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STAFF ACCOUNTABILITY SUBGROUP MEETING #17  
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>> AVRI DORIA: We should probably get start, since I only have an hour and I have to leave. Thank you. And hello. This is Avri speaking. Like all of the groups have now captioning below, which is a wonderful thing. And certainly helps in note taking. Let me go through the agenda. So the first thing is just do a check-in on the staff engagement process, see where we're at. The substantive issue for this and not trying to paper over my typo, a brainstorm on possible solutions to issues. Only I mean brainstorming. That is the main issue and the initial ideas doc was put out for a discussion. Then just basically we'll do a documents update on where we're at on other documents and go through that. And then just check our next steps issue and make sure that we've got the right next steps going and the schedule update.

So really, though, the meeting focuses on this one document and first conversation on it.

Does anyone have any changes or comments on the agenda? Any AOB that we should add to it? Okay. Seeing none, I guess we'll go with this agenda.

In terms of attendance, we'll be using the Adobe Connect participant's list. But is there anybody that's on the call that is just on the phone? I see possibly a couple.

I see their names all listed in participants. Is there anyone that's just on a phone? No. Okay. Then we'll go through with that.

I want to bring up the statement of interest check. Hopefully everybody has an updated SOI. Does anyone want to mention any updates to their SOI to this work stream, especially staff accountability? Okay. Fantastic.

Okay. So then going on to staff engagement, I see at least one new staff member listed in the participants list. Patrick, do you want to speak to this issue?

>> PATRICK DODSON: Thank you, Avri. This is Patrick, for the record. Good morning, good evening, good afternoon, everybody. Still pending, I am working on this week finalizing up and clarifying based upon the issues tracker document that we've been developing, some clear guidance as far as the topics that we're hoping to discuss and I will be employing that information to Teresa Swinehart, who will be bringing that into the executive team for a round of discussion on that scope. That will help them in identifying the most relevant people as far as pack ground and experience to then approach them for. That's still pending, but hopefully it's just a matter of a few weeks here and we should have progress on that front.

>> Avri Doria: Okay. Thank you very much. Anyone have a comment or a question for Patrick? Okay. Thanks.

Then we'll move on to the to the primary agenda item for the day, which is the document. And while it's coming up, basically, as an introduction to the topic, what we did -- oh, darn. Okay. I thought that might be the issue. I will quickly send another, because what happened while doing this is that Jordan and I added a set of possible first items on the solutions space. And what we did is to not presume that these were on the list. We both put them in suggest mode as opposed to edit mode. As opposed to edit mode. So those don't show up in the -- in what's being shown. So I'm just now sending out a copy that's an Adobe of the word document so hopefully those things do show.

Okay. I'm sorry. I'm fiddling around. I thought I did it before, but I did it incorrectly. I should have known better.

So, basically, Jordan and I did put some first points in. I'm just sending this out now. So we took this from the issues table as it stood yesterday. And, basically, made a copy of it. So the issues table without possible solutions space remains as it is. If people do add more to that, we'll bring it into this space.

Basically started on each of the issue rows, and, Brenda, when you get the other PDF, if you could put it in the screen, that would be great. Thanks.

>> Brenda Brewer: No problem.

>> Avri Doria: Basically. Okay. Thanks.

Basically in the possible solutions space, and hopefully while I'm talking through this, the document will show up. It is -- anybody that goes to the URL can see this now. So possible points that we put in, as I said these are only in suggest mode, is as a response to the issue for forum in which community participants can safely raise and work through staff accountability, performance, one suggestion that I put in is that this could be added to the ombud section. Jordan put in several other suggestions, which I'll be reading for the first time, because they came while I was sleeping. Ask ICANN executive leadership and ICANN board so that issues can be raised in confidence. Logic shows dealing with these issues if these are serious.

A second point, document and subject matter structure so any other issues that might develop into more serious problems can be raised and resolved early with a line manager involved. If people know who to talk to and feel able to talk openly, much can be solved easily and quickly.

