



# OMBUDS SERVICE PROTOCOL



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## Mission Statement

The Office of Federal Contract Compliance Programs (OFCCP) is dedicated to expanding equal employment opportunities and eliminating unlawful discrimination in the workplaces of federal contractors. As an administrator of federal equal employment opportunity laws, OFCCP receives questions and complaints about policies, procedures, and enforcement practices. Despite the agency's public assurances that contractors face no ramifications for contacting OFCCP with questions or concerns, some contractors have withheld such questions or concerns out of fear they would be targeted in some way. OFCCP aims to engage in transparent communications and has created an independent mechanism—the Ombuds Service—through which stakeholders can share their concerns with OFCCP about a particular open matter or provide general feedback and recommendations to improve the administration of the agency. The introduction of the Ombuds Service provides contractors with an outlet to raise issues while encouraging more earnest dialogue.

The mission of the Ombuds Service is to offer an **informal** and **independent** perspective to conflicts between external stakeholders and OFCCP, providing a **neutral** and, to the extent permitted by law, **confidential** resource while advocating for fair, efficient, and transparent policies and procedures. To achieve this mission, the ombudsman may offer any or all of the following services:

- Informal one-on-one conversations and/or listening sessions;
- Neutral conflict coaching sessions;
- Facilitated dialogue via shuttle diplomacy between OFCCP district and/or regional staff and stakeholders;
- Conciliation and negotiation discussions, conducted neutrally with a focus on preparing parties to effectively communicate;
- Mediation to resolve issues which persist, despite other preliminary attempts at resolution; and
- Large group facilitation, conflict resolution training and education for agency stakeholders and OFCCP staff.

This list is not intended to be exhaustive. The ombudsman approaches each dispute as a new and unique situation, diagnosing the core issues and then prescribing an appropriate mechanism which best addresses the problem at hand and the needs of those who are involved. Regardless of the methodology employed, the ombudsman operates at all times within the Standards of Practice referenced in bold above and described later in this Protocol.

## Key Terms

This Protocol assumes at least a basic understanding of the following key terms. The expectation, however, is not that readers become experts on these terms, nor of the practices they define, but rather that some of the objectives and functions described throughout the Protocol, or mentioned during future conversations with the ombudsman, are clear and coherent in advance. The ombudsman is available to clarify should there be questions about any of these terms or procedures.

**Closed Referral**—A referral to the Ombuds Service which, through agreement of the ombudsman and parties involved, has reached a stage where no other assistance from the ombudsman is necessary at that time. Note that it is possible a referral may be reopened and closed depending on the situation and the needs of those involved.

**Conciliation**—Traditional conciliation is similar to mediation, but requires the subject matter expertise of a third party neutral who performs as much evaluating as she or he does facilitating. The OFCCP conciliation process, however, does not typically utilize a third party neutral but involve structured negotiations led by the Regional Director, his or her appointee, or the Director of Enforcement. If participating in a conciliation, the ombudsman's role is to observe and identify procedural improvements for future conciliations, which would benefit the process as a whole as opposed to any particular party. By agreement of participants, the ombudsman may also serve as a neutral facilitator of conciliations but cannot and will not advocate for either side. Instead, the ombudsman advocates for a fair process, with the goal of helping parties reach mutually satisfactory outcomes.

**Conflict Coaching**—A process employed by a neutral third party who supports individuals' abilities to proactively resolve conflict by exploring various perspectives. The ombudsman offers conflict coaching through one-on-one conversations, primarily to help people engage in difficult conversations or deal with difficult parties, but cannot provide legal advice or serve as a negotiation consultant or representative of any kind. These sessions can take place in a variety of ways, including by phone, video conference, or in person.

**Group Facilitation**—A conflict resolution mechanism that requires substantive neutrality on the part of the facilitator and affords participants with diverse perspectives a space to publicly express concerns, identify each other's interests, and brainstorm solutions. OFCCP's Ombuds Service is available to facilitate dialogue, including facilitation of stakeholder roundtable seminars.

