Roles and Functions of Organizational Ombuds Officers in the United States

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Roles and Functions of Organizational Ombuds Officers in the United States

Abstract
Organizational ombuds officers have worked in corporate America for nearly fifty years. This was an exploratory study of ombuds officers in the United States that utilized direct interviews to gather data from seven ombuds officers in large organizations. A qualitative approach compared roles of these ombuds officers to roles of other ombuds officers working in the United States. Roles examined included: investigatory, advocacy, assisting, and regulatory roles. The results demonstrated that a majority of ombuds officers worked in an assisting role. Ombuds officers may provide better information to organizations if they employ a four frame structure to track issues brought by visitors, such as that outlined by Bolman and Deal, which identifies four frames for understanding organizational behavior: structural, human resource, political, and symbolic. In this study, when looking at the functions of ombuds officers in light of the four organizational frames, most focused on a human resource frame.

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ROLES AND FUNCTIONS OF ORGANIZATIONAL OMBUDS OFFICERS IN THE UNITED STATES

A Thesis

Presented to

the Faculty of the Josef Korbel School of International Studies

University of Denver

In Partial Fulfillment

of the Requirements for the Degree

Master of Arts

by

Dana M. Bennett

August 2014

Advisor: Dr. Karen Feste
Abstract

Organizational ombuds officers have worked in corporate America for nearly fifty years. This was an exploratory study of ombuds officers in the United States that utilized direct interviews to gather data from seven ombuds officers in large organizations. A qualitative approach compared roles of these ombuds officers to roles of other ombuds officers working in the United States. Roles examined included: investigatory, advocacy, assisting, and regulatory roles. The results demonstrated that a majority of ombuds officers worked in an assisting role. Ombuds officers may provide better information to organizations if they employ a four frame structure to track issues brought by visitors, such as that outlined by Bolman and Deal, which identifies four frames for understanding organizational behavior: structural, human resource, political, and symbolic. In this study, when looking at the functions of ombuds officers in light of the four organizational frames, most focused on a human resource frame.
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Chapter 1: Introduction

Competition drives organizations in the United States to deliver services and products in the marketplace which create the most profit for the company and its stakeholders. Organizations may reach greater effectiveness in addressing internal or external conflict by hiring an ombuds officer. An ombuds officer is often part of a larger continuum of alternative dispute resolution services within an organization. The ombuds officer can assist with conflict at the lowest level, perhaps before a company is forced to manage conflict while incurring the potentially higher costs of arbitration or litigation. An ombuds provides a contact within the organization that can informally and confidentially be accessed by an employee or individual within an organization. Some organizations utilize ombuds officers to not only assist employees, but also to assist external others affiliated with an organization, such as customers or government constituents. The potential to prevent an organization from paying for the high cost of litigation, or at the least lessening the impact of the financial liability to an organization is a primary underpinning of the ombuds officer position.

Purpose of Thesis

One reason that ombuds officers may be so important to an organization is that “decision makers rely on others not so much to gain new information as to strengthen preconceived thinking” (Bolman and Deal, 2003, p. 35). Supporting preconceived
thinking does not lead to good decision-making. An ombuds officer, who never functions as a decision-maker in an organization and listens to the concerns of visitors\textsuperscript{1} with no regard for attempting to address a situation in such a way to support his or her already established resolution may be well-equipped to provide new ideas and suggestions to leaders of an organization. Input from ombuds officers allows for new ways of thinking. An ombuds officer or organization that clearly identifies the ombuds officer’s working role within an organization as well as how specific organizational issues presented to an ombuds office can be defined within the four frames, may create a great resource for a company.

This thesis will examine in what way ombuds officers serve an investigatory, advocating, assisting, or regulatory role and whether there is a trend toward one or more roles. Have the roles of ombuds officers changed over time? By reviewing what issues or concerns are brought to an ombuds officer, we can assess whether issues are related to the four frames (structural, human resource, political, and symbolic) as outlined by Bolman and Deal (2003). Is there a trend in focus on any of the four frames or are the frames similar depending on the type of organization or characteristics of ombuds officers? The research in this study is designed to address these questions.

It is important to examine how ombuds officers perform their job and how they might be able to enhance their role because ombuds officers can have a direct impact on the financial growth and organizational success of a company. Currently many ombuds officers typically refer to those who come to the ombuds office as “visitors.” Many ombuds officers explain that “clients”, “employees” or “customers” may too narrowly define people seeking the services of the ombuds; thus most ombuds offices have chosen to use the word visitor.
officers utilize Uniform Reporting Categories (URCs) to track data (see Appendix C). While URCs may allow for the gathering and reporting of information about visits to the ombuds office, URCs may not categorize the themes of such visits in such a way that they provide thorough information about organizational systemic issues. By utilizing a four frame structure such as Bolman’s and Deal’s an ombuds officer may be better able to define the systemic impact of the ombuds office within an organization. Furthermore, by working to better define ombuds roles within organizations (investigatory, advocacy, assisting, regulatory) ombuds officers can not only pinpoint what they contribute to the organization, but can additionally describe how ombuds officers fulfill these roles in the United States. As the International Ombudsman Association (IOA), the American Bar Association (ABA), and other associations continue to wrestle over definitions of ombuds officers, this examination might provide some clarity.

Executives in any organization need good information and communication in order to make decisions. Ombuds officers provide an avenue for executives to indirectly receive information from employees, managers, supervisors, and those at all levels of the organizational ladder; although this is not the primary function of an ombuds officer. Ombuds officers provide information visitors would not seek from others due to confidentiality concerns or “for fear of retaliation;” assist with options for reporting organizational concerns or addressing conflict; can provide coaching to visitors in how to address a conflict; and serve as an “off-the-record resource” (Howard, 2010, p. xviii). An ombuds officer can be one of the least threatening options in an alternative dispute resolution continuum for an organization.
Information that ombuds officers learn through conversations with visitors to the office is often related to systemic inefficiencies (or efficiencies) of an organization. Due to the fact that ombuds officers work in an extremely confidential position, ombuds officers must be vigilant to protect information and the anonymity of visitors to the office. The confidentiality of the office allows for the free flow of communication and a mechanism to provide quick resolution to work conflicts. This confidentiality also allows a safe environment for discussion and information-sharing by those who may otherwise not speak due to fear of job loss, possible damage to relationships with other employees, or salary and career repercussions. In the continuum of alternative dispute resolution, ombuds officers are often one of the newest positions established by an organization, (they have been in organizations in the United States for a mere 50 years), but in truth, this type of position has been in existence for centuries. A history of the development of the ombuds concept is necessary to understand how an ombuds officer works in U.S. organizations today.

**Background**

Credit for the concept and development of an ombudsman belongs to King Charles XII of Sweden according to scholars (Bexelius, 1968, p. 10). Charles XII fashioned this in 1709 (according to Caiden as cited in Howard, 2010, p. 3) as a position similar to one in medieval Germanic tribes who coined the term ombudsman as an individual who would “collect fines from remorseful culprit families to give to the aggrieved families of victims.” In 1809, the parliamentary government in Sweden
enacted a law creating the “justitieombudsmann,” a position that was implemented to ensure that government officials followed the law and fulfilled their obligations.

The justitieombudsmann, or civil ombudsman, was a commissioner for the judiciary and the civil government and the position was designed to maintain the balance of power as per the Swedish constitution (Jägerskiöld, 1961, pp. 1077-1078). The civil ombudsman was established as a liaison between courts and administrative agencies and the citizens served by them. The civil ombudsman ensured that executive duties were followed according to the intent of the law and to maintain the country’s service to the citizenry (Bexelius, 1968, p. 11). An ombudsman was independent of government administrators and the parliament and could not be given direction by courts or government officials regarding what to investigate or how to decide cases coming before the office (Bexelius, 1968, p. 13). The ombudsman had to have a clear understanding of legal issues and have an upright moral character. This ombudsman had official investigative powers and was able to prosecute elected officials (Howard, 2010, p. 4).

The justitieombudsmann often provided recommendations to the judiciary and parliament based on issues that were presented before the ombudsman office. This civil ombuds idea worked so well, that by 1915 a militieombudsmann was established to oversee Swedish military authorities. Other countries subsequently created an ombuds position. The Finnish Parliament established an ombuds position in 1919, and Norway created a military ombudsman in 1952 and a civil ombuds position ten years later. Denmark created a position in 1955, but it did not have the authoritative position as allowed by the preceding countries (Howard, 2010, p. 4-5)
Ombuds officers generally have some of the characteristics today that they had centuries ago, with the exception of judicial authority and subsequent responsibility to the public. Donald C. Rowat, an attorney, influenced the establishment of the ombudsman in the United States and provides a description of the Canadian ombudsmen, one of the first established in North America (Rowat as cited in Howard, 2010, p.5):

All of them can receive and investigate any written complaint, which can be submitted in a sealed envelope without reference to any superior authority. All can initiate investigations and make inspections, without first having received a specific complaint. All can call upon government agencies to give reports and all have the power to demand departmental records. All are appointed by Parliament, are entirely independent of the executive, and report annually to a special committee of the House. All can comment critically on official actions in their annual report, and all can make a report on an urgent matter at any time.

In the United States in 1961, Kenneth Culp Davis, a law professor started examining the possibility of an improved process to address obstacles in the workings of government. Davis investigated the ombudsman of Scandinavia and began writing about the opportunities an ombudsman could bring to the U.S. government. “When a bureaucrat irritates you, or delays too long, or requires too much red tape, or denies what you want, you can quickly and easily get relief, if you are entitled to it, by merely writing to the Ombudsman” (as cited in Howard, 2010, p. 6).

In the mid-1960s, others began writing more about the idea of the ombudsman position for the benefit of corporations. Walter Gellhorn initially developed some of these ideas. In 1966, Gellhorn published *Ombudsmen and Others: Citizens’ Protectors in Nine Countries* and *When Americans Complain: Governmental Grievance Procedures* (Verkuil, 1975, p. 845). This research laid some of the groundwork by presenting ombuds
functions in other nations and possibilities for the United States. Isidore Silver published an article in the *Harvard Business Review* titled, “The Corporate Ombudsman” (Howard, 2010, p. 15). Silver described the ombudsman office as a way to ensure justice within organizations and provide an outlet for communications. Silver discussed the ombuds role as “conducting investigations…interpreting company policy, recommending decisions, and creating a body of precedent” (as cited by Howard, 2010, p. 16). In 1969, Stanley Anderson published a book, *Ombudsman Papers: American Experience and Proposals*. Anderson described that, “standards for an Ombudsman require him to be independent, impartial, expert, accessible, informed, and empowered only to express an opinion” (as cited by Howard, 2010, pp. 16-17). Foegen added in 1972 that an ombudsman should be neutral, and if “appointed from the community by unions and management, could make many grievance procedures work better” (as cited by Howard, 2010, p. 17). Thus from the 1950s to the 1970s the writings of Rowat, Culp, Gellhorn, Silver and Anderson, contributed to the discussion and the development of the ombuds officer in the United States (Howard, 2010, p. 6).

The first ombuds offices were implemented in the United States in the 1960s and 1970s, as federal and local governments, education systems, and organizations pursued the establishment of a position that would be a liaison between organizations and
employees or users of the goods and services provided by an agency. Ombuds officers\textsuperscript{2} were established in nursing homes and long-term care facilities to provide advocacy for patients and their families. Local governments appointed citizen advocates to assist with constituent complaints or to facilitate citizen’s difficulty accessing public services. Universities hired ombuds officers to deal with the violence and protests that sprung up on campuses in response to the Vietnam War, as well as to deal with significant changes as more and varied students, (the addition of women and international students), filled college classes. University and college administrations found the necessity to reorganize in order to handle the influx of increasingly liberated students who found a voice to challenge authority. Recently, human rights ombuds officers have been established in some countries to oversee democracies and the fair and ethical treatment of people.

Organizational ombuds officers often serve different functions in an organization according to the needs of the company and the industry in which the ombuds works. There are several categories of ombuds officers as designated by ombuds organizations. The primary ombuds classifications as presented by ombuds associations and current ombuds officers in the United States are: legislative/classical, and organizational.

\textsuperscript{2} Many ombuds associations use the term “ombudsman” to describe this position. As per the IOA webpage (http://www.ombudsassociation.org) “The term ombudsman is used to communicate to the widest possible community and is not intended to discourage others from using alternatives. IOA respectfully acknowledges that many practitioners use alternative forms of this word” Journal of the International Ombudsman Association, 1, 1, 2008, p. 38. Many organizations also use the generic term “ombuds.” For the sake of ease in this paper and in keeping with more generic terminology, the term “ombuds” or “ombuds officer” will be used from this point on, rather than ombudsman, ombudsperson, or ombudswoman.
The International Ombudsman Association defines a legislative/classical ombudsman as a part of the legislative branch of a government entity that addresses issues raised by the general public or internally, usually regarding the actions or policies of government entities, individuals or contractors with respect to holding agencies accountable to the public. Legislative/classical ombuds officers have the ability to investigate and make recommendations to the government entity that they serve. By nature of the job, legislative/classical ombuds officers have some influence over systems larger than what organizational ombuds officers may have.

An organizational ombuds officer primarily serves employees of an organization or those internal to an organization, but may also be available for outside consumers or investors. Organizational ombuds’ influence and work is mostly within the organization. Organizational ombuds officers may influence the office itself by collaborating with other ombuds officers performing similar jobs in the United States for purposes of information sharing, mentoring, and/or to work on recommendations for ombuds officer taxonomy. For example, IOA members have worked together on the development of Uniform Reporting Categories for organizational ombuds officers that may be found in Appendix C.

It has been difficult for ombuds officers in the United States to agree on the exact definitions of these legislative/classical and organizational categories. Rowat states, the “dispute resolution movement,…in effect,…[has] hijacked the word ‘ombudsman’ for its own purpose” (2007, p. 46). Rowat adds (2007, p. 50):
Various types of complaint-handlers, now using the word, are so different that we should be careful to distinguish them from one another by the use of an adjective..., so as not to confuse them with the preferred legislative model...More important, steps should be taken to restore the classical concept to its former lustre (sic).

While Rowat has a point, organizational ombuds officers have proven valuable to organizations and the roles of these ombuds officers may be different according to the needs of an organization. As noted, legislative/classical ombuds officers act as liaisons with government entities, ensuring that constituents are receiving services as they should, and providing feedback to branches of governments in order to improve services as necessary. Organizational ombuds officers have morphed into something different, while maintaining some similarities; some may still act as liaisons, while others primarily provide coaching or assistance to address conflict within an organization.

**History of the Ombuds Institution in the United States**

In general, ombuds officers in government agencies may have a legislative/classical focus, while ombuds officers in private sectors may have more of an organizational focus. To best understand the evolution of ombuds officers in the United States, the following historical descriptions are divided into legislative/classical and organizational ombuds officers. These descriptions do not include all ombuds officers introduced in the last fifty years, but provide selected examples.

*Legislative/classical ombuds officer:* In the early 1960s, state legislatures in the United States began introducing bills to establish ombuds officers in individual states. These were the first classical ombuds officers recommended in this country. The first bill was introduced by Connecticut State Representative Roger Eddy (Unruh, 1968, p. 111),
although this legislation was never passed successfully. Hawaii was the first state to implement a state ombuds position in the United States. Speaker of the Assembly of the California State legislature, Jesse Unruh, had presented the bills to attempt the establishment of this position both in 1965 and 1967. Establishment of an ombuds office for many states in the nation was difficult as no government had any real understanding of the position (Unruh, 1968, p. 113) and how it would interact with current systems. It was largely determined at that time that interactions with constituents and various government agencies were better handled by staff at legislators’ offices in consult with the seated member (Unruh, 1968, p. 118) rather than with an ombuds. In fact, most state legislators, councils, or assemblymen saw the ombuds role as duplicating or interfering with their work in state government.

Ombuds officers were established in the United States for the purposes of citizen advocacy and patient care for individuals in nursing homes and for children in institutionalized services in 1972. States were charged with the task of creating long-term care ombuds officers to address problems in long-term care facilities for individuals, groups of patients and to address systemic changes needed for corrections to deficient service. While long-term care ombuds officers provide assistance and advocacy, they typically do not provide advocacy in a court setting. According to Hoffman, Grob, Schlesinger (2010, p. 153):
Ombudsmen were incorporated into the Older Americans Act in 1978, extended to mental health services during the 1980s, adopted as state-administered insurance reforms during the 1990s, and made a part of Medicare in 2003. Federal support for state-administered ombuds programs was incorporated in the recently enacted Patient Protection and Affordable Care Act.

In 1979, the Taxpayer Advocate Service (TAS) introduced an ombudsman within the IRS. The TAS ombuds responds to consumer complaints against the IRS, attempting to assist in resolving these disputes (Omarova, 2012, p. 649). This ombuds also serves to have an impact on systemic problems by recommending potential legislative and administrative changes through an annual report to Congress. This classical ombuds consequently has a great amount of agency power, unlike most organizational ombuds. The Office of Special Counsel and the Office of Government Information Services (OGIS) (more about this office below) serve similarly to the TAS and other ombuds officers (Levin, as cited by Clark, 2010, p. 382). All these offices may also serve in an assisting and advocacy role.

McDonnell and Schwarcz classify roles such as the TAS as regulatory contrarians. Regulatory contrarians are mostly limited to areas of consumer protection and consumer services (McDonnell and Schwarcz, 2011, p. 1629). These regulatory contrarians work as consumer advocates, watching for and advocating for appropriate treatment of customers by the agency for which they are employed. Some of these ombuds may investigate complaints and make recommendations for organizational changes, or even make suggestions for legislative actions (McDonnell and Schwarcz, 2011 p. 1653).
In 1984, an ombuds officer position was created through the Environmental Protection Agency (EPA) to manage issues arising in regards to the Resource Conservation and Recovery Act (RCRA). When the authority for this office expired in 1989, the ombuds remained available to work with the Superfund and other EPA actions. In 2001, this ombuds was prevented by Congress in having any part of issues that were a subject of litigation, so became less regulatory and more assisting; somewhat outside the definition of the legislative/classical ombuds. The Superfund/EPA ombuds was then moved to the Office of the Inspector General when Congress limited its authority.

There have been attempts to establish a general ombuds office in the federal government in the United States. An American Bar Association resolution in 1971 initiated a recommendation for the implementation of the office, but a Congressional bill failed to pass (Howard, 2010, p. 22). According to Levin, members of the United States Congress have also functioned similarly to ombuds officers while in the role of providing services and resolution of issues for constituents (as cited by Clark, 2010, p. 382). As with state legislatures, Congress has firmly maintained its necessity to retain this type of function and relationship to its constituents and has often shut down attempts to create more ombuds-like positions to usurp this (Clark, 2010, p. 382).

Many other agencies in the U.S. have established ombuds offices. The Smithsonian Institutions established an ombuds in 1977; the United States Information Agency (USIA) established an ombuds in 1985; and in 1987, the U.S. Secret Service established an ombuds (The Federal Workplace Ombuds, as cited by Howard, 2010, p. 22). The Administrative Conference of the United States, a public-private partnership
established to promote efficiency in the federal government, proposed in 1990 that “all government agencies that interact frequently with the public consider establishing an ombuds service to deal with grievances from the public” (as cited by Howard, 2010, p. 22).

More recent classical ombuds have been established by the governments in the 1990s and early 2000s. Upon the establishment of the Community Development and Regulatory Improvement Act of 1994, an ombuds position was implemented by the Federal Reserve Board to handle issues related to regulatory matters. This ombuds officer would act as a facilitator or mediator, direct complainants to access the appropriate appeals processes, and take other steps necessary to ensure complaints were handled in a timely or efficient manner. In 1996, the Administrative Dispute Resolution Act (ADRA) began focusing on alternative dispute resolution programs, including ombuds officers (Howard, 2010, p. 23). The establishment of ombuds in the federal government, as in other arenas, is complicated by the incomplete acceptance of the definition and practices of the ombuds officer position. The position also threatens to overlap with the jobs of others.

In 1997, Utah’s state legislature created the position of Office of the Property Rights Ombudsman (OPRO). This was in response to state concerns about eminent domain. This ombuds office has decreased litigation against property owners significantly, by seventy-five percent (Call, 2010, p. 375). The OPRO is the first step in dispute resolution and is staffed by attorneys and available to assist with disputes in, “cities, counties, school districts, utilities, and other government entities that have the
power to regulate land use, impose impact fees, or use eminent domain” (Call, 2010, p. 375).

Other towns and communities, while they do not have general ombuds officers for all community concerns, may have ombuds officers to handle conflict resolution for specific projects. The San Francisco Public Utilities Commission utilizes ombuds as neutral parties to oversee and facilitate safety management meetings for contractors working on mega infrastructure projects (Bjornsen, 2012, et al., p. 44). That is the limit of the position.

Several other federal ombuds are as follows: A Victims’ Rights Ombudsman was established inside the DOJ in 2004. This ombuds officer provides limited representation when victims have conflicts with a prosecuting attorney. This ombuds will receive the complaint when the case involves only a single victim (Zimmerman and Jaros, 2011, p. 1385). The OGIS ombuds was established by Congress in 2007 to provide ombuds services to those making Freedom of Information Act requests (Clark, 2010, p. 383).

In 2010, the Dodd-Frank Wall Street Reform and Consumer Protection Act established the implementation of ombuds programs for the Securities and Exchange Commission (SEC) and ombuds offices within the new organization called the Consumer Financial Protection Bureau (CFPB). This ombuds acts as a neutral and confidential position to assist financial investors in disputes or concerns with the SEC (Kosakowski, 2010, p. 80). In 2012, a Private Education Loan Ombudsman was implemented in the new CFPB in order to assist students whose loan payments were not being applied
properly, or those who were having other issues regarding private school loans (McDonnell and Schwarcz, 2011, p. 1671).

The SEC’s Office of the Whistleblower was implemented in August 2011. Maharaj states that it is generally better and less costly for companies to have internal mechanisms to deal with complaints, and due to fines and penalties that might be imposed by the SEC, it may behoove companies to establish ombuds offices to address concerns of whistleblowers (“Is an Ombudsman Right,” 2012, para. 6). Maharaj also notes that according to Jonathan McBride, 30% to 75% of employees in any company might see questionable ethical conduct by others in the organization in any one year. One-fourth to one-third of employees does not report this conduct (“Is an Ombudsman Right,” 2012, para. 11). An ombuds officer may offer an opportunity for employees to have a neutral and confidential contact to discuss how to address these concerns.

