



2020

OMBUDS PROGRAM

CONFIDENTIALITY  NEUTRALITY  INFORMALITY  INDEPENDENCE

ANNUAL REPORT

Our Principles:

Confidentiality—The Ombuds maintains complete confidentiality as to the identity of visitors, except in situations that present an imminent risk of harm to an individual, damage to property, or a crime.

Neutrality—The Ombuds is an advocate for a fair process. The Ombuds is not an advocate for the visitor and is not an advocate for management.

Informality—The Ombuds functions outside all formal management, administrative, or criminal processes. The Ombuds assists the visitor in accessing appropriate formal systems, offices, or processes as needed. The Ombuds does not serve as an agent of notice to NASA.

Independence—The Ombuds is not encumbered by line management functions and, in his or her role, reports to the Center Director (Center Ombuds) or Headquarters Executive (HQ Ombuds).

The NASA Ombuds Program serves civil servants, onsite contractors, and students. The program differs from formal resources like Human Resources, unions, the Office of Diversity and Equal Opportunity (ODEO), and the Office of Inspector General (OIG) in that it provides an opportunity to raise concerns in an “off-the-record” manner.

An Overview of 2020

The NASA Ombuds Program is based on the principles of confidentiality, neutrality, informality, and independence, as laid out by the Code of Ethics and Standards of Practice established by the International Ombuds Association. NASA Policy Directive 2025.1B, the NASA Ombuds Program, documents policy and direction.

The number of visitors to the Ombuds decreased significantly in 2020, from 169 the previous year down to 98. This drop is directly attributable to the remote work situation caused by COVID-19: with Centers closed to all but a few employees, we saw two opposing factors driving in the same direction. First, people lost the ability to interact face-to-face with their Ombuds, which caused them to look for alternative ways to deal with issues. Second, the lockdown significantly reduced the need to interact face-to-face with those who were causing issues and/or concerns to begin with, lessening the need for intervention by the Ombuds.

The preponderance of civil servants among visitors remained unaltered, still representing about two-thirds of the total, but the proportion of contractors decreased from 32 percent to 21 percent. While there is no objective evidence one way or the other, this decrease may also be due to contractors not working on-site and not being reminded of the Ombuds as a resource.

Safety and Health issues made up 10 percent of the overall cases, and Mission Success issues accounted for 5 percent of all cases. Examples of 2020 Safety and Health issues include hazardous operations, airworthiness/flight safety, and coronavirus disease 2019 (COVID-19)–related concerns.

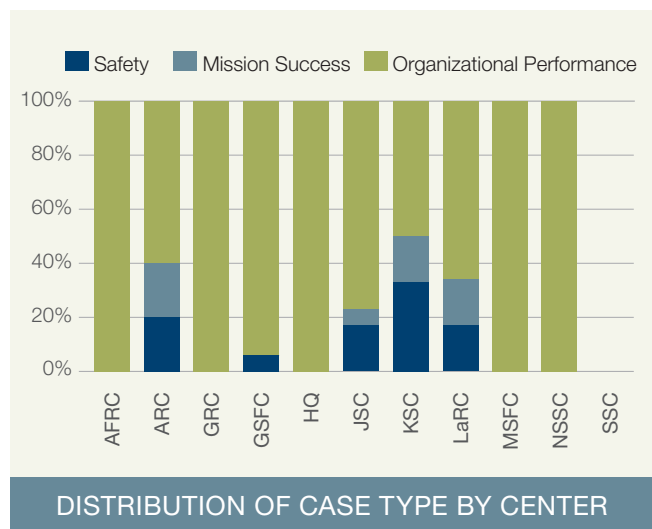
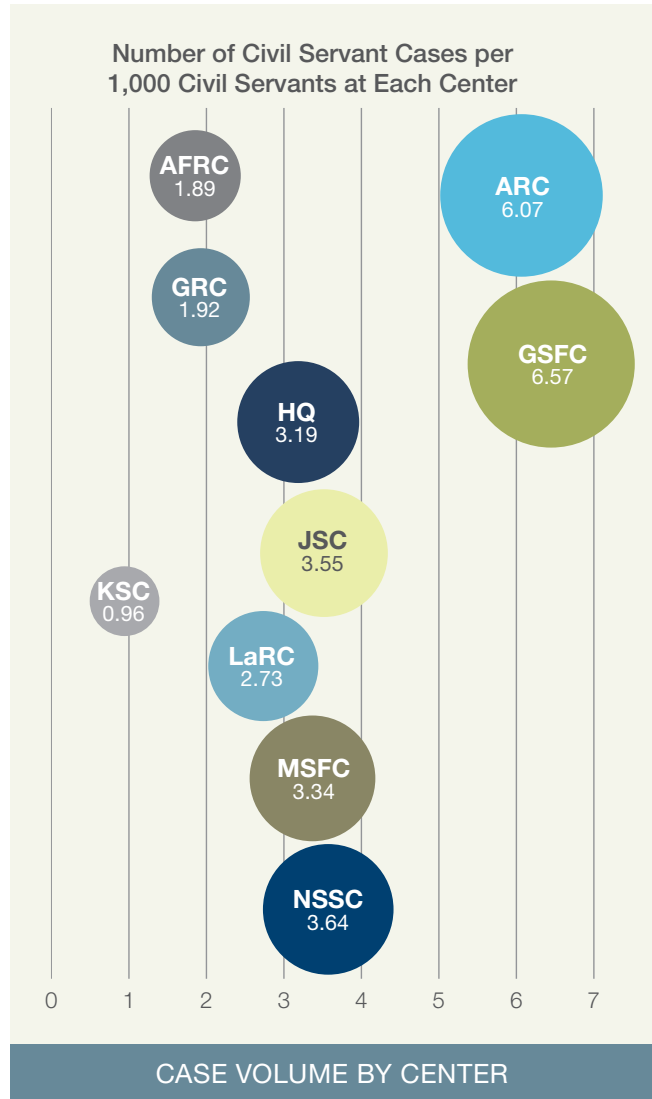
Mission Success cases involve any issue that could potentially impact mission-related quality or timing of work. In 2020, this included work relationships and communication breakdowns, which negatively impacted project success.