**Mediation**—An approach to conflict resolution which allows multiple parties to a dispute the opportunity to engage in productive dialogue facilitated by a third party neutral. When acting as a mediator, the ombudsman maintains neutrality, upholds commitments to confidentiality, and promotes self-determination while encouraging collaboration. The ombudsman is a facilitative as opposed to evaluative mediator, meaning that the focus is on interests and mutually satisfactory outcomes instead of inserting judgment. Mediations with the ombudsman may take place in a variety of ways, including by phone, video conference, or in person.

**Ombuds Service**—The program the OFCCP ombudsman manages and operates.

**Ombudsman**—A neutral and confidential resource available to external stakeholders and OFCCP, operating independent of other agency divisions, and preserving commitments to impartiality and confidentiality.

**Reality Testing**—Conversations during which the ombudsman may ask someone to evaluate the strengths and weaknesses of an argument, consider their alternatives, and the benefits of collaborative communication.

**Resolution**—The successful closure of a referral. Whether or not a referral to the Ombuds Service has been “resolved” will depend on the goals of the parties throughout the process. The ombudsman will take direction from the parties themselves on what they want or need and when they feel they have achieved resolution, if at all. However, the Ombuds Service reserves the right to close the referral if determined that it can no longer be of assistance to a situation or the parties involved.

**Shuttle Diplomacy**—Negotiations facilitated by the ombudsman, who typically “travels” back and forth between two or more parties who are otherwise unwilling or unable to hold a direct conversation. Shuttle diplomacy, like mediation, can take place in a variety of ways, including by phone, video conference, or in person.

## Ombuds Service Overview

### History

OFCCP first established an ombuds office at the regional level in the late 1990s but, despite contractors' support, the program was ultimately discontinued in 2005. Since then, complaints and concerns from contractors or other stakeholders have been directed to the appropriate district or regional office and, if not resolved, to the Division of Program Operations.

### Purpose

The Government Accountability Office's (GAO) *Equal Employment Opportunity: Strengthening Oversight Could Improve Federal Contract Nondiscrimination Compliance* report (September 2016) recommended that OFCCP review and enhance contractor compliance assistance and increase both transparency and communication with agency stakeholders. Specifically, GAO noted that, despite agency assurances to the contrary and a clear structural division between those who address contractor questions and those responsible for scheduling contractors' compliance evaluations, "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."<sup>1</sup> Meanwhile, similar feedback obtained through a series of Compliance Assistance Town Halls in September 2017 and stakeholder meetings in January 2018 led to the OFCCP Town Hall Action Plan released in early 2018.<sup>2</sup>

In September 2018, OFCCP Director Craig Leen issued the Ombuds Service Directive (Directive 2018-09)<sup>3</sup>, which announced plans to hire an ombudsman stationed in the National Office and to design, implement, and execute an Ombuds Service in accordance with general policies and procedures, while spearheading a public outreach and education campaign for OFCCP constituents. Today, through consultation with OFCCP staff and stakeholders, the ombudsman has created a program that acknowledges GAO suggestions, incorporates stakeholder recommendations, and aligns with the basic principles described in Directive 2018-09.

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<sup>1</sup> GAO report (September 2016) <https://www.gao.gov/products/GAO-16-750>

<sup>2</sup> OFCCP Town Hall Action Plan [www.dol.gov/ofccp/townhalls/files/TownHallActionPlan\\_CONTR508c.pdf](http://www.dol.gov/ofccp/townhalls/files/TownHallActionPlan_CONTR508c.pdf)

<sup>3</sup> OFCCP Ombuds Service Directive [www.dol.gov/ofccp/regs/compliance/directives/Dir2018-09-ESQA508c.pdf](http://www.dol.gov/ofccp/regs/compliance/directives/Dir2018-09-ESQA508c.pdf)

## Goals

In response to the recommendations of GAO and the stakeholder community, and in accordance with Directive 2018-09, the Ombuds Service has the following goals