And a fourth bullet, explain how the community can use the complaints officer role in this and not confidential. This would work. Since it is unclear whether CO would be appropriately able to respond, resolve, given their role's limited span of control.

So I see that that file hasn't made it through the mail system yet, but that's what's in there at this point. And I guess I'd like to get discussion as to, A, whether it's acceptable to sort of accept these into the draft document as it were, and B, comments on them. I won't do wordsmithing on the call, but I will get distracted if I do, but because we have the captioning, and I'm really so glad to see that, because we have the captioning, I'll rely on that to backfill later whatever changes we have.

So I'll open up. I see no hands yet. I wonder if -- okay. Thank you, Brenda, for putting up the new document.

So I see no hands. Does anybody -- Greg says, ICANN does publish an org chart periodically. I think an updated one was circulated this week. Okay. Did not. Okay. Yeah, it is a little big, but hopefully it can shrink or people can move it, especially if people have their own -- oh, great. Thanks. If people have scroll. Of course, it's easier to read on the drive doc. Is it okay to accept these

things? And at least have them as drafts. Obviously, they're not final, but just basically to accept them into the document for further discussion.

Okay. I see no one wants to discuss these at this point. We can go through the list of them and then get back. I don't want in to be just the brainstorm of two people. Okay.

So then staff excluding policy staff are seen as crossing the line from policy implementation to policy development/decision. And there is no way to address this. So the comment that I inserted was organization and community to review and resign existing implementation team methodology. There was a part of ART3. That's a possibility as part of a regularly scheduled review, use existing processes, if possible. And it should be noted that this -- that this process, as it exists, is currently only specifically applicable to the results of GNSO PDPs. While that does affect a lot of policy implementation space, it doesn't reflect all of it.

Another point that was put was look at relevant PDC and relationship/interaction between implementation of policy are clear and whether the clarity is understood the same way by community structures and organization staff if unclear conflicting norms, clarifying this in better aligning expectations could be helpful. Yes, Allen?

>> Alan there is a note to have AT to look at the evaluation of previous ATRTs. That would defer to ATRT4, which is about seven years away. I'm not. I don't think that's a productive way. We still don't know what ATRT3 will do. There is a reasonable chance it might not do a lot.

>> Avri Doria: Right. Thanks. Since the ATRT decides its own agenda, I understand that some of those fit into those spaces, but also if WS2 were to make a request of them, this is something they look at, I'm sure that would be as well. . Though it wouldn't be in bylaws or anything like that.

Yes, Herb?

>> Herb Ombuds: Good morning, Avri. Thanks. I can read it now that I have the document open on my computer. It was a little fuzzy when I tried to expand it in the window. In the first point there where you -- where your bullet points on the far side of the adding it to the ombuds role, it would have to be clearly identified that we're not talking about HR accountability or performance, because I clearly don't have jurisdiction or role in anything to do with what you would possible consider consider performance management or HR issues dealing with discipline or annual

evaluations or anything like that. So that would have to be further discussed with probably ICANN HR to determine whether I actually do have a role if we're talking to HR.

For all other performance, if we're talking performance with their interaction with the community, then, of course, I do have getting into actions and actions and so on, which are clearly set out in the bylaws. So it would have to be a very clear delineation between those two completely different issues.

Thank you.

>> Avri Doria: Okay. Thank you for that. Yes. And that is -- I guess it is understood that if it did require any expansion role, it would certainly require, you know, going through it with the staff. And that is one of the reasons why getting the senior staff participation in these solution discussions will be so important. But, yes, understood that and thanks, and probably will add a note to that bullet there indicating that that would require work.

Just to talk about the process that just how this fits within the process here, these are the general solutions that we may or may not end up agreeing on in some manner or other. Then it's the other part of the process that once we have those basic ideas working out details of how they actually fit with staff structure and staff management processes, there might need to be modifications here and there on various processes. So it's very much built into the process we're building on that. And I see, Herb, do you want to make a further comment in response to -- okay. Thank you. Greg, please.

