

POP Quiz

What is the correct gender-neutral term?

- A) Ombudsman
- B) Ombuds
- C) Ombudsperson
- D) All of the above
- E) It depends on who you ask



CONFLICT ENGAGEMENT AND DIFFICULT
CONVERSATIONS
MARCH 6, 2024

ANDREW LARRATT-SMITH
UNIVERSITY OF CALIFORNIA, RIVERSIDE
OFFICE OF THE OMBUDS
388 & 390 SKYE HALL
[HTTP://OMBUDS.UCR.EDU](http://ombuds.ucr.edu)
OMBUDS@UCR.EDU
(951) 827-3213

Agenda

- Overview of Ombuds Office
- Thorny Conflict-Related Challenges Chairs Face (Breakout Rooms)
- Tools
 - Models
 - Difficult Conversations Resources
 - Campus Resources for Chairs
 - Reflective Listening
 - Email
 - Contribution vs. Blame

THE UCR OMBUDS OFFICE WAS
ESTABLISHED IN 1968.

**“OVER 50 YEARS OF PEOPLE NOT
KNOWING WHAT THE OMBUDS
OFFICE DOES.”**

NOT JUST “WHERE TO GO...”
BUT
“WHY TO GO”
“WHETHER TO GO”
AND “HOW TO GO”

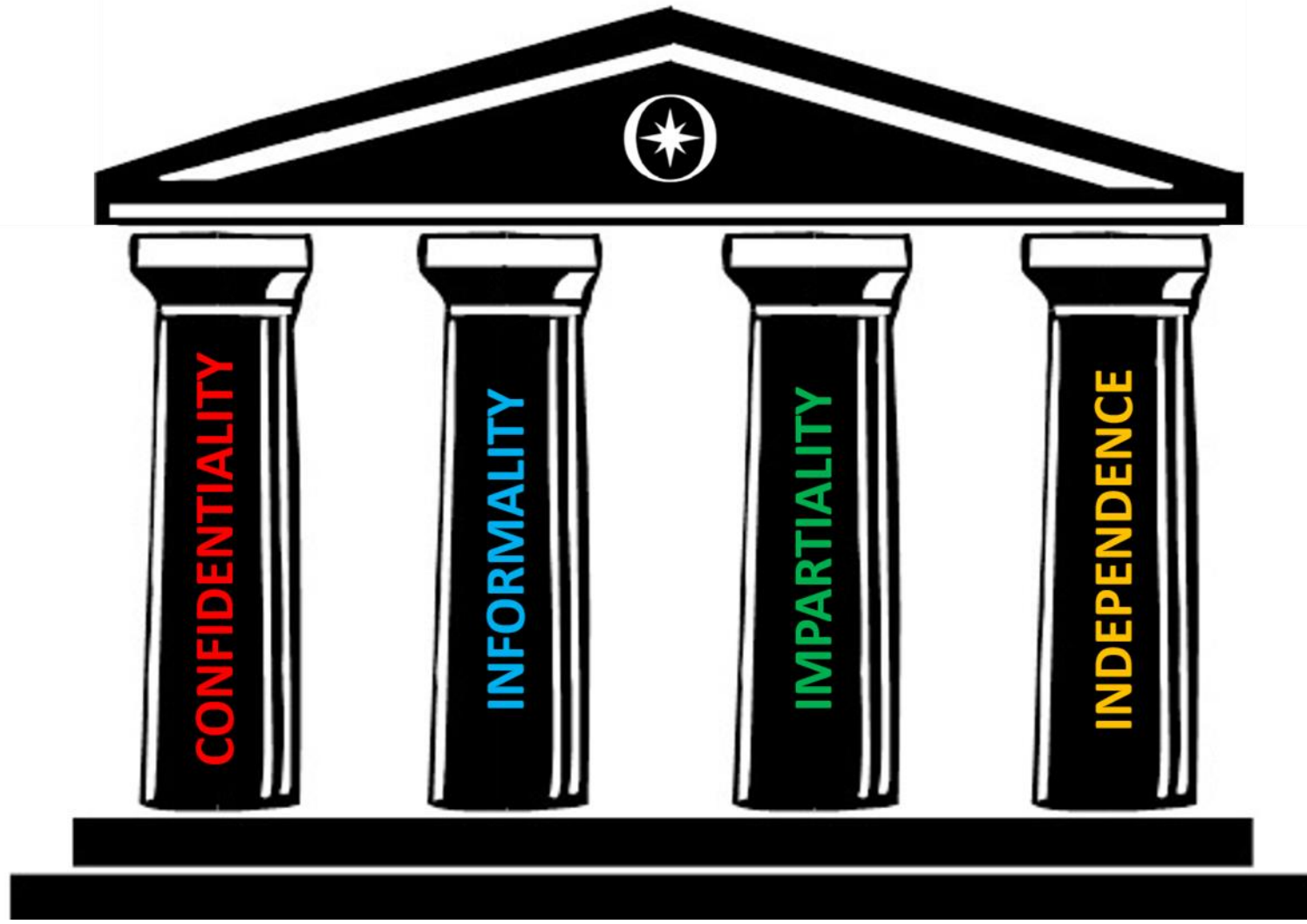
UCR Ombuds Office Mission Statement

The Ombuds Office strives to “humanize the UCR campus, making it a viable and responsible institution of people.”¹

