



COALITION OF FEDERAL OMBUDSMAN

COFO MONTHLY MEETING MINUTES

Meeting Date/Time: April 10, 2024, 1:30-3:00pm (EST)

Location: Video/telephone

Agenda:

1. COFO Co-Coordinator position nominations open through April 16th
2. Reminder – IOA practice survey (for org ombuds)
3. Reminder – ABA Just Resolutions newsletter seeking submissions
4. COFO Annual Conference date – October 25th, 2024 in Alexandria and online
5. COFO Committee Updates
6. Voluntary Leave Transfer Initiative reminder
7. Next Ombuds Supporting Ombuds (OSO) meeting 4/24
8. Announcements – Training opportunities, job openings, or really any office and ombudsman happenings you'd like to tell the world about
9. General Questions - Space for new and emerging practitioners and programs to ask questions and get feedback from the COFO community in a short discussion format
 - a. Your question here!
10. IOA Annual Conference recap/feedback/discussion
11. Discussion Topic – Following up on UC-Merced Ombuds Hector Escalante’s keynote speech at IOA, is impartiality even possible for an ombuds in our more polarized world? And if it isn’t, should our profession – both externally- and internally-facing – be rethinking whether impartiality should even be a practice standard? Would multipartiality or omnipartiality be a better baseline for us? Let’s discuss.

Highlights:

1. **COFO Co-Coordinator position nominations open through April 16th**
 - We have at least one candidate, but are looking for others who are interested as well.
 - It is really great to have that second coordinator and a great opportunity.
2. **Reminder – IOA practice survey (for org ombuds)**
 - Encourage everyone to take the survey. It really helps with understanding of the profession. Takes around 15 minutes.
 - We are currently at over 300 participants currently. Hoping for many more. Focusing on how the survey can provide value to us as practitioners.
3. **Reminder – ABA Just Resolutions newsletter seeking submissions**
 - This is an opportunity who might be considering writing for the publication.
4. **COFO Annual Conference date – October 25th, 2024 in Alexandria and online**
 - Great day for all of us to get together. Mark your calendars!
5. **COFO Committee Updates**

- Going to be looking for people to serve on the Conference Committee. If you want to contribute to COFO that is time-limited, this is a great way.
- 6. Voluntary Leave Transfer Initiative reminder**
- Reminder that Ombuds can use VLTP if they need leave donated. The program was established to help ombuds have leave so they don't have to seek donations from those within their organizations.
 - Reach out to COFO if you either need leave donated or are able to donate.
- 7. Next Ombuds Supporting Ombuds (OSO) meeting 4/24**
- Heather will be sending an email shortly. A great resource for supporting each other. Not sure of the agenda yet.
- 8. Announcements – Training opportunities, job openings, or really any office and ombudsman happenings you'd like to tell the world about**
- (No announcements were made)
- 9. General Questions - Space for new and emerging practitioners and programs to ask questions and get feedback from the COFO community in a short discussion format**
- Does anyone have knowledge of a survey for external-facing practitioners?
 - (No responses)
 - Someone mentioned that the EEO office in their organization announced that if there is an EEO-related matter that is resolved by non-EEO resources, it needs to be reported to the EEO office. Was told this includes ombuds, who have a duty to report. Ombuds discussed matter with EEO, including what “referrals” mean. Pulling together resources to send to general counsel to contest the EEO’s offices views. If anyone has suggestions, would be appreciated.
 - Someone else agrees that “referrals” mean dealing with the visitor – they CAN reach out, but it is not a hand-off. Our profession wouldn’t be here if we were an office of notice.
 - Someone else said that general counsel sometimes doesn’t get what we do, and may try to require you to report. Have had difficult conversations along those lines with general counsel in the past. You may want to connect your general counsel with other general counsels elsewhere in the government that DOES understand what we do.
 - Someone else mentioned that another ombuds had come up with really good written material that might help with what you are saying. Will email this info. Also, it is important to emphasize that we are not a conduit for reporting formal complaints.
 - Someone else recommends not to emphasize what others believe about standards, because it often doesn’t help with general counsel. Not a helpful place to start usually.
 - Someone else notes that we are protected by the Administrative Dispute Resolution Act (ADRA), which is further re-enforced by the relevant ACUS study.
 - Someone else agreed that we are indeed protected by ADRA and that ACUS supports that.
- 10. IOA Annual Conference recap/feedback/discussion**
- International Ombuds Association conference was held recently in Indianapolis. Would like to hear from those who were able to attend. Anything you would like to share? Takeaways?

- Someone mentioned that they really appreciated Hector Escalante's Mary Rowe keynote. Would love to discuss that further.
- Someone really enjoyed Neal Powless' session The Spiral of Conflict: Finding Connectedness through the Darkness and Isolation of Being in Conflict, which discussed native American processes and spirituality, including how women choose the next chief, not men. He will be invited to speak to the Mid-Atlantic ombuds group next year.

