



8th annual report of the CERN Ombud

1st January 2018 – 31st December 2018

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Executive Summary

There have been on average 100 visitors/year since the Office was established in 2011.

In 2018, there were 104 visitors to the Ombud Office, all categories included, representing a 5% increase compared to the average number of visitors in the period 2011-2017. Staff members still represented the largest proportion, with the number of Fellows and Students however continuing to increase. There was an increasing number of Users, compared to the preceding periods. Women represented exactly half of the visitors, corresponding to 3.5% of the relevant staff member population, as compared to 1.4% of men, indicating that proportionally, there are still 2.5 times more female than male visitors to the Ombud office.

The majority of the outcomes were reached through advice or coaching, with the remaining issues being handled through mediation, referral or recourse to formal action, as appropriate. It should be noted that the majority of colleagues chose discussion or coaching over intervention, continuing to cite a fear of disclosure or retaliation as a basis for this preference. As in previous years, a significantly high proportion of the issues raised by all visitors falls into the Evaluative relationship category, followed by Peers relationship and Safety, health & physical environment on an equal basis. The other issues concerned Career progression and development, Values, ethics & standards, and Administrative issues.

At the end of the report a number of recommendations are formulated concerning among others gender equality, supervisory effectiveness, the Fellow & Students population, and the physics community.

1] Introduction

The Ombuds shall issue an annual report on his/her activities to the Director-General. This report shall contain anonymous, statistical information with respect to matters brought to his/her attention, including their nature and status or outcome, as well as a general assessment of the operation of the Office of the Ombuds.

Ombuds mandate.

This is the eighth report issued from the office of the CERN Ombud. It covers the period from 1 January 2018 to 31 December 2018. The Ombud function was created in 2010, at the same time as the publication of the CERN Code of Conduct. The basic function of the Ombud is to provide a zero-barrier, informal, impartial and confidential channel for all Members of the Personnel, as well as everyone working on behalf of CERN, to express their concerns. Through various means such as listening, providing information, coaching and mediation, the Ombud works with visitors to identify options by which they may address their own issues and / or resolve any conflict whether due to misunderstanding, ineffective communication or rooted in a difference of opinion or values.

Since 2011, the Ombud has also been in charge of dealing with the informal resolution of the various types of harassment, as defined in the Operational Circular N0 9, *Principles and Procedures Governing Complaints of Harassment*. At any moment that a formal complaint is lodged, the Ombud is no longer involved.

This report presents a statistical picture of the Ombud casework by making use of a system of classification developed by the International Ombudsman Organization (IOA). Through nine broad categories and several sub-categories, this framework helps to organize and describe the many different issues that lead people to contact the Ombud.

This report also summarises some of the main observations that have resulted from this year of operation, and provides a few observations and recommendations. These comments have been made in a constructive spirit and are aimed at promoting good behaviour and a respectful workplace environment. The number of cases treated during the year indicates that the CERN working atmosphere is generally acceptable; it compares with the lower average of other International Organizations although the span in numbers is large. The smooth evolution of CERN towards a full application of its Code of Conduct has been put in motion, but it still requires some attention in order to bring its workplace culture to the same level of excellence as its scientific reputation.

A description of the additional activities of the Ombud during the reference period is also provided in this report, together with a list of the International Associations to which the Ombud belongs. Participation in these bodies supports the legitimacy of the Ombud function at CERN.

2] Roles and Principles

The CERN Director-General (DG) established a full-time position of Ombud, in July 2010. The creation of the Ombud function represents a commitment by CERN, and its Management, to the well being of all its collaborators and to the promotion of a respectful workplace environment.

Ideally, interpersonal issues between those working at, or on behalf of, CERN, should be resolved between the colleagues concerned. However, sometimes this dialogue is not successful or is not possible. In these cases, the services of an Ombud may help to resolve disputes in a consensual and impartial manner, thus promoting the good functioning of the Organization.

The mandate of the Ombud (<http://Ombud.web.cern.ch>) provides a detailed picture of the specific guidelines of this function. It may be useful to outline here the most important principles defining the Ombud role at CERN. These principles are fully in line with the Code of Ethics of the International Ombudsman Association (IOA), which includes Ombuds coming from Universities, Governments, Companies, and other International Organizations around the world. The IOA is dedicated to excellence in the practice of Ombud work. The IOA Code of Ethics provides a common set of professional ethical principles to which members adhere in their organizational Ombudsman practice.

The following four principles represent the basis of the Ombud function:

- ❖ **Confidentiality:** The Ombud shall maintain strict confidentiality with regard to the matters brought to his/her attention. In addition, any reports, recommendations or other documentation issued by the Ombud shall protect the confidentiality of all persons involved. The only exception to this rule is when the Ombud deems there to be an imminent threat of serious harm to person or property. Persons involved in a matter brought to the Ombud are also expected to maintain strict confidentiality regarding their interaction with the Ombud.
- ❖ **Neutrality/Impartiality:** The interests of both parties and the Organization are kept in mind. The Ombud shall not take sides and not favour one person over another. In conflict resolution, he/she shall contact all parties involved and treat all parties equally.
- ❖ **Independence:** In performing these services, the Ombud shall be independent. The Ombud is not part of any departmental hierarchy, but is administratively linked to the DG Unit, while remaining a neutral interlocutor. The Ombud does not hold any other function in the Organization, and consequently avoids any risk of a conflict of interest.
- ❖ **Informality:** The Ombud shall not have any powers of decision-making or formal investigation. The Ombud attempts to address problems at the earliest opportunity and lowest level of conflict. The Ombud only carries out informal investigations and does not accept notice on behalf of the Organization.

Access to the Ombud is on a voluntary basis. Other channels such as the HR Frontline, the Medical Service or the Social Affairs Service are also available at CERN and Members of Personnel are free to contact any of these bodies in seeking support to address their concerns.

The Ombud's mandate is also to provide guidance with regard to the application and interpretation of the Code of Conduct and to offer confidential assistance in the informal resolution of interpersonal issues. The Ombud is there to listen, share and examine preoccupations or problems. Conflict resolution may only take place with the agreement of the parties involved. By relying on the responsibility and autonomy of the parties, the Ombud seeks a fair and ethical solution to the problems.

Everyone working at CERN or on behalf of CERN is entitled to assistance from the Ombud. However, the services the Ombud may provide must be compatible with the individual status and/or employment relationship of the person(s) concerned, as well as the nature of the issue. It is also important to note that the Ombud has direct access to all personnel, including the Directorate. However the Ombud can only have access to the personnel records with the agreement of the concerned persons.

The Ombud may furnish additional written reports in order to promote organizational and operational efficiency. In this spirit, the present Annual Report contains some general observations and recommendations.

The Director General appoints the Ombud. The nomination runs for a three-year term, which may be renewed by the Director General for an additional two-year period. Both the nomination and renewal shall be made after consultation with the Staff Association (SA) and the Human Resources Department (HR). Upon completion of his/her service as Ombud, the Ombud shall separate from the Organization and may not serve in any other capacity as a member of personnel.

A long-term goal of the Ombud function is to help make sound conflict management skills become common practice at CERN. All efforts will be developed to strengthen CERN's alternate dispute resolution and mediation capability so as to reinforce the important role of informal resolution, and to promote a respectful workplace environment.

