

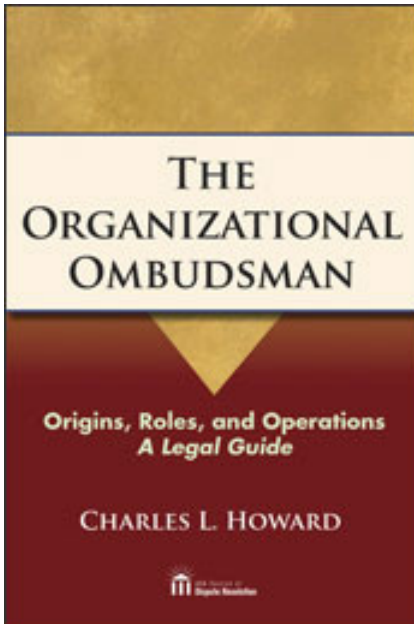
The Organizational Ombudsman

Origins, Roles and Operations – A Legal Guide

by Charles L. Howard

An essential resource for structuring and operating an organizational ombudsman program.

Anyone involved with an ombudsman office will find this book an invaluable resource that explains why an ombudsman is important for organizations and offers strategies for structuring and operating offices to preserve the confidentiality that is critical to their function. The book provides:



- A history of the evolution of the ombudsman concept from its origins in Sweden to the modern organizational ombudsman and a discussion of the principles critical to the work of the organizational ombudsman.
- A rationale for the creation of ombudsman offices, including a review of demographic data and workplace/societal changes in technology and globalization that have influenced how we work and interact in large organizations for the ombudsman.
- Strategies for addressing issues that arise in litigation.
- An analysis of the effectiveness of current best practices, including hotlines and whistleblower laws and policies.
- Topics of interest to ombudsmen, including discovery tools, arbitration and mediation, the federal sentencing guidelines, the Cleary Act, constitutional limitations on claims of privilege, and the European Union Data Privacy Directive.
- Numerous actual examples from ombudsmen programs that illustrate how they function in their organizations and how they are effective in addressing issues that people would not otherwise raise.

The book includes valuable appendices, including ABA resolutions, ethical codes, standards of practice, and more.

What others say about *The Organizational Ombudsman*:

“Doctors have the Physician’s Desk Reference and Stedman’s Medical Dictionary. Psychiatrists have the Diagnostic and Statistical Manual and the Mental Health Desk Reference. Now there is an indispensable reference book for the Organizational Ombudsman – Charles Howard’s wonderfully comprehensive legal guide, *The Organizational Ombudsman: origins, roles and operations*. Mr. Howard, an attorney in private practice who has consulted with ombudsmen in universities, corporations and other organizations for almost two decades has written a reference book that combines his thorough understanding of legal principles with his first hand familiarity with the day to day activities and dilemmas of the practicing ombudsman.

The book is both scholarly and accessible – he manages to make relevant legal matters understandable to readers who lack legal training without oversimplifying important legal principles. But this book is not an abstract discourse about legal principles; the entire book is grounded in a subtle consideration of the historical, social and economic factors that have contributed to the emergence of the ombudsman function. After a chapter that surveys the history of the ombudsman role and identifies its essential characteristics he offers

the most thorough discussion of why organizations should create ombudsman programs that I have seen in over 28 years of being an ombuds, including at one of the nation's largest public universities and in the federal government....”

-- Howard Gadlin

“Chuck Howard has provided a scholarly and well referenced guide to the ombuds community. He traces the history of the ombudsman from its origin to the current day organizational innovation of ombudsman services. With his deep knowledge of legal issues faced by ombudsman programs in corporate and university settings, Chuck provides the ombuds practitioner with knowledge and tools to handle practice issues such as confidentiality and ombuds privilege. The legal research and organizational approaches make this a ‘must read’ book for organizational leaders who may be contemplating the establishment of an ombuds Office.”

-- Anu Rao, M.D. Anderson Ombuds Office, Houston, TX

“This book is a comprehensive and seminal work on the organizational ombudsman profession. Chuck Howard’s research is thorough and his analysis profound. The book not only outlines why the ombuds role should be an essential asset for institutions but also how to establish one to ensure its effectiveness. Chuck’s experience and expertise make him eminently qualified to provide insight for decision makers, legal professionals, formal channels and ombudsmen within corporate, academic and public institutions.”

-- Ellen (Randy) Williams; Managing Director, Redmond, Williams & Associates, LLC

“Superlative--the definitive guide to establishing the ombudsman role, and why every organization needs one.”

