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# **CRS**

# Federal Complaint-Handling, Ombudsman, and Advocacy ...

An "Ombudsman," which is a Swedish word that broadly means "one who represents someone," is viewed as a servant of the public. As such, the position has been described as follows: an independent high-level officer who receives complaints, who pursues inquires [sic] into the maters [sic] involved, and who makes recommendations for suitable action. He may also investigate on his own motion. He makes periodic public reports. His remedial weapons are persuasion, criticism and publicity. He cannot as a matter of law reverse administrative action.3 In brief, the concept of ombudsman has come to mean, in the words of former Senator Edward Long, "a guardian of the people's rights against abuses and malfunctions by government, its programs, and its officials—a sort of watchman over the law's watchmen."4

### https://fas.org > sgp > crs > misc

Aug 4, 2009 - This report consists of three parts: (1) an analysis of the ombudsman concept and a brief look ..... See CRS Report 98-379. Statutory Offices of.

[PDF]

#### SBA Office of the National Ombudsman - Federation Of ...

SBREFA also created 10 Small Business Regulatory Fairness Boards, one in each of the SBA's 10 regions, to advise the National Ombudsman on matters related to federal regulatory enforcement activities affecting small businesses. Specifically, the National Ombudsman works with each federal agency with regulatory authority over small businesses to ensure that small businesses are provided a means to comment on the federal agency's regulatory compliance and enforcement activities; receives comments from small businesses regarding actions by federal agency employees conducting small business regulatory compliance or enforcement activities; refers comments to the affected federal agency's inspector general in appropriate circumstances while maintaining the confidentiality of the person or small business making these comments; issues an annual report to Congress and affected federal agencies evaluating the agency's compliance and enforcement activities, including a rating of their responsiveness to small businesses; provides the affected federal agency with an opportunity to comment on the annual report prior to publication and includes in the report a section in which the affected federal agency may comment on issues that are not addressed by the National Ombudsman in revisions to the draft; and coordinates and reports annually on the Small Business Regulatory Fairness Boards' activities, findings, and recommendations to the SBA Administrator and the heads of affected federal agencies.

#### https://fas.org > sgp > crs > misc

Jun 13, 2019 - authorized the National Ombudsman to evaluate federal agency ...... information and analysis of the SBA's Office of Advocacy, see CRS Report ...

Older Americans Act: Long-Term Care Ombudsman Program ...

https://www.evervcrsreport.com > reports

https://www.portlandoregon.gov/ombudsman/article/635079 Gives examples of kinds of actions an Ombudsman has taken in Portland, OR

Apr 17, 2008 - Through a CMS funding opportunity, Duals Ombudsman Programs provide services to support beneficiaries, complaint investigation and resolution, and systems-level analysis and recommendations. Some states have also expanded their state LTC Ombudsman Programs to address LTC provided in home settings.

[PDF]

### A Reappraisal: Ombuds in Federal Agencies - Administrative ...

Federal ombuds are generally highly placed agency employees or offices that operate independently of line and staff management structures to provide objective, impartial, and confidential assistance resolving complaints and conflicts involving that federal entity. More specifically, ombuds serve as complaint-handlers, dispute resolvers, information resources, communication channels, and as resources who help improve the functioning of their agencies by identifying patterns and trends, surfacing new problems and issues, and recommending changes (Rowe, 2010; American Bar Association [ABA], 2004; Meltzer, 1998)

Differences in ombuds' offices and activities may also reflect the unique set of circumstances associated with their establishment, their jurisdictions, the types of constituents and issues they address, the scope of their activities, their caseloads, resources available to them, educational background and training, and approaches to complaint and conflict management (Ginsberg & Kaiser, 2009). However, federal ombuds also share common ground. Many adhere to similar standards of practice such as **independence**, **impartiality or neutrality**, **and confidentiality** established by professional associations such as the American Bar Association (ABA), the International Ombudsman Association (IOA), and the United States Ombudsman Association (USOA). Most also have the ability to bring systemic issues to management's attention and work with other agency offices in providing assistance to the constituents they serve (U.S. Government Accountability Office [GAO], 2001). In addition, many share common goals and values of supporting administrative fairness, accountability and equity (Rowe & Gottehrer, 1997).