3] Terms and Terminology

In order to ensure a full and correct understanding of the statistics and observations contained in this report, some key terms are defined below:

Visitor

A visitor is anyone who comes to see the Ombud with an issue.

Case

A case refers to the single instance of a visitor to the Ombud's Office. Often a case involves several issues. For example, visitors having difficulties in the evaluative relationship with their supervisors may at the same time bring up issues having to do with their career situation or their health. A single case may involve contacting several persons in order to have a complete picture of the situation. Within a single case also, the same visitors might have to be seen several times in order to reach a resolution of their issues.

Cases can involve simple discussion, advice and coaching, action, or mediation between parties. Not all cases are related to real disputes, some of them may consist only of providing information or coaching visitors in the actions they intend to pursue.

Issue

Issues are concerns, which are brought to the attention of the Ombud for discussion, advice, coaching, mediation or other types of action.

In reality, almost all cases involve several issues. For example, an abuse of power, in addition to being linked to a violation of the Code of Conduct, may also involve difficulties with supervisors, a psychological threat, or be related to health and safety. So while the number of cases represents an indication of the level of activity of the Ombud during the reference period, the number and kinds of issues may be considered a more accurate indicator of the conditions of employment, working conditions and relations between supervisees and supervisors, colleagues or groups of people.

This Report makes reference to the IOA (International Ombudsmen Association) classification of issues and outlines nine major categories of issues. Each major issue is sub-divided in several sub-issues, which permits a better identification of the problems encountered. Primary issues refer to the concern with which the visitor contacted the Ombud, secondary or tertiary issues refer to concerns that are revealed through the ensuing discussions.

Contacts

Contacts are communications, interactions with the Ombud, by telephone, e-mail, or some other means of written communication. Short discussions at the cafeteria or in corridors not involving confidential information are also classified under the heading of contacts. Although such contacts are very frequent, they are not covered in this report, as considered to be part of common interactions between colleagues.

4] Possible Outcomes

Cases brought to the Ombud's office can typically result in three types of outcomes, as described below:

- Discussion: A simple discussion with the Ombud where the visitors have the opportunity to tell their story without fear of being judged. This in itself is very helpful in that people know that someone in the Organization listens to them, they are able to externalise their concerns and in many cases, the simple fact they have been heard helps to release tension and allows them to be more open to search for solutions.

In some cases, visitors have already considered possible solutions and the Ombud serves as a ‘sounding board’ for them to test out their ideas for action.

- **Advice / Coaching:** Advice is limited to providing factual information as needed. Coaching refers to a more focussed discussion where the Ombud helps the visitors to clarify their objectives and identify options by which to achieve them. The role of the Ombud here is essentially to help the visitors to help themselves by encouraging them to consider alternatives and to think ‘out of the box’ in order to tackle the situation and resolve the issues they face.

- **Action**
 - **Mediation:** A more formal and structured process where the Ombud facilitates a discussion between the parties concerned who agree to take part in the process with the aim of reaching a mutually acceptable solution.
This involves a ‘win-win’ approach that is future oriented and aimed at improving the working relationship. It may either take the form of a ‘face to face’ discussion in the presence of the Ombud or a shuttle mediation where the Ombud talks to both parties separately in order to help them reach a solution.
Multi- party or team mediations may also be necessary in some situations.
In all mediation exercises, the role of the Ombud is to be a confidential, impartial resource, responsible for ensuring fair and equal process without entering into the actual content of the dispute.

 - **Intervention:** An action taken by the Ombud with the clear authorisation of the visitors – this may involve contacting other people to obtain more information, accompanying or representing the visitor in a given situation or requesting a follow up action as appropriate.

 - **Referral:** A recommendation for the visitor to take up the issue with another service, e.g. HR or the Medical Service, etc., as appropriate.

5] Profiles of the visitors to the Ombud Office in 2018

In 2018, the Ombud handled 104 cases, (as compared to an average of 99 cases in the period 2011-2017)

The following figures provide an overview of the profile of visitors to the Ombud Office by contract classification and gender. As to be expected, a few cases remain pending and will have to be followed up in 2019. For each visitor there was an average of two meetings, ranging between 1 and 7 meetings per visitor.

As in the previous year, in most cases, the Ombud worked only with the visitors, with the aim of equipping them, through discussions and coaching, to address their issues themselves, whilst maintaining total confidentiality. In a small number of cases, the Ombud needed to contact other people or services, always with the express authorisation of the visitors. In a few instances, the issues were referred to the HR Department for action.

5.1] Categories of Personnel – by types of contract

Visitors to the Ombud's Office in 2018 represented the full range of CERN categories of personnel.

Whereas CERN staff members still represented the largest proportion of visitors (47%), this year saw an increasing proportion of Users at 24%. The numbers of Fellows and Students remained below those of 2017, at 18%, and still in progression when compared to the average of all previous years.

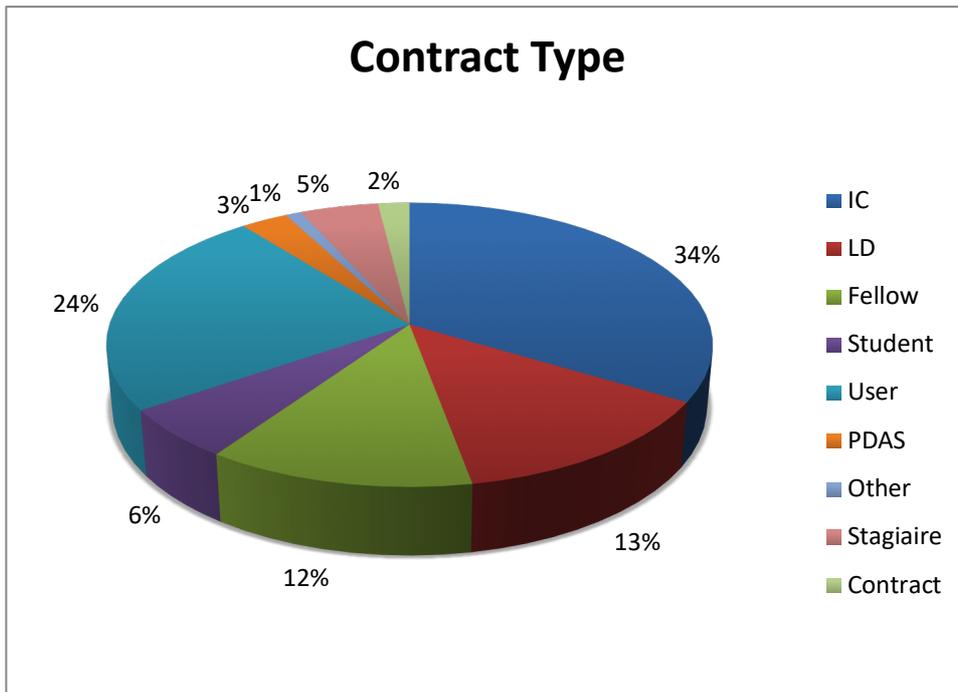


Fig.1: Distribution of Visitors according to contract type - 2018.

A total of 49 Staff Members visited the Ombud Office in 2018, down to 1.8% of the total CERN population concerned.

