

CERN Ombuds' Report

during the period 1 July 2010 to 30 June 2011

TREF meeting on 13 October 2011

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Role of the Ombuds

The Ombuds shall provide confidential assistance for the **informal** resolution of interpersonal issues in the interests of the good functioning of CERN. The Ombuds shall perform these services through counseling, mediation, consensus building and/or other conflict resolution methods.

The Ombuds office is an open office for all categories of members of personnel and all others working for or in behalf of CERN. Its aim is to help everyone to resolve interpersonal issues in an informal way.

Its operating principles are:

confidentiality, neutrality/impartiality, independence, informality

Web site: cern.ch/Ombuds

Introduction

Goal of this report is to:

- Present a statistical overview of the Ombuds' casework
- Summarize some main observations
- Outline the additional activities undertaken by the Ombuds during the first year
- Outline actions for the coming year

Profiles of those using the Ombuds' service

**82 consultations [cases] in total: 76% CERN staff, 10% Users, 6% Fellows.
i.e., 62 by CERN staff members (around 2.7% of 2328 staff members)**

A case is opened when a person reports an issue to the Ombuds. There could be several issues per case.

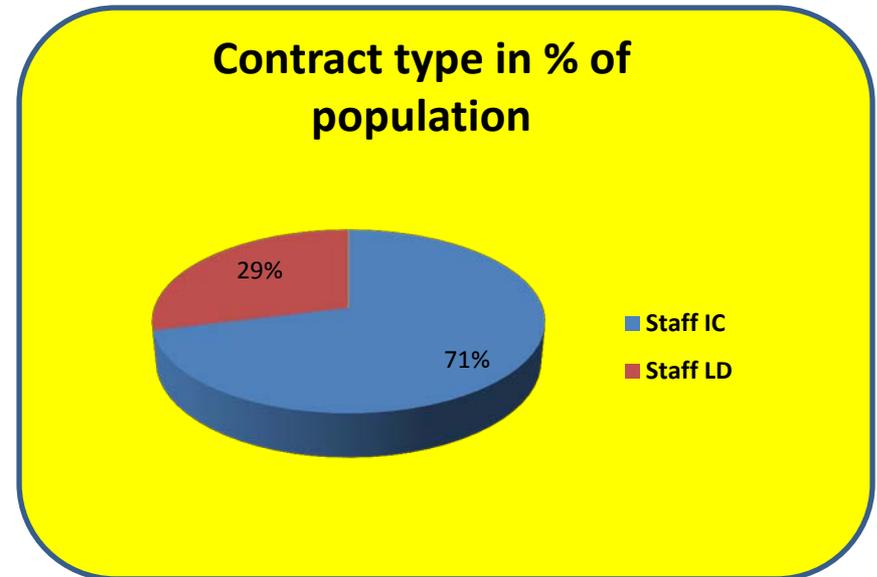
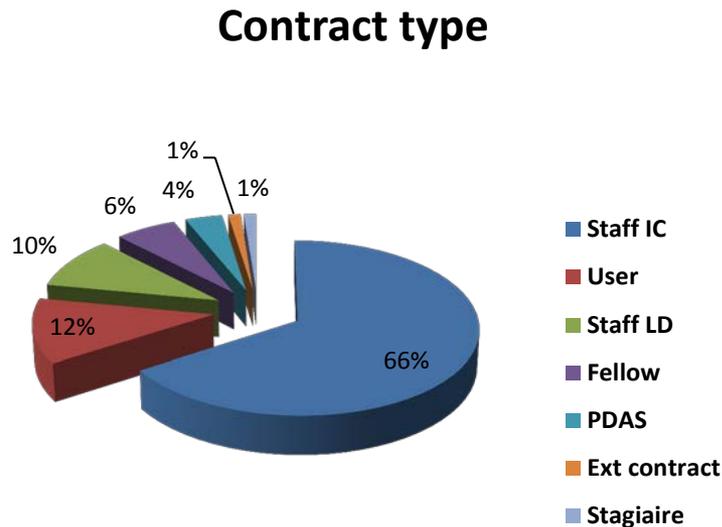
A case can involve:

