Ombuds are skilled at asking open-ended questions to better understand the visitor’s experience. When I asked Steve how he identifies incivility, he said he knows it when he sees it.

**Nancy Smith.** Nancy said,

The best way to understand a person’s experience is to ask more questions; getting them to tell me more about the issue to hone it down. The way this person is talking to me will tell me what it is.

For Nancy, abrasive conduct has a specific texture that is described by her visitors. It feels, looks and sounds an undeniable way.
**Violet Emmerson.** Violet Emmerson best captured this theme when she stated the following:

So, in terms of how we are guided, we are deeply rooted in the clients and visitors’ goals and in trying to help them think forward and not backward. There are times when things need to be resolved from the past and we try to develop options for that. Certainly, where somebody feels they have been wronged in the past. But a lot of our work is helping people move and think forward. Because so many of the people we see in our office feel stuck.

**IOA SOP.** A major reason Ombuds’ experiences are really the visitors’ experience is the influence of the International Ombudsman Association (IOA) Standards of Practice (IOA, 2009). All the Ombuds I interviewed were well indoctrinated in the IOA SOP (2009) and followed them in various degrees. Impartiality or neutrality is an especially powerful influence on what Ombuds experience. Even the most social-justice minded Ombuds work diligently to be impartial.

**Kevin Bronson.** When I asked Kevin if he follows the IOA SOP (2009), he responded, “Yeah, but I push the limits. I push the boundaries.” He went on to describe a visitor who sought out his services. This person was “a bit racist”, according to Kevin. His visitor said, “I hope I’m not offending you.” Kevin’s response was a true example of impartiality. He said, “No man. Go ahead. It’s important that you speak your mind.” Even though Kevin suspected this person was a racist, this suspicion did not impede Kevin’s ability to listen to this person’s story and act as an impartial and independent agent of the university.
Confidentiality also influences what the Ombuds experiences with cases of abrasive conduct. It is the Ombud’s duty to provide a safe experience for her visitors. If the visitor does not feel safe, the Ombuds is not able to help this person.

**Bill Porter.** Bill Porter described how his student Ombuds handles confidentiality even though there are instances when he is a mandated reporter. Bill says, “You might be a reporter for certain things. But our student Ombuds, the way he handles that is that he does his best not to include identifiable information. He doesn't use names, specific locations...sort of more generic. So he tries to fulfil the duties of reporting to meet Cleary without identifying the person. I think that meets the confidentiality standards of being an Ombuds, but IOA doesn't see it that way.”

While striving to be impartial and confidential, Ombuds also exhibit the ability to be authentic with their visitors. Bill expressed this sentiment when he said, “the other piece for me is that I make sure that I am authentically who I am because I think people see when you are not who you are and they don't like it. It puts them off.” Ombuds are very self-aware and apply this self-awareness to help their visitors feel that they truly are being listened too. The Ombuds strives to understand the visitor’s story. Visitors often have not been listened to or have not had a safe environment to candidly express what is bothering them. The Ombuds is, at times, the first person with whom the university employee has been completely candid.

**Understanding Human Nature: The Evil 5%**

**Maria Mason.** Maria described an endowed chair who was terrorizing post doc students. She explained, “This person was an international student and their advisor was part of the evil 5% that made it an art to consolidate power, wield influence, control and dictate. This was an endowed chair and world-renowned guy.” She believes there is a
population of people who are, what she calls “The Evil 5%.” She was not the only Ombuds to express this view. These are people who are just not nice people. She referred to research on bullying and abrasive conduct, and she explained.

    If you do some reading in literature, there are people who are just made this way. They are acting out of a feeling of inadequacy and incompetence. Many of them have imposter syndrome and fear people are going to find that they aren't really that smart and they really don't know that much and so they, or they've been in this situation and were the target. These people decide that nobody is every going to treat them this way again and take the aggressor role.

    Maria described a case she handled involving a student who was the victim of abrasive conduct. The student’s advisor would move plants around and tell the student that he had not done it. Her visitor was slowly going crazy. This advisor was “part of the evil 5% that made it an art to consolidate power, wield influence, control and dictate.” This advisor was also an endowed chair and a renowned researcher. These types of people get away with abrasive and abusive behavior because they believe that they are “untouchable” and the organization tolerates and rewards them. Maria was able to help this student by meeting with the Associate Dean. Together they arranged for the student to never be alone with this advisor again. Maria’s case is a clear example of how power abuse causes incivility.

    I include Maria’s conclusion that there is a percentage of people who are “Just not nice” because Ombuds often are aware that the person sitting across from them may not be telling a complete story. For example, Violet shared with me that often, the people coming to her office to complain about being bullied are the bullies themselves. Yet, they truly believe their perceptions of what is happening, sometimes in their department.
Furthermore, it is not uncommon for the Ombuds to have insight into this person’s behavior from others who have complained about this very person sitting across from the Ombuds.

**Kevin Bronson.** Kevin also expressed a belief that there is a population of people who are rude and abrasive. As Kevin said,

> There are some people who just weren’t hugged enough. They are professional social misfits or professional sociopaths. They are just fricking rude man!

Frankly, we have many people in universities that are high functioning whatever… you can add whatever after that.

**People with Power**

Every Ombuds I interviewed shared with me that the people who are most often accused of abrasive conduct have some form of power. This power is given to the individual by the structure of the organization. The abuse of power is often the cause of abrasive conduct in higher education.

**Camelia Nash.** When I asked Camelia who is most often accused of incivility she stated, “It can come from all levels. It has the most harm and impact when someone is uncivil when someone is in a position of power over somebody else.” She went on to say, “If someone feels victimized it’s usually the person with the less power, so I would say in the most vulnerable relationships it is between advisors and graduate students because their whole career and future depends on this relationship.”

**Bob Nevis.** Bob addressed this phenomenon when describing how he deals with people in authority who have been accused of incivility. He stated, “Power imbalances do make things difficult. There is no policy that holds them accountable unless there is something internal that holds them accountable.” Bob also believes his role as Ombuds
is to give voice to those with less power. In higher education, students are victims of incivility. Regarding his role as Ombuds, Bob stated,

The role is a way for people to have a voice. Good example is students don’t always feel that they have a voice and haven’t been heard because professors can shut down a conversation. Faculty don’t always want to be bothered by complaining and entitlement. Faculty have a lot of power when determining if a student cheated or not.

Kevin Bronson. When I asked Kevin who is most often accused of abrasive conduct, he explained that it is the people who have the power who are usually accused of abrasive conduct, and conversely, the people with less power are usually the victims. He also described a case involving a primary investigator (PI) who was screaming and yelling at his post doc students. To this PI, the post doc experience was supposed to be brutal. It was what he experienced so he believed all post docs should experience it also. What the PI did not realize was that he was devastating students and destroying his own program. Students were leaving the program because of his behavior.

Teri Kelly. Teri also expressed that her experiences with incivility often involve faculty or staff who are untouchable in some way. She stated, “Something makes them look to people as being untouchable, or they have a lot of power of some kind. It could be a staff member who has brought in a million dollars and would cut the money flow tomorrow.”

In short, what the Ombuds experiences is intimately connected to the visitor’s story and the visitor’s experience. One might be asking, so is it the visitor’s experience or the Ombud’s experience I am describing? It is both. The Ombuds feels, sees, and hears what the visitor experiences through their story. They do this by setting aside their
perspective and assuming the visitor’s perspective. They give the visitor the benefit of
the doubt that their story is true and accurate. Ombuds intuitively practice what Husserl
the ultimate standpoint whereby I become the detached beholder of my natural-worldly
ego and its life” (p. 13). Husserl (2003) believed that “We thus begin, each for himself
and in himself, with the decision to suspend the validity of all established intellectual
disciplines” (p. 3). Thus, we must deliberately decide to suspend what we have always
accepted to be established truths or disciplines (Moustakas, 1994). This universal
abstention includes resisting the desire to take a stand regarding the objective experience.
Skilled Ombuds do not detach from their personal beliefs but are able to separate what
they believe from what the visitor believes. The Ombuds is what Maria, one of the co-
researchers calls “multi-partial.” The Ombuds rely on their own senses to experience
what the visitor does, while holding onto the possibility of other perspectives. From this
vantage point, Ombuds experience the painful and difficult cases involving abrasive
conduct, which their visitors bring to them.

Theme # 2: How Ombuds Define and Identify Abrasive Conduct

The manner in which Ombuds experience cases of abrasive conduct is closely tied
to how they define and identify these types of cases. In other words, what Ombuds
experience when helping individuals through the stresses of abrasive conduct is directly
related to how they define incivility and how they identify it. This theme is textural
because the cases of incivility evoked a cognitive response from Ombuds. They had to
understand what their visitor was describing, and in a sense, vicariously experience what
the visitor experienced. They employed a “hyper empathetic stance” to determine key
factors about the visitor’s situation. One consistent cognitive response Ombuds
experienced was to define what abrasive conduct is. Secondly, they had to identify what type of case they were dealing with. If it was a case of incivility, it affected how they responded.

**How ombuds define incivility and abrasive conduct.** Although there is no one concrete and concise definition of incivility, Ombuds do agree on several factors that contribute to what could be called uncivil or abrasive conduct. A consistent factor for Ombuds was that incivility exists on a spectrum and there are different levels and types of incivility.

**Violet Emmerson.** Violet Emmerson articulated this subjectivity well when she said,

“It’s a spectrum, like anything else. They can be overt or the more challenging types can be the covert, tarnishing relationships, pernicious kinds of gossip, spreading rumors about somebody. Those kinds of things. Everything for me about incivility fits on a spectrum. They fit on a spectrum and they range in terms of incivility.”

It is important to note that all of the Ombuds I interviewed also felt that incivility is difficult to define because it is a contextual and individual experience. What is considered acceptable in one department may not be tolerated in another.

Thus, there are subjective aspects to the definition of abrasive conduct. Several Ombuds shared that faculty can be very vocal and animated when communicating with each other. They yell at each other and some pound the table during faculty meetings. For those faculty members, in the context of a faculty meeting, that behavior may not be considered abrasive. However, if even one of the faculty members present in such a meeting finds this behavior uncivil, the behavior falls into that spectrum of bad behavior.
Again, the way people experience incivility is both textural and contextual. It is also an individual experience. It is textural in that the person who experiences incivility is feeling the negative force of that behavior. It is also structural in that where this behavior is occurring at times determines whether this behavior is abrasive or not. Where the person works, ethno-cultural factors, institutional values, department priorities, even what part of the country one comes from are all contextual factors that inform how Ombuds define abrasive conduct. Ombuds take all of these contributing factors into consideration as they empathetically work with their visitors to assist them in finding solutions to their concerns.

Ombuds also agreed that there is a type of behavior, regardless of context, that any reasonable person would consider to be unacceptable.

**Teri Kelly.** Teri Kelly best described this type of behavior when I asked her to define abrasive conduct:

So, we need to say we are talking about physical assault, throwing books or keys at graduate students. Screaming at staff and threatening their jobs. There’s this range of behavior that no one would say ‘that's too minor to address.’ And that’s what we are really focusing on.

It is also important to note that some Ombuds I interviewed do not use the term “incivility” because it carries a negative overtone with faculty who have been accused of incivility by their colleagues. The term “uncivil” has been weaponized against women coming into academia, the LGBTQIA community and other underrepresented groups in academia. These Ombuds prefer the term “abrasive conduct.”

**Kara Beck.** Kara defined abrasive conduct when she stated,
I think it's a real range. I hope there is a line out there that everybody would agree that this is beyond the pale. But I don't think everybody would think that line exists at the same place. It's uncivil to treat anyone with lack of respect. It could be rolling your eyes, but I think I guess it depends in where you are going with it. Is it something someone should be disciplined for? Probably not. It part of a continuum of behavior.

Ethno-cultural factors also have an impact on how Ombuds define and identify abrasive conduct.

**Kevin Bronson.** Kevin shared a story regarding a faculty member who came to his campus and was quickly labeled as a rude person because he was extremely blunt. This faculty happened to be from New York, and where he came from, it was normal to be blunt and abrupt. Kevin stated,

I’m not just talking about organizational culture. It plays a role but also the culture of the regional area where you are and where you came from. In New York, you can walk down the street and no one is going to say good morning to you and you don’t feel a way. But if I’m in the south east, everybody is saying good morning.

We take our ethno-cultural perspectives with us wherever we go, and they influence how we define good and bad behavior. Skilled Ombuds are aware of this and know that these differences are the cause of some conflict or perceptions of incivility. Kevin went on to explain that these differences make an already complex issue more complicated.

**Bill Porter.** While Bill told me he avoids labeling behavior, he did offer this definition. “Incivility to me means where somebody …we might call that rude or
disrespectful treatment. It could be macroaggression kind of stuff. It could be stuff that doesn’t rise to a policy or law violation.”

**Teri Kelly.** Teri emphasized the importance of context when defining incivility. She expressed, “The definition of abrasive behavior partly depends on context. It depends on discipline of faculty, it depends on the department someone finds themselves in. What is considered ok in one department is not ok in another.”

Regardless of the context, there are similarities in the way Ombuds define incivility or abrasive conduct. Below are commonalities I captured from the interviews with Ombuds:

- It is unwelcomed, hostile, and intimidating behavior, both verbal and non-verbal, that impedes someone’s ability to work, study or participate in day-to-day activities.
- It exists on a spectrum from mild forms of covert behavior such as passive-aggressive comments and behavior to more overt forms such as verbal and physical abuse.
- It occurs over time but can also be one incident.
- It is damaging behavior that can cause mild to severe harm to individuals and negatively impacts organizations.
- It is a contextual and individual experience.

**How Ombuds identify incivility and abrasive conduct cases.** An interesting and outlying finding is that Ombuds do not initially make an effort to define or identify what type of case they are dealing with. In fact, some Ombuds make it a point not to label what they are hearing from their visitors.

**Bill Porter.** When I asked Bill Porter how he identifies incivility in his cases, he said, “the Ombuds role affords us an opportunity to step away from labeling things and instead, to focus on how they are being treated in their work place.”
**Steve Aguilar.** When I asked Steve Aguilar to define incivility, he said, “Many of the behaviors we are talking about are not well defined. Visitors have different understandings based on their own experience. We don’t start with common definitions for incivility.” This lack of clarity around what incivility is may contribute to the hesitancy to label what a visitor is describing.

**Teri Kelly.** Teri Kelly expressed that she makes it a practice to not make a judgment on what the visitor is describing and instead focuses on being empathetic. She also stated,

My approach is very visitor centered, so fundamentally I don't have to form an opinion in order to offer them help. I withhold judgment, and I talk to them in this way, based on what you are describing to me, it sounds like this.

**Maria Mason.** Maria Mason said,

“It doesn’t really matter to me what they are describing. They can look at it however they want to. I just need to know why it’s a problem for them and what is happening now that they want to see something change.”

This is true impartiality, or as Maria said, “Multipartiality.” This relates back to the importance of the visitor’s story and how it influences what the Ombuds experiences.

Addressing how Ombuds identify and define incivility or abrasive conduct is relevant to the textural experiences they have because as the Ombuds hears the visitor’s story, she is feeling, seeing and hearing what incivility is. This experience directly impacts what they experience. And while most Ombuds do not initially label the behavior, they do eventually categorize their cases and record the types of cases they have in a data base or spreadsheet of some sort.
**Theme 3: The Powerful Impact of the Academic Structure**

Much if not all of the human experience is powerfully influenced by the environment. In his book *Triggers: Creating behavior that lasts*, Marshall Goldsmith (2015) wrote,

Much of the time, however, our environment is the devil. That’s the part that eludes us: entering into a new environment changes our behavior in sly ways, whether we are sitting in a conference room with colleagues or visiting friends for dinner or enduring our weekly phone call with an aging parent” (p. 27).

The academic environment is complex and can be a breeding ground for bad behavior. One might even say it can be diabolical if not managed correctly.

**Camelia Nash.** Camelia described the importance of context when dealing with incivility:

Here I go back to context again. I worked in three different campuses in three different states. They all have different laws…we don’t have a federal law…confidentiality protection. And each one has a different perspective with general council as to how I could practice.

This discussion addressing the powerful impact of the academic structure and environment is a common theme with all the co-researchers and is the third theme I discuss.

As I stated earlier, findings 3 and 4 relate to the second question in this research project, “How do Ombuds handle cases of incivility within the academic environment?” For example, what are their roles, responsibilities and challenges, given the academic structure? What do they do, given the complex structures within institutions of higher learning?
**Camelia Nash.** Camelia’s experiences with Miray, the case I began this section with, clearly described the negative impact that an academic structure can have on an individual. In Miray’s story, we saw that she was not only a victim of an abusive advisor, but she was also negatively impacted by a system that had been in place for decades. Her advisor believed that post doc students should suffer abuse because he suffered abuse, and so did every other post doc student who came through those doors. This type of behavior was part of a deep-seated culture, and Miray was one of many students who suffered through it.

**Bob Nevis.** Bob addressed the complications that a hierarchical structure can create in regards to civil or uncivil behavior. Bill expressed that a hierarchical culture might not value civility. He stated, “Being civil is no longer valued when people say ‘I don’t care how you do it. Just get it done.’” He also stated, “Hierarchical gets countered when we value civility. The more removed you are from day to day operations, the more uncivil you can be. You are removed from day to day operations. That’s the people that makes things happens.” Thus, Bill’s point is important because it indicates that a hierarchical structure does not necessarily promote incivility if civility is valued in the organization.

It is clear from the interviews with 10 university Ombuds that the university environment has a powerful influence and effect on how Ombuds handle cases of abrasive conduct. It was also evident that the academic environment can also promote incivility and reward abrasive conduct if allowed. There are many factors that contribute to this. First of all, Ombuds are acutely aware of how complex the university structure is. There are power dynamics, long-standing practices such as tenure and peer review
publishing, ethno-cultural attitudes and the values and polices universities put into place.

Kevin Bronson stated it best when he said to me,

The reality is that a lot of it (how he handles incivility cases) is dictated on a case by case scope. For example, the organizational culture, the players involved, what happened or didn’t happen, where someone is from and what their experience has been…a lot of differ things.

These factors influence how Ombuds conceptualize their roles and responsibilities when working with people who are experiencing uncivil behavior in the workplace.

