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The Role of an Ombudsman in Mitigating Conflict

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This is to certify that the doctoral study by

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Abstract

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BSM, University of Phoenix, 2008

AAS, Hudson County Community College, 1985

Doctoral Study Submitted in Partial Fulfillment

of the Requirements for the Degree of

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Abstract

Bullying behavior is a contributing factor to hostile work environments, and can cause

human consequences that affect morale, performance, and productivity. The purpose of

this qualitative exploratory case study was to identify the strategies that ombudsmen and

human resource managers (HR) use in mitigating workplace conflict. Corporate social

performance was the conceptual framework that guided this research. Nine HR

managers, an ombudsman representative, and 8 ombudsmen located in New York City

and in other states were interviewed based on their experience in conflict mitigation.

Data extracted from the participants' shared stories along with position description

documents were synthesized thematically and analyzed for emergent themes. Six themes

emerged through analysis: neutrality, trust, interactive coaching competencies,

contrasting roles, preventive conflict mitigation strategies, and systemic and cultural

analysis. The theme of trust emerged as a key strategy to resolve conflict. The

implications for social change include increased organizational accountability, fairness,

security, and reduction of discrimination as the work of ombudsmen indirectly lead to

cultural changes within organizations.

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Dedication

I dedicate this work in loving memory of my late husband, Eustace A. Laurie, Jr., who always supported me in my endeavors.

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Section 1: Foundation of the Study

Conflict in the workplace is common, and can cause financial and interpersonal problems for organizations, managers, and their subordinates. Managers often either ignore conflict or manage conflict poorly (Georgakopoulos, Wilkin, & Kent, 2011). Bullying is a form of workplace conflict and may undermine legitimate business interests when a bully places a personal agenda over work responsibilities (Oladapo & Banks, 2013). Unaddressed or poorly managed bullying behaviors or conflict may result in poor performance, ineffectiveness, and low morale (Georgakopoulos et al., 2011).

Background of the Problem

Workplace bullying can be defined as repeated and systematic behavior directed toward an employee or group of employees with the intent to victimize, humiliate, undermine, or threaten in a manner that creates a risk to health and safety (Nielsen, Hetland, Matthiesen, & Einarsen, 2012). Determining the responsibility for addressing bullying and other forms of conflict has been uneven, leading to inconsistent outcomes (Keashly, 2010). In some cases, tools for mediation of conflict are misapplied, wrong solutions are given, and no one is held accountable. At other times, senior managers and executives are afraid of emotional confrontation and do not want to handle the conflict (Schenck & Zinsser, 2014).

When working with a human relations department (HR) in resolution of a conflict, a company ombudsman could become involved in a company leader's organizational efforts to address bullying. The ombudsman's role would be to advise and coach employees, suggest alternatives in handling conflict, and mediate employee

disputes with management (Hale & Keen, 2013; Rowe, 2012). Although ombudsmen have been in existence for over 200 years, there is a lack of knowledge and understanding of their work in corporations (Howard, 2015; Schenck & Zinsser, 2014). The purpose of this qualitative exploratory study was to identify the strategies ombudsmen and HR managers use to address conflict.

Problem Statement

Imitated bullying behavior is a contributing factor to creating a hostile work environment, and can cause posttraumatic disorder, increased risk of cardiovascular disease, and depression (Oladapo & Banks, 2013). Managers and supervisors are responsible for 72% of workplace bullying, which contradicts the belief that its origin lies in conflict between coworkers (Georgakopoulos et al., 2011). The general business problem is that organizational leaders suffer material and human consequences from organizational disputes, such as bullying, which affect morale, performance, and productivity (Olive & Cangemi, 2015). The specific business problem is that some managers and supervisors lack knowledge of strategies that ombudsmen and HR managers employ to reduce workplace conflict.

Purpose Statement

The purpose of this qualitative exploratory case study was to identify the strategies that ombudsmen and HR managers use to address conflict. The population of the study was limited to HR managers in law firms and other disciplines, and ombudsmen who have mitigated conflicts in law firms and other disciplines. The study was conducted primarily in New York City, but included participants from other states. The

social change implication of this study lies in promoting healthy work environments. The work of ombudsmen indirectly leads to cultural changes within organizations that increase security and fairness. Accordingly, benefits may include increasing worker satisfaction by reducing conflicts that lead to legal actions (Freres, 2013; Rasool, Arzu, Hasan, Rafi, & Kashif, 2013). In addition, behavioral changes may increase organizational accountability and eliminate discrimination, both of which are positive societal goals.

Nature of the Study

A qualitative research method was chosen for this study. A qualitative inquiry takes place in naturally occurring settings that allow the researcher to determine what *real* is like (Miles, Huberman & Saldana, 2014; Yin, 2009). A quantitative approach is a research method that focuses on (a) how many, (b) how often, and (c) how much. A mixed-method design integrates quantitative techniques as well as more holistic data collection strategies (Yin, 2009). My intention was not to discover relationships involving variables and statistics. Therefore, I ruled out quantitative and mixed methods approaches. The qualitative method allowed me the opportunity to explore the strategies ombudsmen and HR managers use in conflict mitigation in a natural setting.

A case study design was used to identify the strategies ombudsmen and HR managers use in resolution of conflict. A case study design is semistructured, allows for open-ended questions, and may incorporate secondary data to triangulate data (Moustakas, 1994). Ethnography entails extensive fieldwork and detailed observation of participants that allows the researcher to understand and interpret the setting and

participants being studied and evaluated (Moustakas, 1994; Yin, 2009). An ethnography design was not suitable for the research study because my goal was to identify the strategies managers use in mitigating conflict, not to observe and evaluate the participants. Alternative qualitative research designs considered included phenomenology. A phenomenological study is an exploration of lived experiences (Miles et al., 2014). My intent was not to explore lived experiences, but to research managerial behavior; therefore, phenomenology was discarded as a research design. The case study was more conducive for this research study because of my goal for an in-depth study to understand managerial behaviors and use secondary data.

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Research Question and Interview Questions

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The central question for this research was: What are the strategies that ombudsmen and HR managers use in mitigating conflict in the workplace? The interview questions for the HR managers are followed by the interview questions for the ombudsmen.

Interview Questions for HR Managers

1. What types of conflicts arise in your workplace?

2. What are the conditions that lead to conflict mitigation interventions?

3. What are the competencies managers or ombudsmen need to mitigate conflict?

4. What conflict mitigation strategies have worked in your organization?

5. What conflict mitigation strategies have not worked?

6. What strategies would you recommend to improve conflict mitigation?

7. How has the work of ombudsmen helped managers in managing workplace conflict?

Interview Questions for Ombudsmen

1. How would you describe your role within an organization related to conflict mitigation?

2. What are the competencies you need to mitigate conflict?

3. What are the types of conflicts you have resolved successfully?

4. What are the types of conflicts you have not been able to resolve?

5. What do you attribute to your inability to resolve conflicts?

6. What are the strategies you apply for conflict mitigation?

7. How does your organizational environment influence your work?

8. What are the conditions for how an ombudsman might be most effective?

9. How does an organization benefit from your services?

Conceptual Framework

The conceptual framework that guided this research was based on corporate social performance (CSP). Carroll (1999) created alternative themes including CSP, stakeholder theory, and business ethics theory. Carroll was influenced by Bowen's work encapsulated in *Social Responsibilities of the Businessman* written in 1953. Bowen explored the role of business responsibility to society. As a result, of Bowen's questioning and analysis, the theory surrounding CSP arose in 1979 (Carroll, 1999). CSP is defined as an idea that accents a company's responsibilities to stakeholders, such as employees and the community at large, in addition to its traditional responsibilities to

economic shareholders (Agudo-Valiente, Garces-Ayerbe, & Salvador-Figueras, 2015).

CSP is best augmented when it is internalized within the organizational culture or when it

becomes a component of the business culture of the company (Melo, 2012). Socially

responsible corporations are characterized by a socially responsible cultural atmosphere

(Melo, 2012), which reinforces the motivation to participate and work toward reaching

common goals and common purposes (Erkutlu, 2012).

Organizations that apply a humanistic approach to culture perform well in CSP

due to the internal cultural values and beliefs driving strong relationships with

stakeholders (Melo, 2012). Corporations that focus on a humanistic approach to culture

portray to its members and to society that its mission is aligned with the mission of its

workforce and that the company perform according to these values and beliefs of its

members. Conflict mitigation is an attribute of humanistic corporate cultures as it

reinforces involvement and collaboration, while the lack of conflict mitigation leads to

loss of productivity or inefficient use of resources by managers, leading to problems for a

HR department (Mao, 2013). Therefore, the study of HR managers and ombudsmen

might lead to a better understanding of how organizations might develop socially

responsible cultures.

Definition of Terms

Ombudsman: The ombudsman advises and coaches employees, suggests

alternatives, and mediates employees' disputes with management (Hale & Keen, 2013).

Visitors: Visitors are those individuals who seek out an ombudsman to mediate a

conflict (Joyce, 2014).

Assumptions, Limitations, and Delimitations

Assumptions

A research assumption is defined as elements within the study that are somewhat out of the researcher's control, but without these elements, the study is irrelevant (Simon, 2011). A series of assumptions relate to how HR managers perceive ombudsmen. Some might be adverse to a study about ombudsmen due to professional jealousy. This perceived professional jealousy may perceive forthrightness to interview questions. HR managers may consider conflict resolution as part of their job description and may believe ombudsmen will cause their positions to diminish in workload and importance. From an opposing view, an assumption may be HR managers see the ombudsman as an asset in mitigating conflict and for recommending positive change in management. In this case HR managers might respond favorably to the role and professionalism of an ombudsman.

Employees assume that an ombudsman is a mediator for *their* benefit. But this may not be the case. The ombudsman's purpose is to mitigate conflict and, as such, takes a neutral position.

Limitations

A limitation in research is defined as potential weaknesses in the study that are out of the researcher's control (Simon, 2011). HR managers and ombudsmen may not have sufficient experience to reflect on ombudsmen in mitigating conflicts, which could lead to limitations in obtaining reliable information. HR managers who have limited experience working with ombudsmen might not be able to attest to the work of an

ombudsman. Ombudsmen might not be fully experienced and may not have the opportunity to mitigate conflicts. Ombudsmen who lack experience may have problems mitigating conflicts. Managers might object to having ombudsmen on a team based on the fact that if too many ombudsmen mitigate conflicts the managers might feel threatened.

Another limitation is the geographical area for the proposed study. The study was conducted in New York City and other states. Cultural issues might exist because culture differs from state-to-state and city-to-city. If the resident culture of the sample population promotes handling conflicts that arise in the workplace, there might be a limitation on how ombudsmen are employed to mitigate conflicts. Finally, the participants may not be fully forthcoming in sharing their experiences.

Delimitations

Delimitations are peculiarities that limit the vision and define the boundaries of the study (Simon, 2011). The study was intended to consult HR managers from law firms and other disciplines in New York City. Due to lack of sample the study was expanded to include other areas in the United States. The criterion for the participants was a minimum of 1 year's' experience in their prospective field. I believe this population supplied meaningful data and to amplify beyond these boundaries would not add substantial information to understand the work of the ombudsman in conflict mitigation.

Significance of the Study

Ombudsmen and HR managers interact with people in conflicts in the workplace. In this study, I sought to identify how these two groups mitigate conflicts. The findings could influence how others in similar positions mitigate conflicts.

Contribution to Business Practice

The central question for this research was: What are the strategies that ombudsmen and HR managers use in mitigating conflict in the workplace? The study may contribute to a pattern analysis of HR managers' and ombudsmen experiences in their interactions regarding conflict. Exploration of this topic may benefit managers in establishing cooperative work patterns (Olive & Cangemi, 2015; Schenck & Zinsser, 2014).

Organizations with happy employees are more productive and resourceful (Cleary, Walter, Horsfall, & Jackson, 2013). When employees are happy in the workplace, they are more inclined to be more productive and do the best job possible. Organizations that focus on the humanistic approach to culture portray to its members that its mission is aligned with the mission of its workforce and that the company perform according to these values and beliefs of its members (Melo, 2012). This approach causes the members of the organization to have a sense of involvement and collaboration in decisions affecting the work in a positive way. Implementing a humanistic approach may improve the organization because members of an organization who feel respected and believe their opinions matter are much more productive and are a greater asset to the organization (Onorato, 2013). The organizational ombudsman's role in impacting

organizational happiness and productivity equates democracy with social capital, which is the worth of faithful employees who feel good about their employer and give liberally to their work, coworkers, and the company (International Ombudsman Association, 2014).

This study contributes to effective practice of business by improving corporate image and systems change. Employees struggle with whom they can go to when conflicts arise (Schenck & Zinsser, 2014). Employees with this struggle do not have a positive image of the corporation (Schenck & Zinsser, 2014). Employees who do not have a positive image of the corporation, combined with the failure of employers to find acceptable solutions to conflicts, may see the corporation in a nonpositive light. Possible outcomes of the study may be a reformation of the organization and an increase in the body of knowledge involving conflict mitigation.

Effect of systems change. Systems change might improve the corporate image because systems change impacts all elements of an organization. Based on the independence of an ombudsman, the ombudsman can aggregate individual grievances and respect within the organization to encourage systemic change. Outcomes, accountability, and monitoring are emphasized through systems change (Rowe, 2012). One way to improve corporate image may be finding a better means of mitigating conflicts. Corporations may receive positive reviews based on the services of an ombudsman. These corporate leaders might seek to reform and rethink the methods in mitigating conflicts.

The original venue for this study was law firms and other disciplines, which have a negative perception related to respect and trust for lawyers (Ward, 2011). Public perception may also include judgments about a firm's standing. An ombudsman may be effective to help alleviate the negative public perception of these corporations and may lead to an increase in the overall ethics of a corporation.

Corporate image. Corporate image encompasses the corporation's products, services, management style, communications activities as well as actions around the world (Fox & Cowan, 2015). Some images important to corporations are the corporation is well-managed, perceived as profitable, kind, and beneficial to its employees, stockholders and customers (Schenck & Zinsser, 2014). An ombudsman offers a corporation the opportunity for its employees to speak openly about issues involving conflict with management, as well as ethical issues without fear of retaliation. The ombudsman is an in-house professional who aids in building a culture of trust rather than a fear-driven culture of compliance (Joyce, 2014). Creating an organizational ombudsman program makes good business sense (Barkat, 2015).

Effective performance management systems. Guidelines created by ombudsmen for employers and employees ensure best practice methods are in place to motivate employees to perform well. Effective performance management systems might have meaningful benefits for the firm or corporation because it might pave the way to happier, more motivated, as well as better performing employees (Schenck & Zinsser, 2014). Employees who are happy in the workplace tell others outside the workplace, thus improving the image of the corporation. Social change becomes a part of employees

because it changes the employee's thought process. Based on the changes the employee becomes more productive to the employer. Positive social change suggests a transformation, which results in a positive outcome.

 Implications for Social Change

The study may contribute to positive social change emulating how conflict mitigation improves work environments. Conflict mitigation supports a positive work environment and a positive attitude of employees and employers (Melo, 2012). Organizational leaders may empower their managers to make better decisions. In a humanistic organization, employees exhibit concern for others inside and outside the organization (Melo, 2012). The employees are a part of society and based on social changes from the work environment will transfer these positive social changes to society and create a better society.

A Review of the Professional and Academic Literature

The purpose of this study was to identify the strategies ombudsmen and HR managers use to address conflict. The research question for this study was: What are the strategies that ombudsmen and HR managers use in mitigating conflict in the workplace? The purpose of the literature was to summarize evidence and support the relevancy of concepts and relationships examined in this study, as well as the validation of accuracy of research findings. In order to cover the material methodically, I began with the conceptual framework to provide an account of conflict in the workplace. I continued with conflict in general, moving to a more detailed explanation of how conflict is found in the workplace, and then to those who mitigate conflict. As it is important to cover

ombudsmen in international settings because of an extensive history, I discussed

ombudsmen in other cultures. My focus was ombudsmen, HR managers, and related

concepts.