- Simple discussion
- Advice and coaching
- Action, such as contacting other people [with prior agreement of the person consulting]
- Mediation

On average:

- each person was seen 2.6 times
- for each case, 2.6 people were contacted
- more than 3.6 meetings were held per case (i.e. for person consulting)

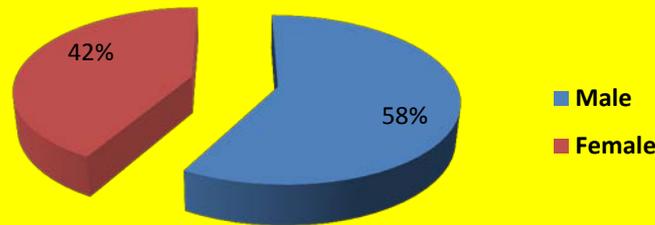
Profiles of those using the Ombuds' service: by contract type



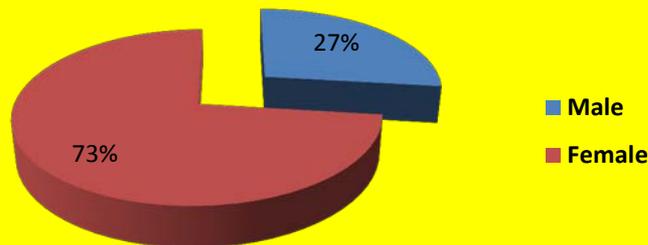
- **Striking difference between LD and IC contracts**
In percentages, the number of cases involving people on a Limited-Duration contract is a factor of 2.5 lower than the cases involving people on Indefinite Contracts
- **Few Users have sought help from the Ombuds**
- **Negligible number of cases involving people on Industrial Service Contracts**

Profiles of those using the Ombuds' service: by gender

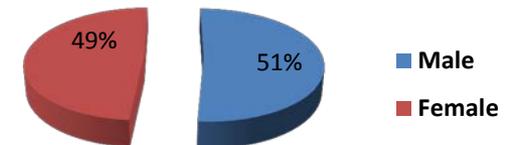
Gender: CERN staff



Gender: CERN staff, relative to actual population



Gender [total]



In absolute figures, almost equal number of male and female “visitors”

In relative figures, for CERN staff members, 2.7 times more women met the Ombuds than men

Categories of main issues

[Classification from the International Ombudsman Association]

172 issues identified, <2.1 issues> per case

MAIN ISSUES:

Evaluative (hierarchical) relationships [43 issues, 25%]:

All relationships involving supervisees and supervisors [or ↔]

Career progression and development [33 issues, 19%]:

Career development and work assignments

Internal mobility

Peer relationships [26 issues, 15%]:

Communication, structural issues

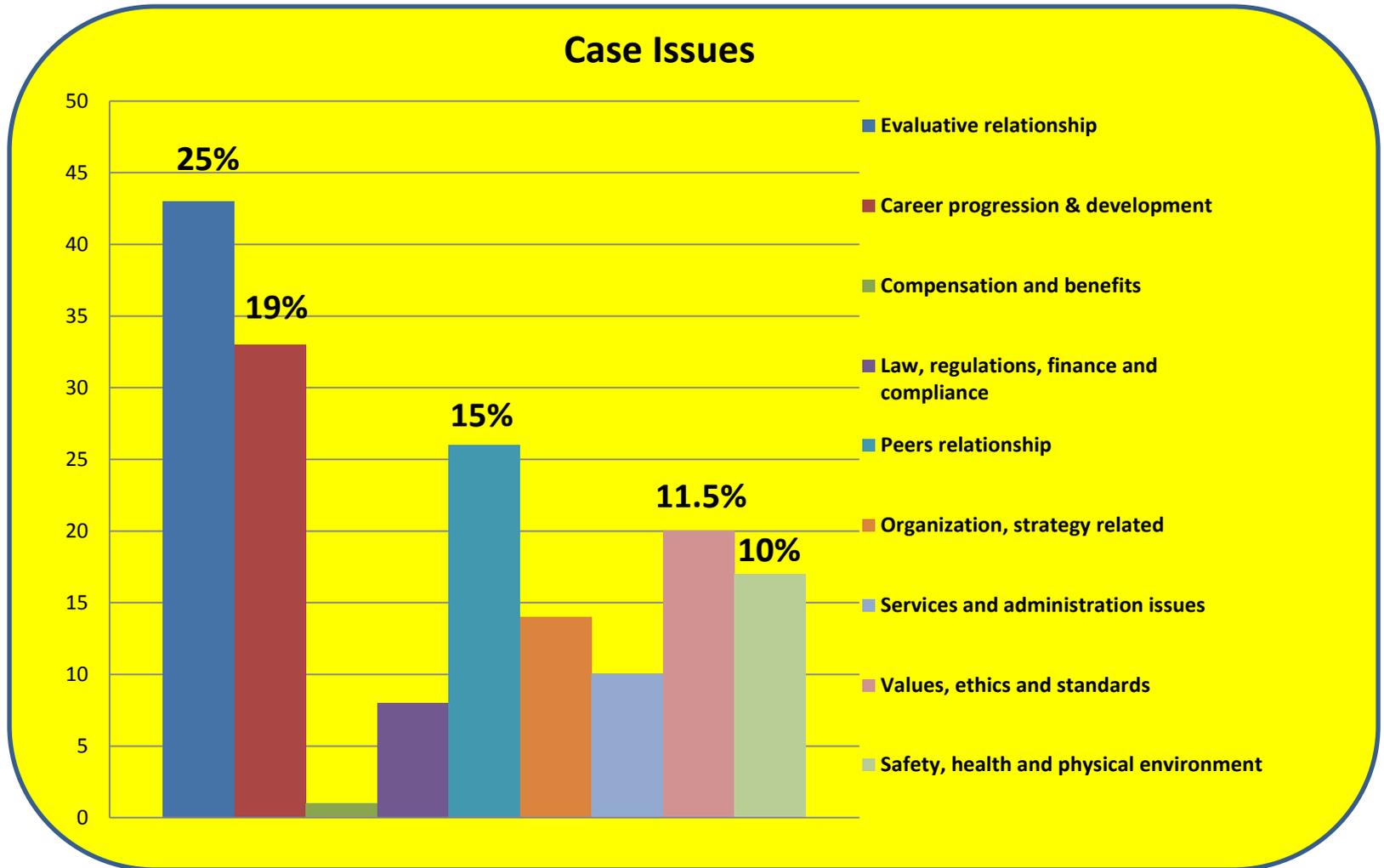
Values, ethics and standards [20 issues, 11.5%]:

Issues specifically related to the CERN Code of Conduct

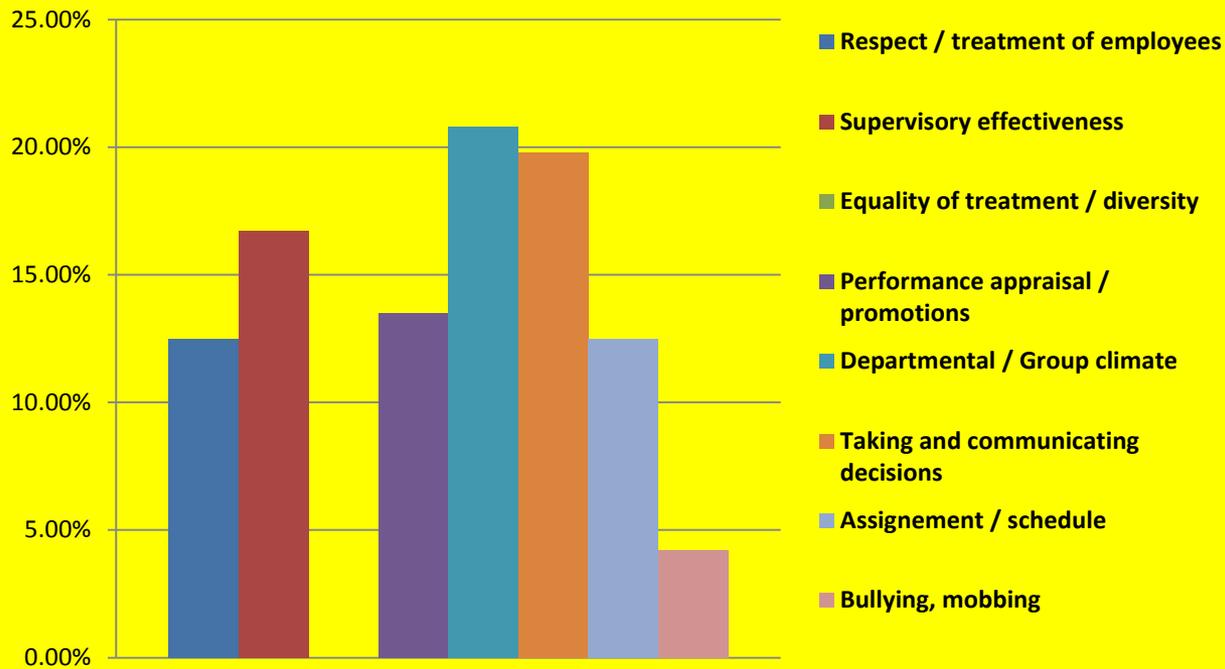
Safety, health and physical environment [17 issues, 10%]:

Issues mainly related to stress

Issues taken up by the Ombuds

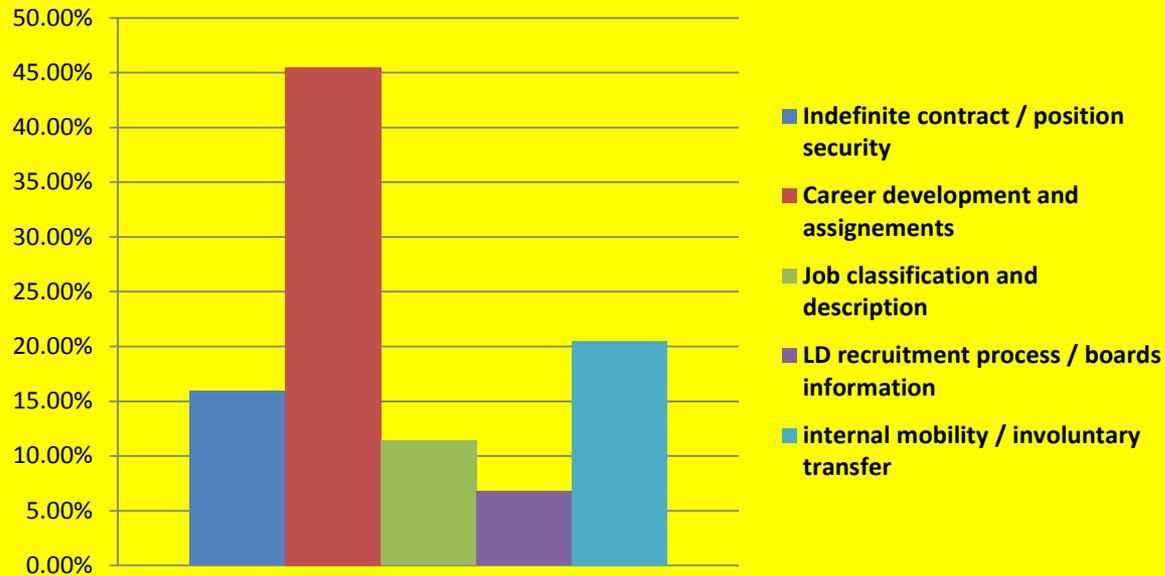


Evaluative relationships [43]



- Group climate, communication of decisions and supervisory effectiveness form the largest sub-groups in this category.
- Bullying/mobbing remain low with a small fraction of issues escalating into disputes.
- No equal opportunity/diversity related cases reported.