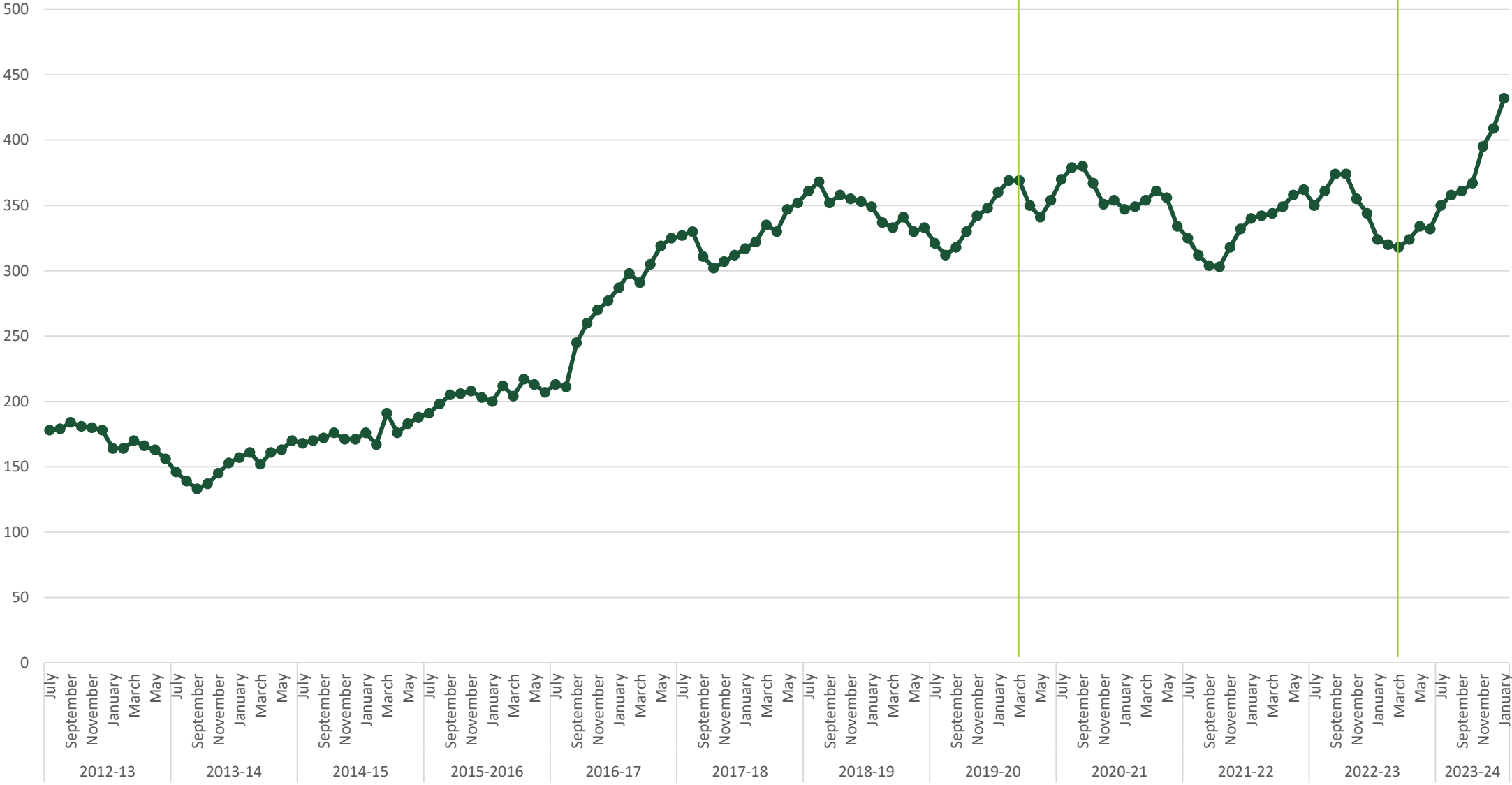
We do so by:

- Empowering members of the UCR community who **consult confidentially** with us to navigate through thorny UCR-related dilemmas.
- Impartially **facilitating dialogue**, mediation and other informal collaborative group processes.
- Providing useful **educational resources and workshops** on such topics as conflict engagement, communication, fairness, and ethics.
- Offering practical, independent **recommendations to administrators** at all levels of the university in order to catalyze positive systemic change and to promote fair and equitable processes.

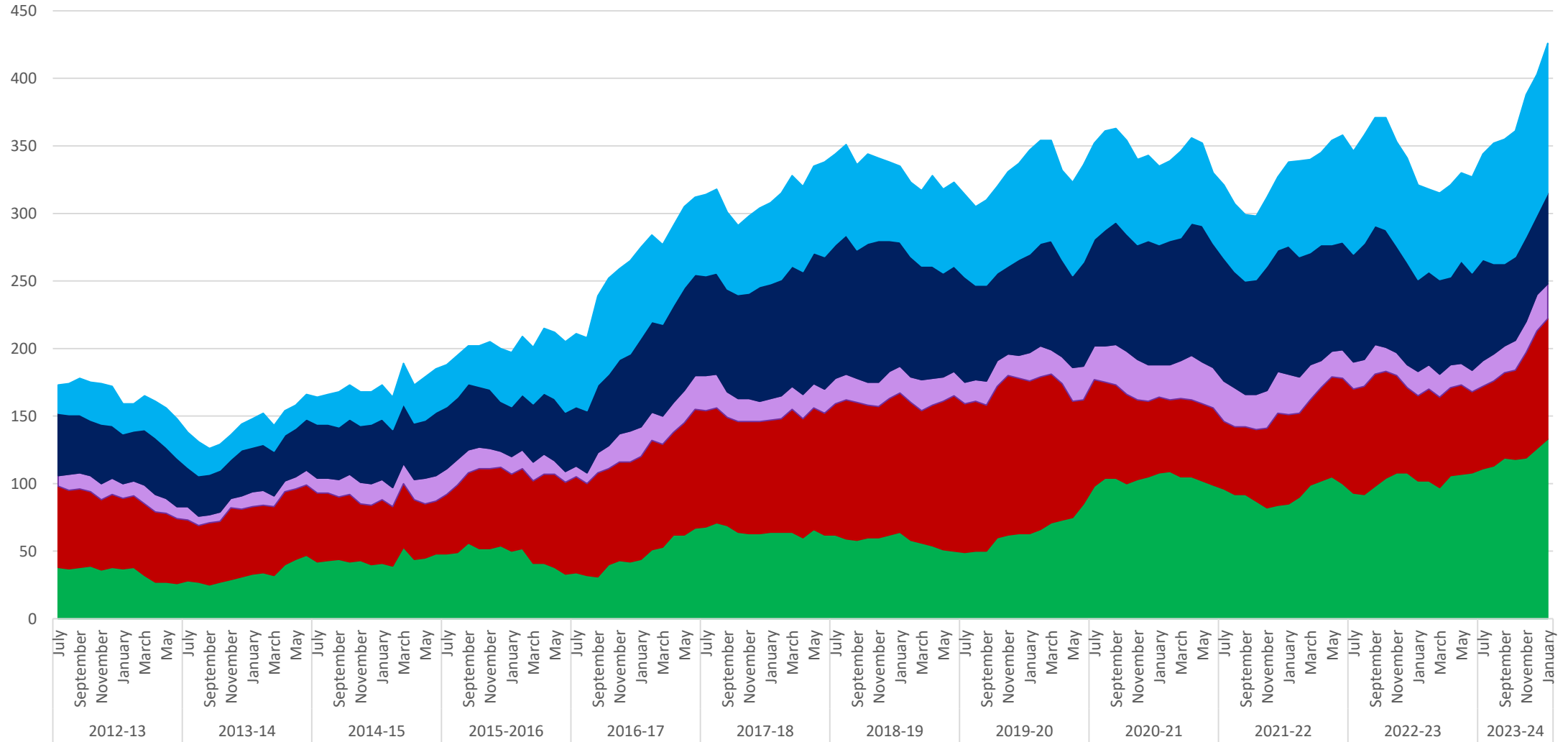
¹Letter from Chancellor Ivan Hinderaker, appointing the first UCR Ombudsman, November 20, 1968. Even though the specific practices of the Ombuds Office have evolved over the years, the initial mission still rings as true today as it did in 1968.



