



NBER Ombudsperson Terms of Reference August 2019

The NBER Ombudsperson is a confidential, informal, independent, and neutral resource for members of the NBER community, including research affiliates, employees, conference participants, and others who spend time in the NBER's offices. The Ombudsperson helps individuals manage conflicts, express concerns, and resolve disputes without fear of retaliation, by providing impartial attention in a confidential setting. She can also listen to concerns about various issues, assist in the framing of these concerns and the evaluation of options, coach individuals in reaching out to other parties, including those who have formal resolution authority, facilitate informal resolution, alleviate disruption caused by disputes, serve as a voice within the NBER for concerns that individuals may feel uncomfortable raising, promote ethical conduct, and provide information about organizational policies and procedures.

The Ombudsperson will not disclose an individual's name or concern unless she is given explicit permission to do so for the purpose of informal conflict resolution. This promise of confidentiality may only be broken if she determines that there is an imminent risk of serious harm. While she will create a record for administrative purposes each time she is contacted, she will only create a more detailed record with information on the matter discussed with the permission of the individual who contacts her, and any records created will be retained for only one year. Confidentiality is a hallmark of any ombudsperson program; it is not appropriate to seek records or testimony from the Ombudsperson with respect to confidential communications.

The Ombudsperson is not an investigator and she does not carry out independent fact-finding. She does not adjudicate disputes, but rather offers suggestions for ways that the parties can try to resolve them on their own. She offers an alternative to formal reporting channels, and is independent of all other departments at the NBER. She may provide information on situations that may be of concern to the organization, in a way that will not identify particular individuals, to NBER affiliates and staff members in managerial or leadership positions. The Ombudsperson has no power to make or change NBER policies, but may offer recommendations about such policies to NBER management.

The Ombudsperson may try to mediate and offer suggestions for resolving issues, but she does not accept formal complaints on behalf of the NBER. She may provide information to individuals about the process for initiating a formal complaint, and on other steps that could lead to an investigation of a matter of concern. The procedures for making formal reports of incidents of harassment and scientific misconduct may be found in the NBER's policies covering these issues, which are available at

<https://papers.nber.org/professionalconduct.html>

Individuals who wish to file a formal complaint about any NBER-related matter do not need to contact the Ombudsperson prior to availing themselves of other dispute resolution or reporting channels.

Once each year, the Ombudsperson – who reports only to the NBER's President - will provide a summary report on the nature of the issues that have been raised, along with a description of the way in which matters were generally resolved, and any trends she has observed.

The NBER has retained Robyn Klinger, a Boston-based attorney with rich experience in the human resources area, as its Ombudsperson. Her role at NBER is separate from her legal practice, and in her ombudsperson capacity she will not provide any legal advice or serve as a lawyer, advocate or representative. Robyn is available for email, telephone and in-person meetings. She will recuse herself from participating in any matter that might raise a financial or other conflict of interest for her or for members of her immediate family. Robyn is a member of the International Ombudsman Association and may be reached at ombuds@nber.org.

Complaints or concerns about the performance of the NBER Ombudsperson should be directed to NBER President James Poterba at op@nber.org. The NBER President and Board of Directors will periodically review the ombudsperson program.