Abedin lists a number of other types of legislative/classical ombuds officers now working in the United States (2012, p. 896):


According to the International Ombudsman Institute (IOI) Annual Directory 2009, there are also the following: Federal Student Aid Ombudsman, EPA Ombudsman, Federal Language Ombudsman, Federal Ombudsman for Victims of Crime, and Small Business...
Administration Ombudsman. Raines lists a number of different corporate ombuds officers now operating at the following companies (2012, p. 111):


*Organizational ombuds officers:* The first organizational ombuds office, a university ombuds office was put into place in 1966 at Eastern Montana College (Janzen, 1971, p. 200). The following year, Michigan State University established an ombuds (Stieber as cited in Alcover, 2009, p. 277). As of 2009, ombuds offices were present at approximately 200 colleges and universities in the United States. University ombuds typically do not have executive roles within the university system, but may influence the educational organization through reports of trends and recommendations (Alcover, 2009 p. 277).

According to Janzen, “campus disruptions accounted for almost one-fourth of the main reasons university planners of the late sixties and early seventies looked to the ombuds idea as a possible solution to pressing problems” (1971, p. 201). University ombuds officers understood the fact that issues, protests, and lack of communication between students and administration could not be solved merely by enforcing rules; it was a new age. Students were becoming more sophisticated, and a neutral, confidential party that could hear concerns and facilitate the resolution of such concerns could decrease some of the tensions and confrontations and assist to maintain a healthy learning
environment. Ultimately the hope was that this would alleviate campus unrest, including the increasing violence and fatalities that were occurring on campuses around the nation. It was hoped that this type of ombuds officer would be an assisting ombuds; allowing for greater, more productive communication to alleviate conflict.

Issues raised to the ombuds in a university setting may be different than those in corporate settings and may include: conflicts over grades received; conflicts with professors or others on campus; conflicts between professors; or interference with personal rights and liberties (Alcover, 2009, p. 277). Ombuds officers in universities often carry both authoritative and legitimate power on campuses (Alcover, 2009, p. 279), but it does not mean that they have investigatory or regulatory powers in this arena. Many university ombuds have previously worked as a professors, deans, or department directors and have relationships with others in the educational setting. Some ombuds continue to provide some teaching at the university; this is controversial as other professors and students see it interfering with the ombuds officer’s confidentiality. If ombuds officers teach classes, students may believe the ombuds supports other professors in his/her role. Likewise, professors may see the ombuds officer as the one professor with too much “power” to influence professors on behalf of students.

Shelton, who was an ombudsman for the University of Kansas, developed several criteria he saw as necessary for a university ombudsman (2000, p. 83):

1) Experience in the community;
2) Independence;
3) Impartiality and neutrality;
4) Investigation; and,
5) Recommendation responsibility.
Shelton and others believed that for a university ombudsman to be effective, one must come from the ranks of educators at the university, but also have a history of ongoing and effective communication with students. When managing issues between students and administration, he found that being part of the faculty gave the ombuds clout with other professors. Being a fair professor while he was teaching, allowed students to have confidence in his fairness.

In 1967, the first newspaper ombuds was appointed in Louisville, Kentucky for the *Courier-Journal* and the *Louisville Times*. A newspaper ombuds was implemented as a result of public complaints of bias and inaccuracy in news stories. The idea for an ombuds officer-type of position for newspapers was initially established in 1913 as part of *The New York World* Bureau of Accuracy and Fair Play. A committee of ombuds-like individuals was established at that time to investigate complaints (Maezawa, 1999, “The Controversy Over the Origins,” para. 4, 5). A newspaper ombuds officer may not only assist readers with complaints, but may work in a somewhat investigatory and/or regulatory role. According to the Organization of News Ombudsmen (ONO) there are three objectives for a newspaper ombuds officer: 1) to promote fairness and accuracy of the newspaper; 2) enhance the credibility of a paper; and, 3) to bring issues of concern from readers back to editors and writers at a paper (http://newsombudsmen.org).

There are newspaper ombuds operating all over the world, but only twenty ombuds operating in thirteen states, according to the ONO (http://newsombudsmen.org/). Most of these ombuds represent print media. There are also ombuds officers for National Public Radio and ESPN. Opponents of these news ombuds positions are concerned about
First Amendment rights and the ombuds’ ability to regulate news (Kenney and Ozkan, 2011, p. 39) thus the concept has fallen out of favor in the U.S. There have been concerns about news reports being edited, altered, complained about, or squelched according to public input. As stated on the ONO website, a newspaper ombuds’ original charge was, “Monitoring the accuracy, fairness and balance of the world’s news media.”

It was more than a decade later that a true corporate officer was proposed in the United States. In 1985, defense contractors were beginning to realize a need for an ombuds position. “As of May 1985, 131 separate investigations were pending against 45 of the (Department of Defense’s) 100 largest contractors” (as cited in *President’s Blue Ribbon Commission on Defense Management Conduct and Accountability: A Report to the President (Packard Commission Report)* in Howard, 2010, p. 18). There were concerns about contracting, billing, use of materials, and falsification of documents. In 1986, eighteen of the largest Defense contractors met and formed the Defense Industry Initiative on Business Ethics and Conduct (DII) (Howard, 2010, p. 19). In order to address conduct and ethics in companies, this group recommended that corporations implement an ombuds officer position. In 1987, fifty new ombuds officer programs were implemented in North America, and there were as many as 200 ten years later (as per Rowe and cited by Howard, p. 20).

Some organizations have ethics officers as well as ombuds officers. While an ethics officer is typically responsible for ensuring organizations follow all laws and regulations for their business, ombuds officers may hear of alleged ethics violations, may even investigate potential violations if that is their role in the company, but will not take
action beyond that to manage the complaint. Ethics officers are responsible for the development of corporate policies to ensure ethical behavior and are responsible for the training to disseminate information about such policies. Ombuds officers do not write organizational policies or ensure organizational understanding or compliance with policies according the Society for Human Resource Management (http://www.shrm.org/templatetools/samples/jobdescriptions/pages/cms_014713.aspx)

It seems that since 2000, the number of organizational ombuds officers has grown exponentially. In 2001, the office of the International Franchise Association (IFA) established an ombuds officer position. This ombuds is available to deal with conflict between franchisees, and franchisers. The IFA does not require two-party participation and may provide information or coaching to one party or the other. Franchise data is maintained or researched by the ombuds officer, and the ombuds provides this report to franchising parties (Vandittelli interview, 2010, p. 44).

In this age of economic uncertainty, some healthcare companies have filed for bankruptcy while continuing to provide patient care and services. The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 has sought to protect patients during this process, and required the creation of an ombuds to monitor the provision of patient care to ensure quality care continues to be given while organizations are in the midst of financial woes and restructuring (Spainhour, 2008, p. 207). This ombuds officer is available for patients and the ombuds is required to prepare reports every 60 days regarding patient concerns and quality of care provided by a healthcare organization in bankruptcy. The ombuds is responsible for publicly posting information about inadequate
or detrimental healthcare in a place where the information will be seen by patients (Spainhour, 2008, p. 208.) There are controversies with this type of ombuds as the ombuds officers hold some authority over the healthcare practice. It is hard to define what is adequate and inadequate patient care when the ombuds officer makes and reports his or her evaluation; for example, does an ombuds deem care inadequate when too many patients are getting secondary infections, or only when inadequate or inappropriate care is life threatening?

Kosakowski describes several ombuds positions that have been proposed between 2008 and 2010 in the United States. An ombuds officer was proposed for the Transportation Security Administration (TSA) in order to deal with concerns regarding air marshals (TSA Management Directive No. 2300.1). An ombuds was proposed for the Department of Treasury in order to address concerns of individuals regarding financial institutions. (This is separate from the ombuds officer that addresses financial investments now available through CFPB). The Office of the Director of National Intelligence proposed establishing an ombuds to address concerns about issues revolving around security clearances for government and intelligence positions (Kosakowski, 2010, p. 81).

In 2012, Edwards, et al. proposed that a Safety Ombudsman could be established for corporations that design and create healthcare products, including pharmaceuticals and medical devices (2012, p. 269). In response to concerns about problems and poor quality reported in a 2006 Institute of Medicine article, the proposed ombuds would allow communication in order to ensure excellence in medical products, adherence to
regulatory compliance, and allow for providing an entry for potential whistleblowers (pp. 265-266).

An ombuds was proposed as part of the Affordable Care Act to assist in health insurance exchanges. O’Reilly discusses the benefit of this position to states that have opted out of providing the healthcare exchanges within the state, and instead will have residents rely on the federal exchange (2013, p. 6). This vice mayor of the city of Wyoming, OH, and University of Cincinnati College of Law professor encourages state legislators to implement this position.

Lee and Hunt have also discussed the potential need for ombuds officers that would provide oversight to medical companies in order to protect the rights of patient’s access to medications (2012, p. 227). The World Health Organization (WHO) requires this commitment to health and the highest standards for human rights as they pertain to access to medical interventions. The authors would envision an ombuds that would serve individual pharmaceuticals or a group of pharmaceutical companies. Specific to this study, Lee and Hunt noted that GlaxoSmithKlein should commit to initiating the services of an ombuds office in order to uphold this Universal Declaration of Human Rights (Lee and Hunt, 2012, p. 230).

In August 2012, Brandl discussed the creation of an ombuds position that could be useful within an information technology (IT) organization. This IT ombuds would go a little outside the definition of ombuds, and would be for the purposes of identifying and bringing to light support problems (Brandl, 2012, “When Outsourcing is Slow-Sourcing,” para. 9). This position may be similar to the complaint handler referred to previously.
Ombuds officers may be found in many organizations in the United States: educational institutions, medical facilities, state and local governments, federal governments and corporations. This section has discussed only some of the ombuds offices in the nation. The progression of implementation of selected ombuds offices in the United States may be seen in the diagram that follows. I utilized select offices in this research to create this figure as a sample of the development of U.S. ombuds offices. This is only a representative sample.
Figure 1
Introduction of the ombuds office in organizations in the United States (selective examples)

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>1966</td>
<td>University Ombuds</td>
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<tr>
<td>1967</td>
<td>Newspaper Ombuds</td>
</tr>
<tr>
<td>1972</td>
<td>Long-Term Care Ombuds</td>
</tr>
<tr>
<td>1979</td>
<td>Taxpayer Advocate Service within the IRS</td>
</tr>
<tr>
<td>1984</td>
<td>EPA Ombuds for Resource Conservation and Recovery Act (RCRA)</td>
</tr>
<tr>
<td>1987</td>
<td>U.S. Secret Service Ombuds</td>
</tr>
<tr>
<td>1994</td>
<td>Federal Reserve Board Ombuds</td>
</tr>
<tr>
<td>2001</td>
<td>International Franchise Association Ombuds</td>
</tr>
<tr>
<td>2005</td>
<td>Patient Care Ombuds</td>
</tr>
<tr>
<td>2010</td>
<td>SEC Ombuds created by Dodd-Frank Reform</td>
</tr>
<tr>
<td>1969</td>
<td>State Government Ombuds</td>
</tr>
<tr>
<td>1975</td>
<td>Corporate Ombuds created through Department of Defense Organizations</td>
</tr>
<tr>
<td>1985</td>
<td>National Institutes of Health Ombuds</td>
</tr>
<tr>
<td>1997</td>
<td>Department of Justice Victim’s Rights Ombuds</td>
</tr>
<tr>
<td>2004</td>
<td>Ombuds created for Freedom of Information Act (FOIA)</td>
</tr>
<tr>
<td>2007</td>
<td>Ombuds created for Freedom of Information Act (FOIA)</td>
</tr>
<tr>
<td>2012</td>
<td>Private Education Student Loans Ombuds</td>
</tr>
<tr>
<td>2012</td>
<td>Inspector General Whistleblower Ombuds</td>
</tr>
</tbody>
</table>

25
As ombuds offices started in the United States, many ombuds officers banded together to form associations for support and training. The United States Ombudsman Association (USOA) was founded in 1977. This is an association of public sector ombuds who work with local, state and federal governments. These ombuds work somewhat differently than organizational ombuds in that they investigate complaints and concerns presented by citizens regarding government services. The USOA supports public sector ombuds officers. These ombuds do not act as citizen advocates, but conduct investigations about possible errors or unfairness on the part of government agencies. Ombuds then make recommendations for correction. Public sector ombuds may advocate for system changes, but only as changes relate to the whole and not specifically on behalf of individual citizens.

Organizational ombuds officers began forming professional groups in 1982 and the first ombuds conference was held in 1984 in Falmouth, Massachusetts (Howard, 2010, p. 17). The University and College Ombudsman Association (UCOA) was established in 1984, and the Corporate Ombudsman Association (COA) was established in 1985. This organization was renamed in 1992 and became The Ombudsman Association (TOA). The name was changed to include ombuds officers from educational institutions, governments and organizations. The mission of this organization was to provide a clearinghouse for ombuds officers, develop mentoring and training programs, and to create ethics and standards for the ombuds position (Howard, 2010, p. 21). In 2005, UCOA and TOA combined efforts and became the International Ombudsman Association (IOA). Levine – Finley and Carter found that some ombuds officers are still
not entirely settled with the combination of all ombuds officers into the IOA. University ombuds miss the camaraderie of UCOA. IOA seems to be a big conglomeration of things (2010, p. 136).

**Ombuds Officer Roles and Perspectives: A Framework**

Gadlin, an ombuds officer for the National Institutes of Health, writes frequently about many aspects of the ombuds office. He states (Gadlin, 2000, p. 37):

Even within the alternative dispute resolution world, people often have only a vague idea about what ombudsmen actually do and how they do it. To some degree people are uncertain about the ombudsman profession because there are so many variations of the role.

In the working world, there are “classical” and “organizational” ombuds officers. The classical ombuds officers take on similarities of the original Swedish ombudsman. A classical ombuds officer may not only hear cases, but also intervene in cases. A classical ombuds officer retains the right to investigate and also publish findings and recommendations (Gadlin, 2000, p. 38), in order to potentially improve a system. Gadlin notes that most of these offices are established through legislation and may have some government component. The classical ombuds could be considered an adjudicator, and as such can conduct investigations, and subsequently may strongly encourage compliance to any findings (Gadlin, 2000, p. 42). A classical ombuds serves a similar function to an ethics officer in many organizations. “The classical role emerged as a way to give ‘citizens a means to pursue grievances against the executive and administrative offices of the government”’ (Gadlin cited in Gadlin 2000, 2012, p. 33).
Organizational ombuds are something entirely different, as they work within an organization, even if they are not part of the hierarchy of the organization. An organizational ombuds officer takes a much more hands-off approach. This type of ombuds is available for individuals needing to voice concerns, and may provide coaching, suggest alternatives, refer people to mediation, etc. The organizational ombuds will very rarely get involved in the direct resolution of the issue. Often these types of ombuds officers are established by organizational leaders to deal with increasing problems internal or external to the company (Gadlin, 2000, p. 39). Organizations moving away from a strict managerial structure often create this position. Gadlin reports that some of the factors that created more of a need for organizational ombuds officers included a more diverse workforce, the increase of tort law, government regulations, equal opportunity and an emerging concern for environmental issues (Gadlin, 2000, p. 41). It is also commonly thought that organizational ombuds officers have an impact on the bottom line of an organization by preventing conflicts from moving up the hierarchy to litigation.

Kolb classifies organizational ombuds officers as either “helping” ombudsmen or “fact-finding” ombudsmen. According to Kolb, helping ombuds officers have the goal of listening to cases and creating individualized solutions to the issues. Fact-finding ombuds officers perform investigations to ensure policies and rules were followed, and make recommendations to the system if they were not (Kolb, 1987, p. 673). The fact-finding ombuds may be most similar to the classical ombuds described by Gadlin, while the helping ombuds is most similar to the pure organizational ombudsman.
Kolb suggests that organizational ombuds officers walk a fine line between helping individual workers resolve conflict, while maintaining the best interests of the company (p. 681). Many ombuds will utilize their influence or favors from others at the company to implement individualized solutions for people. This can rightly or wrongly lead people to go to the ombuds officer for just this type of remedy (p. 683). When an ombuds adopts a more fact-finding philosophy, they may be better able to assist the organization with systemic remedies. They are able to find trends in issues within the organization or different departments within the organization. Fact-finding procedures may also better assist the ombudsman in more specifically addressing individual issues. Stieber, former president of UCOA writes about the ombuds concept (Stieber, 2000, pp. 56-57). She notes:

Common threads run through the conceptual fabric of every ombudsman’s office – all aim to humanize administration, to support fairness, accountability, and equity. All ombudsmen can be approached in confidence. No ombudsman has enforcement or disciplinary powers. All depend on the power of persuasion, as well as the credibility of the office which leads individuals to trust it. Although the process in achieving objectives of fairness and accountability may differ, the product is the same: a chance for ordinary people, those without power or prestige, to be heard and to get fair treatment.

Ombuds officers in the United States can have a dramatic impact on an organization for which they work. As noted earlier, ombuds officers fall into several roles in different organizations: 1) investigatory; 2) advocacy; 3) assisting; and 4) regulatory. Categories typically utilized by ombuds associations are: 1) legislative/classical and 2)
organizational. There have been discussions by the various ombuds organizations and
disagreement with these last classifications, as they do not seem to always allow for the
accurate categorization of every ombuds officer due to the nature of the wide variations
of corporations for which they work. For the purposes of this thesis, I will examine
ombuds officers as they fit an investigatory, advocacy, assisting, and/or regulatory role in
their organizations in order to define the classical or organizational roles by smaller
categories. These smaller categories may provide a clearer demonstration as to how
ombuds officers work in organizations; however, even these categories may not be
discrete definitions and there may be some overlap of categories in the day-to-day work
of an ombuds officer.

Merriam-Webster defines investigatory as making “a systematic examination; especially: to conduct an official inquiry. Assisting is defined as giving someone “support or help: to make it easier for someone to do something or for something to happen.” Advocacy is defined as supporting or arguing for a “cause or policy,” working “for a cause or group,” or arguing for the “cause of another person in a court of law,” defending or maintaining a “cause or proposal,” supporting or promoting “the interests of another.” Finally, Merriam-Webster defines regulatory as working in “the act of regulating; the state of being regulated; (explaining or enforcing) an authoritative rule dealing with details or procedures.”

Investigatory ombuds would be similar to those as defined by the original Swedish ombuds; individuals who conduct investigations into wrongdoing and may have the authority to provide recommendations. An investigatory ombuds may not have
authority to ensure that those recommendations are followed. An assisting ombuds officer provides information and ideas to visitors in order to assist them in resolving conflict. An assisting ombuds officer may provide coaching or mediation to assist a visitor, but would not be advocating for one party over the other. This is a primary task of many ombuds officers in government structures, universities, service organizations, and corporations.

The advocating ombuds officer works on behalf of a customer or visitor to represent that person, either by supporting and speaking on behalf of that visitor in resolving a conflict, or perhaps even by representing the visitor legally if the ombuds officer is a practicing attorney. A regulatory ombuds officer is often introduced to an organization after there has been some breach of rules, regulations or business practices at the organization. This ombuds officer is a confidential party that may serve as a contact for potential “whistleblowers,” concerned financial investors, or consumers aware of a breach. The regulatory ombuds officer may gather information about an alleged offense and pass this information on to official authorities, may investigate and substantiate information, or may assist the perceived damaged party with recommendations or referrals in order to address the conflict. The regulatory ombuds officer ensures regulations are followed.

This section provides more detailed illustration of these four specific roles as seen in ombuds officers in the United States. The categories are not mutually exclusive. Some ombuds officer’s roles overlap.

*Investigative Role.* Las Vegas implemented a Coroner’s Inquest Ombuds Office in 2011. The position was created to ask questions on behalf of victim’s families, (victims being suspects in police care or killed by police actions), in order to gather facts
regarding the death. This ombuds worked both as an investigatory ombuds officer as well as in an advocacy position as the coroner’s ombuds represents families. There was some controversy about this type of position. Prosecuting attorneys felt the coroner’s ombuds officer muddied the waters by asking questions of potential defendants before attorneys conducted the discovery process prior to trials. In January 2013, the Clark County Commission voted to eliminate the ombuds position and in its place is utilizing a “police fatality review process,” which includes a modified ombuds role (Shine, 2013, para. 2, para. 8-11). The ombuds officer will still be available to represent families and “will receive access to investigatory documents used by the prosecutor;” the officer does not have the authority to call witnesses, but may question witnesses during an inquest.

An anti-bullying ombuds was created in Cheyenne, Wyoming in early 2012 as a temporary liaison between parents and the schools. As bullying was occurring between students, parents were upset and the school district was frustrated at the difficulty in communicating with parents regarding this emotional and personal situation. This ombuds not only provided education, but investigated the cause of bullying in the schools. The temporary ombuds office was dissolved after only four weeks in place (Curtis, 2012, para. 7).

Recently, an ombuds to address military misconduct has been proposed. A Crime Victims’ Rights Ombudsman would “receive, investigate and remedy complaints against Department of Defense employees who violate or fail to provide rights established under the Crime Victims’ Rights Act of 2004” (Blumenthal supports new bipartisan legislation reforming military justice system, 2013, para. 8). This would enhance the Military
Justice Improvement Act of 2013, and provide a neutral person, an advocacy ombuds, to assist in matters of sexual conduct in the military among other potential criminal activities.

Advocacy Role. Advocating ombuds officers are typically in government agencies and are available to provide representation for those who do not have a voice in regulatory proceedings (Stein, 2011, p. 513). The primary difference between advocates and other ombuds are that advocates are not neutral and are designed to exert influence on others in order to obtain preferred outcomes for constituents. Stein notes, “the idea of a proxy advocate is simple: The government creates one agency to influence the decisions of another agency” (Stein, 2011, p. 515). The Consumer Financial Protection Bureau is an example of an agency that uses an advocate type of ombuds. The CFPB ombuds also serves a regulatory role.