**The Power Dynamics of Academia**

*Bill Porter.* When discussing the hierarchical nature of higher education, Bill Porter described it well when he explained, “The same is true in any hierarchical system where you have power differences where you have people supervising, managing, it creates opportunities, situations where people will use that power.” Hence, any organization with power differences is going to have a hierarchical system. However, higher education is unique and can be more complex than the corporate sector because of the faculty and administrative roles that interact with each other. There are complex relationships with deans, associate deans, assistant deans, provosts and vice provosts, and assistant provosts. There are different classifications of faculty such as tenured, non-tenured, tenured track, and visiting lecturers. There are also faculty who are PIs and chairs of departments who manage others. We must also consider shared governance and the conflict that can create. A common experience with Ombuds handling cases of incivility within the complex relationships and roles in academia is the Ombuds interaction with those who do and do not possess power. Ombuds interact with both those who are victims of incivility and those who are accused of incivility.
Understanding these power dynamics is important and critical to handling cases of incivility.

It is important to distinguish between the two types of power the co-researchers discussed: Organizational and social power.

**Nancy Smith.** The first type of power is what Nancy Smith called “organizational power.” Nancy described it well when she stated, “So, for organizational power, they are supervisors, chancellors, vice-chancellors, managers, directors, chairs, deans; anyone with a title that gives them organizational power over the people who report to them.” This phenomenon was a common message I heard from the co-researchers. People in power often abuse it. They are the people most often accused of abrasive conduct in higher education.

**Bill Porter.** Bill stated, that “The people who come to our office who say they are not being treated well, are typically saying these things about people who have power over them.” Bill was referring to people with evaluative relationships such as supervisors.

The second category of power is “social power.”

**Nancy Smith.** Again, Nancy described this concept well:

Social power might be found with admin assistants who have been here for 25 years and have a lot of clout and have the freedom to get away with this type of behavior, and people make a lot of excuses as to why that’s ok.

These people might not have any organizational power, but because of the length of time in their roles or who they are allied to, they can wield power over people who are newer to the organization. These new people might have organizational power, but social power often overrides it.
Steve Aguilar. Steve addressed this phenomenon of social power when he described staff or faculty members who are “fishing buddies” with the boss. These people have social power because they have a personal relationship with the boss. They may not have any organizational power; but their relationship with someone who does gives them incredible amounts of leverage over others. This scenario also affects those who might want to complain about the fishing buddy but do not because of this relationship.

It is clear from the discussions with the co-researchers in this study that the abuse of organizational and social power often causes incivility in academia. Power dynamics play an important role in the causes of incivility, and the reality is that anyone can be a victim of abrasive conduct. What is common in these experiences is that the organizational structure of academia can allow this behavior to occur. Teri Kelly described a scenario involving students who were treating faculty of color disrespectfully because the university did not address post-election attitudes. These students were rude to the professor and challenged her in class. The university chose to ignore her complaints, so she went to the Ombuds. The Ombuds provided a listening ear and was able to coach the faculty member on how to best communicate with these students.

The power dynamics involved within institutions of higher learning can be complicated and difficult to maneuver. However, the Ombuds I interviewed all understood this environment and found creative ways to help people through issues involving incivility. Ombuds are skilled at reading the political landscape, and how they experience these cases is determined by how they identify and avoid potential politically charged landmines.
Tenure

Four of the participants brought up the dynamics of tenure and how this structure creates a power imbalance within departments. Because tenure is dependent on relationships with colleagues, peer review and evaluations, there is an incredible amount of stress for faculty seeking tenure. There are interesting situations in which tenure track faculty can find themselves. For example, if a tenured track faculty is being treated poorly by someone in the department, such as the chair, the faculty is in an untenable situation. That faculty runs the risk of not being tenured if he complains about anybody in the department.

Bob Nevis. Bob described the complexities that tenure creates when he stated “There are many complicated types of competition, such as faculty want tenure, resources, prestige. Sometimes relationships get strained in these processes and structures.”

When I asked Camelia Nash, who was most often accused of incivility compared to other university employees, she gave me important background on the original purpose tenure served: “Tenure was originally there to create exceptionalism in your field and allow you teach what you were supposed to. But in most places, it has become a contract to do whatever you want.”

Kevin Bronson. When I asked Kevin, who in higher education was most often accused of being uncivil, he explained tenure further:

Take tenure process for example; specifically, who gets tenure and how. Faculty have to publish and are judged by their peers. They have to be published in this publication or that one. They’ll say you need to be published with peers and be peer reviewed, but they don’t say which one is weighed heavier than the other.
So, there are a lot of unwritten rules that leads to this (tenure), and a lot of old boy networking.

**Violet Emmerson.** When discussing the power dynamics of higher education and how it can invite incivility, Violet stated,

In terms of faculty they don’t receive training. After that, the fact that chairs and deans are plucked from their own ranks without any managerial training, so you have the blind leading the blind, and then you have a real power imbalance in terms of faculty who are tenured, and everybody who is not, including their staff. That’s a huge power dynamic, but I think that invites bad behavior. People feel so insulated when they are tenured.

**Bill Porter.** In our discussion on tenure, Bill brought up a significant difference between the corporate sector and higher education. He observed that the dynamics of tenure do not occur in other types of institutions. Bill stated:

I think that particularly on the faculty side, the idea that we are judging each other's peers. That's a little bit more unique. On the corporate sector you don't have too many folks that are up for promotion and say, I'm going to check with all the directors the next level up. They get to vote on me. So that's different.

There are certainly challenges with tenure in higher education. Three of the interviewees expressed the sentiment that tenure is outdated and should be revisited by universities. I am sure most tenured faculty would disagree.

**Values and Policies**

The final aspect of university structure that influences Ombuds’ experiences when handling cases of incivility are the values and policies universities put in place, at times to reduce or prevent abrasive conduct. It was clear from the interviews that most
universities do not emphasize the prevention of abrasive conduct. In fact, many
universities are vague in their language regarding how to define and prevent incivility.

**Steve Aguilar.** Steve Aguilar voiced frustration over his university’s ambiguity
when it came to uncivil behavior. He stated, “Our university often did not define things
well. This may have been because of legal council’s recommendation to keep things
vague.”

**Kara Beck.** Kara Beck’s university has a “trustee doc” that addresses employee
conduct and respectful communication; however, Kara stated,

There is a trustee doc here called principles of employee conduct which is very
vague and hard to pin down, but one of them is about communicating in ways that
show respect for people and that’s become the basis for the anti-bullying
campaign here.

This document became the basis for an anti-bullying campaign on her campus, and it is
important to note that most universities do not have anti-bullying policies in place.

For the sake of confidentiality, I do not specify which Ombuds I interviewed have
worked towards implementing policies that would address incivility on their campuses.
It is important to note that these policies are often an attempt by the Ombuds and their
organization to prevent abrasive conduct such as bullying. However, there is a flip side
to these policies. Ombuds are involved with the creation of these policies but, because of
Ombuds’ neutral stance, they do not enforce them. The question then becomes, who does
enforce them?

In Kara’s case, the trustee doc provided a foundation from which to build an anti-
bullying campaign; however, she was not the enforcer. Her campus has specific entity
that investigates these complaints.
A second challenge with these types of policies is that people with power often ignore these policies.

**Bob Nevis.** Bob Nevis said,

The core challenge is that if I go to someone who has power, and their ego doesn’t allow them to hear what they have done, they could deny it or say she or he is too sensitive. That is more difficult. Organizations can’t make people change. The moral compass has to be correct. There is no policy that can make you do the right thing. It’s internal.

Hence, if the policy is not enforced at the highest level, it can create a backlash and become ineffective. Policies put in place by an organization influence how an Ombuds handles cases of incivility. These policies may or may not make the Ombuds work any easier. However, they do become important factors for Ombuds as they work towards helping their visitors.

The values of an organization also influence how Ombuds conceptualize their roles and work with visitors. Ombuds have to work within the culture of an organization, and often what the organization values impacts how people are treated.

**Kara Beck.** Kara referred to the impact of values when I asked her what guides her practice. She stated, “I guess the mission and values of the university because I'm subject to those, and I work here and am subject to those and the principles of employee conduct is something I keep in mind.”

**Bob Nevis.** Bob addressed this during our interview by commenting, “Hierarchical power gets countered when we value civility.” He was referring to the causes of incivility and how the values of an organization greatly determine how people treat each other.
Kevin Bronson. Kevin also addressed this when he stated,

I say what are our values? We talk about values but we never put them to paper.

But I think we need them. We need to be able to have a conversation about what does this institution …what are the institution’s values?

Hence, as a practicing Ombuds, Kevin is well aware of the importance of values and how they impact what his work.

Theme 4: Guiding Dynamics & the Role of the Ombuds

The last theme that emerged was how internal and external frameworks guide Ombuds’ work with cases of abrasive conduct. Ombuds do not practice their work in a vacuum. There are external and internal influences that guide Ombuds and allow them to conceptualize their work and roles within academia. For example, Ombuds are driven by a desire to ensure everybody within their organization is treated fairly. They are also greatly influenced by the IOA Standards of Practice. The Ombuds I interviewed are also highly emotionally intelligent, and they understand human nature and the powerful need most people have to be treated with dignity and respect.

Fairness. This research indicates that the concept of fairness is a powerful influence for Ombuds when they handle cases of incivility.

Maria Mason. Maria shared, “Ok, so I have a principle that is more important to me than any of those (IOA SOP) and that is fairness, fundamental fairness. That is my #1 priority.” All of the co-researchers spoke about fairness. This was not an uncommon sentiment amongst the co-researchers. Two Ombuds referenced The Fairness Triangle (Herfs & Rothwangl, 2017; Moore, 2014) developed in Canada and adapted from The Mediation Process: Practical Strategies for Resolving Conflict, by Moore (2014). It is a
powerful tool that guides some of the co-researchers. Below is a diagram illustrating the triangle:

**Camelia Nash.** When referencing a case she worked on and what guided her, Camelia emphasized that providing safety and fairness are important guidelines for her. “She stated, “Occasionally there are threats of hurting others, but mostly I’m concerned about client hurting themselves. Initially I worked with client ensuring that she was safe. I worked with caps to try to get her some help. I also talked about fair process.”

**IOA SOP.** The IOA SOP are extremely powerful standards that guide most organizational Ombuds in academia. The standards of Practice include impartiality, independence, confidentiality and informality. Some universities have executive orders that are very similar to the IOA SOP and include some version of the four standards IOA has established. These standards inform and guide how Ombuds work with cases and become especially important when handling cases of abrasive conduct. How an Ombuds approaches a case of, say bullying, the Ombuds has to consider that he or she can must be sensitive to the visitor’s need for confidentiality. Visitors are often afraid of retaliation and do not want the person they are accusing of incivility to know they complained.

**Steve Aguilar.** Steve addressed his visitor’s fears of retaliation when he stated, “People don't come to Ombuds to intentionally lie. The nature of the Ombuds role allows people to tell their story without fear of retaliation.”

The Ombuds must also remain impartial and not judge what the visitor is sharing. The Ombuds must also be clear with the visitor that she is not a formal university entity, such as HR. This is a common confusion with visitors. Finally, the Ombuds communicates to the visitor that he is independent from the university hierarchical structure. It is important to note that some Ombuds do not like the term “independent”.
Kevin stated that he prefers the term “autonomous” because he is not completely independent; he works for the university.

**Steve Aguilar.** When I spoke with Steve regarding the IOA SOP, he stated, “I was always conscious of them and how to stay within those guidelines.” The structure provided by the IOA SOP provided clear expectations regarding how an Ombuds is to practice “Ombudsing.” It is also important to note that the IOA SOP influence how Ombuds conceptualize their roles. For example, Steve stated that he began to better understand how to be a good Ombuds by understanding the standards that were there to guide him. The Standards became the compass for Steve.

The IOA SOP do present some challenges for Ombuds. Every Ombuds I spoke with follows them but many of them push the limits of those guidelines.

**Kevin Bronson.** Kevin is a good example. He was clear that he believed in the standards but he stated, “I push the limits.” Kevin stated that he does not agree with purist Ombuds who believe that Ombuds should not have lunch with people, or be involved in committees. For Kevin, building relationships is a key to helping people, and being completely neutral or independent does not allow the Ombuds to be effective.

**Nancy Smith.** Nancy also voiced concerns over neutrality, and described a case where a visitor was describing clear bullying behavior and she found herself saying, “That’s not right and should not be happening to you.” This is not a neutral statement, but Nancy felt that she needed to empathized with her visitor by agreeing with the visitor.

While all Ombuds are extremely diligent regarding confidentiality, some struggle with confidentiality if they are mandated reporters of any type. Most Ombuds find innovative ways to help people even if they are sharing something that the Ombuds must report.
Bill Porter. Bill shared that he is not a mandated reporter but one of his colleagues is. This Ombuds is transparent with his visitors and informs them that he is a Title IX mandated reporter and refers his visitor to the proper resource if he believes his visitor is experiencing any type of sexual harassment. Confidentiality can also be a challenge if the visitor does not want the Ombuds to talk to anyone about the problem he or she is facing. The Ombuds is in effect, unable to help. One of the co-researchers stated that, “the standards help me maintain not just sanity, but also a sense of self as an Ombuds.” This comment clearly captures the importance of the IOA SOP and how much they influence how an Ombuds experiences cases of incivility.

Resources. While this section is brief, I believe it is important to note that the Ombuds I spoke to are all life-long learners and are not hesitant to utilize resources available to them. They all attend workshops and seminars to stay relevant and fresh in the practice of “Ombudsing.” Two conferences that Ombuds attend often are the California Caucus of Colleges and University Ombuds Conference in Asilomar, California and the International Ombudsman Association annual conference. Ombuds also mentioned the following resources that guide their practice:

- The IOA Standards of Practice
- The IOA Best Practices
- The IOA Ethical guidelines
- Laura Crawshaw, author of *The Boss Whisper*
- Thomas Kilman Conflict Styles Model
- The Canadian Fairness Triangle
- Charles Howard, author and legal resource to Ombuds
• Tom Kosokowski’s Ombuds Omblog

• CACHE Consortium

**Social justice.** I had several conversations with the co-researchers about social justice issues and how an Ombuds is able to help in these sensitive types of cases. Incivility and abrasive conduct certainly comes in the form of racism, micro and macro gestures, and even physical violence. It is clear that Ombuds do get these types of cases. How they handle them varies from Ombuds to Ombuds. Some Ombuds are much more activist minded and have even been labeled “Activist Ombuds.” Howard Gadlin (2014b) addressed this approach to “Ombudsing” in an article he wrote titled, “Toward the Activist Ombudsman: An Introduction.” According to Gadlin (2014b), “there are three aspects of the activist Ombuds: Ombuds act on their own initiative, they mediate conflict resolution, and provide conflict intervention” (p. 389). Several of the Ombuds I interviewed want to take this to the next level and become more active on campus when it comes to social justice issues.

**Kevin Bronson.** Kevin is a great example of an activist Ombuds. He emphasized that Ombuds need to be the most candid voice in the room. His willingness to be this voice allows others to engage in much needed conversations. He stated,

> That’s because when we have that conversation in front of everyone, it gives people the confidence to begin a conversation. We put it on the table. Let them wrestle with it. But no one is going to put it on the table because they are too scared.”

He is very much an activist Ombuds who does not hesitate to get involved in cases involving racism and other social justice issues.
**Maria Mason.** Maria is another Ombuds who I found to be very social justice oriented. Maria is concerned with prevention of abuse and she approaches her work with that mind-set. She explained,

And where is our focus on prevention? Why do all these people have to go through this? Can we back up a bit and notice? We could say hey, here’s a place that is generating a lot of cases every year. Let’s go after that. Shall we? Instead of having all these people fall off the cliff, then patch them up and send them out. Let’s go find out what’s happening at that cliff.

She also addresses these types of cases by providing training to students that addresses diversity and other sensitive issues.

**Kara Beck.** Kara has also began talking with her team about how they can have a positive impact on campus by being aware of social justice issues.

While not all of the co-researchers spoke about social justice issues, at the core of their experiences with people is a desire to ensure that all people are treated with respect and human dignity. Bob best captured this motivation when he shared, “Core humanity also drives me. It’s important that people know that they have a right to be respected and have a voice—being listened to.”

**The Roles Ombuds Play**

The last section of theme four concerns the specific roles Ombuds play when they deal with cases of incivility. An Ombuds may assume various roles when handling cases of abrasive conduct. This is both a textural and structural experience; however, I have included this section in the discussion regarding structural influences on the Ombuds experience because it is within the parameters of the university environment that the co-researchers perform their work.
It is clear from this research that an Ombuds does not simply provide a place for people to vent, and leadership often does not understand the role of the Ombuds.

**Nancy Smith.** Nancy shared with me that leadership does not always know what they are getting when they hire an Ombuds. Nancy stated, “They believe the Ombuds is just a pressure value to relieve tensions.”

But an Ombuds is much more than that. How an Ombuds handles a case can be multidimensional and complex. For example, Ombuds are exceptional listeners and problem solvers. They have high emotional intelligence evidenced by the way they guide people through their painful experiences with abrasive conduct. In any one case, an Ombuds can play multiple roles. The Ombuds is empathetic, an expert listener, and often a teacher and a trainer. Ombuds mentor and coach faculty, staff and students. They get involved with committees and work within the organization to put policies in place to help prevent incivility. Often, the Ombuds is the most honest unfiltered voice in the room.

**Kevin Bronson.** To illustrate this finding, I’d like to quote Kevin. He stated, “We are the reality check. We help people read the writing on the wall. We cut through all the crap and all the nonsense and the politics and talk about the elephant in the room.”

Ombuds also serve as a voice for those who do not have the means to articulate what is happening to them. This ties closely with the Ombuds desire to advocate for fairness.

**Bob Nevis.** Bob explains, “One of the things or identities as an Ombudsman is that you stand for equity and fairness. Mediation is secondary. Advocating for equity and fairness is primary.” He went on to say,
I see myself as being that mirror in challenging the power base. You do it in a way that massages their ego. I ask if there is another way for leadership to handle this situation. I would pose questions to help them see impact.

**Maria Mason.** Maria uses a survey that tracks bullying behavior on campus. She shared,

You’ll see in the survey that over 80% said someone completely interfered with their ability to do their work. So, you can be paying them but you are only getting just a small % of what they are capable of because they are dealing with this crap. So, the survey was designed with this in mind. To hit people with information that made them care.

Maria was referring to her method of getting leadership to understand the cost of losing graduate students because of bullying behavior. Hence all the Ombuds I interviewed provide upward feedback to leadership in language that leadership understands.

**Violet Emmerson.** In our interview, Violet discussed her role when speaking with managers and supervisors who have come to her. She often works with the managers to help improve the workplace climate for both the staff and supervisor. She stated,

And I can go to a manager and say, hey I’m hearing these things from your staff. I recognize there is more to the story than what they are aware of and telling me. That’s just the nature of the work, and so opening the door by saying I’m here to help you both and here to make this work and make things go better.

