

## The IOA Crystal Ball

The Crystal Ball has been a feature of many organizational ombuds conferences for more than twenty-five years. This article presents the history and purpose of Crystal Ball discussions and a list of some of the “new things” picked up by ombuds professionals over the years.

### History and Purpose of the Organizational Ombuds Crystal Ball

The Crystal Ball began in 1984 as several OOs sat planning the first sizable Corporate Ombudsman Association Conference<sup>1</sup>. We talked about topics where we thought we needed to know more from each other. As an early example of the “wisdom of crowds<sup>2</sup>”—and as a delightful example of the Crystal Ball itself, since ombuds were seeking “collective wisdom” about the future very early on—we decided to put together what we were seeing. It had become apparent that ombuds professionals were picking up some problems very early, in their organizations, and that this might be useful to their managers and others.

There has been much discussion about ***how and why ombuds practitioners are proving useful in picking up new things***. We believe we are sometimes able to do this because we strive to be ***“zero barrier” practitioners, safe and accessible***. And we sometimes can do this because we are one of the few offices with a ***view of the whole organization***. At times of increasing complexity, when many senior officers have become specialists or regional experts, the OO may be able to pick up ***small bits of information from all over the organization—and fit them together in a pattern***—before the pattern is obvious to everyone. And of course one of the purposes of OOs is to be scanning the organization for good ideas and good practices to share.

Over time OOs learned that it is especially important to be on the lookout for ***any new issue that might be disruptive to an organization in terms of needing new policy, new procedures or structures***. The list below provides examples.

The Crystal Ball was first collected by word of mouth and telephone calls, and on the basis of consulting calls from practitioners who wanted to discuss some new problem. Since the advent of the worldwide web, I have sent out an annual call to organizational ombuds around the world to ask about “new things” and about issues the profession will face in the coming year. As ombuds responded I have typically sent out further queries about issues that seemed especially interesting to those who wrote in.

In 2010 there were a great many responses to the Crystal Ball query. And, this

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<sup>1</sup> There had been only small meetings of COA in 1982 and in the summer of 1983. COA was a precursor of The Ombudsman Association, which in turn then became the International Ombudsman Association.

<sup>2</sup> Wikipedia describes this concept in this way: The **wisdom of the crowd** refers to the process of taking into account the collective opinion of a group of individuals rather than a single expert to answer a question. This process, while not new to the [information age](#), has been pushed into the mainstream spotlight by social information sites such as [Wikipedia](#) and [Yahoo! Answers](#), and other web resources that rely on human opinion. This process, in the business world at least, was written about in detail by [James Surowiecki](#) in his book [The Wisdom of Crowds](#).

year, there was a “new aspect” to the responses. Along with sadness and grief and concern about the state of the world, ombuds appear to have dug their heels in, resiliently determined to work for a better world. At least 80 ombuds, of the hundred plus respondents, described systems initiatives where they were working with in-house colleagues to address one or major issues.

### **A Few Topics as Informally Recalled by US Organizational Ombudsmen<sup>3</sup>**

At the turn of the century I tried to remember when I had first heard of an issue in my office and also whether I could find any other OO who had run into the issue. I then sent the list to long-term OO's for additions and comments. The list below was drawn from informal recollections from many OOs. Some issues of course had been well known for years—but OOs have helped to illuminate and even to name a few issues, and to encourage organizations to establish policies and procedures to deal with them.

#### **1973**

Sexual and racial harassment, anti-Semitism, pornography, offensive ethnic images, racial assault and sexual assault, homophobic discrimination, advisories for "targets" of discrimination; many kinds of civility and free speech concerns in a rapidly changing workforce

Subtle and covert discrimination, which were dubbed “Micro-inequities;” mentoring systems, which were found to be built on “Micro-affirmations;” networks of minorities, and of women—also built on “Micro-affirmations”

Affirmative action and job posting systems in organizations; equal pay for equal work, equal pensions for men and women with the same record of work

Non-exempt staff issues—professional job titles, safety in the office, respect, privacy, compensation, career development

Cafeteria benefits, flexible work-hours, shared jobs, leave without pay—voluntary furloughs (for example, for employees to take exams;) many dependent care issues—parental leave, support for adoption, day care, elder care issues

Illegal drugs and designer drugs

Concerns about the welfare of low-income students and employees

Workplace and supervisory abuse and mistreatment issues, later called bullying; managers who would not or could not deal with human resource issues

#### **1974**

Graduate student and post-doc mistreatment issues

Coordinated non-union dispute resolution "systems"—later called “conflict

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<sup>3</sup> This list has been substantially corrected, revised and edited from an earlier list sketched out in 2000.

management systems,” and “*integrated* conflict management systems,”  
"accompaniment" of disputants in complaint and disciplinary channels, later (on  
and off) a Weingarten right

Trans-gender, bi-gender concerns

### **1975**

Federal contract concerns and alleged crimes—including behavior that was later  
called waste, fraud and abuse, see also 1986

Smokers vs. non-smokers

### **1976**

Systems recognition of academic, scientific, and research misconduct,  
plagiarism, and interference with the integrity of the work of others

Whistle-blowing

Concerns from international graduate students

### **1977**

Conflicts of interest—supervisory, familial and sexual conflict of interest added to  
emerging understanding of financial conflicts of interest

Hazing

Anorexia and other eating disorders

### **1978**

Workplace safety concerns with respect to air, fluorescent light, water, early  
computers, extensive travel, etc.