14 of these visitors were LD contract holders, representing 1.5% of the overall population concerned, whilst the remaining 35 of Staff Member visitors were IC contract holders, and represented 2.0% of the corresponding CERN populations.

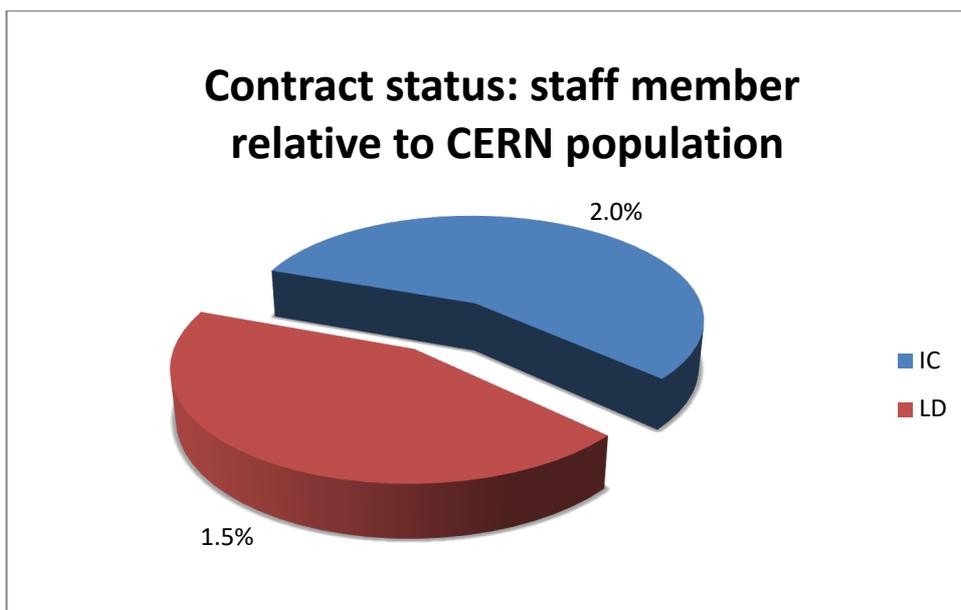


Fig.2: Proportion of IC or LD staff visitors on corresponding population 2018

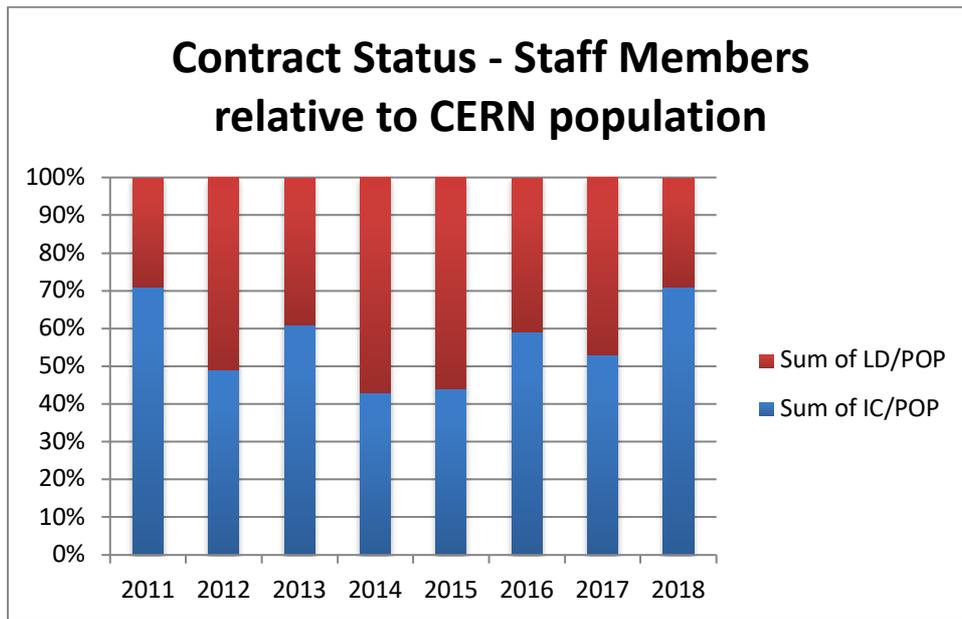


Fig.2b: Normalized proportion of Staff Member visitors with IC or LD contracts period 2011-2018.

5.2] Categories of Personnel – by Gender

The proportion of women visitors in 2018 was comparable to the previous years with 52 women and 52 men, representing an equal gender distribution.

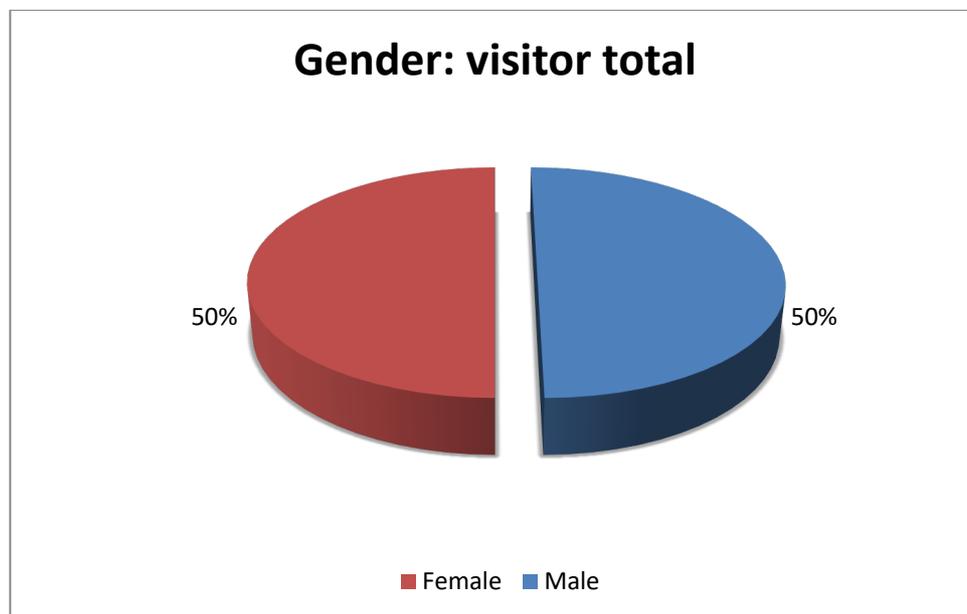


Fig.3: Overall gender distribution 2018

As in the past, when viewed proportionally to the relevant population, women visitors represented 3.5%, whilst men represented 1.4% of the corresponding total staff member populations. Whereas this difference remains comparable to the figures in previous years, these numbers still represent 2.5 times more female than male visitors to the Ombud office as shown in Figure 5 below, a proportion which is significantly higher compared to other international organizations in the area.