In this literature review, I used the following databases: SocINDEX, ERIC,

Academic Search Complete, Business Source Complete, and Google Scholar. The search

terms included *ombudsmen, ombudsman, ombudsperson, bullying, and toxic leadership*.

This review includes 118 articles; 85% were peer-reviewed and published between 2012

and 2016.

CSP in the Workplace

CSP was the conceptual framework for this research. The concept of CSP was

first introduced by Carroll in 1979 (Melo, 2012; Wartick & Cochran, 1985). CSP

integrates corporate social responsibility, social issues, and corporate social

responsiveness (Melo, 2012; Wartick & Cochran, 1985). CSP combines responsibility,

responsiveness, and social issues rather than viewing as separate entities, and allows an

analysis of both business and society (Melo, 2012; Wartick & Cochran, 1985). CSP

symmetrizes social issues, responsibility, and responsiveness to show the relationship and

consistency between the corporation and its environment (Wartick & Cochran, 1985).

CSP shows corporate leaders' efforts to balance the changes in society to develop a

central model for business and society (Wartick & Cochran, 1985).

CSP is one of the alternative themes of corporate social responsibility and

became prevalent in the mid-1970s and 1980s. During the 1970s, managers administered

the customary management syntax in handling CSP issues. However, in the 1990s

corporations became more sensitive to the stakeholders and included business and social interests (Agudo-Valiente et al., 2015). CSP was more vigorously and thoroughly examined and analyzed in the 1960s to 1990 due to social issues management (Carroll, 1999). During the 1990s, CSP combined with literature and strategy became a prominent issue, which supports the importance of CSP (Carroll, 1999).

CSP promotes a humanistic approach in organizations. The humanistic approach in organizational culture consists of a set of values and beliefs that guides the reaction of individuals carrying out their duties (Melo, 2012). CSP causes leaders to be sensitive to the needs of their stakeholders (Agudo-Valiente et al., 2015; Wang & Berens, 2015). A humanistic culture has a positive impact on CSP, and leaders in companies that incorporate a humanistic approach to culture perform well (Melo, 2012) and establish favorable relationships with stakeholders (Melo, 2012).

Companies with a strong CSP may attract investors because they are perceived to be less risky and less likely to be involved with scandal (Arnaud & Wasieleski, 2014; Wang & Berens, 2015). HR managers who apply a humanistic approach may lead the firm to corporate humanistic responsibility. The principles of the humanistic approach may be accomplished with CSP by initiating a work environment that motivates managers and employees to elect socially responsible solutions for the stakeholders within the firm and in society (Arnaud & Wasieleski, 2014).

CSP researchers focus on the expectations and meaning for responsible behavior (Lange & Washburn, 2012). Firms with staff who behave irresponsibly attract more attention and observation than firms with staff who behave responsibly (Lange &

Washburn, 2012). Irresponsibility is determined by how the observer perceives the behavior (Lange & Washburn, 2012). If organizational actions are perceived as socially harmful, the ability to obtain support and resources may be hindered (Lange & Washburn, 2012). Designations of organizational irresponsibility may cause stronger extrinsic responses than ideas of attribution and may eventually have a greater impact on the firm (Lange & Washburn, 2012).

Throughout the early 20th century, labor movements have played a major role in maintaining a semblance of responsible behavior in organizations (Gadlin, 2014). Twenty years ago, labor movements were in the forefront for democratization and social change (Gadlin, 2014). The goal was to improve the lives of the workers and protect their labor rights (Gadlin, 2014). Democratization was a first step toward improving labor rights and improving citizens' lives. The protection of employees has eroded, and the rules have changed in favor of the employer (Gadlin, 2014). However, due to the popularity and correlation of CSP and positive social change more emphasis is placed on improving labor rights and improving citizens' lives.

Conflict

Conflict is a matter of concern to managers and is an inevitable phenomenon. Conflict is the antithesis of CSP because conflict obstructs productivity and may cause negative consequences for employees. When appropriately managed, conflicts may be resolved to the satisfaction of managers and employees alike.

Conflict is prevalent in many corporations and has created a need for alternative dispute resolution (ADR). ADR includes a miscellany of procedures that aid individuals

to resolve disputes without litigation ("Alternative dispute resolution. What is adr?" ADR, 2013). The procedures include mediation, arbitration, neutral evaluation, and collaborative law (ADR, 2013). These confidential procedures are less stressful and less formal than orthodox court proceedings. ADR is cost effective and provides a speedier settlement. ADR offers the individuals an opportunity to play a role in resolving their dispute which may result in greater satisfaction, longer-lasting outcomes, creative solutions, and improved relationships (ADR, 2013).

In ADR, processing an arbitrator is neutral, listens to each party's side, and renders a decision. In ADR, two forms of arbitration exist: binding and nonbinding. Binding arbitration is where parties accept the arbitrator's decision as final. Nonbinding arbitration allows the parties to request a trial if they refuse to accept the arbitrator's decision. Mediation is neutral and helps the parties arrive at a mutual decision. A neutral evaluation allows a brief argument and informs the parties of the strengths and weaknesses of the case and gives them a possible outcome in the hope of gaining a settlement. Collaborative law allows a couple divorcing an end to their marriage vows without litigation.

A majority of company managers fail to manage conflict (Olive & Cangemi, 2015). Failure to mitigate bullying complaints can be costly; the U.S. government suffered $180 million in loss of time and productivity over a 2-year period due to harassment of federal employees (Mao, 2013). Given the wide range of effects on conflicts, a corporate ombudsman might aid in improving dispute resolutions by lessening costs, and improving productivity (Barkat, 2015).

When conflicts are ignored or poorly managed a compromise of efficiency of the organization might occur. The elements of conflict include issues, causes, impact, and the conflict management system (Dhiman, 2012). The effectiveness of the conflict management system of the organization must be measured, monitored, and evaluated. Accountability is one aspect of conflict management. Accountability is taking responsibility for actions and is an important aspect of management. For example, ignored conflicts by managers in any form may escalate throughout an organization (Olive & Cangemi, 2015).

Leaders who create fear and intimidation in subordinates are considered toxic (Chu, 2014). Leaders and managers exhibiting bullying behavior are also classified as toxic leaders (Chu, 2014). Individuals who are physically or psychologically harmed by the actions of leaders with long lasting damages are considered victims of toxicity (Chu, 2014). The impact of toxic behavior is counterproductive and causes harm to employees and the successful operation of the organization (Chu, 2014). Toxicity may cause retaliation, including sabotage of operations, refusing to help coworkers when asked, and providing incorrect information (Chu, 2014).

Researchers conducted a study with 212 nurses who worked under abusive supervisors (Chu, 2014). Based on a response rate of 71%, Chu (2014) found supervisor's bullying behavior negatively affected the coworkers, patients, nurses, and hospital. It was found the abusive supervisors were associated with toxic emotions and that these toxic emotions could predict counter-productive work behavior and organizational citizenship behavior. The researchers further found work empowerment

could be a positive and effective method of lessening counter-productive work behavior (Chu, 2014). Researchers found the more abusive the supervisor the more the nurses experienced toxic emotions (Chu, 2014).

Urgent measures are needed to control and eliminate abusive supervisory behavior (Chu, 2014). These behaviors may be controlled and eliminated by monitoring supervisors and training the supervisors in management skills (Chu, 2014). Empowerment of employees, antibullying policies and practices, listening to the employees and empathizing with the negativity may improve the workplace and lessen a toxic environment (Chu, 2014).

Bullying

Some researchers define bullying in the workplace as instances where an employee is consistently placed in a position of negative and aggressive behavior of psychological nature with intimidating, humiliating, and frightening effects (Olive & Cangemi, 2015; Onorato, 2013). This type of hostile behavior has existed since the 1960s. Hostile behavior in the workplace was referred to as mobbing in the 1960s (Leymann, 1996). Today, mobbing is referred to as bullying.

Bullying in the workplace. Bullying in the workplace has been increasing and has received growing attention for the past 2 decades (Samnani, 2013; Sanders, Pattison, & Bible, 2012). In the United States, 27% of workers experienced bullying behavior in 2007 (Sanders et al., 2012). In 2002, 36% of employees at the U.S. Department of Veterans Affairs reported experiencing bullying behavior (Sanders et al., 2012). In 2007 nearly 45% of 1,000 employees surveyed from the Employment Law Alliance reported

they were victims of bullying (Sanders et al., 2012). In 2008, 57% of employees at the

Human Resource Management and the Ethics Resource Center in Arlington, Virginia

reported witnessing bullying behavior (Sanders et al., 2012). Although it may be

unprofessional and immoral, bullying is not illegal in the United States. Compared to

other countries little has been done to remedy or address bullying in the workplace in the

United States (Sanders et al., 2012). In the European workplace, 5 to 30% of the

workforce is exposed to bullying behavior as opposed to 57% in the United States

(Sanders et al., 2012; Vie, Glasø, & Einarsen, 2012).

Various forms of hostile treatment exist in the work environment. Workplace

bullying is a growing problem that impacts both individuals and the organization (Olive

& Cangemi, 2015). Bullying causes psychological health problems, post-traumatic stress

disorder, and increased absences from the workplace (Freres, 2013). Many employees of

organizations are subject to bullying behaviors. In the field of social work, bullying has

been labeled as a silent disease that may become an epidemic when the economy is poor

(Pomeroy, 2012). As employees tend to keep their jobs during times of economic

distress, despite unpleasant working conditions, employees are more likely to be exposed

to workplace harassment (Pomeroy, 2012). Pomeroy (2012) suggested social workers are

in a position to benefit bullied employees and can make a difference in the lives of these

employees. The social worker is in a position to advocate for the victim once the

problem has been identified (Pomeroy, 2012).

The severity of workplace bullying is under researched (Meglich, Faley, &

DuBois, 2012). Workplace bullying is escalating and consists of physically aggressive

behavior that causes the victim to be fearful of personal safety (Meglich et al., 2012).

Meglich et al. (2012) found person-focused bullying is more severe than work-focused

bullying. Training programs for managers and supervisors should be in place in

interpersonal skills to decrease and prevent bullying behavior (Meglich et al., 2012).

Managers, supervisors, and HR personnel should be trained to recognize bullying

behavior, which cost an organization with 1,000 employees $1.4 million annually for

employee replacement (Meglich et al., 2012). Bullying is costly to the organizations due

to the high level of turnover, absenteeism, and litigation (Olive & Cangemi, 2015). Other

costs include training, recruitment, and costs related to time when employees are waiting

for work assignments (Glambek, Matthiesen, Hetland, & Einarsen, 2014). Bullying

behavior may be the cause for sabotage, theft, and loss of production by employees (Wei

& Si, 2013). The researchers suggested training employees to respond constructively to

toxic supervisory behavior as well as the company implementing a zero-tolerance for

bullying behavior (Wei & Si, 2013). Further study is required to determine the extent

and cause of bullying behavior (Wei & Si, 2013).

One of the tasks for HR personnel is mitigating conflicts (Cowan, 2012). Cowan

(2012) focused on how to make sense of bullying from HR managers' points of view.

The way in which HR managers understand bullying behavior determines the approach

applied (Cowan, 2012). No one definition is applied to bullying. This lack of

consistency may cause HR managers difficulty in making sense of bullying behavior

(Cowan, 2012). HR personnel focus on perpetrators' intention in attempts to determine

bullying behavior (Cowan, 2012). To substantiate bullying occurred the victim as well as

HR managers had to believe the act was intentional (Cowan, 2012). HR managers are responsible for investigating the victim and the accused bully to determine if the acts were intentional (Cowan, 2012). HR managers required confirmation from someone other than the victim and the accused prior to making a decision (Cowan, 2012). HR personnel believed if other employees witnessed or complained about bullying behavior, it was possible bullying occurred (Cowan, 2012). Cowan (2012) opined bullying behavior will continue to be a difficult phenomenon for HR managers to manage until legislation is passed including guidelines and policies to manage bullying.

Defining bullying behavior is difficult due to distinguishing bullying from harassment and stern managerial tactics (Kumar, Jain, & Kumar, 2012). Assertiveness is often mistaken for bullying. Assertiveness involves (a) communicating honestly with others, (b) exercising rights, (c) working towards one's goals without interference from others, and (d) respecting others who are assertive (Kumar et al., 2012). On the other hand, bullying involves people who exercise their power to offend others. Another example is when individuals consider their behavior reasonable and they act in a manner seen by the victim as bullying (Kumar et al., 2012). Kumar et al's. (2012) study involved doctors who were seen as powerful by their trainees. Kumar et al. suggested victims of bullying behavior document all incidents of bullying and include witnesses to the behavior. Kumar et al. advised victims to speak with the perpetrator (document the conversation), and if the bullying behavior persists seek help from HR managers, counselor, or an attorney.

The increasing bullying problem. The bullying problem is growing, and the effects of bullying are increasing as well (Kumar et al., 2012) as workers suffer insults, shouting, and physical threats (Rousseau, Eddleston, Patel, & Kellermanns, 2014). The existence of workplace bullying depends on how workplace bullying is assessed, the type of sample, as well as the country (Kumar et al., 2012). Bullying is defined differently in every culture and, therefore, bullying may be difficult to determine. Despite these difficulties, bullying is growing worldwide (Kumar et al., 2012).

Bullying in other cultures. In New Zealand, researchers found workplace bullying caused stress and psychological harm to victims (Bentley et al., 2012). Bentley et al. (2012) found bullying behavior prevalent in the travel and tourism industry. The Travel Agent Association of New Zealand (TAANZ) is responsible for more than 400 travel companies in New Zealand regarding technology, accountability, government policy, and fair payment (Bentley et al., 2012). TAANZ offers instructions on New Zealand's Health and Safety in Employment Act. TAANZ takes care of stress and fatigue as workplace hazards. TAANZ ensures employers take necessary steps to control these hazards (Bentley et al., 2012).

The percentages for workplace bullying of permanent employees are significantly lower in Australia than the United States (Keuskamp, Ziersch, Baum, & LaMontagne, 2012). Out of a study composed of 174 respondents, 15.2% reported experiencing bullying behavior (Keuskamp et al., 2012). In Central America, employees focus more on the physical aspects of bullying, whereas employees in Southern Europe focus more on the standard form of bullying (Branch, Ramsay, & Barker, 2013). In a recent study in

New Zealand researchers found workplace bullying is significantly high in education, health, travel, and hospitality compared to international standards (Gardner et al., 2013). In New Zealand, workplace bullying falls under health and safety legislation and is identified, measured, and controlled (Gardner et al., 2013). The leaders in organizations are obligated to manage workplace bullying in New Zealand (Gardner et al., 2013).

A study was conducted with a sample of 1,800 Norwegian offshore workers in the North Sea regarding the severity of workplace bullying and the risk of work exclusion (Glambek et al., 2014). The workers were employed in different companies within a 6 month period. There was a response rate of 59% that showed 15% of workers experienced bullying behavior (Glambek et al., 2014). As a result of bullying behavior some employees lost job insecurity and were more likely to leave their place of employment to a greater degree than employees who were not targeted (Glambek et al., 2014). Job insecurity was determined to be a much greater factor among the bullied group.

HR has the challenge of properly handling workplace bullying (Glambek et al., 2014). Job security is a major issue HR should address in regard to those who were bullied (Glambek et al., (2014). Glambek et al. (2014) suggests that HR might use bullying behavior as a means to pressure employees to quit. For example, managers and supervisors might use bullying behavior as a means to rid the company of low-performing team members when the manager and supervisor are rewarded for good results (Glambek et al., 2014). Bullying behavior decreases productivity and causes financial loss and is a factor in turnovers in the workplace (Glambek et al., 2014).

A study was conducted in Italy regarding workplace bullying and job satisfaction with a sample of 1,393 employees from various organizations (Giorgi, Leon-Perez, & Arenas, 2015). Workplace reductions affect the response of employees exposed to oppositional acts in the workplace (Giorgi et al., 2015). Culturally, Latin European countries do not necessarily expect kind and compassionate workplace behavior and may not find bullying behavior an issue regarding job satisfaction (Giorgi et al., 2015). Giorgi (2015) further found Italian employees may not be dissatisfied with their workplace due to experiencing oppositional acts in the workplace.