Another example of an advocating ombuds officer is found in the role of military ombuds. The Navy’s Ombudsmen-at-Large “act as a focal point for the important flow of information from Navy Ombudsmen, Sailors, and their families to the (Chief of Naval Operations) CNO. They serve as an advocate for the Navy Family Ombudsman Program” (Moody, 2010, para. 5). This ombuds is able to advocate on behalf of families in order to access services or gather important information.

On August 8, 2012, the Department of Justice Inspector General announced the creation of an ombuds officer to advocate for whistleblowers. The General Whistleblower Ombudsman would be available to assist those reporting on agency fraud, waste or criminal conduct with “respect and consideration” from the agency and government
entities (DoJ IG Whistleblower Ombudsman, 2012, para. 5). The Dodd-Frank Act has created requirements of the Securities and Exchange Commission (SEC) for the establishment of better means to protect consumers. The Office of the Investor Advocate is required to hire an ombuds officer who will advocate for investors and report to Congress (House Financial Services Committee Hearing, Office of the Investor Advocate, 2013, Testimony by White). Reporting to Congress may also put this ombuds officer in an investigatory role.

In July, after the failure of five states preparing to conduct demonstration projects combining services for individuals under both Medicare and Medicaid services as per requirements of the Affordable Care Act, it was proposed that each project in the five states include services from an ombuds officer. This ombuds officer would be able to advocate for the consumer as they move from receiving dual services to receiving future services under private managed care. The ombuds would also be able to educate consumers as well as identify trends and problems that may need to be addressed or be needed to improve services (Burke, 2013, p. 3).

Assisting Role. Wagner discusses the ombuds officer as a change agent within the organization. She states (Wagner, 2000, p. 99)

Though the organizational ombudsman’s role may sometimes be regarded as only a facilitator of individual problem solving, in fact the ombudsperson is ideally situated within the organization to make recommendations for systemic change, based on patterns of complaint brought to the office…. In addition to being a vital component of the organizations conflict management system – (they) may also participate in designing, evaluating and improving the entire dispute resolution system for the organization.
Ombuds officers can assist leadership at an organization by guiding a process to determine interventions for systemic concerns (Wagner, 2000, p. 108). The ombuds described by Wagner may be seen as assisting ombuds that through trend reporting may impact the system.

Many university ombuds maintain an assisting role. At Ohio University where a new ombuds started several years ago, the role is defined as being a source of information and referral, a person to answer questions and to resolve concerns and “critical situations” (New University Ombudsman Appointed, 2010). This ombuds also exists to identify trends and pass them off to the university leaders for possible improvement.

Another assisting ombuds officer can be found in Maine. Maine has hired an ombuds as of March 2013 to be the first public access ombuds. This ombuds officer will act as an “information traffic cop, answering basic questions and directing citizens to sources of public records” (Shepherd, 2013, para. 5). With the requirements of the Freedom in Information Act, the ombuds will enhance the public’s ability to access information, answer questions, resolve complaints and if necessary improve the law that created this position in 2007 via the attorney general’s office. This ombuds officer will be available to mediate disputes and will be an advocate for public access to information. The ombuds does not have authority to enforce agencies to turn over information, so some think this position could be “smoked out” (Davis, a University of Missouri journalism professor, as cited in Shepherd, 2013, para 9). Minnesota has also hired an officer in the state to specifically address concerns in workers’ compensation. This
ombuds helps individuals access the workers’ compensation benefit system as necessary (Featherly, 2013, para. 3).

An ombuds officer has been in place for the International Franchise Association (IFA) since 2001. “The IFA Ombudsman program is a confidential, neutral, independent, facilitative, and informal resource available at no cost to either the franchisor or franchisee” (Vandittelli, 2012, p. 54.) This ombuds provides assistance for both parties in a franchise relationship, can provide education and brainstorm ideas, but does not investigate, advocate or address conflict issues for either party. Along the same lines, the United States Patent and Trademark Office (USPTO) created an Inventors Assistance Center (IAC) to help citizens with patent information and application. During a U.S. House of Representatives hearing on Patent Reform, Thomas, a law professor at Georgetown University stated that the USPTO has found the services of an ombuds officer to be helpful in moving patent applications along in the process (House Small Business Committee Hearing, 2013, Testimony by Jay Thomas).

The Department of Health and Human Services created improved alternative dispute resolution services via reorganization in early 2012 that allowed for the creation of an “organizational ombuds to members of the public and parties to cases” (Office of the Secretary; Departmental Appeals Board; Statement of Organization, Functions and Delegations of Authority, 2012). This ombuds does not provide advocacy, but provides information and assistance.

There have been many recent ombuds officers hired to assist in child and education services. In Pennsylvania, a children’s ombuds is also an advocate and has
authority to conduct investigations regarding the actions of the Department of Human Services. This position was proposed after the death of a child who died due to long-term child abuse. The ombuds officer facilitates the communication between agencies in order to uncover problems noted by each that may indicate child abuse or other serious issues within a home (Czech, 2010, para. 1 and 8). Many other states have followed suit in designing this assisting, advocating, investigatory, and regulatory ombuds officer. States have created the role according to the needs of the state.

A city ombuds officer in Tuscaloosa, Alabama was hired to assist with tornado recovery and to help businesses get through the bureaucracy and steps involved in rebuilding. This ombuds now works as an advocate in order to maintain businesses and bring more business into the Tuscaloosa area but does not represent constituents in a true advocacy role (Taylor, 2012, para. 5). This ombuds now primarily assists businesses in the city of Tuscaloosa in furthering economic growth.

**Regulatory Role.** The Consumer Financial Protection Bureau has an ombuds officer that works in primarily a regulatory role. According to Dempsey the ombuds officer serves five major functions: 1) supervision of the examination process, 2) enforcement; 3) consumer complaints; 4) supervisory issues to resolve issues; and 5) facilitation of matters between agencies (Dempsey, 2013, p. 26). The CFPB also has a Student Loan Ombudsman that is available to report “to Congress on student loan issues, and has raised concerns about both the amount of student loan debt being carried by Americans, and problems servicing those student loans.” The Student Loan Ombudsman also works to create information for students via the student loan website (*Senate*
Homeland Security and Governmental Affairs Committee Hearing, 2013, Testimony by Petraeus). This student loan ombuds officer works in both a regulatory and assisting role.

The patient care ombuds (PCO) established in 2010 is an example of a regulatory ombuds. While many healthcare organizations are undergoing bankruptcy proceedings, a PCO monitors healthcare services to ensure the continuation of adequate healthcare for patients. The PCO is not required to be an attorney, yet there has been some question as to whether or not the PCO needs to have the ability to retain counsel when there is a requirement for the officer to appear in court regarding these bankruptcy cases of health care organizations. According to Maizel, if a PCO is attending on behalf of a patient, in essence representing a patient, they must indeed have counsel present if the PCO is not an attorney (2010, p. 77).

Select USA is a program aimed at developing investments and attracting business from around the world to the United States. This program supports economic development organizations in order to increase U.S. global competition. An ombuds officer with Select USA is available to help investors with regulatory issues. This ombuds is available to facilitate communication with the investor and federal agencies as well as provide information to policymakers about trends or issues that may impact the foreign direct investments (House Energy and Commerce Subcommittee on Commerce, Manufacturing, and Trade Hearing, 2013, Testimony by Francisco Sánchez).

NAFSA, the Association of International Educators provides support services for international students and teachers. The association assists with training and credentialing for both people employed or volunteering their services (The changing landscape of
global higher education, 2010, p. 5). A Regulatory Ombuds is available to NAFSA associates for informational or regulatory purposes.

The Small Business Regulatory Enforcement Fairness Act (SBREFA) an act creating regulations and enforcement for small businesses has created a need, or a request by small business owners, for an ombuds officer to be able to focus on outreach and education to small businesses that would assist with the understanding of regulations. This ombuds would be able to assist with developing best practices that would perhaps limit the number of regulations required for small businesses (House judiciary subcommittee on regulatory reform, commercial and antitrust law hearing, 2013, Testimony by Narang).

Another recently recommended ombuds officer is the Examination Ombudsman to work within the Federal Financial Institutions Examination Council (FFIEC) to maintain banking examinations for “consistency and quality” (House financial services subcommittee on financial institutions and consumer credit hearing, 2013, Testimony by Burgess). This ombuds serves a regulatory role. There are also assisting ombuds officers in existence to address specific consumer complaints for banks via the FDIC and to address credit union complaints via the National Credit Union Administration.

The following table categorizes the ombuds offices discussed at this point in the thesis. The classifications of the roles of ombuds officers are listed as well as the dates of the implementation of said offices. I compiled this table by examining the research regarding each office in order to determine the classification of the roles. One caveat is that this classification is from the current research I obtained and may not be entirely
complete and may be somewhat subjective. This is a selective list of ombuds officer roles.
<table>
<thead>
<tr>
<th>OMBUDS OFFICE, YEAR FOUNDED</th>
<th>INVESTIGATORY</th>
<th>ADVOCACY</th>
<th>ASSISTING</th>
<th>REGULATORY</th>
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<tbody>
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<td></td>
<td></td>
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<tr>
<td>University, (Eastern Montana College, 1966)</td>
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<td>Newspaper (Louisville, Kentucky, 1967)</td>
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<td>X</td>
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<td>Nursing Home (1972)</td>
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*a* Refers to regulation of news

*b* Regulatory role for this expired in 2001

*c* Limited representation may be provided to victims
The table on the preceding page depicts a selection of ombuds officer positions implemented in the United States since 1966 (with the exception of the first ombudsman from Sweden implemented in 1809 which is included). As we can see from the data, a majority of these selected ombuds officers work in an assisting role. A further breakdown of these roles and trends follows.

National government ombuds officers fall mostly into the assisting category, followed by the regulatory, then advocacy and investigatory. A nursing home ombuds officer may be advocating, assisting and regulatory. The newspaper ombuds officer may be considered investigatory, advocating, and regulatory. State ombuds are primarily assisting, followed by advocating, then regulatory and investigatory. Local government ombuds officers are primarily assisting and investigatory, followed by regulatory. Finally, corporate ombuds officers in these examples are mostly assisting, followed by regulatory, and investigatory. It is good to note that the corporate ombuds listed here were implemented or suggested to be implemented for a group of corporate entities, rather than working as ombuds officers for only one corporation, which may be why many of them serve a regulatory role. A corporate ombuds that is hired to simply work for one corporation may not exhibit the same qualities.

We are able to divide the roles of ombuds officers into these four categories, yet it does not explain completely how an ombuds officer may impact an organization. Ombuds officers can influence systemic changes by providing reports on trends and issues within a company, as noted by examining issues brought by visitors to the ombuds
office. One way to understand this is to somehow classify these issues to better define how they relate to systems within the framework of the organization.

Ombuds officers may be able to have an impact on an organization by utilizing the four frames as defined by Bolman and Deal when describing trends they find in their organizations. By utilizing the four-frame structure, ombuds officers and leadership can organize the issues important to address for systemic change. Ombuds officers typically do not sit on committees or in any way lead a decision-making process, but by the nature of the ombuds officer’s close contact with many in the organization and regular reporting on trends and issues, an officer may be able to categorize suggestions to organizational directors. Ombuds officers are uniquely suited for this task. “From the accumulated hours and hours of attentive listening, the ombuds is aware of the texture and tone of the concerns, as well as the general categories” (Wagner, 2000, p. 109).

When conducting interviews with professional ombuds officers, Levine-Finley and Carter found, “For ombudsmen to prove their value to organizations, several interviewees said they must continuously focus on improving the quality and scope of their practice” (2010, p.130). One way to improve the quality and scope of the ombuds office is to examine what and how the office is utilizing information. An ombuds officer report outlined by the four-frame model as discussed by Bolman and Deal may provide leaders additional information more quickly about any systemic issues hindering progress.
The functions of the ombuds office are to not only assist visitors to the ombuds office, but in addition to compile information (while not identifying visitors or callers) brought to the office and to categorize it according to trends. Most ombuds officers perform this function. While we know that ombuds officers identify trends in complaints or issues and share those with organizational administrators, most ombuds officers do not break this information down into additional categories that would assist in decision-making. Breaking issues down into the four frames (structural, human resource, political, symbolic) may supplement the information ombuds officers provide organizational leadership. By examining further what organizational ombuds officers do in the course of a day, and how they might utilize reframing, we learn more information about how ombuds officers assist organizations.

**Structural Frame.** The structural frame gives focus to the organizational chart of an agency, with the roles and responsibilities that go along with the charted positions. Structure relies on the assignment of control, formal relationships, division of labor, and coordination of efforts in order to achieve organizational goals and objectives. The structures exist to enhance the organization’s environment and technology, (Bolman and Deal, 2003, p. 14). Ombuds officers that see issues pertaining to the structural frame might see misunderstandings of rules, procedures that don’t work that are observed by employees but may be not fully realized by management, or needs for different organizational structure due to newly introduced technology.
In the structural frame, an ombuds officer may notice that inefficient job responsibilities or the creation of unworkable hierarchies are causing difficulties within the company. From a discussion with several members who have separately come to visit the ombuds office, an ombuds may learn information about how others see that task allocation could be handled differently or that some rules are preventing the real work from occurring. For example, a manufacturing company may have engineers developing the manufacturing process to be carried out by metal fabricators, welders, and other assembly personnel. The ombuds officer may hear issues from visitors to the office that once the paperwork is developed and approved by engineering and passed on to manufacturing, the process seems to stop or slow down. Engineers don’t want to take responsibility to ensure the product gets through to production, and the manufacturing floor doesn’t want to take responsibility to pick up the engineering paperwork and do the job. An ombuds officer may notice that there is a glitch in the structure, perhaps the need for a liaison position in the middle, and may categorize this as a structural issue in the executive report to the CEO.

*Human Resource Frame.* The human resource frame, which is based on psychology, “sees an organization as much like an extended family, being made up of individuals with needs, feelings, prejudices, skills, and limitations. From a human resource perspective, the key challenge is to tailor organizations to individuals,” (Bolman and Deal, 2003, p. 14). Most important is the relationship between people and the organization and their reliance on one another. Since organizations need employees to
work at their optimal effort for the company, the organization focuses on the careers and goals of individuals. Ombuds officers who see human resource issues may have visitors coming to the office concerned with not getting along with others, not feeling treated fairly in training or promotional opportunities, or not being in a job suited to them and their skills or needs.

An ombuds officer utilizing the human resource frame may notice that people are having the same complaints or issues in a department and may be able to surmise that there is a personality conflict between people in a department. There may be feelings of jealousy between colleagues or fights between colleagues that can be uncovered and addressed in the human resource frame. Conflicts can occur for many reasons and as the workplace changes over time, an ombuds officer may be able to spot human resource concerns to be addressed. “As people mature, conflict intensifies” (Bolman and Deal, 2003, pp. 120-121) thus the variation of age groups in the workplace may be identified as a cause of conflict in the human resource frame. In the human resource frame, the workplace becomes an extended family. With the changing skills of younger workers, and changing values (i.e. commitment to the company for a lifetime, varying expectations for a work environment, perks or time off, a move to more outsourcing or use of consultants) hard feelings can erupt and create conflict.

**Political Frame.** The political frame, “sees organizations as arenas, contests, or jungles,…Conflict is rampant because of enduring differences in needs, perspectives, and lifestyles among competing individuals and groups” (Bolman and Deal, 2003, pp. 14-15).
Conflict is most obvious in the political frame as power and recognition for scarce resources between competing groups is most present in this frame. Occasionally there is an emphasis on tactics and strategies rather than conflict resolution (p. 15). Some of the issues that may be presented to an ombuds officer related to the political frame might be individuals feeling left out of a particular coalition or group within the organization. People may also come to an ombuds office with distrust of others or concern about their own power in the company.

“Interdependence, divergent interest, scarcity, and power relations inevitably spawn political activity,” perhaps to the point of conflict within an organization (Bolman and Deal, 2003, p. 186). An ombuds officer can help people navigate the system and learn to work within political power relationships. An ombuds may also identify where these relationships are hindering an organization. Political relationships are present in many organizations. An example of political conflict that may occur at an organization could be seen in an employee that has risen from the bottom of a corporation and been with an organization for decades. As employees rise through the ranks, they may gain legitimate power, expert power, referent power or coercive/reward power and use these to maintain the status quo. Long-term employees may have a commitment to the former ways of working in the organization. An ombuds may see issues coming to the office as new and younger employees rise to the level of administration at a company and express frustration at not being able to effect organizational progress. In this instance, an ombuds officer able to identify an issue as being within the political frame may be able to coach
rising stars in agenda setting, mapping the political terrain, networking and building coalitions (as described by Bolman and Deal), within the organization in order to have an impact.

Symbolic Frame. According to Bolman and Deal in *Reframing Organizations*, the symbolic frame (2003, p. 15):

*(Draws) on social and cultural anthropology, treats organizations as tribes, theaters, or carnivals…We rebuild the expressive or spiritual side of organizations through the use of symbol, myth, and magic…Problems arise when actors blow their parts, when symbols lose their meaning, or when ceremonies and rituals lose their potency.*

Culture is most important in the symbolic frame and permeates everything about the workplace. Symbolic issues presented to the ombuds may be less obvious than the others. An ombuds officer may notice a trend in general dissatisfaction, lack of cohesiveness and goal commitment in the organization. Individuals may be unsure of what the organization believes in and the direction of the organization may feel “reactive, short-sighted, and rudderless” (p. 279). People need something to believe in - the myth or the magic of what they do.

In the symbolic frame, an ombuds officer may identify that a company needs to reduce symbolic differences. If engineers at a company perform a similar function at a company as draftsman supervisors, yet engineers get cubicles with windows, an ombuds officer may discover that there are similar subtle differences that run throughout the company, insinuating value for one position over another. In the symbolic frame, an
ombuds officer may discover the need to focus on the culture of the company or to address various cultures within the company.

The National Institutes for Health (NIH) conducts sensitivity training as there are employees and scientists from many cultures and nations working within this scientific community. Bolman and Deal refer to many types of training that an organization may pursue that could address symbolic conflicts: T-groups that allow for sharing of information in a controlled fashion, “conflict laboratories,” “team-building,” or town hall meetings as utilized by Jack Welch at General Electric (2003, pp. 157-158). While training is not the only means of addressing issues of symbolism, an ombuds officer alert to symbolism as one of the four frame constructs in an organization may be better able to assist administration in mitigating organizational conflict.

For the purposes of this thesis, I am analyzing whether there are themes used by ombuds that could explain some of the trends in organizations by utilizing the four frames: structural, human resource, political and/or symbolic. By utilizing these frames to think about the trends and issues presented at the ombuds office, an organization may be able to create solutions to improve systemic issues. It should be noted that organizations are different and some may inherently have a focus on one or more of the four frames, so an ombuds officer may not see all frames at all times in the course of his or her work.

This thesis analyzes how ombuds officers fit into the categories of investigatory, assisting, advocating and regulatory roles. These categories have been selected as they are the most primarily discussed roles in research studied during a review
of the literature regarding ombuds officers. Additionally, this study examines how ombuds officers may be able to categorize issues brought to the ombuds office as trends related to the four organizational frames as defined by Bolman and Deal. This focus on how organizational issues fit into one or more than one of the four frames may allow the ombuds officer and administration at an organization to better categorize and address issues brought forth by others.
Chapter 2: Literature Review

While there have not been studies conducted on Bolman’s and Deal’s four frames related to issues brought to the ombuds officer in an organization, there have been studies conducted in regards to determining leadership styles utilized by those in management and administrative roles. This literature review will discuss leadership studies that have been conducted regarding the four frames as outlined by Bolman and Deal. Due to the lack of literature related to ombuds officers and the four frames, the review will also provide the context as to why something such as the four-frame structure may be useful to ombuds officers.

Several studies examined how the four frames as delineated by Bolman and Deal are utilized in academic environments. Sypawka, Mallett, and McFadden found that academic deans primarily utilized a human resource frame, and secondly utilized a structural frame (2010, p. 67). This is similar to other studies researched by these authors. As they note, the use of more than one frame by leadership at a college or university leads to better management and decision-making activities (Sypawka, Mallett, and McFadden, 2010, p. 68).

Andrade outlined methods to utilize for change in academic settings by following the four-frame model. Universities are required to provide accountability by meeting standards for academic accreditation based on student success. Andrade states that faculty
members are often hesitant to engage in the planning and change required to achieve these requirements, but by utilizing Bolman’s and Deal’s four-frame model, faculty may see how the change meets needs they have for their own roles at the institution (Andrade, 2011, p. 217). Selected examples of strategies Andrade described for the various frames include:

- **Structural** – Provide guidelines and training to increase understanding regarding expectations in terms of number of outcomes, number and types of measures…use of self-report data, etc.

- **Human Resource** – Involve others in creating vision; inspire creativity through the good to great approach; …Encourage broad involvement through sharing and discussion of information.

- **Political** – Encourage diversity of opinion through a supportive environment and opportunities to negotiate, resolve difference, and compromise;…Manage coalitions by forming teams to accomplish specific tasks.

- **Symbolic** – Cultivate a culture of learning by uniting constituents around key aspects of the institution’s mission that directly affect them.
McArdle analyzed surveys completed by presidents of community colleges and their direct reports to determine the types of frames these leaders used in their work. McArdle found that two presidents used mostly the symbolic frame, while four direct-report administrators used the human resource frame (2013, p. 854). McArdle examined the descriptive narratives and quotes presented by leaders to describe scenarios in order to determine the frames utilized.

Yi examined “how academic library directors conducted meetings in the change process and the factors influencing the approaches used.” Yi used online surveys sent to library directors in “doctoral granting, master granting, and baccalaureate-only colleges and universities.” Yi found that most directors of these academic libraries utilized multiple approaches with the structural and human resources frames being used the most. The greater number of positions held previously by the directors, the more frames they used in their current work (2012, p. 30).

Medical education leaders’ utilization of the four frames was studied by Lieff and Albert. One of the researchers, “interviewed 16 medical education leaders in the Faculty of Medicine at the University of Toronto…Those who were interviewed were not primed in any way by the Bolman and Deal typology.” Lieff and Albert analyzed themes of the interviews. “We used a qualitative approached derived from Schön’s work on reflective practice,” (2010, p. 58). Medical education leaders utilized primarily the human resource frame. Lieff and Albert state, “Our data lend support to the possibility that Bolman and Deal’s typology may be useful to understand how leaders in our medical education context understand their work”… “Additionally, in this study we asked leaders to
communicate their recollections of their leadership practices. Argyris has suggested that espoused theories may not align with the theories in use that are enacted in the moment” (Lieff and Albert, 2010, p. 61).

