

5.06 Ombud for Employees

Date of Initial Policy: January 1, 2009

Effective Date: September 16, 2019; January 1, 2010 (revised), February 17, 2026 (revised)

Policy Statement:

It is Trinity College's policy to make available to staff and faculty ombuds services as a neutral, independent, informal, and confidential resource to assist employees in resolving workplace concerns, conflicts, and problems. The ombuds services shall be carried out in full adherence to the International Ombuds Association (IOA) Standards of Practice and Code of Ethics. Trinity shall support and uphold these IOA guidelines.

This policy applies to all Trinity College faculty and staff employees.

Reason for the Policy:

The Ombudsperson service ensures that members of the faculty and staff have a neutral, independent, confidential and informal resource who provides them with assistance in identifying options for addressing and/or resolving workplace employment related issues and conflicts, conflict and communications coaching, and, where agreed, mediation. The service is intended to support faculty and staff in decision-making around if and how to address issues and implement solutions. The Ombudsperson is not an advocate, decision-maker or mandated reporter, they have no authority to change rules or policies, and they do not provide legal advice. It is intended that faculty and staff utilizing the Ombudsperson as a resource will remain in control of both the information they share and what, if anything, they choose to do to address the situation for which they sought support.

Definitions:

- Confidential Employee: Those required to report an incident disclosed or reported to them but without the name of the Reporter—the person disclosing the incident—or the alleged offender, unless there is imminent danger to the Reporter or the campus
- Visitor: Faculty and staff who engage in the services of the ombudsperson
- Reporter: Individual disclosing an incident or behavior that is covered by Title IX
- Title IX Policy: Policy based upon the U.S. law that promotes gender equity in education
- Title IX Coordinator: Trinity-designated employee or individual who handles matters covered by the Title IX law and Trinity policy

Statements of Elaboration of Policy:

Procedure

The Ombudsperson shall be professionally trained and selected from outside of Trinity College. In the spirit of shared governance, the appointment or replacement of an Ombudsperson shall reflect a process of shared governance and recommendations from the administration, leadership of the staff councils, and Faculty Conference. The President shall appoint the Ombudsperson and the Ombudsperson shall report to the President through the Chief of Staff for administrative purposes only.

Scope of Ombud Practice

The ombudsperson's role in working with faculty and staff who visit the ombudsperson for assistance ("Visitors") is to:

- Listen
- Explain the role and scope of the ombudsperson's position
- Assist in identifying answers and/or resources
- Assist Visitors in developing new ways to solve problems themselves
- Help Visitors analyze situations and identify and evaluate options for resolution
- Facilitate appropriate communication between the Visitor and the other party with the Visitor's permission
- Explain College policies and procedures and their application to the Visitor
- Remain neutral, impartial, and unaligned with the Visitor or any party, office, or institution
- Identify policy and procedural trends, issues, and concerns without breaching confidentiality or anonymity and recommend options and actions
- Maintain the confidentiality of records, contacts, and communications unless express permission is given by the Visitor to do otherwise, unless:
 - failure to reveal confidential information could result in imminent risk of serious harm to the Visitor or other individuals;
 - the Visitor discloses or alleges sexual misconduct directed against an individual who is either under the age of 18 or who has an intellectual disability;
 - or
 - the ombudsperson is legally compelled to do so via valid subpoena. The ombudsperson strives to consider all sides of a question impartially and objectively and seeks resolution through problem-solving, consultation, and/or facilitated discussions.

The ombudsperson will not:

- Participate in any formal investigation or adjudicative procedures but may refer Visitors to appropriate offices, resources, or people when a more formal resolution is desired or warranted
- Make binding decisions, mandate policies, or formally adjudicate matters for the College
- Give legal advice
- Advocate on behalf of the Visitor, the other party, or any individual affiliated with the College
- Handle grievances and whistleblower, discrimination, or harassment complaints
- Keep any identifying records
- Offer psychological or other counseling
- Address any disputes between the College and non-Trinity staff
- Serve as a substitute for making a formal report of any misconduct, including sexual misconduct.

The ombudsperson is a Confidential Employee under Trinity's Title IX policy.

Confidential Employees are required to report an incident disclosed or reported to them but without the name of the Reporter—the person disclosing the incident—or the alleged offender, unless there is imminent danger to the Reporter or the campus. Before reporting an incident to the Title IX Coordinator or Campus Safety director, Confidential Employees will first consult with the Reporter to ensure that the general report does not contain any personally identifying details.

To make a formal report of sexual misconduct, staff should contact the Title IX Coordinator.

Professional Development

The Ombudsperson is required to be a member in good standing of the International Ombuds Association and maintain that standing for the duration of their time in the role. The Ombudsperson is also required to complete an initial onboarding process with the Human Resources team, and on an annual basis thereafter, will review Trinity College employee policies and procedures. In addition, the Ombudsperson will meet annually with the Dean of Faculty and Faculty Secretary, and a representative designated by staff to bring attention to general trends and patterns of concern.

Amendment Process

This policy will be periodically reviewed, initially after no more than two years. Changes to this policy will reflect a process of shared governance and input from the administration, leadership of the staff councils, and Faculty Conference

Cross References to Related Policies:

Non-Discrimination Policy

Title IX Policy

Responsible Officer:

Chief of Staff and Associate Vice President for External Affairs

Key Office to Contact Regarding the Policy and its Implementation:

Office of the President - Chief of Staff and Associate Vice President for External Affairs

See the following policies for additional relevant information:

3.03 Discrimination and Harassment

5.07 Grievance Procedure