Although bullying in some cultures is tolerated, organizational managers should know the culture and what causes the bullying acts and foster better working conditions to ensure employees are aware of how to handle bullies. Anti-bullying policies, codes of positive behavior, and ensuring employees are informed regarding the dangers of tolerating bullying behavior is paramount for organizations (Giorgi et al., 2015). These anti-bullying policies, training, and codes are necessary to change the attitudes of employees to ensure the reduction of tolerance and acceptance of bullying behavior (Giorgi et al., 2015).

Increase in workplace bullying worldwide. Evidence suggests workplace bullying is increasing worldwide (Kumar, Jain, & Kumar, 2012). Some of the causes of bullying include economic rationalism, competition, downsizing, and the trend toward dynamic, macho management styles (Kumar et al., 2012). These causes of bullying have created a culture where bullying thrives and creates an atmosphere of oppression and stress in the workplace (Kumar et al., 2012).

Many researchers agree defining bullying is complex and using a simple definition may prejudice further exploration of the phenomenon (Kumar et al., 2012). One must be able to distinguish bullying behavior from a demanding boss. Kumar et al. (2012) found bullying behavior thrives in settings where the perpetrators are powerful and frightening and where others are too scared to challenge them. The victim and the silent spectators help to perpetuate the bullying behavior (Kumar et al., 2012). Victims and witnesses to bullying must learn to take action against the perpetrator by standing up for themselves and speaking directly to the perpetrator. Workplace bullying is a major psychological hazard and is detrimental to the health and well-being of victims (Balducci, Cecchi, & Fraccaroli, 2012).

History and Role of an Ombudsman

The role of an ombudsman was first established in Sweden in 1809 (Batalli, 2015). The Swedish ombudsman institution is the oldest in the world (Batalli, 2015). The ombudsman office was created to examine and organize activities of the executive branch (Batalli, 2015). Thus, began the classical and legislative ombudsman institution (Batalli, 2015). The ombudsman institution extended to and functioned only in Scandinavia until commencing in other continents in the mid 1960s. The ombudsman institution was unmanifested to other parts of the world (Batalli, 2015). After World War II, the ombudsman institution was introduced to other parts of the world for various uses (Batalli, 2015). Due to the establishment of such national positions, the ombudsman was established in the United States to serve as a neutral party in a specific organization and

offer conflict resolution and problem-solving services to organizations and various

companies (Batalli, 2015).

The ombudsman is a neutral party in a specific organization (Noorbakhsh, 2012)

and does not advocate on behalf of individuals within an organization (Roberts &

Chambers, 2014). Rather, the ombudsman advocates for fair and equitably administered

processes on behalf of individuals, organizations, and employees (Roberts & Chambers,

2014). An ombudsman is a confidential source and retains no records that will identify

an individual or department and seeks an equitable resolution to the problem and seeks to

ward off problems before they occur (Patterson, 2012).

The role of an ombudsman is to recommend changes in management and policy.

The use of an ombudsman may lead to an increase in the overall ethics of corporations.

Georgakopoulous et al. (2011) found in many instances managers and supervisors ignore,

or manage conflict poorly. Employees waste approximately three hours per week due to

workplace conflict (Freres, 2013). Freres (2013) stated that the HR staff wasted

approximately 3.5 hours per week due to workplace conflicts while managers wasted

eight to 16 hours per week. Resolution of problems is an integral part of the work of an

ombudsman.

Applications for this role. The ombudsman is not limited to working with one

organization or discipline. The services of an ombudsman are commonly known and

used in colleges and universities. The organizational ombudsman provides (a) informal,

(b) impartial, and (c) confidential aid to faculty and students (International Ombudsman

Association, 2014).

Colleges and universities. Many colleges and universities employ ombudsmen to mitigate conflicts involving students and faculty. When students are not comfortable approaching a professor whom they have a disagreement the ombudsman may be a favorable alternative. A recent study was conducted on professor-student conflict (Hopeck, Desrayaud, Harrison, & Hatten, 2014). The focus of the study was based on preference of students' style of conflict, their idea of procedural justice, and their aim to use the ombudsman system if implicated in a conflict (Hopeck et al., 2014). Some students choose the non-confrontational style, such as denying a conflict exists and ending the conflict based on the opposing party's suggestion (Hopeck et al., 2014). Colleges and university ombudsman are sought after by disputants because involvement of the other party is not required (Hopeck et al., 2014). It has been found that students who utilize the service of an ombudsman are usually satisfied with the procedure (Harrison, Hopeck, Desrayaund, & Imboden, 2013).

In many European countries, citizens' ability to lodge complaints regarding administrative acts has been redesigned (Conradsen, 2014). The purpose for this change is to limit access. One such change is the replacement of the prohibition of reformatio in pejus in reference to the students' complaints regarding their grades (Conradsen, 2014). The changes in the principles of reformatio in pejus caused students who complained to risk receiving a lower grade. The principle originated under Roman law. The basis of the principle is the right to appeal without fear (Conradsen, 2014). The administrators believed the reformation of the principle would cause fewer students to file claims regarding their grades due to fear of receiving a lower grade. The ombudsman requested

an answer from the Director of Higher Education as to why the board had a right to appeal to change a grade. The Universities believed it was important to have the option to lower grades. The ombudsman was in favor of maintaining the reformatio in pejus. The principle of prohibition of reformatio in pejus was nullified in 2010 in reference to grades in secondary and higher education. The purpose of the ombudsman is to mediate complaints in a neutral manner as a third party. With an ombudsman, the students will have the opportunity to seek advice separate from the institution's complaint process (Hopeck et al., 2014).

Few studies have been conducted in universities and colleges to measure the risk of bullying (Giorgi, 2012). However, a survey was conducted in an Italian university to determine the relationships among working environment, bullying in the workplace, and health (Giorgi, 2012). The participants consisted of librarians, HR staff, technicians, and administrators (Giorgi, 2012). A total of 1,190 employees were given surveys with 371 employees returning the survey. A total of 19% reported having been bullied for a period of six months or greater on a daily basis (Giorgi, 2012). Giorgi (2012) found that bullying was directly related to organizational climate and health problems and could negatively influence the work environment (Giorgi, 2012). Workplace bullying affects health directly and indirectly based on organizational climate (Giorgi, 2012). Giorgi opined that the employing organization is responsible for bullying behavior and the organization's culture. The author recommended further study to understand the phenomenon (Giorgi, 2012).

Workplace bullying is complex due to the various styles of management and the various definitions of workplace bullying. To aid in understanding this phenomenon, a study was conducted at a university in the United States with 238 students (Gilbert, Raffo, & Sutarso, 2013). Gilbert et al. (2013) focused on elements that included bullying policies, reactions, and gender. Gilbert et al. wanted to know if the individuals were treated differently if they defended themselves or remained silent. Gilbert et al. found gender stereotypes are frequent in the workplace. The antibullying policy had no impact on women. For example, managers and supervisors were found to be equally justified based on their reactions to women even if there was an antibullying policy (Gilbert al., 2013). Women received harsher treatment (Gilbert et al., 2013).

Advocating for prisoners, corporations, and insurance companies is another application of the ombudsman. Prisoners require representation to ensure they receive appropriate health care treatments. The prisoners' rights are upheld with an ombudsman in the prison system. Corporations need the services of someone who is neutral and fair.

Ombudsmen advocating on behalf of prisoners. The English and Wales prison ombudsman office was established in 1994 in England after a prison riot in 1990 (Seneviratne, 2012). The ombudsman is useful advocating on behalf of prisoners. The prisoners' population in England and Wales is 88,000 housed in more than 140 prisons (Seneviratne, 2012). The ombudsman's role in the prison system is to investigate grievances for individuals and to act as the final point of appeal at the height of the prison complaint system (Seneviratne, 2012). The prison ombudsman is recognized as a key participant in the prison system (Seneviratne, 2012). From 2010 to 2011, the ombudsman

completed 2,362 complaint investigations (Seneviratne, 2012). The ombudsman's role is to settle disputes informally, restore matters, and make recommendations as to the outcome of a complaint (Seneviratne, 2012). The prison ombudsman also handles probation issues (Seneviratne, 2012).

Corporate use of ombudsmen. The corporate or organizational ombudsman is an advocate for fairness and assists in the resolution of conflicts in an organization (Howard, 2015; International Ombudsman Association, 2014). The corporate ombudsman is neutral and impartial and considers the rights of the corporation's employees (International Ombudsman Association, 2014). Many companies, such as insurance companies and the banking industry seek the services of a corporate ombudsman.

More corporations are seeing the benefits of obtaining the services of an ombudsman. Corporations such as AT&T, schools, colleges, universities, law firms, banks, public administration, hospitals, and various other medical institutions employ ombudsmen to mitigate conflicts. The internal ombudsman is ideal for mitigating conflicts in the workplace. For example, the newspaper industry utilized the services of an ombudsman to better manage expectations between the public and the media (Ananny, 2014). Although newspaper administrators claim to be independent, they rely on the public and are accountable to the public. Letters written to editors is an indication of the dependence and influence of the public. The newspaper ombudsman informs the public on how newspapers work as well as critiquing the newspaper editors' integrity (Ananny, 2014). The ombudsman's most important goal at the newspaper was to ensure readers that the newspaper industry administrator cared about them (Ananny, 2014).

Hospital, residential care facility, and banking. An effective ombudsman has the ability to facilitate workplace fairness (Barkat, 2015). A finding from Barkat's (2015) work was the ombudsman is seen as a powerful institution, with the abilities to practice critical organizational challenges and address employee needs. In the health care industry, it has become apparent an ombudsman would be beneficial to encourage nurses to come forward to report unfair treatment of patients (Owen, 2012). For example, an incident at a residential care facility caused one nurse to involve the media to investigate the unethical and unfair treatment of the patients (Owen, 2012). Because of the anonymity of the ombudsman, Owen (2012) opined the ombudsman is the answer to taking care of the concerns of nurses. Owen stated the nurses would not be intimidated nor have their careers destroyed by their managers.

In another instance, residential care facility patients reported 7,896 cases of poor treatment against North Carolina Nursing Homes from 2002-2006 with 90.79% of the complaints substantiated by the ombudsman (Troyer & Sause, 2013). Complaints by an ombudsman are appointed a complaint category even if unsubstantiated (Troyer & Sause, 2013). The ombudsman found quality of care to be the highest category at 39.7% (Troyer & Sause, 2013). Administrative complaints category, including policies, resources of the facility, procedures, and attitudes of the administrative staff were 23.76% (Troyer & Sause, 2013). The researchers suggested the Centers for Medicare and Medicaid Services work along with the Long-Term Care Ombudsman to examine the complaints of patients (Troyer & Sause, 2013).

In 2007, the office of the ombudsman was established in the banking industry in Brazil granting the ombudsman authority to mediate conflicts (Alves & Filho, 2013). The ombudsman office was also instituted to assist in communication between customers and users of products and services (Alves & Filho, 2013). Alves and Filho's (2013) primary goal was to identify the characteristics of the ombudsman involved with the 26 banks in Brazil to determine the differences in these characteristics in a 3-year period (Alves & Filho, 2013). No significant difference was found between the characteristics of management and characteristics of corporate governance (Alves & Filho, 2013).

Governmental use of ombudsmen. Federal agencies are now benefiting from establishing ombudsman offices. The American Bar Association set guidelines for the ombudsman practice in working for the federal government (International Ombudsman Association, 2014). These guidelines established the (a) powers, (b) qualifications, and (c) duties and terms, among other things.

European application of ombudsmen. The first national ombudsman originated in Sweden in 1809 (Batalli, 2015). The ombudsman works with many disciplines. For example, the Parliamentary and Health Service Ombudsman found nurses and healthcare assistants experienced mutual vulnerability with the patients (Heaslip & Board, 2012). There is an emotional aspect of nursing as well as psychological and physiological health involvement of having vulnerability (Heaslip & Board, 2012). Heaslip & Board (2012) argued vulnerability is integral to having a qualified workforce. It was further argued National Health Service has a duty to provide stress free, and a comfortable working environment (Heaslip & Board, 2012).

Based on a study with a focus group on the vulnerability of nurses, it was found nurses and healthcare assistants became attached to their patients and suffered emotional attachment when the patients died (Heaslip & Board, 2012). Vulnerability was deemed a major issue with long term physical and psychological health problems, such as burnout (Heaslip & Board, 2012). Heaslip & Board (2012) found nurses and healthcare assistants require support from their employers to manage vulnerability feelings.

The European Union ombudsman spoke out against the European Medicines Agency's lack of transparency involving new pediatric drugs (Rose, 2012). The time frame for receiving the drugs was deemed too long, and the medical market requires more control to improve the speed in which drugs are dispensed (Rose, 2012). Rose (2012) opined a framework that promotes, advances, and recompenses simple and applied research for children and adults is needed.

Monitoring Governmental Behavior and Accountability

Harold Wilson (Wilson) came into power in 1964 in the United Kingdom (UK). Wilson was the head of the Labour Government in the UK. One of Wilson's goals was to establish a parliamentary ombudsman to serve the public interest and rights of consumers (N. O'Brien, 2015). In the UK, the ombudsman institution has focused on protecting individuals from dehumanizing bureaucracy. The ombudsman's role is to remedy any imbalance so that all parties are equally recognized (N. O'Brien, 2015). New ombudsmen were added in the 1980s, such as insurer, banking, and financial ombudsmen (N. O'Brien, 2015). Ombudsmen were created for other services, including health services and legal services. The ombudsman service in the UK has proven to be an adept

survival mechanism for consumer rights (N. O'Brien, 2015). The ombudsman represents

the public good, and respect for values and is an influential agency for a decent society

(N. O'Brien, 2015). The ombudsman desires to establish a decent democratic society.

Reformation of the ombudsman institution is focusing on a democratic, popular, and

deliberate plan in which to base the ombudsman institution (N. O'Brien, 2015).

Role of an Ombudsman in an Organization

The role of the ombudsman in an organization is defined based on the type of

ombudsman and the country where the ombudsman work. An ombudsman's role from

New Zealand involves investigating and recommending remedies to achieve justice

between the parties involved (Palmer, 2013). The ombudsmen in New Zealand

concentrated on promoting good public administration practice, rather than concentrating

on the investigation and redress of complaints lodged against the administration (Palmer,

2013). Fairness for people when dealing with government agencies is the most important

human function (Palmer, 2013).

An organizational ombudsman serves as a designated neutral within an

organization. The organizational ombudsman provides conflict resolution and problem-

solving services to the organization (internal ombudsman) or clients or customers of the

organization (external ombudsman). Organizational ombudsmen serve in various sectors:

(a) corporate, (b) academic, (c) governmental, (d) nongovernmental, and (e) non-profit

organizations (International Ombudsman Association, 2014).

The classical ombudsman investigates complaints received regarding

governmental policies and processes. An advocate ombudsman handles claims in the

public and private sector and evaluates claims objectively (International Ombudsman Association, 2014). However, the advocate ombudsman is required or authorized to advocate on behalf of aggrieved groups or individuals (International Ombudsman Association, 2014). The advocate ombudsman works mainly in long-term care facilities or agencies and with juvenile offenders (International Ombudsman Association, 2014).

The media ombudsman's role is to promote transparency within the news organization where the ombudsman works (International Ombudsman Association, 2014). The media ombudsman investigates complaints regarding news reporting on behalf of the public and make recommendations suitable to resolve issues within the complaints. The media ombudsman is an independent officer who acts in the best interest of news consumers and also explains the roles and obligations of journalism to the public (International Ombudsman Association, 2014). The media ombudsman mediates between the expectations of the public and responsibilities of journalism (International Ombudsman Association, 2014).

The hybrid ombudsman follows policy or terms of reference by the public and private sector organizations and resolves complaints informally (International Ombudsman Association, 2014). The hybrid ombudsman has the power to investigate and publish annual and special reports. The executive ombudsman is located in the private or public sector and receives complaints regarding actions and failures to act of organizations, its officials, employees, and contractors (International Ombudsman Association, 2014). The organizational leaders or one of its programs may be held accountable by the ombudsman (International Ombudsman Association, 2014).