Tull and Freeman conducted studies on 478 student affairs administrators in regards to the four frames. Utilizing the Organizational Frames Analysis Questionnaire (OFAQ) answered by the administrators online, the researchers found that most administrators used a human resource frame (Tull and Freeman, 2011, p. 37) followed by the structural frame, symbolic frame, and finally the political frame (Tull an Freeman, 2011, p. 38). Student affairs administrators utilized all frames. Again, while these studies are not related to ombuds officers specifically, due to the lack of research regarding ombuds officers and the four frames of Bolman and Deal, these studies serve to give an example of how leaders utilize the four frames in their work.

In the five previous studies, all leaders utilized the human resource frame. This frame was used by academic deans, community college presidents, academic library directors, medical education leaders, and student affairs administrators. Yi found that academic library directors also used a structural frame equal to the amount of time they utilized a human resource frame in their leadership. Academic deans and student affairs administrators used a structural frame as the second choice in their leadership style. Community college presidents utilized a symbolic frame second to the human resource frame. Student affairs administrators are the only group in the five studies that used a third and fourth frame in their leadership; the symbolic and the political frame.
Ombuds Officer Tasks

Forté states, “Conflict itself is neither good nor bad, it is how we respond to its presence that determines whether conflict proves to be costly or constructive” (1997, p. 119). Ombuds officers can be one of the primary alternatives for a dispute resolution system within an organization. Howard states that, “in general, the work of an organizational ombuds can be distilled into three broad categories: communications and outreach, issue resolution, and identification of areas for systemic change and issue prevention” (Howard, 2010, p. 75). Howard further states that daily work of the ombuds may include, “emotional, analytical, creative, and political skills.” This perhaps could readily be categorized within a four-frame model: structural, human resource, political, symbolic.

In 1995, studies reviewed by Feuille and Chachere suggested that, “about half of large private American firms (had) established some sort of formal remedial voice procedure for some of their nonunion employees” (1995, p. 37). Today about 200 organizations have these types of dispute resolution programs active in their organizations, and this number is growing. Although many companies may utilize such things as mediation, negotiation, and arbitration, fewer companies provide access to an impartial ombudsman. Feuille and Chachere state that in order for an alternative dispute resolution system to be successful, it must contain the five core considerations established by Sheppard, Lewicki, and Minton (1992) (as cited in Feuille and Chachere, 1995, p. 37): systems for grievance resolution must be 1) efficient; 2) accessible to every employee; 3) responsive to the employee concerns; 4) produce correct answers for
resolution; and, 5) be non-punitive. In designing any ombuds office in an organization, these five items should be considered.

Ombuds officers have been incorporated into organizations often with the idea that this type of position will lower the cost of conflict to a corporation. Many alternatives on a dispute resolution continuum emphasize this need for companies to address the costs of arbitration or litigation for conflicts that have gone too far. Ombuds officers may have the most influence on costs. Information about how ombuds officers have been found to impact costs of conflict to an organization are discussed further in this section.

Many ombuds offices are first established when a need is created in an organization. The structure of an organization may dictate the development of this office. Some ombuds offices have been established due to a security or ethics breach. Others have been established due to the need to decrease the costs of disputes and litigation for an organization. Schonauer has suggested considerations during the process of development of an ombuds office. Buy-in from the upper levels in an organization is a must (2010, p. 28). In order for organizational ombuds officers to assist employees, the position must be valid and supported by administration.

Organizations may decide to establish an ombuds office in order to surface issues within an organization when management and executives are unable to identify specific problems and/or when the administration believes issues are creating system problems. Employees are not always comfortable coming to upper management with issues, but
may be more comfortable presenting these to an ombuds officer. Rowe cites many reasons employees in an organization may not come forward with issues (2009, p. 2):

(Employees have a) fear of loss of relationships and fear of other bad consequences including retaliation; the belief that they will not appear credible to management; inaccessibility or lack of credibility of those who might be able to make a difference. People often feel they lack ‘enough evidence.’ They usually do not know the relevant policies and resources. They may distrust management and believe that no one will listen. They may feel ashamed. They may reject all formal options, or conversely reject all informal options or not know of any options in the (conflict management system) that they could consider safe, accessible and credible.

Rowe further discusses that often people that go outside an organization may act as a whistleblower to an outside regulator because they did not have anyone at the organization who would listen. Having an ombuds available to simply listen to the employee on one or more occasions in order to get a “fuller response” to the issue can allow for more thorough understanding by the organization of an issue, provide coaching to the individual on how to address the issue, or simply assuage anger over an incident. Rowe states that, “delivering respect, humane regard, and a ‘fuller response’ to visitors is the first function of the office” (Rowe, 2009, p. 7).

Rowe discusses that ombuds officers often provide a “crystal ball” for the organization. Due to the nature of the job, an ombuds officer receives information from many levels at the company and often is the person at the organization who knows the most about the organization. The crystal ball paradigm defines the way in which ombuds officers are able to predict future issues that may crop up in an organization, or even in
most work environments. These predictions have a definite, if not clearly measurable, impact on organizations. Many of these issues could be easily identified as fitting within a structural, human resource, political or symbolic frame. Some examples of these crystal ball items predicted as future concerns for organizations by various ombuds officers throughout the years and compiled by Rowe (Rowe, 2010a, p. 64) include:

- 1973 – Cafeteria benefits, flexible work hours, and childcare issues.
- 1975 – Smoker vs. non-smoker disputes.
- 1977 – Hazing and anorexia.
- 1982 – Computer-related injuries, such as carpal tunnel.
- 1984 – Fear of AIDS.
- 1989 – Identity theft, which was originally called identity impersonation.
- 1995 – Concerns about email and voicemail privacy for employees.

Ombuds Officer Impacts

Many ombuds officers express a perceived need to maintain some kind of data or records that support the necessity of the office within the organization. Although ombuds officers do not maintain personal data specific to a visit, most ombuds officers do maintain data that will assist in the measurement of the success of the office. According to Buss (2011, p. 55):

Without measurement, conflict management risks being limited to addressing individual cases of workplace conflict, without identifying the underlying causes or providing data which would allow for a systemic and verifiable analysis of changes in the organization’s conflict-management culture.

For organizational conflict management systems to be financially viable for an organization, they must show their value. Specifically, value must be determined in some
way so that it does not just seem a convenient office at which to present employee complaints, but that it is having some effect on the organization’s bottom line or creating systemic changes that will support the growth and efficacy of the organization’s functions. Buss discusses several situations that represent costs to an agency when there is conflict: 1) loss of productivity on the part of the individuals in conflict as well as the supervisors who must deal with the conflict; 2) absenteeism or presenteeism; 3) turnover of dissatisfied employees; 4) reputation costs to the company due to outside communication by disgruntled employees; and, 5) other costs due to theft and damage by unhappy workers (Buss, 2011, pp. 56-57). Buss discusses that presenteeism occurs when an employee is unfit to work due to illness or conflict an employee is having within the workplace. Presenteeism also occurs with employees ready to retire who are no longer interested in the job but just biding time. These employees come to work but are not focused on work (Buss, 2011, p. 56).

Buss refers to Pearson and Porath and the findings that 80% of disgruntled employees will discuss with others inside the organization as well as outside the organization their dissatisfaction with a company (2011, p. 62). Allowing employee access to an ombuds officer in order to discuss these concerns may slow down the rumor mill. In addition, finding meaningful ways to measure these negative activities can help an organization pinpoint its conflict costs. Some costs are more visible and some are more measureable than others.
Ombuds officers can impact conflict costs, and Buss recommends some things to measure in order to monitor the impact of the ombuds officer within an organization (2011, p. 59). Measurement may be done through:

- Tracking costs of litigation.
- Maintaining and examining sick leave records.
- Costs of temporary employees to replace those on sick leave.
- Exit interviews.
- Keeping track of costs for new hiring.
- Monitoring illegal activities like theft.
- Assessing productivity in work areas in the midst of conflict.
- Taking surveys periodically of organizational employees to ascertain these areas of conflict and employee satisfaction in the company.

In assessing the effectiveness of ombuds offices, it is sometimes challenging to quantify the qualitative cost savings to an organization, which makes it difficult to logically prove the worth of the ombuds to organizations (Gadlin, 2010, pp. 25-26). Quantitatively, ombuds officers may be able to determine a decrease the amount of litigation brought upon an organization; qualitatively organizations may measure the opinions of both the visitor and the ombuds to assess how well issues have been handled. Gadlin also recommends looking at some of the practices conducted by Teach for America as an example for the ombuds office to improve its impact on an organization. Teach for America implemented an “intensive observational based analysis” to provide feedback to teachers; ombuds officers may benefit from this type of feedback about their performance in the field (Gadlin, 2010, p. 26).
Harrison evaluated the success of a university ombuds office located at a southern university by examining the measures of success of the office in regards to decreasing litigation, resolution of cases, satisfaction of the party bringing the complaint, and student turnover due to conflicts. In addition, Harrison examined success of the ombuds office as reported by the disputants, and as reported by the ombuds (2004, pp. 315-316). Harrison found that the definition of success on any given case varied from the viewpoint of the disputant versus the viewpoint of the ombuds. Although during the study, no student in the study brought litigation against the university and only one student left the university, (out of 3.5% of the student body using the ombuds services), satisfaction among students was based on three things: how they perceived their own dispute; the time it took to resolve the issue; and, the fact that circumstances sometimes limited or dictated the alternatives available to resolve the issue (Harrison, 2004, pp. 326-329). Students may be satisfied with the ombuds officer experience even when the ombuds officer is not satisfied with the interaction. Conversely, students may have had higher levels of expectation for the outcome of their visit to the ombuds office, and this expectation may have influenced a negative perception of the ombuds office. Harrison states that some visitors were not familiar with the exact outcome expectations with which the ombuds office could assist (Harrison, 2004, p. 332). Occasionally, the ombuds officer believed that more could have been done by the university to resolve student issues, and the ombuds was not satisfied with the outcome. Ombuds officers do not have a lot of control over outcomes for individuals, so the lack of follow-through and success achieved by individual students may frustrate an ombuds officer.
Rowe examined the difficulty of assessing the success of the organizational ombuds. It is challenging both for an organization and within the ombuds office profession to measure success. Factors influencing the assessment of success include (Rowe, 2010, p. 15):

- The presence of multiple stakeholders utilizing an ombuds office.
- Various missions and values of the ombuds office.
- The influence of the standards of practice. (Rowe references the IOA standards, but the ABA standards may also be an influence on some ombuds offices).
- The context of complaints and whether they involve ethnic or cultural issues, different types of ombuds interactions (mediation, facilitation, etc.), or legal or organizational value issues within an office.
- Analysis time period. Short-term effectiveness may be different than long-term definition of success.
- Examination of relational vs. monetary or tangible benefits.

In 1999, Simon and Rowe created a formula to consider in the assessment of effectiveness of ombuds officers (in Benchmarking and Metrics for Ombuds Programs, slide 3):

\[
\text{Value Added} + \text{Cost Control} - \text{Mistakes}
\]
\[
\text{Costs of the Ombuds Function}
\]

Simon and Rowe mention five costs to examine when looking at ombuds savings to an organization: “productivity, management time, other personnel savings, legal staff salary savings, and other agency and law-related savings” (1999, p. 13). At the time of the writing, some of their estimates of time saved were arbitrary. The authors tried to determine productivity increased by lack of conflict and use of managers’ time to deal
with conflict by selecting conservative random numbers to make estimates. Since that writing others have arrived at some more reliable monetary figures.

Newcomb determined a basic calculation to assess the type of cost-savings provided by an ombuds. She determined that the “number of employment-law-related cases resolved by the ombudsman … multiplied by the average cost per case if settled by (the) legal department equals cost avoidance achieved by ombudsman” (Newcomb, 2010, p. 42). She derived this formula when working for a major corporation and examined the clients who had the intent to sue the company, yet settled the case instead through the use of the ombuds officer.

Krugel, a Human Resources attorney in private practice established methods to determine costs of disputes for an organization. He notes that once a complaint is filed with the Equal Employment Opportunity Commission (EEOC) an organization that is able to simply negotiate a settlement may pay five hours of attorney’s fees at a cost of $2300. (This using figures from around 2004, so those numbers would obviously be higher today). These figures do not take into consideration employee damages, additional training that may need to be provided by the agency as a result of the complaint, other travel costs, etc. If a complaint is not settled via negotiation, Krugel states that the costs for jury awards range anywhere from $445,000 to $900,000 depending on the industry (As cited by Kruger per an article from Risk Management in 2006, “Why Train?” which pointed to a 2005 study from “Employment Practice Liability: Jury Award Trends and Statistics). If an ombuds officer is able to deflect litigation and EEOC complaints, the position truly holds its value to an organization.
Waxman conducted a study of twelve organizations with ombuds offices to determine the economic value of the office as perceived by individuals in the organization. Waxman differentiated between ombuds offices established due to an organizational crisis and those initiated as simply good organizational practice. A great percentage (68.56%) of survey respondents believed the ombuds office created value for the company. Most respondents (67.9%) also believed that the ombuds eliminated the need for outside intervention and allowed for more reporting of issues by people within the organization (Waxman, 2011, p. 63). Seventy-percent of respondents also believed that the ombuds was successful in the resolution of conflicts. Remarkably, most respondents (93.4%) had never utilized the services of the ombuds officer. It would be interesting to note if the perceived positive feelings of the ombuds office influences work behaviors; if people know that since the organization employs an ombuds officer, the agency must also value employee input, has concern for its employees, so employees are more inclined to respond positively to a survey.

Waxman found that most ombuds offices utilized pushed email, maintained information on a website, conducted presentations, and had written literature available for employees; however, some of the survey responses proved that many employees still did not have a basic understanding of exactly the reasons for the ombuds office within the organization and the expected outcomes for the ombuds office (p. 69). Waxman recommends more awareness education on the part of the ombuds office in order to provide information to each employee of the organization. This could be accomplished through workshops, role-plays and other means bi-annually. Such interaction may
interfere with the neutrality of the ombuds as it is difficult to prevent the establishment of relationships with such interaction, but Waxman recommends collaboration between ombuds in other organizations to meet this goal (2011, p. 69).

Waxman provides an example of the cost savings formula utilized in one organization. An ombuds officer knew that she was able to prevent two employees from leaving the company; thus by taking the cost savings of 150% each of those employee’s salaries, (150% being the percentage of salary it takes to typically replace one employee) the officer was able to arrive at a financial savings maintained by the ombuds office (p. 71). Waxman recommended looking at nine benchmarks by which an ombuds office could be evaluated: “overall value for the company, managerial time saving, money savings overall, productivity, the effects on the need for outside consultants, turnover/talent retention, complaint reporting patterns, communication, and morale” (Waxman, 2011, p. 63).

It is believed that an office of the ombudsman more than pays for itself, according to Zinsser. Assessments conducted by Zinsser of Pacifica Human Communications, a leading expert on ombuds program performance metrics, demonstrated that for every $1 invested in the ombudsman function between $14 and $23 of value is ultimately returned to the organization (as cited in Norman and McBride, 2010). This return on investment is a big win for the bottom line.

Ombuds officers may be able to have a financial impact on an organization. Much of this is due to addressing conflicts at the lowest level allowing people to get back to work. Some of the value of the ombuds office may be due to the identification of trends
and reporting those to organization leaders. Some ombuds officers are able to demonstrate a clear financial benefit of the office to the organization. When ombuds officers understand their organization through the four frames of Bolman and Deal, and are able to frame issues brought to the office within the four frames, they may be better able to organize the trends in order to assist agency administrators; perhaps creating more cost savings. Additionally, it is challenging for ombuds officers to prove the position’s intangible worth to an organization. The four frames classification may provide a route for ombuds officers to assist CEOs in the decision-making process of organizations by providing better information about systemic issues hindering progress. This may be an added way to demonstrate the worth of the ombuds office.

**Ombuds Officer Characteristics**

By illustrating how ombuds officers fit within an organization, we are able to more fully understand how this position may impact a corporation. Diversity, informality, confidentiality, and neutrality all impact how an ombuds officer relates to others within and outside the organization. In organizations with a large combination of employees of different genders, races, ages, religions, and languages, it is helpful to have ombuds that have these varying characteristics. Not only does diversity allow users of an ombuds system to have a choice, having a second ombuds or an assistant allows for quicker response time to issues raised, allows for vacation and time off for each ombuds officer, and provides more ability to cover a wider variety of cases. Different ombuds officers bring different kinds of cases and visitors (Rowe, 2012, p. 20). In this same article, Bloch points out concerns about having multiple ombuds within one organization.
Multiple ombuds bring multiple points of view to an organization which may lead to conflicts between ombuds. Varying work styles of ombuds may also cause friction and create more issues in addressing needed systematic change while dealing with competing ombuds (Rowe, 2012, p. 21); however, multiple types of ombuds officers may better allow for some to utilize various roles or frames in providing services to employees and customers.

Organizational ombuds officers provide confidentiality, neutrality and informality in handling conflict within companies. Gadlin and Pino discuss the neutrality of an ombuds officer. No ombuds officer is ever completely neutral due to their own experiences, values, culture and motivation (Gadlin and Pino, 1997, p. 19). Although ombuds officers are typically not part of the hierarchy of an organization, they are paid by the organization. It is difficult to separate out this factor to state that the ombuds is entirely neutral and doesn’t have an obligation to the CEO. This idea goes back to the concept previously referred to as mentioned by Schonauer that there must be “buy-in” from the top administration for an ombuds to be effective within an organization. If an organization sees the value of the ombuds officer, the administration will allow the position to operate within the standards of confidentiality and neutrality.

Gadlin and Pino present three dimensions of neutrality for an ombuds to be aware: 1) terms of reference, 2) institutional location, and 3) interaction within the organization. In terms of reference to an ombuds position within an organization, ombuds do not have managerial or organizational authority or responsibility. Although they may have great involvement in influencing the policies and procedures of an organization
through the reporting of trend information, they do not formally influence these by sitting on committees or working on a process to improve the organizational system as a whole. Ombuds officers must maintain confidentiality and do not have a reporting role regarding agency noncompliance (except in instances when others may be in harm’s way or when a crime has been committed) (Gadlin and Pino, 1997, pp. 19-20). Institutional location refers to the physical location of the ombuds office as well as the location in the organizational chain of command. Most ombuds offices are located off-site or in an out-of-the-way location, so that visitors to the ombuds office will not be noticed by others. To keep ombuds out of the hierarchy at an organization, the majority report only to the CEO. This neutral location and neutrality of the ombuds, allows visitors to have confidence in the position knowing that the ombuds is not beholden to any other individuals within the structure. The only reporting relationship to the CEO is through generic reports or trend data for the betterment of the system.

Ombuds must maintain appropriate interactions with others within and outside the system. Care must be made to not socialize with management or others in the organization. Political, cultural, religious, and other strong social beliefs must be kept outside of the ombuds workplace and to a certain extent out of the public eye in order to maintain neutrality and to be comfortable for all at the organization to interact with the ombuds. Utilizing social media could also influence how visitors may or may not want to interact with the ombuds office. Being aware of the power relationships between the ombuds, visitors, and other parties helps to maintain the neutrality and to avoid favoritism (Gadlin and Pino, 1997, p. 25). It is beneficial for ombuds officers to have
collegial or supportive relationships with other ombuds internal or external to the organization. The IOA has a mentoring program to provide this relationship for ombuds. Rowe, the ombuds for MIT since 1973 emphasizes the necessity of these types of relationships to support the lack of professional and social relationships that due to the job ombuds officers may not be able to maintain (Rowe and Bloch, 2012, pp. 19-20). A burden is placed on the ombuds to maintain a “critical self-awareness” (Gadlin and Pino, 1997, p. 26).

Gadlin and Pino point out that even while an ombuds may be aware of the dimensions that hinder neutrality, an ombuds that is too closely similar to others within the organization may also affect neutrality. Visitors may go into the ombuds officer’s office with an unwarranted assurance that they are seeing someone who is very similar to themselves, so may expect “some special consideration on the basis of the acknowledged bond of similarity” (Gadlin and Pino, 1997, p. 27). Visitors may put too much faith in the ombuds or in the potential outcome of any discussion, coaching, or mediation due to a perceived relationship and commonality.

Ombuds officers need to understand who is coming to see them and constantly assess how their actions within the course of their work may be more encouraging to a certain demographic of visitor (Gadlin and Pino, 1997, p. 28). An ombuds must have many skills for this kind of position. Ombuds must be able to listen effectively, have insight into their own and others concerns and motivations, have the ability to manage their own options and judgments, and determine if the method of interaction with others is working.
One of the cornerstones of the ombuds office is informality. Informality allows visitors to relax while seeking out and obtaining assistance with a work conflict. There is no concern for retribution, disciplinary action, or increased conflict in going to see an ombuds officer. Patterson, a hospital ombuds officer, states, “It’s the informality standard that helps them (employees or other visitors) begin to think clearly and to take back some of their power in a situation perhaps fraught with powerlessness and apparent lack of choice” (2012, p. 19). “The informality standard supports non-punitive dialogue that allows for professional and human growth,” (Patterson, 2012, p. 20). Patterson looks to Khatri’s observation that people have psychological safety with an ombuds officer (p. 21). This position encourages people to face conflict and to seek solutions to resolve the conflict.

Ombuds officers serve other functions within an organization. Ethics codes of organizations are often assisted by the role of the ombuds. An ombuds officer is easily available to those who might serve as whistleblowers (Singh, 2011, p. 388). The confidentiality of the ombuds office allows systematic ethics problems to be addressed via these means. In an empirical study on the effectiveness of corporate ethics codes, Singh found that a factor that influences the implementation of an ethics code is the maintenance of an “ethics ombudsman” within the organization (Singh, 2011, p. 389).

