



Date: April 26, 2019  
To: Councilmember Teresa Mosqueda  
Housing, Health, Energy and Workers' Rights Committee Chair  
From: Dr. Amarah Khan, Office of the Employee Ombud Nominee  
Subject: Seattle City Council Confirmation Responses

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- 1. Setting up the Office of the Employee Ombud (OEO) for the City of Seattle is an important component of our effort to end harassment, intimidation and inappropriate behavior in the workplace. Can you please share with us how your experience will lead this office to fulfill its purpose? What are your top priorities for setting up the office within the first six months, and how will you measure success?***

The establishment of the Anti-Harassment Inter-Departmental Team (IDT), their recommendations and the institutional changes our city is taking is historical. Supporting these institutional efforts to integrate race and social justice through trauma informed practices for all employees is an honor and an opportunity. I have extensive academic and applied experience learning about systemic oppression and responding to pervasive discrimination. It is, however, my lived experience as a woman, an immigrant and an individual of color that has taught me the most valuable lessons in fighting for equity and inclusion.

My top priority as I set up this office is trust building. I want to focus on three areas that contribute towards inviting trust among constituents. First is a listening tour that allows folks a chance to meet with me, ask questions and give feedback. Second is building a team that represents the community and offer functional competencies essential to meeting the needs of our employees. Third is developing an intake and tracking system that will best protect the confidentiality of employees to the extent by law. The success of this office is closely tied in with the level of trust it invites among employees. I want to spend the first six to eight weeks laying down the ideological and operational foundation of an office that employees can reach with confidence, on a good day or a difficult day.

- 2. The Anti-Harassment Interdepartmental Team (IDT) members, made up of a diverse set of front-line workers across the city, crafted the report Addressing and Preventing Workplace Harassment and Discrimination, which includes 34 recommendations that for addressing harassment, intimidation, assault and unsafe workplaces across the city. Among the recommendations embedded in the establishment of the OEO, the IDT recommended that this office serve as an advocate to the employees seeking services, not just a navigator of the various options an employee may have to respond to an incident. How do you take on this role to ensure that the OEO staff serve as an advocate to employees?***

My true interest in applying for this role is the emphasis it places on supporting all employees regardless of their identity or affiliation. As a social justice advocate it is critical for this position to support every employee in our system. Employees deserve a network of advocates who understand complex dimensions to every situation and are prepared to offer validation, support, advice and a way forward to those who are aggrieved and also to those who have harmed someone. The impartiality of this office compels us to educate and offer reform to those who have yet to learn the impact of systemic racism, classism and various other forms of injustice.

I believe that an ombuds must be neutral, impartial, and absent of self-interest in the performance of their duties. I shall act in such fashion as to respect the rights of all parties in a conflict but will remain true to my lifetime pursuit of fairness and justice.

**3. *The IDT additionally asked for the OEO to be an independent office, and as the legislation was amended in the Housing, Health, Energy and Workers' Rights Committee, amendments ensure that as the OEO was established to be free from undo political influence from the Executive office or Seattle City Council. How will you work to establish the OEO with the goal of ensuring the OEO is constructed to be free from undue political influence?***

My assessment of the IDT's work and the voices that it brings forth clearly indicates that there are deep frustrations with the way our City has traditionally responded to grievances rooted in harassment and intimidation. Various previously applied models have lost people's faith and interest. Hence OEO's very existence is predicated upon offering something that is unique, barriers free and reliable. I will make sure that OEO stays obligated to that reason for its very existence. Independence in my mind is as much a function as it is a principle--and I commit to upholding both.

One way of ensuring this independence is to operate from a framework that does not exhaust itself with establishing right vs wrong. For OEO, every employee that walks through our door will receive authenticity, care, responsiveness and lack of judgement. I have always lived by the principle that when someone says they are hurt, the least we can do is believe. It will take logic, relationship building and professionalism for the OEO team to decipher what that hurt is rooted in, but we will always offer care without conditions.