Ombuds, Ombudsperson, Ombudsman, Ombudsmen – These terms are used interchangeably. Federal ombuds are agency employees (or occasionally contractors) who provide assistance in managing complaints and conflicts involving that federal entity. More specifically, ombuds serve, inter alia, as complaint-handlers, dispute resolvers, information resources, communication channels, and as resources who help improve the functioning of their agencies by identifying patterns and trends, surfacing new problems and issues, and recommending changes.

Prior to the second half of the 20th century, the United States had paid scarce attention to the role and function of ombuds. However, this began to change during the civil rights movement and anti-Vietnam War era, which brought with it a **renewed emphasis on justice, equality, dissent, citizen rights, and "alternatives to formal, authoritative, and bureaucratic processes"** (Gadlin & Levine, 2008, p. 18; Rowe & Gadlin, 2014, p. 9). Specifically, there were several developments in the 1960s that are believed to have accelerated interest in the ombuds concept. The first, in 1964, was the establishment of the Administrative Conference of the United States, an independent agency with the "purpose to promote improvements in the functioning of a bureaucratic government by promoting improvements in efficiency, adequacy, and fairness of procedures in performing government functions" (Anderson & Hill, 1991, p. 106). Three years later, the Administrative Law Section of the American Bar Association formed a committee to consider the ombuds role and function, and in 1969 influenced its House of Delegates to pass a resolution urging adoption of ombuds at all levels of the government (Anderson & Stockton, 1990). Furthermore, it proposed that ACUS spearhead this effort and "sponsor research and experiments in specific agencies" (Anderson & Stockton, 1990, p. 117; Gadlin & Levine, 2008, p. 18).

based on lectures at the Harvard Law School with a recommendation that the **ombudsman be utilized as an** "external critic" of "various American Institutions" (Verkuil, 1975). The ombudsperson was viewed as a way "to help the public solve problems encountered in dealing with the government" and at the same time, give "a voice to ordinary people" by allowing them to "achieve fairness by means of independence, unfettered access to records and persons, careful investigation, impartiality, and prestige of the office" (Anderson & Stockton, 1990, p. 111; Stieber, 2000, p. 49).

From 1969-1974, several congressmen attempted to keep the momentum by **introducing legislation to create ombuds** in the federal sector. Bills proposed by Senators Edward Long (DMo.), Jacob Javits (R-N.Y.), Charles Percy (R-III.) Gaylord Nelson (D-Wisc.), Representatives William Keating (R-Ohio) and John Melcher (D-Mont.) all failed to become law for various reasons. There was **general reluctance to add an additional layer to the government, as well as turf battles from congressmen believing that, they, after all, are the "ombuds of first resort" for <b>constituent problems** (Anderson & Stockton, 1990, p. 120). Nevertheless, the ombuds concept for organizations gained traction in the United States

In 1971, the Department of Commerce established one of the first ombudsmen in the federal government, to investigate and assist in citizen disputes against the agency. The Federal Aviation Administration (FAA) also began a notable, internal pilot program, called "the Organization Ombudsman," in its Western Region. The Social Security Administration (SSA) soon followed by appointing its own ombuds. Later in the decade, the Internal Revenue Service (IRS) created an advocacy ombudsman office to function as an impartial investigator to handle complaints against the IRS and identify systemic problems.

Anderson and Stockton (1990) concluded their report with a strong endorsement of the ombuds role: The experiences of several federal agencies show that an effective ombudsman can materially improve citizen satisfaction with the workings of the government and, in the process, increase the disposition toward voluntary compliance and cooperation with the government, reduce the occasions for litigation, and provide agency decision makers with the information needed to identify and treat problem areas....The Conference urges the President and Congress to support the creation of an effective ombudsman in those federal departments and agencies with significant interaction with the public (p. 189).