As has been the case over the years, the overwhelming majority of cases (85 percent) across all Centers were related to Organizational Performance. However, this type encompasses a multitude of issues, unlike those for Safety and Mission Success, which are more narrowly focused. At the top of the list by a wide margin is interpersonal conflict. The other items among the top five organizational performance subcategories are performance, compensation and benefits, job posting/selection, policy, and bullying.

A common concern we heard across the board in 2020 was that workloads were unreasonable and not sustainable. We heard this from several Centers and across all levels of the organization.

Another overriding issue is that people do not know where to turn to raise concerns or obtain information, or determine what decisions are being made and who are making them in this new Mission Architecture Program (MAP) environment. Many have said the constant turnover in human resources has made it challenging to utilize this formal resource. For civil servants who work at one site and report to another, the frustration is even more prevalent.

A final overarching issue is the desire and need for people in the organization to better understand the impact of race and inequity issues in the workplace. Inequities were a subtext to a number of concerns we heard regarding performance expectations, job selection, interpersonal conflict, and more. Issues of ageism continued to be heard in 2020 after the problem escalated in 2019. There has been an increase in activities across the Agency to build awareness around diversity and inclusion, however, the impact of these activities remain unknown.



The following are case highlights in the categories of Safety, Mission Success, and Organizational Performance. The issues described below are only a subset of all cases.

Safety/Health and Mission Success

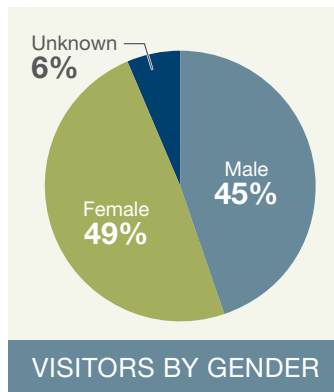
ISSUE: The Ombuds heard concerns from employees regarding the mixed messages that different leaders were sharing related to COVID-19 safety practices. Visitors reported hearing different messages from different levels of management and were therefore confused as to what action to take. In a few instances, visitors expressed concerns about returning to work feeling that the appropriate safety protocols are not in place and that the availability of masks and other supplies is not adequate.

OUTCOME: The Ombuds provided feedback to management when their messages regarding COVID either were unclear or conflicted with other management sources. With the Ombuds’ help, employees better understood policies implemented and actions NASA was taking to protect them.

ISSUE: Visitors raised concerns that policies were not updated to communicate the health standards that aircrew must meet in order to fly. There are two issues here: first, the policies lack alignment with NASA Procedural Requirement 1800.1 in some areas; second, there is a lack of process definition for the aircrew to know what they need to do to stay qualified or return to flight.

OUTCOME: The Ombuds was able to help medical teams in securing assistance to write new and update existing policies regarding health standards for aircrew members. This process will result in policies being updated in a more timely manner.