11. Discussion Topic – Following up on UC-Merced Ombuds Hector Escalante's keynote speech at IOA, is impartiality even possible for an ombuds in our more polarized world? And if it isn't, should our profession – both externally- and internally-facing – be rethinking whether impartiality should even be a practice standard? Would multipartiality or omnipartiality be a better baseline for us? Let's discuss.

- Guest speaker Hector Escalante was introduced. He currently is the ombuds at UC Merced and serves on the board of Directors of IOA. He delivered the Mary Rowe keynote at this year's IOA Conference on impartiality. (Discussion topic as written above was read out loud)
- Hector Escalante shared that it is great to be in this space, including with many ombuds he has interacted with previously. Noted that his keynote was based on his own experience and challenges with impartiality, and also based on conversations with others who didn't feel they could be impartial, and therefore not be ombuds. The point was made that informality is not dogma and is debatable. He had follow-up conversations at IOA with others who felt re-examining impartiality was a slippery slope, and a troubling path to go down, and also with others who felt the conversation was refreshing.
- Someone expressed how glad they were that Hector had brought this up, and wondered about whether it might be possible to add to the standards of practice-for example, voluntariness.
- Someone responded that they did not want to speak for IOA, and that change on that level (changing the standards) is an extensive process. They did not want to address voluntariness, but wanted to emphasize how hard it is to be impartial, given that it is so important to validate and be empathetic to challenges people are experiencing. It is very hard to make big changes in IOA. They emphasized that it is good to talk about these things. IOA has evolved and will continue to evolve. It's an interesting balance.
- Someone mentioned that they believe that voluntariness is referred to within one of the standards. Don't believe it is necessary to set up an extra standard – just to point out it is already within the standards. Historically, IOA has changed standard from neutral to impartial. They also had questions about whether ombuds are really impartial – what we mean is really closer to multipartiality. Our practice does evolve, and our standards may not be evolving with our practice. They didn't know if they could even explain the term independent. It may have been borrowed from other contexts, and may not be as relevant now.
- Someone mentioned that what is important is the visitors' experience, not necessarily which words we use.
- Someone else responded that it takes extra energy to try to be impartial, but we aren't really impartial. And the cost of not acknowledging that is that ombuds get burned out. Also, the difference between neutral and impartial seems to just be wordplay. What is important is what we do in the moment.

- Someone shared that being impartial is not just about what is in the moment, where we are going to have biases and opinions. But what we do AFTER is what is important – conversations with others, and also what we do with ourselves.
- Someone said that they don't think people should tell visitors that they agree with them, even though they might agree. But they do want to hold space in their mind for multiple perspectives, which can be difficult and take practice. Self-awareness and knowing when they are not prepared to speak about something is also really key, especially with difficult or controversial topics such as the conflict in the Middle-East.
- Someone else agreed that it is important to have emotional intelligence and self-awareness enough to know when they might not be prepared to have a certain conversation. What are skills you need to work on so you have the toolset you need?
- Someone indicated that a previous comment really resonated with them – they love being able to discuss these topics in this type of space, but want to talk about it in a very basic way with visitors. But after the conference and having multi-partiality on their mind, they were able to discuss that concept with visitors in a way that the term really hit with them. They do use the word neutral because it seems to be land and more understandable. Maybe they shouldn't? (Someone in chat said there is no "should-ing" and they support their use of the term.
- Someone else responded that we can be too concerned with jargon, and that it really is all about the visitors. Another word that people are afraid of using is "advocacy" because we are not supposed to advocate for people, but for fairness or equity. Wonder if that is really true – aren't we advocating for people in some sense when we help them get what they need?
- Someone mentioned that it is really important to manage expectations up front with visitors. But internally, it can be challenging. The neutrality/impartiality peace is important for them personally because they want to come across as empathetic. But they want to walk the tight rope of being empathetic but not to the point where visitors believe they are taking their side.
- Someone else said that this is important for reasons of self-care – we want to be empathetic, and sometimes the way we think about impartiality can cause distress.
- Someone mentions the word "disinterested" can be helpful – not that they do not care, but that they do not have a vested interest in a particular issue. Try to approach things from a place of openness. Do not use neutrality because they have biases. Do use impartiality, and people seem to understand that. The concept of multipartiality really resonated from the keynote because I like to consider the needs of the organization as well. Metaphor that is helpful is that we are spectators in a symphony, no the director of musicians. Thought of one time where they told the visitor that they don't think they can be involved in a disinterested way because they were invested in the outcome.
- Someone else mentioned how sometimes it can sometimes be okay if it appears that we are invested in an outcome, especially if it meets all parties' interests including the organization.
- Someone said that in their mind, we do advocate for the right outcome. Have been many times where they know what people should do but refrained from saying it because of what we have been taught. Example – someone had been harassed by a supervisor. Ombuds wanted to advocate for them to report it because they felt it was in their benefit and also in the best interest of the organization. But the visitor was hesitant. Through conversations with ombuds, they decided to report. Were they advocating in that instance? I don't know.