- Address concerns about transparency, fairness, and process consistency, as well as other issues of significance to the stakeholder community without sacrificing OFCCP's mission to promote equal employment opportunity and combat employment discrimination.
- Improve OFCCP's understanding of the stakeholder community's concerns and, more specifically, how the agency can institute changes to address those concerns when appropriate.
- Enhance stakeholder and workforce satisfaction with OFCCP's compliance and evaluation efforts by being an accessible resource and actively participating in resolution processes, informal conversations, and neutral conflict coaching.
- Identify areas for improvement, from a conflict resolution perspective, which might serve to benefit OFCCP processes and, in turn, the contractor community.
- Evaluate and upgrade the efficiency of OFCCP conciliation and mediation processes, as necessary.
- Provide a confidential, to the extent permitted by law, and trustworthy channel for conflict resolution for the external stakeholder community.
- Create a climate in which contractors feel comfortable contacting the Ombuds Service while dispelling the notion that raising issues or concerns with OFCCP will adversely impact contractors in the future.
- Equip OFCCP staff and the stakeholder community with conflict resolution skills.
- Ensure that stakeholders and OFCCP staff understand the benefits of respectful, transparent, and efficient communications.
- Remain accessible and visible to OFCCP and external stakeholders through speaking engagements.

This collection of goals are shared by the ombudsman with the agency. From time to time, the ombudsman may update and add to these objectives.

## Standards of Practice

In implementing the OFCCP Ombuds Service, the ombudsman establishes the Standards of Practice described below, in accordance with the expertise of the International Ombudsman Association (IOA),<sup>4</sup> the United States Ombudsman Association,<sup>5</sup> and the Coalition of Federal Ombudsman,<sup>6</sup> to the extent such expertise is consistent with the law and the authority of the Department of Labor and OFCCP.

### Confidentiality

- The ombudsman assures confidentiality consistent with federal law, including the Administrative Dispute Resolution Act of 1996, Section 574,<sup>7</sup> and the Freedom of Information Act (FOIA).
  - › The ombudsman allows all individuals the opportunity to identify certain aspects of discussions to be kept in confidence, as permitted by law.
  - › At times, disclosure may be necessary in order for referrals to be properly addressed.
  - › The ombudsman may wish to reality test and further explore a request for confidentiality by positing that disclosure of certain facts, opinions or information may actually be to an individual or group of individuals' benefit.
- Any applicable exceptions to the ombudsman's confidentiality are identified by the Ombuds Service itself, at times in consultation with the Office of the Solicitor or OFCCP's FOIA representative and, if necessary, will be discussed with the original source(s) of the information as soon as possible.
- When necessary, the ombudsman will consult with the Office of the Solicitor for legal advice and, on those occasions, may need to disclose relevant facts that would otherwise remain confidential in order to receive necessary counsel.
- The ombudsman does not reveal someone's identity when that person has requested anonymity, unless required by law.
- At the ombudsman's discretion, information may be disclosed to other primary parties to a dispute so long as, if anonymity has been requested, that information does not reveal the identity of its source.
- Records pertaining to an issue, concern, inquiry, or conflict resolution process involving the ombudsman will be kept confidential within the Ombuds Service to the maximum extent permitted by law.
- Such confidentiality is maintained to encourage candid dialogue and explore options for resolution while fostering a sense of security for external stakeholders who contact the Ombuds Service.

<sup>4</sup> International Ombudsman Association [www.ombudsassociation.org/](http://www.ombudsassociation.org/)

<sup>5</sup> United States Ombudsman Association [www.usombudsman.org/](http://www.usombudsman.org/)

<sup>6</sup> Coalition of Federal Ombudsman <https://federalombuds.ed.gov/s/>

<sup>7</sup> Administrative Dispute Resolution Act of 1996 [www.adr.gov/adrguide/adra1996.html#574](http://www.adr.gov/adrguide/adra1996.html#574)

