



# CERN “Ombuds”

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# What is the job ? 100%, 1 FTE



The Ombuds shall provide confidential assistance for the informal resolution of interpersonal issues - which should be resolved first between the colleagues concerned - 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 earlier the Ombuds is contacted, the better. I am here to help you resolve misunderstandings or conflicts, so make use of this function!

- ✓ Listening to people
- ✓ Advising people on possible ways to resolve their problem
- ✓ Resolving misunderstandings
- ✓ Mediating between parties

I will also:

- Make recommendations to the DG
- Produce an annual report (public after DG approval) on statistical information and assessment of functions



## Covered persons

All members of personnel have access to the services of the Ombuds.

In addition, any other person working at or on behalf of CERN has access to the Ombuds. However, the services the Ombuds 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.

In clear, the services of the Ombuds are open to CERN User's.

ACCU representatives are also welcome to contact the Ombuds.

## Source documents



Reference documents for the Ombuds' work:

- the Staff Rules & Regulations
- the new CERN Code of Conduct

### International references:

Code of Ethics and Standards of Practice, International Ombudsman Association (IOA)

Mandates of the Ombudsman of the International Organizations, United Nations And Related International Organizations (UNARIO),  
[Example: Mandate of the Pan American Health Organization]

### Training:

Ombudsman course 101 and mediation by IOA

“Mediation in the workplace”, PMR, British Open College certification



## Terms of reference

Ombuds shall ensure strict:

- **Confidentiality**
- **Neutrality**
- **Impartiality**
- **Independence**



# Confidentiality

Ombuds shall ensure strict confidentiality. This is integral to his/her role. Everyone can have the highest confidence that confidentiality will be fully respected by the Ombuds.

Nothing can be divulged to anyone without the agreement of the parties. Any pressure to do so from a third party is unacceptable.

The parties themselves, and the Organization, shall agree to follow the same rule of confidentiality in interacting with the Ombuds.

The only persons aware of the discussion will be you and the Ombuds.



# Neutrality

The Ombuds is nominated by the Director-General after concertation with HR and SA, and reports solely to the DG.

The Ombuds holds no other position in the Organization, in order to avoid actual or perceived conflict of interest.

The Ombuds has no power to make decisions on behalf of the Organization. Accordingly, he/she cannot make, change or set aside a rule, regulation, policy or administrative decision.

The Ombuds is not part of the formal appeal or disciplinary process.

# Impartiality



The Ombuds shall remain neutral and impartial, fair and objective.

He/she shall not take sides in a dispute or advocate for any person.

In each case, he/she shall contact all concerned persons.

The Ombuds should avoid any conflict of interest or the appearance of a conflict of interest.



# Independence



The Ombuds shall be independent.

The Ombuds is given the necessary resources to accomplish his/her mission.

The Ombuds shall have access to covered persons on any matter pertaining to his/her duties.

*[Reminder: his/her power of action comes only from the agreement concluded with the parties.]*

CERN supervisors are expected to ensure that their supervisees have access to the Ombuds.

Any person resorting to the assistance of the Ombuds will be protected against possible retaliatory acts.

# Informal character



The Ombuds does not have powers of decision-making or formal investigation. He fulfils an informal conflict-resolution role.

With the CERN User's the role of the Ombuds is purely informal. He/she provides help to the User's, if they come to see him/her.

For information:

formal conflict resolution at CERN will be treated along the directives of the new Administrative Circular 32 on Harassment: the Operational Circular 9, in final preparation.

# Mandate



The mandate, once approved by the DG, is published on the Ombuds' web site.

Nominated for 3 years with possible renewal for 2 years, after concertation With HR and SA.

Upon completion of his/her service as Ombuds, the Ombuds shall separate from CERN and may not serve in any other capacity as a MP.

CERN shall assist and cooperate with the Ombuds:

- Promote awareness of the mandate of the Ombuds
- Ensure that covered persons have access to him/her
- Respect confidentiality

# Creating awareness



Unfortunately, many people are reluctant to come forward with their complaints, conflicts or misunderstandings.

The Ombuds should provide “easy” access, with absolute confidentiality and neutrality.

To create awareness on the Ombuds’ role, general information is given via:

- ✓ A dedicated web site: <http://cern.ch/ombuds>
- ✓ Oral presentations in the Departments
- ✓ HRAs and HR Social Service, Medical Service
- ✓ Staff Association
- ✓ CERN Bulletin
- ✓ Reminder in general meetings

Nobody on the CERN site should be unaware of this service.

# Reporting



The Ombuds shall issue an annual report on his/her activities to the DG. This annual report shall contain anonymous, statistical information with respect to individual matters, keeping strict confidentiality about cases.

The Ombuds can furnish reports at the request of DG or at his/her own initiative with a view to promoting organizational and operational efficiency. The reports should identify existing or potential problems of a systemic Nature and shall include recommendations to ensure avoidance, or adequate resolution, of conflicts.

The Ombuds will need the support of Management in listening to his/her recommendations. The Ombuds is not in charge of any possible implementation, and cannot compel anyone to implement them.

# Steps in interpersonal relations



## Informal steps:

### Ombuds

- ↓ Discussion/listening, help
- ↓ Agreement of parties on mediation
- ↓ Final agreement decided by the parties
- ↓ Monitoring of agreement

## Formal steps, directly, or if unsuccessful:

### Parties

- ↓ Only parties themselves will decide what they want, not Ombuds
- ↓ If unsuccessful, Ombuds can still make recommendations

If requested, the Ombuds can help re-establishing relationships. This could be appropriate as people may have to work together again.



## Wrap-up – Web site: <http://cern.ch/ombuds>

CERN decided to create the function of Ombuds to provide a service to the CERN community. This is an investment by CERN.

The Ombuds works for you. Make use of this function!  
Contact him/her as soon as possible, as conflicts are easier to resolve if addressed early.

The Ombuds offers strict confidentiality, neutrality, independence, impartiality.

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<http://cern.ch/ombuds>

