Organizational Ombuds: Facilitating Resolution of Workplace Conflicts

Steven Prevaux, J.D., CO-OP®
University of South Florida
Tampa + (813) 974-7777
www.usf.edu/OMBRDS

Today’s Learning Objectives

1. Discern the costs of conflict in the workplace

2. Answer the Question: “What does an Ombuds Do?”

3. Understand YOUR “Communication Style”

4. Application of Conflict Dynamics
The Conflict Engine

- **Bad information**
- **Bad thinking**
- **Bad feelings**
- **Negative reply**
- **Negative response**
- **Negative action**

Bioresponses to Conflict

The **amygdala** (plural: amygdales; /əˈmɪɡdələ/; is one of two almond-shaped groups of nuclei located deep and medially within the temporal lobes of the brain in complex vertebrates, including humans.[2] Shown in research to perform a primary role in the processing of memory, decision-making, and emotional reactions.

Triggers survival responses such as:
- FIGHT
- FLIGHT
- FREEZE
- FACE?
### Neurotransmitters, Hormones and Conflict

<table>
<thead>
<tr>
<th>Neurotransmitter</th>
<th>Functions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Adrenaline</strong></td>
<td>triggers “fight or flight” response</td>
</tr>
<tr>
<td><strong>Norepinephrine</strong></td>
<td>increases force of skeletal muscle contraction/heart rate</td>
</tr>
<tr>
<td><strong>Cortisol</strong></td>
<td>steroid hormone with slower release</td>
</tr>
<tr>
<td><strong>Oxytocin</strong></td>
<td>increases trust and loyalty</td>
</tr>
<tr>
<td><strong>Endorphins</strong></td>
<td>“feel good” reinforces collaboration with pleasure</td>
</tr>
<tr>
<td><strong>Dopamine</strong></td>
<td>powerful REWARD response; shorter duration; role in addiction</td>
</tr>
<tr>
<td><strong>Phenylethylamine</strong></td>
<td>induces excitement and anticipation</td>
</tr>
<tr>
<td><strong>Testosterone</strong></td>
<td>stimulates aggression</td>
</tr>
<tr>
<td><strong>Estrogen</strong></td>
<td>role in release of oxytocin</td>
</tr>
<tr>
<td><strong>Serotonin</strong></td>
<td>mood regulation</td>
</tr>
<tr>
<td><strong>Vasopressin</strong></td>
<td>encourages bonding in males</td>
</tr>
</tbody>
</table>


### Conflict Costs

- Reputation
- Talent Turnover
- Wellness
- Productivity
- Team Morale
- Sabotage
- Money
- Recruitment
- Relationships
- Time
- Safety
- Health
- Motivation
- Perspective
- Absenteeism
- Litigation
- Missing Metrics
- Loyalty
- Trust
- Theft

![Conflict Costs Diagram](image-url)
Evolution of the Ombuds Role in the United States

- **1950s**: New Zealand Ombudsman
- **1960s**: Rise of Governmental Ombudsman in Scandinavia and Germany
- **1970-80s**: US Government Ombudsman
- **1980s**: Organizational in US Higher Ed
- **1990s**: 200 Corporate Ombuds programs
- **2004**: Most Recent ABA Resolution

**Key Dates**
- **1961**: UPenn Law Review article
- **1969**: Model Bill ABA Resolution
- **1972**: Nursing Home Ombudsman
- **1977**: USOA
- **1985**: COA (Corporate Ombuds Association)
- **1990**: Administrative Dispute Resolution Act encourages ombuds
- **1995**: TOA (The Ombudsman Association)
- **1996**: COFO (Coalition of Federal Ombuds)
## Three Ombuds Models

### Comparing Ombuds Models: Orientations

<table>
<thead>
<tr>
<th>Classical Ombuds Orientation</th>
<th>Organizational Ombuds Orientation</th>
<th>Advocate Ombuds Orientation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Developed to ensure fair treatment for citizens, residents, and members of the public.</td>
<td>Developed as a resource to help manage internal grievances and conflicts within organizations.</td>
<td>Developed to protect individual rights and interests and serve as a resource for those who face information or power imbalance.</td>
</tr>
</tbody>
</table>

United States Ombudsman Association

npr

NASOP

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### Endorsements

Columbia University

UC Davis

UCLA

MIT

Hoyas

Bigger Than You Know

Coca-Cola

Chevron

MD Anderson Cancer Center

Los Alamos

FDIC

American Express

NIH

Pfizer

Eaton

DCIPS
Organizational Ombuds Ethics

1. Independent
2. Impartial
3. Informal
4. Confidential

Organizational Ombuds Charter

- Ratifying Framework
- Standards of Practice and Code of Ethics (IOA)
- Mandate, Purpose & Structure
- Fundamental “Term of Service”
- Authority & Limitations etc.
1. Compensation and Benefits: Questions, concerns, issues or inquiries about the equity, appropriateness and competitiveness of employee compensation, benefits and other benefit programs.