The ethics ombuds is a frequent organizational position in the United States. Out of 82 U.S. organizations surveyed in a study conducted by Callaghan, et.al, 70.7% of organizations had ombuds officers. (2011, p. 25). Callaghan states that if an ombuds officer were set up specifically to protect whistleblowers and resolve concerns within an
organization, the ombuds would enhance the ethics environment of a company (2011, pp. 24-25). This becomes especially pertinent in financial organizations, as noted by the Treadway Commission which recommended an establishment of ethics codes by all publicly held companies in the United States. The Sarbanes-Oxley Act of 2002 also increased the need to look at the role and function of an ombuds officer in a company, due to the increased requirement to maintain accuracy of finances and other best practices for organizations (Callaghan, 2011, p. 26.)

Ombuds offices may be one of the most important additions to an organization’s conflict resolution system as they may be able to impact the environment in which employees prefer to work. Blancero, DelCamp and Marron had managers distribute questionnaires to four hundred fifty non-union, non-management employees in seven large corporations in order to examine a preference for distributive, procedural, or interactional justice. Distributive justice involves the equity of employment outcomes such as compensation, perks, and positions in the company. Procedural justice allows for fairness in dealing with conflict issues. Finally, interactional justice allows employees to have the availability of communication, being heard, and relationships with others in the company. According to the researchers, interactional justice is more valued by employees than distributive and procedural justice (Blancero, DelCamp and Marron, 2010, p. 540).

Landau additionally discusses the benefit of having supervisors listen to employees in an organization. She notes that there is a positive impact on the organization both if employees feel that the supervisor listens, and when employees feel they have a voice.
Ombuds officers are trained to listen and may be the best at this role in the company.

Many corporations have dispute resolution systems, but fewer of them have ombuds officers within that system. Ombuds officers focus on dispute resolution by meeting with visitors to the ombuds office or via phone calls if necessary. Ombuds officers have a great responsibility to and an impact on organizational systems change.

Ombuds offices have often been implemented to decrease the costs of conflict as well as to address security or ethical issues within organizations. Ombuds officers can benefit organizations by serving as internal, confidential contacts for potential whistleblowers; can provide a place for employees to go for dialogue and interaction with a neutral party about difficult issues; and, can contribute to ideas for systemic change by sharing general information with organizational administration. Due to the nature of the position, ombuds officers frequently are the ones who discover significant occupational issues that are becoming ubiquitous in all work environments. Concerns about smoking in the workplace, repetitive-use work injuries, and fears about the privacy of emails and voice mails have been a few of the issues detected early by ombuds officers.

Many researchers have created formulas and methods for determining the cost benefits of having an ombuds officer in a corporation. While it is difficult to always quantify the cost savings of having an ombuds office, if an ombuds is able to assist someone with issues at this level in an ADR continuum, an organization might be able to avoid the much higher costs of litigation. Studies have shown that the ombuds office is rated positively by employees of organizations, whether they have ever utilized the
ombuds office or not. Ombuds officers maintain neutrality, confidentiality and informality within organizations, making them one of the most accessible methods within an alternative dispute resolution system. Accessibility is paramount for any ADR system within a company.

**Record-Keeping and Uniform Reporting Categories**

Due to the nature of the organizational ombuds role, many ombuds officers do not keep records. Companies often have a formal policy that ombuds’ records and cases are strictly confidential and will not be used in any judicial proceedings. Ombuds may keep a basic database of demographics of visitors and types of complaints, but few even keep notes on individual contacts. Ombuds officers will often share unidentifiable, general information with the company leaders, but will do it in such a way that there is no way to determine from where the information came.

Ombuds officers do not maintain a reporting function within an organization. Specific information tied to an individual employee or consumer visiting the office of the ombuds officer will not be reported to supervisors, managers or executives. Ombuds officers typically only provide to upper management information gleaned from meetings with visitors that is helpful to the organizational system as a whole. An ombuds officer may share information with company executives by providing generic, unidentifiable systemic feedback in monthly or annual reports.

Organizational ombuds are not agents of notice in an organization and do not serve as part of the chain of command. Organizational ombuds do not legally have the privilege of confidentiality, but can maintain confidentiality by not maintaining records.
specific to the discussion during a visit (Gadlin, 2012, p. 34). If there are no records to subpoena, the records are inaccessible for any litigation. Ombuds, then, must be careful when conducting investigations or fact-finding functions, as this increases the likelihood that an ombuds officer may have records or information that would lead to the possibility of subpoena. Due to the ombuds role in influencing an organization, Gadlin states (2012, p. 36) that he believes that ombuds:

Should be, and should aspire to be, one of the most influential people in the organization. Her/his perspective should be sought by a wide range of the members/participants in the organization. Specifically, the Ombudsman should be someone who people from throughout the organization consult when facing complex, potentially conflict-laden or volatile situations and problems, whether it be early in the development of such problems or at the point at which efforts at managing them seem to be failing.

Mousin warns about the advances in technology and record-keeping for ombuds officers. Most ombuds officers avoid communications by email due to confidentiality concerns, but Mousin cautions that digital calendars used by many organizations can pose a problem. Visitors’ comments on social media sites may broadcast public information about someone’s visit to the ombuds office (Mousin, 2011, p. 23). Mousin also points out that his physical trail could always be retraced via access to subpoenaed cell phone records which detail cell phone towers used to transmit calls made by an ombuds. In addition, smart phone data is recorded on a cloud and the data do not belong to the organization or to the ombuds (2011, p. 24). Office copy machines that maintain digital data of documents, security cameras, personal phone cameras, tablets; all create a concern of which each ombuds should be aware in regards to confidentiality.
Record-keeping is important to demonstrate the cost-savings of the ombuds office, but it is also important for other reasons. It has become more certain in this decade that ombuds officers must establish uniform types of data-keeping and to codify roles for any ombuds officer in the United States. From 2003 – 2007, the IOA developed the IOA Uniform Reporting Categories. This process emphasizes the ombuds officer as belonging to an “an evidence-based profession” (Dale, et al., 2008, p. 8). This IOA group developed standardized reporting categories that identify organizational trends, establish best ombuds practices, and identify needs for training and research for the ombuds profession, (Dale, et al., 2008, p. 8). It was at the beginning of this process that group members decided to include both TOA and the UCOA thus covering all organizational, college/university, corporate, government, and international ombuds office professions. As noted previously, these groups later merged to become IOA.

Utilizing broad categories of issues that ombuds officers were presented in government and education organizations in offices based in Geneva and part of the United Nations and Related International Organization (UNARIO), the IOA created categories for future recording (Dale, et al., 2008, p. 11). Most visitors to these ombuds offices had issues related to: employee compensation and benefits; evaluative relationships (meaning relationships between supervisors and employees or professors and students, for example); peer and colleague relationships; and, career progression and development, to name the top four (Dale, et al., 2008, p. 12). The final results published in 2006 and 2007 contained nine primary recording categories with sub-categories under each (see Appendix C). While many ombuds officers had reporting systems prior to the
development of these categories, many ombuds transitioned to utilizing these new reporting categories. These are now incorporated in the “Ombudsman 101” training provided by IOA members (Dale, et al., 2008, p. 15).

There has continued to be some disagreement and lack of definition of the position of ombuds officers and the roles they play within organizations. In 2001, Ellen Waxman and Sharon Levine, chairs of the Ombuds Committee of the ABA Section of Dispute Resolution and the Ombuds Committee of the ABA Section of Administrative Law and Regulatory Practice started the process of creating the 2001 ABA Resolution (Howard, 2010, pp. 37-38). Input was gathered from ombuds officers at universities, governments, and corporations. This resolution accomplished several worthy goals: the need for a written charter to better define the ombuds position; a classification of ombuds officers by type and characteristics; and the need for confidentiality. Confidentiality, as defined by this Resolution allowed for the release of information if there was risk of imminent harm, and the release of information if the disclosing party could not be identified (Howard, 2010, p. 40).

The 2004 ABA Resolution was developed by the ABA Section of Individual Rights and Responsibilities and has not been totally supported by what is now the IOA, especially due to the fact that the ABA had changed the section on notice. In August 2004, UCOA and TOA reaffirmed its own Standards of Practice to reinforce the confidentiality, neutrality, informality and independence of the position (Howard, 2010, p. 44). UCOA and TOA disagreed with the ABAs discussion of roles for the organizational ombuds (Howard, 2010, pp. 45-46):
Prior to the ABA Resolution, TOA began examining ethics of the ombuds officer position. TOA adopted its first Code of Ethics in 1986. The code addressed neutrality, confidentiality, and more importantly, the need to maintain records in such a way that they were not accessible to anyone outside the ombuds’ office, including management (Howard, 2010, pp. 30-31). In 1995, TOA developed Standards of Practice which again included as its first tenant confidentiality, followed by informality, emphasizing that when necessary the ombuds officer would “seek judicial protection for staff and records of the office” (as cited by Howard, 2010, p. 34). Although the Scandinavian version of the ombuds officer, and the initial definition of an ombuds officer by the ABA in 1969, allowed for investigation, TOA attempted to move away from this function, as it inhibited the definition of neutrality (Howard, p. 35). In the 1995 Standards of Practice, a more specific definition of an ombuds officer was established:

The mission of the organizational ombudsman is to provide a confidential, neutral and informal process which facilitates fair and equitable resolutions to concerns that arise in the organization. In performing this mission, the ombudsman serves as an information and communications resource, upward feedback channel, advisor, dispute resolution expert and change agent.

In 2009, the IOA created a revised Code of Ethics and Standards of Practice.
Summary

Ombuds officer roles may be classified as investigatory, advocating, assisting, or regulatory. By examining the ombuds officers studied in the literature according to their role within the organization and in comparison to the ombuds officers interviewed for this thesis, we may be able to see trends in the roles of ombuds officers over time. Ombuds officers have typically been classified as legislative/classical or organizational. For purposes of this thesis, these categories are broken down further into investigatory, advocacy, assisting, and regulatory roles. Seeing the trends in roles of ombuds officer, we may be able to see if these definitions still hold true. In addition, we may be able to learn things about the ombuds officers interviewed and their role within the organization in which they work.

Ombuds officers may benefit their position and their organization by reframing issues within the four frames of Bolman and Deal. “Reframing requires an ability to understand and use multiple perspectives, to think about the same thing in more than one way” (Bolman and Deal, 2003, pp. 4-5). Reframing is a technique that may be useful to ombuds officers. Ombuds officers may be the primary people in the organization who are able to view things from four frames due to the nature of the job. Ombuds see so many different people and gather so much unsolicited information about the organization; an officer may be able to predict things more quickly than the top level administrators, as demonstrated previously in this paper by Rowe’s crystal ball predictions. As the work world and organizations become more complex, it is more necessary to have an ombuds
officer who is aware of organizational dynamics and is able to look at issues from more than one dimension.

In *Reframing Organizations*, the authors have a section titled, “The Curse of Cluelessness.” Bolman and Deal discuss the various ways others have described how intelligent, professional people do incredibly detrimental things within organizations. “Self-destructive intelligence syndrome” as explained by Feinberg and Tarrant in 1995 describes how “pride, arrogance, and unconscious needs to fail,” cause people to take unexplainable actions. In 1998, Lundin and Lundin also noted that people made choices due to “self-love and ego,” which led to self-focus and thoughtlessness regarding any others. “The real source of cluelessness is not personality or IQ. It’s in how we think and make sense of the world around us (all via Bolman and Deal, 2003, p. 6).” Ombuds officers may be a stabilizing factor in an organization in order to combat some of the negative or limited decision-making. Reframing issues that come to the ombuds office can provide this improved information to organizational administrators.

The influence of ombuds officers is two-fold: 1) an ombuds officer is available to assist others with conflict resolution and provide recommendations which influence an employee’s or administrator’s way of seeing and managing their environment within a four frame perspective; 2) ombuds officers impact the environment by being able to visualize it within the four frameworks to address how the environment actually is and perhaps how it may be perceived to others. In addition, an ombuds officer who is able to identify his or her predominant style, or the predominant issues presented, within the four frames may understand how events and the four frames impact the organization. Schön
has proposed that this framing process “enables practitioners to identify both the ends to be sought and the means to be employed” (Schön, 1983, p. 165).

Reframing has been studied by researchers in regards to leadership. Bolman and Deal have created the Leadership Orientations Tool to allow leaders to analyze their tendency to view organizational dynamics within certain frames. Research into the use of four-frame thinking by ombuds officers was not found to be available during the research for this thesis. There are few studies on the ombuds office in general. This may be due to the fact that ombuds officers maintain such a level of confidentiality about their work and are not willing to take part in research that may possibly violate this confidentiality. The research in this thesis just scratches the surface of this topic.
Chapter 3: Research Design

Description

This study is an exploratory study of ombuds officers in the United States. I employed a direct interview approach in order to gather data specific to seven ombuds officers in various types of large organizations. Interviews were conducted from November 2008 through January 2009. Transcripts of interviews were then analyzed for themes related to how the ombuds officers conducted their work and what roles they played within the ombuds officer position (investigatory, advocacy, assisting, or regulatory). In addition, I reviewed organizational documentation or website information in order to corroborate and validate information provided by the ombuds officers. A qualitative data approach was used to compare roles of these ombuds officers to roles of other ombuds officers working in the United States. Transcripts were analyzed for themes related to the four frames as discussed by Bolman and Deal. A primary theme was identified for each ombuds officer and the number of themes utilized in the discussion was also identified. For purposes of further description, I pulled phrases from the interview transcripts which most closely described themes explained by the ombuds officers, similarly to the study conducted by McArdle.

In addition, one of the techniques utilized to analyze whether ombuds officers were operating in one or more of the four frames was by referring to the Leadership
Orientations questionnaire developed by Bolman and Deal (see Appendix B). This tool was utilized by Sypawka, et.al, McCardle, Yi, and Lieff and Albert in conducting leadership studies. I have used this tool in a different fashion, only as a reference to compare ombuds officer interviews with the descriptive selections stated in the questionnaire, rather than as the other researchers who were able to have the Leadership Orientations questionnaire actually completed by the leaders in their studies. The organizations to be utilized in this analysis included organizations that have an organizational ombuds office in place currently. As presented, the organizations are all large corporations, 500 or more employees, from within the Denver metro area, New York City, Boston, and Washington, D.C. All corporations have in place some type of alternative dispute resolution (ADR) system and it was presupposed that all organizations have and would be willing to share at least two years of aggregate, unidentifiable data on usage of these systems. (This did turn out not to be the case and will be further discussed in “Limitations of the Study” in Chapter Five).

Initial contact organizations and potential initial contacts included:

- Corporate and business entities.
- Government contracting agencies.
- Hospitals and medical centers.
- State governments.

Initial contacts of ombuds officers in order to schedule interviews were made by phone. Each ombuds interviewed was asked if they had recommendations of other ombuds officers who may be willing to be interviewed. I explained to the ombuds
officers that I was asking questions in order to learn more about how ombuds officers conduct their work day-to-day. All ombuds officers were asked the pre-determined questions but the direction and format of the interview varied somewhat as each ombuds officer had different interests and discussed these interests sometimes at length before I was able to move on in the question sequence. Questions that were asked of organizational ombuds interviewed are located in Appendix A.

As this thesis progressed, it became obvious that data regarding types of visitors and types of issues brought to the attention of the ombuds officer would not be forthcoming from ombuds officers that were interviewed; specifically none were willing to share detailed aggregate data the ombuds office collected about visitors. Ombuds officers operate under a great level of confidentiality and a majority of ombuds do not keep records in order to maintain the confidentiality of employees and other visitors to the ombuds’ office. This ensures that records are not available for subpoena if litigation were to occur in the future. Some ombuds do keep trending system data, but again they maintain a strict confidentiality of even these data, as any release of generic organizational trends may identify visitors to the ombuds’ office. All ombuds officers interviewed expressed an extreme reluctance to share data outside the organization or outside their professional ombuds association.

In order to interview ombuds officers, I contacted and met face-to-face with six organizational ombuds officers and by phone with a seventh ombuds. A summary of these interviews may be found in Tables 4-9. Several of these ombuds officers asked not to be identified in this thesis, thus all ombuds officers are identified as working for
Organizations A through G. The ombuds officers with whom I met included ombuds from a state government, an energy research organization, a medical research facility, international banking organizations, a financial investment company, and a business consulting organization. I contacted ombuds officers with the purposes of interviewing organizational ombuds in corporate or governmental settings, outside of academia. The intent was to get an impression of corporate behavior as it pertains to utilizing an ADR system, specifically at the level of the ombuds office, in order to better define how an ombuds officer impacts an organization. Ombuds officers selected for interviews were chosen initially by contacting a past presenter in a conflict resolution class at the University of Denver. Others were located through the IOA, and several were referrals from other interviewees. Ombuds officers were additionally chosen by location and ease of access.

In meeting face-to-face with all but the international consulting organization, I asked the same questions and attempted to conduct the interviews systematically to get the most accurate and comparable information. Due to the nature of conversations, it is difficult to chronologically control an interview dialogue, so the interviews were all interspersed with a somewhat individual flavor. Toward the end of the interviews, many of the ombuds officers started discussing the future direction of the ombuds office as pursued by the IOA; so to gather additional information about this topic, I asked the final three ombuds officers questions surrounding the establishment of criteria for data maintained by ombuds in all roles. Ombuds officers were developing what has since become the IOA Uniform Coding so as to more legitimize and generalize the position of
ombuds officer (see Appendix C). By asking these additional questions of the final three ombuds officers, I did not really obtain any more information for use in this study than I did in the previous four interviews. Again, it is important to note that the final interview with the consulting organization was conducted by telephone, so questions and answers may not be what they could have been if the interviewer and interviewee were sitting face-to-face and responding to one another’s non-verbal expressions. Four additional ombuds officers were called for potential interviews but neglected to respond.

In the late 90’s there were 200 corporate ombuds officers in the United States. This study provides a look at a small sample of those ombuds officers. Seven ombuds officers were interviewed for this thesis. This is in part due to the nature of the ombuds position. I obtained referrals from ombuds officers interviewed in order to contact additional ombuds officers for interviews. Many ombuds officers are very protective of their positions and of the confidentiality of their work. Due to this, I was not able to access interviews with more than the seven that agreed. It would be important to add though, that the seven interviewed are or were some of the most prominent ombuds officers in the field in the U.S. at the time of the interviews. These were ombuds officers who are well-published in the field, who are founding members of the IOA, who have developed some of the procedures and training programs that are part of the IOA, and who have been in the field for ten to twenty years or more at the time of this writing. Many of the ombuds officers knew the others interviewed and talked about the work of the other ombuds officers. I was able to verify the credentials of the ombuds officers in multiple formats: through their own LinkedIn profiles; through information on the
corporate website or corporate publications; and/or through other writings available in the 
public. While this does not validate exactly how I categorized the interviews according to 
the four frames of Bolman and Deal, or the four roles of investigating, advocating, 
assisting, or regulating, it may provide some substantiation that I received accurate 
information regarding the work performed by each of these ombuds officers. 
Furthermore, I asked each of these individual ombuds officers the same questions, but 
many of the conversations drifted in the direction in which the ombuds officer was most 
interested. When people are asked to talk about their job and their work within that job in 
a fashion that allows them to speak somewhat freely, people are apt to speak about the 
issues that are most at the top of their minds and speak most directly to their own 
personal focus on the job. 

Although the interview summaries of the ombuds officers provide a snapshot of 
the type of work ombuds do and where they do it, the information does not provide the 
entire picture; specifically, it does not address the trends in any meaningful categories 
discovered by the ombuds officer in the course of his or her work. While each ombuds 
discussed the types of issues brought to the office, and some of the officers discussed the 
type of resolution, by examining the emphasis in each of the interviews, I was able to 
determine how each ombuds focused on one or more of the four frames, and was also 
able to determine if the ombuds officer worked in one or more of the four roles. 

For purposes of this analysis, I have examined the four roles of ombuds officers 
(investigatory, advocacy, assisting, and regulatory) in order to assess whether the 
organizational ombuds officers interviewed follow a similar pattern to that which may be
found in other ombuds offices in the United States. I also wanted to determine if the roles of ombuds officers have changed over time. Additionally, I gathered information about the functions and focus of the ombuds officers to determine if they are working within any of the four organizational frames as defined by Bolman and Deal: structural, human resource, political, and/or symbolic.

Analysis of the roles of ombuds officers was conducted by simple charting of the roles as described by each interviewed ombuds. This was compared to ombuds officers implemented or proposed in the United States between 1966 and present (see Table 1). Secondly, I analyzed interview transcripts of the seven ombuds officers to determine if there were separate themes and phraseologies associated with the four frames. This analysis was performed solely by this researcher.

**Ombuds Officer Interview Summaries**

Seven ombuds officers were interviewed for this thesis. An initial ombuds officer familiar to the researcher was contacted by phone. In addition, an ombuds officer working locally to the researcher was contacted by phone. These and subsequent ombuds officers were asked about possible other ombuds officers to contact in order to gather information. In addition, all ombuds officers that were referred were geographically accessible to the researcher at the time. All ombuds officers were contacted initially by phone, six were interviewed face-to-face and one was interview by phone at a scheduled time.

*Organization A*: The ombuds officer working with Organization A, a state government organization, has been in this position since May 2007. The ombuds serves
as ombuds for all state employees, save some of those who are faculty in higher education, those who report to officers in higher education, and those who work in the judicial branch, the governor’s office, or the legislative branch. None of the state employees are unionized, as the state system is governed by a constitution. Thus, the ombuds provides services to employees (non-faculty) at all higher education institutions and eighteen government departments; in all 33,155 employees.

Ombuds Officer A maintains data on the number of contacts made by the office, how many issues are coming from certain departments, issues that are forwarded, line level classifications of employees, geographical data as far as region and department, and basic demographic information. The ombuds would describe the role as adding value to the company and is responsible for surfacing workplace concerns that hinder a healthy workplace. The ombuds provides a prism that other parts of the organization are not able to provide.

The issues that are predominantly brought to the ombuds office in the state involve “evaluative relationships” such as supervisor to employee, or management to team relationships, peer and colleague relationships, and the application of rules, policies and procedures. Ombuds Officer A expressed that the data-keeping on an Excel spreadsheet is minimally able to be analyzed and the ombuds is hoping to begin utilizing a database specifically designed for ombuds offices soon. As this ombuds stated, some of the issues can be much nuanced, and a targeted data-base will provide more comprehensive information.