ISSUE: A visitor raised concerns regarding the safety of a cluttered contract lab environment. This lab was used for storage and was thought to be a potential fire hazard. The visitor did not know what NASA policies were and where to go with the concern.



OUTCOME: The Ombuds provided Occupational Safety and Health Administration policies to the contractor working in the cluttered contractor lab. The situation improved.

ISSUE: As contracts change, merge and become larger, contractors are coming to the Ombuds with concerns about poorer treatment of people including unreasonable deadlines and a culture of “do more with less.” This is a safety concern because contractors felt that they could not speak up about anything that would negatively impact deadlines. Discussions also revealed that work products are suffering and the desire to do quality work is in conflict with the culture. Performance and work satisfaction issues emerged.

OUTCOME: The Ombuds worked with Center management to ensure that they understood that contractors perceived that the current culture and expectations were seen as unreasonable and were negatively impacting safety, mission success, and job satisfaction. As a result, management conducted listening sessions, and although schedules did not change significantly, individuals felt heard and valued. This model may be helpful to other Centers that are negotiating new contracts.

Organizational Performance

Interpersonal Conflict

ISSUE: The interpersonal conflict category includes conflict with supervisors and colleagues. The number of cases involving supervisors was double that of conflict with colleagues. Many of the conflicts with supervisors were related to work style (e.g., degree of flexibility, frequency and timeliness of communication, and quality of direction/coaching and feedback).

OUTCOME: In several situations, the Ombuds coached the visitor to take action on their own behalf—either talking to supervisors or formal resources or using coping strategies to deal with what could not be changed.

ISSUE: Other supervisor conflicts resulted from visitors seeing their supervisors' communication style as disrespectful, including raised voices and use of intimidating language and threats or displaying favoritism. Lack of trust was an outcome of these relationships.

OUTCOME: In one situation where there was a negative consequence for multiple employees who spoke up about the bad behavior of their supervisor, the Ombuds helped the visitors bring this situation to management. Management reviewed the situation and reversed the action taken by the supervisor.

ISSUE: A few of the conflict cases came from contractors who had a civil servant colleague who was seen as displaying bullying-type behavior. The contractors felt that they had nowhere to go because their company had asked them to "not make trouble" that could result in losing the contract.

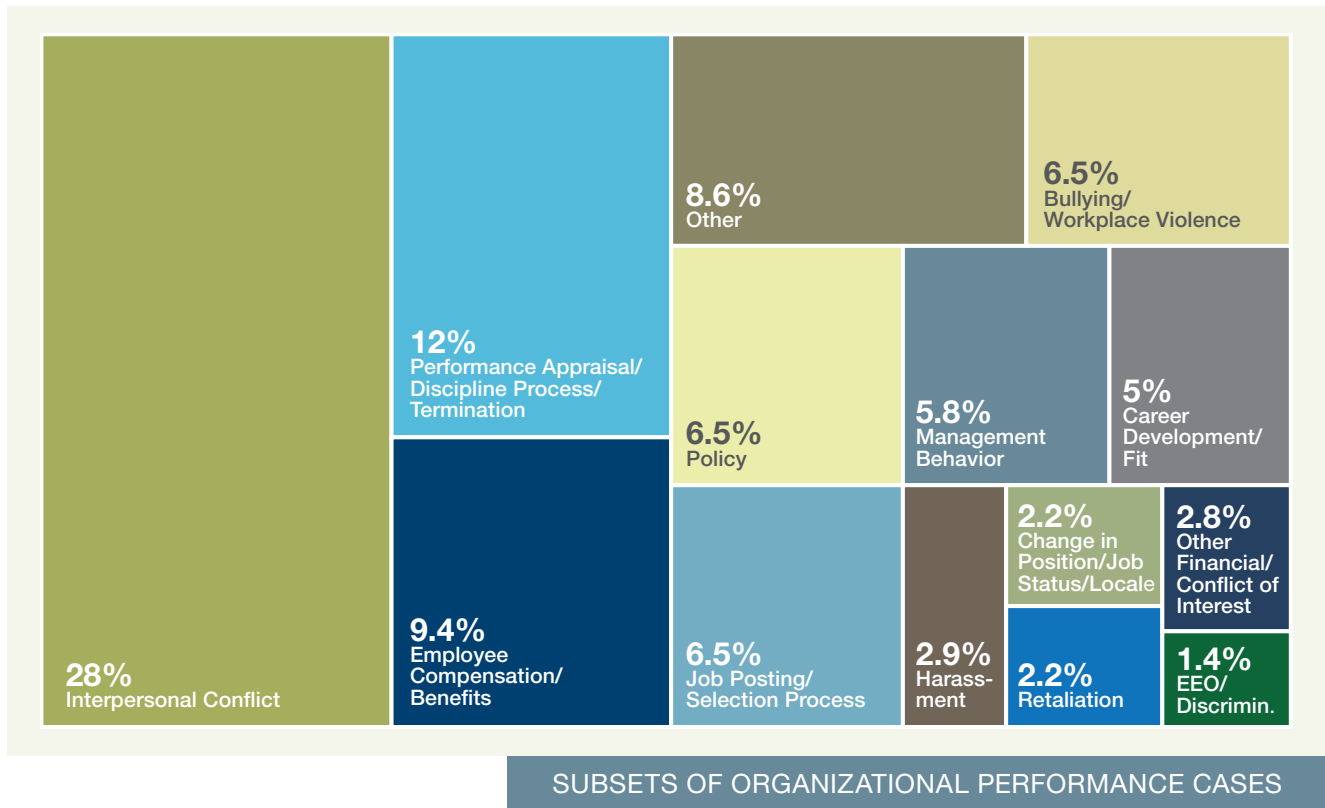
OUTCOME: When contractor visitors feared being identified, the Ombuds was able to take action while not revealing the visitors' identity. Typically, the Ombuds has spoken with the Contracting Officer's Representative and supervisors. In several situations, the relationship