The Anderson and Stockton report led to Recommendation 90-2, adopted by ACUS on June 7, 1990, that encouraged and offered some rudimentary standards for establishing ombuds offices in federal agencies that administer significant programs involving interactions with members of the general public (Pou, 2011). Specifically, the Recommendation stated, "the Conference believes that agencies would benefit from the establishment of an Office of Ombudsman either on an agency-wide basis or to assist in the administration of particular programs" (Anderson & Stockton, 1990, p. 189). Furthermore, the recommendation provided guidelines concerning powers, duties, qualifications, terms, confidentiality, limitations on liability and judicial review, access to agency officials and records, and outreach...and "set forth procedures and criteria for utilizing a variety of alternative dispute resolution techniques and approaches for eliminating excessive litigation costs and long delays in federal agency programs" (Lubbers, 1998, p. 29).

These endeavors, complemented by ACUS-sponsored **roundtable discussions on federal ombuds possibilities** chaired by Conference Council member Walter Gellhorn, influenced the passage of the Administrative Dispute Resolution Act4 (ADRA). Signed into law November 15, 1990 by President George H.W. Bush, "ADRA required each federal agency to adopt a policy to address the use of alternative means of dispute resolution and to designate a senior official to be a dispute resolution specialist to implement provisions of the [A]ct and agency policy" (Pou, 2011, p. 1; Administrative Dispute Resolution Act). In addition, ADRA required each agency to provide training for the dispute resolution specialist and other employees involved in implementing agency policies and declared that such training should encompass the theory and practice of negotiation, mediation, arbitration or related techniques. Very soon afterward, the Negotiated Rulemaking Act of 1990, 5 was passed, largely upon research and recommendations

of ACUS and the early efforts of a small number of agencies to apply consensual processes to rulemaking. To implement these statutes, "ACUS provided extensive assistance to agencies throughout the federal government including training programs, interagency working groups to address specific issues through the study and sharing of information about best practices, and publication of two voluminous sourcebooks for agency reference" (Pou, 2011, pp. 1-2). Although the passage of ADRA in 1990 created momentum for the establishment of the ombuds position in more federal agencies and encouraged greater utilization of ADR practices, the law failed to address several important issues.

Chief among them were the absence of ombuds as a defined ADR process, the lack of funding for training and hiring, the absence of an exemption from the disclosure requirements of the Freedom of Information Act6 (FOIA), which could compromise the confidentiality of ombuds records and actions, and lack of enforcement of arbitration decisions. In addition, Congress expressed some hesitancy behind their endorsement of ADRA by setting the Act to expire after five years. When Congress reenacted ADRA in 19967, it acknowledged the growing number of federal ombuds and the constituents they served by explicitly listing ombuds in its definition of 'alternative means of dispute resolution' to include "any procedure that is used to resolve issues in controversy, including, but not limited to, conciliation, facilitation, mediation, fact finding, mini-trials, arbitration, and use of ombuds, or any combination thereof" (Administrative Dispute Resolution Act of 1996).

The newly strengthened ADRA gave ombuds and other ADR practitioners more credibility and opportunity to be successful by making confidential communication between the neutral and the parties exempt from FOIA; allowing arbitration to be binding on the parties; and by removing the expiration date that was in the original 1990 Act, thereby making ADR a fixed feature of the federal administrative landscape (Senger, 2000)

What had become manifest, as a result of employing ombudsmen, was a type of monitoring mechanism. Krent (2000) stated, "...federal ombuds through their interaction with members of the regulated public may help lend legitimacy (as well as transparency) to the affairs of government" (p. 22). Furthermore, given considerations of time and money, an ombuds can address problems at an early stage, before positions harden, working relationships deteriorate, morale is undermined, conflicts escalate, and matters end in a formal, costly process (Krent, 2000; GAO, 2001). For all of these reasons, ombuds continued to play an increasingly important role in agency life. Under Presidents George W. Bush and Barack Obama, support continued for ADR and federal ombuds. Congress reauthorized ACUS in 2004 and 2008.9 Funding was approved in 2009 that led to the official re-establishment of ACUS in March of 2010 when the Senate confirmed President Obama's nomination of Paul Verkuil as chairman of the Administrative Conference ("ACUS History", n.d.). Over the last six years, the Conference has resumed one of its major interests and focus on alternative dispute resolution and the role and practice of federal ombuds The champions for federal ombuds had the foresight to envision the many benefits that would follow from an office founded on integrity and functioning as a confidential outlet to field complaints, enable freedom to voice concerns or frustrations, and diminish the fear of reprisal (Krent, 2000). In many ways, ombuds can be considered "agents of change" (Adcock, 2013, p. 21).