The Legislative Ombudsman is a part of the legislative branch of a government entity (International Ombudsman Association, 2014). The ombudsman handles issues raised internally or by the general public. The issues relate to policies of government entities, contractors, or individuals regarding accountability to the public (International Ombudsman Association, 2014). The various types of ombudsmen are similar in nature and all work to achieve fairness and improve the conditions in resolving complaints (International Ombudsman Association, 2014). The ombudsmen work to create options for resolutions to complaints, which may include referrals to other entities. The ombudsman's role is not to compete against HR managers or employee relations (International Ombudsman Association, 2014). The ombudsman is complementary to HR personnel, to employee relations, and when working together may be beneficial to the organization. The ombudsman may be beneficial to the organization by encouraging the use of various options to resolve conflicts and improve systemic procedures and policies (International Ombudsman Association, 2014).

Benefits of an Ombudsman to an Organization

An ombudsman offer many benefits to an organization. One benefit is the ombudsman's ability to facilitate workplace fairness (Barkat, 2015). Fairness is an important aspect in mitigating conflicts to the leaders, managers, and employees in the organization. Another benefit is an ombudsman as an agent of culture change. Culture change is paramount to the success or failure of an organization. Understanding culture in an organization is a difficult task. However, it is important for leaders and employees of an organization to have mutual respect for one another. The ombudsman seeks to

foster transparency, accountability, and responsible culture (Hesling, 2012). The ombudsman is accountable and must exhibit courage when interacting with visitors, supervisors, administrators, HR staff, and managers (Joyce, 2014). Ombudsmen exhibit courage when raising unwelcome issues with HR staff and managers (Joyce, 2014).

Mitigating conflicts. The ombudsman manages and recommends solutions to conflicts. An ombudsman offers the opportunity where concerns may be raised without fear of retaliation and with an understanding the parties receive fair treatment and that their concerns will be addressed impartially and honestly (Barkat, 2015). The ombudsman seeks impartiality, fairness, and objectivity (Noack, 2014). What sets the ombudsman apart from HR managers, some forms of ADR, and employee relations is the ability to remain neutral and confidential based on their independence. The ombudsman may cause a company to avoid litigation, potential jury awards, legal fees, wasted administrative and managerial time, and negative publicity.

Some employees file claims against their employer because they want to be heard and have not been treated fairly. In these instances, the employees gained a better understanding of their situation and communication with the employer improved after meeting with the ombudsman (Schenck & Zinsser, 2014). Other instances showed the employee was satisfied after being heard and having had the ability to explore their options. The employee was satisfied after speaking with an ombudsman knowing the ombudsman was sincere in seeking a resolution to the problem. Companies who want to be successful must consider utilizing the services of an ombudsman in mitigating conflicts (Schenck & Zinsser, 2014).

Culture change. Culture has many definitions and types of culture. Organizational culture involves the values of the organization (Dhiman, 2012). Conflict management culture involves systematic change that is measured, monitored, and evaluated (Dhiman, 2012). Culture of accountability involves accountability of an organization in all levels (Dhiman, 2012). Well-managed conflicts may provide an opportunity for change in the organization's culture (Dhiman, 2012). Stakeholder culture is another important culture (Fowlie & LaHatte, 2012). The ombudsman runs the risk of transferring personality influences to the incumbent when transferring to another position. In this instance, it is important to ensure the incumbent is aware of the business and culture of the organization (Fowlie & LaHatte, 2012). It is critical the incumbent is aware of the organizational goals and understands the culture of the organization to ensure a workable fit within the organization (Montemurro, 2012).

An ombudsman who adheres to the International Ombudsman Association's Standards of Practice would more likely be an agent of cultural change (Joyce, 2014; Schenck & Zinsser, 2014). The work of an ombudsman impacts the culture of a corporation. Issues, such as confidentiality, informality, independence, and neutrality are all unavoidable impacts on a corporation (Schenck & Zinsser, 2014). Ombudsmen, actively publicize the activities of their position, give upward feedback on a regular basis, share annual reports, and work with others as a change agent to identify various problems that may have a negative impact on a corporation. Handling conflicts on a regular basis make it impossible for ombudsmen to avoid reinforcing their organization's culture (Schenck & Zinsser, 2014).

Create a positive and nontoxic work environment. In order to obtain and maintain a toxic free work environment, company leaders must find ways to reduce hostility and aggression and treat supervisors fairly in the workplace (Schenck & Zinsser, 2014). An ideal workplace is free of toxic behavior. Risk management includes planning, identifying, analyzing, monitoring, responding, and controlling potential incidents (Carden & Boyd, 2013). It is an ongoing process to minimize and reduce the probability and impact of workplace bullying (Carden & Boyd, 2013). As an ombudsman advocates fair and equitably executed actions, this study results may assist in the determination of how ombudsmen may lessen toxic behavior in the workplace.

Organizational leaders should have remedies in place to mitigate workplace bullying, and the necessary tools to aid in mitigating bullying behavior (Carden & Boyd, 2013). The ombudsman is an alternative to the resolutions of workplace disputes. In some countries, the government enacted laws requiring employers to provide a safe and healthy work environment (Sunder, 2013). Sweden has taken the lead in enacting these laws (Sunder, 2013). This healthy environment includes prevention of workplace bullying and working towards a zero tolerance for bullying behavior.

Reduce the cost of conflict. The usefulness of ombudsmen is essential, especially in times of economic decline when employers need to increase productivity, cut costs, and foster an environment of fairness and equity to employees and employers (Schenck & Zinsser, 2014). However, it is difficult and debatable to determine the cost effectiveness of an ombudsman. The ombudsman benefits all stakeholders such as an employer and employee (Schenck & Zinsser, 2014). Effectiveness depends on the goals,

mission, and professional values of the organizational ombudsman. An ombudsman may reduce costs of conflicts among managers and employees due to turnover and time lost handling complaints (Schenck & Zinsser, 2014). There may be an increase in productivity and a decrease in costs with the legal staff handling complaints (Schenck & Zinsser, 2014). The ombudsman may lead to cost savings for employers in creating significant changes in conflict management. Resolving issues such as bullying may be cost-effective, especially if the case becomes public. The ombudsman may draw attention to bullying and handle the bullying problem in an effective manner. The organizational ombudsman is neutral, impartial, and is effective in cost-saving (Ulrich, 2013).

Ombudsmen may reduce conflict costs (Barkat, 2015). An ombudsman may contribute to reducing the costs of conflict between employees and managers in turnover and time lost bickering. Productivity may increase in individual departments, and the work of an ombudsman significantly decreases the cost of line management time and legal staff in dealing with complaints. It was found due to confidentiality and the conflict management systems there is no single, scientific way to calculate the cost effectiveness of an ombudsman (Biala, 2012). Further study is required to determine other cost-effective means of an organizational ombudsman.

Effectiveness of an Ombudsman in the Organization

Due to confidentiality and impartiality, it is difficult to determine the effectiveness of an ombudsman in an organization (Biala, 2012). The question becomes further complex when determining the financial aspects of the effectiveness of an

ombudsman due to the lack of documentation (Biala, 2012). The ombudsman is effective

due to objectivity, confidentiality, and impartiality (Biala, 2012). Biala (2012)

researched 76 ombudsmen cases involving pervasive conflict. Of these, Biala found the

ombudsman averted: 40 cases of unwarranted attrition, 21 cases of negative publicity, 22

significant violations, 52 grievances, 14 litigation potentials, and 10 high risk safety

matters; all occurring within a 4 month period.

The ombudsman is effective in mitigating conflicts (Biala, 2012). The

ombudsman is also effective in offering a broad range of assistance to stakeholders

(Biala, 2012). For example, the ombudsman assists in making positive connections

among and between those parties in conflict by creating a dialogue between the parties

(Biala, 2012).

The Role of Ombudsmen in Conflict Management

The ombudsman is a bridge for confidentiality and trust between managers and

employees. The ombudsman's role is to address the issues at hand and seek a resolution

to those issues (Barkat, 2015). The ombudsman seeks to find an amicable and fair

resolution. Although fairness may be defined differently by the visitor, nevertheless the

ombudsman seeks to reach a resolution that is fair. The ombudsman saves time and finds

cost-effective solutions agreeable to all parties. An ombudsman is a monitor of

organizational fairness and is a voice of conscience (Schenck & Zinsser, 2014).

Benefits of ombudsman mediating conflicts. Ulrich (2013) found the

ombudsman will always endeavor to be impartial, fair, and objective. Ulrich (2013)

further found the ombudsman does not advocate for individuals or corporations. The

ombudsman plays a significant role in conflict management system governance of the organization (Barkat, 2015). An ombudsman advocates fairness and equity in managing conflicts (Barkat, 2015).

Effectiveness of ombudsmen mitigating conflicts. The ombudsman organization may be more effective than HR managers in managing conflicts due to the humanizing effect of an ombudsman (International Ombudsman Association, 2014). Third-party complaint handling is non-adjudicatory and is essential in managing conflicts (Barkat, 2015). Third-party complaint handling has shown more complainants are willing to file a complaint without fear of retaliation (Barkat, 2015). In the early stage of conflict mitigation, non-adjudicatory methods ensure a positive, healthy, and sustainable interpersonal relationship within the corporation (Barkat, 2015). The ombudsman has been effective as a third-party participant in resolving conflicts.

Ombudsmen are common in the banking industry and effectively mitigate conflicts in that industry. A study was conducted in Australia focusing on the Financial Ombudsman Service (FOS) (Waye & Morabito, 2012). FOS hears complaints from general banking, insurance brokering, general insurance, mutual insurance, life insurance, and financial investment firms (Waye & Morabito, 2012). In general, banking, FOS provides ADR services for complaints not exceeding $200,000. It was found transactions for class action lawsuits are costly (Waye & Morabito, 2012). These findings support the premise other efficient and less costly means of handling disputes such as ADR, should be explored (Waye & Morabito, 2012).

Finding effective ways to mitigate conflicts is important to organizations. ADR is an option for conflict resolution based on the exploration of the human rights ombudsman (Pegram, 2011). For example, many company leaders have learned to use ADR effectively and are reaping the benefits of lower costs, faster dispute resolutions, and outcomes that preserve and improve relationships (Pegram, 2011). As a result of the outcome of the study, AT&T has a standard contract clause stating the first preferred method of settlement is ADR (Pegram, 2011). An ombudsman monitors all claims against AT&T. Ombudspersons are trained in problem solving, dispute avoidance, negotiation, and dispute resolution (Pegram, 2011). The objective of the ombudsman is to resolve the contention with little expenditure of time and money (Pegram, 2011). What sets AT&T apart from other companies is AT&T's continuous reevaluation and improvement of the system (Pegram, 2011). Each case is analyzed, reviewed, and procedures are corrected accordingly (Pegram, 2011). AT&T saw a reduction in disputes in the United States, from 263 in March 1984 to 28 in November 1993 (Pegram, 2011). Outside attorney fees were reduced to less than half the cost in 1984 (Pegram, 2011). These positive results validate AT&T's stance on ADR (Pegram, 2011).

The office of the ombudsman is an example of the global spread of an idea, which came into existence in response to a problem with international dimensions (Ladi, 2011). The European Union desired a policy change connected to public administration in Greece, Malta, and Cyprus (Ladi, 2011). This desired policy change brought about the creation of the office of the ombudsman (Ladi, 2011). The ombudsman office was created to protect citizens from maladministration, corruption, and infringements of

human rights (Ladi, 2011). Greece was one of the few European countries without the

office of an ombudsman. The creation of the ombuds' office has been a positive fit for

the three countries and led to a positive political climate. The three countries have a

more citizen-oriented public administration (Ladi, 2011). The ombuds' position has

assisted with the understanding of change or the lack of change. The ombudsman was

seen as a significant contributor to the Europeanization of the three countries' public

administration by its legal and policy proposals, and its own exemplary performance

(Ladi, 2011).

Ombudsman as an Alternative Form of Conflict Management

The lack of an ombudsman causes managers to spend excessive time mitigating

conflicts (Barkat, 2015). A focus on conflicts may result in productivity loss and

resource inefficiency, which may cause problems for the HR department (Barkat, 2015).

The services of an ombudsman relieve HR leaders and managers to handle other pressing

issues in the workplace. For example, a corporate ombudsman reduces the need for

outside consultants', and creates value for the company. The corporate ombudsman

saves managerial time involving conflict management (Barkat, 2015). The corporate

ombudsman is instrumental in improving productivity, making a positive impact in talent

retention, as well as increasing the possibility individuals might report a claim (Barkat,

2015).

From an international perspective, the role of the ombudsman is different. The

ombudsmen in Africa do not use the term neutral in their standard of practice (Ulrich,

2013). The African Ombudsman Association instead uses the terms fairness and

impartiality (Ulrich, 2013). In Japan, the organizational ombudsmen tend to be less formal as the employees prefer informality in handling conflicts (Tada, 2012). The organizational ombudsman in Japan is informal, neutral, confidential, and independent (Tada, 2012).

The legal ombudsman mitigates complaints against providers of legal services and can award a maximum of £50,000 in compensation in England (R. O'Brien, 2014). However, the legal ombudsman's decisions are binding, final, and not appealable if accepted by the complainant (R. O'Brien, 2014). In England, the Parliament instituted the legal ombudsman to resolve complaints informally and quickly. The legal ombudsman also is independent, neutral, independent of the government, and fair (R. O'Brien, 2014).

The organizational ombudsman is flexible (Gadlin, 2012). The organizational ombudsman has the ability to adapt to the situation at hand and handle each visitor's situation regardless of the uniqueness of the matter (Gadlin, 2012). Organizational ombudsmen are not agents of management and do not represent management (Gadlin, 2012). Organizational ombudsmen offer confidentiality to visitors as well as accountability, fairness, and equity (Gadlin, 2012). The organizational ombudsman offers a chance for visitors to be heard and to receive fair treatment (Gadlin, 2012).

The ombudsman faces many challenges. These challenges include mitigating conflicts for multiple generations with different career needs, different expectations, learning preferences, and style of communicating (Rudolph & Connell, 2012). These challenges must be managed to retain and engage the employers. The ombudsman is

faced with the Traditionalist (born before 1946), Baby Boomers (born between 1946 and 1964), Generation X (born between 1965 and 1976), and Millennials (born between 1967 and 1997) (Rudolph & Connell, 2012). Based on the needs of the Millennials the ombudsmen are creating new forms of mentoring. The Millennials prefer mentoring and coaching and prefer information relevant to their own role as well as themselves (Rudolph & Connell, 2012). Ombudsmen are staying abreast of the needs of corporations to ensure successful conflict mitigation.

Summary

In this study, CSP is the conceptual framework that guided this research. CSP enunciates owners of a corporation's obligations to stakeholders, such as employees, the community at large, as well as its traditional duties to economic shareholders (Agudo-Valiente et al., 2015; Wang & Berens, 2015). Leaders in corporations that incorporate a humanistic approach to culture can lead to socially responsible outcomes. A propitious relationship with stakeholders is established based on a humanistic approach. The principles of a humanistic approach may enhance CSP by initiating a work environment that motivates managers and employees to elect socially responsible solutions for stakeholders within the corporation as well as society (Arnaud & Wasielesk, 2014). The humanistic approach advocates value-based and value-affirming ideas.

CSP is best when it becomes a component of corporate culture (Melo, 2012). Organizational culture reinforces the motivation to participate and work toward reaching common goals and purpose (Erkutlu, 2012). The mitigation of conflicts in an organization is beneficial because cultural and organizational change is contingent upon

the cooperation of the employees. When employees and employers work together without conflict, a positive and non-toxic environment is created. The ombudsman may contribute to a non-toxic work environment.