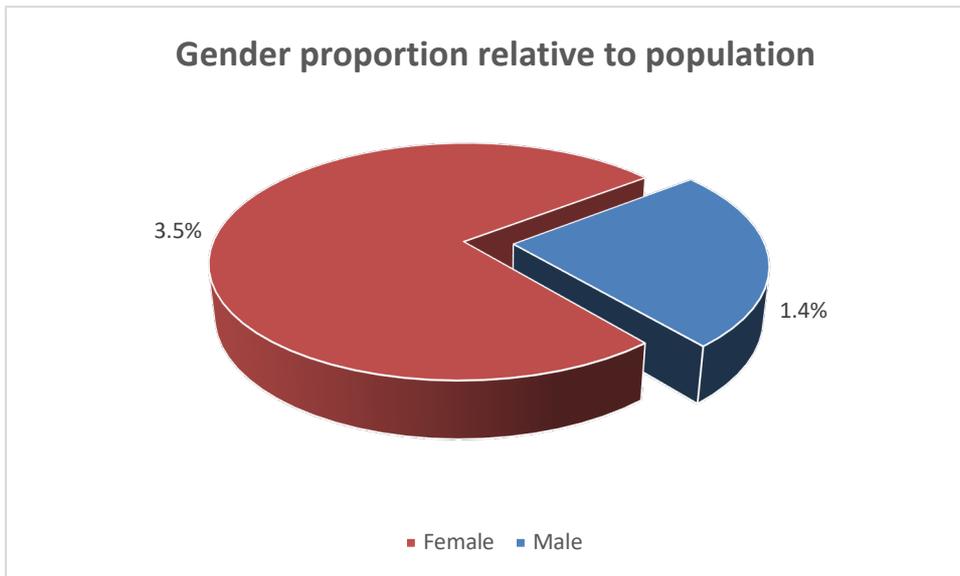


Fig. 5: Gender distribution relative to corresponding Staff Member population 2018

This continuing difference in the proportion of women visitors relative to the population as shown in Figure 6, below, was already signalled in a previous Ombud report as a matter of concern.

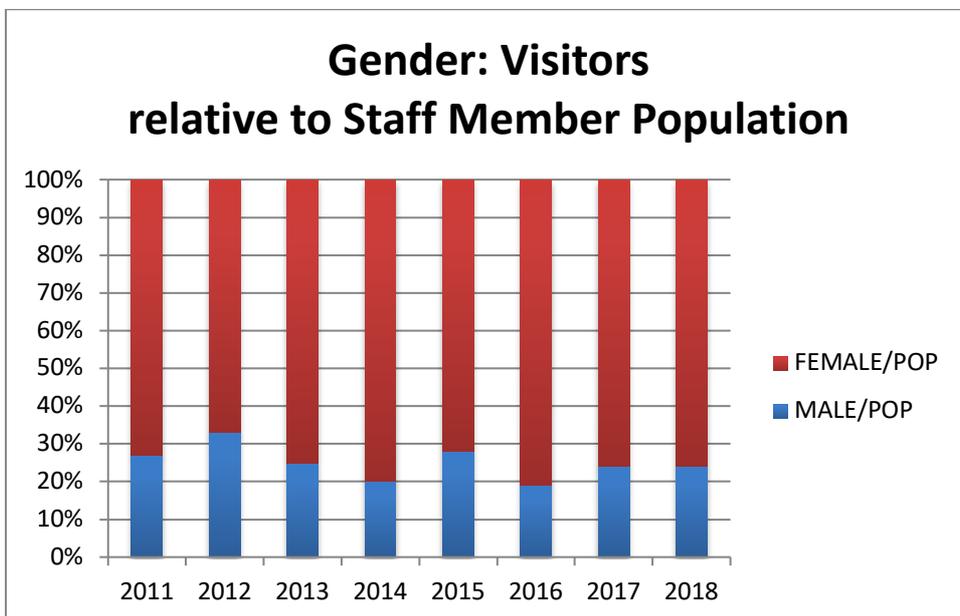


Fig.6: Gender distribution relative to CERN Staff Member population - period 2011-2018

5.3] Profile of Visitors - Conclusion

The overall number of 104 visitors to the Ombud office in 2018 means a return to the previous years' average, since the establishment of the function at CERN.

Staff Members visitors represented 1.8% of the total number of Staff Members, a figure that is rather on the lower side since the creation of this Office. This figure is also on the low side compared to other International Organizations in the area, where the lowest average is at 4% of staff.

The numbers of Fellows & Students contacting the Ombud has however risen steadily over the years. The 19 Fellow & Students visitors in 2018 confirm the upward trend which had been noticed since 2017. This has to be put in perspective with the general increase of the total number of Fellows & Students over the years, but nevertheless means that this population of visitors grows faster than the total corresponding population at CERN.

The relative number of female visitors continues to be significant and represents colleagues from all categories of personnel – Staff Members, Fellows, Students and Users. Apart from some examples of sexist behaviour, which continue to be raised, there were no specifically diversity related issues cited as reasons for contacting the Ombud. However, the question raised in previous years as to whether or not the CERN culture is fully supportive to women remains open, and some effort to educate colleagues as to evolving expectations of behaviour across genders in support of the Code of Conduct is highly recommended.

6] Issues raised with the Ombud in 2018

As with previous CERN Ombud reports, the issues have been classified according to nine broad categories in line with the overall classification of issues established by the International Ombudsman Association (IOA). The purpose of using the same classification as other International Organizations is in order to facilitate the comparison among them. The categories are described in the Appendix I, together with their respective sub-categories.

The main issues raised in 2018 can be categorised as shown in Figure 7 below.

As in previous years, a significantly high proportion of the topics fall into the Evaluative relationship category, with 41% of visitors raising issues related to the supervisor-supervisee relationship. On the second place, representing each 16%, we find Peers relationship and Safety, Health & Physical Environment. Career progression and development follows at 13%. At the bottom we find Values, ethics and standards at 9% and Services and Administrative issues at 7%. There were no issues related to Organization & Strategy, Compensation & Benefits neither Law, regulations, finance and compliance.