Career progression and development [33]



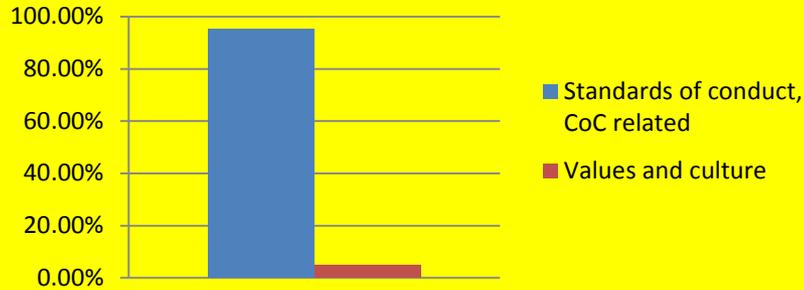
- The need for longer-term career assessment is apparent.
- The number of issues related to internal mobility are low.

Peer relationships [26]

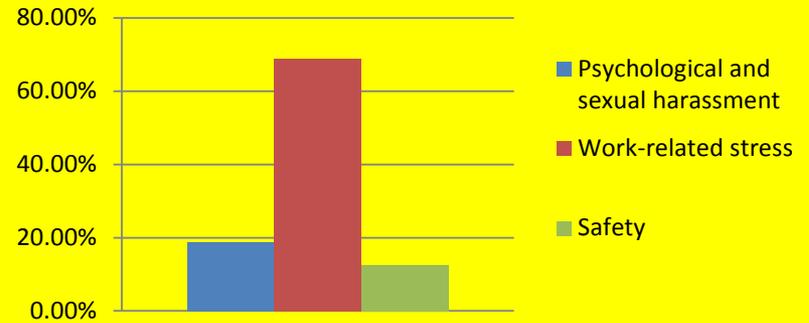


- Issues between peers are fewer than between supervisees and supervisors.
- Many issues are related to communication.
- The role of the manager is also an issue in this category.

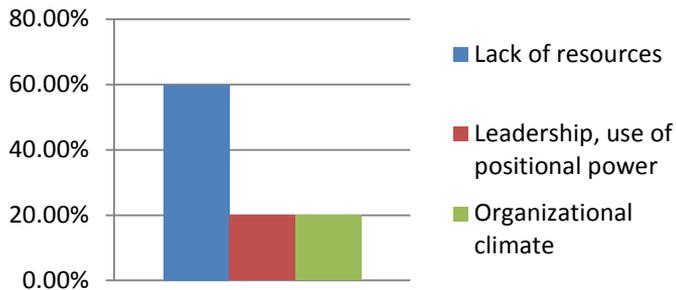
Values, ethics and standards [20]



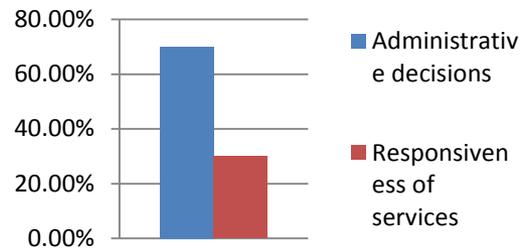
Safety, health and physical environment [17]



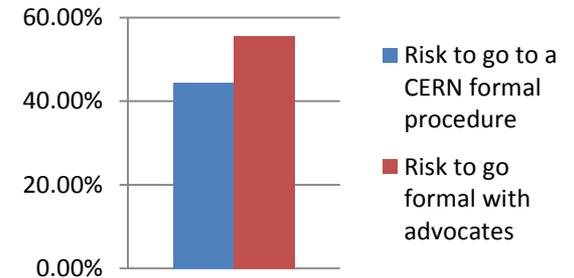
Organization, strategy related [14]