## Neutrality

- The ombudsman has a general goal to try and facilitate the fair and equitable resolution of stakeholder concerns, but holds no vested interest in the outcome of compliance evaluations, complaint investigations, contractor or subcontractor performance, or referrals to the ombudsman.
- Although employed by the Department of Labor, the ombudsman may not take sides, direct outcomes in favor of any one person or organization, or allow former and/or current working relationships to influence actions. If a party believes neutrality is not being followed, the issue can be raised with the career Deputy Director.
- The ombudsman listens, speaks, and operates without judgment or prejudice.
- Consistent with and in addition to the obligations of federal ethics laws and regulations that apply to all federal employees, the Ombuds Service has the discretion to recuse itself from involvement in complaints or referrals where an actual and/or perceived conflict of interest prevents it from serving as a neutral third party.
- The ombudsman's own personal views of the subject matter or parties involved will not be shared, nor will those views impact the ombudsman's conduct or decisions.
- The ombudsman is not an advocate for stakeholders or OFCCP, but may support certain actions and/or make recommendations for change to OFCCP non-regulatory internal policies and/or procedures, when appropriate.

## Independence

- The ombudsman is not an advocate for any one individual or entity, but for fair processes generally.
- The ombudsman is a career employee who was appointed by the Director of OFCCP and follows the Directives relating to the Ombuds Service. However, in terms of program operations, the Ombuds Service is free from outside control or influence by others within or external to OFCCP.
- The ombudsman is stationed in the agency's National Office.
- The Ombuds Service has its own operating budget, as approved annually by OFCCP's career Deputy Director and the Division of Management and Administrative Programs (DMAP).
- When appropriate, consistent with relevant federal law, and with requisite approval, the ombudsman has selection and discharge authority over the Ombuds Service's staff, as well as the discretion to direct staff in the manner the ombudsman deems most appropriate.
- It is at the ombudsman's discretion how complaints, concerns, and referrals are received and handled, consistent with the principles and guidelines set forth in this document. This discretion includes determining when matters might not be appropriate for the Ombuds Service to take on, and/or may be appropriate to refer to other OFCCP or DOL entities.
- The ombudsman lacks authority to make or modify an enforcement decision or action.
- Declining affiliation with any specific division of OFCCP enables the Ombuds Service to effectively and credibly provide neutral conflict resolution services.

## Informality

- Use of the Ombuds Service is voluntary and is not a required step in OFCCP procedures. It is intended to supplement—not replace—current procedures and protocols regarding communications between OFCCP and the regulated community.
- Speaking to or sharing information with the ombudsman does not serve as official notice to OFCCP.
- The ombudsman does not act as an attorney, arbitrator, or advisor on behalf of OFCCP or stakeholders.
- Those who require legal advice, counseling, or other specialized services should consult the appropriate professionals.
- Conversations with the ombudsman do not require any particular type of resolution.
- The Ombuds Service provides assistance such as confidential active listening sessions and preparation for difficult conversations, but does not give advice to or serve as a negotiation consultant.
- The ombudsman might recommend the commencement of certain conflict resolution procedures (such as mediation, conciliation, training, etc.) and is qualified to facilitate them pending the mutual agreement of the relevant parties.
- The ombudsman will confer with the Office of the Solicitor on any legal questions relating to the Ombuds Service.

The Ombuds Service will continue to update its Standards of Practice as appropriate to comply with any changing industry norms along with the needs of OFCCP and its stakeholders. In addition to these Standards of Practice, structural autonomy is critical to achieve the level of independence and credibility required for the long-term sustainability of the Ombuds Service. Within the context of OFCCP's work, structural autonomy refers to:

- Management of a budget as approved by the agency.
- Ability to break confidentiality when required and advise stakeholders of that action where legally permissible to do so.
- The ability of the Ombuds Service to conduct its own programmatic performance assessments to ensure that official evaluations are directed specifically from a conflict resolution perspective.
- The ability to recommend updates to the Ombuds Service Protocol, including as to Structural Autonomy.
- Establishment and maintenance of professional contacts among the ombudsman community and with affiliated professional organizations, as approved by the Counsel for Ethics in the Department of Labor's Office of the Solicitor.
- Discretion to select, coordinate, and attend industry liaison group and OFCCP events that the ombudsman believes would be worthwhile opportunities for public education through networking, speaking engagements, and training.