Non-union formal grievance channels; complaint channels “parallel” to the line of  
supervision, for example through HR

### **1979**

Concerns about some racist acts by international graduate students

### **1980**

Computer-related crime and mischief

Beginning to train the workforce not to harass

### **1981**

Beginning to train supervisors on harassment

Tensions with government agencies about dispute resolution options

## **1982**

Fear of GRID, later fear of AIDS

Computer related strain injuries, later called RSI

Cutbacks—demand for higher productivity with fewer emotional and financial resources; decline in "loyalty" in the workplace

Quality Assurance and Total Quality Management as responses to poor service and low productivity, including some "employee involvement"

Obsessed following behavior, including behavior later referred to as stalking

More focus on building internal conflict management systems with mediation

## **1983**

Backlash against feminism and women's programming; attacks on "political correctness"

Downsizing problems with extensive layoffs

Concerns about whistle blowing and retaliation

## **1984**

Religious discomforts and harassment alleged by adherents of many religions; concerns about providing prayer time for Muslims, and tensions between secular and devout Muslims concerning the behavior of women

Concerns about Satanic cults

Fear of AIDS

Fear of violence in the workplace, fear of "lone offenders" and sabotage

Genetic testing and drug testing

## **1985**

Cross-culture on the team, miscommunication on international teams; new free speech concerns

Learning and mental disabilities being given more attention in the workplace; discussions of Asperger's syndrome

## **1986**

Domestic violence receives much more attention; discussion of qui tam claims

**1987**

Concern about abuse of foreign nationals as students and employees—later discussed as concerns about “internationals”

Tension reported among and from Asian-Americans

**1988**

Challenges to confidentiality of neutrals

**1989**

Identity impersonations, later called “identity theft”

**1990**

“Political correctness” becomes more salient

Religious harassment—especially of Muslims, see also 1984

Beginning to train “active bystanders” about harassment

**1991**

Intra-team conflicts as they affect team productivity

Intellectual property and patent conflicts

**1992**

Outsourcing and more cutbacks; offshore cost-savings and lay offs

Pornography on computers and nets

"Bullying" in the workplace, now including groups, later called “mobbing”

**1993**

Concerns about "Re-engineering" begin

"This function does not work well"—poor service within the organization

**1994**

More "changing workforce" —part timers, different work ethics, many generational tensions; managers with little knowledge of rules and policies

Unionizing graduate students

More backlash against affirmative action

Anonymous vicious attacks (on posters, graffiti, soon to be joined by anonymous

attacks on the web, later called cyberbullying)

Racism from and among international students and international managers

Mergers and acquisitions problems of every kind

*Integration* of internal conflict management systems

Distance-learning related disputes; increased stress from high turnover and from extensive travel

Binge drinking discussions

### **1995**

Email and voicemail privacy issues

Poor service, poorly functioning individuals including managers, people “breaking down,” long, slow uptick in mental illness in organizations seen to be quickening

### **1996**

Intra-organizational computer privacy issues worsened by hacking

Overwork and overload

Poor function in whole units (manufacturing and services); more concern about re-engineering

Conflict of commitment tensions

### **1997**

Stress, depression and exhaustion

Scarce experts problems—new technologies sharply increasing the need for rare expertise; complex computer systems problems

### **1998**

Very complex intellectual property problems

Conflict of interest problems in start-ups

Resurgence of concern about every kind of harassment and abuse; gross, insubordinate, uncouth behavior toward supervisors and faculty

### **1999**

Concern about cynicism increasing in the workplace; “morale is dropping,” people trust much less and report much more bullying

### **2000 ---**

Very difficult intellectual property, research misconduct and plagiarism problems; layoffs, concerns about overwork; fear of violence, terrorism, sabotage; free speech issues; more religious and ethnic tension; grief and exhaustion; wide generational differences in the work force.

There are now many more “complex” cases: with multiple cohorts and many issues; with people from different ethnicities, tribal and clan groups, races, genders, ages and various generations, involving inconsistent laws and regulations across multiple national and organizational boundaries, and long-term conflicts—and there are more anonymous cases and group cases

## Crystal Ball 2010

One of the special tasks of an organizational ombuds practitioner is to pick up “new things<sup>1</sup>.” We are sometimes able to do this because we strive to be a “**zero barrier**” office, **safe and accessible**. And we sometimes can do this because we are one of the few offices with **a view of the whole organization**. In many organizations these are times of great complexity. Some top managers have become specialists in one management function; some managers in a multi-national organization work in only one geographical location. An OO may be **able to pick up small bits of information from all over an organization**, and fit them together in a pattern—before the pattern is obvious to others in management.

It is especially important for OOs to be on the look-out for **any new issue that might be disruptive** to the organization in terms of needing new policy, new procedures or structures. In addition, OOs should always be scanning the organization for **good ideas to share internally**.

The hundreds of contributions to the Crystal Ball this year had two powerful themes:

- a) **Current issues**—The issues currently before us this year seem very serious to OOs. Many descriptions of these issues are presented here in excerpts from emails from OOs.
- b) **Introspection and a focus on the future**—OOs are thinking about ombuds effectiveness in the light of current issues. Many OOs seem to be newly and powerfully focused on systems initiatives—most OOs wrote about collaborating with the relevant managers in their organizations on systems change. ***These systems initiatives included discussion of new policies, procedures, and new organizational structures; new ways of reaching out to underserved and stressed populations, working with minority group networks, and training.*** Some are described at the end of this Report.

### Facebook and other social media

“A variety of issues involving Facebook and other social networking sites have come up over the last few years. What has changed have been the **variety and seriousness of the problems**. In two cases, an issue involving Facebook could have led to employees being terminated; in one, a problematic **Facebook page turned out to have been fabricated** by someone else, and in another, the employee was disciplined and basically given a last chance agreement. In another situation we’ve helped with, a graduate student’s advisor has refused to work with him or her any longer, and the student may end up having to leave the

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<sup>1</sup> As examples, OOs were among the first in the nation to pick up and describe sexual harassment (1973), waste fraud and abuse (late 70’s), stalking (1984), tension about Muslim prayers at work (1984.)

university.”