Services and administrative issues [10]

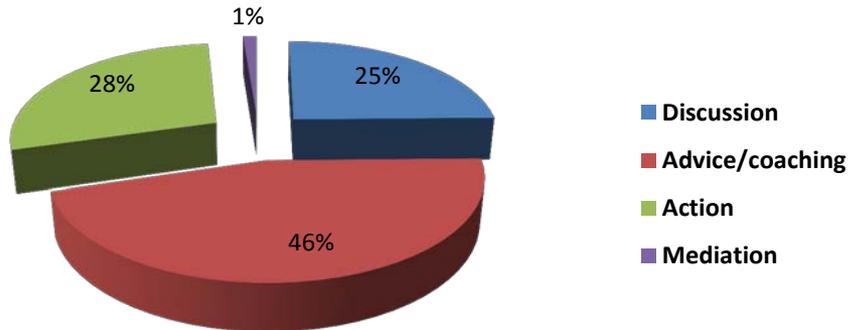


Law, regulations, finance and compliance [8]



Process and results

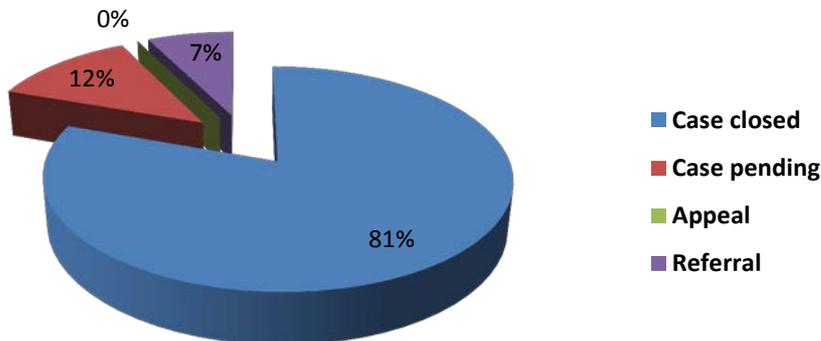
Distribution of actions



Main tendency:

Discussion and advice/coaching. The most frequent process is to enable self-guided resolution.

Results



Most cases closed

Referral can be to:

Hierarchy
HR Department
Medical Service
Social Service

Additional activities undertaken by the Ombuds during the first year

Within CERN:

- Poster, leaflet distributed to everyone at CERN outlining Ombuds function
- Web site: cern.ch/Ombuds
- Articles in the CERN Bulletin
- Presentations in the Departments on Ombuds and prevention of harassment, in the CERN Induction Program and part of the Core Package training for Managers
- Publication of two guides for Managers and Complainants on the prevention of harassment in <http://cern.ch/Ombuds>
- Ombuds Annual Report 2010-2011.

Outside CERN:

- Member of the International Ombudsman Association [IOA]
- Member of the International Committee of the IOA
- Member of the United Nations And Related International Organizations [UNARIO]
- Monthly contacts with UN and related International Organizations Ombuds in Geneva
- Participation to the IOA [Portland, OR, USA] and UNARIO Conferences [WFP-Roma, UNESCO-Paris, World Bank-Washington DC].

Training:

- IOA training on Ombuds and Mediation
- Mediation in the workplace, PMR Ltd, National Open College Network, UK



Ombuds' corner: Confidentiality concerning boards

In this series, the Bulletin aims to explain the role of the Ombuds at CERN by presenting practical examples of misunderstandings that could have been resolved by the Ombuds if he had been contacted earlier. Please note that, in all the situations we present, the names are fictitious and used only to improve clarity.

Phil* was a candidate for a position in a different group from the one he had been working for. After his board had taken place, Phil asked for an appointment with the Ombuds.