In one sense, Ombuds are ambassadors of information for the entire academic community. They often know more about a situation than anybody else on campus and are in unique role to make a positive impact.
According to these findings, below is a list of Ombuds roles:

- Empathetic listener
- Creative “solutioners”
- Provide a safe place for visitors to have confidential conversation
- Coach individuals
- Mentor
- Voice but not advocate for underrepresented groups and individuals
- Provide candid feedback to visitors
- Sounding board
- Trainer/teacher/professional development expert
- The most candid voice in the room
- Provider of upward feedback regarding trends and systemic issues to leadership
- Advocate for fairness and equity
- Promoter of healthy workplace environments
- Conflict resolution expert
- Trained and experienced mediators
- Impartial influence on policy and process creation
- Informal internal consultants to leadership
- Provider of unique perspectives on campus issues
- Resource in the prevention of abrasive conduct such as bullying and other uncivil behavior
- Provider of practical resources for visitors
- Point of reference to appropriate resources for visitors
• Communication bridge for parties experiencing conflict
• Someone who engages with organizational culture to build professional relationships
• An informal resource that promotes informal solutions to visitors

Summary

The findings of this research project indicate that what Ombuds experience when handling cases of incivility focus on the visitor and the visitor’s experience. The research also indicates that Ombuds define and identify incivility in similar ways. How they experience cases of incivility are greatly influenced by the environment in which they practice “Ombudsing.”

I conclude this chapter by summarizing the four major themes. As stated at the beginning of this chapter, the themes are divided into two categories as they relate to my two research questions. The first research question is, “What do Ombuds in higher education experience when handling cases of abrasive conduct or incivility? For example, what does incivility look, sound and feel like when an Ombuds is handling a case of incivility and how do they identify and define incivility? The two themes related to this question are as follows:

1. The visitor’s story is the Ombuds experience

2. How Ombuds define and identify incivility

The second question is “How do Ombuds handle cases of incivility within the academic environment? For example, what are their roles, responsibilities and challenges, given the academic structure? What do they do, given the complex structures within institutions of higher learning? The two themes related to this question are as follows:

3) The powerful impact of the academic structure
4) The guiding dynamics and the Ombuds role

To best illustrate the four major themes and sub-themes, I have created the table below to provide a simple visual.

Table 4. *Major Themes and Sub-Themes*

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<tr>
<th>Research Question</th>
<th>Theme</th>
<th>Subtheme</th>
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<tr>
<td>What do Ombuds in higher education experience when handling cases of abrasive conduct or incivility?</td>
<td>1. The Visitor’s Story is the Ombuds Experience.</td>
<td>1. International Ombudsman Association Standards of Practice</td>
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<td>2. How Ombuds Define and Identify abrasive Conduct.</td>
<td>2. Understanding human nature: The evil 5%</td>
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<td>3. People with power</td>
<td>3. People with power</td>
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<tr>
<td>How do Ombuds handle cases of incivility within the academic environment?</td>
<td>3. The Powerful Impact of the Academic Structure.</td>
<td>1. Power dynamics of academia</td>
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<td>4. Guiding Dynamics of the Ombuds Role</td>
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Chapter 5: Discussion

Summary of Findings

To begin the discussion of this resource, I would like to reflect on the purpose, significance and goals of this study.

The purpose of this study is to better understand how Ombuds experience and understand the concept of incivility and how they, as Ombuds, conceptualize their roles when dealing with incivility cases amongst academic employees. The research study also attempts to address the possible rise of incivility in academia and organizational Ombuds experiences as they work with faculty, staff and student-workers in higher education.

The significance of this study is both personal and professional. As a practicing organizational Ombuds, I handle cases of abrasive conduct weekly if not daily, and while this research is not based on my experiences, it does impact what I do and how I conceptualize my roles and responsibilities as a university Ombuds. Professionally, this study is also significant because it adds to scholarly practice by providing insights into common Ombuds definitions of incivility, as well as trends in practices and procedures Ombuds employ while managing cases of incivility. It also describes how Ombuds identify incivility. These practices could be valuable to universities attempting to address incivility on their campuses.

The primary goal of this study is to better understand what Ombuds experience when handling cases of incivility and how they experience them. By examining the Ombud's experience with incivility cases, this study identifies definitions, causes,
preventions and common approaches Ombuds use when handling these types of cases. Furthermore, this study seeks to close the gap in scholarly study regarding Ombuds experiences with abrasive conduct. It is clear from the literature review that there is very little research, qualitative or quantitative, which seeks to understand the role of the organizational academic Ombuds and their interactions with incivility cases.

My goal is also to describe this phenomenon involving incivility and the Ombuds role. To do so, I employ descriptive transcendental phenomenology, as defined by Husserl (2003). Husserl believed that the world was only “a phenomenon of being” (2003, p. 5; Dowling, 2005) and is credited for developing descriptive phenomenological philosophy (Dash, 2016; Dowling, 2005). Descriptive transcendental phenomenology requires the researcher to practice “epoche” or the suspension of one’s experiences and biases. As I review the data and describe the themes, I intentionally suspend personal opinions and biases to better understand what the co-researchers experienced and how they experienced the phenomenon of cases dealing with abrasive conduct.

Before starting the data collection process, I completed an extensive literature review, which focused on what the academic organizational Ombuds role is and how they handled cases involving abrasive conduct. I found a paucity of research regarding bullying and incivility, but I found very little research regarding the role of the Ombuds when they do handle incivility cases. Researchers such as Keashly and Neuman state that “academics have paid relatively little attention to bullying in their own institutions” (2010, p. 48). I found extensive work by writers such as Gadlin, (2014a), Howard (2010), Rowe, (1987), and Sebok (2010) on the role of the organizational Ombuds, including the various types of Ombuds, their history, and their typical roles in both the
private sector and in education. From the literature review, I identified the various roles Ombuds play, and the causes, preventions, and interventions related to incivility, and how frameworks such as the International Ombudsman Association (IOA) Standard of Practice (SOP) inform the Ombuds role. I also identified gaps in the literature regarding what Ombuds experience when handling cases of abrasive conduct and how the academic environment impacts their experiences. I discuss the relationships between my research and the literature review in the Discussion section of this chapter.

I interviewed 10 Ombuds who work or have worked in higher education. I employed a standardized open-ended interview guide as described by Creswell, (2013). Each interview lasted approximately 60 to 90 minutes. The interview approach was informal but was guided by the interview guide. Many of the conversations included follow-up questions not reflected in the seven questions on the interview guide.

I analyzed the data using Moustakas’ (1994) modified Van Kaam’s method and utilized an Excel spread sheet to complete the “horizontalization” process as outlined by Moustakas (1994). The Excel spread sheet also simplified the process of identifying invariant constituents. According to Moustakas (1994), the invariant constituents are the remaining expressions that are a moment of the experience necessary to understand the experience. In this study, the experience was the role of the Ombuds when experiencing incivility. I then clustered and labeled the invariant constituents. Using an Excel spreadsheet, I was able to complete the final steps of the modified Van Kaam method.

Below is a summary of the Moustakas (1994) modified Van Kaam’s method.

1. Listing and preliminary grouping

2. Reduction and elimination
3. Clustering and thematizing the invariant constituents

4. Final identification of the invariant constituents and themes by application and validation

5. Using the relevant, validated invariant constituents and themes, construct for each co-researcher an individual textural description of the experience

6. Construct for each research participant a structural description of the meanings and essences of the experience, incorporating the invariant constituents and themes

7. Construct for each co-research participant a textural-structural description of the meanings and essences of the experience, incorporating the invariant constituents and themes (1994, p. 120-121).

Findings

Based on the results of this research, I conclude that abrasive conduct does exist and thrive in academia. Ombuds consistently handle cases involving abrasive conduct, and the people who are being negatively impacted by this type of incivility suffer various levels of pain and loss. In many cases, the Ombuds is the one person within an organization that people trust with confidential information. Every Ombuds interviewed had multiple stories of visitors who had come to them at a loss and in pain because of the uncivil behavior of someone with power. The Ombuds consistently experienced four themes when handling these types of cases. These themes are the major findings and are listed below:

1. The visitor’s story is the Ombuds experience

2. How Ombuds define and identify incivility
3. The powerful impact of the academic structure

4. The guiding dynamics and the Ombuds Role

The remainder of chapter five is a discussion regarding the findings and how they relate to existing literature. I discuss the similarities and differences between my conclusions and those found in the literature review. I conclude this chapter with a discussion on the implications of this research and recommendations for future research.

**Discussion**

In chapter 2, I discussed the findings of the literature review. At the time, the goal was to examine existing scholarly work regarding definitions, causes, and preventions of incivility in higher education. I was especially interested in the role of the Ombuds when handling cases of incivility that involved faculty, staff and students during times of conflict. This literature review was the starting point for further research regarding Ombuds’ experiences with these types of cases. Going into the literature review, my questions were, “In what ways do Ombuds in higher education define and identify the dynamics of incivility in academia? Secondly, what are the roles and responsibilities of the Ombuds while handling cases of incivility? These questions guided the literature review. I was also interested in what the literature said about the phenomenon of incivility. For example, what causes incivility and what types of preventions exist to reduce or eliminate it. I now discuss the differences and similarities of the findings with existing research on the topic of incivility and the roles of the Ombuds.

**Research question one.** The first question of this study is “What do Ombuds in higher education experience when handling cases of abrasive conduct or incivility? For
example, what does incivility look, sound and feel like when an Ombuds is handling a case of incivility and how do they identify and define incivility?” The answer to this question are included in the first two themes which emerged. I now discuss each theme in relation to the literature review.

**Theme one: The visitor’s story.** The first theme to emerge from this data analysis is that the visitor’s story is the Ombuds’ experience. It is clear from the conversations with the co-researchers that how Ombuds experience cases of abrasive conduct is guided by the individuals’ story. To experience a visitor’s story in this way, the Ombuds must practice a sophisticated level of empathy, what I am calling “hyper-focused empathy.” In the literature review, I discussed various roles Ombuds play, and one of them is to be an empathetic listener. Newcomb and Duquet (2017) discuss what the Ombuds experiences when working with visitors. They write, “I believe empathy has increased with maturity, and objectivity with experience. Self-knowledge has grown. It is often in listening to visitors that something resonates within me, something that encourages an inner journey. I have found the role of Ombudsman constantly draws me deeper” (p. 5).

The International Ombudsman Association (IOA) Standards of Practice (SOP) also greatly influence the Ombuds lived experiences with abrasive conduct cases. According to the IOA SOP (2013), Ombuds are confidential, impartial, independent, and informal entities within an organization. Ensuring confidentiality is important to all organizational Ombuds. I spent a considerable amount of time reviewing and discussing the International Ombudsman Association IOA SOP in the literature review because they
have such a significant impact on what Ombuds experience. The International Ombudsman Association literature clearly outlines these standards (IOA, 2013).

Confidentiality and impartiality specifically create a safe environment for visitors to freely tell their stories to the Ombuds. These findings indicate that the candid manner in which visitors share their experiences with Ombuds provides the Ombuds an opportunity to empathetically and vicariously experience the visitor’s story, all with the intent of helping the visitor. In short, the literature review did not reveal significant amounts of information regarding the empathetic experiences Ombuds have when working with visitors. In this regard, the findings were significantly different from the literature review findings.

Ombuds also are astute in identifying the causes of incivility. A common subtheme in this first theme was that Ombuds operate within their organizations with an understanding that there are some people who are intentionally abrasive and uncivil. One of the co-researchers calls these people “The evil 5%. Bill Eddy (2016) and Laura Crawshaw (2007) have extensively investigated this phenomenon. Eddy uses the term “High Conflict Personalities” (p. 3) to describe the individual who is prone to conflict and does not respond well to constructive criticism. Crawshaw (2007) works with people, such as bosses who have been accused of being abrasive at work. She uses the term “Boss Whisperer” to describe individuals who are skilled at working with uncivil bosses. She states that a high percentage of those accused of abrasive conduct do not recognize the negative impact they are having on the people around them. Ombuds are aware that the people who visit their offices are often these high conflict people with
abrasive tendencies. These people also tend to be people with power. It is also these people with power who tend to be most often accused of being uncivil.

**Theme two: Defining and identifying incivility.** The second theme to emerge from this research relates to how Ombuds define and identify abrasive conduct. How Ombuds define incivility is consistent with the findings of the literature review. Ombuds tend to define abrasive conduct with similar language. Below is a list of what Ombuds consider to be abrasive conduct. With the exception of bullet four, all 10 respondents defined incivility with similar language:

- It is unwelcomed, hostile, and intimidating behavior, both verbal and non-verbal, that impedes someone’s ability to work, study or participate in day-to-day activities.
- It exists on a spectrum from mild forms of covert behavior such as passive-aggressive comments and behavior to more overt forms such as verbal and physical abuse.
- It occurs over time but can also be one incident.
- It is damaging behavior that can cause mild to severe harm to individuals and negatively impacts organizations.
- It is a contextual and individual experience.

The review of the literature regarding incivility and its various definitions also revealed that there is no single definition upon which scholars and practitioners agree; however, there were similarities. Researchers such as Salin (2003) agree that abrasive conduct is a spectrum of behavior that ranges from mild to severe. For example, abrasive conduct can refer to a broad range of behavior and incivility, including racial bias and they often overlap. Below is a list outlining what the literature revealed:

- It is persistent, lasting days, weeks or years (Keashly, 2010; Björkqvist et al., 1994)
• Results in psychological and/or physical distress and stress for people involved
  (Clark, 2013; Einarsen & Mikkelsen, 2003) often immobilizing and devastating
  victims’ ability to work, study, or carry on day-to-day activities

• Is an assault on human dignity and respect (Emry & Homes, 2005)

• Is costly at individual and organizational levels and at emotional and cultural levels
  (McKay, Arnold, & Thomas, 2008).

As a result of the literature review and the descriptions the co-researchers provided, I
have developed a simple model that captures the spectrum of behavior that is often
described as abrasive or uncivil, which I introduced in chapter 2. It is the Arc of
Incivility. All of the co-researchers expressed this spectrum of behavior in some fashion.

Below is a diagram of the model:
Persistent and Consistent Over Time

![Diagram of Abrasive Conduct]

<table>
<thead>
<tr>
<th>Passive-Aggressive</th>
<th>Abrasive-Aggressive</th>
<th>Abusive-Aggressive</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rolling eyes</td>
<td>Snarky comments</td>
<td>Sexual harassment</td>
</tr>
<tr>
<td>Exclusion from</td>
<td>Abrasive emails</td>
<td>Title IX issues</td>
</tr>
<tr>
<td>meetings</td>
<td>Bullying</td>
<td>Racism</td>
</tr>
<tr>
<td>Less responsibilities</td>
<td>Mobbing</td>
<td>Bigotry</td>
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<tr>
<td>Silent treatment</td>
<td>Public humiliation</td>
<td>Physical violence</td>
</tr>
<tr>
<td>Avoidance</td>
<td>Verbal abuse</td>
<td>Macro-aggressions</td>
</tr>
<tr>
<td>Micro-aggressions</td>
<td>Damaging gossip</td>
<td>Destroying property</td>
</tr>
<tr>
<td>End-arounds</td>
<td>Defamation of</td>
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<td></td>
<td>character</td>
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<td></td>
<td>Name-calling</td>
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<td>Blaming &amp; shaming</td>
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<td>End-arounds</td>
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<td>Undermining</td>
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<td></td>
<td>Micro-gestures</td>
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<tr>
<td></td>
<td>Other body language</td>
<td></td>
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</tbody>
</table>

Figure 3. *The Arc of Abrasive Conduct*

The second aspect of Theme 2 is how Ombuds identify abrasive conduct when they work with individuals. I consider this finding an outlier because I expected Ombuds to immediately categorize and identify abrasive conduct as they talked with their visitors. Ombuds tend to suspend judgement of what someone is describing and intentionally do not initially label an experience as uncivil or abrasive. To quote Bill Porter again, he
expressed, “the Ombuds role affords us an opportunity to step away from labeling things and instead, to focus on how they are being treated in their work place.” This is not to imply that Ombuds never identify and label a behavior someone is describing as uncivil. Rather, Ombuds allow the visitor to express in their own words what they think is happening to them. I consider this a finding because all 10 of the Ombuds I interviewed described this desire to withhold judgement regarding what the visitor was experiencing to honor impartiality. Ombuds do identify and label a behavior as uncivil once they are well into the case and many times, not until the case is over. The Ombuds often does make a determination if a complaint has merit and responds accordingly. However, I found that Ombuds are not quick to make those determinations. The literature review did not offer any examples of this experience. It is such a unique experience to Ombuds that I did not find anything written about it.

**Research question two.** The second question I asked was, “How do Ombuds handle cases of incivility within the academic environment? For example, what are their roles, responsibilities and challenges, given the academic structure? What do they do, given the complex structures within institutions of higher learning? Two major themes emerged that answer this question.

**Theme three: The powerful impact of the academic structure.** While the literature review does not solely focus on academic structures, it does uncover scholarly work which addresses structures and process that often produce environments that promote and even reward abrasive conduct. These environments, in turn, affect how Ombuds perform their roles. For example, Salin’s (2003) work introduces a framework which outlines the conditions present in an organization which promotes incivility.
These conditions include enabling structures and processes, perceived power imbalances, low perceived cost of being uncivil, and dissatisfaction and frustration. What is also clear from the literature review is that abrasive conduct does not occur in a vacuum, and the university structure may provide the perfect environment for incivility to survive and thrive (Bodewyn, 1985; C-lark, 2013). The inherent hierarchical structures of academia provide an opportunity for Salin’s (2003) motivating structures, internal competitions, and “enabling structures” to exist (2017). When I asked the co-researchers what causes abrasive conduct, 3 of them explicitly stated that the hierarchical nature of academia is a major cause. The other 7 co-researchers implicitly expressed this sentiment. It can be an ideal petri dish for incivility to grow and thrive. It is important to note that both the literature review and this research indicate that leadership plays a key role when incivility exists or is being addressed. For example, Twale and Deluca (2008) found that administrative inaction and tolerance promote incivility and may create a culture of abrasive conduct. Down-sizing, and a lack of resources can also promote abrasive conduct (Salin, 2003).

