

State ombudsman wants clarification of jurisdiction

By Gordon Johnson

If NU does not concede that the state ombudsman has the right to investigate university administrative acts, Ombudsman Murrell McNeil said he "will advise interested legislators so that they can take action in the forth coming session," to help resolve the matter.

McNeil asked Nu President Ronald Roskens, in a letter dated Nov. 13, whether Roskens feels the ombudsman's office has authority to investigate such matters.

The issue was brought up when black custodian Girlean Woods was fired. She felt she was discriminated against and took the matter to State Sen. Ernest Chambers, of Omaha, who took the matter to the state ombudsman.

After John Dzerk, operational manager of the physical plant at UNL met with Hasan Muhamad an attorney from the ombudsman's office, other university employees were instructed not to talk by NU Attorney Richard Wood.

In order to ensure the ability of the ombudsman's office to investigate the discrimination charges, McNeil issued seven subpoenas to university officials.

However, Wood said the state did not have the authority to investigate the charges.

The subpoenas ordered the employees to go to the capitol on Nov. 2.

Meanwhile, the university investigated the charges of discrimination and found that Woods was fired for breaking rules and

not because of her race. The university decided to reinstate Woods because the rule infractions were small, but she refused the position since they also decided to put her on three months probation.

After the university investigation was completed, Wood indicated to McNeil that the university would cooperate in the ombudsman's investigation.

McNeil said that even though the university ultimately cooperated in this instance, he wants to clear the road for future investigations.

The ombudsman's office has investigated matters at both UNO and the NU Medical Center and has received nothing but cooperation, McNeil said.

The university's delay concerning who has authority to investigate the matter has cost the state needless delay and expense, McNeil said.

"I can assure you that this office has neither the time nor the desire to supplant the internal grievance handling mechanisms made available by the university, or by any other agency of state government," McNeil said.

Two questions need to be answered, McNeil said in his letter to Roskens. They are:

Does the ombudsman's office have the right to investigate administrative acts and if not, what is the reasoning behind the university's stand?

McNeil asked that Roskens respond to the letter by Dec. 10.

Roskens and Wood were unavailable for comment Thursday.

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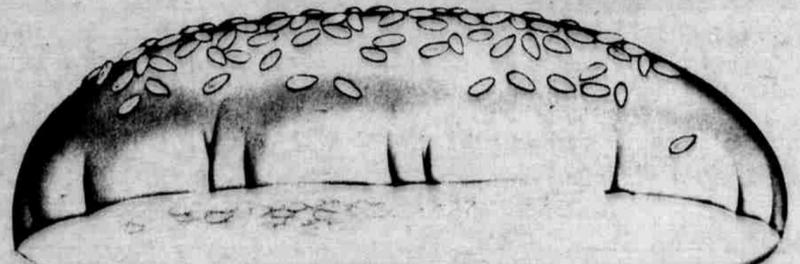
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