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Those that utilize the ombuds officer’s services are fairly equal as far as levels in the company. Ombuds Officer A has visits from line workers as well as deputy directors of agencies. Data from the state ombuds office are available as part of the annual workforce report for the state. The ombuds additionally gives a report to the governor monthly which is not publicly accessible.

*Organization B*: Ombuds Officer B is an ombuds at an energy development and research organization. Organization B is a quasi-governmental organization that the ombuds explained is government-owned and contract-operated. This organization is funded and operated by the Department of Energy. The ombuds is the only ombuds officer at the organization and serves all levels of the company. The ombuds officer does not provide ombuds services to anyone outside the company, except to minimally assist with technology transfer issues if necessary.

In order to promote ombuds services, Ombuds Officer B is visible within the company at various functions and trainings, provides information via internal newsletters, brochures, the website and posters. The ombuds often speaks to groups within laboratory departments and centers in order to remind them of the position in the company. Employees may access services via telephone and email; however this ombuds encourages phone calls to promote confidentiality. Every age, race, ethnicity, and people at every level in the company have visited the ombuds office. The ombuds believes that the office sees a proportionate number of people in relation to race, level at the company and ethnicity; however, women are less represented per capita at Organization B, but visit
the office in the largest number. The largest numbers of people at Organization B are in the age ranges of 41-61.

Ombuds Officer B does more coaching than mediation in this position. The officer keeps aggregate data regarding age, gender, where an individual works in the organization, types of problems, and ethnicity. Anything identifiable gets scrubbed. The ombuds does not keep track of the resolution of issues, but does track referrals to formal processes. The ombuds pays attention to the impact of her office in regards to effectiveness. This is done by observing how mediations impact multi-parties, work units, large groups and impact the gravity of the issue. Infractions of law become a costly conflict. It is less costly to deal with things at the informal level. Any data Ombuds Officer B keeps are shared only with the people to whom the office reports. It is proprietary information, and this ombuds is not able to share it outside the organization.

Organization C: Ombuds Officer C is the ombuds at an international financial organization. Prior to this position, this ombuds worked as an ombuds officer at two other organizations. Ombuds Officer C is an ombuds for staff of this financial organization, but not for countries which the organization assists.

In order to access ombuds services at Organization C, individuals call, email, and as stated by Ombuds Officer C, “Some even knock on the door.” Most issues are related to performance, relationships, expectations and mobility within the company. Ombuds Officer C noted that mostly women utilize ombuds services at the organization, except for last year, when unexpectedly or unexplainably, a greater number of male staff came to the office. More support staff than supervisory staff present issues to the ombuds, but the
range is fairly equalized according to the population of the organization. Ombuds Officer C maintains data regarding gender, nationality, group of work, how long employees have worked there, the type of issue and resolution of issues.

Ombuds Officer C believes the ombuds office has an impact on the organization. Due to this ombuds officer’s decade of tenure at Organization C and the nature of the office, when the ombuds calls, people listen. Ombuds Officer C prepares an annual report that goes to everyone in the company but is not publicly available. Ombuds Officer C mentioned that the office does not see a great deal of difference in whom accesses ombuds services depending on the type of organization, i.e., whether it is a public, academic, or private entity – only the culture is different.

Organization D: Organization D is a medical research facility with several ombuds officers employed. I interviewed a lead ombuds officer at the organization. Organization D receives referrals from individuals at all levels of a conflict. Sometimes they are the first place utilized by an employee; sometimes the ombuds office comes in at the middle or end of a conflict. The ombuds office may be an alternative to people filing a grievance, but sometimes individuals with an EEO complaint may utilize the ombuds office for mediation before going to a judge. This office is unusual in that there is a great deal of emphasis on identifying or addressing systemic issues.

Ombuds Officer D is quite flexible in how the office responds to issues. The ombuds officer related one case example of a conflict which led to the ombuds addressing organizational issues by designing facilitation and training in order to impact the conflict brought to the office. The ombuds office was able to reach out and interview
people involved in the conflict in order to determine the resolution. People access the various ombuds officers in this organization by walking in and calling. Employees learn about ombuds services through the website, brochures, and employee assistance programs.

Many disputes at Organization D have to do with authorship of papers between post-doctoral scientists and mentors; intellectual property is the primary issue. The organization does not see more women than men in the ombuds office, but Ombuds Officer D believes the visitor ratio is comparable to the gender demonstrated within the entire company. There are 20,000 people in the organization, and 15,000 are located on this campus. Gender ratios as a whole in the company are fairly equal, but more males then females are scientists. The ombuds officer sees this changing with younger generations, but currently more females work as support staff in Organization D.

Ombuds Officer D collects data on demographics, the unit where an employee works, level at the company, about whom the employee is complaining, the kinds of issue brought to the office, and the type of resolution to the conflict. The ombuds commented that less than 50% of cases are spent on scientists and scientific issues, but more than 50% of the time is spent resolving these issues. The ombuds officer would like to see the implementation of an online dispute resolution system. This office is also studying the dynamics of team science and research collaboration and the issues that arise during that collaboration.

Organization D utilizes no forms and notes; generic data are put into a database as conflicts arise. The ombuds officer is currently preparing a public report that will include
such things as statistics on types of cases with case examples. The annual report is a public document, but the ombuds officer was unsure if any other information could be shared for purposes of this thesis.

Organization E: The ombuds officer at Organization E has worked as an ombuds for two other organizations prior to this one. This officer has been the ombuds at this international financial organization for a couple of years. The organization has 17,000 staff worldwide with 5,000 of those being temporary. Temporary staff may work for as short a time as one week in order to write a brief report for the organization. The agency also has 7,000 consultants throughout the world. Ombuds Officer E works as the ombuds for all, but the agency also has a mediation department, an ethics department, an office of integrity which investigates abuse and misconduct, and an appeals committee. The organization also has an administrative tribunal, which serves as the justice system, as Organization E is not legally bound by the U.S. court system. Ombuds Officer E shares information with these other departments, but does not necessarily work on cases with them. There is another ombuds officer that does work on inter-country mediation. Ombuds Officer E provides coaching or intervention with the party of conflict if necessary. The ombuds can refer visitors to human resources for any of the other services.

In the system at this organization, all complaints should originate at human resources and will then be referred to the ombuds if appropriate. Ideally, individuals will work out conflicts on their own before coming to the office, according to Ombuds Officer E. Most of the issues that come to this ombuds are about relationships. Many of the
people the organization serves are technical people, “so their interpersonal skills are not what they ought to be.” This ombuds coaches people to go back and talk in order to maintain a relationship. Like other ombuds officers, the office maintains strict confidentiality.

Ombuds Officer E does not take any notes. The ethics department does take notes if a conflict gets to that point. Employees with this organization are unionized. People access the ombuds office via email, telephone, or come into the office, (with or without going to human resources first). Employees learn about the ombuds office through a website, outreach, presentations, and at new staff orientation. An annual report is published, but shares little information beyond demographics.

Ombuds Officer E states that people have similar issues whether they work at this organization, a university, or a corporation. People have the same aspirations, want challenging work, and want access to opportunities for advancement. The ombuds does not necessarily see differences in types of conflict between men and women, yet as with other organizations where the ombuds officer has worked, women use this system more than men. According to Ombuds Officer E, “that’s just the way women are. I think women like to talk things over a lot more than men. Men have their own ways of posturing or dealing with conflict. I haven’t looked at the formal filings. My guess is that most of the formal filings are men.” There are more men working in Organization E than women. The ombuds officer does not see it as a problem that woman utilize the ombuds office more than men. The system is designed to be used and this ombuds thinks if it is not being used it is not working. The ombuds mentioned that the hope would be that there
would be a funnel effect with more people using informal rather than formal dispute resolution alternatives, especially since it is more cost-effective.

Resolutions at Organization E may be handled with conversations between people. The ombuds officer and others in the organization also do training to solve problems. All these internal systems help people resolve conflict as people learn from being in front of one another.

Organization F: Organization F is a financial investment firm. The ombuds officer at this organization has also worked as an ombuds officer in a university. This ombuds officer advertises the ombuds office throughout the U.S. home office, but also in presentations to organizational offices outside the United States. The ombuds provides posters to off-site offices, has a video of the ombuds talking about the office on the internal website, and sends a letter to new employees to notify people about the ombuds office.

People access Ombuds Officer F through an 800 number. Occasionally, people will email the ombuds officer, but the officer encourages them to call so there is no written record. This ombuds has a cell phone to utilize to call people, as the office phone will appear on someone’s caller ID and may violate confidentiality. Sometimes, the assistant of the ombuds officer is the first person people contact. The assistant is also schooled in confidentiality and neutrality. Most of the issues raised by people coming to this ombuds are concerned about evaluative relationships, careers, development opportunities and have questions about regulations, rules, and laws. The ombuds addresses issues and may refer to HR if necessary. Sometimes, the ombuds provides
education and training for people to understand rules and regulations, or to understand their rights and responsibilities in the organization.

In the years Ombuds Officer F has been at this organization, people from every level of the organization have come to the ombuds. There are 4,500 employees with approximately an equal division by gender. Most of the females are support staff, while most of the men at the organization work in sales, research, and financial investment. Ombuds Officer F maintains data regarding gender, length of time at the company, position occupied, branch/business where employee works, whether people made a plan to address conflict, where people were referred and how referrals came to the ombuds office. The ombuds also documents systemic impact to the organization. Resolution to conflict may come from training such as classes on conflict styles and listening skills, as well as coaching and working through issues. Ombuds Officer F does not notice differences in employee conflicts or usage based on an individual’s gender or level in the organization. The ombuds thinks the only thing that makes a difference is access, as employees off-site are only able to access the ombuds by phone. This makes it more difficult to communicate.

Ombuds Officer F produces an annual report which is provided only to the company leaders. There is an abbreviated report for employees that describes buckets of issues and contains annual satisfaction survey results. The ombuds position was implemented at this organization as a way to capture things before they moved into a more formal system and as a way to make improvements to the company.
**Organization G**: Organization G is a business consulting firm located in the United States, but serving companies internationally. This ombuds officer has ombuds that work in some of the other regions of the world. People in the organization find out about the ombuds office services via a global intranet website. Employees access the service mostly through the intranet, an 800 number, and via email. Ombuds Officer G has done a tremendous amount of awareness building about the office, there is a lot of word of mouth about the ombuds services, people get referrals from others who have used the office, and there is a short video on the website about the services. Most ombuds visits are conducted by phone.

Most issues brought to Ombuds Officer G are personal issues such as burnout, stress, relationships, or credit for work; the economy; general meanness experienced by employees, whether real or perceived; and complaints about employee evaluations. People who utilize the service roughly reflect the demographics of the organization. The ombuds officer sees more male than female agency partners; more female than male consultants; and, more female than male support staff. Ombuds Officer G has visitors from all levels of the organization. The data kept by this ombuds is maintained on a data scorecard and includes: gender, role, office, broad buckets of issues, referrals, if someone has been referred to the ombuds, and if a concern came from outside of North America. This ombuds officer prepares an annual report without identifying information and presents this orally to the managing director and regional office leaders. Nothing is published. The purpose of the report is to improve services for people. The ombuds does
not keep data on the systemic impact for the organization, and does not feel a need to justify the position within the company.

Chapter 4 will further outline the information received in the interviews from these seven organizations. Each organizational ombuds officer was interviewed in order to gather general information about the office as it worked within their organization. In order to examine this further, Tables 4-9 in Chapter 4 will generally summarize the information provided by the ombuds officers.
Chapter 4: Data Results, Analysis and Discussion

The primary purpose of this thesis is to determine if there are similarities or trends in the roles and functions of organizational ombuds officers. Interviews conducted with ombuds officers provided the information for this type of analysis. The interviews also provided additional general information related to the individual organizations as depicted below.

In order to organize the data, the ombuds officer interviews are summarized below and followed by tables to further depict how the seven organizational ombuds officers do their work. While all of these summary tables are not perfectly aligned with the four roles or four functions, the summaries may provide data to further explain the roles and functions of ombuds officers. Chapter Five and the conclusion of this thesis will discuss these tables further. Table 2 on the following page presents a summary of the seven organizations interviewed for this thesis:
Table 2  
*Descriptions of Ombuds Organizations Interviewed*

<table>
<thead>
<tr>
<th>ORGANIZATION</th>
<th>TYPE OF ORGANIZATION</th>
<th>EMPLOYEE CATEGORIES</th>
<th># OF EMPLOYEES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Organization A</td>
<td>State Government</td>
<td>Support Staff, University Employees, Healthcare Employees, Correctional Employees, Finance and Budget, Facilities Maintenance</td>
<td>33,155</td>
</tr>
<tr>
<td>Organization B</td>
<td>Energy Research and Development</td>
<td>Support Staff, Scientists, Engineers, Analysts</td>
<td>1,100</td>
</tr>
<tr>
<td>Organization C</td>
<td>International Banking Agency</td>
<td>Support Staff, Accountants, Business Analysts, Financial Specialists</td>
<td>2,500 – 95% in U.S., 5% in other countries</td>
</tr>
<tr>
<td>Organization D</td>
<td>Medical Research</td>
<td>Support Staff, Administration, Scientists, Researchers</td>
<td>20,000 with 15,000 of them at this location</td>
</tr>
<tr>
<td>Organization E</td>
<td>International Banking Agency</td>
<td>Support Staff, Financial Personnel, Contractors, Consultants, Country Leaders</td>
<td>17,000, 12,000 regular, 5,000 contract, 7K consultants</td>
</tr>
<tr>
<td>Organization F</td>
<td>Investment Banking</td>
<td>Support Staff, Sales, Research, Money Management</td>
<td>4,500</td>
</tr>
<tr>
<td>Organization G</td>
<td>Business Consulting</td>
<td>Support Staff, Partners, Consultants, International Employees in various companies</td>
<td>9,500</td>
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</table>

Data compiled according to 2007-2008 figures.
Typically ombuds officers introduce themselves to new employees via several methods: introductory letters, corporate intranet videos, push emails, face-to-face orientations, and written literature. This introduction primarily occurs for new hires, but with the recent addition of more ombuds to organizations it often occurs for the entire agency when an ombuds is introduced. It is important that an ombuds or the organization design the system and the introduction of the ombuds office well before implementation. I have compiled Table 3 as an illustration of how visitors learn about the ombuds office at the seven organizations in which ombuds officers were interviewed for this thesis. Most visitors to the ombuds office learn about the office through an organizational website or during orientation when hired at the company. Print materials and visibility of the ombuds officer in the organization are the second most common ways these people learn about the ombuds. Videos, newsletters, and posters are used as a third most common means to educate others about the office. Organization C utilizes annual reports and supervisors to publish information about the ombuds. Organization D advertises through an employee assistance program. Employees find out about Ombuds Officer F via an annual satisfaction survey sent out to everyone, regardless of whether or not they utilize the ombuds office. Ombuds Officer G mentioned word-of-mouth as also providing education to organizational constituents about the availability of an ombuds officer.
Table 3
How Visitors Learn about the Ombuds Office

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<tr>
<th>ORGANIZATION</th>
<th>ORIENTATION</th>
<th>WEBSITE</th>
<th>VIDEO</th>
<th>NEWSLETTER</th>
<th>PRINT MATERIAL</th>
<th>POSTER</th>
<th>VISIBILITY</th>
<th>ANNUAL SATISFACTION SURVEY</th>
<th>ANNUAL REPORT</th>
<th>SUPERVISOR</th>
<th>WORD OF MOUTH</th>
<th>EMPLOYEE ASSISTANCE PROGRAM</th>
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<tr>
<td>A</td>
<td>X</td>
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Most ombuds officers only allow initial access to the ombuds officer via telephone. One ombuds office only allows access through a hotline, or 1-800-number that does not allow for callers to be identified on any telephone system caller ID. Surprisingly, many of the ombuds officers interviewed allowed contacts via email, or allowed visitors to simply show up at the ombuds office if they wanted to discuss an issue. This is quite unusual as ombuds officers do not want to maintain records, including electronic information such as email, or take the chance that visitors to the ombuds office come upon one another coming to or leaving the office. Fax and U.S. mail contact was used by only one ombuds officer. Table 4 has been compiled for this thesis to demonstrate the methods visitors use to access the seven ombuds offices in this study.
In order to demonstrate the most common types of concerns or issues brought to the ombuds office, I have designed Table 5. Most of the issues brought to the seven offices pertained either to evaluative relationships (supervisor to employee) or to relationships one has with peers or others at the organization. The next most common issues had to do with promotions and rules/policies/procedures. These are followed by performance and credit for work. Least common issues brought to the ombuds office concerned applications (grant applications or patent applications at Organization B), issues with job expectations or job conditions, personal issues or work issues related to burnout or stress, and finally concerns about the economy.
Table 5
Most Common Types of Issues Discussed with the Ombuds Officer

<table>
<thead>
<tr>
<th>ORGANIZATION</th>
<th>EVALUATIVE</th>
<th>COLLEAGUE</th>
<th>RELATIONSHIPS</th>
<th>RULES/ POLICIES/ PROCEDURES</th>
<th>APPLICATIONS</th>
<th>PERFORMANCE</th>
<th>EXPECTATIONS</th>
<th>PERSONAL ISSUES/BURNOUT/STRESS</th>
<th>JOB CONDITIONS</th>
<th>CONCERNS ABOUT ECONOMY</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
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</tbody>
</table>
| TOTAL        | 4          | 4         | 3             | 1                            | 1            | 1           | 3            | 1                             | 1              | 2                       | 1

Table 6 has been compiled for this thesis to illustrate the usual type of resolution or follow-up at the seven organizations in this study. The majority of resolutions occur due to facilitation by the ombuds officer, followed by coaching or assistance from the ombuds or by assistance in discussing or addressing concerns of visitors. Some ombuds officers provide information on policies or recommend training, provide mediation or training, or refer others to a more formal process. Only two ombuds officers mentioned the analyzing of trends of issues brought to the ombuds office as part of the resolution or follow-up, although all officers discussed the presentation of trends to organizational administration. The least often utilized resolutions for the ombuds officers interviewed included: the surfacing of workplace concerns, intervention with other parties, creation of reports, development of trust-building, or the emphasis of company culture.
Table 6

Usual Form of Conflict Resolution or Follow-up

<table>
<thead>
<tr>
<th>ORGANIZATION</th>
<th>POLICY/ TRAINING/RECOMMENDATIONS</th>
<th>ORGANIZATION</th>
<th>POLICY/ TRAINING/RECOMMENDATIONS</th>
<th>ORGANIZATION</th>
<th>POLICY/ TRAINING/RECOMMENDATIONS</th>
<th>ORGANIZATION</th>
<th>POLICY/ TRAINING/RECOMMENDATIONS</th>
<th>ORGANIZATION</th>
<th>POLICY/ TRAINING/RECOMMENDATIONS</th>
<th>ORGANIZATION</th>
<th>POLICY/ TRAINING/RECOMMENDATIONS</th>
</tr>
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<tbody>
<tr>
<td>A</td>
<td>X</td>
<td>X</td>
<td>X</td>
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</tbody>
</table>

For purposes of this thesis, Table 7 has been compiled to demonstrate the types of data maintained by ombuds officers. It is important to note that all of this is aggregate data, not individual data kept on separate visitors to the ombuds office. All but one ombuds officer maintained records on the level or location of the individual visitor in the company, five ombuds officers also kept data on the types of issues and gender of visitors. Four ombuds officers maintained data on the resolution, outcome, or referrals they make. Two officers keep track of the following: demographics, length of time with the company, age and ethnicity of the visitor, and how the visitors happen to find out about the office before they call the ombuds officer. Only one of the ombuds officers out of the seven kept any information on the number of contacts and number who come from each department. One ombuds officer kept general information about what person or about which supervisor in the company visitors were complaining. One ombuds officer kept data on the effectiveness of the ombuds contact, and another officer stated that information was maintained on themes and trends, (though, again, all ombuds officers
reported that they did report themes and trends to the administration, even if they did not report keeping data on this during the interview).

Table 7
Type of Data Maintained by Ombuds Officers

<table>
<thead>
<tr>
<th>ORGANIZATION</th>
<th>NUMBER OF CONTACTS</th>
<th>TYPES OF ISSUES</th>
<th>DEMOGRAPHICS</th>
<th>LEVEL/LOCATION IN COMPANY</th>
<th>LENGTH OF TIME WITH COMPANY</th>
<th>GENDER</th>
<th>AGE</th>
<th>ETHNICITY</th>
<th>ABOUT WHOM COMPLAINING</th>
<th>RESOLUTION/OUTCOME/REFERRALS</th>
<th>EFFECTIVES OF OMBUDS CONTACT</th>
<th>THEMES AND TRENDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<td>1</td>
<td>6</td>
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<td>2</td>
<td>1</td>
<td>4</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

Evaluating Ombuds Officer Roles

In order to evaluate the ombuds officers interviewed, the ombuds were categorized by the types of roles they fill in the organization according to explanations each provided during the interview. All of the ombuds officers defined their roles at the organization as assisting; either assisting members working within the organization or working as contractors with the organization.

By looking back at Table 6, we can see how these ombuds officers assisted. Four of the ombuds officers provided facilitation, three provided coaching, and three assisted with discussions and addressing concerns for visitors.
Two ombuds officers also fulfilled a regulatory role within the organization. Ombuds Officer F provided ombuds services to those outside the organization who receive investment services from the company. Officer F was in an ombuds position implemented due to some regulatory concerns or missteps in the financial investing firm as a way to avoid further issues with the SEC. Officer F was available to meet with concerned investors and to discuss concerns with potential whistleblowers. Officer B provided regulation through ensuring that work was completed according to licensing and technology transfer rules. The ombuds did this by assisting workers within the organization in correctly transferring new technology to other organizations. (Table 8 further in this section will outline the roles of the ombuds officers interviewed).

We can further examine the previous tables to see the similarities and differences between Ombuds Officer B and F. Table 3 demonstrates that Organization F utilizes the most methods (six) to advertise the availability of the ombuds office. Ombuds Officer F is the only ombuds that conducts an annual satisfaction survey for all employees and constituents of the organization. This may have been put into place due to the requirements by the SEC to establish this type of position. Ombuds Officer B utilizes five of the methods to advertise the office. All of the other ombuds officers use four or less methods.

