



# COALITION OF FEDERAL OMBUDSMAN

## MEETING MINUTES

**Meeting Date/Time:** May 14, 2014, 1:30pm – 3:00pm

**Location:** Environmental Protection Agency (EPA), William Jefferson Clinton Building North, Conference Room 6013

### **Agenda/Topics at a Glance:**

1. Interagency ombudsman collaboration
2. CoFO engagement and outreach
3. Ombuds Value Project
4. 2014 Annual Meeting Committee
5. Anti-Bullying Policy
6. USOA Conference
7. CoFO Membership List and Listserv

Mr. Deyo opened the meeting with a welcome to all members and a thanks to the outgoing COFO executive committee members. He reflected on the contributions of the participants from the 2013 annual meeting, particularly regarding the round-table discussions. Those results (attached) have already been informative and will help focus the new COFO leadership team and members on future discussion topics, initiatives, and future actions.

Before summarizing the discussion topics, the COFO Executive Committee would like to thank Peggy Matthews, who announced her retirement, for her tireless dedication and service to the federal Ombudsman community.

### **Discussion Topics:**

#### **1. How can we improve interagency collaboration among ombudsman offices?**

Suggestions included:

- Expand CoFO's web presence, such as adding features to the current website, establish a presence on LinkedIn, or utilize other social media;
- Use the Office of Management and Budget website (MAX OMB, <https://max.omb.gov/>) or other venues to exchange ideas and share helpful information, such as relevant documents, policies, best practices, etc.
- Compile sample cases from CoFO members that could be instructive for the federal ombudsman community and provide materials or subject matter experts in key areas of expertise for both internal and external ombuds;
- Support new ombuds through shadowing, mentoring, or rotation program with experienced ombuds;

- Sponsor interns/students
- Develop research agenda and support multi-agency projects

**2. How would you propose to increase engagement and outreach by CoFO?**

CoFO should communicate with and educate current and potential stakeholders of the ombudsman profession. Suggestions included outreach to oversight entities, academic institutions with ADR programs; IADRWG; the GC community; EEOC; HR community; ABA, etc. For external ombuds outreach to the general public is particularly important, explaining their role and services available. Opportunities to engage with the press on the ombudsman role should also be considered.

**3. Ombuds Value Project.** At the 2013 Annual meeting many members expressed interest in CoFO communicating the positive value in our collective work. What information can you share to help communicate our story? What are the best ways to share what we do, how we do it, and its impact?

Some options included:

- Share interesting articles
- Share annual reports and metrics
- Develop and share measures available to quantify value of ombuds programs
- Develop and share “your one shining example” that communicates our impact

**4. 2014 Annual Meeting Committee.** Those who would like to volunteer in planning/organizing the 2014 annual in-person meeting should contact Scott Deyo ([Scott.M.Deyo@nga.mil](mailto:Scott.M.Deyo@nga.mil)) by the first week of June.

**5. Anti-Bullying Policy.** CoFO members would be interested in learning about any non-EEO related anti-bullying policies or violence prevention in general. If you have one or are aware of others, please send a copy to Scott Deyo ([Scott.M.Deyo@nga.mil](mailto:Scott.M.Deyo@nga.mil)) or any other member of the executive committee.

**6. Upcoming United States Ombudsman Association (USOA) Conference**

Dale Shaw is the chair for USOA’s conference scheduled for the week of October 13. He would welcome input from members regarding 1) whether you are planning on attending, and if so, 2) training or workshops that would be helpful to include for federal ombuds. If you have any suggestions, please email [Dale.Shaw@uspto.gov](mailto:Dale.Shaw@uspto.gov).

## 7. CoFO Membership List and Listserv

There are 265 people signed up for the listserv, which is great. However, during last year's membership drive, only 72 people responded to be listed as [CoFO members](#). We believe there are over 50 practicing federal ombuds who are not listed as members. CoFO would like to have a complete list and will refrain from publishing contact information upon request. If you are an ombudsman in a federal agency and practice according to COFO standards (independent, neutral and impartial, and confidential), please contact Guy Weber ([Guy.J.Weber@nga.mil](mailto:Guy.J.Weber@nga.mil)) to be added to the membership list.