## Ombudsman Functions

Although an OFCCP employee, the ombudsman is not a member of any agency work teams other than the Ombuds Service and is therefore not influenced or incentivized by other organizational divisions or more specific agency goals. This relative independence grants the ombudsman the ability to maintain neutrality and allows the program to function as a change agent available to all constituents of OFCCP. In order to accomplish the program's mission, the ombudsman:

- Listens to, strategizes with and coaches contractors, subcontractors, employees of contractors or subcontractors, and OFCCP on ways to address their concerns or disagreements with each other.
- Counsels external stakeholders on available resources, which could provide what they need, and makes referrals when and where appropriate.
- Assists OFCCP representatives and external stakeholders in finding fair and equitable resolution to problems.
- Works proactively with OFCCP offices and stakeholders to build sustainable relationships founded upon trust and effective communication.
- Facilitates communication between OFCCP and external stakeholders regarding:
  - › Compliance evaluation process complaints or concerns;
  - › Transparency complaints or concerns;
  - › Contractor or employee concerns about OFCCP delays in compliance evaluation or complaint investigation procedures, requests for pending deadline extensions, and issues relevant to current agency Directives; and/or
  - › General complaints on the district and/or regional office levels.
- Participates in conciliations and/or mediations as a neutral facilitator, by agreement of all parties.
- Refers stakeholders to the Help Desk for routine compliance and general policy questions or technical assistance inquiries.
- Accepts and reviews matters referred by stakeholders, the Director or Deputy Director(s), or others in the OFCCP national, regional, and/or district offices.
- Has the discretion to reject a referral under certain circumstances.
- Conducts nationwide outreach and ombuds education campaigns to OFCCP staff and external stakeholders.
- Offers training and group facilitation services to contractors and/or subcontractors to share tools for effectively communicating and providing equal employment opportunities to their workers.
- Provides training for OFCCP staff on negotiation, mediation, collaborative communication, and other conflict resolution skill building techniques.
- Serves as the OFCCP conflict resolution liaison to the Federal Mediation and Conciliation Service, other federally approved mediators utilized by OFCCP, and other professional associations with whom OFCCP may coordinate conflict resolution activities.
- Participates in informal fact-finding to bring an informed and detailed approach when addressing external stakeholder concerns.

- Conducts reviews of the range of issues being presented to the Ombuds Service and produces trend analyses accordingly.
- Compiles an annual report, to be made public and redacted as appropriate, highlighting trends and detailing the most frequently referred complaints or concerns to the Ombuds Service, without disclosing or revealing information from any particular referrals.
- Makes recommendations to the OFCCP career Deputy Director regarding resolution of concerns raised by stakeholders, improvements for the efficiency and effectiveness of internal OFCCP operations, and, when appropriate, other conflict resolution initiatives.

Meanwhile, the Ombuds Service will not:

- Advocate for any one individual or entity before, during, or after a particular dispute.
- Provide legal counsel or be a method of providing legal notice to the agency.
- Conduct or participate in compliance evaluations or complaint investigations. Contractors and/or their employees with inquiries or questions relating to either compliance evaluations or complaint investigations should continue to funnel communication through the customary process chain.
- Stand in place of, or render judgment reserved for, a Compliance Officer, District Director, Regional Director, etc.
- Represent either OFCCP or a stakeholder in conciliation agreement negotiations. To comply with its own promise of neutrality, the Ombuds Service can facilitate communication leading up to, during, and after conciliations or other conflict resolution procedures, but will not represent or provide individual counsel for either OFCCP or contractors.
- Serve in other organizational roles that might compromise the neutrality of the ombudsman position.
- Facilitate resolution of internal Department of Labor employee issues. The OFCCP Ombuds Service is external and only accepts referrals regarding issues which involve both OFCCP and an external stakeholder.
- Maintain any supervisory or disciplinary authority over positions outside of the Ombuds Service.
- Share or provide access to confidential Ombuds Service records unless required by law.
- Participate as a witness or testify in any proceedings about confidential communications unless required by law.
- Address matters in litigation or in cases that have been referred to the Office of the Solicitor for enforcement.
- Unilaterally alter any deadlines imposed by OFCCP in relation to ongoing compliance evaluations or complaint investigations. If permissible under the law, the Ombuds Service may suggest altering pending deadlines if there is a good faith belief that such alterations would increase the possibility of resolving the underlying dispute, but such alterations would need to be agreed to by the agency.