**4. *Please share your background, experience, and training in trauma-informed care, race and social justice principles, and inclusive practices and please describe how this will impact how you will manage and guide this office?***

I was 23 years old when I joined the United Nations World Food Program. That first glimpse into the depth of human suffering at a global scale took me on a career path where my work spanned from one disaster to the next. As a Rapid Response Team member, I was trained in conducting human and infrastructure needs assessment so disaster response strategies could be finalized. One of the most valuable lessons I learned through a decade of humanitarian aid work is that trauma never truly dissipates, it revisits in various intensities every time people are faced with overwhelming challenges.

Understanding what trauma exists in our midst and customizing our care strategies to respond to it must be a cornerstone of all employee wellness initiatives. It is also true that most individuals or groups in our society that have been “othered” through systemic disdain and discrimination are traumatized by their struggle for acceptance--even if that trauma is often internalized. Working for social justice, equity and inclusive excellence from a trauma informed perspective should not be the purview of OEO alone. All leaders in our system must embrace these skills as critical for effective leadership.

***5. It's crucial for this office to be accountable to employees as well as to hold the City accountable to its pledge to be a safe working environment for all its employees. Can you share with us your philosophy about what accountability means and looks like in practice? What are processes that you envision creating to earn the trust of City employees and ensure accountability?***

Learning the history and purpose behind the IDT and its recommendations has been an incredibly grounding experience for me. I am drawn to this model of activism that espouses building up from within the organization and not just tearing things down. The best way to hold ourselves accountable to that vision is by committing to institutional change.

The OEO will hold itself accountable to a standard of service to its community whereby all employees seeking assistance will be offered consistent and unconditional support. But our work wouldn't stop at case management; we will follow a robust agenda for education and change to ensure we partner with collaborators to teach folks what our collective values are and what conduct is not acceptable to us. Earning and maintaining in the long-term the trust of our employees will be an unending goal. I will start with a series of listening sessions, individual and group meetings as well as discussions with stakeholders, including those groups who have been most impacted by discrimination and harassment. In terms of the operational integrity of the Office itself, we will seek feedback from every visitor through a satisfaction survey to ensure we are meeting our community's expectations.

**6. Give the OEO is a new office, the Ombud is thus given the flexibility to help shape its mission and values, can you please describe how you envision accomplishing the stated mission and how it would be communicated to city employees?**

There is an incredible amount of challenge and opportunity when a new entity is being developed. Serving a community that is as diverse and informed as the City of Seattle employees, I am hoping to balance my vision sharing with inviting additional input and feedback so the vision can be refined. Setting this office up is a matter of urgency, but I do believe it is prudent to spend time meeting people, generating a discourse, setting expectations and getting all the logistics in place.

In the course of the next eight weeks, we will be multitasking and maintaining strict timelines. Our team building strategy is focused on three functional areas of expertise: Restorative Justice, US Race Relations, and Conflict Mitigation. With the right set of expertise, our hope is to accommodate a very high case load even with a small team. At the end of this initial effort to externally garner trust and visibility while internally setting up an efficient operation, we intend to hold an open house to open our doors to all City employees. The OEO will have a charter that will outline the parameters and scope of our services, including what type of referrals based on the employee needs. We plan to have a marketing strategy built around streamlining information and processes.

**7. How do you plan on protecting the privacy of City employees that are looking to OEO for support/advocacy as they tackle issues of harassment or discrimination in the workplace? And what are some recommendations you would provide when privacy is violated?**

While transparency is a cornerstone of OEO's agenda, it is important to maintain a level of privacy for all employees to the best extent possible by law. As a public agency in Washington, public disclosure laws promote full transparency. I will be working directly with the City Attorney Office and the Seattle IT Department to develop an intake and tracking system that will maintain confidentiality to the best extent by law.

My key recommendation related to violation of privacy is to educate folks about the significance of protecting the integrity of this office. We will engage with employees on how they perceive their role in paving the way for others to use this resource.

**8. What processes will you employ to ensure a measure of procedural justice for both the accusers and the accused, and how will you prioritize requests for your services?**

The credibility and integrity of the office is entirely dependent on its impartiality. Justice is sometimes a hard concept to define when we live in a system that interprets behavior from a

compliance viewpoint and in relation to the laws of the land. This landscape makes it hard to address behaviors that are egregious, persistent and real but not directly in violation of a law. I will lead this office from an ideological perception of justice where all kinds of conflicting interests are balanced properly, and the balance is embodied not only in the process, but also in the result. In essence, we will aspire to balance procedural justice with substantive justice, so a conflict is not led to a resolution at the cost of a victim's fundamental rights.