Visitors to the Ombuds Office (12 Month Rolling Totals)

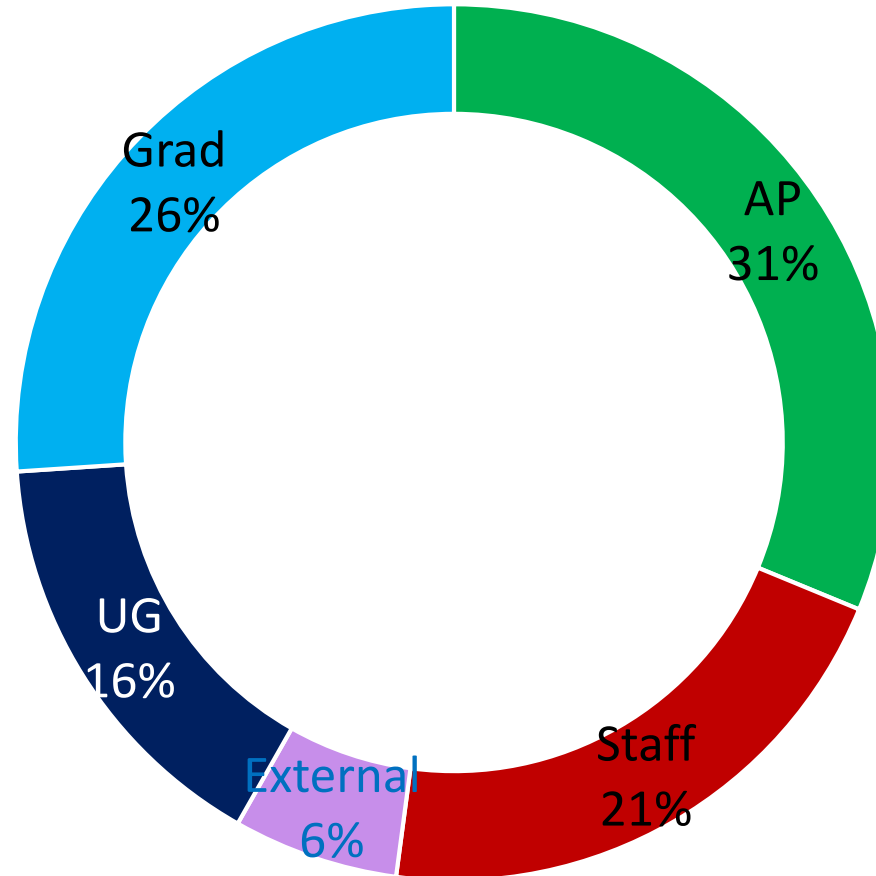


Visitors to the Ombuds Office Disaggregated by Constituent Group (12 month Rolling Totals)