Ombuds listen and guide people to their own resolutions, which is empowering, while at the same time showing care toward populations that have been unfairly treated or under-represented. Handling matters in this way improves relationships and the public or private programs involved, because the systems feedback the ombuds passes along to the organization can ultimately improve it, as well as enhance its image, legitimacy, and commitment to accountability for, and transparency of, its operations (Adcock, 2013; Krent, 2000; Office of the Attorney General, 2007). There are some common issues, activities, and approaches in the work of ombuds. Issues may include employee and/or public dissatisfaction with an agency policy or program; allegations of discrimination or prohibited personnel practices and safety issues; or specific topics initiated by a member of one of the communities regulated by a federal agency. General activities include marketing their accessibility, so as to be available to hear concerns, answer questions, and identify patterns and trends that may signal systemic problems. Ombuds

**conduct trainings and facilitate workshops.** Ombuds' approaches are designed to **support correction of organization-wide problems**, and develop strategies for preventing future conflict (GAO, 2001).

All three sets of standards include independence, neutrality, and confidentiality as core standards for ombudsman offices

https://www.acus.gov > sites > default > files > documents

by CS Houk - Related articles

Nov 14, 2016 - questions and provides a comparative analysis of federal ombuds offices. .... Coalition of Federal Ombudsman. CRS. Congressional Research ...

https://acl.gov/programs/Protecting-Rights-and-Preventing-Abuse/Long-term-Care-Ombudsman-Program:

States' Long-Term Care (LTC) **Ombudsman programs work to resolve problems related to the health, safety, welfare, and rights of individuals who live in LTC facilities**, such as nursing homes, board and care and assisted living facilities, and other residential care communities. Ombudsman programs **promote policies and consumer protections to improve long-term services** and supports at the facility, local, state, and national levels.

Begun in 1972 as a demonstration program, today the Ombudsman program operates in all states, the District of Columbia, Puerto Rico and Guam, under the authorization of the OAA. Each state has an Office of the State LTC Ombudsman, headed by a full-time State LTC Ombudsman who directs the program statewide. Ombudsmen designate staff and thousands of volunteers as representatives to directly serve residents.

The OAA requires Ombudsman programs to:

- Identify, investigate, and resolve complaints made by or on behalf of residents;
- Provide information to residents about LTSS;
- Ensure that residents have regular and timely access to ombudsman services;
- Represent the interests of residents before governmental agencies and seek administrative, legal,
   and other remedies to protect residents; and
- Analyze, comment on, and recommend changes in laws and regulations pertaining to the health,
   safety, welfare, and rights of residents.

# https://ltcombudsman.org/about:

The National Ombudsman Resource Center (NORC) website is filled with information, resources, and news from Ombudsman programs to support and inform programs across the country. Watch this short video as an introduction to the NORC website.

The National Long-Term Care Ombudsman Resource Center provides support, technical assistance and training to the 53 State Long-Term Care Ombudsman Programs and their statewide networks of over 500 local Ombudsman entities. The Center's objectives are to enhance the skills, knowledge, and management capacity of the State programs to enable them to handle residents' complaints and represent resident interests in both individual and systems advocacy. Funded by the Administration for Community Living (ACL), the Center is operated by Consumer Voice, The National Consumer Voice for Quality Long-Term Care, in cooperation with the ADvancing States.

All tasks undertaken by the Center are designed and developed with input from Ombudsman programs, the National Association of State Long-Term Care Ombudsmen (NASOP), the National Association of Local Long Term Care Ombudsmen (NALLTCO), and other relevant organizations to ensure that the needs of Ombudsman programs across the country are being addressed. These tasks are developed with the understanding that in supporting Long-Term Care Ombudsman programs, the Center is ultimately contributing to the improvement of the quality of life and care of frail, vulnerable residents in long-term care facilities. The Center engages in the following activities and services:

- Provides consultation, information, and referral for Ombudsman programs and for the residents, families, and others who use Ombudsman program services;
- Provides training opportunities and training resources for Ombudsman programs;
- Promotes public awareness of the role of the Ombudsman programs in long-term care;
- Works to improve Ombudsman program effectiveness in meeting the needs of residents, including those served by managed care organizations and those in alternative settings, such as Medicaid waiver programs;
- Identifies research needs and promotes research on issues which affect the Ombudsman programs or their constituents; Supports the ombudsman volunteer component through work with AARP and other national or state-wide efforts to recruit volunteers for the program;
- Works cooperatively with all organizations and agencies which have as their mission the protection of the frail elderly who reside in long-term care settings and
- Promotes understanding and cooperation between Ombudsman programs and <u>citizen</u> <u>advocacy groups.</u>

The Ombudsman Program was created in 1972 as a Public Health Service demonstration project to meet the needs of residents facing problems in nursing homes. The demonstration, which consisted of ombudsman programs in seven states, was transferred to AoA/ACL in 1974. After three years of operation and a successful assessment of the projects, Dr. Arthur Flemming, Commissioner on Aging, offered each state agency on aging an opportunity to apply for limited federal funds to develop a state-wide program through the advocacy of newly named Ombudsman Developmental Specialists. In 1978, Congress amended the Older Americans Act to include a requirement that each state develop a Long-Term Care Ombudsman Program. New statutory requirements for the program were added and existing requirements were strengthened in subsequent amendments to the Act.

In 1988, AoA/ACL requested proposals to develop a National Center for State Long-Term Care

Ombudsman Resources. ADvancing States received the initial grant, with a sub-grant to the Consumer

Voice (formerly National Citizens' Coalition for Nursing Home Reform). The 1992 Older Americans Act

amendments added a new provision (Section 202 [a][21][A-B]) requiring the Administration on Aging to

establish a permanent National Ombudsman Resource Center. In 1993, AoA/ACL awarded a

three-year grant for the Center to the Consumer Voice, with ADvancing States as a sub-grantee. In 1997,

the Consumer Voice received a new five-year grant to operate the Center, with ADvancing States as a

sub-grantee.

During recent years, the National Long-Term Care Ombudsman Resource Center has been increasingly responsive to the ever more sophisticated needs of Ombudsman programs. Each week, Center staff respond to several requests for technical assistance from Ombudsman programs and/or consumers needing referral to an Ombudsman program. Center staff provide information and guidance on a variety of issues, some of which are quite complex, related to resident quality of care and life, state and federal laws and regulations, and program management.

The Center also provides training opportunities for the Ombudsman program network, including free webinars, on-demand training courses, orientation for new state Ombudsmen, and hosting an annual State Ombudsman Conference.

# https://theconsumervoice.org/get\_help:

Use this map to find a Long-Term Care Ombudsman Program (LTCOP), Citizen Advocacy Group (CAG), and other long-term care resources in your state or territory. The Long-Term Care Ombudsman program advocates for residents of nursing homes, assisted living facilities, board and care homes, and similar adult care homes. LTCOPs provide information about how to find a facility and what to do to get quality care and they are trained to resolve problems. If you are interested in volunteering for a LTCOP, click on your state for contact information and reach out to them to find out how you can volunteer in your community.

Citizen Advocacy Groups are concerned citizens who advocate for quality long-term care, services and supports and quality of life for residents and consumers in their locality, state or region.

#### Learn more about ombudsmen

### Long-Term Care Ombudsman Program - National Association ...

The OAA requires State Units on Aging to establish an Office of the Long-Term Care Ombudsman. The functions of the state ombudsman programs are mandated by law and include • identifying, investigating, and resolving resident complaints; • protecting the legal rights of residents, advocating for systemic change, and providing information and consultation to residents and their families; and • publicizing issues of importance to residents. Complaints investigated by ombudsmen relate to actions, inactions, or decisions of long-term care providers or other agencies that adversely affect the health, safety, welfare, or rights of residents. Among its other responsibilities, the Office is to analyze and monitor federal, state, and local policies that affect residential long-term care facilities. The federal law requires that a full-time ombudsman administer the program at the state level; local ombudsmen may be designated by the state and are considered to be representatives of the Office. According to AoA, most state ombudsman programs are located in State Units on Aging, but programs in 15 states and the District of Columbia3 are located in other types of organizational settings, such as non-profit organizations

www.nasuad.org > sites > nasuad > files > hcbs > files > aging12

by KJ Colello - 2009 - Cited by 5 - Related articles

Jul 1, 2009 - These differences mean that the structure, operation, and effectiveness of the ombudsman programs can vary from state to state. In addition, ombudsman programs in 12 states are authorized or mandated under state law to advocate on behalf of consumers who receive home and community-based care.