Academia also has layered and complicated power structures inherent in roles and responsibilities. These power imbalances can produce toxic environments. As noted in the literature review, Keashly (2010) also found that an imbalance of power, certain personality types, and a lack of time to be civil due to work demands provide ideal contexts for incivility to occur. The co-researchers also spoke about the multiple titles administrators have. They also discussed how the organization often tolerates bad behavior because of a person’s position or “value” to an organization.
The power structure of higher education also offers unique practices such as the attaining and maintaining tenure and shared governance. Keashly and Neuman (2010) discuss the complexities of the higher educational structures and contend that universities are uniquely structured to promote incivility. They cite “student evaluations, discretionary salary increases, promotions, tenure, and reappointments can provide unique opportunities for perceptions of injustice” (2010, p. 55). The Ombuds interviewed also referenced the process and traditions unique to academia. Tenure is an especially troublesome issue for Ombuds as they work through cases involving bullying behavior from faculty.

The final aspect of theme 3 is the impact that values and policies have on the Ombuds experience with abrasive conduct cases. All institutions tend to have guiding values, policies and procedures, although they may not always be in writing. What those values and policies are, often are created by leadership. The literature review does address how leadership impacts the culture of an organization. Leadership often tries to address civility issues with values and policies, but as Fogg (2008) expresses, they do not in and of themselves prevent or eliminate abrasive conduct. Steps must be taken to ensure those policies are taken seriously by leadership and that they are enforced (Fogg, 2008). Ombuds find that they must work within the guidelines of their organization’s values, policies, and culture. The reality of their experience is that leadership may at times tolerate or at best be unaware of the negative aspects of their organizational culture. As noted by other researchers in the literature review, ongoing support from leadership is key if higher education institutions are to properly address abrasive conduct (Fogg, 2008; Keashly & Neuman, 2013; Nickitas, 2014; Yamada, 1999). All of the co-researchers are
acutely aware that they work within the structures of their universities, and how they experience cases of incivility are greatly impacted by these values, policies and processes.

**Theme four: Guiding dynamics and the role of the ombuds.** The final theme relating to question two relates to what guides Ombuds as they perform their various duties in higher education. This section of the literature review is sparse; however, the co-researchers provide a substantial amount of insight regarding this aspect of question two.

The most significant guiding framework for organizational Ombuds are the IOA Standards of Practice (SOP). Howard (2010) also explains how the American Bar Association provides foundational guidance in the creation of the IOA standards. My interviews with 10 Ombuds also reveals that the IOA SOP are the primary framework by which Ombuds practice. They provide clear structure and language to inform the Ombud’s work. All of the co-researchers follow the IOA SOP or guidelines that are very similar to them. They are all confidential, informal, independent, and impartial entities. As Nancy Smith said to me in our interview, “The standards of practice are where the rubber meets the road.” It is interesting to note that my research does indicate that the IOA SOP are subjectively interpreted by Ombuds and some, like Kevin Bronson, push the limits of those standards. For Ombuds like Steve Aguilar, the IOA standards guide him and help him conceptualize his role as a Ombuds in higher education.

A second guiding dynamic for the Ombuds that I interviewed is the concept of fairness and justice. Every co-researcher mentioned or implied that they do not advocate for individuals but do advocate for fairness. Blair (2017) addresses the role of the
Ombuds and the concept of fairness by writing, “This experience in South Africa helped me realize that organizational Ombuds have the potential to become transformational leaders in our organizations. We can use our influence to promote fairness and help organizations align their policies and practices with their stated values (2017, p.12)”. This emphasis on fairness was especially echoed by two of the co-researchers. One Ombuds uses the Canadian Fairness Model (2017) to guide her work. Fairness is just as important as the IOA standards.

Justice and fairness are closely related; however, three of the co-researchers discussed this topic and emphasized how a desire to promote social justice issues is integral to the Ombuds’ experiences when they work with visitors. I do not focus on social justice issues in the literature review. Instead I examine the broader topic of incivility. However, the literature is replete with research on social justice issues. In the literature review, I found that the structure of higher education provides ample opportunities for perceptions and misperceptions of injustice. Keashly and Neuman (2010) found that 21% of employees surveyed felt disrespected by their supervisors. They also stated that the higher education environment provides perfect opportunities for incivility to exist.

Ombuds are life-long learners and take advantage of conferences and resources. I found this finding relevant because it affects how Ombuds practice their work. Two major conferences that Ombuds attend are the International Ombudsman Association annual conference and the California Caucus of College and University Ombuds. All ten of the co-researchers attend these conferences. Ombuds also apply works by other conflict experts and researchers such as Charles Howard and Laura Crawshaw.
The co-researchers are also guided by desire to address social justice issues; however, Ombuds do not advocate for individuals who are victims of social injustices. For example, Kara Beck is sensitive to visitors who come to her experiencing racism or sexism. She is not afraid to tackle these types of cases and she works diligently to have “balanced conversations” with those who are accused of marginalizing people or groups of people. The unique role Ombuds find themselves in is that they must also be impartial, regardless of their personal positions on social justice issues. As I state in the findings, even the most social-justice minded Ombuds strives to be impartial. Three of the co-researchers explicitly expressed this sentiment, and the other seven implied it when we talked about the IOA SOP and impartiality. The findings also discuss the concept of an activist Ombuds. Gadlin (2014b) writes about this approach to “Ombudsing”, and many of the co-researchers consider themselves to be activist Ombuds. They do not sit in their offices and wait for visitors to come to them. Instead, they are involved in committees and strive to be a voice in their organization. Kevin Bronson is a good example of an activist Ombuds. He states “We cut through all the crap and all the nonsense and the politics and talk about the elephant in the room.” Sometimes, that elephant is a trend regarding social injustice issues. The Ombuds is in a unique place to be the voice of those who are victims of injustices. When I spoke with Bill Porter regarding impartiality and personal beliefs, he stated, “I think part of the way we do that, even though we personally have our biases and prejudices, we have world views, it’s how do we notice those but not let them drive our thinking”. Bill is able to hold his personal beliefs, but does not allow them to affect the way he interacts with someone he does not agree with. He expressed that he does not detach from his beliefs.
Rather, for Bill, it is a “both/and” approach. I also found this statement by Bill to be indicative of how Ombuds can be social justice minded and still be impartial. Bill stated, “I say I believe everything and anything that people tell me when they share something with me, and I don’t believe anything or everything people share with me because the truth is we don’t know.” This is a powerful skill that all of the co-researchers possess. It is a focused level of emotional intelligence that Ombuds employ when discussing difficult and troubling cases.

**The role of the ombuds.** The literature review does provide a significant amount of work regarding the role of the Ombuds and how the organizational Ombuds role evolved over time. Perhaps the most significant contribution to the literature review regarding the role of the Ombuds are the works of Howard (2010), Gadlin (2000), Rowe (1990) and Sebok (2011). The International Ombudsman Association also provides ample literature on the role of the organizational Ombuds and best practices (2009). Howard’s (2010) seminal book *The organizational ombudsman: Origins, roles, and operations. A legal guide* is exceptionally informative. Howard thoroughly explains the history of the Ombudsman role and the various functions Ombuds employ. Ziegenfuss and O’Rourke (2010 also provide practical guidance for Ombuds who are implementing a new Ombuds office and the structures to consider when creating the office. They state that the primary roles of the organizational Ombuds are, “complaint processing, education and training, and consultation” (p.23).

The findings regarding the Ombuds role are similar and dissimilar to what I examined in the literature review. Every Ombuds I interviewed adhere to the IOA SOP or similar standards. However, some do push the limits of impartiality and also question
terms such as independence and neutrality. My research indicates that there are Ombuds who are “purists” who closely follow the IOA SOP. For example, Kara does not participate in social media nor attend social gatherings with people from her institutions. She does go to lunch with visitors, but not on a social basis. Several Ombuds such as Kara, follow the framework provided by the IOA standards. On the other hand, some Ombuds such as Kevin, press the boundaries of those same standards. Kevin, and other Ombuds develop professional working relationships in order to be as effective as possible when helping visitors. Furthermore, organizational Ombuds do not traditionally conduct formal investigations, because the Ombuds office is informal, or off the record. In other words, the Ombuds is not a person of notice. However, Ombuds like Maria do conduct informal investigations, what Maria calls “small i investigations.”

The literature regarding the organizational Ombuds roles clearly delineate the history and evolution of the Ombuds and what most organizational Ombuds consider best practices and traditional roles Ombuds perform. However, the findings tend to focus on the day-to-day roles they experience as they work with visitors within the academic structures. To best answer my second research question, “What are their roles, responsibilities and challenges, given the academic structure?”, I outlined these roles in chapter four; however, I listed them here again for clarity sake. These roles include the following:

- Empathetic listener
- Creative “solutioners”
- Provide a safe place for visitors to have confidential conversation
- Coach individuals
• Mentor
• Voice but not advocate for underrepresented groups and individuals
• Provide candid feedback to visitors
• Sounding board
• Trainer/teacher/professional development expert
• The most candid voice in the room
• Provider of upward feedback regarding trends and systemic issues to leadership
• Advocate for fairness and equity
• Promoter of healthy workplace environments
• Conflict resolution expert
• Trained and experienced mediators
• Impartial influence on policy and process creation
• Informal internal consultants to leadership
• Provider of unique perspectives on campus issues
• Resource in the prevention of abrasive conduct such as bullying and other uncivil behavior
• Provider of practical resources for visitors
• Point of reference to appropriate resources for visitors
• Communication bridge for parties experiencing conflict
• Someone who engages with organizational culture to build professional relationships
• An informal resource that promotes informal solutions to visitors
Implications

The importance of this study can be best expressed in the personal, professional and societal implications of the findings. I will now discuss those implications.

**Personal implications.** I have now practiced “Ombudsing” for over 3 years and have handled hundreds of cases that involve some type of abrasive conduct. For some of my visitors, the negative behavior they are experiencing is painful and damaging. Having completed this research, it is clear that Ombuds also handle multiple cases involving abrasive conduct, and this type of behavior is on the rise in academia. The insights from this work impact what I do daily, as an Ombuds. Understanding what Ombuds experience informs my practice. How they define incivility has allowed me to create a model I call the Arc of Abrasive conduct. It visually demonstrates the range of behavior Ombuds would consider abrasive or uncivil (See Figure 4).

I consider myself an empathetic person. However, after examining the lived experiences of 10 experienced Ombuds, I now feel I have room for growth. This study found that effective Ombuds are exceptionally good at empathetically experiencing the visitors’ perception of the situation that is troubling them. It is important to note that while conducting this study, I practiced “epoche” or bracketing as described by Moustakas (1994) and Creswell (2013), which required that I set aside my biases and personal opinions regarding this topic. Now that the research is complete, I can see that this work affords me the opportunity to take what other Ombuds experience and put their best practices to work. This research project has also given me a perspective that I did not have before. That is that the work of an organization Ombuds is complex and layered. It requires the Ombuds to have high emotional intelligence and an ability to read
an environment and all the complexities of the structures involved, all to find a way to help people through very difficult situations. This research also validates what I do as an Ombuds in higher education. By examining the experiences of other Ombuds, I discovered how valuable their work is to an organization. Furthermore, in many cases, Ombuds do not get the validation and recognition they deserve because much of what they do is behind the scenes. The results of this research will inform what I do for many years.

**Professional implications.** The professional implications of this study potentially provide insights to organizational Ombuds in higher education by providing insight into how other Ombuds successfully help identify, address and prevent incivility. My second research question addresses how Ombuds experience cases of incivility in academia. However, the best practices of the co-researchers can be applied in any organization in America that has a hierarchical structure.

Secondly, this study reduces the gap in empirical research regarding the roles and responsibilities of the organizational Ombuds and how Ombuds handle cases involving abrasive conduct. There is an abundance of research examining incivility, racism and other biases in education; however, the literature review revealed that scholarly work regarding how Ombuds define incivility, identify it and manage cases regarding incivility is limited. This work also provides insights into the impact that the academic structures has on Ombuds work.

Perhaps the most interesting and powerful implication of this work is that it reveals that the Ombuds office is much more than a mechanism to release pressure caused by interpersonal and systemic issues. When handling cases of abrasive conduct,
Ombuds employ a multitude of strategies and tools to help their visitors. They guide and assist individuals struggling with unhealthy workplace environments that may have been occurring for decades. While Ombuds do not solve a person’s problems, they do help them see the options they have in front of them. This takes an incredible amount of wisdom, talent, and skill.

**Practical implications.** This study asserts that the Ombuds role requires several important skills and abilities. For example, Ombuds deeply empathize with visitors and they have a high level of emotional intelligence. A practical implication of this study is that Ombuds can teach these skills to those with whom they interact and work. Ombuds are uniquely positioned to offer professional development that gives individuals conflict resolution and communication skills. Ombuds also could benefit from formal education that teaches them these essential Ombuds skills. Currently, there is no degree in Ombudsing.

**Societal implications.** It is evident from existing research that incivility in America is on the rise (Baron & Neuman, 1996; Clark, 2013; Björkqvist et al., 1994). Cortina, Magley, and Williams (2001) found that 71% of employees surveyed experienced incivility at work. Researchers such as Yamada (1999) and Clark (2013) have found that abrasive conduct in the workplace is common and tolerated. The 2017 post-election climate in America would appear to confirm their research. Clark’s (2013) research indicates that incivility in academic settings is a microcosm of a bigger societal issue. One cannot turn on the news or check Twitter without hearing or reading about someone in high places behaving badly. The #MeToo movement has drawn back the curtain on incredibly damaging and troubling sexual misconduct by men in power. While
the Ombuds role cannot fix the problems of the world, it can be a powerful resource for people struggling to deal with abrasive conduct. As this research reveals, Ombuds are often in a unique place in their organizations to provide candid, impartial information that no one else possesses.

As Kevin Bronson, one of the co-researchers, stated, “If not us, then who will speak up?” Kevin often finds himself in a room with people who do not want to talk about the “elephant in the room.” Kevin is often that voice. We need more Ombuds like Kevin who will advocate for fairness, justice and equity. This is how the Ombuds role can have a positive impact on the flaws of our society.

Future Research and Limitations

This study regarding the role of the Ombuds and cases of incivility has prompted new questions for me, as a researcher. First of all, a question that I addressed regarding the causes of incivility needs to be expanded and explored. This proved to be a limitation in my study because asking what causes incivility is a broad question that could be a study in and of itself. In my interviews, I asked Ombuds what they thought caused abrasive conduct. Every participant stated that people with power tend to be those most often accused of incivility. A deeper dive into the dynamics of power and causes of incivility could be an informative and important study. A question for future study could be, “In what ways does the possession of power enable people to behave in uncivil ways?”

A second limitation of this study is that I assumed that all Ombuds use the term “incivility.” I interviewed 10 Ombuds and asked them how they defined incivility. Three
of them stated that they had not thought about defining this term. If I were to conduct this study again, I would use the term abrasive conduct.

The results of this study imply that incivility does exist in higher education because Ombuds handle hundreds of these types of cases. However, I did not ask to what degree incivility exists. This was another limitation of this study. A quantitative or qualitative study exploring the degree to which incivility exists in higher education would also be relevant and powerful insights to bring about positive societal change. I also hope to research the degree of incivility that may exist in higher education institutions (HEI).

Lastly, this study did not specifically examine incivility occurring between specific groups or types of employees. My question focused on the Ombuds experience and not who the Ombud’s visitors were. Hence, a final question emerged pertaining to specific types of relationships within higher education that tend to have conflict. For example, faculty and administration tend to be at odds with each other in academia. Why is that? What causes this phenomenon to occur? There is a clear “us and them” relationship that could be explored. Related to this topic is the phenomenon of conflict in the classroom between faculty and students. While this is somewhat of a “classroom” management question, there are cultural and societal aspects to the abrasive interactions that, at times, occurs in the university classroom. I would like to explore how skilled faculty manage abrasive students and also if there is a rise in negative behavior in the classroom amongst underrepresented groups. In my research, one of the co-researchers stated that women faculty of color had recently been targeted by students. Investigating this phenomenon could provide insights into classroom management techniques for faculty in higher education. There is also room to study incivility amongst faculty. This
study did not specifically encounter this dynamic. Below is a list of recommended future research:

- Further research on the causes of incivility and the role power plays.
- A quantitative study or hybrid study examining the antecedents to abrasive conduct and how effective intervention strategies such as policies, standards, and professional development impact the prevention and persistence of abrasive conduct in higher education are.
- A quantitative or qualitative study exploring the degree to which incivility exists in higher education would also be relevant and powerful insights to bring about positive societal change.
- An ethnography investigating the uncivil interactions between faculty and faculty and between faculty and students.

**Conclusion**

When I began this journey to earn my dissertation, my advisor Dr. Thomas Nelson asked me, “What do you want to get smarter about?” I honestly did not know how to respond. I initially believed I would conduct a study on educational technology. It was not until I became an organizational Ombuds in an institution of higher learning that I found the answer to Dr. Nelson’s question. I wanted to get smarter about a phenomenon that I began experiencing on the first day of my new role as an Ombuds. A young lady entered my door and handed me a letter of resignation. She had given her notice and she wanted someone to know why she was leaving. According to my visitor, her supervisor was “A monster who doesn’t care about anybody.” I realized on that day, that I had much to learn about this phenomenon involving incivility in the workplace.
This transcendental phenomenological study has provided me with powerful insights into the role of the Ombuds in higher education. The co-researchers provided incredible stories thick with description and texture. They described what they experienced when a person is sitting in their office devastated by abrasive conduct. They also provided powerful descriptions regarding how they worked within the structure of higher education. The stories they shared were the stories of their visitors, and it was clear to me that every Ombuds I spoke with was a compassionate and empathetic person with a sincere desire to help people. It is my hope that this work will have positive and lasting implications for the Ombuds community and for those who work diligently to guide people through difficult and painful experiences in the workplace. What Ombuds do every day and how they practice “Ombudsing” is evidence that there is an effective way to work with people who are uncivil. The Ombuds have special insights and skills that must be incorporated into many more organizations.
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APPENDIX A. RECRUITMENT EMAIL

Dear Ombudsperson,

My name is Hector Escalante, and I am a doctoral student at the University of the Pacific. I am also the University of the Pacific Ombuds and I work for The Office of the President. I am conducting research to better understand how university Ombuds define, understand and handle cases of incivility in higher education. You were selected as a possible participant in this study because of your current or previous role as a university Ombuds and your experience in that role.

If you are interested in participating in this research study, please complete the attached consent form and return it to hescalante@pacific.edu. I will contact you to schedule time for a 90 minute interview. After I have collected and coded the data, I will schedule a second 60 minute interview to review my findings with you.

Please call me at 209-932-3017 or email me at hescalante@pacific.edu with any questions you might have about this research study.