### Attendees:

#### *In Person*

Scott M. Deyo, Department of Defense, National Geospatial-Intelligence Agency  
William J. Maurer, Department of Energy  
Noreen Kinnavy, International Broadcasting Bureau, Voice of America, and Office of Cuba Broadcasting  
Andrea Brown, Department of State  
Tangita Daramola, Department of Health and Human Services, Centers for Medicare & Medicaid Services  
Joanne Dea, Environmental Protection Agency

#### *Phone*

Emily Albertson, Federal Reserve Board  
Virginia Behr, Department of Health and Human Services, Food and Drug Administration  
Mollie Berg, Department of Defense, National Geospatial-Intelligence Agency  
Brian Bloch, Department of the Interior, Special Trustee for American Indians  
Monique Bookstein, Department of Justice, Federal Bureau of Investigation  
David Buckles, Department of Health and Human Services, Food and Drug Administration  
Albert Conerly, Department of Health and Human Services, Food and Drug Administration  
Rená E. Cutlip-Mason, Department of Homeland Security, Citizenship and Immigration Services  
Robert Harris, Federal Deposit Insurance Corporation  
Yvonne Hinkson, Department of Justice, Federal Bureau of Prisons  
Wendy Kamenshine, Consumer Financial Protection Bureau  
Karen Leichtnam, D.C. Superior Court  
Shannon Lynch Walker, National Aerospace and Space Administration  
Katie Manderson, Department of State  
Peggy Matthews, Department of Housing and Urban Development  
Celeste Merrix, Department of Homeland Security, Federal Law Enforcement Training Center  
Heather Milner, Consumer Financial Protection Bureau  
Eric Raines, Federal Deposit Insurance Corporation  
Venita Robinson, National Aerospace and Space Administration  
Dale Shaw, U.S. Patent and Trademark Office  
Julie Smith, Department of State  
King Stablein, U.S. Nuclear Regulatory Commission  
Jeri Walker, National Credit Union Administration  
Guy Weber, Department of Defense, National Geospatial-Intelligence Agency

Minutes prepared by: Noreen Kinnavy / Andrea Brown



# COALITION OF FEDERAL OMBUDSMAN

*On September 30, 2013, the Coalition of Federal Ombudsman (CoFO) held its annual conference, which was hosted by the U.S. Patent and Trademark Office in Alexandria, Virginia.*

## ROUND TABLE DISCUSSIONS

Using an O.M.B.U.D.S. program evaluation model, participants reflected on challenges and opportunities for expanding and improving upon dispute resolution systems within the government, including the following topics:

- Opportunities** What opportunities are ripe for the profession?  
What are some common, cross-government issues?  
How can we coordinate and support each other?
- Measuring** How is success measured by you, visitors, executives?  
How do you communicate value?  
What should you do more of? Less of? Is it effective?  
What should you change?
- Barriers** What challenges have you faced this year? How did you deal with it?
- Uncertainties** What questions do you have? What do you need help with?
- Development** How can we grow as practitioners, offices, and as a profession?
- Strategies** As a Coalition, what should we be focusing on?  
What are the most important goals?  
What should we start, continue, and stop doing?

## RESULTS BY “O.M.B.U.D.S.” TOPIC

*The following captures the ideas shared in the round table discussions. These items can help COFO plan strategies and initiatives for 2014 and beyond.*

### Opportunities   Measuring   Barriers   Uncertainties   Development   Strategies

*What opportunities are ripe for the profession?  
What are some common, cross-government issues?  
How can we coordinate and support each other?*

- Members, collectively, need to focus more on interagency collaboration rather than focusing on one agency at a time; this will help foster more professional relationships, help us be more proactive, and help us identify and recognize larger trends.
- Increase engagement and outreach with alternative dispute resolution, legal, EEO, and other groups; think creatively and reach out to executives and administrators; what about outreach to Congress? Not lobbying, just informing; IADRWG did a report to the President...why can't we?
- Develop ways to attract and retain new talent (outreach to schools, internships)
- Create a career track, mentoring, and coaching
- We have an opportunity to normalize and make conflict healthy
- Federal ombuds is a growth industry, but requires somewhat of a culture shift
- Educate others on the role and process
- Use technology to educate; allow for anonymous reporting
- Use colleagues as a resource for feedback/dialogue (wealth of knowledge/experience)
- Implement peer and case consultations; more in-services
- New ombuds orientation
- When groups find that they are in need of an ombudsman office, ex. Sending personnel to conferences etc. for ideas