[PDF]

### A U.S. National Ombudsman for Children

www.brooklyn.cuny.edu > web > 100901\_DavidsonFirstFocus2010

Research Centre published Ombudsman for Children, examining the creation of special government .... Optional Protocols through analysis of law, policy and practice, and proposals for reform, as .... crs/aging12.pdf. 8 The Environmental ...

In 1971 the ABA recommended that the federal government experiment with the establishment of an ombudsman for certain federal activities. The 2001 ABA Standards said that **ombudsmen should be empowered to:** • receive and address, investigate, or otherwise examine complaints or questions about alleged acts, omissions, improprieties, or systemic problems; • have discretion to accept or decline any complaint or question; • act on their own initiative; • develop fair procedures to aid in the just resolution of complaints or problems; • gather information from all relevant sources; • resolve issues at appropriate levels; • issue periodic public reports; • perform facilitative, negotiation, and mediation roles; • conduct inquiries and investigations; • report on findings with recommendations related to both individual complaints and systemic problems identified through complaint patterns and trends; and • use its auspices to educate the public and professional community

[PDF]

i Institutionalizing the Ombudsman: An Analysis ... - VTechWorks

https://vtechworks.lib.vt.edu > bitstream > handle > Anderson Bl D 2017

by BI Anderson - 2017 - Related articles

May 4, 2017 - Appendix B: Matrix with the Analysis of the USCIS' Ombudsman Office Annual ..... Congressional Research Service: CRS Report for Congress.

Ombudsman - Investopedia

https://www.investopedia.com > ... > Laws & Regulations > Crime & Fraud

Jun 28, 2018 - An ombudsman is an official who investigates complaints (usually lodged by private citizens) against businesses, public entities or officials,

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[PDF]

The Public Sector Ombudsman in Greater China - Penn Law ...

https://scholarship.law.upenn.edu > cgi > viewcontent

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OMBUDSMAN INSTITUTIONS: A COMPARATIVE LEGAL ANALYSIS 92 (Ursula Kriebaum &. Gabriele ...... 12, 2013) https://www.fas.org/sgp/crs/row/R43303.pdf.

The Informational Ombudsman: Fixing Open Government by ...

ois.imodev.org > index.php > RIGO > article > view

by M Fenster - 2016 - Cited by 3 - Related articles

L'characterize the ombudsman as an institutional transparency fix, one that follows other ..... In the most extensive analysis (albeit only qualitative and impressionistic), ..... 4, 2009), available at <a href="https://www.fas.org/sgp/crs/misc/RL34606.pdf">https://www.fas.org/sgp/crs/misc/RL34606.pdf</a>.

GAO-01-466 Human Capital: The Role of the Ombudsmen in ...

https://www.gao.gov > new.items

Apr 13, 2001 - Federal Workplace Ombudsman Offices as of. January 16, 2001. 33. Appendix III. The General Accounting Office's Panel of Federal.

State of Oregon: About DHS - Governor's Advocacy Office

https://www.oregon.gov > DHS > aboutdhs > Pages > gao

The Governor's Advocacy Office (GAO) is an ombudsman office to help affected parties work through questions, concerns, or complaints related to Department of ...

Who's the Ombudsman? Proposed FAR Rule Requires Clarity ...

smallgovcon.com > statutes-and-regulations > whos-the-ombudsman-prop...

Nov 6, 2018 - When GAO lacks jurisdiction to hear a protest over a task or delivery order, contractors have the right to complain to an ombudsman.

Fried Frank > GAO Dismisses Protest Against Issuance of ...

https://www.friedfrank.com > ...

GAO Dismisses Protest Against Issuance of Task/Delivery Order -- Ombudsman Procedure Possible Alternative Remedy.

The Role of Ombudsmen in Dispute Resolution | Department ...

https://www.energy.gov > oha > downloads > role-ombudsmen-dispute-res...