Best Regards,

Hector
APPENDIX B. CONSENT FORM

INFORMED CONSENT

Research Project Title: *Incivility in Academia and the Ombuds Role*
Researcher: Hector Escalante

You are invited to participate in a research study which will involve research on the roles and responsibilities of university Ombuds when handling incivility cases. My name is Hector Escalante, and I am an Ombuds at the University of the Pacific. I work for The Department of the President of the University of the Pacific. I am also a doctoral student at the University of the Pacific. You were selected as a possible participant in this study because of your current or previous role as a university Ombuds and because you have a minimum of 3 years’ experience in that role.

The purpose of this research is to better understand how Ombuds define and understand the concept of incivility and how they, as Ombuds, approach their work when dealing with incivility cases amongst academic employees.

If you decide to participate, you will be asked to participate in a semi-structured 90 minute interview in person, over the phone, or other web-based technology such as Skype. I will ask six questions relating to two overarching questions regarding the role of the Ombuds and incivility in higher education.

I will also conduct a 60 minute follow-up interview to share themes and findings with you. During the second interview, I will ask for your feedback regarding themes and insights gained from the interviews to confirm that I am representing your comments accurately. Both conversations will be recorded on my personal phone. To ensure confidentiality, those conversations will not be saved on any other device or on the cloud. Your participation will conclude after the two interviews.

There are some possible risks involved for participants. While I will make every effort to ensure confidentiality, because the Ombudsman community is relatively small, there is a possibility that the identity of participants may be deduced by other Ombuds who read the research findings. This could cause psychological or sociological risks. To reduce the possibility of such risk, I will use pseudonyms for all participants and I will not ask for information that would put them at risk, such as names of visitors, place of employment, or place of residence.

Below is a list of possible risks:

- While the risk to participants is minimal, there is a potential for confidentiality to be compromised. The number of practicing Ombuds in higher education is relatively small.
- There is the potential for psychological and sociological risk for participants if their identity is compromised.
- This psychological risk may occur because when recalling events related to
incivility, participants may conclude that they did not do the right thing.

- There is a sociological risk because of the potential for employment issues if data about a person were exposed.

There are some benefits to this research particularly that this research may provide insights into common Ombud’s definitions of incivility, as well as trends in practices and procedures while managing cases of incivility. Also, this research may provide valuable information that could be used to prevent and manage incivility in higher education.

If you have any questions about the research at any time, please call me at 209-932-3017, or my faculty advisor Dr. Thomas Nelson at 209-946-3253. If you have any questions about your rights as a participant in a research project please call the IRB Administrator, Research & Graduate Studies Office, University of the Pacific (209) 946-7716. In the event of a research related injury, please contact your regular medical provider and bill through your normal insurance carrier, and then contact the Office of Research & Graduate Studies.

Any information that is obtained in connection with this study and that can be identified with you will remain confidential and will be disclosed only with your permission. To insure your confidentiality, participants will be assigned a number, and no identifying data will be stored on paper or on the internet. Pseudonyms will also be used to protect the identity of all participants. The data obtained will be maintained in a safe, locked location and will be destroyed after a period of three years after the study is completed.

Your participation is entirely voluntary and your decision whether or not to participate will involve no penalty or loss of benefits to which you are otherwise entitled. If you decide to participate, you are free to discontinue participation at any time without penalty or loss of benefits to which you are otherwise entitled.

Your signature below indicates that you have read and understand the information provided above, that you willingly agree to participate, that you may withdraw your consent at any time and discontinue participation at any time without penalty or loss of benefits to which you are otherwise entitled, that you will receive a copy of this form, and that you are not waiving any legal claims, rights or remedies.

You will be offered a copy of this signed form to keep.

Signature________________   Date________________
### APPENDIX C. INTERVIEW GUIDE

<table>
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<th>Interview Guide: The Role of the Ombuds in Higher Education</th>
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<td>Project:</td>
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<td>Questions:</td>
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<tr>
<td>1. Based on your experiences as an Ombuds, how do you define incivility or abrasive conduct?</td>
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<td>2. Can you think of a case that you dealt with that was a clear case of incivility? How did you identify it as a case of incivility? How did you determine what type of complaint they were bringing to you? Can you give me an example?</td>
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<tr>
<td>3. Thinking about this same case, what was your role as an Ombuds and what were your responsibilities to your visitor and institution? Can you explain what worked and didn’t work for you? What did you see your role to be in that context?</td>
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<td>4. Thinking about this example that was a case of incivility, tell me about what guidelines you follow when handling cases of incivility. Do you</td>
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<td>follow the IOA SOP’s? Has there ever been a case where you did not follow the SOPs”? Why or why not? What else guides your practice of “Ombudsing”?</td>
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APPENDIX D. INDIVIDUAL CORE THEMES & INVARIANT CONSTITUANTS

Participant Steve Aguilar - Core Themes and Labels

I. Causes and impacts of Abrasive conduct
   a. Impact of abrasive conduct is fear of retaliation
   b. Supervisors often cause of abrasive conduct
   c. Relationships with the boss
   d. Ombuds use classification system in data base
   e. Incivility occurs in context/relationships, roles, responsibilities
   f. Structure of university promotes incivility

II. Defining and Identifying Abrasive conduct
   a. Steve would identify the type of behavior by language visitor used
   b. Steve would use listening techniques to identify AB
   c. Incivility is unwelcomed behavior individually or in a group
   d. Incivility occurs in degrees and even one event could be considered AB
   e. Cases are not always clearly incivility

III. Roles and Responsibilities of the Ombuds
   a. The IOA SOP clearly guide ombuds
   b. Through IOA SOP Ombuds began to conceptualize his role
   c. Giving upward feedback is major role of Ombuds
   d. Ombuds background helped guide Steve in his experience as ombuds dealing with AB
   e. Steve didn’t judge his visitors
   f. He assumed that people really believed what they were telling him

IV. Challenges Ombuds Face when handling cases of incivility
a. Reporting trends is a challenge and difficult aspect of job
b. Perceptions of visitors were not accurate and created challenges
c. Ambiguity of organizational expectations

Participant Nancy Smith - Core Themes and Labels

I. Causes and impacts of Abrasive conduct
   a. People with power often are the cause of incivility
   b. Differences in

II. Defining and Identifying Abrasive conduct
   a. Ombuds define incivility by defining civility
   b. Incivility includes specific types of negative behavior that most reasonable people would agree is abrasive and unprofessional
   c. Incivility is very contextual
   d. Examples of incivility are a range of behavior from yelling, nasty emails, and a lack of collaborate and professional conduct
   e. Ombuds identifies incivility by listening to how the visitor describes the behavior
   f. Ombuds use a data base to track cases

III. Roles and Responsibilities of the Ombuds
   a. Coach
   b. Mentor
   c. Resource to leadership
   d. Trainer and tea her

IV. Challenges Ombuds Face when handling cases of incivility
a. When visitors don’t responsibility for their actions the Ombuds role is challenged

b. Confidentiality can be a challenge for ombuds because ombuds can’t defend themselves if someone accuses ombuds of not being confidential

c. Impartiality can be a challenge because ombuds are human and overt incivility is something ombuds can agree is wrong

d. Ombuds impartiality prevents them from agreeing with visitors

**Participant Maria Mason - Core Themes and Labels**

I. Causes and impacts of Abrasive conduct

   a. Maria believes that there are a percentage of people who are evil- Evil 5%
   
   b. Literature indicates that some are just wired to be uncivil
   
   c. Faculty often accused of incivility towards others
   
   d. Ombuds don’t focus on prevention enough
   
   e. Abrasive conduct is expensive and causes turnover and is costly

II. Defining and Identifying Abrasive conduct

   a. When dealing with abrasive conduct, Maria doesn’t try to label it
   
   b. Doesn’t spend a lot of time initially categorizing
   
   c. Ombuds uses rubric once cases are open
   
   d. Incivility is hostile threatening behavior that interferes with the ability to work or study
   
   e. Incivility is contextual and defined by the individual

III. Roles and Responsibilities of the Ombuds

   a. Ombuds uses the Fairness triangle from Canada to guide her in her role as Ombud
b. Fairness guides Maria in her role as ombuds

c. Maria’s role is to provide training to incoming students

d. Resources such as web help with prevention

e. Targeted training and awards for Outstanding Advisor Award for prevention

f. Ombuds role is to focus on prevention

g. Context of incivility impacts how Maria handles cases – structure

h. Maria does assessments of departments to determine familiarity

i. Maria conducts informal investigations to support impartiality or “multipartial”

j. Providing upward feedback

k. Maria is realistic about her role – not a therapist

l. Maria’s motto is Awareness, Prevention, and Early Intervention

IV. Challenges Ombuds Face when handling cases of incivility

a. Initially, ineffective training was a challenge

b. Not doing formal investigations could be a challenge

Participant Teri Kelly - Core Themes and Labels

I. Causes and impacts of Abrasive conduct

a. Teri sees all combination of employees engage in abrasive conduct

b. Student to staff & faculty

c. People with power are accused of abrasive conduct

d. People who are untouchable

e. Rise in people of color victims

f. Organization allows because person is valuable
g. Lack of consequence for abrasive conduct causes it
h. There is no law against abrasive conduct in America
i. R1 institutions provides context for incivility and conflict
j. Impact of behavior is not always known by those accused of it

II. Defining and Identifying Abrasive conduct

a. Teri doesn’t use term Abrasive conduct for several reasons/ can be weaponized
b. Teri uses Abrasive conduct because incivility has negative overtones
c. American Association of University Professors is leery of term incivility
d. Abrasive conduct is at the sever end of spectrum but there is a spectrum
e. Definition of abrasive conduct is contextual such as discipline of faculty and department- What’s ok in one department isn’t ok in another
f. Teri uses Australia’s definition – What a reasonable person would find abrasive conduct is abrasive conduct
g. Crashaw’s research indicates bullies don’t know they are bullies
h. Teri withholds judgement because she is visitor centered
i. There is a hard line for abrasive conduct
j. Teri focuses on visitor experience to determine how to approach issue

III. Roles and Responsibilities of the Ombuds

a. People have misconceptions of ombuds role
b. Teri believes ombuds should focus on sever type of abrasive conduct such as physical assault and threatening behavior
c. Teri’s focus is to help visitor, not to determine what actually happened
d. Teri’s approach is not to blame and shame – it doesn’t work
e. Focuses on practical help and identifying resources
f. Job of ombuds is to be perfectly honest with visitor
g. Teri goes through a host of options
h. Teri offers different strategies to visitor
i. Teri states that ombuds can talk to employee differently than others such as HR
j. Teri skips hierarchy
k. Daniel Kahneman’s work on how we form opinions informs Teri’s role
l. Strategy Teri uses is to optimize information for visitor – pick 2-4 salient themes to take to HR
m. Teri uses risk analysis
n. All of teri’s employees are IOA certified and has hired all employees- she gets to choose type of employees she wants

IV. Challenges Ombuds Face when handling cases of incivility
a. Lack of a law against abrasive conduct poses some challenges to ombuds
b. Being in an R1 institution can be challenge because structure promotes conflict
c. Term incivility is a challenge for Ombuds
d. Faculty are afraid that we are telling them what they can study- academic freedom challenged

Participant Bob Nevis - Core Themes and Labels
I. Causes and impacts of Abrasive conduct
   a. Higher education’s hierarchical structure promotes incivility
   b. Faculty have to compete to progress in career/Tenure/prestige
c. Relationships get strained because of structure

d. Being civil is no longer valued

e. Focus of leadership on results causes incivility

f. Leaders who are removed from day to day operations don’t see the behavior

g. Fear of job lose could cause incivility

h. Power such as manager threatening loss of job

i. Competition can cause incivility

j. Patriarchal structure can cause incivility

k. Personality types, women, and underrepresented groups are often victims

l. Managers who lack maturity can be uncivil – I have high standards or she is too sensitive

m. Power abuse and imbalance

n. Management is key factor with incivility and causes – they need to be held accountable and emphasize training

II. Defining and Identifying Abrasive conduct

a. Bob defines incivility as when someone feels disrespected, not shown basic respect or dignity – basic manners

b. Respect is basic need of humans

c. There is a boundary where incivility meets civility and civil people don’t cross that boundary

d. Ties with dignity

e. Bob identifies incivility by asking visitor what happened

f. What is it intentional/they don’t know what they don’t know
III. Roles and Responsibilities of the Ombuds
   a. Role is to follow IOA SOP but it is challenge to role
   b. Key role of ombuds is to work with management
   c. Role of ombuds is determined by intent of accused
   d. Ombuds advocates for fairness
   e. Bob uses role reversal and empathy to deal with cases
   f. Bob intervenes by being mirror to power base – is there another way to handle this situation
   g. Ombuds becomes voice of visitor- students who complain but have no voice
   h. Reframing problem is a strategy
   i. Bob avoids making assumptions- addresses racial issues by asking leadership questions
   j. Bob asks what are the overarching facts that help find a solution
   k. Trust and respect of ombuds office is key to Bob’s efficiency
   l. Bob’s role as ombuds is to provide a venue for people to have a voice
   m. Bob does his best to follow IOA SOP but they can be a challenge

IV. Challenges Ombuds Face when handling cases of incivility
   a. Speaking to people with power is a challenge because they have different perspective – they are too sensitive
   b. Organizations can’t make people change
   c. IOA SOP impartiality a challenge- it’s hard to be impartial when you are advocating for fairness
   d. Can’t be effective if you are in neutral
Participant Violet Emerson - Core Themes and Labels

I. Causes and impacts of Abrasive conduct
   a. Cause of abrasive conduct is higher education environment
   b. HE is not motivated by profit to extent private sector is
   c. HE insulated, to certain extent, from need to make money
   d. Private sector motivated to be civil because incivility costs profits/healthy workplace culture is more productive. HE is still figuring this out
   e. Example of researcher who was successful for many years but involved with uncivil behavior
   f. Lack of training for faculty who manage others
   g. HE breeding ground for bad behavior because some have never experienced any other working environment
   h. Publish or perish and pressures of tenure
   i. We sacrifice civility for expedience – takes time to deal with bad behavior
   j. Lack of understand of Intent vs impact can cause conflict
   k. Mandate for quick change disrupts a department and conflict is inevitable
   l. Faculty often accused of abrasive conduct, especially towards staff/Staff often victims
   m. Female faculty accused of abrasive conduct because they are strident- Hilary Clinton effect
   n. Administrative staff who enforce policy are seen as uncivil
   o. Lack of emphasis on political correctness and need to be sensitive to social justice issues – not doing a pronoun check or being insensitive to preferred names
p. Those who have power are usually those accused of incivility – higher power/low risk

q. If impact is severe, such as mental health issues, Violet refers visitors to appropriate resources

II. Defining and Identifying Abrasive conduct

a. Violet identifies that sometimes those who come to office are the ones engaged in abrasive conduct

b. Violet employs a level of reasonableness when identifying abrasive conduct- did person, such as manager apologize for behavior and make effort to clarify expectations

c. Incivility is a spectrum of behavior – lack of common courtesy to more egregious behavior

d. Violet does not focus on identifying or classifying type of behavior being describes. She tends to work directly with people and focus on their goals

e. Milder forms of incivility are hard to define and identify, but more sever types of behavior are easily spotted

f. How people define incivility is very contextual. Violet gives example of past job where people cursed at each other but it was accepted

g. Violet gives example of faculty meetings where faculty have been known to yell and pound tables, and it’s acceptable behavior

h. But if faculty is yelling at a staff member, it becomes unacceptable behavior

III. Roles and Responsibilities of the Ombuds
a. Part of the Ombuds role is to communicate with managers when they are causing conflict and being uncivil in attempt to bring about change

b. Ombuds role is to provide upward feedback about performance issues but not responsible for enforcing the change of behavior. Violet doesn’t feel that Ombud’s role is to enforce performance management or documentation to HR but will provide feedback to visitor regarding impact and intent, and impartial feedback

c. Violet works with HR

d. Violet’s office is not an IOA formal charted office but does follow SOP and an executive order that are similar to SOP and follow confidentiality independence, informality, neutrality as the four tenants of our office.

e. Groups come to ombuds to complain about PI behavior/ person with power

f. Violet is deeply rooted in visitor’s goals and trying to help them move forward

g. Violet has worked with lab managers to find solutions when abrasive people in power are having negative impact on departments

h. When handling incivility cases, Violet will engage with both parties and sometimes provide mediation

i. Her role is to identify those situational pieces or those process based pieces that have gone wrong and to try and help rectify those for the person or rectify those for those within the system
j. Violet’s approach is to focus on moving forward and doesn’t allow visitor to dwell on past wrongs for too long. She focuses on what visitor wants to change.

k. Context of case influences how Violet approaches case.

l. Violet focuses on three questions: what happened, what would you like to see happen and what can you or our office do to make that happen?

m. Currently there are no formal prevention programs in place but they do have conduct codes for students, faculty and staff.

IV. Challenges Ombuds Face when handling cases of incivility

a. Certain terms such as bullying can be trigger for HR. They want to clearly define what bullying is.

b. Challenges with uncivil dynamic between faculty and administration.

Participant Kevin Bronson - Core Themes and Labels

I. Causes and impacts of Abrasive conduct

a. Organizational culture and human nature have always included abrasive conduct.

b. Insecurities of people in power, such as those who manager others at root of uncivil behavior.

c. Managers don’t know answers and don’t want to be questioned or embarrassed.

d. Arrogance of those who are highly educated and intelligent – they think they are the smartest cats in the room.
e. They are unwilling to listen or consider other perspectives that don’t align with theirs. They become “monsters” pushing their will and perspective on others.

f. There are those who are just not civil people. “Not hugged enough” – evil 5%

g. In higher education, there are many high-functioning people with personality disorders, and they come across as really rude people – inability to interpret social cues and lack emotional intelligence.

h. Many managers don’t know how to manage people. They haven’t received appropriate training to manage.

i. Academia has many unwritten rules that pertain to complicated structures such as tenure, need to publish to survive, and old boy networking.

j. The culture and traditions of academia provide a breeding ground for abrasive conduct.

k. People in higher positions with high authority tend to be accused of incivility. People with less power are on the receiving end.

l. Several occasions when people in protected classes are victims of incivility.

m. People are not self-aware and don’t know how to read the environment they are in.