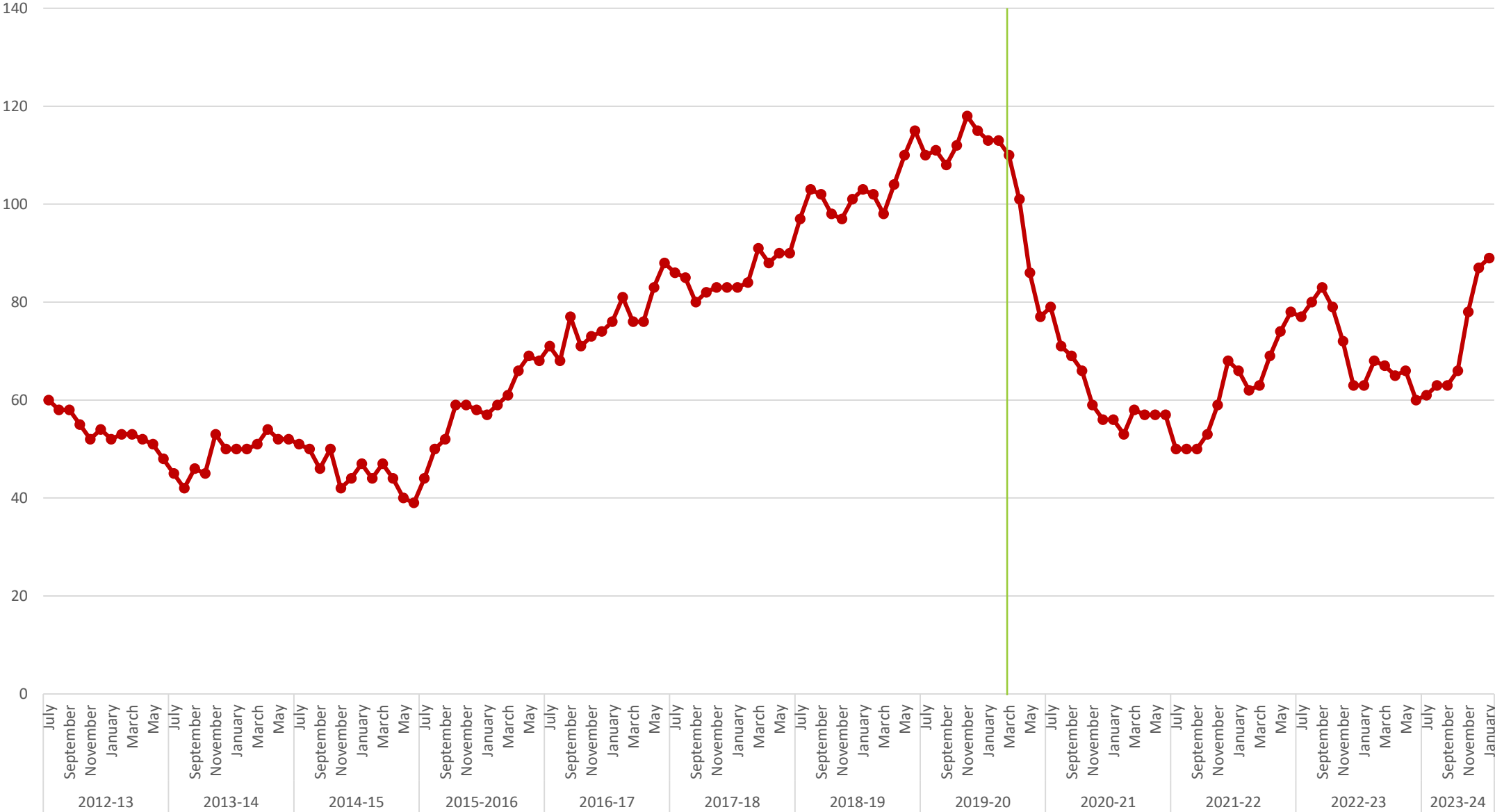


■ AP
 ■ Staff
 ■ External
 ■ UG
 ■ Grad

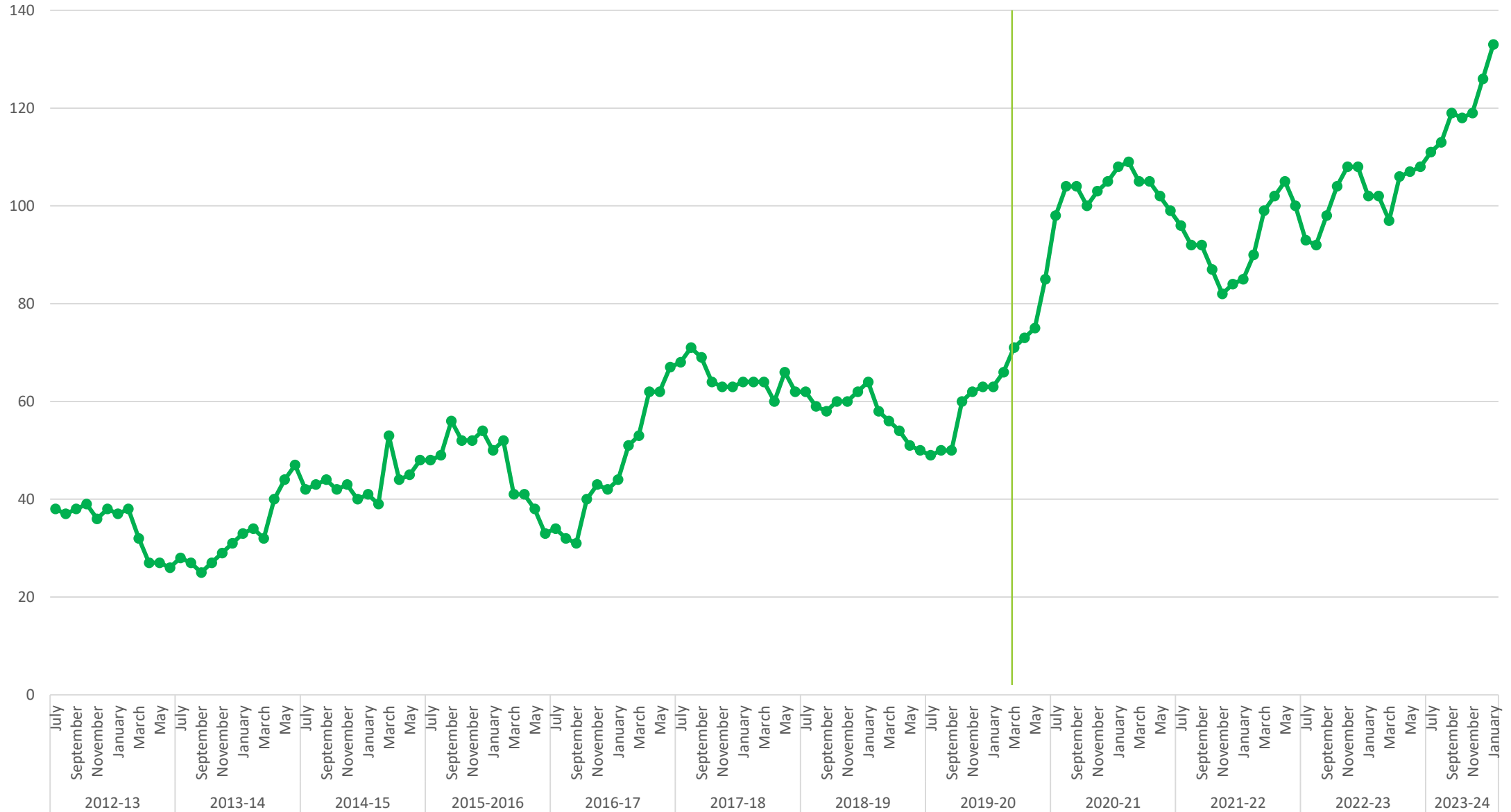
Constituent Breakdown as of January 2024



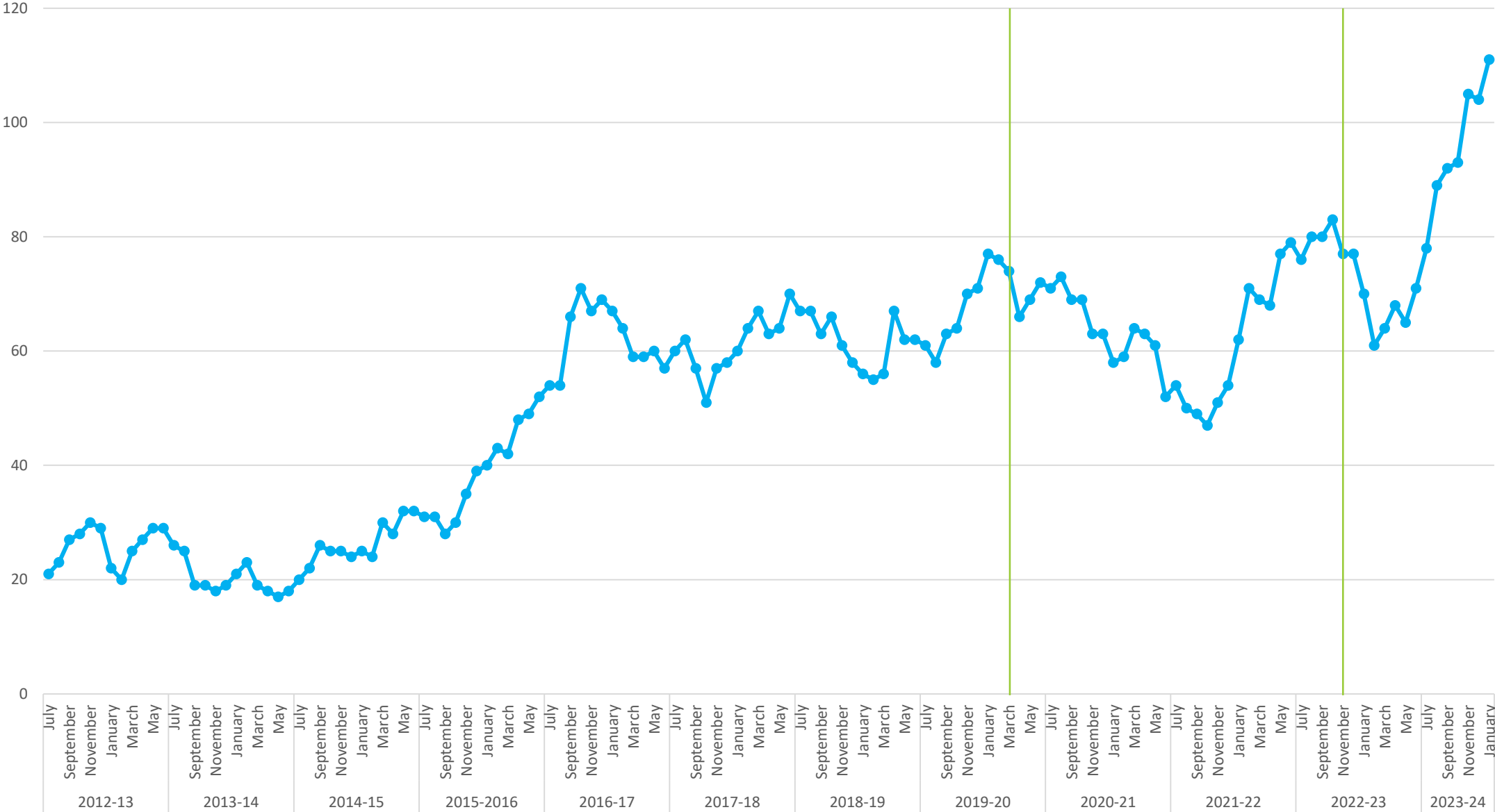
Staff Visitors (12 Month Rolling Totals)