improved; in others, individuals were removed or moved to new positions; and in some situations, the issues remained unchanged.

ISSUE: Conflicts between colleagues were sometimes individual issues and sometimes conflicts between work groups. The substance of the conflict usually focused on defining roles and responsibilities, performance, or control/status issues.

OUTCOME: The Ombuds facilitated conversations between two parties and between two groups in conflict to help them identify issues and determine a path forward. In these situations, the parties reached agreements that ensured more clarity around who owned what responsibilities and opened up communication among all parties. On one occasion, this effort enhanced the progress of a significant project with an external customer.

ISSUE: Some of the conflicts resulted from advanced-age employees feeling pushed out of the organization. We also heard from new, early-career employees who claimed that they were not getting the training and mentoring needed to be successful in the NASA environment/culture.



OUTCOME: The Ombuds frequently coached individuals to have difficult conversations with their supervisors, Human Resources, or higher levels of management to get their needs met. There were times when the Ombuds was able to reach out to formal resources to ensure that the issue was heard and attention was given at the appropriate level of the organization. In some cases, positive change occurred; others resulted in no change.

Performance

Includes Performance Appraisal, Discipline Process, and General Feedback

ISSUE: Several visitors spoke of differences between what their job description stated and what they were asked to do. The resulting misalignment between the visitor’s and their supervisor’s perception of success led visitors to fear that they would not get a fair performance evaluation.

OUTCOME: The Ombuds often served as a communication link between the visitor, supervisor, and Human Resources to ensure that the review process was fair and respectful. In some cases, the review was revised; in other cases, the communication between all parties was more complete and honest.

ISSUE: Several Ombuds heard from visitors who felt that expectations were unreasonable and were an effort to set them up for failure and possibly dismissal.

This category includes many concerns related to excessive-workload situations in which employees felt that they had to choose the task “where I’m going to fail?”

OUTCOME: In many of the workload issues, the Ombuds worked with individual visitors to identify parties who could hear the concerns and make decisions that might reduce workload or extend timelines. While we were not highly successful in getting workloads reduced, the Ombuds helped the visitors identify coping strategies and ensured that senior management heard the concerns. The Ombuds referred visitors to the Employee Relations Programs and the Employee Assistance Program and shared opportunities for training programs on stress management.