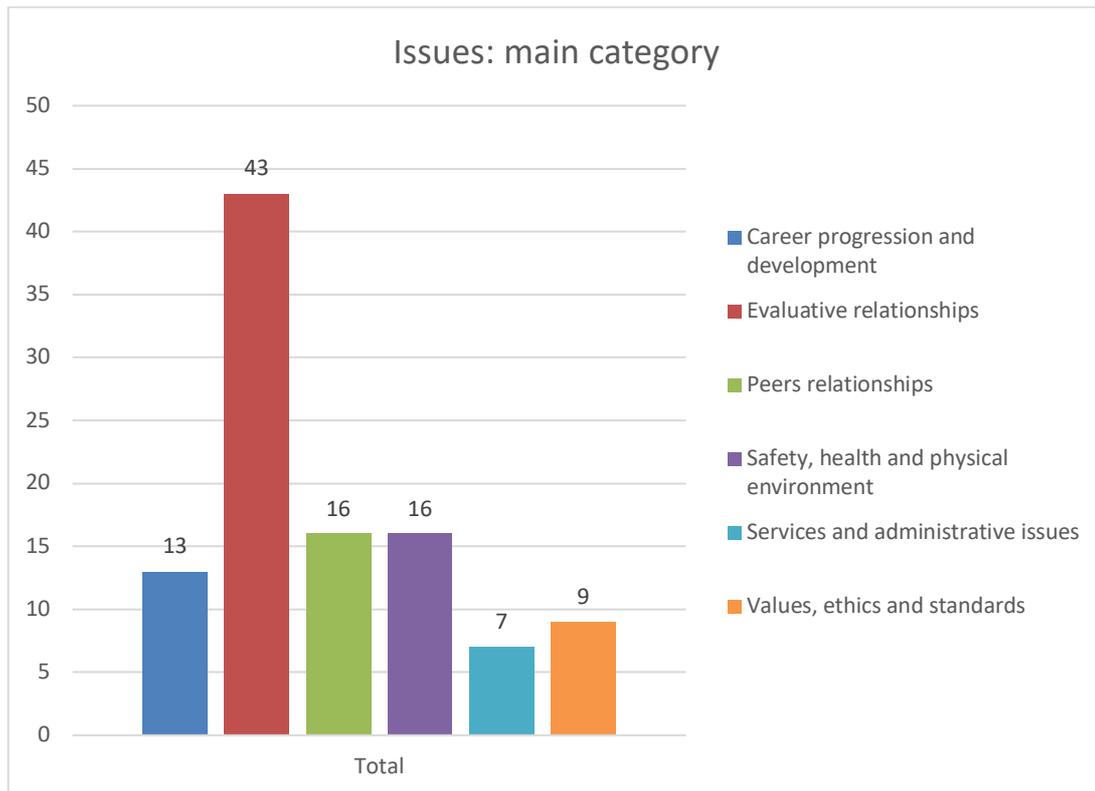


Fig. 7: Number of main issues by category 2018

Considered over the past years, the proportion of issues related to Evaluative relationship seems to remain in a growing trend. Safety, health and physical environment is significantly up compared to previous years. A possible explanation could be that the cases of psychological and sexual harassment have been classified under this category in 2018, according to the IOA classification, while they previously could have been classified under Evaluative relationship or Peers relationship. Career progression and development is again up since its drop in 2014. Value, ethics and standards is back to the level it had been until 2016. Organization & Strategy, Compensation & Benefits and Law, regulations, finance and compliance remain out of the picture since 2015-2016.

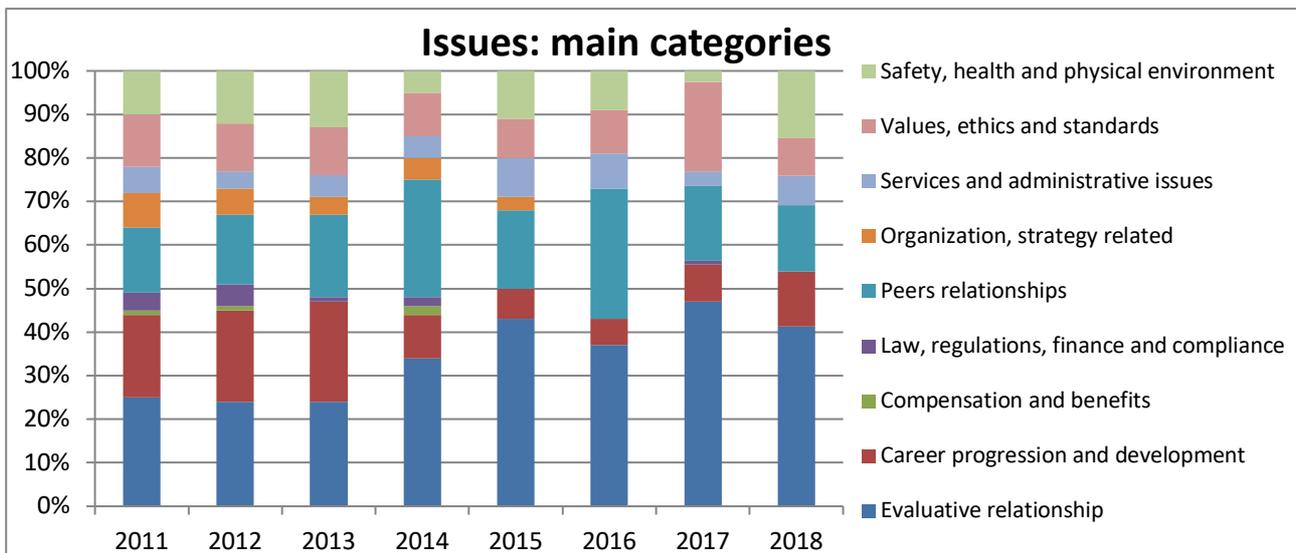


Fig. 8: Proportion of issues by category - period 2011-2018

It should be noted that Figures 7 and 8 represent the main issues that are raised in the Ombud Office, but that there are often other related issues linked to them, notably from the ‘safety, health and physical environment’ and ‘values, ethics and standards’ categories as well as overall respect of the CERN Code of Conduct.

Unlike other international Organizations, the cases handled by the Ombud Office at CERN remain mainly focused on inter-personal issues, rather than issues related to Organizational strategy, services or administration and this has been a fairly consistent trend over the years.

6.1] Evaluative relationships: 43 issues

The number of cases in this category represent a significant decrease compared to last year, which was however rather exceptional.

Figure 9 shows that the main issue within this category was related to Job assignment, where visitors reported that the assignments were either not those agreed during the recruitment process, or had been changed unilaterally by their supervisor afterwards.

In second position we find Respect/treatment of employees, which concerns cases of perceived lack of recognition, aggressive behaviour or demands by the supervisor which were perceived as requiring much more experience than the visitor could have acquired at this stage of his/her career.

In most of these cases, there was a recurrent fear of retaliation that led visitors to request confidential help in dealing with the situations themselves, whilst at the same time wishing to put this behaviour on record at the Ombud Office in case it should persist.

The third issue in importance concerned the Supervisory effectiveness, with a few cases of supervisors who were perceived as lacking confidence in their own supervisory competencies and being therefore over-controlling. Some situations described also seemed to indicate a lack of basic people management skills. In some instances, there was a complaint that the supervisor did not really know or was not interested in what the visitor was doing at work.