“Facebook is causing huge stress among managers at a particular city in our multi-national company, where **photos are being doctored and forged and people are getting revenge**. This kind of meanness is not yet so widespread that people can just ignore it; it is rare and focused and it hurts terribly.”

“We have had a difficult Facebook case where two people here were emailing back and forth about a third and prominent person who is not in our organization. A and B concluded that C was **plagiarizing and stealing intellectual property**. The Facebook discussion drew in another friend and another friend and another friend. The widening circle eventually got back to famous person C who is asking for disciplinary action against all those here who chimed in.”

“Facebook discussions are also reported to have led to **careless disclosures of privileged information** here, confidential information, private information, illegally collected information, and complete untruths masked as fact.”

“People here are **spending a lot of work time on social networking**. I believe all those surveys about how the social media are lowering productivity in the US by wasting time. I also believe the studies about how Twitterers may only be able to think in tweets. I think connectivity is harming serious creativity, serious communications and sustained problem-solving.”

“**HR managers used to call references**. Now young people in HR just check Facebook. In some ways it is understandable but the two ways of “checking someone out” are not the same. It is my impression that reference-checking has basically disappeared.”

“What is coming up for our agency is **social networking sites and chatter about work related things** on these sites. Our Director is hearing from Facebook users that certain employees are venting about work, their boss, the latest decision they didn't like ...on Facebook. As we go forward, leadership may decide to make a policy about work chatter on social media sites, (places that are ultimately not private) and since we are a healthcare agency, **this chatter might perhaps violate HIPAA (or our own internal code of conduct about gossip)** if the user is not careful.”

“We are a healthcare agency very tightly regulated about privacy. We **do not know what to do about patients who are gossiping** and perhaps defaming our service providers.”

“Facebook has opened new doors to **identity theft and financial scams**. One can hack into Facebook and find vulnerable people (lonely hearts, armed services members, our employees working on long trips overseas). The next step is impersonation of a Friend. The next step is to ask for a credit card number or

set someone up for blackmail as a sexual partner etc.”

**“Facebook provided a cruel way for a rejected, would-be suitor** to get back at a young woman from a religiously very conservative family—by lying about the woman’s being promiscuous. The target, who was apparently devout and innocent, was called home permanently by her family. Her local (faith-based) community could not protect her. Who knows what will happen to her.”

“As for **what a university should do about Facebook** — here are some snippets:

- Recognize that it's there and that the institution can do *nothing* to make it go away
- Recognize that students will use it, and that some will use it in ways we wish they shouldn't
- *Use it* to the institution's advantage (like Ombuds Office pages), but selectively, and with constant monitoring
- Avoid the temptation to surf student pages looking to catch them admitting to misbehavior
- Distance the institution from any connection with pages it does not directly sponsor (in both policy wording and in practice)
- Ask summer orientation programs and freshman orientation class faculty to address electronic communications
- Be prepared to respond quickly to allegations that a student has made a credible threat through such a medium
- **Discourage faculty and staff from "friending" students individually, or making themselves available to students on Facebook**
- Be prepared to have any faculty or staff member respond appropriately to a student or parent who alleges inappropriate statements or posts hurtful to a student made by a student

### **Where is technology going?**

“There is a technology-enabled communication method that a leader in our organization calls a "**flash mob**." This is not necessarily a positive connotation for some of us. Basically it is a short meeting of people at a physical location on short notice for the purpose of doing something that others at that location may not be aware of. The meeting (mob) is coordinated by a technology link that all participants share —instant messaging for example. Some see it as a great way to convene a group of people for an impromptu meeting or communication.”

“I recently discovered that nearly all communications: phones, cell phones, computers, emails, SKYPE, VOIP, etc., can be tracked and that the **contacts themselves are being permanently recorded** whenever they touch our internal system. These records seem now to be kept forever. Much of it is also on individual servers and computers. These computers may go missing. And they may or may not be scrubbed when they are replaced every two years.”

“Some of our students tell me they are spending at least **half their waking hours on video games, war games, phones, and the like**. I wonder what this is doing to their capacity to think? I am especially concerned about those who are getting very little sleep, who eat poorly, whose grades are low. These are not at all isolated examples. One student told me that essentially her whole dorm is connected all night.”

“There are many changes on the technology front:

A. Chat rooms and other lists (called other things than chat rooms) that are places where **students can anonymously post** specific kinds of concerns and comments create fora for students to post things that are **not only personal attacks on specific people, but can also be more broadly racist, homophobic**, etc. These can be set up by any student (or non-student for that matter) and grow rapidly. One such site here at my place went from inception to 1300 members in less than three weeks. It seems to specialize in white students posting denigrating comments about black students in general.

B. Racial minorities here seem well behind the latest trends in technological social communications. This is in itself a potential problem for ombudspersons, but once some black students and staff find sites like the one mentioned above there will be a series of significant racial relationship issues to address on our campus.

C. More and more campuses are setting up "**emergency notification**" systems that incorporate technologies like Facebook, Twitter, etc. to notify students about breaking emergency situations like campus lockdowns, rapes, etc. The first problem is that our minority students are generally less connected to such systems. The second problem I've seen is that these systems can be used in error or with inaccurate information. The third (and most frequently raised in my office) problem is that students are now demanding that they be allowed to text and use their cell phones in classes where the use of such devices is banned by the faculty member in order to be able to know when such emergencies are breaking.