The national ombudsman originated in 1809 in Sweden (Batalli, 2015), established worldwide in the 1960s (Carl, 2012) and was created out of concerns stemming from government scandals and secrecy. Ombudsmen are currently employed worldwide, have shown value in mitigating conflict, reducing organizational costs, improving relationships, and enhancing organizational image. In this study, my goal was to identify the strategies that ombudsmen and HR managers use to address conflict. This qualitative exploratory case study will contribute to positive social change by providing HR managers with a better understanding of the usefulness of an ombudsman.

Transition and Summary

In Section 1, the foundation of the study was presented and included the problem and purpose statement, nature of the study, research questions, interview questions, and conceptual framework. I also described the background of the problem and introduced the topics connected to this study, such as CSP and conflict mitigation. Section 1 included the definition of terms, assumptions, limitations, and delimitations, significance of the study, literature review and concludes with a transition and summary.

Section 2 includes more extensive information on the nature of the study, role of the researcher, participants, research method and design, data collection, and data analysis. In Section 2, I further described the reliability and validity of the study. In Section 3, I addressed research findings.

Section 2: The Project

The purpose of this study was to identify the strategies ombudsmen and HR managers use to address conflict. Many organizations are plagued with bullying and other conflicts in the workplace. Organizational disputes lead to loss of productivity, involuntary turnover and a hostile work environment (Chu, 2014; Georgakopoulos et al., 2011; Olive & Cangemi, 2014).

In this section, I provided an explanation of how the research was conducted as well as the appropriateness of the method I chose. This qualitative exploratory case study included interviews with HR managers and ombudsmen in law firms and other disciplines in New York City and other states. An interview offered the opportunity for in-depth understanding of the strategies and benefits of an ombudsman and the knowledge held by HR managers of ombudsmen. Findings may also provide the opportunity to improve methods of conflict resolution.

Purpose Statement

The purpose of this qualitative exploratory case study was to identify the strategies ombudsmen and HR managers use to address conflict. The population of the study was managers of HR in law firms and other disciplines and ombudsmen who have mitigated conflicts in law firms and other disciplines. The study was conducted primarily in New York City, but included participants from other states. The social change implication of this study lies in promoting healthy work environments. The work of ombudsmen indirectly leads to cultural changes within organizations that increase security and fairness. Accordingly, benefits may include increasing worker satisfaction

by reducing conflicts that lead to legal actions (Freres, 2013; Rasool et al., 2013). In addition, behavior changes may increase organizational accountability and eliminate discrimination, both of which are positive societal goals.

Role of the Researcher

The role of the researcher is to collect data, validate the data, and interpret the findings (Moustakas, 1994). I was the main instrument for gathering and examining data in qualitative research. It is the researcher's responsibility to make adjustments to the research process as needed and to ensure ethical and thorough research was conducted to ensure the validity of the results of the study (Moustakas, 1994). The study topic was of particular interest to me because I work in the legal field and witness conflicts and conflict resolutions on a regular basis. My goal was to gain an understanding of the participants and their reasoning behind their responses to the questions so that this study may be used to improve resolution of conflicts in the workplace. The decision to research the ombudsman is based on my concern for coworkers, friends, and acquaintances who have been victims of conflict in the workplace. These individuals had no one to listen to or resolve their complaints. Many were unjustly fired, or forced to seek employment in another company. My objective for this research was to increase the knowledge of conflict mitigation so that employers, employees, HR managers, and supervisors might be more effective in mitigating conflicts.

Although this study topic is of significant interest to me, I took precautions to ensure my personal feelings did not hinder or compromise this study. It is the researchers' responsibility to ensure ethical boundaries are not crossed and to ensure

participants are protected (Gibson, Benson, & Brand, 2013). I was careful to adhere to the precautions suggested by Gibson et al. (2013). In particular, I asked open-ended questions as suggested by Rowley (2012), to allow the participants to use their own words, terminology, and perspectives. I was also careful to ensure ethical boundaries were not crossed, to ensure protection of participants per recommendations of Gibson et al. (2013). Furthermore, I adhered to the guidelines of the Belmont Report and followed the recommendations involving respect, beneficence, and justice for the participants (Belmont Report, 1979).

I used an interview protocol to establish guidelines and rules for the interview. Jacob and Furgerson (2012) suggested first-time qualitative researchers should use interview protocols to assist them in the collection of data. The interview protocol for this study included the following steps and materials: (a) an interview script, (b) a request for position documents, (c) interview questions, (d) recording of interview, (e) transcript review, and (f) follow-up questions.

Participants

The criteria to participate in this research was one year of experience in the participants' respective field of employment. The participants had experienced working with conflict mitigation and were interested in the nature of the study. I obtained access to participants through telephone calls and emails requesting their participation in the study and asked them to sign an informend consent form. I researched names of potential participants from a bank of HR Managers in New York City. I contacted the potential participants via telephone and email and invited them to participate in the study. I also

called the Ombudsman Association in New York City and asked for participants and

contact information for the potential participants. I used a snowball sampling technique

and was given the names of potential participants in other states who consented to

participate in this qualitative study. I Googled ombudsmen in New York City and

emailed and telephoned the potential participants. The participants consisted of eight

ombudsmen, one representative of ombudsmen, and nine HR managers who mitigate

conflicts in law firms and other disciplines. The sample size and population is in

accordance with the sample size and population for a qualitative study as recommended

by Robinson (2013) Robinson recommended a small sample size between three to16

participants. Qualitative researchers are known to choose small samples of people when

conducting a detailed analysis of the subject matter (Miles et al., 2014).

Once permission was granted for the interviews the participants were interviewed

via telephone and Facetime. In order to establish a working relationship with the

participants, the participants were informed of the nature and purpose of this study.

Further, I explained the confidentiality phase of the study. The characteristics of the

participants were in alignment with the overarching research question. As a means to

protect identity, the participants are identified through a numbering system where each

participant was assigned a number from one through nine with the letters *HR* plus the

participant's first and last initial to distinguish the HR managers from the ombudsmen.

The ombudsmen numbering system is identical to the system for HR managers with the

exception the letter *O* defined the ombudsmen.

Research Method and Design

The qualitative method was the chosen method for this study because qualitative research allows studying people in their natural settings (Street & Ward, 2012). The researcher has the option to use a variety of tools and techniques for developing a greater understanding of how the participants perceive their social realities and consequences and how they act within the social world (Saldana, 2013). Qualitative research is exploratory (Sarma, 2015) and allowed me the opportunity to obtain information and gain a better understanding of the workings of an ombudsman and HR director in conflict mitigation.

Method

Researchers have several options in approaching their research: (a) qualitative, (b) quantitative, and (c) mixed method. A qualitative method was used in this study. A qualitative study has no right or wrong answer and is based on assumptions or theories of how research should take place. Qualitative research does not strictly abstract academic criteria of science as in quantitative research (Saldana, 2013).

Quantitative research involves outcomes with numbers, hypotheses, and statistics. Hypotheses were not required for this study because I sought to determine the commonalities of HR managers and ombudsmen in mitigating conflicts in the workplace. A mixed method is a combination of the two methods and is a lengthy process beyond the bounds recommended for this doctoral study. Quantitative research involves numbers, testing of theories, and hypotheses. I was not looking for numbers in this study but interested in discovering means of mitigating conflicts with participants with real-life experiences.

A qualitative method was preferred as it involves the lived and told stories of several individuals (Miles et al., 2014). The qualitative method incorporates values and perspectives of both researcher and participants. In addition, a qualitative method is personable and allows the participant to share their view of the lived experience (Rennie, 2012). The qualitative method is exploratory in nature and involves thorough contact with the participants. Further, the qualitative researcher follows a seven-stage process: (a) thematising, (b) designing, (c) interviewing, (d) transcribing, (e) analyzing, (f) verifying, and (g) reporting (Fink, 2000; Saldana, 2013). Thematising provides answers to *why*, and *how* questions about the topic (Fink, 2000). Saldana (2013) described the purpose of an interview as obtaining a description of the life world of the interviewee with respect to interpreting the meaning of the described phenomena. These lived stories contributed to the study because the individuals had experienced mitigating conflicts in the workplace. My research involved gaining an understanding of real-life experiences of ombudsmen and HR managers' in mitigating conflicts. Therefore, qualitative research was a logical choice for this study.

Research Design

Under the qualitative research paradigm, many designs are available to include: (a) case study, (b) narrative, (c) phenomenon, and (d) ethnography. Case study is a research design to help answer questions related to *why*, *how*, and with *what* results (Yin, 2009). Real-life stories were important aspects of the study because the ombudsmen and HR managers had experienced mitigating conflicts in the workplace, which was my

research goal. Allowing the participants to share their personal views also protected against bias.

A case study design allows the researcher to retain the characteristics of real-life events (Yin, 2009) and reveals a person's perceptions, perspectives, and understandings of a particular situation (Simon, 2011). A case study is more conducive to asking *how* or *why* questions where the researcher has little control over the events, such as a social or physical setting (Miles et al., 2014). A case study was more appropriate for this research as my goal was to understand a real-life phenomenon and identify the rationale behind strategies HR managers and ombudsmen use in mitigating conflicts.

Narrative involves a description of experiences told in story form and places more emphasis on how the story is told versus story content (Miles et al., 2014). Based on the research question, a story narrative would not satisfy the need for this research study. In this study, I focused on real issues faced by the participants and the study was fact-based, not story-based. Given my goal for this research, a narrative approach was not conducive to achieving the purpose. In addition, narrative is not an acceptable research design at Walden University.

Phenomenology is one of the most applied qualitative research methods (Simon, 2011). A phenomenologist endeavors to find the true meaning of a lived experience and attempts to explain the phenomena of behavior of subjects in their environment (Moustakas, 1994). Although phenomenology might enhance the study, Unluer (2012) and Yin (2009) suggested a case study involves a more detailed study of the issues and organization.

Ethnography involves cultural observations (Moustakas, 1994). Ethnography allows the researcher to include his or her own perceptions of what is essential to understanding the participants (Moustakas, 1994). This study was based on facts; therefore, ethnography was not a proper fit for this study.

I interviewed participants until no new themes emerged or new information was forthcoming. Data saturation occurs when there is no new information and the majority of the participants' views are represented in the collected data (Cleary, Horsfall, & Hayter, 2014). The sample size was not too small to achieve data saturation and was not too large to cause difficulty in extracting the data. O'Reilly & Parker (2012) stated that data saturation occurs when repetition is found in the interview data.

Population and Sampling

The nature of this research was to identify strategies of HR managers and ombudsmen to mitigate conflicts. The population of this study consisted of HR managers and ombudsmen in law firms and other disciplines in New York City and other states. I obtained access to participants through telephone calls and emails requesting their participation in the study. I researched names of potential participants from a bank of HR managers in New York City. I contacted the potential participants via telephone and email and invited them to participate in the study. I also called the Ombudsman Association in New York and asked for participants and contact information for the potential participants. Due to the lack of participants, I used a snowball sampling technique and was given the names of potential participants in other states, who consented to participate in this qualitative study. Snowball sampling is defined as a

method of research where the researcher asks participants of the study to inform others of the study to see if they would participate (Emerson, 2015). In order to obtain data with quality and reliability, a purposive sampling method was used. Purposive sampling offers the opportunity for the researcher to learn of several meanings and experiences of the population studied (Palinkas et al., 2013). Purposive sampling consists of participants who are experienced and knowledgeable in the study topic (Miles et al., 2014). Purposive sampling usually consists of very small sample sizes and consists of sampling populations with a particular purpose in mind (Miles et al., 2014). Qualitative sampling is strategic as the focus is on the unique contexts of the study (Miles et al., 2014). This purposive sample was drawn from HR managers and ombudsmen

Qualitative case studies do not offer definite rules to follow such as the number of participants or sample size (Simon, 2011). However, sample size is paramount. This case study consisted of 18 participants. I conducted interviews until saturation was achieved with no new information provided. Researchers must include a sample size large enough to reach an acceptable conclusion without bias. The sample size should not be too small that the researcher fails to achieve data saturation or should not be so large that the data is difficult to extract (Saldana, 2013).

HR managers and ombudsmen were chosen for this study based on their experience in mitigating conflicts. I chose law firm participants because I am experienced and familiar with conflict mitigation in the legal field. However, due to a deficiency of ombudsmen employed in law firms, ombudsmen from other disciplines

were chosen as well. New York City was the original venue. However, due to the lack of willing participants in New York City participants from other states were included.

The sample size for this study was sufficient, and provided an in-depth study of the phenomenon. This study was consistent with the requirements of a qualitative case study, which allow telephone and Facetime interviews. By speaking via Facetime, I had the opportunity to see the facial expressions of how the participants felt about ombudsmen mitigating conflicts in the workplace.

Ethical Research

The participants in this study were asked to sign an informed consent form. One of the standards for informing participants is presenting them with an informed consent form to protect the participant from harm and deception (Aluwihare-Samaranayake, 2012). In addition, they were presented with a copy of their rights as a participant. I informed the participants they could withdraw from the study at any time by notifying me via email, telephone call, or personal expression. The participants were given an opportunity to retain a copy of the consent form. I explained the study and the requirements to the participants to include risks and benefits and that no monetary gifts are offered. As part of the interview process, I offered contact information to the participants if they needed answers to personal questions. Participants received a confidentiality agreement to ensure their confidentiality and that interview information as suggested by Pollock (2012) would not be shared. I provided to the participants the Walden Institutional Review Board (IRB) approval number (11-18-15-0349647).

I took several cautionary measures to protect the participants. Caution was taken to ensure participants' confidentiality. I recorded the interviews. I emailed the transcribed interviews to respondents for approval and to ensure accuracy. After approval from the participants, the data was stored on my personal password protected laptop and password protected desktop computer. The recordings, handwritten notes, and the identity of the participants are stored in a locked safe where only I have access. Once the recordings and handwritten notes were transcribed I stored them on my personal laptop, personal desktop computer, a portable hard drive and compact disc. Both computers are password protected and the data is stored on a hard drive. The data will be stored for 5 years, without the names of the participants or the corporations to protect the rights of the participants.

Data Collection Instruments

The role of the researcher is to collect data, validate the data, and interpret the findings. Per the recommendations of Turner and Norwood (2013), I was the main instrument in gathering and examining data in this qualitative research. The researcher's responsibility is to collect data, code, and cluster the data thematically (Ivey, 2012). All data is stored in a locked safe to be safeguarded for 5 years.

In order to understand the strategies of ombudsmen and HR managers' in mitigating conflicts, telephone and Facetime interviews were conducted. I recorded the responses to the questions. Open-ended interview questions allowed the participants to describe his or her life world. A semistructured interview with open-ended questions allowed me the opportunity to gain an understanding of the ombudsman and HR

managers' in mitigating conflicts. To gain further understanding the ombudsmen and HR managers were asked to provide ombudsmen position descriptions from their organizations. Position descriptions offered insights into the role constraints that guide ombudsmen's behaviors in mitigating conflict.

Following the interview protocol (see Appendix A), ombudsmen were asked identical questions regarding their role and HR managers were asked identical questions regarding their role. Follow up questions were integral to the process. According to Miles et al. (2014), in question and answer periods, there may be variants in interpretation when comparing and contrasting data, as much interpretation occurs in open-ended interviews. To mitigate variation I emailed a transcript of the interviews to verify accuracy. According to Miles et al. (2014), transcript reviews enhance a study's reliability and validity by allowing the participants to review the transcript for accuracy.

Data Collection Technique

I interviewed 18 participants via telephone and Facetime. The 18 participants consisted of 9 HR managers, 8 ombudsmen, and a representative of ombudsmen. To identify potential HR respondents, I researched the names of possible participants from a bank of HR managers in New York City. Snowball sampling was also used to obtain participants, due to the lack of available participants in New York City. Participants from other states were included. After obtaining the contact information for the HR managers, I telephoned and emailed the potential participants to invite them to participate in the research study.

To identify potential ombudsmen respondents, I obtained the names of ombudsmen via telephone calls, email, and Googling other ombudsmen in New York City. Some ombudsmen were obtained through snowball sampling. The recruiting process began with telephone calls and emails asking each prospective participant to participate in this study. Their response to the email informed me of their willingness to participate.