As with other portions of this Protocol, updates to the Ombuds Service functions (as well as what the ombudsman cannot do) will be published as necessary.

## Records and Performance Management

As an independent program within OFCCP, the Ombuds Service operates its own record and performance management plans. The ombudsman maintains a database and records that will not be disclosed to anyone besides applicable staff on a need-to-know basis, to the maximum extent permitted by law, and evaluates the performance of the Ombuds Service on a regular basis. Further explanation of records and performance management is below.

### Records Management

Notetaking can be a sensitive subject when it comes to ombuds work. When facilitating dialogue, or when referrals have led to the ombudsman's participation in more formal conflict resolution processes such as mediation or conciliation, the ombudsman must retain important information so that it may be reviewed in advance of future meetings and discussions. While the maintenance of records is imperative, confidentiality is equally important. Ombudsman files are just as confidential as ombudsman communications, and require the strictest confidentiality, and may not be shared with external third parties, except where disclosure is required by law or court order.

Notes taken by the ombudsman during the course of private, confidential communication will not be disclosed to anyone outside of the Ombuds Service to the maximum extent permitted by law. For the purpose of tracking and measuring program performance, however, the ombudsman will maintain basic information about each referral in an Ombuds Service database. This database will then be utilized for the dissemination of general statistics and empirical data demonstrating the ombudsman's reach and impact.

### Performance Management

The Ombuds Service will measure its effectiveness based on both quantitative and qualitative data. Such analysis may include, but is not limited to:

- The number and types of referrals received;
- The number of individuals worked with;
- The number and types of referrals closed, resolved, and referred elsewhere;
- The types of communication facilitated during referrals (one-on-one conversation, facilitated dialogue, shuttle diplomacy, mediation, etc.);
- The number of business days between referral and resolution;
- The comparison of cases where the Ombuds Service was utilized, to other cases where it was not;
- The geographic location of the referral (and the corresponding district or regional office involved, if applicable); and
- The potential scope of the impact of successful dispute resolution.

Qualitative data will not disclose the names of stakeholders, but will include general and circumstantial feedback received from those who have worked with the ombudsman. To assist with the collection of anecdotal evidence, a Follow-up Evaluation Form is accessible via the OFCCP Ombuds Service webpage and can be submitted either through the website itself, by email, or by traditional mail. As it allows for the submission of anonymous feedback, the Ombuds Service webpage is most appropriate for confidential submissions and sensitive evaluations. Still, for those who provide their name and other contact information, completing a Follow-up Evaluation Form does not expose the identity, outside of the Ombuds Service, of the person completing the survey. Self-identifying information would not be included in program assessments or any other type of report produced by the ombudsman.

Each year the Ombuds Service will publish an Annual Report that will review the work of the Ombuds Service over the previous fiscal year and propose recommendations to the agency. The recommendations will be based on a combination of quantitative and qualitative data as well as the experiences and observations of the ombudsman. Recommendations may relate to topics such as training, outreach to contractors and worker advocacy groups, and general procedures of the agency such as compliance evaluations or investigation strategies. It is important that these and all other recommendations are delivered from a neutral perspective. The ombudsman does not have the authority to enact amendments to agency policies or procedures.

OFCCP will make the Ombuds Service Annual Reports available on its website. The Ombuds Service Annual Report will uphold the ombudsman's pledge of confidentiality and address issues, trends and data without making reference to specific individuals or organizations.