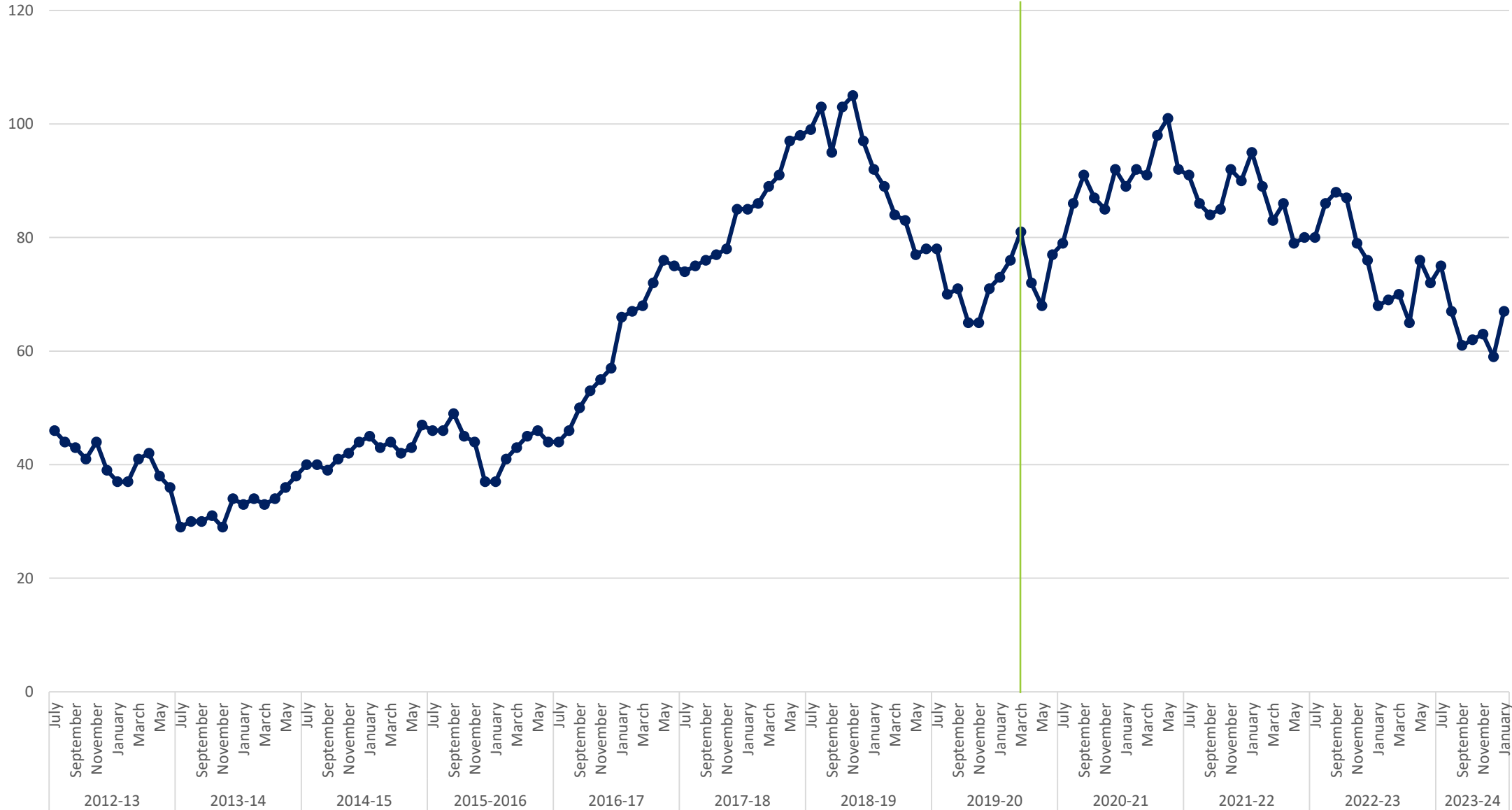
Academic Personnel Visitors (12 Month Rolling Totals)



Graduate Student Visitors (12 Month Rolling Totals)



Undergraduate Student Visitors (12 Month Rolling Totals)



Common Chair Concerns

- Conflicts between Departmental Faculty
- Departmental Staff – Faculty relationship
- Grade Appeals
- Student Complaints about Instructors
- Disputes over Academic Integrity
- Advisor – Advisee Disagreements
- Incivility / Abusive Conduct
- Sexual Harassment, Discrimination
- Research Misconduct & Research Ethics

Common Undergraduate Concerns

- Dismissal and readmission
- Grade Appeal
- Navigating Administrative Bureaucracy
- Treatment by Instructor / T.A.
- Housing
- Fees
- Student Disciplinary Process
- Need for Accommodation (Religious or Military)
- Financial Aid
- Retroactive Withdrawal

Common Graduate Student Concerns

- Conflicts with Principal Investigator (PI) / Faculty Advisor
- Conflicts in Labs or with Peers
- Fees and Funding
- Appeals
- Quals, Academic Progress
- Research Misconduct & Ethics
- Authorship Disputes
- Incivility, Bully, Abusive Conduct
- Sexual Harassment, Discrimination

Common Staff Concerns

- Hostility / Mistreatment by supervisor
- Management style of supervisor
- Classification
- Performance Appraisals
- Misuse of funds
- Disciplinary process
- Hiring process
- Sexual Harassment / Discrimination

Common Academic Personnel Concerns

- Departmental Conflict
- Incivility / Bullying / Abusive Conduct /Mistreatment by peers
- Reporting obligations
- Challenges in merit and tenure process
- Research Misconduct & Research Ethics
- Student Academic Integrity or other student behavioral concerns

Common Postdoc Concerns

- Conflicts with Principal Investigator (PI) / Faculty Advisor
- Conflicts in Labs or with Peers
- Fees and Funding
- Housing
- Research Misconduct & Ethics
- Authorship Disputes
- Incivility / Bullying / Abusive Conduct / Mistreatment by peers
- Sexual Harassment, Discrimination

Hypothetical

A Staff Member is having difficulty with her supervisor. She believes her supervisor is exhibiting some combination of the following behaviors:

- Micro-managing her
- Reprimanding her for taking sick time
- Ignoring / disparaging her comments in meetings
- Regularly yelling at her

What can the Staff Member Do?