II. Defining and Identifying Abrasive Conduct

a. Incivility is abrasive conduct and not just what you do, but what you don’t do.
b. A different type of incivility is on the rise since presidential campaign. It’s more overt and in your face

c. Incivility has always been there but people are not afraid to say abrasive things to people now

d. Incivility is targeted and intended to make a point

e. It’s offensive behavior like ignoring others or not responding to emails. Can also be severe such as racism and abuse

f. Incivility can be difficult to define and describe because it is very contextual. On many levels where you are from and where you work are important to consider

g. Organizational culture, regional culture, and ethno cultures are important to consider

h. Context complicates an already complicated issue

i. Kevin’s role as ombuds is to peel the onion and get to the root of the problem. Cultural elements often play a big role on how to handle situations like this

j. Incivility is not always the first thing people bring up. It surfaces after the conversation begins. Kevin peels the onion and deconstructs the issue for his visitor

III. Roles and Responsibilities of the Ombuds

a. Kevin’s office does abide by the IOA SOP but he pushes them to the limit

b. Kevin believes that ombuds shouldn’t just sit in their offices and wait for people to come to them. He believes in being an activist
c. Kevin sees that part of his role is to move people away from formal processes and explore informal resolutions. Formal processes don’t serve incivility cases well.

d. Kevin works towards deconstructing the problem to find solutions.

e. Also putting visitor in another person’s shoes.

f. Kevin is not afraid to sit on committees and get involved with the university community because he has useful information others don’t have.

g. A lot of what guides Kevin in his role is what the visitor wants.

h. The concepts of Human rights and dignity help guide Kevin as he conceptualizes and performs his role as an ombuds, but in the end the individual decides how to proceed.

i. A strategy Kevin uses is to reframe the issue. For example, if he uses the phrase “poor communication skills” it is better received than “incivility” and emphasis on how it impacts productivity.

j. The reason we have to find creative solutions is because the system or culture of the organization has allowed certain behaviors and practices that are problematic.

k. Part of it you have to see the issue. The ombuds has to have a clear view of the problem to be effective.

l. “It’s all about pointing out the elephants in the room that everyone knows is there but no one wants to say”.

m. The Ombuds role is to shed light on the issues and reveal what some might not want to talk about – great example about race issues and how white managers supervise people of color.
n. Ombuds are uniquely positioned to have difficult conversations in groups and with leadership because often, people avoid those types of candid conversations

o. IOA standards of practice helps Kevin maintain sanity and sense of self as an ombuds. Kevin gives example of visitor who may have been racist or made controversial statements, but confidentiality kept Kevin focused on helping this person.

IV. Challenges Ombuds face when handling cases of incivility

a. Challenge to ombuds is that the ombuds may never have been in a management position

b. Kevin’s campus has no policy against incivility

c. Independence is a challenge for Kevin. He prefers term “autonomous”

d. You can’t legislate rudeness so people want to attach bad behavior to something formal

e. The culture of an institution can be a challenge. “I just see post docs as hifalutin slaves”

f. Challenges Kevin faces is that organizational values are not written down

**Participant Bill Porter - Core Themes and Labels**

I. Causes and impacts of Abrasive conduct

a. Hierarchical systems with deliberate power differential structures creates opportunities for incivility

b. Academic setting that promotes judging peers based on work and tenure process is unique to higher education – rare in business world

c. People take things too personally- too sensitive
d. People who are victims, usually being mistreated by someone with power over them

II. Defining and Identifying Abrasive conduct

   a. Bill’s approach is to not label things visitors bring to him
   b. However, for Bill, incivility is being rude or disrespectful – macroaggressions
   c. IOA categories does help Bill identify and track types of issues, but that’s the only way he likes to label what visitors bring to him
   d. Visitor’s language helps guide Bill in how he identifies and handles a complaint

III. Roles and Responsibilities of the Ombuds

   a. Major role for Bill is option development
   b. Sometimes visitor thinks you are advocating for them because as ombuds you are supposed to be empathetic – there is a misperception of the Ombuds role
   c. As Bill listens to visitor, he pays attention to language and then begins to identify the issue. From there he begins to think about options for visitors
   d. Bill started a campaign that emphasizes being nice and being hard on the problem but soft on people
   e. Ombuds had dual role. First is to help the individual or group resolve workplace issues. Secondly, the role of ombuds is to have a positive impact on the organization as a whole – incivility could be part of the culture
   f. Upward feedback is more what gives leadership food for thought
g. Role of ombuds is to deal with evaluative relationships and build rapport with visitors

h. Bill starts his visits by finding out more about the person sitting across from him. That’s how he begins his experience

i. His role with people is relational and he works towards being authentic

j. He connects or engages, empathizes, then triage

k. Bill asks open ended questions – Tell me a little bit more about that

l. Bill is a trained lawyer but he doesn’t provide legal services.

m. Bill does often mediate and act as neutral

n. Bill has personal beliefs and biases, world views, but he doesn’t allow them to drive his thinking

o. Bill spent 35 years in legal setting but he has found he can be neutral when he doesn’t judge things

p. He believes everything and doesn’t believe anything – IOA SOP guide him here

q. Being neutral is a both/and – his technique

r. Bill advocates for fairness. Desire for fairness drives and informs Bills practice and experience as an ombuds

s. He is also an advocate for process

t. Ombuds should be active and engaged with organizational community and culture

u. Bill provides resources to visitors – has them on his desk

v. Other resources Bill uses are the Four Agreements and Robert Cipriano’s work on collegiality
IV. Challenges Ombuds Face when handling cases of incivility
   a. A challenge for Bill is that sometimes as the ombuds he is forcing something that the visitor isn’t ready for but he doesn’t know it. Sometimes Ombuds doesn’t know what happens after the visit
   b. The IOA SOP are a challenge for Ombuds if he or she is a mandated reporter. Creates a challenge. However, Student Ombuds has managed to maintain confidentiality while still being a mandated reporter

Participant Camelia Nash - Core Themes and Labels

I. Causes and impacts of Abrasive conduct
   a. Multiple factors can cause incivility but context is important to understand and consider
   b. Structure of higher education
   c. Technology such as social media
   d. Experiencing incivility is very individual and contextual
   e. The abuse of power is often the cause of incivility
   f. Types of relations employees have can promote incivility
   g. In some places, abrasive conduct is normalized and accepted

II. Defining and Identifying Abrasive conduct
   a. Abrasive conduct is a range of behavior
   b. It has a negative impact on the receiver; keeps them from being able to do work or learn
   c. Abrasive conduct can be indirect and hard to prove
   d. Intent of accused is factor
   e. It is repetitious
f. Ombuds identifies incivility by the language that visitor uses/ how it is described

g. Understanding the history and context of environment is factor in identifying incivility

h. Blatant incivility is easily identifiable

III. Roles and Responsibilities of the Ombuds

a. Ombuds use many resources such as authors like Infante

b. Prevention comes in many forms such as anti-bullying policy, training, providing a place for people to go and talk

c. Ombud’s role is to ensure safety, fair process and provide impartial feedback to visitors

d. Ombuds works with leadership including general council and provides feedback on systemic issues

e. IOA SOP clearly guide the role of ombuds

f. Context of situation and culture impacts role of ombuds

g. Ombuds can also provide informal feedback to committees working improving workplace climate

h. Being impartial for ombuds means not using social media nor socializing with colleagues

IV. Challenges Ombuds Face when handling cases of incivility

a. People don’t want you to talk to anyone

b. IOA SOP can be a challenge, especially confidentiality when ombuds is mandated reporter

Participant Kara Beck - Core Themes and Labels
I. Causes and impacts of Abrasive conduct
   a. Kara believes that people don’t develop resilience or coping skills to deal with challenges
   b. Capitalistic culture promotes uncivil behavior
   c. Our American culture promotes racism and sexism
   d. Lack of training for those who supervise, such as department chairs
   e. People with power and who feel untouchable often are accused of abrasive conduct
   f. People at lowest paid positions tend to be victims of incivility or graduate students dependent on PI
   g. Power differentials can cause incivility – white male chair and African American male junior faculty

II. Defining and Identifying Abrasive conduct
   a. Kara defines incivility as being anything that is offensive, rude or unacceptable behavior
   b. It is a range of behavior but there is a line that is “beyond the pale”
   c. When dealing with cases, Kara doesn’t initially try and identify type of case
   d. It’s not until after the case that she categorizes it
   e. Ombuds uses a data base to track and categorize cases

III. Roles and Responsibilities of the Ombuds
   a. Kara feels strongly that anybody, regardless of political or social agendas, should be able to access the ombuds office
b. Important to note that ombuds can put preventive measure in place but there is a flip side to this. Policy or prevention must be enforced.

c. Kara does not rush to report something somebody doesn’t want reported, just because someone intimated that something happened.

d. Kara called upon to help department chair deal with abrasive conduct which occurred during a faculty meeting.

e. She was coach and acted as resource or managing poor communication by faculty.

f. In terms of prevention, Kara’s institution has implemented principles of conduct that are used to encourage employees to be professional and collegial, but is vague and can be challenging to use.

g. One of the questions Kara wrestles with is how to have conversations about race and other difficult conversations. Should ombuds be involved with those types of issues?

h. How do we talk about race and civility without offending people?

i. Kara believes that there is a way for ombuds to be aware of social justice issues and still be impartial.

j. Role of ombuds is to be fair and useful while not aligning to political agenda.

k. Ombuds advocates for fairness.

l. Role of ombuds is to strike a balance of neutrality and provocative discussion about sensitive topics like race or incivility.

m. IOA SOP gave ombuds language to easily have conversations about what ombuds does & how they operate as ombuds.
n. Mission and values guide Kara in role as Ombuds

o. Being a coach and mentor is a technique that has worked well for Kara

p. Educational role of ombuds is part of prevention

q. Conceptualizing a campaign around respect, civility and dignity to help with climate and act as prevention

IV. Challenges Ombuds Face when handling cases of incivility

a. A challenge for Kara is that she often has to deal with cases piece meal and can’t address issues comprehensively

b. Kara is designated as a responsible employee for title IV – this is problematic

c. This creates challenges with IOA SOP, specifically confidentiality

d. Kara has been able to manage challenges with confidentiality by stated she is mandated reporter and by being creative to maintain confidentiality

e. Another challenge Kara faces is following up with mediation cases
APPENDIX E. INDIVIDUAL TEXTURAL DESCRIPTIONS

Participant Steve Aguilar

What Steve experienced when handling cases of incivility was influenced by the context of relationships, roles, and responsibilities involved in each case. This is key for Steve, as he learned to identify and define what incivility is and how to deal with cases of incivility, depending on who was involved, what department they were from and what their role was. Steve defined incivility as unwelcomed behavior by an individual or group. ...unwelcome behavior by an individual or group that signals disrespect or possibly a threat to one’s status or position, depending on context (i.e., departmental or institutional norms, who was involved, previous observations and/or history with that individual, etc.).”

He also stated that incivility occurs in degrees and over time; however, even one event could be considered abrasive conduct. He also thought about how the visitor described it to him.

When handling cases of incivility, he paid close attention to the visitor’s words and body language. Steve’s experiences were influenced by the visitor’s story and their perception of reality. Steve was sensitive to what the visitor was describing and experiencing. Steve would also listen to the visitor’s verbal and body language to identify what type of issue his visitor was experiencing based on what the visitor said. Steve stated, “I had this voice in my head reminding me that the person they were talking about probably saw it differently.” He listened to their stories and responded accordingly. Steve experienced and utilized empathy and well-honed listening skills to identify the root issue for his visitors. Steve’s goal was to connect with his visitors, and help the visitor identify and evaluate various options to deal with the concerns they
brought to him. Steve also found that cases of incivility were not always easy to spot. At times the behavior his visitors described was subjective and contextual. He found these types of behaviors hard to categorize. Throughout his experiences with these types of cases, Steve endeavored not to judge his visitors’ stories, and assumed that what visitors said was what they really believed.

Steve believed one of his responsibilities as an ombuds was to report trends to leadership. He also found this was, at times, a challenge for him. Another challenge Steve experienced was that people often had a misperception of his role as an Ombuds. They didn’t always understand the IOA Standards of Practice (SOP) he followed. The SOP are Impartiality, Confidentiality, Independence, and Informality. These standards guided Steve and helped him conceptualize his role as he learned how to be an effective Ombuds.

Steve often saw that the impact of abrasive conduct was that his visitors felt a fear of retaliation. Regarding a case Steve shared that involved a director, he stated, “they are fearful and don’t trust the person. They think the person wants to harm them.” Thus, his experience was that people who manage others were often those who were accused of incivility, and those with less power were the victims of incivility.

**Participant Nancy Smith**

Nancy’s experiences with cases of incivility are visitor centered. Nancy is interested in helping people who truly want to be helped. Nancy is very experienced, so she is guided by her intuition and her well-honed empathy and listening skills. Nancy also emphasizes that people need to take responsibility for their part in a conflict. It is through empathy and intuition that Nancy experiences the visitor’s story.
When I asked her what incivility looks and feels like, she stated, “To look at it a different way, one of the things we say is you should expect courteous, collaborative, and professional behavior.” In essence, she defined incivility by defining civility, or what people should expect and provide in the workplace. For Nancy, incivility is a spectrum and can be as subtle as crossing your arms or leaving someone out of meetings, to more egregious behavior such as yelling at someone or shooting off an email in all Caps and red letters. When identifying incivility, Nancy allows the visitor to name the behavior first. She doesn’t initially make a determination of what it is. Nancy says, “I never make a determination of what the behavior is. The visitor uses their words to describe the behavior, and I use them to determine what the problem is.” Nancy experiences the case through the language of the visitor; what the language sounds like and the picture it paints for her. The painting she sees is the texture of her experience. She listens to their story and adjusts her approach depending on the type of issue the visitor is experiencing. For Nancy, incivility is also subjective and contextual. What one department considers uncivil may be acceptable in another department. Nancy takes these contextual factors into consideration as she works towards helping people.

Nancy’s role as an Ombuds takes many forms; however, she feels that being a coach and mentor has worked best for her when helping people through the experience of abrasive conduct. She begins to guide her visitor towards having difficult conversations and asks questions like “How comfortable would you feel going to that person and trying to have a crucial conversation, or would it be helpful for me to facilitate a difficult conversation in this office?” These questions are examples of what Nancy experiences when handling cases of abrasive conduct.
Nancy is also well aware of what causes abrasive conduct in higher education. She believes that people in power are often the cause of incivility, perceived or real. Regarding who gets accused of abrasive conduct Nancy says, “Overarching, they are people with social and organizational power.” She goes on to define the difference between organizational social power. Organizational power comes with role and position in a hierarchical structure such as a university. Social power comes with reputation, social status and time. People who are victims of abrasive conduct have low organizational or social power or both. Nancy’s experiences are influenced by what power feels and looks like. This is part of her experience as an Ombuds.

A major role that Nancy takes is that of a teacher and trainer. Nancy conducts several trainings as the Ombuds and she utilizes resources such as Laura Crawshaw and Thomas Kilman conflict styles. She also conducts training for departments, such as norming activities and conflict resolution training. Again, coaching and mentoring are a major aspect of Nancy’s experience when helping her visitors through conflict and abrasive conduct directed at them. She feels that Ombuds give people the tools they need to find solutions. Nancy also is exploring her role as Ombuds when working with consultants that universities hire to help deal with climate issues. Nancy feels that Ombuds can play an effective role in providing consultants insights that others may not have.

**Participant Maria Mason**

What Maria experiences when handling cases of abrasive conduct involves a passionate desire to ensure people are being treated fairly. She is works hard to help prevent abrasive conduct within her organization. She feels and exhibits a deep advocacy for fairness. She practices “multi-partiality” and will gather as much information as she
can to help her visitors. She feels that it is important to gather facts and get information from a variety of sources. She states, I do small “i” investigations. That to me means gathering key information from multiple perspectives.”

Maria described a case she handled involving a student who was being harassed by his supervisor. The supervisor would purposefully move plants and then tell the student that he didn’t do it. It was evident to me that Maria felt that this supervisor was an uncivil person and was part of what she calls “The evil 5%.” She stated that there is research that people accused of being bullies or uncivil are acting out of a feeling of insecurity and inadequacy. Maria states that “Some of them may have imposter syndrome and are afraid people are going to find out that they aren’t really that smart.” She handled this situation by meeting with several key people who could help her provide solutions to her visitor. Maria’s experiences with these “Evil 5%” influences how she interacts with cases of incivility. Again, her desire to provide fairness is a powerful guide for her.

Maria also has a very clear definition of incivility, which is any type of offensive, hostile or intimidating behavior that impedes a person’s ability to work or study. Like many other Ombuds, Maria does not initially try and categorize the type of case she is dealing with. Instead, she listens to the individual’s story and takes the context of the situation into account. She believes what the individual is saying but also keeps in mind that abrasive conduct is contextual. She states, “It’s very much about the individual.”

How Maria conceptualizes her role is evident in the attention she pays to not just intervene in cases of incivility, but also to prevent it. She does this by providing practical instruction to her visitors in groups and with individuals. For example, she asks groups “what are the 3 major issues you are dealing with?” She then tailors her workshops around those three issues. This type of training is a major aspect of her Ombuds role.
Based on our conversation, Maria is a determined Ombuds who will continue working with a visitor as long as they want to work with her to solve a problem involving a lack of fairness. Another role Maria takes seriously is that she communicates her insights to leadership in a way that they understand it. She clearly delineates the costs of incivility and “hits them with information that they care about” such as financial costs of losing students or the cost of incivility.

**Participant Teri Kelly**

A significant aspect of Teri’s experience when dealing with incivility is that she does not use the term incivility. She prefers the term abrasive conduct. The term incivility triggers groups such as faculty and some organizations such as the American Association of University Professors because “it has in the past been a way of excluding particularly women from positions because they don’t fit into the male definition of faculty positions. Women are seen as uncivil because they didn’t get along with that male dominant culture.” When Teri handles a case of abrasive conduct, she is feeling it, seeing it and hearing it from the visitor who brings her the situation. She allows the visitor to tell his story. It is through the lens of abrasive conduct that Teri experiences this case.

Teri also expressed that she has experienced or seen a rise in abrasive conduct against traditionally underrepresented groups like people of color, the LGBTQIA community and women.

When I asked Teri to define incivility, she stated that she didn’t try to define incivility because she didn’t use that term. She did, however, define abrasive conduct. For Teri, abrasive conduct is a range of behavior, is interpretive and contextual. She stated it can be as simple as having bad manners and more severe such as racism and violence. Like many Ombuds, Teri does draw a hard line regarding abrasive conduct that
is extremely harmful. She uses the Australian definition, that states abrasive conduct is what a reasonable person would consider abrasive conduct. Teri is also aware of how those accused respond to accusations of abrasive conduct. For example, people accused of being bullies rarely know they are having that type of impact on the people around them, who many times are their employees. Teri referenced Laura Crawshaw’s work, which indicates that 89-90% of people accused of being bullies do not perceive themselves as being abrasive and don’t see the destruction they cause around them.