- Someone in the chat said they felt that last person did not advocate, but instead helped the visitor to advocate for themselves.
- Someone expressed their excitement at hearing these diverse perspectives.
- Someone asked about the keynote presentation and the idea that ombuds sometimes feel they aren't able to act as human beings, and this can handcuff them.
- Someone responded that for them, they shouldn't ramp down their empathy, but crank it up. Don't allow the standards of practice to prevent you from helping people. We are not robots. Sometimes people use the standards as a cop-out. For example, one time I facilitated a conversation between two parties who felt differently about Israel and Palestine. I ended up agreeing to do it even though I could have said no due to the standards. I'm curious to hear from others about similar situations. Also, we sometimes hide from showing emotion such as pain as we work with visitors.
- Someone else mentioned that because they are impartial/neutral, they are in a better position to help people because they can offer an outside perspective. I see it as a positive, and not something that handcuffs me.
- Someone responded that 90 per cent of the time, that is what we do. And most of the time, we can function that way. What I am focusing on is the situations where I am really challenged. Shared example they heard about of someone who said "I don't speak taco", which they would have really been offended by. Not sure what they would have done. Someone else said they would have run that person out of their office. There are moments where have to do a little more work to stay in that space.
- Someone mentioned a visitor who may have been really difficult for certain team members to work with due to offensive views. Agrees that there are times when it is really challenging to be impartial.
- A member says that they will track down some language they found helpful for the question raised earlier in regards to conversations with general counsel, and send it to COFO to send out.
- Someone said that they DO use the word neutral, because "designated neutral" is an ancient term that most people understand. Other than that, I have the same problems with neutrality because I am not neutral most of the time. And yet, I think the designation of a neutral/impartial term is a protective cloak – it helps to explain to people who might assume that ombuds would take sides. The term independence means that they are independent of lines of offices in organization. Grateful for all that ombuds do, wishes blessings on all of us.
- Someone else thanked all of us for being authentic and sharing our thoughts. It was an uplifting, refreshing time. Thanks to guest speaker and everyone else.

Attendees:

Last	First	Agency	Call-In
Asar	Sharon	CFPB	1
Berg	Mollie	NGA	1
Bloch	Brian	The McCammon Group	1
Braden	Lara	DeCA	1
Brown	Andrea	USPTO	1

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Caetano	Fernando	NIH	1
Cecil	Tina	FBI	1
Coffman	Cherina	DOD/NGA	1
Curtis	E. Denise	DOD/OIG	1
Davis	Shadella	Smithsonian Institution	1
Deberry	Marcella	NSA	1
Enriquez	Elisa	NIH	1
Escalante Meza	Hector	UC Merced	1
Felton	Felicia	Census	1
Fields	John	CFPB	1
Foreman	Shakeya	City of Philadelphia	1
Garner	Stephanie	DOE	1
Gordon	Laurel	DOJ	1
Gutierrez	Ivan	DHS	1
Hartman	Jessie	NARA/Office of Government Information Services (OGIS)	1
Hawkins	Toni	NIH	1
Hopkins	Emilee	NGA	1
Hurley	Nathan	FDA/Center for Tobacco Products	1
Johnson	Stella	?	1
Katherine	Erica	FDA	1
Kinnavy	Noreen	USAGM	1
Kiraithe-Muchene	Irene	HJF/DOD	1
Levine	Lisa	DOJ/Executive Office of Immigration Review (EOIR)	1
Lenkel	Laurie	FDA	1
Lopez-Johnson	Jennifer	Forest Service	1
Lunder	Erika	GAO	1
Manderson	Katie	VA	1
Maslowska	Wiktoria	European Commission	1
Maurer	Bill	Census	1
McGuire	Carrie	OGIS	1
Miller	Carla	DOJ/ATF	1
"ombudsperson"		Global Green Growth Institute (GGGI)	1
Patno	Arielle	FDA/Center for Tobacco Products	1
Piziali	Jamie	EPA	1

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Porch	Susanne	Commerce/National Institute of Standards and Technology (NIST)	1
Rowe	Mary	MIT	1
Sander	Dawn	American Red Cross	1
Scodacek	Ken	FDA	1
Shaw	Elaine	NASA	1
Smith	Julie	Census	1
Stergio	Marcus	Office of Federal Contract Compliance Programs/DOL	1
Thomson	Ronnie	Sandia National Laboratories	1
Vermillion	Chris	Census	1
Voloshin	Victor	NIH	1
Walker	Olivia	US Army, Fort Hood	1
Weber	Guy	NGA	1
Wolfe	Lexi	DOE	1
White	Karen	National Guard Bureau	1
Wong	Wean Khing	California Court of Appeal, 2 nd Appellate District	1
Yager	Kelly	NIH/NIDDK	1
Yuille Banford	Deanna	FDA	1
Ziolkowski	Olivia	FDA/Center for Biologics and Research	1
		Total	57