General Accounting Office's (GAO) Report - The Role of Ombudsmen in Dispute Resolution, April 2001.

program-analyst-2-ombudsman-governors-advocacy-office ...

https://www.governmentjobs.com > careers > oregon > jobs > program-ana...

Nov 16, 2017 - Program Analyst 2 (Ombudsman Governor's Advocacy Office/TWO Positions) ... On behalf of the Governor's Advocacy Office (GAO) and DHS ...

Job Bulletin - Government Jobs

agency.governmentjobs.com > oregon > job\_bulletin

Jun 26, 2018 - On behalf of the Governor's Advocacy Office (GAO) and DHS Director, this .... Program Analyst 2 (Ombudsman Governor's Advocacy Office) ...

GAO criticizes USPS ombudsman role -- FCW

https://fcw.com > articles > 2005/12/16 > gao-criticizes-usps-ombudsman-r...

Dec 16, 2005 - Auditors recommend that USPS make its newly created ombudsman position more independent and impartial.

Standards - Coalition of Federal Ombudsman

https://federalombuds.ed.gov > standards

This guide, developed by the Coalition of Federal Ombudsman (COFO) and the Federal ... U.S. Government Accountability Office (U.S. GAO) Reports. Alternative ...

GAO Confirms EPA Stripped Ombudsman Authority | U.S. ...

https://nadler.house.gov > news > documentsingle

Nov 13, 2002 - "This GAO report confirms that the ombudsman function no longer exists at EPA," said Rep. Nadler. "Since the function was dissolved, the ...

CMO - Ombudsperson - Tacom - Army.mil

https://www.tacom.army.mil > cmo > ombudsperson

The TACOM Ombudsman Office's mission is built on our desire to gain your trust. ... apply to a protest filed with the Government Accountability Office (GAO).

[PDF]

FHFA Should Name an Ombudsman and ... - FHFA OIG

https://www.fhfaoig.gov > sites > default > files > AUD-2019-011 FHFA O...

Sep 16, 2019 - an Ombudsman, as required by FHFA's regulation. .... According to the Government Accountability Office (GAO), an ombudsman, or ombuds, is.

ALF GAO 2018 Summary - Washington State Long-Term Care ...

https://www.waombudsman.org > consumer-protection > alf-gao-2018-sum...

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Federal Complaint-Handling, Ombudsman, and Advocacy Offices

https://books.google.com > books

Wendy R. Ginsberg - 2011 - Ombudspersons

which proposed the addition of an ombudsman position within House ... GAO examined access to, and utilization of, the ombudsman program under the Older ...

U.S. Postal Service purchasing changes seem promising, but ...

https://books.google.com > books

Highlights of GAO-06-190, a report to the Chairman, Committee on ... To address inconsistencies in USPS's ombudsman, GAO is recommending that the ...

GAO State of Arizona ACH Vendor Information Packet ...

https://www.azica.gov > instructions > gao-state-arizona-ach-vendor-infor...

This form must be submitted by the 5th Business Day from the cleared date of the ACH Payment. Once completed, email the form to the GAO AFIS Operations ...

Bid Protest Dismissal Provides A Lesson About The Unforgiving ...

https://www.governmentcontractslegalforum.com > 2010/10 > articles > bi...
Oct 29, 2010 - The next week, UXB-KEMRON filed a bid protest with the GAO. ... The ombudsman must review complaints from contractors and ensure they ...

Federal Complaint-Handling, Ombudsman, and Advocacy ...

https://www.everycrsreport.com > reports

<u>Jump to GAO Study in 2000</u> - Many of the older and circumscribed ombudsman studies had been ... An exception to this was a survey by GAO of 32 "high ...

<u>Directive 2018-09 - Office of Federal Contract Compliance ...</u>

https://www.dol.gov > ofccp > regs > compliance > directives > dir2018\_09
Sep 19, 2018 - 22, 2016 at https://www.gao.gov/products/GAO-16-750 (last accessed July ... OFCCP proposed among other things developing an ombudsman ...