2. Evaluative Relationships: Questions, concerns, issues or inquiries arising between people in evaluative relationships (i.e. supervisor-employee, director-associate, dean-chair, faculty-student.)

3. Peer and Colleague Relationships: Questions, concerns, issues or inquiries involving peers or colleagues who do not have a supervisor-employee or student-professor relationship (e.g., two staff members within the same department or conflict involving members of a student organization.)

4. Career Progress and Development: Questions, concerns, issues or inquiries about administrative processes and decisions regarding entering and leaving a job, what it entails, (i.e. recruitment, nature and place of assignment, job security, and separation.)

5. Legal, Regulatory, Financial, and Compliance: Questions, concerns, issues or inquiries that may create a legal risk (financial, sanction etc.) for the organization or its members if not addressed, including issues related to waste, fraud or abuse.


7. Services/Administrative Issues: Questions, concerns, issues or inquiries about services or administrative offices including from external parties.

8. Organizational, Strategic and Mission Related: Questions, concerns, issues or inquiries that relate to the whole or some part of an organization.

9. Values, Ethics and Standards: Questions, concerns, issues or inquiries about the fairness of organizational values, ethics, and/or standards, the application of related policies and/or procedures, or the need for creation or revision of policies, and/or standards.

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### INTERNATIONAL OMBUDS ASSOCIATION

**Uniform Reporting Categories**

**Primary/Secondary Categories - CY 2018**

<table>
<thead>
<tr>
<th>Category</th>
<th>Primary</th>
<th>Secondary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comp/Benefits</td>
<td>18</td>
<td>9</td>
</tr>
<tr>
<td>Evaluative Relationships</td>
<td>59</td>
<td>44</td>
</tr>
<tr>
<td>Peer/Colleague Relationships</td>
<td>35</td>
<td>28</td>
</tr>
<tr>
<td>Career Progress/Dev</td>
<td>45</td>
<td>32</td>
</tr>
<tr>
<td>Legal,Reg,Fin,Policy App</td>
<td>62</td>
<td>59</td>
</tr>
<tr>
<td>Safety, Health, Enviro</td>
<td>6</td>
<td>11</td>
</tr>
<tr>
<td>Services/Admin Issues</td>
<td>15</td>
<td>17</td>
</tr>
<tr>
<td>Org, Strat, Mis, Pol Dev</td>
<td>39</td>
<td>36</td>
</tr>
<tr>
<td>Values, Ethics, Standards</td>
<td>5</td>
<td>19</td>
</tr>
<tr>
<td>Other</td>
<td>18</td>
<td>2</td>
</tr>
</tbody>
</table>

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**Presentation Date:** 05-15-2019
Ombuds Services

- Facilitator
- Meeting Facilitation
- Active Listener
- Resolution Generator
- Resource Channel
- Career Coach
- Confidant
- Communication Bridge

- Trusted Navigator
- Referral Office
- Feedback Provider
- Policy Resource
- Process Improver

Managing Complex Change

Adapted from A Framework for Thinking about Systems Change (2009) Kramer, T., Vicente, A. & Thousand, J.
**Tale of Two Complex Corporate Cultures**

<table>
<thead>
<tr>
<th>Google</th>
<th>Apple</th>
</tr>
</thead>
<tbody>
<tr>
<td>Patents: 12,386</td>
<td>Patents: 10,975</td>
</tr>
<tr>
<td>CEO: 27</td>
<td>CEO: 347</td>
</tr>
</tbody>
</table>

**Google’s “Project Aristotle”**

“Over two years we conducted 200+ interviews with Googlers (our employees) and looked at more than 250 attributes of 180+ active Google teams. We were pretty confident that we'd find the perfect mix of individual traits and skills necessary for a stellar team.”

- one Rhodes Scholar
- two extroverts
- one engineer (who rocks at AngularJS)
- one Ph.D.

**Voila!!! Dream team assembled, right?”**
**Project Aristotle Takeaways:**

1. **Who** is on the team matters less.
2. How team members interact matters more.
3. No secret recipe for stacking teams.
4. Psychological Safety is the key to overall team success:
   - Lower Turnover
   - Harness Power of Diverse Ideas
   - Generate More Revenue
   - Rated 2X More Effective by Exec

**Traditional Views: Behavior as a Function of Personality**

- **Psychological Preferences**
- **Behavioral Differences**

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**Presented by:**

- **Presentation Date:** 05-15-2019
- **Slide:** 10
Hammer Intercultural Communication Style Inventory

1. assured reliance on the character, ability, strength, or truth of someone or something

2. dependence on something future or contingent: HOPE

“Our distrust is very expensive”
*Ralph Waldo Emerson*
“I don’t know the answer.”
“I need help.”
“I think I really messed this up.”
“You are much smarter than I am.”
“Can you teach me how?”
“I’m sorry.”
“What I said was totally out of line.”