Teri also believes that Ombuds work is important and should focus on the severe types of abrasive conduct, and not just people with bad manners. In these cases, Teri works hard to be impartial and not offer up judgements. She focuses on providing practical resources for her visitors. She states, “I try to stay away from coming to conclusions, and I focus on the practical and unpack themes occurring for that person.” Teri believes her job as an Ombuds is to be completely honest with that person. Teri is visitor centered and is interested in helping her visitors with a practical and effective approach to “Ombudsing”.

**Participant Bob Nevis**

For Bob, the experience of helping people through case of abrasive conduct are rooted in his advocacy for fairness. He stated, “one of the things or identities as an Ombuds is that you stand for equity and fairness.” It is from this perspective that Bob experiences and practices “Ombudsing”.

Bob is an empathetic listener who is aware of the power imbalances that often create abrasive conduct. His visitors trust him because he works at developing a strong rapport with them. He often uses role reversal and empathy to help those accused of abrasive conduct to feel the impact of their bad behavior. Bob believes that humans
have an innate need for dignity and respect. When I asked him to define abrasive conduct he stated, “Incivility occurs when someone feels disrespected and is not being shown basic respect and dignity that all human beings deserve.” When Bob is trying to determine what type of case he is dealing with, he listens to the visitor’s language and asks what behaviors were exhibited that made them feel disrespected. The second layer to this experience pertains to the intentions of the individual accused of incivility.

Sometimes people do not know they are being rude or abrasive. Hence, Bob identifies intent versus impact. From this vantage point, Bob decides what to do for the visitor. In short, for Bob, “Ombudsing” is very relational. People need to trust you and believe you want to help. He stated, “In this role we really have to be cognizant of relationships. It’s all about having a good relationship because people are more open to my feedback. You got to treat relationships like you have to repeatedly rely on them and be mindful of nurturing those relationship.

**Participant Violet Emerson**

What Violet experiences when handling cases of incivility is based on her visitors’ stories and their goals. Violet does not attempt to initially identify or categorize the type of problem a visitor brings to her. Instead she focuses on what the person is saying and what they want to happen. She listens and empathizes with her visitors. She also takes into consideration that incivility is contextual and she is only hearing one side of the story. She gives an example of this and describes a supervisor who is being accused of being a bully or micromanager and may be described by her visitor as a terrible person. However, the supervisor has been mandated to make change quickly and improve the department. What happens is that the supervisor does not always have the
communication or management skills to guide the department through the stresses of change.

Violet also employs a level of reasonableness when trying to identify uncivil behavior between supervisors and staff. She says, “I guess for me there is a level of reasonableness in responses that I anticipate. When I’m working through a case and a visitor says, my boss told me one thing last week and is now telling something different this week, I start to suspect that there might be a lack of communication and possibly incivility.”

Violet defines incivility as a spectrum of behavior that may be milder forms of uncourteous behavior, to more overt and pernicious behavior such as malicious gossiping, spreading rumors, and intentional defaming of others. It is from this perspective that Violet works to help her visitors find solutions. Violet also acknowledges that incivility is very contextual. She told me a story of her experiences working in a restaurant. She was surprised at the way the guys spoke to each other. They used language that in other environments would be considered rude and abrasive. She did emphasize that they did not speak to her that way. Higher Education is similar in that the way people are impacted by abrasive conduct is influenced by the context of the situation. When handling cases, she asks specific questions to help her understand the context of the case. She uses a specific model, that I will not name for confidentiality purposes, that guides her as she speaks with visitors. While this is part of the structure of her experience, it is also textural, because what Violet experiences is shaped by the questions she uses. For example, she states that she will not focus too much on the past experiences of the visitor. She will allow them to share the past hurts, but only to a certain extent. Violet’s focus is to help her visitors move forward. She stated, “we are
deeply rooted in the visitor’s goals and in trying to help them think forward and not backward.” What she experiences is an understanding that the solution is not in the past. Violet has found that the solution visitors seek are often within their grasp. She just helps them get there. The last textural piece of Violet’s experiences with incivility relate to her role in communicating to upper level administration.

**Participant Kevin Bronson**

After my discussion with Kevin, it was clear to me that he is passionate about his role as an Ombuds in higher education. Kevin is not afraid of difficult cases or conversations. This comment clearly captures Kevin passion. “Look…I will not hesitate in addressing an issue that is completely inappropriate because people use neutrality in inhibiting themselves in addressing issues.” He often finds himself in situations where he is in a unique place to call out the elephant in the room. What Kevin experiences when handling incivility cases is also influenced by the context of the situation; however, Kevin stated that he does not hesitate to be completely honest with those involved, including people in places of authority. In fact, Kevin is often the voice in the room that is saying what nobody else has the courage to say because there is a person with power in the room. Kevin states, “The Ombuds role is to shed light on the issues and reveal what some might not want to talk about”. Kevin is aware and guided by what his visitor’s goals are. He works hard to remain impartial, even when he disagrees with something his visitor is saying. He focuses on what the visitor wants to happen. The concepts of Human rights and dignity help guide Kevin as he conceptualizes and performs his role as an ombuds, but in the end the individual decides how to proceed. Inside, he might be thinking, that his visitor is biased but he does not voice this opinion to his visitor. How Kevin defines and identifies incivility also has an impact on what he does when handling
cases of abrasive conduct. He defines incivility as offensive behavior that ranges from rudeness to racism and extreme bias. Kevin did make it clear that incivility is contextual and can be influenced by several things such as the region of America you are from, where you work, and even the department you are in.

Another key aspect of Kevin’s role when helping people through conflict is that he helps deconstruct the problem for the person. As he puts it, “I peel the onion and find the real issue.” The Ombuds has to see the root issue and deconstruct it for the visitor. Kevin does this by being an activist ombuds and by staying involved with committees and initiatives that allow him to provide important information that others might not have. Kevin believes that in order to be effective, the Ombuds has to engage with the community and not be afraid to socialize with people in a professional manner. “Part of getting things done is developing appropriate professional relationships.” Kevin also believes that an important aspect of his role is to help people keep their complaint in an informal status. In his experience, formal channels of dealing with incivility do not always serve the complainant well, and often they leave the situation feeling like the organization failed them in some way. What Kevin does as an Ombuds also requires creativity and problem-solving skills. He states, “The reason we have to find creative solutions is because the system or culture of the organization has allowed certain behaviors and practices that are problematic.”

A key strategy that Kevin uses in his cases is to reframe the issue. For example, if he uses the phrase “poor communication skills” it is better received than “incivility.” He also emphasizes on how this behavior impacts productivity. People in leadership or management position do not respond as well when you say someone is being uncivil or is
being a bully. Instead he reframes the issue in a way that leadership understand the impact of the poor behavior.

Kevin also discussed the types of issues people who manage others tend to have. Supervisors tend to be the ones who are most often accused of abrasive conduct, and often it is because they are not effective managers. Kevin states that sometimes the manager is insecure and does not want to be challenged. Managers do not know how to say, “I don’t Know.” They do not want to be asked difficult questions, so they create conflict in the workplace and it turns into an uncivil environment. He also states that there are some people “who just didn’t get hugged enough.” These people often are highly educated people in powerful positons who do not have emotional intelligence. They are often the smartest people in the room but they do not know how to take social ques.

**Participant Bill Porter**

Bill’s experiences with cases of abrasive conduct are based on his desire to help people resolve the cases that they bring to him. Bill starts his conversations by asking the visitor to tell him more about themselves. It is a relational experience for Bill because he feels that building a strong rapport with the visitor is the foundation to helping them. It is from this foundation that Bill begins to get a picture of what the individual is experiencing. He states that at times, it’s from the visitor’s story that he starts to see that this person is being treated poorly by someone in power.

He is also aware that he does not want to impede a person’s ability to fix an issue if they are not ready to do that. He stated, “I want to help people resolve things and I don’t want to force people, because you know and I know that a lot of times a visitor comes to see you and you spend an hour and they share what’s on their minds.” He goes
on to say that he empathizes with them, asks them open-ended questions and gives them options to pursue, but it is up to them to implement the option, and if they never come back, as an Ombuds, you do not know if they did it or not.

Bill also stated that he does not like to label the issues that his visitors share with him. He does not worry about categorizing the problem. In fact, he tries not to judge and has found that this works best for him. Bill believes he has a dual role as Ombuds, which involves option development for his visitors but also as one who has a duty to improve the overall climate of the university. He began a campaign, which I will not name to maintain confidentiality, that has positively impacted the work place.

**Participant Camelia Nash**

What Camelia experiences when dealing with cases of incivility is linked to what the visitor is experiencing. Camelia listens to her visitor’s language and begins to empathize with them. She works at understanding what the person is experiencing without judging the person’s perception or the validity of their story. Camelia stated, “I think mostly if a person comes in and they start to share their story, and I might ask them is that the language they used. Or is this something new has it happened before. It’s usually through the story telling.” The story the visitor tells impacts the texture of Camelia’s experience. Camelia shared a case that involved a graduate student who had been bullied to the point of suicide. Camelia’s first goal was to ensure this person’s safety. Camelia felt an obligation to provide safety for this student. From there, Camelia worked extensively with leadership and others involved to help her visitor.

Fairness is also important to Camelia and informs her “Ombudsing” practice. Camelia has a keen ear and eye for identifying abrasive conduct; however, she does not advocate for the individual. She instead advocates for fairness and equity. She is also
vigilant about ensuring confidentiality. Building trust with her visitors is impossible if the visitor does not believe she is confidential.

Camelia is also aware of the context of abrasive conduct, and she is aware that incivility is subjective and individualistic. Her visitors do not always know exactly what is happening and it takes some digging for her to get to the root of the problem. She stated, “A lot of times they give you four different things that by themselves are just critical feedback and then they hit on the one piece of history that puts things into history. And most of the times it’s pretty blatant.”

**Participant Kara Beck**

When handling cases of incivility, Kara sees her role is to strike a balance of neutrality and encouraging productive discussions. She is not afraid to handle cases involving social justice and other difficult situations involving racism or biases. She does so with an understanding that she is an impartial resource for all university constituents. From our conversation, I gathered that Kara feels a responsibility to have discussions around gender and race issues, but also believes that anybody, regardless of political or social agendas should have access to the Ombuds office. She states, “I think there is a way in which we as Ombuds can be aware of social justice issues and have meaningful conversations about them without expressing judgment.” Kara’s primary goals are to provide Ombuds service to those who need it, and to support and advocate for fairness.

What Kara experiences as an Ombuds is very much based on the visitor’s story and what the visitor is experiencing. Kara is empathetic towards her visitors and works towards suspending her own opinion or judgment regarding the behavior or issues described to her. When handling cases of abrasive conduct, Kara does not try to
categorize the issue initially. She listens and tries to get as much information as possible to better assist her visitors. She often finds herself in a coaching and mediating role, whether speaking with employees or managers.

There are times when Kara has been called upon by leadership to help employees who do not get along. The case she described to me involved a supervisor’s referral of two people who had not talked to each other in a long time and did not like each other. Kara ended up declining to mediate because the employees were not there voluntarily and were not invested in the mediation process. As Kara stated, “Unless both parties want mediation, it isn’t going to be helpful. The supervisor really just wanted me to fix the relationship, and that’s not what we do.” She especially strives to be a fair resource to all parties.
APPENDIX F. INDIVIDUAL STRUCTURAL DESCRIPTIONS

**Participant Steve Aguilar**

How Steve experienced cases of incivility was greatly influenced by the structure of the university environment. He had to maneuver university hierarchy and well-established norms and cultures. For Steve, the experience of incivility was contextual and often framed by relationships, roles, and responsibilities. For example, the way a faculty experienced incivility might be different from that of a staff member. Or, Steve considered that a supervisor has a different perception of behavior, based on a person’s performance. The staff who reports to that supervisor might perceive the same behavior as bullying or rudeness. Steve also had to be aware of existing relationships that created power imbalances. Such as people who were fishing buddies with the boss.

The IOA Standards of Practice (SOP) also influenced how Steve experienced his role as an ombuds when dealing with cases of abrasive conduct. In our conversation, Steve said, “I was always conscious of them and how to stay within those guidelines”. The IOA SOP guided Steve’s practice and influenced how he handled cases of incivility. For example, Steve shared a case involving a person who came to him several times over the years. This person’s perceptions were not always accurate, but Steve was impartial and understood that this person really believed what they were sharing with him at the time. Steve also shared that his growth as an Ombuds was greatly influenced by other more experienced Ombuds who mentored him along the way. Lastly, Steve’s counseling background also guided him in his role while dealing with cases of abrasive conduct.
**Participant Nancy Smith**

The structures through which Nancy experiences cases of incivility are the university culture and hierarchy. Universities are complex and layered organizations with well-established norms and engrained institutional values. Nancy is a skilled Ombuds who knows how to Ombuds effectively within these established structures.

One of Nancy’s challenge while handling cases of incivility is that she has to stay neutral, per the IOA SOP. She states, “That is a challenge for me to stay neutral and preach what is not acceptable in an organization, and you do see that here…” Remaining impartial and not making comments that sound like she agrees with her visitors is something she is mindful of. However, there are behaviors that people share with her that are clearly uncivil. A purist Ombuds would not say, “Yes, this is abrasive conduct. I agree with you.” She would, rather, help that person find a working solution. This challenge also relates to the parameters of the SOP that most Ombuds honor. As she said in our interview, “It’s where the rubber hits the road. I’m asking these people to trust me. I’m asking these people to believe in the office and in those standards of practice and best practices.” The SOP and best practices provided by the IOA are a clear framework that greatly informs Nancy’s practice. She has practiced “Ombudsing” for so long that following the SOP are almost innate to her. Nancy also feels that Ombuds need to be aware of their effect on people when they send emails, make phone calls, attend meetings or go to an office or building. She states, “You have to be really mindful of what your presence means there.”
Participant Maria Mason

How Maria experiences cases of incivility are framed and guided by her efforts to provide procedural and personal fairness to her visitors. She is guided by a model developed in Canada called “The Fairness Triangle.” Maria is also aware of the environment in which she works and understands that there are ingrained biases against women and other under-represented groups. These people tend to be the victims of incivility. She also believes that incivility can spread and become part of a “group think” mentality. The IOA Standards of practice also provide a framework through which Maria practices “Ombudsing”. She works hard to be impartial, or as she says, “Multipartial.”

Participant Teri Kelly

Paige practices as an Ombuds with a keen awareness of the biases and organizational values her organization has. She works in a research institution that values research, which can provide a context for abrasive conduct. It is competitive, and people who are seen as untouchable in some way are not always held accountable if they are abrasive to others. It is within this context of power dynamics that Paige handles cases of abrasive conduct. She also works with faculty who are tenured track. Tenure in and of itself can provide plenty of opportunities for people to engage in abrasive conduct. It is competitive and stressful.

The IOA Standards of Practice also provide fundamental guidelines for Paige. She believes in them and adheres to them when she practices “Ombudsing”.

The final structural piece to Paige’s experiences with abrasive conduct involve the nation’s current political climate. Since these intense political environments have come to public attention, she has seen an increase in occurrences of abrasive conduct between students to faculty, staff towards faculty and administrators towards constituent groups.
**Participant Bob Nevis**

How Bob experiences “Ombudsing” cases of incivility is framed by the complexities of the institution where he works, his experience as a mediator and the IOA Standards of practice.

Individual Textural Structural Description. He also relies on his strong relationships with people within the organization.

Bob referenced the complex nature of higher education. Like many other Ombuds, Bob has learned how to be an effective Ombuds within this layered structure. There are social and cultural norms that he has learned to function within.

He also follows the IOA Standards of Practice. As he stated, “If you are going to be an Ombudsman proper, you follow them.” He did state that at times they can be a challenge, especially when he is trying to advocate for fairness.

**Participant Violet Emerson**

How Violet experiences cases of incivility is within the complexities of higher education. When I asked her what she thinks causes incivility, she stated that when you compare higher education to the private sector, the biggest difference is the emphasis on the private sector to make money. She states, “In the past, higher education has been insulated from that need to be profitable.” In the private sector, it is not profitable to be rude to your customers. In higher education, you can be a jerk and still be profitable for the institution because of your scholarly background or your ability to write grants. “In higher education, there is no incentive to weed out bad behavior.” Higher education has not discovered that a healthy workplace environment is more profitable than an unhealthy one.
How Violet experiences cases of incivility is also guided by an executive order that are similar to the IOA Standards of Practice. The executive order does call out independence, informality, confidentiality, and neutrality as the four tenets for the Ombuds office.

**Participant Kevin Bronson**

How Kevin experiences cases of incivility is influenced by several contextual factors. We talked at length about the different communication styles people have depending on the region of America they come from. For example, a New Yorker might be considered rude by someone from the deep south. In New York, no one says “Good morning” but in the south, even the bus drivers greet you when you get on the bus. When you translate this contextual factor to the workplace, conflict occurs. Kevin states, “You can walk down the street in New York and no one is going to say good morning to you and you don’t feel a way. But if I’m in the south east, everybody is saying good morning.” An awareness of ethno cultures, gender and race also influence how Kevin experiences these types of cases. He takes all of these factors into consideration as he listens to his visitors’ story.

The traditional university structure also influences how Kevin experiences cases of abrasive conduct. For example, tenure and the pressure to publish are part of the academic environment. Because peers are judging peer’s work, conflict is highly likely. Kevin shared a story about a primary investigator (PI) who was known by his students to be mean and rude. He was a full tenured professor with an endowed professorship. He called his post docs “hifalutin slaves.” Kevin also addressed the “unwritten rules” of academe. These rules, at times, provide an ambiguous structure for Kevin to practice “Ombudsing”. Kevin also believes that the rules around what is acceptable behavior
have changed over that last few years. Incivility is more tolerated than ever and may be on the rise. The post-election climate in America is an example of how people have been more empowered to be uncivil. Organizations have allowed this type of behavior to exist, and Ombuds have to know how to respond creatively to these types of environments. This impacts how Ombuds practice their profession.

Lastly, the International Ombudsman Association (IOA) Standards of Practice (SOP) provide Kevin a framework from which to practice “Ombudsing.” However, it is important to note that Kevin did say that at times he pushes the limits of the IOA SOP. For example, Kevin sits on committees and is not afraid to have lunch with a colleague. Some purist Ombuds would say this is not being neutral. As he says, “Part of getting things done is developing appropriate professional relationships.” Kevin also pushes against the idea of independence. He believes that a better word is that we are autonomous. If an Ombuds works for a university, they are not truly independent. That Ombuds is a university employee. However, the Ombuds is most likely autonomous.