6. **BACKGROUND**: The Government Accounting Office's (GAO) *Equal Employment Opportunity: Strengthening Oversight Could Improve Federal Contract Nondiscrimination Compliance* report, dated September 2016, recommended OFCCP review and enhance contractor compliance assistance, and increase transparency and communication with agency stakeholders. GAO expressed concern in the report that "Stakeholders and contractors fear that asking OFCCP for assistance would call attention to them and possibly make them a target for future OFCCP enforcement actions, such as compliance evaluations." This fear exists even though OFCCP has assured the contractor community that there are no ramifications for contacting OFCCP to ask questions.

OFCCP also conducted three Compliance Assistance Town Halls in September 2017, followed by three stakeholder meetings in January 2018. Based on feedback from these events, OFCCP proposed among other things **developing an ombudsman program as part of its effort to increase transparency and communication with agency stakeholders**. This proposed deliverable is part of *OFCCP's Town Hall Action Plan*.

OFCCP is committed to transparency in its mission, policies, and practices.

Transparency is the foundation of a relationship of respect, dialogue, and feedback with its stakeholders that will help the agency improve its effectiveness in both compliance assistance and evaluations. Transparency will also improve operational consistency and efficiency within the agency, allowing for a more efficient approach to compliance evaluations. Increased transparency will also support the contractors' ability to conduct meaningful self-audits so they can proactively identify and address issues with their employment practices.

OFCCP is certain that regional and district offices make every effort to process all compliance evaluations and complaint investigations efficiently, effectively, and in accordance with OFCCP regulations and guidance. In most cases, employers receive final compliance determinations in a timely manner and are able to resolve issues successfully by contacting the associated district office and elevating the issue, if necessary, to the regional office. However, OFCCP understands and wants to be responsive to concerns raised in the GAO report by certain external stakeholders that it **does not have an independent mechanism through which external stakeholders**, after having exhausted district and regional office channels, **can share their concerns** with OFCCP **about a particular open matter or provide general feedback and recommendations to improve the administration of the agency.** 

An OFCCP **Ombud Service would fill this gap** and fit squarely within OFCCP's broader initiative to improve transparency in its compliance evaluation and compliance assistance activities. The **Ombud Service would bring an impartial and independent perspective to facilitate communication with external stakeholders** on OFCCP matters in collaboration with OFCCP regional and district offices. It would provide assurance to contractors and other stakeholders that OFCCP is treating them fairly, in a manner consistent with agency legal authorities, policies, and procedures, and would ultimately improve the efficiency and effectiveness of internal OFCCP operations.

## 7. ROLES AND RESPONSIBILITIES:

National Office: It will be the responsibility of OFCCP's national office to
designate or hire an OFCCP Ombud with approval by appropriate personnel
divisions within the Department of Labor. The Ombud will be a career staff
position reporting directly to the career Deputy Director. OFCCP's national office
will also consider and act upon, as appropriate, recommendations provided by
the OFCCP Ombud.

2.

Ombud: It will be the responsibility of the OFCCP Ombud, in consultation with OFCCP national and regional offices, to design, implement and execute an OFCCP Ombud Service in accordance with the general policy outlined in this directive. This includes the development of detailed procedures and guidelines as well as a public outreach and education campaign to OFCCP stakeholders.

8.

8. **POLICY OR PROCEDURE**: OFCCP will pursue the development of an Ombud Service to **facilitate the fair and equitable resolution of concerns raised** by OFCCP's external stakeholders, conduct independent and impartial inquiries into issues related to the administration of the OFCCP program, and **propose internal recommendation**s to continuously improve the quality of services OFCCP provides to its stakeholders.

The Ombud Service should require the Ombud to:

- Listen to external stakeholder concerns about OFCCP matters and suggestions for improvements;
- Promote and facilitate resolution of OFCCP matters at the district and region office level;
- Work with OFCCP district and regional offices as a liaison to resolve certain issues after stakeholders have exhausted district and regional office channels;
- Refer stakeholders to the OFCCP Help Desk for routine compliance and technical assistance inquiries;
- o Accept and review matters referred directly by the national office; and
- Have the discretion to reject a referral in appropriate circumstances.

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Records of the Office of the Victims Rights Ombudsman

https://www.archives.gov > rcs > departments > daa-0118-2015-0001\_sf115

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