I emailed an informed consent form to the potential participants for their signature. The participants were informed in the consent form that the interviews would be recorded. I emailed the questions to the participants prior to the interview. I asked open-ended questions, which allowed for follow-up questions in data collection. As stated by Rowley (2012), the open-ended questions allow participants to present their ideas and thoughts on the research topic. The participants presented their ideas and thoughts on conflict mitigation in the workplace. Miles et al. (2014) stated the researcher coauthors the data collected, interprets, and condenses data, which is the pattern I followed in my research study. The data were transcribed and stored on a portable hard drive.

During the interview process, I requested position description documents from the participants. Yin (2009) recommended the use of multiple sources of evidence in case studies for triangulation purposes. Data triangulation involved comparing data from interviews and position descriptions. I organized and coded the data into themes with the use of NVivo software. The position description documents were found to support the information obtained from the interviews related to conflict mitigation. Data was

consistent across interviews and position description documents, and was found to align with the literature.

One of the advantages of asking open-ended questions is the ability to ask follow up questions (Bishop & Lexchin, 2013). According to Miles et al. (2014), if notes are taken, the researcher could summarize and interpret the meaning during the course of the interview based on what is heard. A recorded conversation affords the researcher the opportunity to go back and listen to the interview and lessen the risk of misinterpretation. The interviews were semistructured and afforded me the opportunity to focus on a specific topic with specific questions. A disadvantage of semistructured interviews was adapting the style of interviewing to each participant. Asking open-ended questions could be disadvantageous based on whether or not the interview is recorded or notes taken. If the interview is not recorded, there could be a large margin for error in transcribing the data. Important data could be lost in transcribing the data.

According to Miles et al. (2014) and Simon (2011) a transcript review procedure reinforces study validity. I transcribed each interview. Once the interviews were transcribed, I forwarded the transcribed interviews to the participants for their review, approval, and to ensure the information was free of errors.

Data Organization Techniques

As the researcher, after interviewing the participants I transcribed the data and emailed the transcribed data to the participants for their correction and approval. I followed some of the stages Fink (2000) suggested a qualitative researcher should follow. The stages I followed included: (a) transcribing, (b) analyzing, (c) verifying, and (d)

reporting. With the use of NVivo software, I identified and catalogued emerging themes, common trends, personal views, and patterns. The position documents were stapled to the transcribed and coded interview files and stored in a locked safe to be safeguarded for 5 years. I chose to maintain a physical place for storage as well as. Miles et al. (2014) suggested maintaining a physical storage place. Each interview had a separate individual file with position documents. The data were also stored on my personal pass-word protected laptop computer as well as my pass-word protected desktop computer which only I have access. The data were also stored on a portable hard drive and compact disk.

The HR director participants were identified as participant number (e.g., *1*) with the letters *HR* and the participants first and last initial. The ombudsmen participants were identified using the same numbering system with the exception of inserting the letter *O* and the participants first and last initial to distinguish ombudsmen from HR managers. After each interview, the data were transcribed and placed in individual physical file folders for each participant and labeled *HR,* or *O*. The notebook, position description documents, compact disks, and recordings containing the data are kept in a physical file and stored with the transcribed notes on a password-protected desktop computer and laptop computer. All copies of the data and materials gathered during the research process will be stored in a locked safe for 5 years. I will protect the participants' identity by ensuring all data are stored in a file accessible only to me. At the end of the 5 years, I will shred the handwritten data and typed information, and destroy the compact disks as well as any materials obtained during the course of study.

Data Analysis

Qualitative data research analysis consists of analyzing interviews and observations (Yin, 2009). Analyzing and interpreting data are major components of research (Basurto & Speer, 2012). The research purpose served as my guide to develop themes and patterns. Thematic and pattern analysis involved connecting the data as well as exploring paradoxes and conflicting themes that contradict or challenge the interpretation.

My method of triangulation was methodological, which consisted of interview data and position description documents. According to Miles et al. (2014), triangulation enhances the validity of the analysis. I asked HR managers and ombudsmen for ombudsmen position description documents to analyze the scope and boundaries related to ombudsmen efforts to mitigate conflict. I compared the interview transcripts with the position description documents and identified emerging themes, patterns, and common trends. The position description documents consisted of services offered to visitors who required assistance and aligned with the responses from the participants to the interview questions. The interviewees spoke of information that was included in the position documents. The interviews and analysis of the position description documents comprised triangulation. The methodological approach reduces the chance of bias occurring, as a researcher must remain unbiased during the course of the study.

In this study, I sought to identify the strategies of ombudsmen and HR managers' in mitigating conflicts by using NVivo. NVivo is a preferred software application system for qualitative analysis, especially for beginning qualitative researchers learning how to

code data (Saldana, 2013). As a beginner researcher I attempted to locate software that might be appropriate for my study size. As Bishop and Lexchin (2013) used NVivo for 24 interviews, I felt their example was a suitable precedent. Their study consisted of a greater number of interviews, and therefore NVivo would be an acceptable application.

I transcribed the responses to the interview questions in this study and kept them on a password-protected laptop, desktop computer, portable drive, and compact disk. According to Saldana (2013), coding provides the opportunity to question and compare all data. NVivo coding is useful in prioritizing and honoring the voice of the participants (Saldana, 2013), which was one of my goals for this research study. Integral to the coding process, participants' responses to the questions were examined to determine and compare similarities and differences.

I applied first and second cycle coding. First cycle coding consists of seven subcategories (Saldana, 2013). The seven subcategories are: (a) grammatical, (b) elemental, (c) affective, (d) literary and language, (e) exploratory, (f) procedural, and (g) theming the data (Saldana, 2013). Exploratory methods are tentative, and after review and analysis, the second cycle process begins to include more specific coding (Saldana, 2013). Exploratory methods (open-ended investigation), and theming data captures the essence and essentials of participants' meanings (Saldana, 2013). Theming is the outcome of the coding, is essential for a qualitative case study, and includes the primary research questions, goals, the conceptual framework that guides the research, and support literature (Saldana, 2013). Themeing the data is conducive to interviews and offered me

the opportunity to analyze and reflect on themes as they were generated as well as to determine similarities and differences as recommended by Bishop and Lexchin (2012).

Second cycle coding consists of developing major themes from the data as well as the search for rules, causes, and explanations in the data (Saldana, 2013). Second cycle coding are advanced ways of reorganizing and reanalyzing data coded through the first cycle methods (Saldana, 2013). The goal of second cycle coding is to develop a sense of categorical, thematic, conceptual, or theoretical organization from data obtained from first cycle codes. I applied a combination of the two cycles to compare answers of participants to determine similarities of responses. This comparison assists in validating data reliability.

The conceptual framework that guided this research is based on CSP. CSP is an idea that connects a company's responsibilities to stakeholders, and the community at large, in addition to its traditional responsibilities to economic shareholders (Agudo-Valiente et al., 2015). I looked for themes from the data that correlated to CSP such as responses that support an ombudsmen and HR manager's concern with a positive corporate image and healthy employee work environment. The manner in which conflicts are mitigated may be perceived as negative or positive CSP.

The key theme to the research was determining if the ombudsman's purpose is being served. The ombudsman is an influential agency respecting the values of society and the public good of whomever they represent (N. O'Brien, 2015). In some instances, the ombudsman is not only seen as a tool to resolve complaints, but to urge service providers to take customer service more seriously (Kirkham, 2016). In the UK, the

legislatures and governments have updated the powers of the ombudsman to ensure an easier transition to influence delivery of public services (Kirkham, 2016). The services of the ombudsman allowed the governments and legislature to aid in improving the public without increasing budgets (Kirkham, 2016). Further, in the UK the ombudsman institution has grown, and it now has 40 UK-based complaint-handling schemes (Kirkham, 2016). The ombudsman institution has proven to be an important and legitimate method of dispute resolution (Kirkham, 2016). The ombudsman's purpose is well served in the UK.

The competencies required to mitigate conflicts are crucial to understanding CSP. Individuals who are competent in mitigating conflicts are an asset to the organization and could offer a positive reflection and understanding of the company's CSP. A company's CSP could become a component of the company's business culture and could cause the leaders of the company to be socially responsible, thus fitting into the conceptual framework presented in this study. A humanistic approach is presented and could cause organizational leaders to perform well in CSP due to the internal values and beliefs driving them to establish strong relationships with the stakeholders. Management has a responsibility to ensure that workplace conflicts are properly mitigated.

Reliability and Validity

A qualitative study is a process of investigating and understanding a phenomenon by comparing, contrasting, duplicating, and cataloging the data (Simon, 2011). Qualitative research also involves seeking the perspective and meanings of the interviewee (Simon, 2011). The purpose of qualitative research is to acquire an

understanding of beliefs, ideas, and motives of the subject (Simon, 2011). The

qualitative approach is subjective (Simon, 2011) and requires credibility, transferability,

dependability, and confirmability to ensure reliability (Houghton, Casey, Shaw, &

Murphy, 2013; Simon, 2011).

Reliability and validity of the study is essential to ensure credibility. I designed

this study to be free of bias to the extent possible and consistent and reasonably stable.

The questions were clear, and the study design was congruent with the questions (Miles

et al., 2014). This study met the reliability standard of a qualitative study, which should

have the following:

- The status and role of the researcher have been explicitly described.

- There is meaningful parallelism across the dates and sources (participants,

  context, and time).

- The basic paradigms and analytics constructs are clearly defined.

- Data were collected based on the research questions.

- The data were checked for bias and deceit (Miles et al., 2014).

A case study validation should ensure that ideas are well grounded, not distorted,

and are supported through accurate analysis. Quality and integrity are important when

ensuring reliability of a research study. All aspects of the study were conducted with

reasonable care as suggested by Miles et al. (2014). The main focus, to ensure accuracy

in determining reliability, was to ensure bias did not exist on my part as the instrument in

this study.

Reliability

To enhance dependability, I transcribed and summarized the data and outlined all decisions made during the course of the research as mentioned by Houghton et al., (2013). After reviewing the data I ensured the data were correct by allowing the participants to read the transcribed interviews to alleviate any errors. Participants should have the opportunity to review how the findings are reported (Aluwihare-Samaranayke, 2012; Miles et al., 2014; Simon, 2011). Aluwihare-Samaranayke (2012), Miles et al. (2014), and Simon (2011) supported the idea of enhancing dependability. Researchers are expected to exhibit social responsibility in research and reporting of findings (Aluwihare-Samaranayke, 2012). I retyped the interviews to include corrections by the participants.

Validity

Some researchers feel that the term *validity* is strictly for quantitative studies and that there is no place in qualitative research for the term. These researchers prefer the term *verisimilitude* and *a persuasively* written account (Miles et al., 2014, p. 313). However, other qualitative researchers have used the term because they believed it suggests a more rigorous stance toward the research (Miles et al., 2014).

Internal validation requires answers to the following questions:

- Do the findings of the study make sense?

- Are the findings credible to the participants and to the readers?

- Is there an authentic portrait of what is required from the study (Miles et al., 2014)?

The goal of my research study was to obtain findings that are clear, coherent and systematically related. The goal was to link the findings to the categories of prior or emerging theory. The findings are logical and convincing (Miles et al., 2014).

External validation requires answers to the following questions:

- Does the conclusion of the study have a large import?

- Are the conclusions transferable to other contexts?

- Do the conclusions fit?

- How far can the conclusions be generalized (Miles et al., 2014)?

The conclusion from this study suggests settings where the findings may be further tested. I described fully the characteristics of the participants, process, and settings, described fully to allow adequate comparisons with other samples (Miles et al., 2014). Aluwihare-Samaranayke (2012), suggested to ensure validation of the study the typed interviews should be returned to the participants to ensure accuracy. I emailed the transcribed interviews to the participants. If the information was not written to the satisfaction of the participants, the information was changed to ensure reliability.

Further, all participants were asked the same questions based on their role in the workplace. The data were compared to strengthen the validity of this study. For example, participants were asked to share their strategies in conflict mitigation and to provide position description documents. One of the strengths of the case study design is the chance to use different sources of information through triangulation (Carter et al., 2014). Triangulation aids in eliminating bias and dismisses rival explanations to ensure the truthful proposition regarding a social phenomenon (Carter et al., 2014; Miles et al.,

2014). The similarities in the results of these two examples confirmed validity of this study. The data are expected to lead to a singular proposition regarding the phenomenon (Miles et al., 2014). Although some researchers believe triangulation involves examining participants under a variety of conditions (Miles et al., 2014), such as time and space method, this type of triangulation was not necessary for this study.

Credibility. Credibility involves an accurate transcription and subsequent analysis (Houghton et al., 2013). The participants were asked to review the transcribed interviews for errors, and approval. This process of participants reviewing the transcripts ensured verification of the transcribed interviews. I rechecked the data to ensure no misinterpretations or errors in transcribing the data existed, and to ensure no bias exists. The participants' approval of the summarized data enhanced credibility and triangulation. Participants validate credibility with their approval of the transcribed data (Houghton et al., 2013).

Triangulation involves the support of multiple sources (Houghton et al., 2013) and adds validity to the data (Carter, Bryant-Lukosius, Dicenso, Blythe, & Neville, 2014). One form of triangulation for this case study was interviewing HR managers, an ombudsman representative, and ombudsmen. Each work closely with conflict mitigation and their positional frames added depth to an understanding of the processes, steps, and behaviors of how ombudsmen work with conflict.

Confirmability. Miles et al. (2014) suggested that following the data collection process sequentially aids confirmability. Participants should be recorded, and compiled data should be compared to ensure confirmability (Houghton et al., 2013). To establish

confirmability, I adhered to my data collection protocol to interview and record the participants and then compared the data gathered from all sources. I then transcribed and summarized the data. I rechecked the data by listening to the recordings of the participants to ensure no errors existed. I gave a copy of the transcribed interviews to the participants to confirm the accuracy of their remarks. During the review of the transcribed interviews, I showed no personal biases during the course of this research study. Compiling and confirming data is important to verify the study (Miles et al., 2014). The data of the study will be available for reanalysis by others if permissible by the IRB.

My intent was to interview participants until thematic saturation was fulfilled. I interviewed the participants until no new information was presented to ensure saturation. According to O'Reilly and Parker (2013), the first 12 interviews should provide nearly 97% of relevant coding during data analysis for a qualitative study. Once no new information is available saturation is reached (Saldana, 2013; Walker, 2012).

Transferability. Transferability of the findings is not the responsibility of the researcher, but the reader (Miles et al., 2014). Based on the research and interview questions, I conducted a thorough research study to ensure the reader and future researchers can conduct future research on the role of ombudsmen mitigating conflicts. The findings were consistent with the experiences of other readers. I meticulously presented the research context by providing a detailed description to ensure readers could make informed decisions regarding the findings. Houghton et al. (2013) and Miles et al. (2014) attested to the importance of presenting detailed descriptions of the findings.

Transition and Summary

In Section 2, I included a detailed discussion on research and design. I provided the purpose for the choice of a qualitative exploratory case study design to explore the purpose for an ombudsman and HR managers in mitigating conflicts. I further included a description of the researcher's role, research methods, study design, population sample, data collection techniques, reliability and validity. Section 3 includes interview data case study findings, analysis, and key themes. The findings supported the conceptual framework and most recent literature supporting the study conclusions, applicability to professional practice, and implications to social change. Section 3 also provides recommendations for change and further study, and a summary of the study. I restated the purpose statement, defined the role of the researcher, and discussed the strategies for gaining access to participants and described the population.

Section 3: Application to Professional Practice and Implications for Change

Section 3 consists of an introduction to include the purpose statement, research questions, and a summary of findings. The application to professional practice and implications for social changes are also covered in Section 3. Section 3 further includes recommendations for action, recommendations for further study, reflections of my experiences with the research process, and a conclusion.