Lump it (do nothing)

Quit (Short-term or Long-Term)

Document the behavior

Talk to Supervisor Directly

Talk to 2nd Line Supervisor

Talk to trusted colleague

Visit Faculty Staff Assistance program

Talk to Human Resources (Org-level HR Business Partner, Employee & Labor Relations)

Talk to Union Rep (if represented)

File a grievance / formal complaint

Talk to Title IX (if sexual harassment, discrimination)

Make Whistleblower complaint (if Improper Governmental Activity)

When to call the Ombuds Office?

- Concerns about **unfair treatment**
- Desire for **confidential consultation**
- Need for **conflict resolution**
- Interest in **collaborative dialogue**
- Something is **falling between the cracks**
- You are **unsure of where to go**

“When in doubt, Ombuds Out.”

Breakout room questions

- What are some of the most difficult types of conversations you have had to have in your role as Chair?
- What types of conflict do you find most challenging in your role as Chair?

Initial Ombuds Consultation Overview

Phase	Orientation	Get the Story	Surface Issues, Interests, & Goals	Explore Visitor's Options	Conclude
Activities	<ul style="list-style-type: none"> • Confirm timeframe for meeting • Outline process • Explain Ombuds role • Review key principles & standards • Invite questions 	<ul style="list-style-type: none"> • Develop rapport • Listen for understanding • Validate feelings • Confirm understanding • Summarize & Reframe 	<ul style="list-style-type: none"> • Identify & prioritize issues • Clarify interests • Identify goals/define success • Prioritize goals • Reality test 	<ul style="list-style-type: none"> • Brainstorm options • Assess options in light of goals • Flesh out / prototype options 	<ul style="list-style-type: none"> • Develop action plan • Schedule follow-up meeting (optional)
Key Skills	<ul style="list-style-type: none"> • Structuring 	<ul style="list-style-type: none"> • Reflective Listening • T-Funneling • Navigating Intent 	<ul style="list-style-type: none"> • Surface Interests • De-positioning • Avoidance vs. approach goals • Reality testing 	<ul style="list-style-type: none"> • Generate options • Interests/Rights/Power 	

Challenging Conversations Overview

Preparing for the conversation

- Step 1: Reflecting
- Step 2: Deciding whether to initiate a conversation
- Step 3: Convening the conversation

Engaging in the conversation

- Step 4: Framing the conversation
- Step 5: Listening to the other

party's perspective

- Step 6: Sharing your perspective
- Step 7: Problem Solving
- Step 8: Concluding the conversation

Follow-up

- Step 9: Follow-up

Breakout room question

- What models, principles, philosophies inform how you approach and engage with conflict?

Campus Resources

Other Campus Resources

Issue	Key Resources
Faculty Discipline	Vice Provost for Administrative Resolution (VPAR) Faculty Code of Conduct – Academic Personnel Manual (APM) 015 Appendix 5 of UCR Senate Bylaws and Regulations
Violation of Faculty Rights	Faculty Grievance Process (Academic Senate)
Sexual Violence and Sexual Harassment	Title IX (Reporting) Care Advocate (Support for Survivors)
Discrimination & Harassment (on the basis of protected categories)	Title IX Equity Advisors (embedded within Colleges) Office of Diversity, Equity, and Inclusion
Abusive Conduct	Academic Personnel / VPAR Human Resources Title IX

Other Campus Resources Continued

Issue	Key Resources
Fraud, Waste & Abuse	Office of Compliance Whistleblower Policy Whistleblower Hotline (Ethicspoint)
Accommodations for Disabilities	Disability Management in Human Resources (Faculty and Staff) Student Disability Resource Center (Students)
Faculty Mental Health	Faculty Staff Assistance Program Coverage through medical benefits Wellness program
Student Support and Mental Health	Dean of Students Case Management Counselling and Psychological Services (CAPS) Critical Student Incident (CSI) Team
Academic Integrity and Student Discipline	Student Conduct and Academic Integrity Programs (SCAIP) Academic Integrity Policy Administration of the Standards of Conduct

Ombuds – VPAR/VPAP Role Comparison

	Ombuds Office	Vice Provost for Administrative Resolution (VPAR)
Constituents?	Entire UCR community - students, staff, faculty	Predominantly faculty
Scope of Issues	UCR-related concerns	Predominantly faculty discipline
Role?	Designated neutral	Designee of Chancellor and Provost/EVC
Reporting Office?	Non-reporting (Confidential)	Reporting
Can assist in informal resolution?	Yes	Yes
Acts on behalf of administration in formal faculty disciplinary processes?	No	Yes
Available to discuss issues proactively?	Yes	Yes

Reflective Listening

Exercise – Terrible Listening!

In pairs, take turns sharing about an area of research that you are interested in.

Talk for about one minute each.

While the speaker is talking, the “listener” will engage in the worst listening techniques they can think of.

Reflective Listening (Listening for Understanding)

Intention matters!

