

MC-709  
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The Ombudsman Association  
correspondence

1992-1994



**TOA BULLETIN BOARD**  
**March 1993**

This is the third TOA Bulletin sponsored by the Communications Committee. One more will be published before the TOA Conference in May. By then we hope to get your input as to the usefulness of this Bulletin and whether or not to continue publishing it.

**TOA Conference**

The 1993 TOA Conference is May 12 to 14 at the Fairmont Hotel in San Francisco. If you have not received a mailing with the registration form and are interested in attending, call Vince Riley at (703) 536-7939.

**Ombuds topics...**

The Communications Committee put together a list of topics about which we know Ombudspeople have been contacted. We would like to make this a more complete list by getting your topics. We would also like to keep a closely guarded list of Ombuddies who have dealt with each topic and would allow other TOA members to call them for advice. - We think this would be a reasonable way of providing our members with support on many of the tough issues facing us. Please do the following: (1) send me your topic(s), (2) let me know how you think we should handle this list, and (3) make a note of the topic(s) where you have experience.

**Topics**

**Absences**

**ADA**

**Advocate** - employees expecting the ombudsperson to be their advocate

**Age discrimination**

**AIDS**

**Anonymous email broadcasts**

**Anonymous** - (dealing with people who remain)

**Arson**

**Being jailed for demonstrating**

**Breaking the law outside of work**  
(how does this affect work?)

**Bribery**

**Changing identity**

**Communication** (management to subordinate, executive to work group, individual to boss, peer to peer)

**Confidentiality**

**Conflict of interest**

**Corporate retaliation**

**Cost-effectiveness**

**Crying at work**

**Death of a coworker**

**Death of an Asian National with no relatives in the US**

**Defamation**

**Delusional people**

**Dependent care** (several subdivisions)

**Designated neutral** - not being an employee or management advocate

**Dispute resolution systems design**

**Dress codes**

**Drug use**

**Employee surveys** (how to write them, introduce them, what to do with results, how to act on feedback, dealing with anonymity)

**Fairness and confidentiality** as major issues

**False claims** about what the ombudsperson was asked to do

**Forgery**

**Fraud**

**Gifts**

**Graffiti**

**Group disputes**

**Groups who hate their bosses**

**Harassment** (many subheadings)

**Hexes and curses**

**HIV**



Holiday schedules (lack of  
 accounting for diversity)  
 Keeping employees informed; i.e.  
 Ombudsman process as a tool provided  
 by management  
 Labor relations manager (how the  
 Ombudsman differs from)  
 Making love on the laboratory  
 benches  
 Mental illness (several  
 subdivisions)  
 Missed deadlines due to peer  
 conflict  
 Obscene objects (as Christmas  
 presents, etc.)  
 Offensive language (swearing, racial  
 jokes, etc.)  
 Peer feedback  
 People who smell  
 Poison  
 President/CEO (educating a new)  
 Privacy violations (many  
 subdivisions such as email, people's  
 desks, lockers)  
 Prostitution ring  
 Provocative dress  
 Religious disputes  
 Restrictive club memberships  
 Revenge - not resolution (dealing  
 with people who want)  
 Safety (many subdivisions such as  
 lighting, handicap, ramps, etc.)  
 Satanic cults  
 Severe depression  
 Sex change (use of restrooms during)  
 Stalkers  
 Subpoenas  
 Suicide  
 Surprise terminations  
 The effect of harassment allegations  
 Theft  
 Threats (many subdivisions such as  
 phone, letters, in person)  
 TQM  
 Transfers  
 Transsexuals  
 Upward feedback to managers  
 Violence  
 Work environment (need for  
 equipment, space, security)  
 Working within the Mormon culture  
 Workplace mistreatment

#### OMBUDS DILEMMAS -

This section contains some  
 Ombuds dilemmas submitted by  
 TOA members. They are  
 addressed to you as the reader,  
 asking for your responses.  
 Please jot down your ideas for  
 handling the dilemmas and send

them to the editor (see address  
 at end of bulletin). The  
 editor will work with the  
 authors of the dilemmas to  
 select responses to print.