- Using colleagues as a resource for feedback and dialogue (wealth of knowledge and experiences)
- Become more proactive and get better at recognizing larger trends; focus should be on interagency coordination, not just focusing internally
- Educating others on the term “ombudsman”
- Independence, neutrality & informal resource – perhaps provide publications or a rotating column; marketing publicity within COFO
- Greater communication and sharing of important cases; generic case reports; share the most significant case each year; impact on agencies
- Relationship building: using an ombudsman to improve relationship post EEO case
- International Ombudsman Association training opportunities
- Issue of collateral duty
- Must have buy-in from organization
- More sharing of best practices
- Collect trends and patterns – affect decision making and identify risk
- Figure out how ombuds contribute to the strategic development of the agency it serves
- Advertise duties/objectives
- Need more actual ombuds within organizations – most at the tables also have ADR positions, do organizational work, but aren’t ombuds
- Opportunity for education about what ombuds does, relationship to ADR
- External ombuds (by statute) – dealing with external clients issues with agency
- Deals a lot with morale to get people to talk together to get things done
- Difficult to keep neutrality
- Opportunities in many agencies for this role
- Opportunity to be more consistent in term/title/role, which is thrown around a lot. There are many of us with the title and lucky to be doing actual ombuds work.

However, some are doing ombuds work without the title; some have the title and aren't doing anything that resembles ombuds work.

- Opportunities to adjust structures so ombuds report directly to agency heads
- Opportunities to strengthen role in addressing systemic issues and org climate
- Can you assess whether organizational are “ripe” and ready for an ombuds? Some leaders are unwilling to acknowledge organizational climate and systemic issues; some ombuds already exist within a resistant culture; how can an ombuds do their job when upper management doesn't want to know what is going on?
- Better use of technology to educate (blog); provide anonymous avenue to share concerns
- Have senior leaders communicate their perspective on the importance of the ombuds role to the organization
- Trend analysis – consolidation of cases and bringing these bigger issues up to management and senior leaders – congress
- Allowing people to recognize they aren't alone can be helpful
- Trend sharing amongst agencies/offices – issues, technology, policies
- How does an ombuds create confidence and trust in time of significant gov't mistrust?
- Understanding expectations
- Foster transparency
- Learn from the private sector

Opportunities **Measuring** Barriers Uncertainties Development Strategies

*How is success measured by you, visitors, executives? How do you communicate value? What should you do more of? Less of? Is it effective? What should you change?*

- Members generally agreed that measuring the value of an Ombudsman program is vital to its implementation and sustainability in an agency, but that it is inherently challenging to determine the most effective means of doing so
  - Are there metrics we can use to show our added value?
  - How do you measure a pattern?

- Ensure that metrics are also quantifiable which may help to communicate value to leadership
- Standardize metrics across the government, ie: IOA standards; reporting structure
  - Develop a methodology
  - Basis for best practices
- Possible methods of measuring: evaluations, surveys, focus groups, interviews; need to , find out who isn't using the office and why
- Annual reports - How to track data across time? Longitudinal data; consistency in data; measurement over time
- Maybe measures in time and cost savings (as compared to EEO, MSPB and other formal appeals processes)

Opportunities Measuring **Barriers** Uncertainties Development Strategies

*What challenges have you faced this year? How did you deal with it?*

- Management support and motivation to resolve non-EEO complaints
- Record keeping (how long to keep/when to destroy)
- Difficulty measuring value
  - Not being quantifiable (as compared to an EEO complaint)
  - The role is not directly (blatantly) central to the mission, but to break down this perception, must align self with mission to show how essential the ombudsman role is to the organization
    - Parallel with org and strategic plan – set goals early on
- Liability issues
- Careful not to put findings as conclusive (when offering an explanation)
- Fear of the media (bringing certain issues to light that may receive public scrutiny)
- Education – reassurance that an ombuds is confidential
- Challenges to ombuds confidentiality
- Perceptions about neutrality/independence from employees
- Whether to bring in an ombudsman from inside or outside:
  - Someone internal knows culture of organization, but may not be seen as neutral