Summarize content

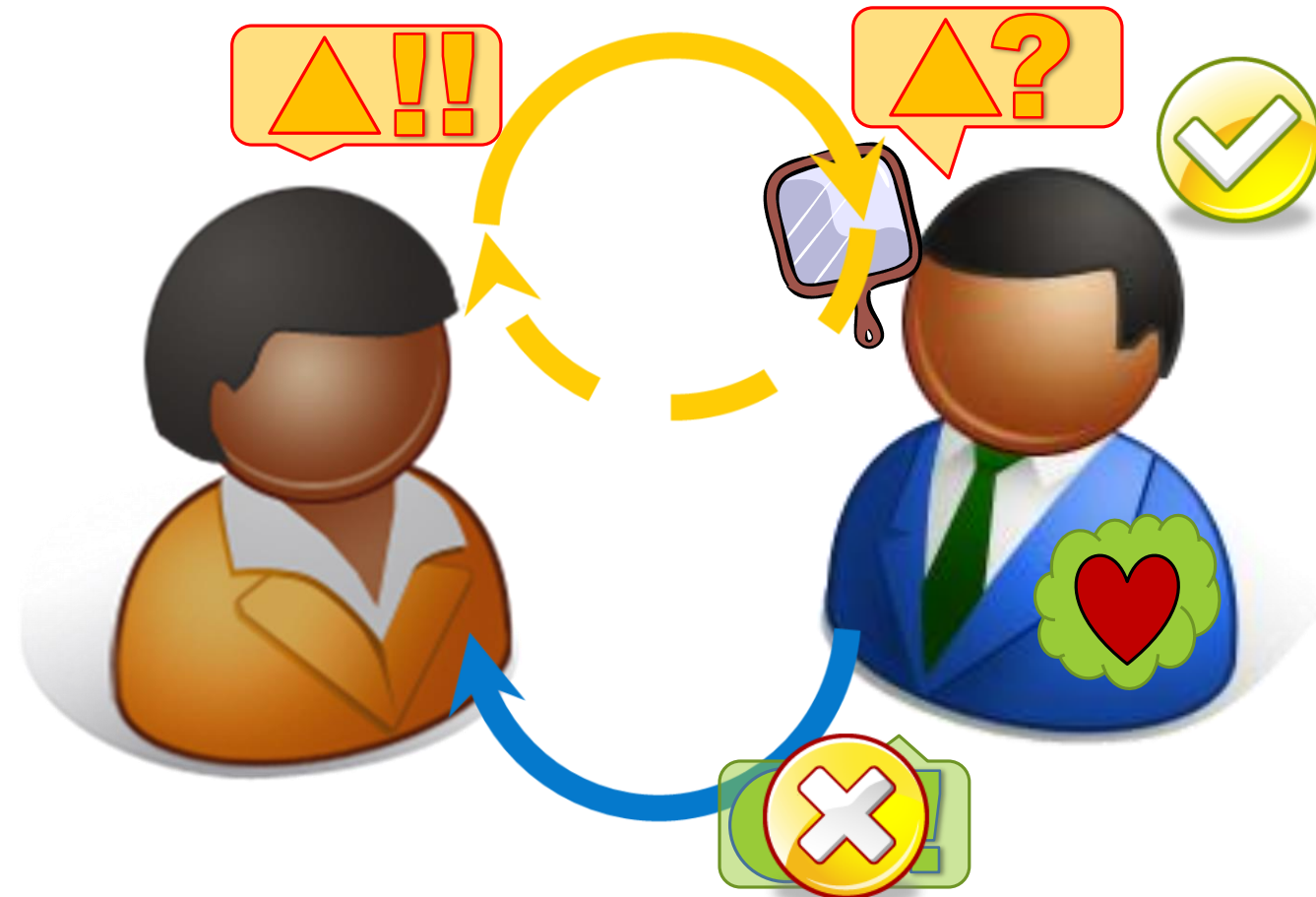
Summarize feelings

Summarize interests

Confirming/Tentative language

Reframing

Clarifying questions



Intention Matters

“What deters me from listening well?”

“What motivates me to listen well?”

Intention Matters – Some key pointers

- Arouse your curiosity.
- Do make assumptions. “Assume I don’t understand” is a stronger listening posture than “Don’t assume I understand.”
- Defer judgment.
- Understanding ≠ Agreement.
- Listening is strength not weakness.
- Listening for understanding is like getting on the train before it leaves the station.



Summarize Content

Summarizing Content involves merely restating the substance what has been said nearly verbatim, without adding any new information. This is typically done to confirm that the message being delivered has been accurately received, to communicate to the speaker that the listener is listening, and help satisfy the speaker's desire to be heard.

Summarize Content: “You need to come to meetings on time. I respect your time. You need to respect mine.”

- a) “I understand. I will try to come on time from now on.”
- b) “Our meeting time is important to you.”
- c) “You want me to come to meetings on time and find it disrespectful of your time when I come late.”
- d) “I do my best to be on time. Unfortunately, the traffic is unpredictable.”

Summarize Emotion

Summarizing Emotion is similar to Summarizing Content, except the emphasis is on summarizing the emotions being communicated, both spoken and unspoken. Summarizing emotion is best used when the listener senses that emotions are an important part of what the speaker is trying to communicate. Summarizing Emotion attends to a speaker's emotional needs. Additionally, they open the door to discussing what is driving the emotions rather than merely emoting at one another.

Summarize Emotion: "You need to come to meetings on time. I respect your time. You need to respect mine."

- a) "You feel that I am being disrespectful."
- b) "You are frustrated because I have been coming to meeting late."
- c) "Why are you getting so upset about this?"
- d) "You want me to come to meetings on time and find it disrespectful of your time when I come late."

Summarizing Interests

Interests are the reasons behind the statement. By summarizing the spoken interests or unspoken interests of the speaker in a statement, the listener is able to deepen the discussion towards what is really motivating the speaker.

Summarize Interests: “You need to come to meetings on time. I respect your time. You need to respect mine.”

- a) “You are frustrated because I have been coming to meeting late.”
- b) “Our meeting time is important to you.”
- c) “You want me to come to meetings on time and find it disrespectful of your time when I come late.”
- d) “I do my best to be on time. Unfortunately, the traffic is unpredictable.”

Confirming / Tentative Language

Language that shows that you are reflecting what the speaker is saying, and not making conclusions.

Examples:

“It sounds like you feel...”

“If I am hearing you correctly, you ...”

“Correct me if I am hearing this incorrectly, but it sounds like... “

“You are saying.... Am I getting that right?”

Reframing

Reframing moves beyond mere summarization and subtly shift the tone or perspective of the statement without altering its underlying message. Reframing is commonly used to replace inflammatory statements with more neutral language.

Reframe: “There was no excuse for that miserable presentation. You were totally unprepared.”

a) “My presentation was miserable and I was totally unprepared.”

b) “You think my presentation was inexcusably horrible due to my complete lack of preparation.”

c) “You think my presentation had a few problems and that I could have been a little more prepared.”

d) “You are disappointed in my presentation and believe I should have been better prepared.”

Small Group Exercise

Your co-worker Efrem says to you: “I know I said I would get the budget summary to you by Thursday but it has been a crazy week. I’ve been putting out fires all day and Juan just told me he now needs the figures tomorrow instead of next week. So, I will get it to you by Friday.”

In your group come up with 3 different responses:

- 1) Summarize Content
- 2) Summarize Emotion
- 3) Summarize Interests

Exercise – Better Listening

In pairs, take turns sharing once again about your research interests.

This time as listener, try to apply the tools and techniques we have discussed.

Reflective Listening Turn Taking

- 1) In the middle of a conversation one party notices that the conversation is unproductive.
- 2) That party verbalizes their concern to the other party and invites them to engage in Reflective Listening Turn Taking.
- 3) Decide who will listen first
- 4) Party A listens to Party B
- 5) Party B listens to Party A
- 6) Resume the conversation

Additional Resources

<https://getpocket.com/explore/item/what-great-listeners-actually-do>

<https://getpocket.com/explore/item/how-to-be-a-good-listener-the-experts-guide>

Email Communication

Health Conflict Engagement and Email 7 Temptations

For each temptation:

1. Why is the behavior tempting?
2. Why is the behavior a problem?
3. What can you do instead?

Question (please answer in the chat)

What do you see as
unhealthy temptations in
email conflict?

