



DEPARTMENT OF THE ARMY
DEFENSE LANGUAGE INSTITUTE FOREIGN LANGUAGE CENTER
PRESIDIO OF MONTEREY
MONTEREY, CALIFORNIA 93944-5000

ATFL-CMDT

7 January 2019

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Command Policy #19 - The Ombudsman Program

1. References:

- a. Title 5, US Code, Part I, Chapter 5, Subchapter IV, Section 571-584, Administrative Dispute Resolution Act of 1996.
- b. Presidential Memorandum, Designation of Interagency Committees to Facilitate and Encourage Agency Use of Alternative Means of Dispute Resolution and Negotiated Rulemaking, 1 May 1998.
- c. Administrative Conference of the United States, Recommendation 90-2, The Ombudsman in Federal Agencies, 7 June 1990.
- d. Government Accountability Office, The Role of Ombudsmen in Dispute Resolution, GAO- 01-466, April 2001.
- e. Coalition of Federal Ombudsman, Interagency Alternative Dispute Resolution Working Group, and American Bar Association. A Guide for Federal Employee Ombuds: A Supplement To and Annotation of the Standards for the Establishment and Operations of Ombuds Offices, 9 May 2006.
- f. Coalition of Federal Ombudsman, Program and Practice Standards for Federal Organizational Ombudsman, draft 3, November 10, 2015 (pending approval).

2. Purpose: To establish procedures and responsibilities for executing the Defense Language Institute Foreign Language Center (DLIFLC) Ombudsman program. This program is designed to create an informal channel to address individual and workplace concerns, and does not replace any formal rights, remedies or causes of actions available to any entity. Use of the Ombudsman services is voluntary and Ombudsman recommendations are non-binding.

3. Applicability: This policy applies to all civilian employees who are assigned or attached to DLIFLC.

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4. Proponent: The proponent for this policy is the Deputy Chief of Staff for Personnel and Logistics, DLIFLC.

5. Policy: This policy articulates guidance and direction in the execution and oversight of the Ombudsman program. The Ombudsman serves as a neutral party, whom does not have a stake in the outcome of any issue under consideration. Participation in the program is voluntary and not offered in lieu of any other avenue of redress, such as filing an Equal Employment Opportunity (EEO) complaint. Participation by an employee in the Ombudsman program does not alter any timelines required under other avenues of redress.

6. Goal: The Ombudsman program's goal is to resolve conflicts at the earliest possible stage in order to enable DLIFLC personnel to focus on mission accomplishment.

7. Guidelines: The Ombudsman provides an independent, confidential, neutral/impartial, and informal resource for DLIFLC and for its employees. As such, the Ombudsman will:

a. Raise and informally address issues of concern in a safe, informal, confidential environment;

b. Facilitate recognition, prevention, and resolution of workplace disputes without resorting to a formal means of dispute resolution;

c. Provide anonymity, to the extent allowed by law, to eligible employees and managers wishing to address a workplace issue;

d. Provide DLIFLC leadership with aggregate data and trends or systematic concerns and issues;

e. Deliver an informal means of dispute resolution by listening, providing and receiving information, identifying and reframing issues, developing a range of responsible options, and engaging the parties in a third-party mediation.

f. Direct employees to the appropriate resources for addressing questions or concerns and;

g. Facilitate review of the DLIFLC policies and procedures that may adversely affect DLIFLC's mission, workplace, or employee morale.

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8. Duties:

a. The Ombudsman will help DLIFLC employees explore and assess an appropriate range of solutions for dispute resolution. The Ombudsman will not provide EEO or legal advice.

b. The Ombudsman will inform to employees seeking assistance that an informal approach to dispute resolution does not exclude later participation in more formal options, but that the individual should keep in mind possible time limits and their potential impact on exercising those formal options.

c. The Ombudsman is neutral and provides recommendations to management.

d. The Ombudsman Office reports to the DLIFLC Chief of Staff, with the DLIFLC Assistant Commandant serving as the Ombudsman Higher Level Reviewer.

e. The Ombudsman functions independently from the control, limitation, or interference from any DLIFLC official.

f. All DLIFLC civilian employees may voluntarily seek services from the Ombudsman Office and will be treated with dignity and respect.

g. DLIFLC civilian supervisors will ensure that all DLIFLC employees are afforded the opportunity to consult with the Ombudsman, and retaliation for exercising that right will not be tolerated.

9. Relationship to other processes: The Ombudsman role is intended to supplement, not replace, existing procedures or processes to resolve matters (e.g., administrative or negotiated grievance procedures). This policy does not supersede collective bargaining agreements or other statutory, regulatory, or contractual dispute resolution procedures and does not alter any deadlines provided under judicial and/or administrative procedures.



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Commandant