- Ralph Hasson, Co-author,

Controlling the Costs of Conflict: How to Design a System for Your Organization

“Chuck Howard has written the definitive work on the organizational ombudsman. Chuck’s thorough review of the history, purpose, potential as well as the difficulties in managing an effective ombudsman program makes a compelling case for its establishment. Organizations and corporations, because of Chuck’s work, now have strong evidence that an ombudsman program can foster a sound open communication for all of its stakeholders.”

**- Pat Gnazzo, Former Chief Compliance and Ethics Officer
CA Technologies and United Technologies Corporation**

“The presence of an organizational ombudsman is one of the most powerful governance tools at the disposal of a corporate board today. In *The Organizational Ombudsman*, Chuck Howard makes it crystal clear why. He has crafted a masterful verbal tapestry that communicates the history, evolution, and nuances of this powerful function. I applaud the ABA for including this fine book among its publications.”

- Jon McBride, President, McBride Associates, Inc., Washington, DC

Charles Howard has written a masterful authoritative work on the organizational ombudsman that should be regarded as the leading source of information on ombuds for many years to come. Early on, Howard makes important distinctions between a “classical” ombuds, an “advocate ombuds” and an “organizational ombuds”... “*The Organizational Ombudsman*” is a terrific resource. It belongs on the shelf of the office of every ombuds-person. Those who want to become ombuds must read it, as should corporate officers and legal counsel, managers and staff who are seeking to establish an ombuds office.”

-James G. Knoll, Vice President, American Arbitration Association, Cincinnati, OH

I expect to hear much more about organizational ombudsman in the future and this book will certainly help spread the word.

A 2007 National Business Ethics Survey (NBES) found employees three to ten times more likely to report to an ombudsman than a hotline. 82% of whistle blowers in a study of pharmaceutical companies reported being subjected to various pressures by the company in response to their complaints. So, whistle-blowing is something most employees would rather not do. On the other side, companies can face large financial and even more important reputational losses as ethical violations are uncovered. Given just those few facts, companies owe it to shareowners to also take the softer approach by trying to resolve issues through an ombudsman....

After reading the book I can say I'm still amazed more companies haven't added ombuds functions. Setting up such an office and operating it so that confidentiality, independence and neutrality are protected is no easy task but there appears to be much more upside than downside, if done right. The flawed cases referenced where confidentiality was denied appear to be deeply flawed. However, I wouldn't undertake such a task without Howard's book and I would also want to join the International Ombudsman Association to discuss the idea with several who have set up and operated such offices. While it isn't an "idiot's guide" or step-by-step approach, the subject matter doesn't lend itself to that possibility at this stage of development. Charles Howard's essential guide for organizational ombudsman will undoubtedly facilitate growth of this important function that could help develop a culture of trust, candor and accountability.

***-- James McRitchie, Author, CorporateGov.net blog
To read the complete review above, please visit amazon.com***

"The Organizational Ombudsman" is an indispensable practice guide for the organizational ombudsman and for any organization – corporate or academic -- establishing and promoting an ombudsman function.

Chuck Howard writes with first-hand understanding of the ombudsman role and the dilemmas faced by the practitioner, and also with thoughtful concern for the legal principles involved and the responsibilities of the courts in adjudicating competing interests and rights when ombudsman confidentiality or privilege is at issue.

This book is a unique reference on the history of the ombudsman function, and the social, economic and ethical needs it supports. It includes the most comprehensive survey available of relevant case law and (anonymous) actual ombuds cases that demonstrate why people choose to go to an ombuds and how the ombuds helps resolve conflicts and surface important concerns to the organization. Attorneys as well as general readers of this authoritative resource will come to understand the value of ombudsman confidentiality to organizations.

As a professional practitioner, I keep "The Organizational Ombudsman" close at hand and have relied on it countless times for the accessible, reasonable and positive way it clarifies best practices for protecting ombudsman confidentiality.

-- Marsha Wagner, Columbia University Ombuds Officer

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[http://www.amazon.com/The-Organizational-Ombudsman-Origins-Operations--
A/dp/1604427787/ref=sr_1_1?s=books&ie=UTF8&qid=1331318258&sr=1-1](http://www.amazon.com/The-Organizational-Ombudsman-Origins-Operations--A/dp/1604427787/ref=sr_1_1?s=books&ie=UTF8&qid=1331318258&sr=1-1)**