**Participant Bill Porter**

How Bill experiences “Ombudsing” is greatly influenced by the higher education environment. He does acknowledge that abrasive conduct is present in any hierarchical system. He believes that anywhere “you have power differences, where you have people supervising and managing others, there is an opportunity for people to misuse that power.” The complexities involved with faculty, including tenure and scholarship also provide an environment for abrasive conduct to occur. He is also aware that incivility occurs within an organizational culture that allows it.
Bill is also guided by the IOA Standards of Practice. All the standards are important to him and he emphasized that remaining impartial is especially important to him. He does not detach from the issues but employs a “both/and” approach.

**Participant Camelia Nash**

The university environment and its complexities impact how Camelia handles cases of abrasive conduct. In our interview, she said “So there are a lot of restrictions, organizationally, but also, you get thousands of people with different opinions in one place and they don’t know how to communicate thoughtfully.” The contextual factors involved with cases are also important to Camelia. She often has experience with the department where the abrasive conduct is occurring and may even be familiar with the person being accused of incivility.

When I asked Camelia what causes incivility, she stated that “The structure of the university just allows it to occur more. The types of relationships we have such as tenure, graduate students and chairs create opportunities for poor communication to occur.” She also mentioned that people who are in a position of power are often those accused of abrasive conduct.

The IOA Standards of Practice also guide Camelia in her “Ombudsing” practice. She also stated that even though the SOP are clear, where you work influences how you practice them. For example, she is a mandated reporter for Title IV but she has not always been. For Camelia, even following the IOA SOP is contextual. Each state and university is different in their stance on confidentiality for an Ombuds. The policies of each university will also differ. For example, Camelia has worked for universities that had anti-bully policies and some that did not. Consequently, for Camelia, her experiences with cases of incivility are very contextual.
Participant Kara Beck

How Kara experiences cases of incivility is influenced by the IOA Standards of practice and the goal to be fair and equitable to all of her visitors. Kara stated that the SOP have been very helpful for her because they provide a guideline for her practice and vocabulary to talk to university leadership about what she does. Kara works hard at being impartial and is sensitive to the cultural dynamics of her environment. Kara believes that incivility can be a range of behavior; however, there is abrasive conduct that everyone would agree is egregious behavior. She states, “I think it’s a real range but I hope there is a line out there that everybody would agree is beyond the pale.” She goes on to say that that line might be different for people, depending on the context. It is from this perspective that Kara practices “Ombudsing”. Kara also understands that power differentials exist and impact workplace relationships. Kara has found that it is often those with the most power who can be the most abrasive. Kara has learned that it is critical to address those dynamics as she works towards helping her visitors.
APPENDIX G. INDIVIDUAL TEXTURAL-STRUCTURAL DESCRIPTIONS

Participant Steve Aguilar

Steve’s experience with cases of abrasive conduct involved experiencing the visitor’s story through listening, empathizing and observing the visitor. He also did not judge the visitor and believed that the visitor was truly describing what they felt was a real experience with abrasive conduct. From my conversations with Steve, it was apparent that he truly cared about his visitors and their suffering. He describes a visitor who he tried to help who was impacted by a single event and she was afraid of losing her Visa over it. Steve felt badly about it. Yet, he worked really hard at following the guidelines set forth by the IOA Standards of Practice. Steve was also keenly aware of the university structure that impacted how he handled cases of abrasive conduct. He had to maneuvered hierarchy, organizational culture, established relationships and the complexities of the faculty experience. When we spoke about challenges with these types of cases, Steve stated that “Our university often didn’t define things well”. Thus, the ambiguity of organizational expectations and norms influenced how he handled cases.

Participant Nancy Smith

What Nancy experiences with incivility and her visitors is deeply rooted in her desire to help people find working solutions for them. Nancy is a wise and empathetic Ombuds who has years of experience with cases involving abrasive conduct. For Nancy, incivility is contextual and individual. This perspective guides her as she handles cases of incivility. She emphasized in our conversation that people need to understand what they want and how they want to be treated individually and in group and team settings. Nancy is very much a teacher at heart and uses her skills as a trainer and teacher to help individuals and teams prevent and manage abrasive conduct in the workplace. She is also
an intuitive mentor and coach. When helping people through cases involving abrasive conduct, Nancy works hard to not judge what the person is saying and doesn’t try and determine what the person is experiencing. She listens, empathizes and asks open ended questions to help her visitor find solutions to the issue. Nancy is also pragmatic in her approach. If her visitor is not willing to take responsibility for their actions, she knows she will not be as effective as she would like to be. In our interview she said, “If they say, I don’t have anything to take responsibility for, it shuts it down for me. I know I won’t be successful facilitating this.” We spoke about people who are accused of bullying and how they often don’t know they are bullies and don’t see a need to change. She can quickly tell if they want to change behavior or not. This insight influences how she approaches the issue.

Nancy is also well versed in the complexity of the university structure. She went into detail regarding the role organizational and social power plays in the causes of incivility in higher education. She believes that people with power are often the ones accused of incivility. Understanding this organizational dynamic gives context to her practice as an Ombuds. Nancy is also greatly influenced by the IOA Standards of Practice and IOA recommended best practices. She has Ombuds for many years, so following these standards are innate to her. In our interview she stated that she can often predict what will happen in a case because she has seen the same behavior before, and depending on how she interacts with the visitor, the outcome can be predicted. She knows that if she is not confidential, people will know and not trust her as an Ombuds. Neutrality or impartiality can be a challenge for Nancy, and many other Ombuds. It is because we are human and as Nancy said, when someone is heartbroken and sitting in front of you because they are clearly a victim of bullying, you want to say, “Yeah, that’s not right!”
For the purist Ombuds, this is not a neutral statement. Regardless of her challenges with impartiality, Nancy is respectful and aware of the IOA SOP and how important they are in guiding her practice as an Ombuds. In short, Nancy is an effective and compassionate Ombuds who cares about the people that come to her for help. She uses her skills, talents, resources and the visitors’ goals to guide her when she experiences cases of abrasive conduct.

**Participant Maria Mason**

Advocating for fairness is key to Maria’s experience and approach to “Ombudsing”. Maria does not spend a lot of time categorizing her cases, but does listen to the visitor and allows the visitor to tell her what the issue or problem is. She does have a clear definition of abrasive conduct, which includes any type of behavior that prevents someone from working or studying. She also uses a rubric that helps her and her office identify patterns.

For Maria’s visitors, the experience of incivility is very contextual and very much about the individual’s experience. Maria’s experience is dictated by her visitor’s experience. As with other Ombuds, she experiences the visitor’s story and responds in the best way possible to help this person. Maria uses multiple resources such as her website, The Fairness Triangle, and awards for outstanding advisors to help her visitors.

The structural influences, or how Maria experiences cases of incivility are the university structure and ingrained cultural biases that may have existed for years. She is aware and conscientious about white privilege and male privilege. She is especially interested and guided by an obligation, as a person and as an Ombuds to advocate for fairness. With the help of The Fairness Triangle and the IOA Standards of Practice, she effectively and efficiently works with individuals, groups, and leadership to intervene and
prevent incivility in her organization. She is also realistic about her role and does not try to be a therapist. She focuses on prevention and on the best approach to help her visitors.

**Participant Teri Kelly**

Teri is a very intelligent and pragmatic Ombuds, and she works hard to help her visitors by listening to them, unpacking their experiences and stories, and then providing resources that will help her visitors find solutions to their situations. Often, she deals with people who are victims of abrasive conduct. These people tend to be those who are on the lower end of the power spectrum. The people who are accused of abrasive conduct are often “untouchable” or valuable to the organization. She believes that her role as an Ombuds is to not only handle minor cases of abrasive conduct, but more importantly, to help those who are victims of sever abusive behavior. Teri prefers to use the term abrasive conduct and will not use the term incivility because it hinders her ability to work with groups such as faculty who are leery of the term.

Teri is especially interested in the story her visitors tell her and understands that the experience of abrasive conduct can be contextual and a matter of perspective. However, there is a type of behavior that is not tolerable by anyone who is reasonable.

Teri practices “Ombudsing” within the context of an R1 institution. These types of competitive and complex universities can be breeding grounds for conflict and abrasive conduct. Teri is well experienced and is an expert in maneuvering within her organization. In short, I would say that Teri is an activist Ombuds and is not afraid to deal with the difficult and sensitive issues of race, gender and other biases.

**Participant Bob Nevis**

It is evident to me from my conversation with Bob that he, like so many other Ombuds, feels empathy towards his visitors as they tell their story to him. He works hard
to help them and often employs his listening skills and experiences with mediation to help. For Bob, it is all about advocating for fairness and equity. This desire often brings him to the boundaries of impartiality. As he stated, “It’s hard to be effective if you are in neutral.” However, Bob does abide by the IOA Standards of Practice. Bob also functions as an effective Ombuds by understanding the complex structures of a university. He stays active in his community and works with leadership to help them understand the trends that are occurring on his campus.

**Participant Violet Emerson**

Violet’s experiences with cases of incivility are visitor centered. As she stated, “we are deeply rooted in the visitor’s and visitor’s goals and in trying to help them think forward and not backward.” This is a key point as I consider what Violet experiences with her visitors. She, like many other Ombuds experiences her role as an Ombuds through the stories her visitors tell her. She listens, empathizes, and works towards a solution for her visitors. The visitor is the focus of her experience. Violet is also a powerful communicator and very intelligent. I believe her experience, skills, and talents all contribute to her success and experiences as an Ombuds. She is involved in the Ombuds community as well as her own.

Violet works with people who are often victims of incivility. This behavior is often caused by people in power, and or people who supervise others. While Violet does not enforce behavioral change for those who are accused of incivility, she does communicate with those who are accused of the abrasive conduct. Her experiences are all within the context of higher education. Often the pressures of tenure, publishing and getting through a rigorous academic life provide opportunities for abrasive conduct to occur. For Violet, this is the context of where she practices “Ombudsing”. She also
communicated to me that many people who work in academia have never worked anywhere else. She stated, “It’s just a natural breeding ground for bad behavior. You can also add that that many people have worked directly through academia and is reinforced because they stay in academia.” faculty who because chairs or deans have never managed others. Add to that fact that they often do not get managerial training.

One last point regarding the structural description of Violet’s experience is that academia emphasis political correctness and a sensitivity to social justice issues. This sensitivity can create a backlash of abrasive conduct because people who are accused of being uncivil may not be well versed in these issues. For example, a faculty member who forgets to do a pronoun check might be perceived by students as being biased against the transgender community.

**Participant Kevin Bronson**

Kevin’s experiences as an Ombuds are influenced by the candid and passionate nature of Kevin’s approach to his work. Kevin is a great example of an activist minded Ombuds. He is traditional in the sense that he follows the IOA Standards of Practice, but he is not afraid to push up against them and stretch the limits of neutrality and independence. His goal is to help the visitor and that might mean advocating for the rights of that person or group of people. Kevin does say “I’m not going to advocate for anyone or any position, but I will not hesitate in addressing an issue that is completely inappropriate because people use neutrality in inhibiting themselves in addressing issues.” This statement captures Kevin’s experiences when handling cases of abrasive conduct. He engages with the university community and develops strong relationships. He believes this is how Ombuds can truly get things done. He also sees himself as uniquely positioned, as many Ombuds are, to speak to truth in situations where nobody
else will. He says “If not us, who will?” There is often a difficult conversation that needs to be had and the Ombuds is in a unique position to be that person to bring up the “elephant in the room.”

Kevin is keenly aware of the university structures under which he operates and ombuds. He knows about unwritten rules and deep cultural values that often drive bad behavior. He also works towards following the IOA Standards of Practice, but he will not hesitate to stretch the limits of those tenets if it will help his visitors. Kevin works effectively within the structures of the university and the IOA SOP but he does not allow these structures to limit his ability to help people. Regarding purist Ombuds, Kevin said “I think some of the are too puritanical in people’s interpretation of the standards. People make these absolute things, such as never being on a committee.” Kevin believes this puritanical approach limits an Ombud’s ability to be effective and help people. During our conversation, I was impressed by Kevin’s knowledge and expertise when handling difficult cases and situations. He is an expert Ombuds and a strong advocate for fairness and equity.

Participant Bill Porter

In is evident to me that Bill cares about his work as an Ombuds. He enjoys it and feels that the work is rewarding. Helping people recharges Bill. He starts his cases by getting his visitors to tell him about themselves and what they do. He listens to their story, empathizes with them and helps his visitor move towards a solution. Bill is keenly aware of the academic environment and how it influences how he practices “Ombudsing”. He also has extensive experience in a community setting, which informs how he helps people. He stated, “I’ve spent --- years in a community setting, legal setting as a mediator, and I’ve really come to believe that I do a better job holding that
neutral state when I don’t try to judge things.” Not judging the stories people tell him is part of the framework from which he works. He takes the hierarchical nature of the university into account when handling cases. He is aware of the power dynamics at play and how they impact his visitors.

**Participant Camelia Nash**

Like many of the Ombuds I interviewed, Camelia is a skilled and intuitive person. She is a skilled listener and is very empathetic towards her visitors. Camelia’s experiences with cases of abrasive conduct are visitor focused. She listens for patterns and pays attention to the language her visitors use. She also allows her visitors to tell their story in their own way. Camelia is also a problem solver. She gives her visitors options and guides them through those options. The case she shared in our interview took place over a long period of time. Camelia is also committed to being fair and confidential.

The context of the university life also informs and influences how Camelia experiences cases of incivility. The university is a complex place with thousands of people with different points of view. Each case has subtle nuances that she has to decipher and interpret. She is also fortunate to have a supportive president who believes in the Ombuds role.

When we talked about the causes of abrasive conduct, Camelia expressed that the abuse of power is a major cause. She also mentioned that the post-election have created more visits for her. Camelia is also committed to her university’s mission and core values, and is developing her own mission, vision and values, for her office. Lastly, Camelia follows the IOA SOP but she refers back to the context of her role when following the SOP.
Participant Kara Beck

Fairness and equity are important to Kara. She feels that her role as an Ombuds is to be a confidential, impartial, independent and informal resource to all university employees, regardless of their political or social agendas. This does not mean that Kara does not have opinions or feelings about these issues. She finds a way to balance impartiality and providing provocative conversations that help people see issues from more than their own perspective.

Kara also works well within the university structure. She understands the power dynamics at play and how those dynamics impact campus climate. She is also guided by the mission and values of the university because she is subject to them. At the time of our conversation, she was working on developing a mission, vision, and values initiative for her own office that would serve as a guiding document to help her determine what to do in specific circumstances and where her work should be focused. I found that Kara is passionate about her work and feels strongly that the Ombuds role is a valuable resource to the university community.
APPENDIX H. COMPOSITE TEXTURAL DESCRIPTION

For the co-researchers, the core of their experiences with cases of incivility revolved around the visitor’s experience and how the Ombuds interacted with the visitor. The Ombuds felt, saw, heard what the visitor experienced when they were being treated badly. In essence, what the Ombuds experienced was a vicarious and empathetic experience of what the visitor was experiencing. The International Ombudsman Association Standards of Practice were also powerful influences in what the Ombuds experienced. The Ombuds’ commitment to be impartial, independent, informal and confidential put them in a position to empathetically experience this phenomenon. Ombuds also texturally experience cases of incivility with an understanding of human nature and the power dynamics in higher education.

The textural description of this phenomenon includes a how Ombuds define incivility. While there is not one concrete and specific definition of abrasive conduct, Ombuds did agree on a broad definition that includes a spectrum of behavior with negative impacts on those who experience them. Ombuds also identify cases of incivility in similar ways. What they perceive to be abrasive conduct were also influenced by a non-judgmental approach to their work. They believed what the visitor believed and did not cast judgements on their experience of the phenomenon.
APPENDIX I. COMPOSITE STRUCTURAL DESCRIPTION

The essence of the structural experience for the co-researchers lives within the powerful and complicated structure of higher education. How Ombuds experience cases of abrasive conduct are greatly impacted by the hierarchical nature of the organizations in which they work. They must consider the power dynamics inherent in departments, positions, and positional status. In academia, Ombuds also work within the structures of tenure and faculty politics.

Ombuds must also work within the guidelines of their organizations policies, procedures and processes. These complicated factors greatly influence how an Ombuds does his or her work.

There are also guiding dynamic that impact how Ombuds do their work. The Ombuds I interviewed all had a desire and motivation to ensure that university employees were all treated fairly. For some Ombuds, fairness guides everything they do. The International Ombudsman Association Standards of Practice are also a powerful framework by which organizational Ombuds measure their work. Ombuds take confidentiality and impartiality seriously when dealing with cases of incivility.

The Ombuds community is also a powerful influence on how Ombuds do their work. The Ombuds community is a giving and passionate group that does not hesitate to help newer Ombuds conceptualize their roles. Finally, the roles Ombuds assume when handling cases of incivility clearly illustrate how they do what they do. Ombuds serve as a mirror to individuals, groups and leadership. They are often the most honest and candid voice in the room. Many Ombuds are teachers at heart. They also are trained mediators and coaches who work really hard to help their visitors.
APPENDIX J. RESEARCHER BIO

Hector Escalante immigrated to the United States as a small child and grew up in Oxnard, California. He and his family settled in the California Central Valley and remain there. Hector served six years in the United States Marine Corps and began a career in the cable television industry. While working for a local cable company and raising a family, Hector earned an AA at a local community college. He gained his love for education from this experience and went on to earn a Master’s Degree in Education from the University of the Pacific. He used his education to begin a teaching career in high school and higher education. Hector also has extensive experience in management roles. He served as a dean of students and as a director of academic affairs before becoming the Learning and Development Program manager for the University of the Pacific. He has used his teaching background and his Master’s degree in Curriculum Development to develop and implement faculty and staff professional development opportunities with an emphasis on manager development. Hector applies a theoretical and practical approach to facilitate workshops and seminars to various organizations. He is also a certified mediator through The University of Notre Dame, and also holds a Master of Fine Arts in Creative Non-Fiction Writing from National University. Hector is also a certified DISC Profile trainer.

In 2014, Hector was appointed as the inaugural Ombuds for the University of the Pacific. Hector was charged with implementing the Ombuds office, including creating the Ombudsperson Office Charter, marketing the new position and creating an annual report. Hector provides confidential, independent, informal and impartial conflict resolution resources to faculty, staff, and student-workers. Hector also reviews policy, process and practice and provides upward feedback to leadership regarding trends and systemic issues. Furthermore, Hector provides professional development opportunities for small and large
groups for Pacific and external companies. He also provides courses in communication
and change management for the university.