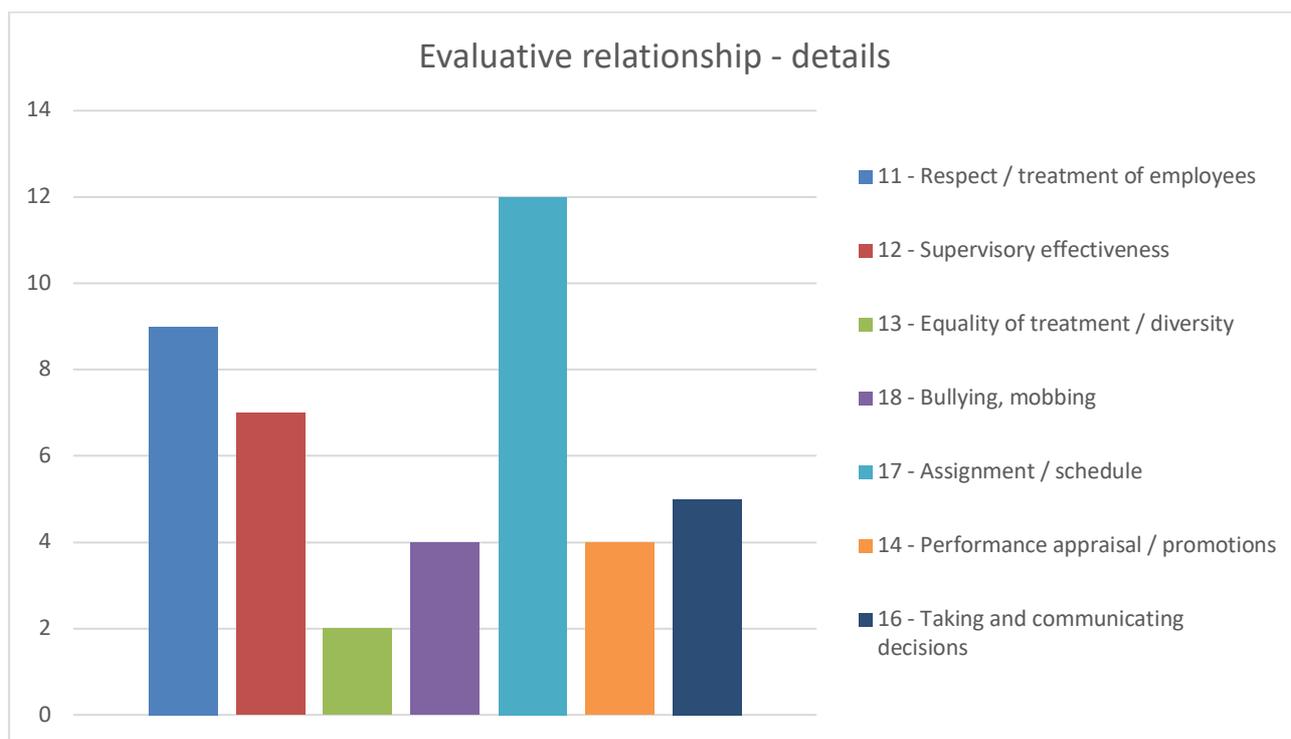


Fig.9: Statistics on sub-issues of Evaluative Relationships 2018

6.2] Peer relationships: 16 issues

Conflicts between peers represented 16% of the issues raised in the Ombud's office in 2018, a figure that is stable compared to the previous years.

In there we find communication issues, lack of respect, bullying and mobbing, withholding information, and a few examples of abrasive or threatening behaviour.

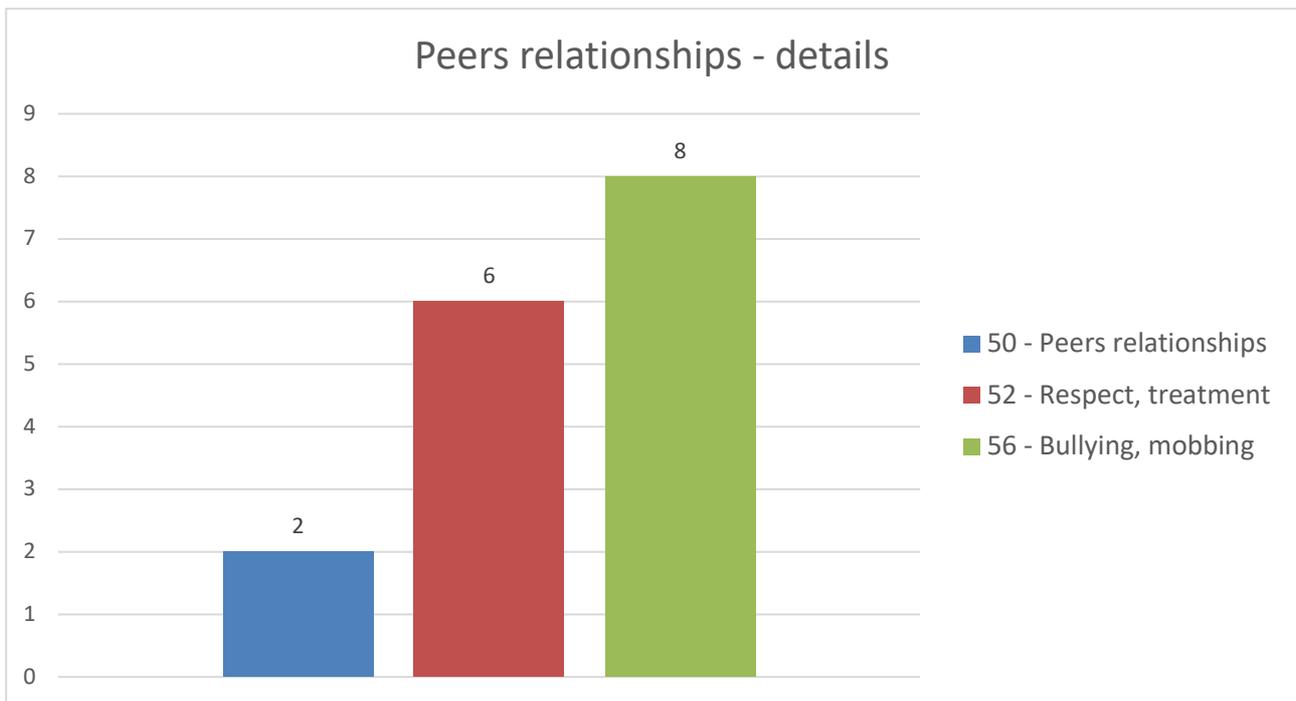


Fig. 10: Statistics on sub-issues of Peers relationships 2018

6.3] Safety, health and physical environment: 16 issues

Up till now mainly the issues related directly to safety and physical conditions were reported in this category. Since 2018, and in accordance with the International Ombuds Association Organization, the issues related to psychological and sexual harassment have been reported here, because considered as having a direct impact on the mental health at work. Probably many of these cases had been reported previously under Evaluative relationships or Peers relationships.

Out of the 16 issues only one case was clearly related to the physical safety conditions at work. Seven cases clearly related to sexual harassment (four individual cases, three cases of ambient harassment). There were four cases of stress and mental health, and one case of moral harassment.

6.4] Career progression and development: 13 issues

A few staff members came to see the Ombud office concerning their assimilation in the benchmark jobs structure. For those who were already involved in an official appeal procedure, the Ombud had to refrain from addressing the issue.

The other issues were equally spread between the indefinite contract procedure, limited duration contract selection procedure, career development and internal mobility.

6.5] Values, ethics and standards: 9 issues

The majority of cases in this category concerned questions related to the application of the CERN Code of Conduct and the respect of values and culture such as conflicts of interest, authorship in scientific publications, lack of respect, or discrimination.

6.5] Services and administrative issues: 7 issues

All seven cases involved perceived or established errors in administrative decisions.