In terms of an operating model, I have a general framework in mind that I hope to be further informed and refined with each listening session during the next few weeks. The framework involves offering services to City employees within three broad considerations:

- a) Discourse/mediation to avoid contention
- b) Conflict Management and de-escalation
- c) Proactive outreach/education to prevent a culture of disrespect

**9. *What do you believe are appropriate remedies for inappropriate behavior or an unresolved grievance, for example, do you recommend the use of administrative leave as a technique to manage harassment complaints?***

It is not easy to assess what course of action is suitable pertaining to cases of harassment in a general sense. Each case must be evaluated on the merits of its complexity and impact. But I do believe that the concept of Restorative Justice in its applied sense is critically missing from our management protocols. Using administrative leave is often a conflict avoidance mechanism and could potentially allow sentiments to fester. Restorative justice gives victims the chance to meet or communicate with their offender to explain the real impact of the offense – it empowers victims by giving them a voice. It also holds aggressors to account for what they have done and helps them take responsibility and make amends.

**10. *Establishing a new office presents challenges including developing standard operating policies and procedures. Can you please share with us a time when you have created or implemented a new policy or procedure, and how did you go about ensuring it had equitable outcomes?***

Setting up a new entity and navigating a new system is always challenging. What is important to embrace is that no policy, no procedure and no framework can be so rigid in its design that it cannot be molded to people's needs. An office that is conceived out of people's resistance to inequity and injustice must model the change that it stands for. I was the first director of a cultural resource center at Oregon State University that served students from South, South-West, Central Asia, Middle East and North Africa. In this new place of belonging, it was often

easy for nationalist or religious sentiment to take root and the space would become exclusive to a few identities that fit in better. I held conversations with all identity groups—and it was a continuous endeavor. I taught students and employees the value of inclusion and intersectionality. There was often resistance on religious grounds, and we addressed it as a collective. One of the proudest moments of my career was when the Israeli flag was added to the flags representing students served by our center. It was important to me that students set aside politics to embrace principles of equity and justice.

***11. What kind of relationship will you develop with multiple human resource investigators, particularly the city-wide Human Resources Investigation Unit?***

I am a very collaborative leader. Our leadership journeys often take us to places where setting and achieving goals independently is necessary. This position is not one of them for me. I see OEO as part of a cluster of entities that are driven by similar mission and goals. How do we eliminate corrosive behaviors and practices that harm the most vulnerable among us? The answer to this question is held by several entities within the City and OEO will be a partner with all of them. The HRIU is a critical piece of our operational model because for cases that warrant further investigation, we will refer them to the Investigation Unit.

***12. What other resources will you use in your work (e.g. Employee Assistance Program, Alternate Dispute Resolution services, outside mediators, labor union grievance process, etc.)?***

Once the Office of Employee Ombuds is fully staffed, I hope to develop a charter and a case management trajectory that will be made available to everyone who seeks our services. We will develop marketing materials that would illustrate in a transparent way how cases will be led to a conclusion and under what circumstances will we refer the case out for collaborator's assistance. These collaborators would include Employees Assistance Program, Alternative Dispute Resolution, external mediators, Workforce Equity, Office for Civil Rights, labor unions and all other stakeholders that are key contributors and collaborators.

***13. Will you research past cases of discrimination and harassment to identify patterns and problems that will help guide your future work on new cases to help prevent repeated problems?***

I feel supported and encouraged by the outreach already offered by the IDT and its members. Having access to some of the historical information gathered by the IDT has helped tremendously as I piece together a framework for OEO's service to employees. It is my

assessment that the office will receive several hundred cases once the resources are announced. Many of those cases could potentially be related to grievances that are several years old. My hope is to engage in the restorative process if all parties involved are still associated with the City. If not, our office must continue to offer affirmation, care and ally ship.