By referring back to Table 5, we note that Ombuds Officers B and F have as one of the most common types of issues presented to their office concerns about rules/policies/procedures. Working as an ombuds with a regulatory role might lead
to these issues being some of the most common in the organization. Officer A also has this listed as an issue. The last commonality we see with the regulatory ombuds officers has to do with referral to a formal process. On Table 6 we can see that Ombuds Officers B and F are the only ombuds that mention this being one of the types of resolution to conflict for issues brought to the ombuds office.

Table 8 lists the roles of the ombuds officers interviewed for this study. Of the seven ombuds officers, all work in an assisting role, and two also officers work in a regulatory role. This data pertains to the ombuds officer’s roles prior to 2010. Due to the small size of ombuds officers interviewed and outlined by this data, it may be difficult to make many assumptions based on the data. (Please note that the organizations are listed by year of implementation in order to compare them back to Table 1).

Table 8
*Investigatory, Advocacy, Assisting, and Regulatory Roles of Ombuds Officers Interviewed*

<table>
<thead>
<tr>
<th>ORGANIZATION, IMPLEMENTATION YEAR</th>
<th>INVESTIGATORY</th>
<th>ADVOCACY</th>
<th>ASSISTING</th>
<th>REGULATORY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Organization E, 1981</td>
<td>X</td>
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<td></td>
<td></td>
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<tr>
<td>Organization D, 1997</td>
<td>X</td>
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<td></td>
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</tr>
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<td>Organization G, 1998</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Organization F, 2005</td>
<td>X</td>
<td>X^a</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Organization B, 2006</td>
<td>X</td>
<td>X^b</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Organization C, 2006</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Organization A, 2007</td>
<td>X</td>
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<tr>
<td>TOTAL</td>
<td>7</td>
<td>2</td>
<td></td>
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</tr>
</tbody>
</table>

^a Ombuds Officer at this organization was hired as per a regulatory requirement by the SEC
^b Ombuds Officer at Organization B does assist in regulatory matters involving technology transfers
In order to further evaluate the data regarding the roles of ombuds officers interviewed, it is helpful to compare these roles with other ombuds officers in the United States. Utilizing the ombuds officers discussed in this paper, those in the literature review and the seven ombuds officers interviewed, we can analyze the roles of ombuds officers. By examining the data we may determine how the roles of ombuds officers in the United States have changed over time. Again, these tables and data have been compiled by this researcher according to the information found in the literature review and may be somewhat subjective. By looking at Table 1 in Chapter 1, it is noted that the majority (75%) of the ombuds officers in this table work in the role of assisting, 45% of the 41 ombuds officers work in a regulatory role, 33% work in an advocating role, and 23% work in an investigatory role. There is some overlap in roles for some of the ombuds officers.

Fourteen of the 41 ombuds offices were implemented before 2010, while almost twice as many (26) have been implemented or proposed since the start of 2010, (again, this is a selective sample of only the research for this thesis). By looking at the roles of ombuds officers prior to 2010, we find that 71% worked in an assisting role, 64% worked in a regulatory role, 43% provided an advocacy role, and 21% had investigatory roles. From 2010 on, the ombuds officer roles are as follows: 77% provide an assisting role, 35% work in a regulatory role, 27% work in an advocacy role, and 23% work in an investigatory role.

Prior to 2010, 8 of the 14 ombuds officers researched and listed on Table 1, worked in multiple roles. Most of the ombuds officers prior to 2010 worked in an
assisting role followed closely by a regulatory role. From 2010 on, only 9 of the 26 ombuds officers worked in multiple roles. The great majority of ombuds officers from 2010 on worked in an assisting role. It seems that for some of these officers, the move is toward working in more of an assisting role and away from working in a regulatory role. The ombuds officer’s roles listed on Table 1 are similar to the role of ombuds officers interviewed and presented on Table 8. Most work in an assisting role since 2010. More ombuds officers may have worked in regulatory roles prior to 2010, but that number seems to have decreased over time.

Since there are so many instances of the roles of ombuds officers overlapping, one has to question why this may be occurring. It may be that the role of the ombuds officer changes according to such things as organizational need, the conflict, or the background and experience of the ombuds officer. There may be role confusion on the part of the ombuds officer or the organization in regards to the job description for the ombuds position. There also perhaps could be role ambiguity in organizations that are not able to define the position clearly. Overlap of the roles could also be due to the fact that the ombuds officer position does not have a broadly accepted definition that is agreed upon by ombuds office associations. We can make some general statements about the ombuds officers interviewed in this study while remembering that the roles still may not be clearly defined.

All of the organizational ombuds officers interviewed for this study work in an assisting role in their position. This is consistent with the IOA definition of organizational ombuds officers in focusing on two primary goals: assisting with organizational conflict
resolution, and impacting systemic change. The regulatory role is present only in two of the seven officers interviewed. Investigatory or advocacy roles are not filled by any of the seven ombuds officers interviewed for this study.

**Evaluating Ombuds Officers Working within the Four Frames**

Ombuds officers may be able to assist organizations in specifying trend information by encapsulating it in relation to the four frames. This may in turn assist leaders in systemic change as necessary to correct these issues. Schön quotes Ackoff (p. 16) a researcher in the field of operations research, in a comment that may best describe why it is necessary to create a framework in which to examine system issues:

> Managers are not confronted with problems that are independent of each other, but with dynamic situations that consist of complex systems of changing problems that interact with each other. I call such situations *messes*. Problems are abstractions extracted from messes by analysis; they are to messes as atoms are to tables and charts…Managers do not solve problems: they manage messes.

In order to examine the four frames used by ombuds officers interviewed for this study, I separated phrases used by the ombuds officers to represent their utilization of any one or more of the frames. In interviews with ombuds officers, phrases related to the four frames became clear. Table 9 depicts primary themes from conversations by listing the most predominant frame and the number of frames used by each ombuds officer in describing his or her position. Following Table 9 are some of the specific phrases used by ombuds officers as they pertain to the four frames of organizations.
Table 9
*Primary Frame Usage from Ombuds Officer Interviews*

<table>
<thead>
<tr>
<th>ORGANIZATION</th>
<th>PRIMARY THEME</th>
<th>PRIMARY FRAME</th>
<th>NUMBER OF FRAMES USED</th>
<th>ADDITIONAL FRAMES USED</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Positive employee relationships</td>
<td>Human Resource</td>
<td>4</td>
<td>Structural, Political, Symbolic</td>
</tr>
<tr>
<td>B</td>
<td>Technology and licensing</td>
<td>Structural</td>
<td>2</td>
<td>Human Resource</td>
</tr>
<tr>
<td>C</td>
<td>Employee performance and expectations</td>
<td>Human Resource</td>
<td>1</td>
<td>none</td>
</tr>
<tr>
<td>D</td>
<td>Ownership of discoveries and authorship</td>
<td>Political</td>
<td>3</td>
<td>Human Resource</td>
</tr>
<tr>
<td>E</td>
<td>Employee aspirations and relationships</td>
<td>Human Resource</td>
<td>2</td>
<td>Political</td>
</tr>
<tr>
<td>F</td>
<td>Evaluative relationships</td>
<td>Human Resource</td>
<td>2</td>
<td>Structural</td>
</tr>
<tr>
<td>G</td>
<td>Burnout, stress, relationships</td>
<td>Human Resource</td>
<td>2</td>
<td>Symbolic</td>
</tr>
</tbody>
</table>

Table 9 is a summary of the information presented below. By analyzing transcripts of interviews with ombuds officers, including the quotations that follow, I was able to determine a focus of frames utilized by ombuds officers. In addition, I used phraseology found in the questions from the Bolman and Deal Leadership Orientations questionnaire found in Appendix B to check similarities between the ombuds officer comments and Bolman’s and Deal’s questions related to the four frames. My interpretation is that each ombuds officer had a primary frame that was the focus of the conversation; the focus was not necessarily the same as the quote from the ombuds officers utilized below. Quotations were used for illustrative purposes only. Five of the seven ombuds officers focused on the human resource frame, one focused on the structural frame, and one focused on the political frame. Ombuds Officers A and F mentioned the structural frame to a lesser extent than the human resource frame. Ombuds Officers B and D minimally focused on the human resource frame. Officers A and E gave
minimal attention to the political frame. Finally, Officers A and G mentioned items related to the symbolic frame. The final column depicts these additional frames used by the ombuds officers interviewed. Additional frames were referred to only briefly, once or twice during the course of the interview. Example quotations from the ombuds officers pertaining to the four frames help to illustrate how these ombuds officers utilized the frames.

**Structural Frame**

The structural frame focuses on the organizational chart of an agency and on the roles and responsibilities within the chart that are crucial in order to get the job done. There is a focus on a division of labor and coordination of efforts in order to reach goals and objectives. These ombuds officers understood and referred to the structural needs of the organization.

*Technology transfer is a big thrust for our organization. It is how we get our research to the public for cars, etc. I may provide mediation for someone wanting a license for new technology.*

*Patent issues are less frequent (and mostly informational sessions) because of the rules and guidelines with this task. This is mostly referred to another department.*
I spend time with visitors going through regulations and helping them gain an understanding of the process and protections.

The comments cited above focus on the structural frame as it relates to organizations. One ombuds officer discussed the technology transfer function of the organization and how it affected the role of the ombuds office in working with individuals to perform this function; a structural part of the agency. A second ombuds officer had employees and scientists that created technology that was patentable. This ombuds officer saw issues come to the office that required assistance in working through the structural process of obtaining patents for invented items or processes. A third ombuds officer dealt with issues of regulations in the agency. Many times visitors to this office simply needed an explanation of regulations and how those regulations related to the issue at hand. At times, the visitors needed to know who to see in the structure of the organization in order to resolve the issue.
Human Resources Frame

The human resources frame focuses on an organization being a family. Relationships are important, and individuals rely on one another. Organizations are concerned with careers and needs of the employees. These ombuds officers reflect on feelings, prejudices and limitations of employees.

I am always mindful of women being treated fairly and whether she is the only female working among males or whether she is the youngest.

When you err on the side of aiding the employee, it makes a difference.

If you are angry it is your reality and affects the workplace.

We have many technical people, so their interpersonal skills are not what they ought to be. They need to learn to go back and talk to maintain the relationship.

Generally, people are dealing with the stresses and strains of their lives. What are their options?
The statements above come directly from ombuds officers interviewed for this project. These ombuds officers utilized the statements in reference to their discussion about the ombuds office functions conducted in the course of their day. All of these statements are from a human resource focus. The first ombuds officer was concerned with the fair treatment of women in the workplace. The officer also had a clear understanding of how gender combined with age may impact the individuals in a workplace. This ombuds officer may have operated out of a human resource frame primarily as the second quote is also attributable to the ombuds officer. Focusing on “erring on the side of aiding the employee” demonstrates a focus on employees and the human resource side of the organization.

Another ombuds officer expressed a focus on the human resource frame by discussing the anger of employees and how that affects the workplace, definitely a human resource issue. A third ombuds officer believed that some of the negative human interactions in this officer’s particular organization were due to the fact that employees were very technically-oriented; thus, they may not have the interpersonal skills necessary to interact with others successfully. The final ombuds officer made this statement in regards to why people visited the ombuds office; people are trying to manage stress. This stress affects human relationships within the workplace and this ombuds officer also stated that this is a human resources issue for the agency.
Political Frame

In the political frame, organizations are seen as jungles or arenas. Conflict is frequent and obvious in this frame as people compete for power and scarce resources. These ombuds officers deal with this fight over scarcity between employees.

I am the smoke detector for the organization. By nature of “rankism” there are a huge number of employees who will not speak up, regardless of how open and loving things are – they don’t want to get in trouble.

A large number of disputes are about authorship on papers, between post-docs and mentors, in both directions.

Occasionally interests don’t coincide, so there is a conflict.

In the political frame ombuds officers may see the most conflict. The officer in the first quotation understood the ombuds officer role within the political context; in this organization people were concerned about retaliation, they wanted to speak up but not damage their careers, and they clearly understood that others had the power over them. The “rankism” this ombuds officer spoke about clearly delineated that there were levels within the organization and employees were concerned about the power retained within those levels. The power conflict was also obvious at the second organization where the
ombuds discussed authorship on papers as being a conflict among visitors to the ombuds office. It is important for people to be able to publish in this organization and the opportunity to publish results of studies and other such information is scarce and may not be available to all without a fight or conflict. The third ombuds officer mentioned interests of employees colliding. Again, scarce resources create political conflict. This ombuds officer was describing things from a political frame.

**Symbolic Frame**

In the symbolic frame, organizations are tribes, theaters or carnivals. There is the use of symbol, myth, and magic to support the all-important culture of an organization. Ombuds officers in this frame note the symbolism and strong culture in the organization.

> My first time working with our office in another country, a country and culture that is generally not open to discussions about issues and feelings, I wound up meeting with everyone in the office. Some wanted to discuss personal issues, work-related issues; some just wanted to meet me.

> The culture of our company, with its well-articulated values that are underscored frequently, outweighed the culture of another country.
Fewer ombuds officers provided any commentary that could be related to the symbolic frame. The quotes above are from one ombuds officer; the only ombuds officer that provided a specific quote in the interview that could be related to symbolism. The culture of an organization is a primary component of symbolism. Although this ombuds officer talked about employees wanting to “discuss personal issues, work-related issues,” the comment pertained primarily to the culture of the country in which the ombuds officer was working. The point of the two quotations was that the culture of the organization overrode the culture typical in the country visited. While issues brought to this ombuds office might be related to a human resource frame or a political frame, the ombuds officer was very aware of a symbolic frame as it pertains to the work conducted by this ombuds office. Lack of knowledge in this area, or lack of focus at all in this area, may limit how an ombuds officer is able to assist organizational leadership.

Discussion
A practitioner in any field must often conduct an analysis to examine how they may individually be impacting services provided. As Schön notes, “In real-world practice, problems do not present themselves to the practitioner as givens. They must be constructed from the materials of problematic situations which are puzzling, troubling, and uncertain,” (p. 40). As such, problems, successes, or impacts practitioners have as ombuds officers within organizations may not be pronounced, and may not surface without further analysis.

From the data, we learn that a majority of the ombuds officers in the United States examined for this thesis work in mostly an assisting role. The percentage of those who
work in a regulatory role as ombuds officers have dropped by nearly half in those ombuds positions implemented since 2010 (see Table 1). In addition, the number of ombuds offices implemented since 2010 that work in an advocacy role has also decreased by nearly half. The percentage of ombuds working in an investigatory role to present has not changed much since 2010. The percentage of ombuds officers working in an assisting role has increased slightly since 2010. It would seem that most ombuds officers, not only organizational ombuds officers, but also ombuds officers defined as classical, are moving in the direction of working in an assisting role, at least at this point, (and according to this selective sample).

When looking at the functions of ombuds officers in light of the four frames, a primary issues theme prevalent in the interviews with seven ombuds officers is the human resource frame. While an ombuds officer who categorizes issues according to a human resource frame may be helpful in making recommendations for systems change, not including issues related to the other three organizational frames may limit information that could be provided in an annual executive report. Decision-making may be enhanced if an ombuds officer is able to think and present information within the four-frame concept.

The seven organizational ombuds officers interviewed did not all seem to be cognizant of issues within the four organizational frames. One seemed to work a great deal within the structural frame in providing technical transfer assistance and guidance, and another spent time with others as necessary to understand the regulations. While another ombuds discussed that the structure of this organization allowed the ombuds to
send employees to another department for patent information, another ombuds officer did not discuss how the structure of his organization could be examined to allow for changes to training in regulatory issues; perhaps training on regulations was not necessarily the role of the ombuds officer, yet this officer made it his responsibility.

All of the ombuds officers commented on various issues within the human resources frame. One mentioned the influence of the workplace on women vs. men. Another ombuds expressed a difference in relational skills between those who had little training and those workers who had higher education, and the necessity for learning to talk to one another. One discussed the stresses seen by all during the economic downturn and how it affected the work environment. An ombuds discussed how anger affected the workplace, and another discussed her support for employees and the ways she attempted to pursue conflict issues in this vein. Human resources within conflict resolution and in the organizational ombuds office seem inherent.

Although seven organizational ombuds officers were interviewed, I was only able to pull three quotes out of the interviews that had to do with the political frame. One quote came from an ombuds officer who had worked many years as a human resources officer with people working in both blue collar and in highly professional positions; this ombuds had a great understanding of unions and lower line level staff and the relationship with upper management. Another ombuds officer worked in a very competitive environment with highly educated and intelligent scientists competing for recognition, definitely a highly political atmosphere. There are political issues in every
work environment; it is surprising that the ombuds officers did not truly speak more to these types of events.

Only one ombuds officer referred to a symbolic frame at all in the interviews. This ombuds officer definitely emphasized culture. Culture was emphasized within the organization as well as within the other countries where the firm has other offices. The ombuds understood the culture of the company and stated that it was a pertinent factor in how they do business. Again, culture is present in every company as is the political frame; yet ombuds officers tended not to focus much on a symbolic frame, and only briefly on the political frame in the interviews.
Chapter 5: Conclusion

An organization’s ability to learn, and translate that learning into action rapidly is the ultimate competitive advantage.

- Jack Welch

This thesis attempts to answer whether ombuds officers work in an investigatory, advocating, assisting, or regulatory role and whether that has changed over time in organizations. In addition, the thesis is that ombuds officers would be more helpful to an organization in decision-making if they are able to utilize a four-frame structure such as Bolman’s and Deal’s in order to analyze issues brought to the ombuds office. I attempted to discern whether the frames are similar depending on the type of organization, characteristics of the ombuds officers, or changing over time.

Ombuds officers have typically been categorized as classical/legislative or organizational. These two categories may not entirely provide the best description of the roles of ombuds officers. The ombuds concept started in Sweden as a legislative role; however, most organizational ombuds officers in the United States primarily work in an assisting role. Some of these assisting ombuds officers continue to provide advocacy and regulatory roles in the organizations in which they exist, but fewer of these officers provide an investigatory function.
Leaders in other professions utilize a human resource role primarily in their line of work (Sypawka, et.al, McArdle, Yi, Lieff and Albert, and Tull and Freeman). Academic deans, community college presidents, academic library directors, medical education leaders, and student affairs administrators all utilized the human resource frame in their leadership style; the same could be said of the ombuds officers interviewed as five of them primarily used a human resource frame. It is difficult to completely identify the reason for the ombuds officer focus to be on the assisting role and the human resource frame in the United States. Several things may come into play:

- Organizational ombuds officers were started in various organizations in the United States to be a part of the continuum in a conflict resolution system.
- The characteristics of the individuals actually employed as ombuds officers may influence their work within an assisting role and a human resource paradigm.
- The evolution of the ombuds office in the United States and influence and impact from professional associations may emphasize an assisting role and human resource frame.
- Changes in the work environment in the United States may be impacting these roles and frames as the diversity of the workplace increases.
Main Findings

Most of the organizational ombuds officers interviewed in this study exist in the organization as part of a continuum of alternative dispute resolution services, so the primary function of most of the ombuds officers is to fulfill a role in that continuum; this inevitably may become an assisting role as the majority of visitors seek to work through a conflict. Conflict resolution in and of itself occurs within the context of assisting with human relationships. Most organizational ombuds officers provided this assistance through facilitation, coaching, and by discussion or advising on how to manage the conflict at hand.

The ombuds officers interviewed have a variety of backgrounds, but out of the seven interviewed, five have degrees in psychology, human resources or social work. Many times ombuds officers have a human resources or social work background. (Although this may be changing as it seems from a quick glance at current ombuds association memberships; many of those newly hired are attorneys). Only one ombuds officer interviewed has a law degree in addition to the psychology degree. Two ombuds officers additionally have business or engineering/technology degrees or training. Most of the five have used their psychology, human resource, or social work degrees in previous work positions besides the ombuds officer position. By assisting others in human resource offices, therapeutic settings, or in accessing community services, these ombuds officers may have a natural inclination to working in an assisting role and a human resource frame.
To further support why there is primarily an emphasis on the assisting role and human resource frame in this study we can look to the reasons ombuds officers were established in the United States. Many ombuds officers were established with thoughts to protecting people in university environments that had become more liberal, outspoken and diverse, from the reporting of erroneous news stories, and for appropriate care in long-term care facilities for the elderly or disabled. One of the first ombuds officers to fall somewhat outside of this assisting role was the Taxpayer Advocate that was not established until nearly 20 years after the first university ombuds officer in the United States. University and long-term care ombuds officers primarily were hired to assist with human interaction in specific communities; thus a focus on assisting and a human resource frame.

Although government ombuds officers banded together first in the USOA, the IOA was established with a broader coalition of university, college, corporate, and other ombuds officers. This may have allowed for a stronger voice in the ombuds field from these assisting organizational ombuds. Government ombuds officers often have a regulatory or investigatory role. University, college, and corporate ombuds officers typically have an assisting role and the direction and focus of these organizations may have an impact on the roles and functions of the organizational ombuds in general. The IOA has a large and active membership that works on training, mentorship, and writing policies and procedures for the role of the ombuds office. The values of the IOA may influence a focus on an assisting role and a human resource frame.
As more and varying types of people begin working in corporations, human resource issues come into play. Workplaces have now become intermingled environments, with the addition of more women to the workforce since the 1960s, people working longer in life due to economics, and younger employees entering the workforce with different values than older workers. Women used to work at home and while at home and in their neighborhoods, share problems with the woman next door or the friend walking her children down the street. Prior to this time, people were not bringing problems from home to work. There has been a focus on feelings since this time (Feste, 2003). A person’s emotional state in conflict is very important. People have more of a need to have feelings understood, made explicit, and communicated to the other side. This may lead to an assisting role and human resource frame on behalf of ombuds officers.

Ombuds officers in the United States may be mostly defined as working in an assisting role; however they may need to be aware of the four frames in organizations in order to best work in their field and assist the leadership of organizations. If an ombuds officer is seeing issues brought forth that relate to a symbolic frame, the officer may want to discuss with leadership a possible need for more focus on corporate culture. If an ombuds officer sees that employees seem to be coming with relationship issues, but upon further discussion the issues actually relate to the lack of rules, specific job descriptions, or direction, an ombuds officer and leadership may want to discuss more of a focus on the structural needs of the organization. An ombuds officer can enhance the role of the position by focusing on all four organizational frames.
Conversation is important. Organizations are successful and suffer setbacks due to verbal communication (Kolb, p. 68). An ombuds officer can be fundamental to successful communication within an organization. “Ombuds officers characteristically use their roles to keep their fingers on the pulse of the organization, create a map of the organization, and assist CEOs to address concerns confidentially, for the group,” as noted by one of the ombuds officers interviewed for this study. This role in assisting and focusing on a human resource frame may continue to be important.