D. More and more faculty are banning the use of cell phones and PDAs during class time. However, many students feel very uncomfortable when they are not "connected". Counselors, students, parents, and others have spoken about the nearly frantic feeling that some students have who are not electronically "connected" to others—for even a few minutes. They take their devices with them to the bathroom, and set them just outside the water when they take a shower. **They are always connected, and experience great psychological distress when they sever that connection for even just a few minutes.**

E. We now have **a generation** of undergraduates of traditional ages **who have been conducting the bulk of their interpersonal communications electronically** for as long as they've been communicating interpersonally. They

are as a result less proficient and comfortable in face-to-face communications than any generation that any of us has ever known. This is evidenced in class discussions, but even more noticeably when they must speak to a faculty or staff member in person. This results in conflicts among roommates, between faculty and students, and between staff and students. Students are clumsy about these communications; and woefully unprepared to know how to process conflict productively in a face to face setting.”

“**Video games are a serious addiction** for many students, including many foreign students. They really are an addiction. I begin to hear about this problem also with young employees. Video is a serious ‘drug’ and it is legal. Have any OOs thought about a systems approach to this question? I think this question will be a major question in this decade.”

### **Lack of social skills—and narcissism**

“**Students are becoming more and more narcissistic.** While not a brand new trend, the movement of students toward seeing faculty and staff as working for them (students as consumers), the constant reinforcement by teachers and parents that they are infallible, the over-inflation of high school grades, etc. have resulted in a quality exhibited by an ever larger number of students that can best be called narcissism. **They are generally self-centered,** have inflated expectations for their academic and social success at college, and are shocked when faculty or staff give them a grade of "B", or deny their request for a policy exception.”

“**Along with this narcissistic tendency comes a lack of self-responsibility.** It's someone else's fault for whatever didn't turn out the way the student or parent thought it should and there is an expectation that any misbehavior will not be punished if the student confesses and acts contrite.”

“**Narcissism—please think about professional staff and managers as well as employees.** Thin-skinned. Entitled. Grandiose. Requiring appreciation and adulation. Envious. Exploitative. No empathy. Responding to dissent with humiliation and rage. Always wanting special favors. **It is much harder to deal with narcissism in managers.**”

“In our company we are seeing a huge increase in Generation Y employees. They are so very different. **They are so very, very entitled.** They are so not reliable.”

“I have had complaints about the **current generation of students and an attitude of entitlement.** I had a student recently make the following statements... “I *told* the professor I wasn't ready to take the exam. But, I went ahead and *even agreed* to take the exam. Then when I didn't do well, the professor *refused* to give me an incomplete!”

## Debt

“Our office at Dept. of Ed. handles federal student loan problems/complaints and related issues. We have seen a significant increase in what might be called “ability to pay” issues. You will remember, I suspect, the hopes and dreams that you had upon graduation from college or graduate school – build a career, perhaps think about marriage, buy a house, car, etc. We are finding that more and more individuals come to us because they are **carrying an unmanageable level of student debt**. (Federal student debt levels reach \$50K, 100K, and 200K with alarming frequency.)

“While these postsecondary students definitely needed the money, they borrowed to a level that they now find impossible to pay. Financial literacy is very important for all college-age students, and while such information is available, many do not learn about financial management until it’s too late. Problems are particularly common when the individual changes from a curriculum like law or medicine to social services, psychology, teaching, journalism, etc. **They are often totally unable to pay their student debts because their final career choice cannot “support” the level of debt** associated with their initial career path. The net result can be crushing debt for years, or decades, and an inability to realize one’s career and life aspirations.”

“We are seeing **more thefts, large and small**. One person who was caught mentioned that there was no other way to pay credit card debts.”

## Stress

**Regulatory requirements are an ever-increasing load just as layoffs are widespread**—for universities, health care, financial institutions, research institutions, food processing organizations. Compliance related employees and managers are now working 70-80 hour weeks with no time off. As one OO wrote: “They can keep it up—or quit. The economic and employment environment precludes quitting for most. An added irony is that some of their neighbors are working reduced hours, if at all. We have very high stress levels among exempt staff because the volume and the timeframe for the work that is required to comply with regulation is not controlled by my organization.”

“We are seeing *much* higher levels of stress for students. It is not just that parents cannot pay. **The students are stressed out wanting to help support their families.**”

At least sixty OOs mentioned **bullying**, and the stress and health problems that seem to be caused by bullying. “Our top issues continue to be **harassment, bullying, poor communication from leadership.**”

“**Cyber-bullying** is getting to be a problem for employees as well as just in high schools. It causes terrible stress for people who are targeted.”

“It is hard to know what would be a “normal” (although high) level of **mental and emotional illness problems—which have been rising so steadily**—and what are the effects of the economy.”

“We’re seeing an upswing in academic dishonesty cases, problems with admissions and registration due to our mandate to cut enrollment per the budget crisis, and an increase in domestic violence and relationship issues.”

“Many of the staff and untenured faculty I've met with are painfully aware of the state of the job market. Even though we are not now going through rounds of layoffs, people are quite aware that there aren't many places to which they can send their resumes. There is a feeling of being trapped. So the idea of a **less than stellar performance evaluation is a cause of great worry**”.

“We are seeing many more managers as well as employees who cannot keep their houses, and are foreclosing. One manager asked me if he could ask for time off to manage his **foreclosure**, instead of his taking funeral leave for his mother.”

“Worker issues are hard: we are all dealing with loss of jobs and **forced scheduled furloughs**. In some of our businesses employees are scheduled for furloughs 1 to 2 weeks a year—time off from work with no pay.”