- Someone external can maintain distance and neutrality but may be slow to understand org culture
- Appointing ombudsmen with the right skill sets for the job
- Demonstrating independence to public by distance – must be self-aware
- Resource planning and allocation to effectively manage issues identified by ombudsmen (demonstrate mission critical helps)
- Travel – get creative with distributed workforce
- Managing expectations of agency through role clarity
- Trend in gov't towards open workspace is a barrier to discrete/confidential communication
  - TSA field employees have different schedules, cannot have phones at checkpoints
  - Time zones/24x7 operations
- Validating work
- Security – if visitors are seriously agitated
- How to keep ombuds staff challenged
- Employment ladder – where do ombuds go?
- Potential for personal threats
- Getting an ombuds function created; Getting function located in an independent place (direct report to agency head vs. being in general counsel's office)
  - Location in org is critical
  - Challenge and barrier – can you get an independent ombuds office in the beginning with out the heft of an existing office? Who will want it?
- Need to be an “executive” office with a budget – high level
- Would an ombuds who is at a high level be able to relate effectively to regular workers?
- Budget – adequate? Independent? Need to be in a position to do what you need to do
- Budget
- What we can do and what can you do
- Work on relationships
- Who supports you
- Justice in the eyes from customer
- The amount of work – oppressive nature of the work
- Sharing across agencies of best practices – silos and not getting information

- Defining what an ombuds does
- Measuring success and how to work with only one party
- Creating a safe space for everyone to come
- Neutrality
- Fear of coming forward
- Technology and the traceability of it
- Confidentiality – great for those who come but can't share that info to how we help
- Imminent threat and how we define that
- How we deal with a barrier?
  - Reinforcing role and managing expectations of those who come to us
  - Explore other options when they are stuck – ask the hard question
- Our assumptions and what we don't know
- Structural barrier no full time positions – another collateral duty
- Self-appointed ombuds in the field and no resources to regulate that due to size of staff
- Resources! Time, staffing, budget
- Leveraging technology to be able to have the conversations more regularly (COFO website)
- How to start the conversations about issues with an agency?
- Some offices want to take the work that we are doing because they are solving problem and not adhering to the principles – function creep
- Dealing with culture change in an entrenched system – turning the titanic
- Funding
- Strategy
- Working with media/social media
- For COFO getting ahead of new “wave” of ombuds, creating standards and sharing best practices?
- Developing consistency in the role of ombuds across the government
- How to strengthen the coalition?

*What questions do you have? What do you need help with?*

- What data to share with management?
  - Focus groups
  - Ask them what would be useful
  - See them as partners
  - Charter
  - Understand what management is trying to establish
- Ombudsman – meaning, external and internal
  - Ombudsman role clarification
  - Distinction between ombuds office and ADR office?
- Confidentiality issues
  - When can you involve 3<sup>rd</sup> parties if at all?
  - What info can you provide to 3<sup>rd</sup> parties?
- Education
  - Is it needed? If so, when and how should it be delivered? (Social media seminars?)
  - How to teach and train the workforce
    - Creative ways to reach people without budget
- Whistleblower ombuds program
  - How does it work out practically? Eg. If you tell org. you wish to speak with ombuds office, is that not notice?
- State of the law
  - ADR proceeding, who's covered
  - Case law
    - Which cases are applicable to the work we are involved with?

*How can we grow as practitioners, offices, and as a profession?*

- Teaching/education/outreach
  - Educate caller, visitor re proper office to go to
  - Culture developing to clarify where to go without stigma
  - How do people who create office find out what's actually needed?
- As practitioners we need opportunities to learn from others
  - Ability to share mistakes in confidence with others and get feedback
  - Peer to peer discussion

- Sustain/communicate with other ombuds in other organization
- Connecting with non-federal ombuds
- Rapport development
  - How to develop “trust” with management to provide useful data
  - Developing good reporting to management
- Networking with other components: EEO, grievance, ombuds, OIG
  - Build strong relationships internally with personnel and EEO and Legal
- Continue to explore ways in which processes can be improved/streamlined

Opportunities   Measuring   Barriers   Uncertainties   Development   **Strategies**

*As a Coalition, what should we be focusing on?  
What are the most important goals?  
What should we start, continue, and stop doing?*

- Marketing
  - Define what your audience or “client” will be/explain tenants
  - COFO – get your message out
- Training
  - What is an Ombudsman?
  - Brochures, websites, e-mail
  - Informing new employees as they come onboard about the ombudsman
  - Formalize ongoing training requirements
  - Offer in-service professional training
- Greater sharing of resources
  - People may not be as willing to create documents/presentations
  - More willing to share in informal meetings (in-person, telephone, etc.)
  - Inform members of other resources available (adr.gov, IADRWG committee)
  - Collegial organization to promote best practices