#### #3...

Dear Reader,

An employee who has been  
 scheduled for a disciplinary  
 hearing for serious wrongdoing  
 comes to me with a concern  
 about the fairness of the  
 procedures. He has consulted a  
 lawyer, who feels this is a  
 matter of internal company  
 guidelines. He asks if he can  
 confidentially describe to me  
 his conduct.

Since I don't know the extent  
 of seriousness of his  
 misconduct, what can I say? If  
 his offense is relatively  
 minor, I am unlikely to have to  
 take action once I know about  
 it, since his supervisor  
 already presumably knows? Or  
 if it is a criminal offense, I  
 would have any citizen's  
 obligation to report my  
 knowledge of a crime?

#### #4 "An ethical compromise...?"

Dear Reader,

Jane, a university  
 administrator, comes to me one  
 Friday morning to say her  
 former part-time student worker  
 Sue has been seen in the  
 office, and is suspected of  
 surreptitiously replacing items  
 she may have improperly  
 borrowed in the past. But when  
 Sue is questioned, she responds  
 angrily and blames Jane for  
 accusing her without factual  
 basis. Sue has also told her  
 dean of students that her  
 former supervisor Jane has  
 unjustly accused her of errors.  
 Jane and I discuss ways of  
 improving communication.  
 Later that afternoon, Jane  
 returns--with her department



head Joan, and with the student, Sue. They say they need a safe place to discuss their conflict. I hastily explain to Sue that I am a neutral, but that I have met Jane before; would Sue like a chance to talk with me alone first to balance the sense of rapport? Sue says she feels fine to move right into the business at hand, that Jane and Joan are making unjustified allegations about her.

Joan outlines three or four suspicious actions on Sue's part--along the lines of using her grandfather's death as an excuse for absence and later saying her uncle died, not her grandfather. Sue insists she is innocent, because there is no proof of dishonesty. But today, Joan says, Sue presented some "paid" receipts for items that they have no record of receiving payment for. Indeed, careful inspection of the photocopied receipts indicates that Jane's signature was forged on them.

Sue breaks down in tears, admits having "doctored" the receipts, narrates her recent family tragedies, current stress, and financial pressures. She apologizes.

Jane and Joan are sympathetic, and do not want to add to Sue's distress. They suggest that if Sue will write a letter of apology, and rectify the error, they will forget the entire incident.

I do not feel ethically comfortable with this settlement. I believe it is likely the student has committed fraud, and has also been dishonest with her dean. The evidence of serious wrongdoing, I believe, should be reported to the dean, who is the appropriate adjudicator in

determining an appropriate sanction for the student. Moreover, I believe the student should learn there may be serious consequences for serious misconduct.

What do I do? I am afraid my role has changed from neutral facilitator to ethics enforcer. Do I take Jane and Joan aside and tell them I am not comfortable with the lenient arrangement they have proposed? Discuss with Sue as well why I am uncomfortable? Suggest a compromise--such as reporting the facts to the dean, with a recommendation of clemency? Try to elicit a compromise suggestion from all of them? Take the matter forward to the dean myself?

#### Comings

Welcome to Nancy G. Radcliff at Bronson Healthcare Group, Claudia E. Cohen at AT&T Easy Link, and Merle Waxman at Yale University School of Medicine.

#### In Memoriam

Tony Perneski, "Alternative Communications Channel" at AT&T Bell Labs died March 18. Tony was a founding member of TOA and an active Board Member. We will miss him.

#### ARTICLES

A recent MIT Tech Talk Newsletter described Mary Rowe's work with the Navy around harassment. There were so many important points in this article that we have decided to include it in its entirety. It's attached to this Bulletin.

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