“The **economic stress is a web that stretches widely**. Many spouses are going through downsizing; every week **whole families fear the axe, and the fear never ends**. Elder care issues are rising: the diminishing quality of care in nursing homes, the closing of nursing homes, the withdrawal of certain benefits for the elderly former employees, the lack of specialized care for elders who need it, the joblessness of siblings who used to help. The same is true for special needs children. **And our company no longer employs a specialist who can help.**”

**Mandatory referrals for employees and mandatory withdrawals for students may be needed.** “My organization is working to develop a policy that would allow for mandatory referrals of employees to the Employee Assistance Program for substance abuse/behavioral health evaluations. This has been in response to several situations involving employees of concern who presented a public safety risk to the organization or risk to themselves, or, due to possible mental health or substance abuse issues, were creating a disruption to operations. Right now, we have no policy that would incorporate, in extreme cases, a mandatory referral process into the disciplinary process for employees.”

“Our institution **cannot safely manage students who talk about arson, poisoning, explosives, remote controlled devices**. We are working on mandatory withdrawals for such discussions, in person and on email. But—what about free speech?”

“Compared with years ago there is so much **mental illness** in our workplace. Managers as well as employees.”

“We need training for those who deal with **employees with physical and mental health concerns that are impacting their work**. We need to know more about how to help when it seems their work environment is negatively impacting their health. Beyond referring to our EAP, I'm out of my element.”

“I had a case that involved a woman who was going through a messy divorce from an abusive husband; she had a restraining order against him. Her **responses to some work issues seemed out of proportion** to what was actually happening at work. To me this was sort of understandable given her experience as an abused spouse. She seemed to be reacting to the supervisor the same way she was reacting to her husband.”

“I was working with a manager and a direct report over several months and at one point when the three of us needed to meet, the manager just couldn't. The manager's home was being foreclosed on that week. **This supervisor just couldn't handle any more.**”

“Our EAP program is outsourced and they have been having lay-offs. They know nothing at all about this company. **Our EAP program now is no use whatever** in helping managers manage other managers and employees in emotional crisis. Result: serious mental illness and serious ‘just plain stress’ are being managed very badly, often with anger.”

“Hearing unending stress in our practices certainly increases **stress for OOs.**”

“Rising health care costs are leading to **proactive wellness initiatives** by organizations, and employees are not universally pleased—an example is the move to smoke-free work sites.”

“Law enforcement and public safety (and our company security) may soon require meeting ‘physical fitness requirements’. This is going to hit hard on our security people.”

### **Working at distance**

“Work at Home opportunities are now being sought more for economic reasons (transportation cost savings) than for convenience. So employees are more adamant about **‘equal opportunity’ to work at home.**”

“There is a lot of tension about some people being allowed to work from home and others not. We tout flextime but many managers are not friendly about it and do not permit it.”

### Different kinds of workers

Legal aliens and tension: “In my organization, some US employees are increasingly concerned that US- based technology jobs are held by non- US citizens. So ***it's not 'our jobs are going to India,' it's 'Indians are coming here to take our jobs.'***”

A number of OOs mentioned the huge increase in contract workers, freelance workers, part-time workers. With an estimated third of all US workers now employed as part-timers and free-lances—many happily so and many in desperation—the nature of our organizations seems to be changing very rapidly. “People here do not necessarily know each other any longer. Bullies get away with a lot. Managers do not know how to manage. ***Contract workers fear retaliation like no others.***”

### Any good news?

“One of the researchers here developed the DASH diet. If you participate in the DASH diet you get a benefit in your health care coverage.”

“We have released an updated website where we openly mention OO services are available to customers, suppliers, contractors, etc.”

“As part of its focus on campus safety, our university has implemented an Employee Consultation Team, a threat/risk assessment team whose task it is to discuss employees of concern, assess the immediate needs and risks and create a plan of action, as well as to discuss broader employee issues and policies that may affect campus safety. It is modeled after the long-standing Student Consultation Team, a team that meets regularly and on an emergency basis to discuss students of concern and policies affecting students. This is a step forward in our efforts to provide an organized, thoughtful and timely approach to potentially concerning campus issues.”

### If something were to go wrong, what would it be?

“Serious flu and ***catastrophic emergencies need policies.*** Possible flu has been a problem throughout our company, causing conflicts. It seems if you have a policy saying, ‘stay home,’ people take advantage. If you do not, then you have more illness. H1N1 may have gone by, but we will see catastrophes in the future with H1N1 or SARS or avian flu, or hurricanes or earthquakes. And lone offenders and group terrorism. All organizations need to think ahead.”

“We have had several cases of students out longer than usual with ***flu/H1N1.*** They missed classes and tests—and without specific guidelines or policy, students got failing grades with no make-up chances. Instructors warned them not to come to class sick, but then there was no recourse for students who complied. We should be planning.”

“This has not come up much at IOA but I do begin to think about ***serious***

**sabotage.** It would be so easy. There are people who would like revenge.”

“If your physical workspace became unusable due to a violent or bio-terror event, are you prepared to continue Ombuds operations elsewhere? We live in a time, where an **ombudsman disaster recovery plan** just makes good sense.”

“If something could go wrong, that would be about the budgets. I am always concerned that **we could lose our good leadership** because of the over-scrutiny on salaries in public institutions. I worry that others, who stay, feel they are hostages. And turnover is challenging. And, alas, how much worse can it all get?”

“I hope our **student protests** don’t go in a direction that’s counter-productive. There was a protest at a university Chancellor’s house that frightened him and his wife and may lead to criminal charges being filed against a host of folks.”