7] Outcomes to issues raised in 2018

Figure 11 below shows the distribution of outcomes for the cases brought to the Ombud's office in 2018:

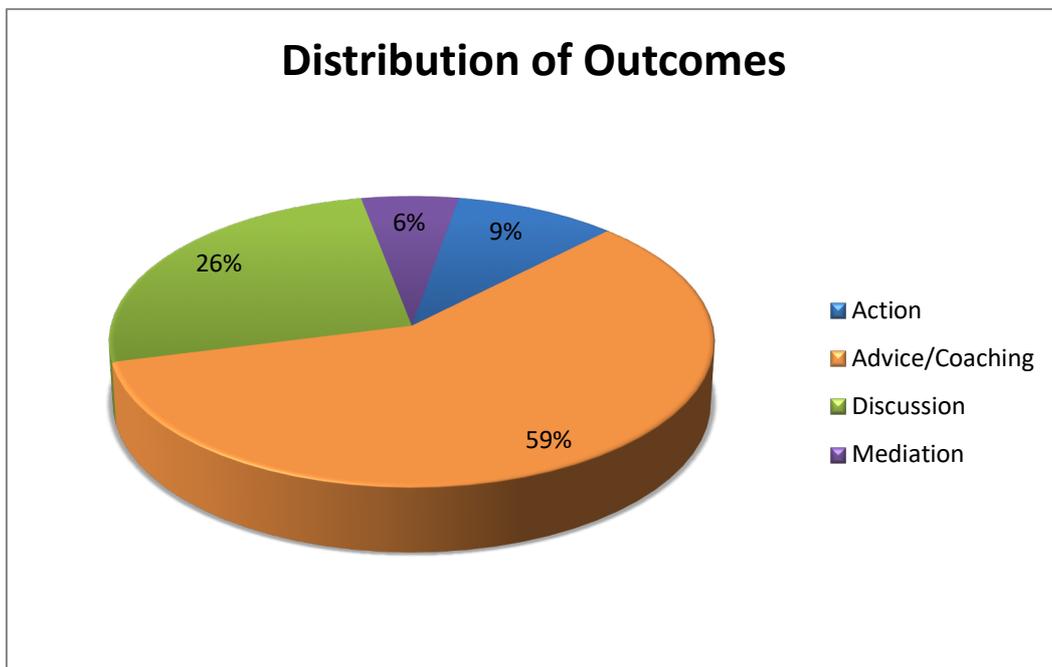


Fig. 11: Distribution of Outcomes - 2018

It can be seen from this figure that in 2018, most of the outcomes were reached through advice or coaching. Most of the time this entailed listening to the visitors' concerns, and helping them to identify the outcome they sought. Once that had been clarified, it involved guiding them through a series of questions to identify the various options of action that could help them to reach their objectives. In several cases, in addition, it involved some situational coaching, in particular with regard to how to communicate with their interlocutor.

In a quarter of cases the visitor just needed to be listened to, without any particular expectation for advice or actions. In these cases, visitors either just needed to get something off their chest, or wanted the Organization to be aware of a particular situation, often to prevent it happening to other people after them.

It should be recalled here that the Ombud never advises on a particular course of action – this remains a decision for the visitor; the Ombud's role is to guide the visitors to a decision by tapping on their own inner resources. It is then the responsibility of the visitors to implement this decision, whilst always counting on the support of the Ombud, as needed.

Advice is limited to providing information, e.g. on rules, processes or services that may be of use to them.

Of the remaining cases that were addressed through an action on the part of the Ombud, six situations were handled through mediation. Others involved referral or recourse to formal action, as appropriate.

Most of the cases brought to the Ombud's Office in 2018 have been resolved or closed, with a few carried over into 2019.

8] Additional Ombud Activities

In addition to the main activity of providing a confidential and impartial resource to individuals seeking to resolve inter-personal issues in the work place, the CERN Ombud also undertakes various activities to raise awareness and generally promote a respectful work place.

8.1] The Ombud's Corner.

A total of 20 articles were published in the 'Ombud's Corner' section of the CERN Bulletin in 2018, covering a range of themes representing the various types of issues brought to the Ombud's Office and presented through fictitious scenarios and compilations. The articles were written in a constructive spirit and aimed to raise awareness and promote respectful behaviour and interactions between peers and within the hierarchical relationship of management and staff.

Topics covered over the year ranged across issues related to communication, diversity, harassment, equal treatment, respect or supervisory effectiveness.

CERN colleagues often expressed their appreciation of these articles both in person and via email, or indeed by querying their absence on the few Bulletin issues that did not carry them.

The ‘Ombud’s Corner articles all remain available at <http://Ombud.web.cern.ch/blog> .

8.2] Promoting the Ombuds Office at CERN

The Ombud continues to contribute to the CERN On-boarding programme for new members of personnel. On top of these regular presentations, the Ombud was invited on “ad hoc” meetings for newcomers in the collaborations, such as in ATLAS, CMS and ALICE. After a presentation to the Enlarged Directorate and to TREF, The Ombud presented the Annual Report in the Group leaders’ meetings of every department. The Ombud is also available, on invitation, to present the role and facilitate discussions around the typical workplace conflict situations that arise during management, staff and collaboration meetings, as appropriate.

8.4] Training, conferences and networking

The principal training and professional activities undertaken in 2018 include:

- Training in coaching by the IDC Institute which will result, on completion, in a certification recognized by the International Coach Federation;
- Participation in the IOA Annual conference, Richmond, USA;
- Monthly meetings with the Ombud network of Geneva based international organizations. These meetings provide a critical resource to this community and a regular opportunity for its members to share experience and benefit from each other’ perspective on the challenges they face.

Contacts with one’s counterparts in the International Organizations and Associations allow for a rich exchange of information with access to reports, and advice on problematic situations, in addition to a rewarding personal link with professionals in the Ombud world. These contacts also provide an excellent occasion to promote the image of CERN, as an employer concerned for the health and well being of its staff.

9] Observations

This eighth annual report is part of the Ombud function: it provides an opportunity to describe the activity of the Ombud, to report on the numbers and profiles of staff having recourse to the

Ombud's Office, and to share some of the major themes and concerns that have been raised by these visitors.

The report is also a means by which to encourage change over time by raising awareness of management and staff to the difficulties and challenges inherent in the Organization's practice and culture, and offering insights into ways of addressing them.

The following observations are based on the main issues reported to the Ombud Office in 2018:

- Fear of retaliation.

Whilst all visitors expressed their appreciation of a 'safe' place where they felt encouraged to share their concerns freely without fear of reprisal, many of them preferred that their initiative to contact the Ombud should remain confidential as they felt it would be badly perceived by their hierarchy and/or environment and feared negative consequences for their career.

- Gender equality

Sexual harassment continued to be reported, this year by women only. In nearly all cases the behaviour was attributed to peers. Three visitors came to see the Ombud to share concerns about gender discrimination at CERN in general, implying that the climate and culture in the Organization would not be in favour of gender equality. In some places women have been confronted to persistent sexual harassment over a period of several months by male members of the section. Sometimes the fact of belonging to the same nationality reinforces common behaviour, when the female colleague is of another nationality. It is to be noted that there was no significant increase in the reporting of issues of sexual harassment, despite the free speech generated by the wide-spread public reporting on many cases, particularly in the entertainment industry in the United States and in Europe.

- Fellows and students.

The supervisor's demands on fellows and students are sometimes perceived as below their level of competency and workload. In other cases, the supervisor on the contrary was perceived as too demanding, asking them to perform critical tasks perceived as requiring several years of experience. There were a few cases of perceived lack of respect and discrimination by the supervisor.

- Evaluative relationships

The main sub-issue within evaluative relationship concerned assignments and work schedule. There were a few cases of modification of initial assignment to cope with changing operational priorities, sometimes taking staff by surprise. While in most circumstances, if well explained, staff could have accepted redefinition of priorities, it was more the way it was communicated that created frustration. In many cases it came over as an unexpected, unilateral and authoritative decision by the supervisor, without preliminary dialogue or transparent explanation of the rationale behind it.

