



A Fresh Look at The Organizational Ombudsman

**Introduced
in Sweden in the
early 19th century to
improve fairness and
efficiency in government, the
ombudsman has new relevance for
large organizations that must recruit
and retain an increasingly multicultural,
mobile, and global work force.**

By Meredith Holmes, SWE Contributor

Recent research confirms what many women engineers understand from experience: Engineering has been much slower than other traditionally male-dominated professions, such as law, medicine, and business, to include women. Studies such as *Why So Few? Women in Science, Technology, Engineering, and Mathematics*, released in 2010, as well as SWE's 2007 retention study, *The Leaky Science and Engineering Pipeline: How Can We Retain More Women in Academia and Industry?*, reveal how women are faring in science, technology, engineering, and mathematics (STEM) professions. A study by the University of Wisconsin-Milwaukee, *Stemming the Tide: Why Women Leave Engineering*, released in March 2011, points out the significant relationship between workplace climate and the retention of women engineers.

The results of these studies are briefly summarized in the sidebar, "A Look at the Research," on page 38. Viewing these findings, it becomes clear, for example, that the belief that men are more competent in math and science is widespread, even among those who strongly deny that they hold this belief. Additionally, a work/life balance unfavorable to women and competitive rather than collaborative approaches also discourage many women engineers.

Negative workplace issues are complicated by other, more subtle factors. Women as a group tend to hold themselves to a higher standard in math and science and are less confident about their engineering abilities than men with the same education. Many women engineers find themselves in a double bind: Their competence is questioned, but if they prove themselves to be competent, they are seen as unlikable. Confidence and strong relationships are important to success at work, and feeling either that they are underperforming or disliked puts women at a disadvantage.

Given the complexity, subtlety, and the persistence of workplace bias, what can be done? State and federal equal opportunity employment laws have made a huge difference for women and minorities, and equal opportunity policies are now standard at most companies. But these are essentially legal solutions. What is needed now is a shift to workplace cultures more hospitable to women. An organizational ombudsman might be able to help accomplish this.

The ombudsman reconsidered

The concept of the ombudsman has been around since 1809, but has gained traction recently. The word comes from the Swedish and means

"representative." The general public may be familiar with classical and advocate ombudsmen in government agencies, nursing homes, hospitals, universities, and newspapers. Classical ombudsmen are independent public officials who handle concerns raised by members of the public about government. Advocate ombudsmen defend the interests of specific populations, such as children or nursing home residents.

The organizational ombudsman is a more recent application of the concept. Organizational ombudsmen listen to concerns raised by people inside an organization. They use active listening, coaching, training, facilitation, and mediation to help people help themselves. They adhere to a code of ethics that mandates neutrality, confidentiality, independence, and informality in all their professional interactions. Concerns brought to an ombudsman run the gamut from complaints about evaluations to bullying, misconduct, and compliance violations. Many people consult an organizational ombudsman because it's a safe way to talk through an issue or get questions answered.

A valuable alternative

Charles L. Howard, J.D., is a partner with Shipman & Goodwin LLP, a Connecticut law firm and an expert on ombudsmen confidentiality. The author of *The Organizational Ombudsman: Origins, Roles, and Operations – A Legal Guide*, he represents ombudsman offices and advises organizations on how to structure ombudsman offices.

"Each of a company's formal channels for dealing with employees — managers, human resources, compliance programs, and hotlines — has its limitations," Howard said. Corporations are under pressure from employment laws and corporate governance policies to have codes of conduct and to investigate and punish wrongdoing. Zero-tolerance policies, in place at many companies, have not



Charles Howard, Partner,
Shipman & Goodwin, LLP

"A great advantage of an ombudsman office is that it's not silo-ed. Employees can take any concern to the ombudsman; they don't have to decide beforehand if it's a human resource issue or an ethics issue, or a hotline issue."

caught up with the deep-seated reluctance of most employees to risk their jobs by reporting a violation or making a complaint. The ombudsman's assurance of confidentiality is more effective in encouraging people to come forward.

Hotlines are rarely used for the kinds of issues that caused them to be created — abuse and compliance violations. Most hotline calls are about employment issues, such as unfair evaluations and disagreements with supervisors. These problems are dealt with much more effectively by mediation, counseling, and guidance — the tools an ombudsman uses. In addition, hotlines are usually staffed by people off-site. “Every company has its own culture,” Howard said. An ombudsman, although independent of the company, understands how it operates and can help an employee phrase a complaint for one of the formal channels and provide guidance to the person or department that can best help them.

“I can see women engineers in large corporations struggling with how to appropriately raise their concerns without being gender-typcast, especially

since they are a minority, but may not want to be perceived that way,” said Howard. “The confidentiality offered by the ombudsman while employees figure out the best course of action and obtain some coaching on how to handle their concern is a huge benefit.”

Confidentiality does not mean invisibility within the organization, nor does it mean that concerns don't see the light of day. “An ombudsman can almost always help someone find a way to surface an issue without exposing the person to retaliation and other adverse consequences,” said Howard.