“If something goes very wrong here it will be about **violence.**”

“Every day I come to work thinking, ‘If I heard that someone in my organization had hurt him or herself, or someone else, who do I think it would be?’ I can always think about **at least a dozen people who are exceedingly angry.** I worry about their driving home at night. There are so many ways that people could do terrible damage here to a few others, or to the community. Can OOs do better in this arena—in helping prevent really bad problems or picking them up really fast?”

“One of the things that has already gone wrong has to do with the down-sizing and closing of overseas units or potential contraction of overseas operations. **We have had many new fights among old enemies, embezzlement, serious bullying, identity theft. Contract employees often have no options.** One can imagine kidnapping, holding for ransom, major thefts, retaliation behind the scenes.”

“There is a lot in the news about violence. I think every day about **vengeful destruction** of computer networks, irreplaceable art work, Trojan horses, misuse of scheduled chemicals, time-delayed retaliation devices.”

“**Embezzlement**—one or two on a grand scale—is a serious problem that could get worse if things go wrong.”

“**Bribery, blackmail and kickbacks** are alive and well again around the world. When things go wrong these ethics problems jump.”

“Based on the tragedies this past year here and there, I can tell you there is a lot of concern about the **potential for violence.** There is, I think, an increased awareness of the need to deal wisely with people who seem to be emotionally or

psychologically distressed, not necessarily because it's the compassionate thing to do, but out of concern that such a person may become violent. So there is an increased awareness of the need to look for warning signs—people fear that things could escalate into something very, very terrible.”

### **Are OOs of any use?**

“I have to ask myself after many years here, whether it is possible to have an effect here. There are many fine people and it is always worth working with them, but there are many **managers who are not honorable**. I do not know if I am making any real difference in how people feel here. Maybe I am reducing the pain somewhat.”

“Is it possible for us to do any good? **‘Neutral’ may now be more associated with being “neutered.”**”

“I keep struggling with defending the “neutrality” standard for ombuds when folks seem to want an advocate. **What is the value, I wonder, of neutrality** (an advocate for fair process, of course) vs. advocacy.”

“My serious Crystal Ball concern is the **sustainability and growth of the Organizational Ombudsman profession**, especially in the private sector. As you are aware, we have written articles, been on panels, made presentations and had conversations with many key stakeholders. We are continually dismayed at the lack of awareness about the Organizational Ombudsman, and misunderstanding of the role and dearth of appreciation of the value it brings to an organization.

“There still is little growth in OO programs, despite Sarbanes, despite corporate scandals, corporate failures and economic meltdown. Over the last several years, we can probably count the number of new programs in private organizations on one hand— unfortunately balanced by the number of office closings or downsizings. This is especially discouraging with the amount of focus there has been in organizations on curtailing malfeasance and unethical behavior, talent retention and creating and sustaining cultures of integrity, etc. An Ombudsman program is a critical element to attaining those goals, but organizations’ leaders are not making the connection. **“How can we focus IOA members to be more effective advocates for the profession within their organizations, professional circles, industries, specialties and sectors? IOA should strive to have the OO become as routine a function as HR, Legal, Accounting, or Compliance.**”

Are OOs still needed? **“I know I am needed.** I am receiving more calls from citizens about state employees, mainly in Human Services. They are child support staff, nursing homes staff, and staff getting health insurance for the uninsured. I am getting calls from employees in other branches of government I do not even serve. These are calls about workplace behavior, hostile environment, evaluative relationships, no workplace rules or protections, etc.

Calls come in from relatives and friends of state employees about treatment of their loved one or friend. Calls come from our labor organizations about the state system—referring employees to me for help.”

“Supervisors and **managers here do not want to deal with conflict**—and they won’t cross powerful people no matter what a powerful person does. A senior person who was brought in to downsize a whole department does not obey company policy and he is made of Teflon. We have a bully who is a super salesman who can do no wrong, no matter how he behaves on trips. Training by itself will not help. If I am to be of any use, I need to know more—let’s share ideas about how to get managers to deal with conflict.”

“There are **so many “multi-multi,” complex cases**: multiple cohorts, parties from many languages and genders and ethnicities and generations, multiple issues, sometimes groups as well as individuals, many different rules and laws and cultural expectations across national and organizational boundaries, issues dating back over the years. **Sometimes an OO is the only professional who can deal with cases across so many boundaries.**”

“How can we possibly make a difference when **only money makes the difference**? Bullying is ‘not tolerated here’—except from the powerful.”

“The theme that always reappears here is **how to talk to others directly**. For example I might be working to help a non-confrontational supervisor deal with a very direct employee—I might think the employee is refreshingly direct—the supervisor calls her domineering.”

“We are doing workshops for faculty about bullying and I am including that topic in a new workshop **designed to assist supervisors in dealing with the conflict among and between their direct reports.**”

“I’ve made mention of the types of personal issues people are dealing with, when I talk to groups on campus—let’s make sure we are kind to each other and mindful that many people are facing difficult times that we might know nothing about. I remind them of resources available on and off campus and make referrals as needed. College campuses are unique—**we recognize the need to help students but do much less as an employer.**”

#### **OO special “systems initiatives”**

**OOs reported voluminously this year on special systems initiatives.** One wrote: “I am glad to see ‘special systems initiatives’ in the Crystal Ball conversation, as the challenges facing our organizations will call upon the OO to be more creative, more strategic, less shy about systems change, all the while adhering to the principles of confidentiality, independence, and neutrality.”

**These systems initiatives included discussion of new policies, procedures, and organizational structures; new ways of reaching out to underserved**

***and stressed populations; working with minority group networks, and training.***

Systems initiatives included dozens of local initiatives on mentoring, minority recruitment and support, and violence prevention. Many initiatives focused on ethics and integrity. Two OOs mentioned training “bystanders,” that is “active bystander” training. Dozens of OOs report focusing on anti-bullying initiatives. Domestic violence and violence against women programs were mentioned by several. Several OOs mentioned religious freedom and same sex initiatives. Collaborative discussions about dealing with stress, and discussions about dealing with stalking were mentioned by several.