In his opinion, the interview went reasonably well. However Phil had some concerns as he had heard that there was no point in him applying as another candidate will get the position. He had decided to apply anyway, encouraged by other people, with the hope that he would get a good rating that could help him get a position in the future, if he didn't get present one. During the interview he was asked some questions that could only have been answered by candidates with experience related to this specific group; he had missed these points, although he had a different concern.

After the board, Phil did not appreciate having to hear that the position had been given to someone else from one of his colleagues, who had in turn gotten the information from another colleague. In addition, he heard rumors that comments were made about him during the discussions leading to the decision. This came as a shock to Phil, who began thinking about the possible negative influence of some of his history, and imagined that some unknown considerations could have influenced the board's decision. He could not stop these thoughts, even the unrealistic ones, from invading his waking mind.

The mandate of the Ombuds forbids him to challenge managerial decisions, especially when these decisions are taken after several discussions, as in the case of a board. Although Phil understood and accepted that he could not change the situation as he had no knowledge of what really happened, he could not lose his bad feelings nor his vague impression that the decision could have been twisted in his disfavor (even though it might not have been the case).

Conclusion:

Such a situation is annoying and can leave unselected candidates with a bad feeling. It is very important that the confidentiality of the debates concerning the decisions leading to grant a position, whether a Limited Duration or Indefinite Contract, be respected. Only the Human Resources Adviser present in the board should be the first to forward information to the candidates who ask for it.

** Names and story are purely imaginary.*

Observations [1/4]

Identifying systematic problems and delivering recommendations to the Management is an integral part of the Ombuds role

The number of cases during the first year was low, below 3% of CERN staff members and few Users.

CERN is comparable with other International Organizations.

The Ombuds was welcomed by everyone and supported by the Management.

A good collaboration was fostered with HR Department, the Staff Association and the personnel, whilst respecting the confidentiality of those using the service.

The independent nature of the Ombuds function is guaranteed by the top Management.

Positive feedback has been reported from those using the service.

The largest number of cases involve only discussions and advice.

Observations [2/4]

The CERN Code of Conduct is only one year old and its ethical recommendations are working their way through the CERN culture.

The new CERN Competency Model, applied specifically during the annual evaluative Interviews [MARS], will help in fostering CERN values amongst staff members.

In terms of respective %, the Ombuds handled a higher number of cases concerning women compared to men, and a small number of cases concerning Limited-Duration contracts compared to Indefinite Contracts.

Continuous emphasis should be made to ensure the long-term career developments of CERN staff members.

The practical possibilities for internal mobility between departments and sectors could be somewhat enlarged.

Observations [3/4]

E-mails replacing direct personal interactions are a source of misunderstanding. More care should be taken of tone and content.

Foster the questions of behavior and evaluate them in selection boards, promotions and the choice of managers. In cases of established violation of ethics, decisive action from the Management is essential.

More attention should be given to the indicators of early stress among the personnel and recommendations should be made to follow the stress Management training.

Continuous training for managers in conflict resolution methods, including mediation, should be encouraged [Managers = Section Leaders and above].

Observations [4/4]

It would be useful to compare data and trends on various issues over the coming years to monitor improvements.

The essentials of good behavior and management are contained in the CERN Code of Conduct, which is the main pillar supporting the overall strategy towards excellent relationships in the Organization.

Fostering a respectful workplace environment to reach the same level of excellence as that of the scientific domain will be actively pursued. The introduction of the Code of Conduct, the function of Ombuds, the CERN Competency Model and a new Diversity Programme are big steps in the right direction.

The role of the managers in achieving this goal is essential.

Actions for the coming year

Continue assisting those who seek help from the Ombuds in the interest of CERN.

Handle the informal complaints of harassment.

Continue preventive actions through (for example):

- CERN Bulletin
- Proposed participation in some group meetings
- Bibliography on conflict resolution on the Ombuds' web site

Develop coaching capabilities to help CERN managers on an individual basis.

Increase participation in International Ombudsman Association Committees.

Develop an Ombuds' network between the participating Institutes and CERN Programmes.