Ombudsmen for a global work force

Eaton Corporation is headquartered in Cleveland and has 73,000 employees and installations all over the world. The company rolled out its first ombudsman office in 2002 at an automotive vehicle and truck facility in

Galesburg, Mich. The idea caught on, and between 2004 and 2011, Eaton ombudsman offices have been set up in Canada, Latin America, the Caribbean, China, India, the United Kingdom, Indonesia, and other U.S. locations. “We are approaching our 10th anniversary,” said Ilene Butensky, J.D., director of

Ilene Butensky,
Director, Office of
the Ombudsman,
Eaton Corporation

*“There's never
really a wrong
time to call the
ombudsman's
office.”*



A Look at the Research

Why So Few? Women in Science, Technology, Engineering, and Mathematics, by Catherine Hill, Ph.D., Christianne Corbett, and Andresse St. Rose, Ed.D., published by the AAUW in 2010, analyzed peer-reviewed research studies to shed light on the participation of women in STEM professions. In 1960, 0.9 percent of all engineers were women. Fifty years later, the percentage had risen to just 10.6. As of 2008, men still greatly outnumbered women in all engineering disciplines: 6.7 percent of mechanical engineers were women, 7.7 percent of electrical engineers, and 10.4 percent of civil engineers.

In addition, a disproportionately large number of women engineers leave the profession. SWE's own retention study of 6,000 male and female engineering school graduates, *The Leaky Science and Engineering Pipeline: How Can We Retain More Women in Academia and Industry?*, found that one in four women engineers leaves the profession after the age of 30, while only one in 10 of their male counterparts leaves. According to *Why So Few*, women earned 12 percent of doctorates in engineering in 1996, but 10 years later, only 7 percent of the tenured faculty in engineering were women.

Stemming the Tide: Why Women Leave Engineering, by Nadya Fouad, Ph.D., and Romila Singh, Ph.D., found that 75 percent of women engineers who majored in engineering in college and left the profession are working full-time in other fields. *Stemming the Tide*, based on survey results of 3,000 respondents, found that women as a group leave engineering, not to raise their children, but because of a workplace climate that is inhospitable to women.

To learn more about these studies, please visit: <http://www.aauw.org/learn/research/whysofew.cfm>
http://societyofwomenengineers.swe.org/index.php?option=com_content&task=view&id=766&Itemid=284
(Oct. 18, 2007)
<http://www.studyofwork.com/2011/04/stemming-the-tide-women-engineers-report/>

Resources for Action and Information

If your employer doesn't have an organizational ombudsman, and you're looking for guidance about how to set up an ombudsman office, a good place to start is Charles L. Howard's book, *The Organizational Ombudsman: Origins, Roles, and Operations – A Legal Guide* (2010, American Bar Association Section of Dispute Resolution).

Information about best practices, conferences, ethics, certification, and more is also available from these two large and active professional ombudsman organizations:

United States Ombudsman Association (USOA)

www.usombudsman.org

National organization for public-sector ombudsman professionals in local, state, and federal government.

International Ombudsman Association (IOI)

www.ombudsassociation.org

International association of professional practitioners formed by the 2005 merger of the University and College Ombuds Association and the Ombudsman Association.

the office of the ombudsman at Eaton, "and we're currently serving 80 percent of Eaton's employees." Butensky has been with Eaton for 30 years, in various leadership roles in human resources.

Establishing the ombudsman office was completely voluntary on Eaton's part, Butensky explained. "Sandy Cutler, the CEO, wanted every employee to have the opportunity to 'do business right.'" Within Eaton, the role of the ombudsman is very well understood, and judging by the call volume — 11,000 total since 2002 — well used. "The ombudsman is almost like part of the company's DNA," Butensky said. The office's phone line is separate from Eaton and toll free. "We want to make it free, safe, and as easy as possible to contact us."

Every ombudsman has stories about how listening, coaching, and mediation helped solve problems, but no ombudsman can tell these stories. Confidentiality precludes disclosing even what kinds of concerns employees bring to the office. Butensky and her team of five ombudsmen spend a lot of time explaining their role to Eaton's far-flung work force. "The idea was not well understood when we started. In the United States, we talked about our code of ethics and standards of practice. We stressed the four principles — neutrality, confidentiality, independence, and informality — and we explained how we are different from and do not replace other employee channels like human resources." In order to establish trust, the most important thing for American employees to understand was that the ombudsman would listen and not take sides, and that their visits and calls were completely confidential, off the record, and, in legal parlance, "not notice" by Eaton.

"The task is a little more complicated in other

countries, where 'ombudsman' might mean something very different," Butensky said. In India, for example, the role of government ombudsman in dealing with citizen complaints of widespread corruption has been a controversial topic recently, so the Eaton team there had to explain the difference between a classical ombudsman and an organizational ombudsman. The team does extensive preparation for an overseas visit. "We find out the local meaning of the word and then explain how we're different," said Butensky. "All our materials are translated into the local language. 'Ombudsman' is a Nordic word, and finding the closest counterpart in Chinese, for example, was a challenge."