Overview of Study

The purpose of this qualitative exploratory case study was to explore strategies ombudsmen and HR managers use to address conflict in the workplace. I explored the following central *research question*: What are the strategies ombudsmen and HR managers use in mitigating conflict in the workplace? The conceptual framework for this study was CSP involving the responsibility of business to society, stakeholders, employees, and economic stakeholders. The conceptual framework for this study correlated to responses from participants and supported the ombudsmen and HR's concern with sustaining a positive corporate image and a healthy employee work environment. I interviewed 18 participants: eight ombudsmen, one representative of ombudsmen, and nine HR managers. Seven open-ended questions were asked of HR managers and 9 questions were asked of ombudsmen and an ombudsman representative. The participants in the study willingly shared their views of the strategies used by HR managers and ombudsmen in mitigating conflicts.

The research objective was to explore the strategies that ombudsmen and HR managers use in mitigating conflict in the workplace. I sought to compare the strategies

and to obtain data to show how HR managers and ombudsmen could work together to (a) create a more engaging work environment, (b) a more socially responsible corporation, and (c) a more productive workplace.

Analysis of the data led to findings that revealed various strategies used by HR managers, ombudsmen, and the ombudsman representative in mitigating workplace conflicts to ensure a better workplace environment. Similarities exist in the strategies applied by the ombudsmen, the ombudsman representative, and HR managers, such as establishing neutrality and trust, modeling coaching skills, and conducting cultural analyses to serve as preventive conflict strategies. An outcome in the findings revealed an ombudsman's role is distinct from HR managers as ombudsmen maintain a neutral stance and maintain their independence.

Presentation of the Findings

The overarching research question for this study was this: What are the strategies that ombudsmen and HR managers use in mitigating conflict in the workplace? These are the findings that emerged after transcribing the interviews and analyzing the responses of participants with the aid of NVivo data analysis software as well as comparing and analyzing the position description documents. Six themes emerged from the collected data. These themes revealed common trends, patterns, personal views, and experiences of participants. The findings of this study showed types of conflicts arising in the workplace, conditions that led to interventions, competencies required to mitigate conflict, as well as recommendations to improve conflict mitigation. Further, the findings showed types of conflicts managers and ombudsmen were able to resolve and

not resolve. The findings also showed types of strategies used, impact and influence of organizational influence on the work of an ombudsman, and the benefits of an ombudsman to an organization. In researching the strategies that managers and ombudsmen take, some discussions revealed that there are certain types of incidents that ombudsmen and HR managers would not address. These incidents include legal issues and complaints withdrawn from consideration. I organized the data using the qualitative data analysis software NVivo.

Similarities and differences in the data analysis addressed the research question. The emergent themes supported by participant quotes from the interviews are listed below. The information in the following section also includes extracts from the interviews, discussion of conceptual framework, and a comparison of the existing body of literature. I reviewed the literature after the proposal and updated the literature review to include more recent literature.

Themes Developed From the Groups

I developed the themes based on the interviews from ombudsmen and HR groupings, and by comparing and analyzing the position description documents. Participants met the 1-year minimum experience in their position. Eight ombudsmen, a representative of ombudsmen, and nine HR managers participated.

Theme 1: Neutrality. The topic of *neutrality* is a theme that emerged from the data. Neutrality is essential for the work of ombudsmen as it demonstrates an avoidance of bias. Bias is a hindrance to the resolution of conflict and does not allow an ombudsman to render fair suggestions. Participant O1JB stated "the ombudsman role …

is built around some very important foundations, principles that we operate under, such as impartiality, confidentiality, independence, and informality." According to another participant, "Sometimes having that neutral, outside person hear both sides and then try to approach the conflict in a way what I call energy, a win-win" (Participant HR4DB). Participant O3JZ and O4KC provided input that the job of an ombudsman is to provide neutral conflict management. Further examination of the importance of neutrality revealed the contrast between HR managers and ombudsmen in the methods each used to encourage the visitor's willingness to speak with the ombudsman.

Based on the different methods ombudsmen and HR managers used in mitigating conflict, neutrality helped the visitor decide to meet with the ombudsman as opposed to HR managers. Participant HR9ELJ emphasized the role of an ombudsman as a neutral third party over HR.

> HR managers wear a lot of different hats and sometimes it is a
> mental reach for people to see HR managers as someone who is
> there to help and not just to enforce a rule—it will feel less of a
> grievance if there is a neutral third-party involved whose sole job
> is to resolve conflict. (Participant HR9ELJ)

Unlike HR managers, the ombudsman is not obligated to answer to a corporation; therefore, an ombudsman is not hindered in representing the visitor. On the other hand, an HR manager's role is paradoxical; they represent the organization and employees (Circerali & Cicerali, 2016) and are not neutral. In some instances HR managers may side with a corporation in contrast to an ombudsman who would not (Circerali &

Cicerali, 2016). Based on this difference in roles of neutrality, the employee is more amenable to meeting with an ombudsman.

The ombudsman has standards of practice, which emphasize neutrality. For example, Participant O8MR stated, "By standards of practice we are confidential, neutral, informal, and independent." Participant O4KC said that "an organization benefits from an ombudsman service because they have somebody who's neutral, impartial who can hear bad stuff from people who are afraid to talk to anybody else." An organization with an ombudsman has an objective party with whom the organization and employees can meet for resolutions of conflict.

A major contribution of neutrality is objectivity. Participant HR1BB stated, "You need someone who is not serving their best interest; you need someone who can be objective."   Another participant said

> Objectivity is important in how ombuds assess situations and a third-party can assess the situation and provide feedback that could help lower anxiety or tension because both sides would know that the person making the decision doesn't have an agenda either way as far as how it works out. (Participant HR3JT)

Some participants alluded to objectivity through the terms of a *third party*:

- "A nonbiased third-party opinion could be helpful to organizations based on the fact that it's always helpful to have an outside opinion" (Participant HR5DLB).

- "The third-party is able to look at both sides in a more neutral way" (Participant HR7CW).

Not all participants agreed that ombudsmen are a neutral party. One HR manager

(Participant HR1BB) did not agree an ombudsman is a neutral party based on past

experiences. For example, Participant HR1BB stated, "I felt that the representative spoke

for the employee . . . I did not have a good experience." Participant HR1BB's comment

was an exception regarding partiality, but also included an emotional reaction. No other

HR participants offered negative summations of the ombudsman's role. However, the

ombudsman's neutrality is not only an asset to employees but is also a means of reducing

HR managers' task at hand (Schenck & Zinsser, 2014).

Participant O7WJ noted "an ombudsman is a neutral mediator within an

organization." Another participant had similar opinions. For example, Participant

HR7CW felt the neutrality of an ombudsman influenced people to be more inclined to

compromise. Participant O2SB provided a position document from his workplace

entitled *Is Something Troubling You? "No—the ombuds does not take sides."* This

position document contained information that elaborated on the role of an ombudsman

emphasizing the theme *neutrality*. Included was guidance that "The ombuds must

consider the rights and interests of all parties involved in a dispute, with the aim of

achieving a fair and civil outcome." The substance of this advice is that all parties have

rights and interests, which reinforce neutrality. The position document contained

information that the role of the ombudsman removes the obligation to report to any other

administrative office of the firm.

The theme of neutrality relates to the conceptual framework of CSP in regard to

the firms' responsibility to employees and stakeholders. Neutrality relates directly to

CSP by ensuring managers are working together to support a nonbiased relationship with employees and stakeholders. Working together ensures the organization is socially responsible. Neutrality further relates to CSP by supporting and assuming an interest in employees and the community at large. According to Carroll (1999), corporations apply social responsibility when considering the needs and interests of others who are affected by the organizations' actions. Organizations are socially responsible to all stakeholders, including the community (Arnauld & Wasieleski, 2012; Wartick & Cochran, 1985). The ombudsman remains open during the course of the investigation while gathering information to understand the history and interests of the party (Moore, 2016). A socially responsible corporation is characterized by its organizational culture and considers the actions and decisions based on the social system, thus reinforcing the motivation to work toward reaching common goals and purpose (Erkutlu, 2012; Melo, 2012). The organizational culture includes the shared values, vision, mission statement, policies, and traditions of the corporation. The cultural atmosphere of the corporation could determine the CSP of that corporation. The basic components of CSP are social, environmental, and governance performance. Thus, socially responsible corporations are transparent, support equal opportunity, and exhibit socially responsible behavior (Arnaud & Wasieleski, 2012; Carroll, 1999).

HR managers and ombudsmen shared the theme of neutrality. Fifteen out of 18 participants identified neutrality as a principle quality for the ombudsman's effectiveness to resolve conflict. While the larger role of the ombudsman is to resolve conflict (Palmer, 2013), within that requirement an ombudsman must maintain a neutral stance

(Ulrich, 2013). By maintaining neutrality, ombudsmen protect themselves from perceived bias and can maintain the reputation of advocating for fair and equitable procedures on behalf of all parties.

Theme 2: Trust. *Trust* is another theme that emerged from the data. Several participants claimed trust could be the defining factor in reaching an amicable resolution. Participant O8MR believed the first characteristic of an ombudsman is that other people trust them: "It's easy enough to say you would like somebody who has a degree in conflict management, but the first characteristic of an ombudsman is that other people rightfully trust them" (Participant O8MR). Similarly, Participant O6HG agreed establishing trust is the first condition for the visitor who comes to talk to the ombudsman and the people to whom the ombudsman may need to speak.

> Whatever it may be—so establishing trust is the first kind of thing, both for the people who come to you to talk about a problem situation and the people to whom you may have to talk to who are seen as problems in a situation. (Participant O6HG)

Other participants echoed the importance of trust. Participant O9CH and participant HR9ELJ further stressed that an ombudsman has to be someone whom people trust:

- "You have to be somebody whom people will trust" (Participant O9CH).
- "I think they need to be trusted by those individuals to resolve the conflict" (Participant HR9ELJ).

Participant HR2DC suggested gaining the trust of people as an important competency. The benefit of trusting relationships is manifested in the literature on ombudsmen roles and practices. Bobaru (2015) offered support about the significance of trust in discussing European ombudsmen actions against the European Union. Trust is essential to help visitors reach an amicable resolution.

Applying a humanistic approach to managing a work environment could impel managers and employees to support socially responsible solutions for the stakeholders within the firm as well as in society (Arnaud & Wasieleski, 2014). A policy document submitted by Participant O8MR entitled *Identifying and Communicating the Usefulness of Organizational Ombuds with Ideas about OO Effectiveness and Cost-Effectiveness* also has the theme of trust. The policy document includes the following: "The OO who delivers respect, listens with great skill, and is considered likable and trustworthy by all may be a superstar in cross-cultural communications and conflict." The trustworthiness of an ombudsman could be the type of individual a visitor is willing to confide in. An ombudsman exhibiting the skill of trustworthiness is exhibiting socially responsible behavior.

The theme trust relates to the conceptual framework of this study. CSP addresses corporate social responsibility, social issues, and corporate responsiveness (Melo, 2012; Wartick & Cochran, 1985). The public expects trustworthiness of organizations within their community. If the organization exhibits trust, the employees and the community benefit. If the ombudsman succeeds in obtaining trust from the visitor, this trust could extend to the community and cause the organization to respond in a socially responsible

manner. Trust is one of the distinguishing factors of an ombudsman. The theme trust

aligns with the traditional and more recent literature. For example, Moore (2016) stated

that it is the ombudsman's objective to establish a degree of comfort and trust with the

visitor. Once trust is established, the parties involved could reach some type of mutually

satisfying resolution. According to Participant O2SB, "Critical also is trusting the

ombuds." Data collected from participants reinforced the importance of trust to assisting

ombudsmen to promote communication and resolve visitor problems.

Theme 3: Interactive coaching competencies. A theme of *interactive coaching*

competencies emerged from the data. These included several competencies related to an

ongoing coaching process to mitigate conflict. Other participants utilized interactive

strategies to get the visitor to open up and speak freely. For example, "respect, listening

carefully, asking many questions, and encouraging and including the visitor" are

strategies Participant O5LW used. This is another method related to coaching

competencies.

When asked what competencies are needed to mitigate conflicts, 10 out of 18

participants named listening as a required competency. Tingle (2016) listed listening as

one of 5 areas with the most latitude for improvement in complaint handling in a general

medical practice, supporting the prominence for this theme. Listening is also listed as

one of the functions of an ombudsman in the International Ombudsman's Association

Standards of Practice ("IOA Standards of Practice," 2012).

Various participants identified the importance of *listening skills* in conflict

mitigation. Both HR managers and ombudsmen expressed the importance of "good

listening skills" as a key element in conflict resolution. Listening skills are essential to gain trust and understanding with the parties involved.

Participant O1JB noted,

"The ombudsman needs to be an open and fair-minded listener so that they can equally dwell credibly to all sides of the issue."

Participant O1JB further stated,

"We do a lot of listening and identifying what the issues are and understanding what the problem is."

"Participant O2SB mentioned the importance of being a good listener" and Participant O3JZ stated that "a primary tool of an organizational ombudsman is listening."

Listening is a skill the majority of participants agreed upon as a requirement in conflict mitigation.

The importance of listening skills was evident also in responses by HR managers. Participants HR2DC, HR8MRJ, and HR4DB considered listening skills as the primary competency for conflict resolution. The ability to listen to points of agreement as a starting point to help resolve the differences is an important competency (Participant HR8MRJ). Listening is an important art. Five out of 9 HR managers and 5 out of 8 ombudsmen, and 1 ombudsman representative identified listening skills as an essential skill in conflict mitigation.

In the position description documentation related to listening skills, Participant O8MR submitted a document on the importance of listening to a complainant. The

document is entitled *Options and Choice for Conflict Resolution in the Workplace*, and it supported the theme of listening as one of the necessary skills for an effective complaint resolution. Literature supporting listening skills was limited. However, Chu (2014) suggested listening to employees and empathizing with them could improve the workplace and lessen a toxic environment. Chu further believed employees feel empowered when they have the attention of their managers. In essence, individuals tasked with the purpose of mitigation conflicts should be skilled in listening.

Listening skills relates to CSP, the conceptual framework of this study, as CSP involves the ability to communicate with stakeholders within and without the organization (Melo, 2012; Wartick & Cochran, 1985). Listening may cause the organizational managers to exhibit socially responsible behavior in the ombudsman's sharing the outcome of the resolution of the conflict. The ability to listen to all parties reinforces the concept that disparate opinions matter and demonstrates organizational care and responsibility to employees, stakeholders, and community.

The ombudsman displays various interactive competencies in resolving conflict, such as individual coaching, shuttle diplomacy, and facilitation and mediation (Moore, 2016). Individual coaching involves the ombuds spending time with an employee who brings an issue and discusses privately with the ombuds options for dealing with the issue. Participant O6HG spoke of visitors who only wanted to be given coaching about how to handle a situation on their own.

Shuttle diplomacy is an interactive coaching competency that involves the ombuds going back and forth between parties and negotiating options without actually bringing the parties together:

- "We sometimes do what we call shuttle diplomacy where we go back and forth between parties or between someone in the other firm or the organization" (Participant O1JB).

- "We also conduct group work with teams or departments that can be a group intervention. It could be a staff retreat or other types of interventions at the team level" (Participant O1JB).

In *coaching,* the ombudsman

Encourages the building of skills for all individuals in an organization so that they can better collaborate and better navigate some of the differences that causes problems so that they are less reliant to handle those difficult conversations and issues that create conflict. The ombudsman helps people move from the opening position forward. (Participant O1JB)

The ombudsman (a) provides a safe place for the visitors, (b) provides information, and (c) is actively involved in the situation as a mediator or arbitrator. According to Participant O2SB, the ombudsman provides

A range of information of facts and figures and advice that move toward either the person solving the problem moving forward themselves, using those resources or using the ombuds to interface with those resources and with them is providing a safer place to talk about things. The ombuds provide information, including how

one goes about solving a problem and what's in place in the law firm to solve

issues or raise issues. The ombuds mediates and becomes part of the attempted

solution process.

Other participants made similar observations:

- "The ombuds is responsible to bring the problem to the attention of an

    organizational leader" (Participant O6HG).

- "The ombuds help managers and employees understand the organization's

    conflict management system, its options and resources" (Participant O8MR).