“When there is trust, conflict becomes nothing but the pursuit of truth, an attempt to find the best possible answer.”

“Vulnerability-based trust makes a team GREAT.”

Patrick Lencioni

Understanding Conflict Dynamics

<table>
<thead>
<tr>
<th>Precipitating Event and/or Hot Buttons</th>
<th>CONSTRUCTIVE RESPONSES</th>
<th>DESTRUCTIVE RESPONSES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initiate Conflict</td>
<td>Behaviors which keep harmful effects of conflict to a minimum</td>
<td>Behaviors which escalate or prolong conflict</td>
</tr>
</tbody>
</table>

**CONSTRUCTIVE RESPONSES**

- Task-Focused Conflict (Cognitive)
  - Focused on task and problem solving
  - Positive effect
  - Tension decreases
  - Group functioning improves

**DESTRUCTIVE RESPONSES**

- Person-Focused Conflict (Affective)
  - Focused on personal
  - Negative emotions (anger, frustration)
  - Tension increases
  - Group functioning decreases

Conflict De-escalates
Conflict Escalates
### Beyond Personality → Behavioral

<table>
<thead>
<tr>
<th>Constructive</th>
<th>Destructive</th>
</tr>
</thead>
<tbody>
<tr>
<td>Active</td>
<td></td>
</tr>
<tr>
<td>Perspective Taking</td>
<td>Winning at All Costs</td>
</tr>
<tr>
<td>Creative Solutions</td>
<td>Displaying Anger</td>
</tr>
<tr>
<td>Expressing Emotions</td>
<td>Demeaning Others</td>
</tr>
<tr>
<td>Reaching Out</td>
<td>Retaliating</td>
</tr>
<tr>
<td>Passive</td>
<td></td>
</tr>
<tr>
<td>Reflective Thinking</td>
<td>Avoiding</td>
</tr>
<tr>
<td>Delay Responding</td>
<td>Yielding</td>
</tr>
<tr>
<td>Adapting</td>
<td>Hiding Emotions</td>
</tr>
<tr>
<td></td>
<td>Self-Criticizing</td>
</tr>
</tbody>
</table>

**How can we apply this to MEDIATION?**

### Illustration: Destructive CDP Scores – Aggregated

![Graph showing destructiveness scores](image)
### What is YOUR “hottest” Hot Button?

<table>
<thead>
<tr>
<th>Behavior</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>UNRELIABLE</strong></td>
<td>Miss deadlines, cannot be counted on</td>
</tr>
<tr>
<td><strong>OVERLY-ANALYTICAL</strong></td>
<td>Perfectionists, focus too much on minor issues</td>
</tr>
<tr>
<td><strong>UNAPPRECIATIVE</strong></td>
<td>Fail to give credit to others or seldom praise good performance</td>
</tr>
<tr>
<td><strong>ALOOF</strong></td>
<td>Isolate themselves, do not seek input from others or are hard to approach</td>
</tr>
<tr>
<td><strong>MICRO-MANAGING</strong></td>
<td>Constantly monitors and checks up on the work of others</td>
</tr>
<tr>
<td><strong>SELF-CENTERED</strong></td>
<td>Believe they are always correct</td>
</tr>
<tr>
<td><strong>ABRASIVE</strong></td>
<td>Arrogant, sarcastic</td>
</tr>
<tr>
<td><strong>UNTRUSTWORTHY</strong></td>
<td>Exploits others, takes undeserved credit, cannot be trusted</td>
</tr>
<tr>
<td><strong>HOSTILE</strong></td>
<td>Loses their temper, becomes angry, yells at others</td>
</tr>
</tbody>
</table>

“When I listen, People talk”

### Application of Conflict Dynamics Exercise

What specific tools from today can be applied to facilitate even more effective mediations?
**Florida Rules for Certified & Court-Appointed Mediators**

**Rule 10.230 Mediation Concepts**
Mediation is based on concepts of communication, negotiation, facilitation, and problem-solving that emphasize: (a) self determination; (b) the needs and interests of the parties; (c) fairness; (d) procedural flexibility; (e) confidentiality; and (f) full disclosure.

**Rule 10.330 Impartiality**
(a) Generally. A mediator shall maintain impartiality throughout the mediation process. Impartiality means freedom from favoritism or bias in word, action, or appearance, and includes a commitment to assist all parties, as opposed to any one individual.

**Rule 10.350 Demeanor**
A mediator shall be patient, dignified, and courteous during the mediation process.

**Rule 10.410 Balanced Process**
A mediator shall conduct mediation sessions in an even-handed, balanced manner. A mediator shall promote mutual respect among the mediation participants throughout the mediation process and encourage the participants to conduct themselves in a collaborative, non-coercive, and non-adversarial manner.

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**Wrap-up ...**

**Group Takeaways**

**Questions?**

THANK YOU