In some cases staff had the feeling that their supervisor acted on instruction of their own group leader, without necessarily being convinced themselves about the merit of the decision. This raises the issue of the supervisors' autonomy and the credibility of both the supervisors and their management.

The second subcategory within this issue was respect, with again alleged incidents of abrasive behaviour, insults, abuse of power and discrimination. If not addressed properly, these grievances can potentially lead to formal complaints.

Concerning supervisory effectiveness, some visitors complained about micro management and lack of trust from their supervisor. Some cases may possibly be explained by a lack of self-confidence of the supervisor, having been promoted early, without proper preparation.

Finally, there were a few cases of disagreement consecutive to the MERIT exercise.

- Safety, health and physical environment.

The seven cases related to sexual harassment are commented in the section Gender equality above. The other cases are described under section 6.3.

- Peer relationships:

Communication issues were also at the heart of conflicts reported in the peer relationship category, where the majority of complaints centred on loss of temper, lack of trust, abrasive exchanges both in person and via email, and perceived disregard. In most of the cases these issues resulted from obstacles to initiate and maintain a constructive dialogue between colleagues.

- Career progression and development:

In this category visitors were unhappy with the recruitment procedure (both LD or IC), or considered themselves as being unfairly treated in comparison with other colleagues perceived as doing the same job. A few staff members challenged their classification following the bench mark job assignment. For those who had filed an official complaint, the Ombud had to stay aside, pending the decision by the Organization.

- Issues raised by Users

In 2018 there were disputes about claimed authorship submitted to the Ombuds Office. While the LHC experiments tend to have clearer rules about authorship, this may not necessarily be the case with smaller experiments. Once the final decision was taken by the collaboration management the alleged authors felt they had no further means to challenge the decision, and were hitting a wall.

The issues concerning Users are amplified by the flat structure within the community, which sometimes leaves them without any clear framework of accountability within which to address their concerns.

The Users' community may find itself in a more vulnerable situation since the supervisory structure is not as well established as for the MPEs, the contractual status is more fragile, the scientific competitive pressure can sometimes be extremely high.

The existence of the CERN Code of Conduct, and the availability of services such as the CERN Diversity programme and Ombud are not as well known among the MPA as among the MPE.

10] Recommendations

Given the above observations, and considering the main categories of issues raised, the following recommendations are made to the CERN Management :

- 1) Gender equality.

Although there were limited cases of individual sexual harassment, CERN, by its nature of scientific organisation and due to its significant gender unbalance, may not offer ideal conditions for equal career opportunities for women and men. CERN management therefore is encouraged to get a thorough and evidence-based understanding of the gender equality situation, in order to further enhance equal opportunities for both women and men.

2) Fellows and students.

The important growth of this group, compared to the staff members' population, has an impact on the supervisory burden, leading in some occasions to a feeling of abandonment by the fellows and students. The level of follow up and supervision they get does not always seem to be consistent with their activities. As long as those are oriented for a substantial part towards learning and writing their thesis, a minimal supervision can meet their needs. The more however they are involved in operational activities, the closer the supervision should be, and supervisors should get the corresponding resources. Today in too many cases fellows and students get minimal supervision, despite performing a similar work as those of staff members, who benefit from full supervision and attention.

3) Seen the important proportion of evaluative relationship issues, it is important to continue to weight behavioural, esp. supervisory, competencies in the LD and IC selection process, at the same level as the technical competencies. Behavioural competencies should also receive due consideration when promoting people internally to supervisory positions. For supervisors the MERIT exercise should systematically include a discussion on the people management abilities, included in the MERIT report.

4) On top of continuous learning through supervisory and leadership training programmes and regular refreshers already offered in the training catalogue, it is also the responsibility of the departments to invest in coaching supervisors on a continuous basis. A systematic coaching programme for newly appointed supervisors would allow them to take good habits from the start. The cost of bad people management probably is a multiple of the investment in a professional coaching programme.

5) Safety at work on a daily basis is since many years integrated as an undisputable priority. As already pointed out by the Feel Well Work Well working group, the daily mental health at work should receive the same attention, focus and follow-up as safety. The price of bad mental health probably even exceeds by far the cost of unsafe working conditions. Yet mental health issues are too often set off as related to private issues or a sign of weakness. The management of mental health should be an integral part of CERN's management.

6) Users

Collaborations have a different attention to such matters as diversity, inclusion and equal opportunities. Rules on topics such as authorship or participation in conferences are more or less clear and explicit, depending on the Collaboration. Without infringing their independence, Collaborations, whatever their size, should be encouraged to adopt best practices from each other.

11] Conclusion

The Ombud activities remain constant with the number of visitors reaching 104 in 2018, whilst the number of meetings per visitor varied between one and seven times. The majority of issues were closed, with only a few cases carried over for completion in 2019.

Compared to previous years, the awareness about the particular issues concerning the population of fellows and students has increased, and many new programmes have been put into place.

Over the last decades CERN has provided an exemplary effort to support diversity and equality, yet nothing truly guarantees that today the Organization offers full equal opportunities to both women and men.

The persistent fear of retaliation reflects the level of trust in management among the members of personnel.

Evaluative relationship topics, like in many other organizations, remain the top issue at the ombuds office. Therefore, relentless efforts have to be maintained not only through training and development programmes, but also to incite senior managers to act as role models and to coach younger supervisors on the spot. It is only through leading by example that a better culture and climate will be shaped.

Collaborations, as independent units, also have their share in making the experiments at CERN a better workplace by encouraging supportive, transparent and fair practices.

APPENDIX I: Classification of issues along the International Ombudman Association

Ident	Case Issue	Subject
10	Evaluative relationship	Supervisor vs supervisee
11	Respect / treatment of employees	
12	Supervisory effectiveness	
13	Equality of treatment / diversity	
14	Performance appraisal / promotions	
15	Departmental / Group climate	
16	Taking and communicating decisions	
17	Assignment / schedule	
18	Bullying, mobbing	
20	Career progression and development	Decisions concerning a job
21	Indefinite contract / position security	
22	Career development and assignments	
23	Job classification and description	
24	LD recruitment process / boards information	
25	Internal mobility / involuntary transfer	
30	Compensation and benefits	Examples: payroll, salary
31	Salary scale	
40	Law, regulations, finance and compliance	Legal risk, go formal
41	Risk to go to a CERN formal procedure	
42	Risk to go formal with lawyers	
50	Peers relationships	Relations among peers
51	Priorities, values, beliefs	
52	Respect, treatment	
53	Role of managers and structural issues	
54	Retaliation	
55	Communication	
56	Bullying, mobbing	
60	Organization, strategy related	Systemic issues related to CERN
61	Lack of resources	
62	Leadership, use of positional power	
63	Organizational climate	
70	Services and administrative issues	Policy, administrative decisions
71	Administrative decisions	
72	Responsiveness of services	
80	Values, ethics and standards	Fairness, CoC
81	Standards of conduct, Code of Conduct related	
82	Values and culture	
90	Safety, health and physical environment	Safety and wellbeing
91	Psychological and sexual harassment	
92	Work-related stress	
93	Safety	