Facilitation and mediation is an interactive coaching competency that involves the

ombudsman bringing all parties together to reach a solution mutually acceptable (Moore,

2016). For example, Participant O1JB mentioned the ombuds meeting with the

individual visitor and conducting mediation with that individual. These options are not

instituted without the consent of the visitor. The ombudsman also offers advice for fair

and impartially executed processes for the benefit of individuals, organizations, and

employees (Roberts & Chambers, 2014). Role differentiation distinguishes the work

between HR in conflict mitigation and how ombudsmen perform their function.

Theme 4: Contrasting roles. The theme *contrasting roles* emerged from the data

analysis. One of the most notable differences between the ombudsman and HR managers

is the ability of the ombudsman to maintain a stance of neutrality. Neutrality is one of the

rules for standards of practice for ombudsmen ("IOA Standards of Practice," 2012).

However, HR managers may be seen as loyal to the organization and committed to

protect the integrity of the organization (LaMontagne, 2016).

Another difference of the ombudsman and HR managers is the ombudsman's commitment to confidentiality. The ombudsman maintains no records that might identify the visitor (Patterson, 2012). In contrast, Participant HR7CW stated it was important for HR managers to document communication with the employees. Documenting communication between employees and HR managers is a manner of keeping records for HR managers and the employee (HR7CW). Participant HR7CW mentioned the documentation could be used for future evaluations. HR managers retain documentation for the purpose of evaluations and maintaining employee records. To the contrary, the ombudsman maintains no records, as the ombudsman is interested in analyzing the information from the visitor to determine the reason for the conflict.

The ombudsman reduces the fear of retaliation that might occur with an HR intervention. The ombudsman is concerned that the parties offer fair treatment. The theme *contrasting roles* supports the traditional and more recent literature. Circerali and Cicerali (2016) noted HR managers are not neutral and could side with the corporation. According to Hollis (2016) HR managers serve and protect the institution, not the individual employee. For example, Barkat (2015) opined an ombudsman raises concerns without fear of retaliation and with an understanding the parties receive fair treatment and that their concerns will be addressed impartially and honestly. Further, Gadlin (2012) stated the ombudsman offers a visitor the opportunity to be heard and receive fair treatment, while LaMontagne (2016) commented that HR managers are loyal to the organization. These HR managers felt their commitment to protect the integrity of the organization would also benefit the employees and also stated that her obligation was to

take care of the organization and its interest and to protect it from harm and liability whenever possible (LaMontagne, 2016).

The theme *contrasting roles* relates to the conceptual framework in the sense that organizations support the interest of many of their stakeholders. These organizations are socially responsible and strive to offer equal rights and resolution of complaints. The values and ethics of the organization strengthen CSP. CSP connects a company's responsibilities to stakeholders (Agudo-Valiente et al., 2015). The responses of HR participants and ombudsmen correlate to the support of a positive and healthy work environment.

Theme 5: Preventive conflict mitigation strategies. The theme *preventive conflict mitigation strategies* emerged from the data analysis. The participants use preventive mitigation strategies as well as interactive strategies. While interactive strategies are applied in the midst of conflict, prevention strategies are those that are preemptive. For example, participant HR8MRJ stated

Some preventive methods used are training both managers and employees to deal with conflict and recognize when situations may be brewing into full fledge conflict and what they can do. Another method is offering Myers Briggs training so people can understand their style of managing, relating to people, communicating with people and how to recognize the communication style of others. (Participant HR8MRJ)

Training in conflict resolution is a requirement suggested by many of the HR managers as a preventive measure.

Participants believed there is a need to raise awareness of the conflicts arising between managers and employees. For example, Participant HR1BB said, "We should use training for employees and managers to stop things from happening to raise awareness." Another participant mentioned a preventive method, "We teach understanding values (shared values)—de-escalating the situation and being decisive" (Participant HR8MRJ). Some participants emphasized training of managers and staff (Participant HR7CW; Participant HR3JT; and Participant HR6DH). Training managers and staff in conflict resolution could lessen the number of complaints. The training could serve as a preventive measure. Participation of the staff is an interactive strategy useful to the staff as well as the organization.

The theme *preventive conflict mitigation strategies* supports the literature on CSP based on the ombudsman's respecting the values of society and the public good of whomever they represent. Further, Kirkham 2016 opined the ombudsman urged service providers to take customer service more seriously as the ombudsman offers service to the visitor and organization. Customer service familiarized employees with the need for a service oriented workplace. A service oriented workplace is preventive and serves to support the customs and policy of the organization. Further, it supports the conceptual framework of this study. The ombudsmen in Kirkham were proving their legitimacy and ensuring the government and the public that they were there to ensure improvement of public service (Kirkham, 2016). Organizational managers are influenced by the internal values and beliefs of the organization. These influences could lead to strong relationships

between managers and stakeholders as well as inspire managers to be socially responsible (Melo, 2012).

Theme 6: Systemic and cultural analysis. The theme of *systemic and cultural analysis* emerged from the data. Ombudsmen determine the factors that might cause issues to reoccur. Of concern is "HR managers put into their work 20% to 40% of their time managing conflicts" (Participant O1JB). Attempts to identify systemic causes of conflict might have a long-term effect in reducing time spent by others in resolving conflict (Participant O1JB). The ombudsmen could reduce the amount of time HR and ombudsmen put into their work (Participant O1JB). Participant O1JB supported the concept that an internal examination of events might lead to insights on how problems develop:

> An organizational cultural critical self-analysis and that essentially is where we take a look at the cases or issues that come to us and we do a root cause of analysis of what the underlying policies or practices or systems or structures are that also contribute to the problem.

Participant O1JB also stated,

> Throughout the year the ombudsman would meet with managers of different areas and bring to their attention what some of the systemic issues are and would sometimes serve on committees or groups that are looking at those issues as well. (Participant O1JB)

The cultural critical self-analysis is part of the systemic issues involving the ombudsman managing conflict resolution. Participants believed a lack of knowledge of

the culture of the organization is a leading cause of conflict. Dhiman (2012) supported

the belief that a leading cause of conflict is a lack of knowledge of the culture.

Organizational culture involves the values of the organization (Dhiman, 2012).

Organizational culture also involves systematic change that is measured, monitored, and

evaluated (Dhiman, 2012). One participant stated "culture is really critical when it comes

to conflict mitigation" (Participant HR5DLB). The participant further stated

> Knowledge of the organization's culture serves to strengthen the relationships and
>
> good will of the employer and employees. In a strength-based culture, we've
>
> given everyone who works here a common language and also an understanding of
>
> how individuals get things done on a daily basis. (Participant HR5DLB)

Employees and managers adapt to the culture of the organization. The managers set the

tone for presenting the culture of the organization.

> "I feel it would be useful to managers whether they are voted up or hired from
>
> without the organization and then letting them know this is the culture we have at
>
> this company" (Participant HR3JT).

Other participants expressed similar sentiments.

> "You need to know what the culture of the organization is what might happen to
>
> people if they went to HR or compliance, or their supervisor" (Participant
>
> O9CH).

> "The ombudsman has the responsibility to become aware of aspects of the
>
> organizational culture" (Participant O6HG).

Knowing the culture of the organization makes it less difficult for managers and ombudsmen to function in an organization. Corporations that are socially responsible are characterized by a socially responsible cultural atmosphere (Melo, 2012). This type of atmosphere reinforces the motivation to participate and work toward reaching common goals and common purpose (Erkutlu, 2012). The ombudsman desires accountability, fosters transparency, and responsible culture (Hesling, 2012). The culture of accountability entails accountability of an organization in all forms (Dhiman, 2012).

Corporations with a high degree of concern for culture ensure the values and beliefs of the firm guides the motives of the employees. Based on the culture of the organization the employees are more cognizant of the needs of the stakeholders (Agudo-Valient et al., 2015; Wang & Berens, 2015). Corporations with a positive culture have a positive effect on the leaders in the corporation. As a result of the positive nature of the culture of the organization, the leaders and subordinates are more likely to perform at a higher standard (Arnaud & Wasieleski, 2014; Melo, 2012). The ombudsman's actions and ethical concerns influence the culture of a corporation. The ombudsman is an agent of cultural change (Joyce, 2014; Schenck & Zinsser, 2014). The organizational culture supports the conceptual framework of this study based on the components of the various cultures. The stakeholder culture is an important culture (Fowlie & LaHatte, 2012). Knowing and understanding the culture of the stakeholders allows the organization opportunity to effectively support CSP. The culture of accountability holds the organization to a level of responsibility to all stakeholders, thus reinforcing CSP.

Further, well-managed conflicts could provide an opportunity to change the organization's culture (Dhiman, 2012).

Applications to Professional Practice

The findings for this study could be essential for positive outcomes in professional business practices. Based on the findings for this study, business leaders could apply the findings to aid managers and leaders in gaining a better understanding of how ombudsmen and HR managers apply strategies to reduce and address workplace conflict. By applying the strategies and methods used by ombuds, HR managers and leaders could improve productivity, communication, and the well-being of subordinates and the company as a whole.

One of the main strategies used by the participants in conflict resolution was obtaining trust by listening to the visitor or employee who had concerns. Building trust allowed the visitor or employee transparency (the freedom to be honest and open in reference to resolving the conflict). Once the bridge of trust was established, resolving the conflict was much more expedient. A visitor or employee who has a leader or manager who listens to their concerns is a much more productive employee (Chu, 2014; Onorato, 2013). Once the leader or manager recognizes the importance of transparency, the employee has a stronger chance of resolving the conflict amicably.

The benefits to the organization of listening to the employees are happier employees, which increases productivity and profits (Cleary et al., 2013). When employees or visitors are heard, a less toxic environment exists (Chu, 2014). The employees or visitors feel better about themselves and the organization. By listening, all

parties are afforded the opportunity to identify and understand the issues. These strategies create a more socially responsible organization as well as a more productive organization.

Implications for Social Change

Toxicity in the workplace is a concern of stakeholders within their organization. Research revealed 60% of persons polled in a study in the United States higher education experienced bullying behavior (Hollis, 2016). Further, the study showed approximately one-third of participants were disappointed in their efforts to seek aid from HR managers (Hollis, 2016). The findings from the study support the conceptual framework that guided this study. Further, the findings corroborate Carroll's (1999) stakeholder theory and business ethics theory. Carroll's stakeholder and business ethics theory is an alternative concept to define corporate social responsiveness, which subscribes to the idea that corporations have an obligation to constituent groups in society besides stockholders. Carroll further subscribes to the idea that corporations should be socially supportive. For example, corporations should support society with contributions of money, time, and talent (Carroll, 1999). The findings of the study show that the employers are bound by their responsibility to stakeholders and society to ensure a positive workforce. This positive workforce (non-toxic) could create an atmosphere that motivates employees to be productive in all aspects in the workplace, such as morale and a better understanding of the job requirements. Based on Carroll's propositions, corporations have a role of responsibility to society (Carroll, 1999). The findings also show the need for managers and ombudsmen's positive connection to society based on the ombudsmen and managers' care and concern for the employees and stakeholders. This responsibility to interact and

care includes employees, the community at large and economic shareholders (Agudo-Valiente et al., 2015).

The findings from the study support the philosophy of CSP, which integrates responsibility responsiveness, and social issues, and allows an analysis of both business and society (Melo, 2012; Wartick & Cochran, 1985). It is the responsibility of corporations to create a nontoxic environment in the workplace for all employees (Carden & Boyd, 2013; Wei & Si, 2013). A nontoxic environment creates an atmosphere that drives strong relationships and cultural values with the stakeholders (Melo, 2012).

Society may benefit as the work of ombudsmen indirectly leads to cultural change within organizations that increase security and fairness in organizational workplaces. Another implication for social change is an increase in training of managers and leaders in conflict mitigation. This training could create the establishment of a cooperative work environment. The findings may create a better understanding of how organizations might develop socially responsible cultures. The findings may also cause a reformation of an organization and an increase in the body of knowledge involving conflict mitigation.

Recommendations for Action

My objective for this qualitative exploratory case study was to explore the strategies used by ombudsmen and HR managers in conflict mitigation. This study may provide information to enhance the workplace environment and equip a corporation with tools and resources in successful conflict mitigation. Further, I wanted to introduce businesses to the work of ombudsmen and their skills in conflict mitigation as well as the strategies used by HR managers. Managers of corporations are encouraged to take note

of results of this study to ensure they are aware of strategies used by HR managers and ombudsmen in the workplace. These corporate managers might implement these strategies in their work environment.

Managers could be trained in conflict mitigation. Portions from the study could be used in workshops and training seminars to enhance the quality of training of these managers. This training could enable the managers in understanding the employees and the importance of building a positive relationship with their subordinates. The subordinates could gain a better understanding of their managers. I further suggest corporations who do not employ an ombudsman on staff consider retaining an ombudsman for their cost-effectiveness, skills in conflict resolution, neutrality, independence, which may lead to an increase in productivity of employees. Corporations with an ombudsman have the service of someone who could be considered trustworthy to the employer and employees. Conflicts could be readily resolved, thus saving time and money for the corporation. I believe the value of this study could benefit managers and the organization at large.

Recommendations for Further Study

One recommendation for future research is to increase the sample size. Another recommendation for future research is that the researchers isolate one specific geographical area for study. Further, I recommend interviewing HR managers with more experience working with ombudsmen. HR managers experienced in working with ombudsmen are better qualified participants in that they might be more familiar with an ombudsman's work and could add more sustenance to the research.

Reflections

Having worked for 46 years in various capacities as a legal secretary, paralegal, and an office manager, I have experienced toxic behavior. I have a special interest in conflict mitigation and the role of an ombudsman. Prior to beginning my research, I believed an ombudsmen's sole purpose was to represent and advocate on behalf of the staff. However, my displaced belief did not affect the study results. Early into the research, I discovered the authentic role of an ombudsman. The authentic role of an ombudsman is to seek informal resolutions to conflicts as a neutral party. As the researcher, I relied wholly on the data to supply the answer to the research question and tried to be unbiased and not adhere to my preconceived ideas.

I experienced difficulty obtaining the required number of participants from law firms. However, I was able to include HR managers from other disciplines who were delighted to participate in the study. I discovered a general difference in the responses of Black and Caucasian HR participants. Some Caucasian HR participants were more inclined to be company-oriented, while some Black HR participants were more empathic toward employees. Despite these differences, the HR participants listened to all parties involved, evaluated the issues and made a decision. The ombudsmen participants were extremely happy to participate and suggested the names of other possible participants.

I remained neutral during the study. I focused on the interviews ensuring that the participants were comfortable and at ease. I learned from this study the importance of listening skills in conflict mitigation. I further learned that many conflicts might end in the early stage by listening.

Summary and Study Conclusions

In this study, I explored the strategies used by ombudsmen and HR managers in mitigating conflict. Six themes emerged from this study that offered insight and enrichment to the strategies used by the participants. The two strategies that were at the forefront for me were trust and listening skills. When a person is heard, that person feels better about themselves and is a better employee. Managers trained in listening skills could lead to having subordinates more willing to engage in work. In addition, study findings supported my understanding of how corporations are expected to be socially responsible. Corporations exhibiting social responsibility reinforce the employees' motivation to work toward reaching common goals and common purpose.

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Appendix A: Interview Protocol

The purpose of this qualitative exploratory case study is to identify the strategies that ombudsmen and HR managers use to address conflict. Participation in the study is voluntary and there is no compensation for participating in this research study. Possible benefits to the larger community may be a reformation of the organization and an increase in the body of knowledge involving conflict mitigation. Managers may be empowered to make better decisions and may contribute to positive social change emulating how conflict mitigation improves work environments. Society may benefit as the work of ombudsmen indirectly leads to cultural change within organizations that increase security and fairness in organizational workplaces. The interview will be recorded and will last approximately 1 hour. You may withdraw from the study at will. You will be identified by numbers and codes and your identity will not be revealed. Any information provided during this research study will be kept confidential. I will ask 9 open-ended questions. You have the right to refuse to answer questions. Once I have transcribed the interview I will email to you a copy for your correction and approval. Thank you for your willingness to participate in this study. If there are no questions, we will begin.