



To enhance mission performance, TSA is committed to promoting a culture founded on its values of Integrity, Innovation and Team Spirit.

1. **PURPOSE:** This directive provides TSA policy and procedures for the Ombudsman function of the Transportation Security Administration.
2. **SCOPE:** This directive applies to all of TSA.
3. **AUTHORITIES:**
 - A. Homeland Security Act of 2002 (P.L. 107-296)
 - B. Aviation and Transportation Security Act of 2001 (P.L. 107-71)
 - C. Administrative Dispute Resolution Act (P.L. 101-552)
 - D. Administrative Dispute Resolution Act of 1996 (P.L. 104-320)
 - E. International Ombudsman Association Code of Ethics and Standards of Practice
4. **DEFINITIONS:**
 - A. Confidential: Private and not available for release. Identities of individuals and other information or materials shared with or generated by the Office of the Ombudsman may not be disclosed, under certain circumstances, without the consent of the individual concerned. However, the Office of the Ombudsman reserves the right to report matters where there is imminent threat of serious harm.
 - B. Facilitation: The process by which a third party helps to coordinate the activities of a group, acts as a process facilitator during meetings, or helps a group prevent or manage tension and move productively toward decisions.
 - C. Neutral: An individual who, with respect to an issue in controversy, functions specifically to aid the parties in resolving the controversy.
 - D. Ombudsman: An independent and neutral official and staff designated by an organization to provide confidential assistance to facilitate conflict or problem resolution.
5. **RESPONSIBILITIES:**
 - A. The Office of the Ombudsman is responsible for:
 - (1) Serving as TSA's designated neutral official.

- (2) Providing independent, neutral, informal, and confidential conflict and problem resolution assistance to employees, managers, and the public for issues and concerns involving TSA policies or personnel.
 - (3) Providing recommendations to TSA leadership and program offices regarding issues and concerns brought to its attention.
 - (4) Encouraging the use of conflict management practices throughout TSA.
 - (5) Working to influence processes, policies, procedures, or regulations when necessary based on issues and concerns presented.
 - (6) Preparing regular reports on employee issues and concerns.
 - (7) Assisting workgroups with identifying, assessing and prioritizing workplace concerns, and developing strategies and actions to address those concerns.
- B. Federal Security Directors (FSDs), Special Agents-in-Charge (SACs), and other senior officials at field locations are responsible for ensuring that poster(s) displaying Office of the Ombudsman contact information are posted in high traffic areas frequented by TSA employees, including, but not limited to, break rooms, locker rooms, and administrative offices.
- C. The Office of the Ombudsman ensures the display of posters and other Ombudsman-related information in areas frequented by employees at TSA Headquarters.

6. POLICY:

- A. The Office of the Ombudsman shall respond to all contacts from current and former employees on work-related matters, and the public in accordance with the International Ombudsman Association Code of Ethics and Standards of Practice. The code and standards require that all inquiries be treated in a manner employing the principles of informality, confidentiality, neutrality, and independence.
- B. Communications made to the Office of the Ombudsman are not notice to the TSA. For matters involving its core function, the Office of the Ombudsman neither acts as agent for, nor accepts notice on behalf of, the TSA. The Office of the Ombudsman staff may, however, refer individuals to the appropriate place where formal notice can be made.
- C. Confidentiality:
- (1) For matters involving its core function, the Office of the Ombudsman staff shall not disclose the identity of persons who contact the Office, nor the content of communications with the Office unless:
 - (a) given express permission by the individual; or,
 - (b) the communication contains an imminent threat of serious harm.

- (2) In the interest of facilitating resolution of certain workplace issues or trends, certain information may be shared with appropriate TSA offices and/or local management for further investigation. This information will be edited to the greatest possible extent to protect individual identities, unless an individual has given permission to reveal more specific identifying information.

D. Reprisal/Retaliation:

- (1) An employee shall not be discouraged or prevented from exercising his or her right to contact the Office of the Ombudsman. Acts of reprisal or retaliation against an employee who has contacted, has expressed an interest in contacting, or has assisted in an inquiry conducted by the Office of the Ombudsman are strictly prohibited. These include:
 - (a) overt actions or statements of reprisal or retaliation and,
 - (b) less obvious actions or statements meant to discourage an employee from contacting the Office of the Ombudsman.
- (2) Such acts of reprisal or retaliation should be reported to the Office of the Ombudsman and may be shared with appropriate TSA offices with the permission of the individual and may result in disciplinary action.

E. Organizational Independence:

- (1) The Office of the Ombudsman is organizationally independent from TSA operational components.
- (2) Consistent with its informal, collaborative role, the Office of the Ombudsman shall seek to resolve all issues it identifies at the lowest possible level, employing a variety of dispute resolution techniques (e.g., mediation, facilitation, negotiation, etc.) to bring about agreements among parties.
- (3) This role also extends to issues and issue trends that must be raised to higher levels of management for resolution or attention.

- F. The Office of the Ombudsman may recommend certain corrective actions be taken to resolve an issue or issue trend, and will document those recommendations as it deems appropriate.

7. PROCEDURES:

- A. Information: Additional information can be found in the [Office of the Ombudsman](#) Functional Area on the TSA Intranet. Employees of the Office of Law Enforcement/Federal Air Marshal Service (OLE/FAMS) may also find information about the Office of the Ombudsman on the OLE/FAMS Intranet under "Employee Resources".
- B. Assistance: Customers can avail themselves of the Office of the Ombudsman services, or request posters and brochures about the Office, through any one of the following methods:

- (1) Telephone: 1-877-266-2837 (toll-free) or 571-227-2383
- (2) Fax: 571-227-1387
- (3) Email: TSA.Ombudsman@dhs.gov

C. Depending on the nature of the issue, Office staff will assist customers with developing options for resolution, and will follow up with the customer to gain assurance that the issue is closed. Certain non-identifying information about the nature of each issue is captured in the Office database and compiled at regular intervals for reports that are shared with TSA management.

8. EFFECTIVE DATE AND IMPLEMENTATION: This policy is effective immediately upon signature.

APPROVAL

Signed

9/23/08

Kimberly Walton
Special Counselor

Date

Filing Instructions: File 200.1.1
Effective Date: 9/23/08
Review Date: 9/23/10
Distribution: TSA Assistant Administrators, Office Directors
Point-of-Contact: Office of the Ombudsman, TSA.Ombudsman@dhs.gov, 571-227-2383