Many OOs are committed to working steadily with senior managers in helping them to listen better and be more effective in building a team approach. Many OOs teach conflict management skills.

How do OOs pursue their special systems initiatives? This is an important question for many ***OOs as they balance neutrality with systems change***: “I speak to people privately and individually—including VPs, directors, deans, etc.—perhaps suggesting that *they* might want to convene a group to discuss an issue. It might be a group of which I will be glad to be a part if it is their desire and if it is of an informal nature. It's now their authority summoning folks to discuss, and their responsibility to decide whether to do anything (including convening a group) or not. And they get the credit. I feel comfortable—neutral and informal—with this approach.”

“I have started to do some work on ***confidentiality*** now that many university phone systems, and, I suspect, corporate phone systems are digitalized. If all my phone messages are now kept on a database somewhere else, how do I protect my visitor's confidentiality? I will be presenting at the IOA conference on this and other confidentiality issues raised by technology.”

“I have now been here some years. I am determined to make a difference about ***race and inclusion*** in my lifetime; I am seeking out the natural leaders who really care about this issue to work together. You may wonder if I am really neutral—maybe not— but people who are not really included in my organization are not being treated equally. Maybe my “neutrality” is ok because I am working with others here to level the playing field. We are doing everything we can to foster responsible networks of people of color to support each other.” (Some version of this paragraph came from almost a dozen OOs).

“I've been promoting and sometimes using the link to Virginia Valian's tutorial on ***gender biases*** in men and women. <http://www.hunter.cuny.edu/gendertutorial/tutorials.htm> These tutorials, and the discussions management and employees need to have about them, are the real diversity maturation challenges in my view.”

“One of my pushes over the last academic year was retention and coordination of

services specific to **veterans of the armed forces** who are enrolled as students.”

“The biggest single issue that I tout is **religious tolerance** in general. We have no office of religious/spiritual affairs, no chaplain, no place of worship on campus, no employee with the word religion or spiritual in his or her title. In short, we have no one officially speaking out about the need to be sensitive to people on the basis of their religious/spiritual beliefs (or lack thereof) in the development and implementation of our official and informal policies, procedures, and actions. Nor do we have any individual designated for folks who wish to discuss these matters. We have offices, people, and programs all over the place for every other type of widely recognized diversity including gender/sexual orientation, race, disability, veterans, sex, culture/ethnicity, commuters, and many more, but nothing for religious/spiritual minorities.”

“This year our Governor updated the Workplace Violence Executive Order and included **domestic violence** in the workplace as part of it. I am on the task force with our EAP program staff and community members to review the policies and procedures to implement this with our workforce statewide.”

“We have made very serious progress on **managing and assessing behavioral threats** on our campus—based on my recommendations for the past three years—we now have in place a **\*real\*** behavioral threat assessment team. We used to have one; it fell apart, and then we only had one nominally. We have provided a three-day training and table top exercises to 50 + people on the front lines—including a couple of vice chancellors—and have a fabulous consulting firm on retainer who we can use to help us consider all types of issues in these delicate circumstances. I can honestly say—we now have things in place that work—and are “people” focused. We encourage people to reach out to each other and help the person in crisis—rather than label them and “deal” with them.”

“We have in place a new **sexual assault** policy for students—top notch I think. I flagged the issue of possible under-reporting a couple of years ago, so a committee was appointed (I was ex-officio) and the group did a great job of balancing “education” with the possible pathways for survivors of sexual assault, while being mindful of the accused’s rights and concerns (especially, that given in the student context they often know each other and alcohol is involved).”

“I am a member of our **campus violence prevention team** and this has been an effective way to ‘connect the dots’ for troubled and disruptive students, and staff, and to manage these cases with an integrated approach.”

“An OO is teaching RADS: **Rape Aggression Defense System** to female students, faculty and staff on campus.”

“I am chairing a work group that worked on **bullying** last year, now focused on

improving ***advising and mentoring of graduate and professional students.***”

“I have undertaken several facilitations since I have been at this international organization. I facilitated a discussion between Human Resources and our Gay, Lesbian, Other Gendered Employees to develop a plan to move forward on the ***recognition of same-sex marriages.*** There was no opposition to the new policy, but there was disagreement about strategy and tactics to gain Board approval. A plan was developed, with my assistance, and the policy change was eventually approved.”

“I facilitated a conversation with various constituencies within this international organization when a merger of two departments did not go smoothly. In an after-action-review, proposals were developed to meet the challenges of significant staff changes in the future. The next year, the organization undertook a downsizing involving many hundreds of employees. The managers of the ***downsizing*** used many of the proposals developed in the previous year’s after-action-review that was sponsored by the OO.”

“I facilitated a conversation to incorporate ***mediation as an option in our Grievance Process.*** Mediation is now a standard option in the Grievance Process. These special projects have greatly expanded the reach and contribution of the Office of the Ombudsperson here.”

“I am working on a restorative justice project. I have brought together a group of administrators, faculty, and students to discuss a ***more restorative approach to student discipline.*** This would allow the offender and victim(s) and/or community members to dialogue about the harm that was created and what could be done to repair the harm. We are in the preliminary discussion and I have brought extensive research on restorative justice and how it’s used on other campuses to our university.”

“I am on two committees at our medical school—one working on ***faculty development*** and the other on ***mentoring.*** Another interesting project is that five of us who have relatively solitary roles have decided to get together every few weeks to talk about whatever we feel like talking about, to connect together.”