Email Temptation #1: Engage in Conflict via Email

Why is this tempting?

- Everyone is on the same page
- Quick
- Provides documentation
- Provides for uninterrupted logical reasoning
- Common mode of communication

Why is it problematic?

- Lacks Tone, Context & Social Cues
- Doesn't allow for dialogue, quick feedback loops of a conversation
- More emotionally remote

Email Temptation #1: Engage in Conflict via Email

Why is this tempting?

- Everyone is on the same page
- Quick
- Provides documentation
- Provides for uninterrupted logical reasoning
- Common mode of communication

Why is it problematic?

- Lacks Tone, Context & Social Cues
- Doesn't allow for dialogue, quick feedback loops of a conversation
- More emotionally remote

Email Temptation #1: Engage in Conflict via Email

Why is this tempting?

- Everyone is on the same page
- Quick
- Provides documentation
- Provides for uninterrupted logical reasoning
- Common mode of communication

Why is it problematic?

- Lacks Tone, Context & Social Cues
- Doesn't allow for dialogue, quick feedback loops of a conversation
- More emotionally remote

Grounding (Email Temptation #1: Engage in Conflict via Email)

1. Co-presence - Same surroundings
2. Visibility - Seeing each other
3. Audibility – Hear timing of speech and intonation
4. Contemporality – Utterances received as produced
5. Simultaneity – Receive and send messages at once
6. Sequentiality – Focus on one matter at a time in order

Dispute Exacerbating Elements of Electronic Communication: Raymond A. Friedman, Owen Graduate School of Management Vanderbilt University and Steven C. Currall, Jesse H. Jones Graduate School of Management Rice University

Grounding Elements in Different Media (Email Temptation #1: Engage in Conflict via Email)

Element	In-Person	Zoom / Video Chat	Phone	Texting / Chat	Email
Co-Presence?	Yes	No	No	No	No
Visibility?	Yes	Yes	No	No	No
Audibility?	Yes	Yes	Yes	No	No
Contemporality?	Yes	Yes	Yes	Yes	No
Simultaneity?	Yes	Yes	Yes	Partially	No
Sequentiality?	Yes	Yes	Yes	Yes	No

Email Temptation #1: Engage in Conflict via Email

What to do instead?

- Use In-person / Phone / Zoom / Teams other interaction
- Include friendly greeting, personal note in email

Email Temptation #2: Use ALL-CAPS or Red

Why is this tempting?

- Need for emphasis
- Historical lack of formatting options

Why is it problematic?

- Comes across as shouting and/or angry

What to do instead?

- Use colors other than red
- Highlight
- State the formatting is merely for emphasis or importance, not tone

Email Temptation #3: Send an Immediate Response to bothersome email

Why is this tempting?

- Sense of urgency to respond or correct

Why is it problematic?

- Invites a quick counter-response
- Lacks both reflection and restraint

What to do instead?

- Give sensitive emails 24 hours

- Send an acknowledgement email & follow up later
- Write (but do not send) the angry first draft. Send (maybe) the second or third draft.
- Get someone trusted who will be straight with you to look it over
- Careful about rumination

Email Temptation #4: Send email late at night or on the weekend

Why is this tempting?

- We're busy
- Don't get to email during regular hours

Why is it problematic?

- Not at our best late at night
- Stresses others out about responding

What to do instead?

- Reply at a time when you are fresh
- Send a brief acknowledgement email and then follow up
- Use delay delivery
- Make clear there is no need to respond quickly
- Establish healthy expectations about response times

Email Temptation #5: Send a long email response

Why is this tempting?

- We want to be thorough
- Complex matter
- The ability to lay out the logical reasoning from A to Z is strength of the written form

Why is it problematic?

- Length is intimidating and escalatory
- People don't read it
- Invites a long response in return
- No opportunity to address issues one at a time

Email Temptation #5: Send a long email response

What to do instead?

- Practice BIFF: Brief, Informative, Friendly, Firm
- Extinguish the chain by providing shorter answers
- Create and attach a document
- Ask for time to review documentation and then opportunity to discuss it
- Structuring: Summary at the top, headers, short paragraphs

Email Temptation #6: Copy lots of people

Why is this tempting?

- Seems efficient
- Everyone on the same page, with same information
- Includes expertise
- Support/witnesses

Why is it problematic?

- Creates an audience
- Public shaming / need to defend honor
- Can feel like ganging up

Email Temptation #6: Copy lots of people

What to do instead?

- Be particularly mindful of tone with lots of people copied
- Before copying others, hitting reply all
 - Consider how those on the chain may feel about inclusion of others
 - Consider who really needs to be included
- Hit Reply instead of reply all
- Get consent / Give notice to add someone to the chain before just adding them “I think it might be helpful to loop

in [person X] because [reason Y] ”

• Cull the List

- Step 1) Reply all and propose follow up with only a subset “I propose that [person X], [person Y] and I touch base about this and then circle back to the rest of the group if necessary.”
- Step 2) Email just the subset, perhaps with the suggestion for a conversation

Email Temptation #7: Engage in “Documentation Wars”

Why is this tempting?

- Preserve the record for anticipated problems down the road
- Miscommunications (which tend to increase when there is conflict or tension)
- Reacting to being documented

Why is it problematic?

- Heightened anxiety
- Stilted conversation
- Inhibits ability to engage in other healthier conflict engagement mechanisms

Email Temptation #7: Engage in “Documentation Wars”

What to do instead?

- Continue to meet and talk in person and by phone
- Make personal notes and observations
- Frame notes in neutral, impartial manner
- Clarify and ask for confirmation

“Here’s what I recall: [insert summary] Is this what you recall too? / Does this look right to you?”

Question (please answer in the chat)

Did I miss any other temptations?

Blame vs. Contribution

A Culture of Blame vs A Culture of Contribution

	Blame	Contribution
Core Question	“Whose fault was it?”	“How are we each contributing to the problem?”
Primary Objective	Seeks to judge	Seeks to understand
Outcome	Punishment	Problem-Solving
Time Orientation	Backward -looking	Forward -looking
Responsibility	Individual Scapegoat	Collective Responsibility
Primary Contributing Factor	Individual Error / Incompetence	Systemic Complexity
Participant behavior	Avoiding blame	Acknowledging contributions
Mechanism	Linear Cause & Effect “Find the single cause.”	Systemic Feedback Loops – “What are the interactions that produced this result?”

Thank You! Questions?

