

# **UAB OFFICE OF OMBUDS CHARTER**

## **I. INTRODUCTION**

In 2015, the University of Alabama at Birmingham (“UAB”), through the Faculty Senate, Staff Council, Human Resources, and the Office of the Provost, authorized the creation of the UAB Office of Ombuds (the “Ombuds Office”). The Ombuds Office provides a place where faculty, staff, mentored graduate students, and postdoctoral fellows (“visitors”) can seek informal guidance regarding concerns, issues, conflicts, or problems involving academic or employment matters. This charter defines the duties and responsibilities of the UAB Ombuds Office.

## **II. THE ROLE OF THE UAB OMBUDS OFFICE**

The Ombuds Office provides a confidential, impartial, independent, and informal environment to the extent possible based on applicable laws, legal processes, and policies. The Ombuds shall be truthful and act with integrity, shall foster respect for all members of the University, and shall promote fairness in the content and administration of the University’s practices, processes and policies. The Ombuds Office furthers the University’s continuous efforts to achieve the highest standards of excellence and ethical behaviors by providing and maintaining a safe space to discuss all types of issues and to discuss them with protection from retaliation in accordance with the University’s established policies.

The Ombuds Office will help visitors clarify concerns, answer questions, explain policies and procedures, and explore resolution options. The Ombuds Office has the authority to discuss a range of options with visitors, including both informal and formal processes and make referrals to the appropriate resource or office. The Ombuds Office will also help facilitate productive communication aimed at assisting to resolve issues before they become formal grievances.

The Ombuds Office does not provide legal advice, representation, career advice, or medical or mental health counseling.

## **III. INDEPENDENCE**

Although the Ombuds Office staff members are employees of the University, they are not aligned with any particular school, department, or unit. The Ombuds has authority to select Ombuds Office staff and manage the Ombuds Office budget and operations. For purposes of reporting on budgetary and administrative matters, the Ombuds Office reports to the Office of the Provost and the Office of Human Resources Management.

## **IV. RESPONSIBILITIES**

The Ombuds Office works to facilitate communication and assist visitors in finding and identifying acceptable, fair, and equitable resolutions that are consistent with the mission, ideals, and objectives of UAB. The Ombuds Office is authorized to contact members of the University to help resolve concerns brought forward by visitors. In carrying out this role, the Ombuds Office will provide the following to visitors:

- A respectful, confidential, impartial safe place for visitors to discuss work-related problems off the record.
- Assistance with clarifying issues and understanding all appropriate options.

- Coaching on self-help techniques, setting goals, and effective oral and written communication.
- Explanation of relevant UAB policies and practices.
- Assessment of the pros and cons of possible options.
- Referrals to other services at UAB.
- Assistance in resolving interpersonal conflicts and concerns
- Facilitation of informal one on one and group conversations in an independent and impartial manner if requested by visitors for constructive dialogue and all parties are willing to participate.

The Ombuds Office will also provide information to the Provost and the Chief Human Resources Officer on general trends and patterns of complaints so that problems may be prevented from escalating or reoccurring and to identify systematic issues and trends. These reports will not contain any information about a specific visitor or information which can be used to identify a specific visitor.

## **V. CONFIDENTIALITY**

The Ombuds Office shall endeavor to maintain the confidentiality of communication to the extent possible based on applicable laws, legal processes, and policies. In order to protect the safety of the University community, the Ombuds Office may not be able to maintain the confidentiality of certain disclosures, including but not limited to, disclosures regarding public safety, harm to self or others, violations of law, discrimination, or sexual harassment.

## **VI. IMPARTIALITY**

As a third-party neutral, the Ombuds is an advocate for equity, fair process, and the fair administration of process. The Ombuds Office shall not take sides in any conflict, dispute, or issue or act as an advisor or advocate for any party in a dispute. The Ombuds Office exists to provide fair and equitable services and guidance to visitors. The Ombuds shall not serve in any additional role or aligned with any formal or informal associations within the University which would compromise the Ombuds neutrality. The Ombuds shall takes all necessary steps to avoid conflicts of interest, whether actual or perceived.

## **VII. Informality**

The Ombuds Office provides informal assistance only. The Ombuds Office is intended to complement, and not supplant, formal channels such as reporting structures and grievance procedures. The Ombuds Office can provide information about formal channels so that visitors may make informed choices about which process is best for them to pursue.

The use of the Ombuds Office is voluntary and not a required step in any grievance process or University policy.

## **VIII. LIMITATIONS ON THE AUTHORITY OF THE OMBUDS OFFICE**

### **A. Notice**

The Ombuds does not act as an agent for the University. Communication to the Ombuds Office shall not constitute legal notice to the University. This includes information and disclosures involving perceived violations of law, regulations, or policies, such as sexual harassment, discrimination, retaliation, or incidents subject to reporting under the Clery Act. Moreover, such communications do not toll or affect any time limits by which notice of claims must be provided to the University or asserted in an administrative or legal processing.

## **B. FORMAL PROCESSES AND INVESTIGATIONS**

The Ombuds Office cannot mandate and shall not conduct formal investigations of any kind, adjudicate cases, act as an advocate in any case or grievance/dispute process, assess wrongdoing or innocence, determine sanctions, impose discipline, or make, change, or set aside any rule, policy, or administrative decision. When a visitor requests an investigation, the Ombuds Office must refer the visitor to the appropriate offices or individual.