“We are doing workshops for faculty about bullying and I am including that topic in a new workshop ***designed to assist supervisors in dealing with the conflict among and between their direct reports.***”

“I’m working with several of my colleagues to develop a seminar for faculty in one of our colleges where students have complained of ***biased forms of behavior and communications***—‘micro-inequities.’”

Many OOs report working hard on the ***climate and culture*** of their organizations: “The Ombuds Office recommends that the university utilize ***surveys*** and other

indicators of problem areas. Indicators such as high turnover or use of sick leave can be tracked and then informal inquiries made. Other assessments that could be helpful are ***climate surveys or 360 evaluations***. These assessments not only allow those in less-powerful positions to voice legitimate concerns, but provide an opportunity for supervisors and leaders to learn of areas in which to improve skills and leadership abilities.”

“If an Ombuds spends a decade in a corporate setting, the natural progression is to see more of the systemic nature of the place, how the leadership quality affects it and how the employees negotiate within it. At this point in my career I feel a ***greater responsibility to act with integrity, and play the “witness” part of the Third Side role*** described by William Ury. God help me, I need to make more of a systemic positive difference than can come from helping two arguing staff members find ways to get along. I have several paths to offer our executives that could take relatively little energy—but these paths do require lots of commitment and openness to imagining a different relationship with the employees.”

“I have been combining multi-year trend data and observations, with recent, invited, across-the-organization interviews, to give information to all executives about the ***employees’ views of the culture and of the quality and credibility of our senior leadership***. The message is a tough one because it is essentially passing along “ground truth” that they may not have—or have denied. It’s also a positive message in that it includes options for empowering senior leaders to improve their effectiveness. How to do this as a neutral and supportive Ombuds is the real challenge.”

“One of the special projects that I started within our team a few years ago and is now being taken on by our team is what we call ***deep dives into engagement***. Our sites have for a number of years now been involved with the XYZ engagement process that has been quite successful. In the past, divisions, departments or work groups that have struggled with improving engagement levels have had consultants come out from XYZ (at a hefty cost) and interviewed relevant associates to try and find any barriers that need addressing. I saw that this was a service that I could offer to some of my sites especially given that:

- \* They were paying for me anyway
- \* There was an accepted (and thankfully believed) sense of the ombudsman confidentiality that meant associates would open up more readily
- \* Being a “Martian” for 23 years I know the culture and ways of working of our business better than an outside consultant
- \* My formal training in dispute resolution gave me a good grounding in the use of open ended questions, mining for interests and needs etc.

“So off I went. It was seen as a success. I have since done similar exercises with a number of my sites and as I said is now being adopted by my colleagues as

well. ***At the end of the interviews, data are summarized and a report issued to management with feedback and recommendations.***”

“Last year in doing a follow up exercise in Country X, I also used the opportunity of one on one interviews with our X associates ***to find out why the level of contacts from X were lower than some of my other countries.*** Some was obviously the language barrier (although there are similar barriers in Japan but contact rates are higher) and the other main reason was cultural. People from Country X don't tend to share concerns with strangers and would rather talk to a friend.

“However, the insight was that they really, really appreciated the opportunity to have a one on one discussion with me and so I have since recommended to both the Country X management and my boss that starting this year, I will adopt a different approach to how I handle Country X and possibly Country Y as well. ***That is rather than have a "pull model" as we tend to have in most western countries where we rely on associates to come and see us if they have a concern, I will move to a "push model" where I will go to them in much the same way as I described above.*** At the end of the day, my thinking is that we need to hear from people if we are going to make recommendations and if the "mountain won't come to Mohammad, Mohammed will go to the mountain!"

“Another systems initiative that our team is now doing more and more of is ***helping with the "bringing together" of various companies we have acquired, from a cultural perspective.*** As a team we have extensive years of service to our company. Being a privately held company, we have a certain culture that is quite unique. Recent acquisitions have meant an influx of new associates that are new to our ways of working and so we have been the eyes and ears of the businesses as they come together. Some of this extends to formal training of new associates while for some of us it is capturing what we hear and see.”

## Some Crystal Ball Table Discussions on Systems Initiatives

1. Sharing ideas about how IOA might help make the **Ombuds Office a standard function** in an organization, like HR or counsel—identifying and communicating usefulness, value, effectiveness
2. Sharing ideas about how a Standards of Practice OO can work on **collaborative systems approaches for improvements** in the organization—including changes in policies, procedures and structures. Is it ok to foster networks? What are the limits to advocacy—how do activist OOs stay “neutral” and “independent”?
3. Sharing ideas about systems approaches to social media especially **FACEBOOK**
4. Sharing initiatives about **bullying** including possible changes in policies, procedures and structures as well as training. Would a “checklist” help?
5. Sharing initiatives about **mentoring** including possible changes in policies, procedures and structures as well as training
6. Sharing new or non-standard approaches about **diversity and inclusion** including possible changes in policies, procedures and structures as well as training; getting out to interview minorities a bit more in groups, rather than just waiting for them to come in
7. Sharing ideas about systems approaches to **preventing violence, sabotage, people seeking revenge for real and imagined injuries, national security problems, and planning for the worst emergencies**
8. Sharing ideas about systems approaches to the **entitled new generation as students and workers**
9. Sharing ideas about systems approaches to **contingent labor force issues (including part-time, free-lance, and contract workers) and furloughed workers under great stress**
10. Sharing ideas about systems approaches to **helping senior managers know what the troops are actually thinking since we have entitled senior managers as well as entitled generation x employees**
11. Sharing ideas about systems approaches to preventing **major computer security breaches, embezzlement, bribery, blackmail and other non-violent criminal behavior**