## Outreach and Marketing

In an attempt to proactively increase awareness for the Ombuds Service, the ombudsman will launch an outreach campaign aimed at familiarizing stakeholders, OFCCP staff, and the Department of Labor as a whole with the structure and substance of the program. A variety of efforts have been identified with some designed specifically for the preliminary stages of the service and others of a more ongoing and permanent nature:

- Launching and maintaining a public-facing webpage to include a program mission statement, a description of available services, a description of the ombudsman's experience in the field, responses to frequently asked questions (FAQs), fact sheets, and referral forms.
- Hosting webinars to provide information about the Ombuds Service.
- Conducting conflict resolution training to educate OFCCP and stakeholder communities on topics such as prepping for success in conciliations and/or mediations, best practices in negotiation, collaborative communication, and more.
- Attending stakeholder and industry liaison events, OFCCP Town Halls, and other public facing, information gathering, and networking initiatives.
- Visiting and giving presentations at OFCCP regional offices and outreach events.
- Delivering semi-annual information sessions within the Department of Labor to keep other agencies aware of and acquainted with the Ombuds Service, while understanding when and how to refer matters, if necessary.
- Creating and distributing brochures at Town Halls, and other OFCCP or stakeholder and industry liaison group events.

The above list will be expanded as other opportunities to increase the scope of the outreach campaign are identified. Please contact the ombudsman to request attendance at one of your organization's events, or a speaking engagement with your constituency.

## Contacting the Ombudsman

If unsure about whether to contact the Ombuds Service or someone else at OFCCP, contact the Ombuds Service. If unable to be of direct assistance, the ombudsman can direct you to the appropriate person, division of OFCCP, or agency within the Department of Labor.

There are three ways to contact the ombudsman:

- Phone: (202) 693-1174
- Email: [Stergio.Marcus@dol.gov](mailto:Stergio.Marcus@dol.gov)
- Ombuds Service Referral Form

The Ombuds Service will make every effort to respond to inquiries within one business day.

Due to the ombudsman's goal of maintaining as much confidentiality as is permitted by law within the parameters of your dispute, you are also welcome to place an anonymous complaint or share a concern privately. If you would like to share something with the ombudsman but do not wish to reveal your identity, you may either call from a private line or submit the Ombuds Service Referral Form. However, please keep in mind that if you do not provide your contact information, the ombudsman will not be capable of following up with you, but will take note of your concern and track it confidentially as part of an ongoing effort to obtain both quantitative and qualitative data.

Before contacting the ombudsman, OFCCP recommends that individuals first review the questions on the Ombuds Service Referral Form.

## Resources and References

The following is a list of Ombuds Service resources, which include forms and webpages that will be of assistance to those coordinating with the ombudsman, as well as documents and external websites referenced throughout the Protocol. If a topic of interest is not featured within the body of this Protocol or on the resources and references list below, please contact the ombudsman, who will refer you to the information or service required.

- 1. Government Accountability Office report (September 2016)**  
<https://www.gao.gov/products/GAO-16-750>
- 2. OFCCP Town Hall Action Plan**  
[www.dol.gov/ofccp/townhalls/files/TownHallActionPlan\\_CONTR508c.pdf](http://www.dol.gov/ofccp/townhalls/files/TownHallActionPlan_CONTR508c.pdf)
- 3. OFCCP Ombuds Service Directive**  
[www.dol.gov/ofccp/regs/compliance/directives/Dir2018-09-ESQA508c.pdf](http://www.dol.gov/ofccp/regs/compliance/directives/Dir2018-09-ESQA508c.pdf)
- 4. International Ombudsman Association**  
[www.ombudsassociation.org/](http://www.ombudsassociation.org/)
- 5. United States Ombudsman Association**  
[www.usombudsman.org/](http://www.usombudsman.org/)
- 6. Coalition of Federal Ombudsman**  
<https://federalombuds.ed.gov/s/>
- 7. Administrative Dispute Resolution Act of 1996**  
[www.adr.gov/adrguide/adra1996.html#574](http://www.adr.gov/adrguide/adra1996.html#574)