Ombuds officer roles and functions are important for organizations to understand when hiring for this position. If an organization is looking for an ombuds officer to work in primarily an assisting role, the administration may need to keep in mind the background and experience of potential candidates for an ombuds office. In this research, all of the organizational ombuds officers interviewed worked in an assisting role and many of them had backgrounds in social work or human resources that gave them some experience in assisting others. Some organizations are eager to hire an ombuds who has experience as an attorney in order to help the company in this conflict resolution position. Employees may be hesitant to go to see an ombuds with this type of background. A former attorney may not be seen as neutral by employees, may be seen as someone who is more of an investigator or regulator and who breach the confidentiality of the visitor to assist the organization legally, or may be seen as less informal due to the law degree. Additionally, if ombuds officers are to best provide information to the administration regarding system improvements, CEOs and ombuds officers may want to consider
utilizing something similar to the four-frame structure to categorize visitor information brought to an ombuds office.

Limitations of the Study

Interviews with ombuds officers were approached with the purpose of determining the possibility of gathering information for a different topic, namely how males and females in their organization use ombuds services. Questions were designed for the interview with this in mind. Ombuds officers were not all willing to share data related to this topic, thus the data I had through the interviews needed to be examined with an alternative view. While the analysis of the ombuds officers in terms of the types of roles played in specific positions (investigatory, assisting, advocating, or regulating) can be easily determined from the interviews, comments analyzed in terms of the four frame perspective may have been stated differently by the ombuds officer if the group of questions had been more focused on gathering material related to these frames. The themes emerged as part of the general interview regarding how the ombuds officer worked.

Information gathered was from discussions with ombuds officers and could have been more enlightening if the ombuds officer interviews were more methodical and aimed at obtaining information about specific points necessary to the research. Only seven ombuds officers were interviewed for this study, thus the data available and assumptions made are extremely limiting. More ombuds officers interviewed utilizing more direct questioning would presumably lead to a more conclusive result.
Ombuds officers were interviewed only where the researcher was most able to meet them at their organizations for interviews. These ombuds officers were primarily located in the eastern United States and may have provided a limitation to the data. Furthermore, ombuds officers were interviewed utilizing a random snowball sampling. By interviewing mostly ombuds officer who were referred by others, the data may have limited results due to like-minded or otherwise similar ombuds being interviewed.

It should be noted that the categorization of roles and functions of the ombuds officers in this research was completed by the researcher based on written public information and other research available to the general public about roles (investigatory, advocacy, assisting, regulatory) and may be somewhat subjective. Subjectivity may come into the interpretation of the research documents studied in the literature review by the researcher and some interpretation of what the writers meant in the description of the specific ombuds officer. Comparisons of ombuds officers in the literature to the ombuds officers interviewed may be affected by this.

Functions (within the four frames of structural, human resource, political, and symbolic) of the seven ombuds officers interviewed for this thesis were also determined by the researcher upon review of interview transcripts and comments and quotations therein. Some of these comments seem to fit one frame over another, but this too could be subjective. Even with the comparison to the Leadership Orientations questionnaire, the categories designated by this researcher for the seven ombuds officers are my interpretation and not the interpretation of the ombuds officer.
Future Research

There has been very little research conducted on the ombuds office. This is an area in conflict resolution that warrants further study. It would be recommended that future research more extensively analyze the roles of ombuds officers in the United States. In order to analyze and compare ombuds officers, I utilized a selection of ombuds officers from research gathered in comparison to the seven ombuds officers interviewed. A more thorough idea for future research would be to gather information about all former and existing ombuds officers through the USOA, the IOA and other ombuds associations in order to examine the investigatory, advocacy, assisting, and regulatory roles. In addition, surveys designed for these ombuds officers in order to gather more information from them directly would be helpful. It additionally may be helpful to examine the specific job descriptions of ombuds officers in order to further clarify the roles played within their agency.

Analysis of how ombuds officers use the four frames of Bolman and Deal could be enhanced greatly by having ombuds officers utilize the Leadership Orientations questionnaire in order to identify how they utilize the four frames in their work. As an alternative, future research could ascertain how ombuds officers may focus on one of more of the four frames by providing scenarios of conflict in the workplace and asking ombuds officers how they would respond to or describe the conflict that might be brought to them from a hypothetical visitor. Certainly, a study of a much larger number than seven ombuds officers in this study would lead to better information. In addition, working with the IOA to discuss how they see the four frames fitting into the work of an
organizational ombuds may determine if that is a tool helpful to an ombuds office. It is possible that ombuds officers utilizing a four frame analysis for issues that come to the office may hinder some of the inherent aspects of the position; specifically, neutrality and informality.

Conflict resolution may be able to have an impact on policy development in many organizations, including federal, state and local governments. In conducting this research about organizational ombuds officers in the United States, the intent was to learn more about the office and how it interacts with the organizations it serves. As new ombuds officers are proposed for many different agencies in federal government, as well as local and state governments, continuing to examine the roles and functions of the ombuds office will assist in the performance of organizations.

“Part of the design of any system is a clear elaboration of goals the system hopes to achieve in resolving or managing disputes. Dispute resolution systems cannot be everything for everyone” (Harrison and Morrill, 335). Whether an organizational focus is to have an ombuds officer act as a watchdog, a sounding board, or a smoke detector may define whether the ombuds officer hired has a background in psychology or law and whether the ombuds officer ultimately works in an assisting, advocacy, investigatory, or regulatory role.
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Appendix A: Ombudsman Interview Questions

1. For whom within or outside the organization do you provide ombudsman services?
2. How are your services accessed?
3. Who typically utilizes the ombudsman services?
4. What is the most common grievance?
5. Is there a difference in utilizing ombudsman services in relation to race, gender, age, culture, position in the company or any other qualifier?
6. What types of support do you provide as an ombudsman?
7. Is there a difference in the outcome of your meetings related to race, gender, age, culture, position in the company, or any other qualifier?
8. What types of data do you maintain?
9. Are the data available to anyone outside your organization? If so, in what format?
10. How do you promote or advertise your services to potential clients/employees?

And as I approached the final three interviews, due to information gathered from the previous three, I asked:

11. Is there a difference in who accesses these services in relation to gender, age, culture, position in the company or any other qualifier in regards between this and any other agency where you have worked?
12. If there were one thing you could do to improve ombudsman services in general, what is that one thing?
Appendix B: Leadership Orientations Tool by Bolman and Deal

Name: ______________________

LEADERSHIP ORIENTATIONS

This questionnaire asks you to describe yourself as a manager and leader. For each item, give the number "4" to the phrase that best describes you, "3" to the item that is next best, and on down to "1" for the item that is least like you.

1. My strongest skills are:
   _____ a. Analytic skills
   _____ b. Interpersonal skills
   _____ c. Political skills
   _____ d. Flair for drama

2. The best way to describe me is:
   _____ a. Technical expert
   _____ b. Good listener
   _____ c. Skilled negotiator
   _____ d. Inspirational leader

3. What has helped me the most to be successful is my ability to:
   _____ a. Make good decisions
   _____ b. Coach and develop people
   _____ c. Build strong alliances and a power base
   _____ d. Inspire and excite others

4. What people are most likely to notice about me is my:
   _____ a. Attention to detail
   _____ b. Concern for people
   _____ c. Ability to succeed, in the face of conflict and opposition
   _____ d. Charisma.

5. My most important leadership trait is:
   _____ a. Clear, logical thinking
   _____ b. Caring and support for others
   _____ c. Toughness and aggressiveness
   _____ d. Imagination and creativity

6. I am best described as:
   _____ a. An analyst
   _____ b. A humanist
   _____ c. A politician
   _____ d. A visionary

   _____ ST _____ HR _____ PL _____ SY _____ Total

_________________________________

LEADERSHIP ORIENTATIONS SCORING
The Leadership Orientations instrument is keyed to four different conceptions of organizations and of the task of organizational leadership.

Plot each of your scores on the appropriate axis of the chart below: ST for Structural, HR for Human Resource, PL for Political, and SY for Symbolic. Then read the brief description of each of these orientations toward leadership and organizations.

[Scales are adjusted to represent percentile scores. The lowest number for each frame represents the 25th percentile; the highest number represents the 90th percentile. The table below shows percentiles for each frame, based on a sample of more than 700 managers from business, education and government. For the structural frame, for example, 25% of managers rate themselves 12 or below, and only 10% rate themselves 23 or above. The percentiles for each frame are shown in the table below, based on a sample of more than 700 managers in business, education, and government.]
Leadership Orientations Scoring

<table>
<thead>
<tr>
<th>In a sample of more than 700 managers:</th>
<th>Structural</th>
<th>Human Resource</th>
<th>Political</th>
<th>Symbolic</th>
</tr>
</thead>
<tbody>
<tr>
<td>10% rated themselves at or above.</td>
<td>22</td>
<td>24</td>
<td>17</td>
<td>21</td>
</tr>
<tr>
<td>25% rated themselves above:</td>
<td>19</td>
<td>22</td>
<td>13</td>
<td>17</td>
</tr>
<tr>
<td>50% rated themselves above:</td>
<td>16</td>
<td>19</td>
<td>11</td>
<td>14</td>
</tr>
<tr>
<td>75% rated themselves above:</td>
<td>12</td>
<td>18</td>
<td>9</td>
<td>11</td>
</tr>
</tbody>
</table>

Interpreting Scores

1. **Structural** leaders emphasize rationality, analysis, logic, facts and data. They are likely to believe strongly in the importance of clear structure and well-developed management systems. A good leader is someone who thinks clearly, makes the right decisions, has good analytic skills, and can design structures and systems that get the job done.

2. **Human resource** leaders emphasize the importance of people. They endorse the view that the central task of management is to develop a good fit between people and organizations. They believe in the importance of coaching, participation, motivation, teamwork and good interpersonal relations. A good leader is a facilitator and participative manager who supports and empowers others.

3. **Political** leaders believe that managers and leaders live in a world of conflict and scarce resources. The central task of management is to mobilize the resources needed to advocate and fight for the unit’s or the organization's goals and objectives. Political leaders emphasize the importance of building a power base: allies, networks, coalitions. A good leader is an advocate and negotiator who understands politics and is comfortable with conflict.

4. **Symbolic** leaders believe that the essential task of management is to provide vision and inspiration. They rely on personal charisma and a flair for drama to get people excited and committed to the organizational mission. A good leader is a prophet and visionary, who uses symbols, tells stories and frames experience in ways that give people hope and meaning.

**Computing Scores:**

Compute your scores as follows:

- ST = 1a + 2a + 3a + 4a + 5a + 6a
- HR = 1b + 2b + 3b + 4b + 5b + 6b
- PL = 1c + 2c + 3c + 4c + 5c + 6c
- SY = 1d + 2d + 3d + 4d + 5d + 6d
Appendix C: International Ombudsman Association Uniform Reporting Categories


<table>
<thead>
<tr>
<th>1. Compensation and Benefits</th>
<th>Questions, concerns, issues or inquiries about the equity, appropriateness and competitiveness of employee compensation, benefits and other benefit programs.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.a Compensation (rate of pay, salary amount, job salary classification/level)</td>
<td></td>
</tr>
<tr>
<td>1.b Payroll (administration of pay, check wrong or delayed)</td>
<td></td>
</tr>
<tr>
<td>1.c Benefits (decisions related to medical, dental, life, vacation/sick leave, education, worker's compensation insurance, etc.)</td>
<td></td>
</tr>
<tr>
<td>1.d Retirement, Pension (eligibility, calculation of amount, retirement pension benefits)</td>
<td></td>
</tr>
<tr>
<td>1.e Other (any other employee compensation or benefit not described by the above subcategories)</td>
<td></td>
</tr>
<tr>
<td>2. Evaluative Relationships</td>
<td>Questions, concerns, issues or inquiries arising between people in evaluative relationships (i.e. supervisor-employee, faculty-student.)</td>
</tr>
<tr>
<td>2.a Priorities, Values, Beliefs (differences about what should be considered important – or most important – often rooted in ethical or moral beliefs)</td>
<td></td>
</tr>
<tr>
<td>2.b Respect/Treatment (demonstrations of inappropriate regard for people, not listening, rudeness, crudeness, etc.)</td>
<td></td>
</tr>
<tr>
<td>2.c Trust/Integrity (suspicions that others are not being honest, whether or to what extent one wishes to be honest, etc.)</td>
<td></td>
</tr>
<tr>
<td>2.d Reputation (possible impact of rumors and/or gossip about professional or personal matters)</td>
<td></td>
</tr>
<tr>
<td>2.e Communication (quality and/or quantity of communication)</td>
<td></td>
</tr>
<tr>
<td>2.f Bullying, Mobbing (abusive, threatening, and/or coercive behaviors)</td>
<td></td>
</tr>
<tr>
<td>2.g Diversity-Related (comments or behaviors perceived to be insensitive, offensive, or intolerant on the basis of an identity-related difference such as race, gender, nationality, sexual orientation)</td>
<td></td>
</tr>
<tr>
<td>2.h Retaliation (punitive behaviors for previous actions or comments, whistleblower)</td>
<td></td>
</tr>
<tr>
<td>2.i Physical Violence (actual or threats of bodily harm to another)</td>
<td></td>
</tr>
<tr>
<td>2.j Assignments/Schedules (appropriateness or fairness of tasks, expected volume of work)</td>
<td></td>
</tr>
<tr>
<td>2.k Feedback (feedback or recognition given, or responses to feedback received)</td>
<td></td>
</tr>
<tr>
<td>2.l Consultation (requests for help in dealing with issues between two or more individuals they supervise/teach or with other unusual situations in evaluative relationships)</td>
<td></td>
</tr>
<tr>
<td>2.m Performance Appraisal/Grading (job/academic performance in formal or informal evaluation)</td>
<td></td>
</tr>
<tr>
<td>2.n Departmental Climate (prevailing behaviors, norms, or attitudes within a department for which supervisors or faculty have responsibility.)</td>
<td></td>
</tr>
<tr>
<td>2.o Supervisory Effectiveness (management of department or classroom, failure to address issues)</td>
<td></td>
</tr>
<tr>
<td>2.p Insubordination (refusal to do what is asked)</td>
<td></td>
</tr>
<tr>
<td>2.q Discipline (appropriateness, timeliness, requirements, alternatives, or options for responding)</td>
<td></td>
</tr>
<tr>
<td>2.r Equity of Treatment (favoritism, one or more individuals receive preferential treatment)</td>
<td></td>
</tr>
<tr>
<td>2.s Other (any other evaluative relationship not described by the above subcategories)</td>
<td></td>
</tr>
<tr>
<td>3. Peer and Colleague Relationships</td>
<td>Questions, concerns, issues or inquiries involving peers or colleagues who do not have a supervisory–employee or student–professor relationship (e.g., two staff members within the same department or conflict involving members of a student organization.)</td>
</tr>
<tr>
<td>3.a Priorities, Values, Beliefs (differences about what should be considered important – or most important – often rooted in ethical or moral beliefs)</td>
<td></td>
</tr>
<tr>
<td>3.b Respect/Treatment (demonstrations of inappropriate regard for people, not listening, rudeness, crudeness, etc.)</td>
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<td></td>
</tr>
<tr>
<td>3.i Physical Violence (actual or threats of bodily harm to another)</td>
<td></td>
</tr>
<tr>
<td>3.j Other (any peer or colleague relationship not described by the above sub-categories)</td>
<td></td>
</tr>
<tr>
<td>4. Career Progression and Development</td>
<td>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.)</td>
</tr>
<tr>
<td>4.a Job Application/Selection and Recruitment Processes (recruitment and selection processes, facilitation of job applications, short-listing and criteria for selection, disputed decisions linked to recruitment and selection)</td>
<td></td>
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<tr>
<td>4.b Job Classification and Description (changes or disagreements over requirements of assignment, appropriate tasks)</td>
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</tbody>
</table>
4.c Involuntary Transfer/Change of Assignment (notice, selection and special dislocation rights/benefits, removal from prior duties, unrequested change of work tasks)
4.d Tenure/Position Security/Ambiguity (security of position or contract, provision of secure contractual categories)
4.e Career Progression (promotion, reappointment, or tenure)
4.f Rotation and Duration of Assignment (noncompletion or over-extension of assignments in specific settings/countries, lack of access or involuntary transfer to specific roles/assignments, requests for transfer to other places/duties/roles)
4.g Resignation (concerns about whether or how to voluntarily terminate employment or how such a decision might be communicated appropriately)
4.h Termination/Non-Renewal (end of contract, non-renewal of contract, disputed permanent separation from organization)
4.i Re-employment of Former or Retired Staff (loss of competitive advantages associated with re-hiring retired staff, favoritism)
4.j Position Elimination (elimination or abolition of an individual’s position)
4.k Career Development, Coaching, Mentoring (classroom, on-the-job, and varied assignments as training and developmental opportunities)
4.l Other (any other issues linked to recruitment, assignment, job security or separation not described by the above sub-categories)
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.
5.a Criminal Activity (threats or crimes planned, observed, or experienced, fraud)
5.b Business and Financial Practices (inappropriate actions that abuse or waste organizational finances, facilities or equipment)
5.c Harassment (unwelcome physical, verbal, written, e-mail, audio, video psychological or sexual conduct that creates a hostile or intimidating environment)
5.d Discrimination (different treatment compared with others or exclusion from some benefit on the basis of, for example, gender, race, age, national origin, religion, etc.)[being part of an Equal Employment Opportunity protected category – applies in the U.S.]
5.e Disability, Temporary or Permanent, Reasonable Accommodation (extra time on exams, provision of assistive technology, interpreters, or Braille materials including questions on policies, etc. for people with disabilities)
5.f Accessibility (removal of physical barriers, providing ramps, elevators, etc.)
5.g Intellectual Property Rights (e.g., copyright and patent infringement)
5.h Privacy and Security of Information (release or access to individual or organizational private or confidential information)
5.i Property Damage (personal property damage, liabilities)
5.j Other (any other legal, financial and compliance issue not described by the above sub-categories)
6.a Safety (physical safety, injury, medical evacuation, meeting federal and state requirements for training and equipment)
6.b Physical Working/Living Conditions (temperature, odors, noise, available space, lighting, etc.)
6.c Ergonomics (proper set-up of workstation affecting physical functioning)
6.d Cleanliness (sanitary conditions and facilities to prevent the spread of disease)
6.e Security (adequate lighting in parking lots, metal detectors, guards, limited access to building by outsiders, anti-terrorists measures (not for classifying “compromise of classified or top secret” information)
6.f Telework/Flexplace (ability to work from home or other location because of business or personal need, e.g., in case of man-made or natural emergency)
6.g Safety Equipment (access to/use of safety equipment as well as access to or use of safety equipment, e.g., fire extinguisher)
6.h Environmental Policies (policies not being followed, being unfair ineffective, cumbersome)
6.i Work Related Stress and Work-Life Balance (Post-Traumatic Stress, Critical Incident Response, Internal/external stress, e.g. divorce, shooting, caring for sick, injured)
6.j Other (any safety, health, or physical environment issue not described by the above sub-categories)
7. Services/Administrative Issues Questions, concerns, issues or inquiries about services or administrative offices including from external parties.
7.a Quality of Services (how well services were provided, accuracy or thoroughness of information, competence, etc.)
7.b Responsiveness /Timeliness (time involved in getting a response or return call or about the time for a complete response to be provided)
7.c Administrative Decisions and Interpretation/Application of Rules (impact of non-disciplinary decisions, decisions about requests for administrative and academic services, e.g., exceptions to policy deadlines or limits, refund requests, appeals of library or parking fines, application for financial aid, etc.)
7.d Behavior of Service Provider(s) (how an administrator or staff member spoke to or dealt with a constituent, customer, or client, e.g., rude, inattentive, or impatient)
7.e Other (any services or administrative issue not described by the above sub-categories)
8. Organizational, Strategic, and Mission Related Questions, concerns, issues or inquiries that relate to the whole or some part of an organization.

8.a Strategic and Mission-Related/Strategic and Technical Management (principles, decisions and actions related to where and how the organization is moving)

8.b Leadership and Management (quality/capacity of management and/or management/leadership decisions, suggested training, reassignments and reorganizations)

8.c Use of Positional Power/Authority (lack or abuse of power provided by individual’s position)

8.d Communication (content, style, timing, effects and amount of organizational and leader’s communication, quality of communication about strategic issues)

8.e Restructuring and Relocation (issues related to broad scope planned or actual restructuring and/or relocation affecting the whole or major divisions of an organization, e.g., downsizing, off shoring, outsourcing)

8.f Organizational Climate (issues related to organizational morale and/or capacity for functioning)

8.g Change Management (making, responding or adapting to organizational changes, quality of leadership in facilitating organizational change)

8.h Priority Setting and/or Funding (disputes about setting organizational/departmental priorities and/or allocation of funding within programs)

8.i Data, Methodology, Interpretation of Results (scientific disputes about the conduct, outcomes and interpretation of studies and resulting data for policy)

8.j Interdepartment/Inter-organization Work /Territory (disputes about which department/organization should be doing what/taking the lead)

8.k Other (any organizational issue by the above sub-categories)

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.

9.a Standards of Conduct (fairness, applicability or lack of behavioral guidelines and/or Codes of Conduct, e.g., Academic honesty, plagiarism, Code of Conduct, conflict of interest)

9.b Values and Culture (questions, concerns or issues about the values or culture of the organization)

9.c Scientific Conduct/Integrity (scientific or research misconduct or misdemeanors, e.g., authorship; falsification of results)

9.d Policies and Procedures NOT Covered in Broad Categories 1 thru 8 (fairness or lack of policy or the application of the policy, policy not followed, or needs revision, e.g., appropriate dress, use of internet or cell phones)

9.e Other (Other policy, procedure, ethics or standards issues not described in the above sub-categories)