>> Greg Shatan: Greg Shatan for the record. The last solution is to explore the role of the complaints officer. A couple of thoughts there: It might make sense to have Chris Depapik join this group, at least on a one-off basis to explain her role, vis-à-vis staff accountability, and also to define the roles relative to each other of the ombuds and the complaint officers and to identify if there is an essence of a third space that is covered neither by the complaints officer nor by the ombuds. If there is, we have to think about that third space and dealing with it.

Finally, while this may be an issue number four, I'll mention it here as well, that there should be a more -- we should have a more after an embedded culture, I think, of the 360 reviews that include the community. I don't know if that makes them 720 reviews, although that, I think, takes a rather narrow view of what constitutes 360 in the ICANN context. That is another part in time where both concerns

and kudos are raised broadly about performance. So that's another thought. I guess just finally-finally, and I hate to add another office or layer or thing to use the Icelandic term for it, but maybe there is a need for a unique forum that is not the ombuds or the complaint officer. That goes back to my first point of seeing whether we have covered the waterfront without having to add to the waterfront.

Thanks.

>> Avri Doria: Okay. Thank you. Any other comments on either rows 1 and 2 so far? I have not read through 3 yet. Okay. Some of what you mentioned, Greg, may also fall under the later rows, but we'll get to that. Okay. If there were no other comments on that, then I'll go to row 3. I'm having trouble managing all my screens this morning.

Row 3.

>> Herb Ombuds: May I --

>> Avri Doria: I see you had your hand up before I got there.

>> Herb Ombuds: Thank you. Herb for the record. There is something I've thrown out and we briefly discussed in the ombuds subgroup of having a potentially tri-party, and a third person elected by the community to review issues that are brought up, whether it would be in some form of disciplinary or to review issues that happened either in the community or that involves one of the three, which would also offer the option of one of the three recusing if there is any type of conflict of interest. It would still leave two people to discuss or review issues. It never went any further, but it might be something that the community for staff review would consider of having this type of community forum. You have a representative of staff who would be the complaints officer, a representative of an external representative in the ombudsman, and an internal representative from the community who would be elected by the community or chosen by the community. Just a thought. Thank you.

>> Avri Doria: Thank you. Interesting proposal. Just want to point out that what Jordan and I, and I'm committing Jordan to helping with it, but Jordan and I will do after this call is go back and put these things into forum. Of course, you are able to any time you want go in and edit and make suggestions directly into the file. So if we don't get it right or if you want to write out what you've been saying before we get to trying to figure it out, please do so.

Great. Thanks. I assume, Herb, that's a remnant hand at this point. Thank you. Okay. Let me go

through row 3 was there are concerns that the overall culture of ICANN staff is less focused on supporting the community's work in policy development than it should be. I had no first thoughts on this one, so didn't add anything. Jordan has added, "Ask ICANN's chief consecutive to reflect on this and give response to CCWG, and to the leadership on this topic at ICANN 60 in October 2017."

Culture in the organization is ultimately the responsibility of the CEO -- chief executive. And it could be valuable for a broader cross-section of the community to understand the take on these matters.

Hands? Anybody want to comment on this one? Other suggestions on the culture issue? If not, I'll go on and read 4 and people can comment on any of it when they think of a comment.

So 4 was, "There's no institutionalized route for community feedback to be included in staff performance and accountability systems." So I included a step in staff reviews that includes interviews with relevant community members and continued by Jordan for managers to gain feedback and be able to take that into account in their general review of performance.

Next bullet, establish norms or expectations for staff in dealing with community members, including discussions with community SOAC leadership or signaling they already exist. Logic if these norms are in place and known or developed, they help shape common expectations and when performance is meeting expectations, it is unlikely to be seen as problematic.

Next bullet, organ annual open community survey with the organization seeks feedback on its overall performance and the performance of specific functions. Logic, this could function as a tool aimed at helping the organization do our work better every year. Any comments? I think that was it for this line. Any comments on those at this point? I see a couple comments, do we need a new acronym for CEO? Putting in the logic for many of these things. Herb I see your hand is up.