Understanding the culture and changing it

Columbia University ombuds officer Marsha Wagner, Ph.D., says an ombudsman must have a profound understanding of his or her organization's culture. "This is an ongoing effort," she said. "It's very important to keep updating your understanding. You begin by learning mission, goals, leadership style, followship style, and communication styles. An ombudsman has her ear to the ground and talks to stakeholders at all levels of an organization."

Dr. Wagner has been the ombudsman at Columbia since 1991, when the office was established. An experienced mediator, she has served on the board of directors of the International Ombudsman



Marsha Wagner, University Ombuds Officer, Columbia University

"Setting up an ombudsman office is a sign that an organization can send to its employees. It says, 'We want to hear what is bothering you. You can come here and talk in confidence.' It's a sign of a healthy, wholesome workplace."

Association and designed professional development programs for organizational ombudsmen.

In addition to resolving individual problems, an organizational ombudsman is a change agent. "Ombudsmen are part of a dispute resolution system," Dr. Wagner said. "We don't make policy, and we have no decision-making authority, but we can nudge people who do have authority." Wagner sees 1 to 2

percent of her organization's population a year; that's about 600 cases annually. Seventy percent of her cases call for engaging in some kind of system change.

System change occurs on various levels. The cumulative effect of an ombudsman's interactions with employees — especially coaching them on conflict resolution skills — fosters gradual changes in workplace culture. The ombudsman can work with "bystanders" to increase awareness of, for example, incivility, racism, and homophobia. The ombudsman may coach management groups — presenting data or facilitating a brainstorming session about a problem. The ombudsman, Dr. Wagner says, is responsible for pointing out places where the organization is perceived

as "inefficient, biased, unresponsive, unfair, untrustworthy, or otherwise inadequate."

Organizational Ombudsman Code of Ethics and Standards of Practice

The professional organization ombudsman practice is based on the following principles, as established by the International Ombudsman Association:

Independence

The Ombudsman is independent in structure, function, and appearance to the highest degree possible within the organization.

Neutrality and Impartiality

The Ombudsman is a designated neutral and remains impartial. He or she does not engage in any situation that could create a conflict of interest.

Confidentiality

The Ombudsman holds all communication with those seeking assistance in strict confidence and does not disclose confidential communications unless given permission to do so. The only exception to this privileged communication is when there is an imminent risk of serious harm.

Informality

The Ombudsman does not participate in any formal adjudicative or administrative procedure related to issues brought to his or her attention.

Affirmations trump insults

In a written account of her work at the Massachusetts Institute of Technology, Mary Rowe, Ph.D., describes her first assignment, in 1973, which was to make the university a better place for women, people of color, and people with disabilities. Dr. Rowe found and illuminated major inequities in the pension plan, in campus access, and in dependent-care policy, which MIT managers then addressed. Dr. Rowe is now ombudsperson and adjunct professor of negotiation and conflict management at the MIT Sloan School of Management.

She also noticed pervasive "little issues," which she calls "micro-inequities." Dr. Rowe defines them as "tiny, damaging characteristics of an environment, as these



Mary Rowe, Ombudsman, Massachusetts Institute of Technology

"Micro-affirmations are tiny acts of opening doors to opportunity, gestures of inclusion and caring, and graceful acts of listening."

characteristics affect a person not indigenous to that environment ... They are actions which reasonable people would agree are unjust toward individuals, when the particular treatment of the individual occurs only because of a group characteristic unrelated to creativity and work performance." Micro-inequities come from unconscious bias and unconscious selective perception. "Anything unconscious is very hard for the perpetrator to get a handle on," said Dr. Rowe.

Introducing an ombudsman into the workplace is not a panacea, but Dr. Rowe says ombudsmen can help level the playing field for women. One way to do this is by training mentors, recruiters, and others who work with people one-on-one to practice micro-affirmations. These are, in Dr. Rowe's words, "small acts — public and private that occur wherever people wish to help others succeed." Micro-affirmations improve the workplace climate for everyone, including women. If practiced systematically, they can block micro-inequities because it is difficult to affirm and be inequitable in the same moment. Micro-affirmations make use of the one-minute manager phenomenon: The best way to encourage the behavior you want and eliminate the behavior you don't want is to provide on-the-spot feedback.

"Imagine that in all the work a woman does," said Dr. Rowe, "a peer, a mentor, or a supervisor notices and commends genuine efforts and real achievement — casually and immediately." People can also learn to provide their own micro-affirmations. They can be their own one-minute managers. They can recognize for themselves their own achievements as they occur, which may enhance their confidence, Dr. Rowe has found. In either case, if we make micro-affirmations a habit, both as supervisors and for ourselves, micro-inequities are less likely to occur. ■