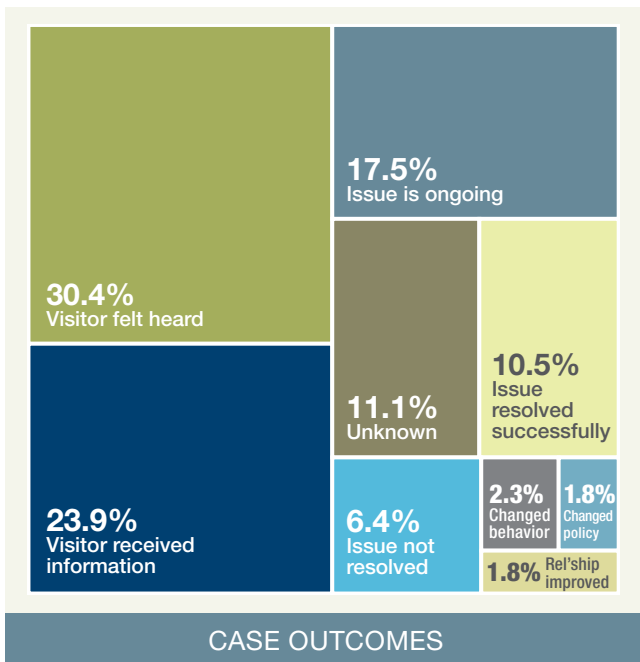
Compensation and Benefits

ISSUE: Pay issues were often due to communication or process breakdowns. In a few situations, visitors believed that they would be paid at a certain level or were doing higher-level work that should result in higher pay, but the supervisors did not have the same understanding. In other situations, errors in the pay systems or input into the systems caused delays or missed payments. Some of these breakdowns happened during detail assignments.

OUTCOME: The Ombuds worked with the visitors and the benefits staff to correct process errors. In addition, the Ombuds helped visitors obtain more detailed explanations from supervisors or the Office of the Chief Human Capital Officer regarding what the visitor was entitled to per NASA pay policies.

ISSUE: Benefit issues were related mostly to retirement, use-or-lose leave policies, insurance, and leave of absence requests.

OUTCOME: The Ombuds determined that denials of leave, vacation, and some other benefits were often the result of paperwork not being completed properly. The Ombuds helped individuals get the support they needed to fill out request forms accurately.



The Ombuds attempt to follow up with visitors to determine the outcome of cases, but this is not always possible.

Policy

ISSUE: There was significant activity in 2020 on issues related to remote work and telework. Issues ranged from requests for remote work being denied to feelings that policies on the subject were vague, leaving decisions up to individual supervisors' preferences. Some visitors seemed confused about the difference between remote work and telework. We have heard that employees are equally concerned about the safety of returning to work and the required adjustments that will come along with doing so, such as potentially having to give up flexibility in work schedules and designated workspaces.

OUTCOME: The Ombuds continue to provide the Offices of Diversity and Equal Opportunity, and the Office of the Chief Human Capital Officer with feedback on concerns regarding remote requests and future-of-work concerns. The Ombuds program may be a good resource to provide input for future-of-work plans and strategies.

ISSUE: Other policy issues were related to daycare availability, job postings, and leave policies.

OUTCOME: In many of these situations, the Ombuds were able to provide information that resolved the situation or explained the action that had been taken.

Job Posting and Selection Process

ISSUE: Visitors raised concerns about inconsistencies with the job-posting process, specifically regarding differing lengths of the open application period as well as unique position requirements and selection.

OUTCOME: The Ombuds helped visitors understand NASA policies related to job postings, deadlines, and unique selection criteria. Visitors obtained the information they sought.

ISSUE: Visitors also discussed what they perceived as lack of fairness in the selection process, arising from their exclusion from the qualified candidates' list in spite of meeting all stated criteria.

OUTCOME: The Ombuds worked with the Office of the Chief Human Capital Officer to identify where process breakdowns occurred and ensured that visitors who met all stated criteria were given the opportunity to be considered for job openings.

ISSUE: Some visitors felt that there was favoritism in a selection process based on gender, age, or where candidates acquired their experience.

OUTCOME: With the visitors' permission, the Ombuds reached out to the Office of the Chief Human Capital Officer to confirm that the selection process adhered to NASA policy for candidate selection.

Bullying

ISSUE: Bullying issues usually involved a person in a higher position using the power of that position or threats to disrespect or try to influence the behavior of an employee.

OUTCOME: In a few situations, the higher-level individual was disciplined or removed. In some instances, the employee chose to move to new position or left the Agency.

Ombuds Program Priorities for 2021

In 2021, the Ombuds Team will focus their efforts on the following:

- Conduct the 2021 NASA Ombuds Survey and develop action plans to address the feedback.
- Enhance our communication to continue raising awareness about the Ombuds Program among all NASA people, including when to make use of this resource and how to reach the Ombuds.
- Serve as early warning to management regarding concerns that need their attention for review and action.
- Continue to develop the skills of the Ombuds Team through both internal training and resources offered through the International Ombuds Association.

For more information on NASA's Ombuds Program and a list of Center Ombuds, visit our Web site at <https://www.nasa.gov/offices/ombuds>.
