

Attachment 5 – Information Item Mediation Report

Date: November 1, 2011

To: K-State Dispute Resolution Team

From: Becky J. O'Donnell, Coordinator

Subject: K-State Mediation Program for Faculty/Unclassified
July 1, 2010 – November 1, 2011

Eight inquiries were received during this reporting period regarding utilizing mediation to resolve a dispute. After visiting with the employee, four of the eight either agreed that working with an Ombudsperson as the first step would be the appropriate option or indicated they were gathering information regarding options.

Four employees requested mediation. Resolution summary of those four cases are as follows:

- (1) Direct supervisor declined to participate
- (2) Employee withdrew their request and elected not to participate
- (3) Supervisor requested mediation, then elected to postpone mediation (*Pending)
- (4) Mediator is currently working with parties (*Pending)

The numbers of mediation requests have been minimal the past two years. However, requests have proven to be extremely difficult cases, requiring a great deal of time meeting with the parties; discussion on the phone; coordinating the actual face-to-face mediation and following-up post mediation. Encouraging employees to consider mediation as an option earlier in the process may be helpful by reducing the length of time the employee has been dealing with the conflict; increasing likelihood of repairing professional relationship; preventing colleagues and students within the department becoming aware of the conflict; and, reducing likelihood that the conflict will significantly interfere with teaching and research duties.

Over the past two years, peak period of requests have occurred during the summer months and into the fall semester. Previously, the majority of the inquiries/requests have occurred during the spring semester.

Employees initially contacting me report that they were referred from a variety of sources: Department Head, Dean, Office of Academic Personnel, Ombudsperson, former Ombudsperson, searching the K-State web site and from a friend or colleague.

Nature of issues included:

- Lack of effective communication
- Gossip / triangulation
- Climate of atmosphere within their Department/College
- Conflict between tenured and non-tenured faculty members
- Conflict between faculty member and their Dean
- Teaching assignments
- Preferential treatment
- Professional behavior (including email exchange/tone/attitude)
- Rapport & trust issues
- General inquiry of options for assistance or grievance procedure
- Work/duty assignments