>> Herb Ombuds: It may be more of a global issue for community staff combined where there could be one forum where community who has issues with community or staff could raise concerns, because there's no proper process in place right now for community/community interaction, other than myself. Thank you.

>> Avri Doria: Okay. Thanks. I want to check that I understood correctly because you basically -- if I understood correctly, you're saying there is a link between

4, that I had just read, and some of the discussion there, and both 1 and 6, because you mentioned bullet 6. And I assume you meant row 6, although I might be jumping to a conclusion. Let me know if I understood that correctly, the context.

>> Herb Ombuds: Yes. Row 6, where the community --

>> Avri Doria: Okay. Great.

>> Herb Ombuds: There is no forum for community to raise concerns about staff. Could possibly expand it. There's also no proper process in place for community to raise issues about community other than myself for discipline.

>> Avri Doria: Thank you very much. I wanted to make sure I had gotten it clearly. Klaus?

>> KLAUS STOLL: Just to go back to 3, I really like the idea to go and dialogue and to get these things going. But to come to this point, let's say interstakeholder relationships or personal to personal, I don't think that is actually been part of our agreement of our group here. I like it, but I want to put up a warning that it might not be in our image.

>> Avri Doria: Okay. Thank you. I'm not sure -- so what -- could you please clarify what part of this did you think was not in our agreement? Person to person issues? We are just trying to look at systemics, but although I'm not sure we have avenues for person to person issues that are staff and community member. That's unclear to me at the moment.

>> KLAUS STOLL: I think that -- -- my point here, and I think the point of Herb was that person to person relationship inside the ICANN community is sometimes very, very problematic. We have all been victim to it at some time. It's very, very hard. There needs to be a way to solve these things against the formation and we don't have that. But the point I'm trying to make here is what we are needed, what is happening, what is important, it might not be similarly in the agreement of the working group on staff accountability. It talks about staff accountability. That would be, I think, needs to be discussed on another level in another group in another context.

Thank you.

>> Avri Doria: Okay. Thank you. Any other comments? Okay. Then I'll move on to row 5. The issue with staff may not -- may not be substantively respond to recommendations or concerns in public comments by community members. The initial offering is create strengthen process



recommended in ATRT2 of allowing a verification correction of comment reports and synthesis statements. Logic, these are already community agreed recommendations that could -- is there are already community recommendations that could solve this issue. Any comments on that row?

Okay. I'll move to 6, which we've already talked about a little. 6 was no clear forum in which staff can safely raise or work through concerns about community members' behavior or performance. And that one was first recommendation was add this role to the ombuds function. Again, I'm sure this would require a certain amount of clarification with staff and an agreement of how, indeed, this could happen with the rules and if they would need to be changed and clarified. That caveat from before would certainly apply to this, too.

Logic, there are already community agreed upon recommendations that could solve this issue. So I'm not quite sure that the ombuds function is already a community-agreed recommendation, but perhaps other than the implementation of the ATRT 2 recommendation may be a good reference for that, that ATRT2 did recommend that there be ICANN-wide recommendation, or was it a recommendation that was already made. Now I understand what's written there.

Yes, Herb, please.

>> Herb Ombuds: Yeah, thank you. Herb again. Just a quick note that if any of these -- well, a lot of them fit in the framework I work under. It's to keep an open mind. There also has to be a formal process for backup the ombuds process if the informality of the ombuds office comes to a situation where it no longer works. So that if there is a breakdown in informality, that the community or staff or whoever has a formal process they can fall back on within either the bylaws or the charters of the groups or so that if it doesn't work informally, that there can be a formal process.

>> Avri Doria: Thank you. Any other input? Nothing is solved, include staff being able to raise issues to that office for issues staff might have with community members. So that's a good thing to note. And it feeds back to Greg's suggestion that Chris would be good to include in the conversations or invite her to one meeting to sort of discuss her view of how the complaints officer fits into these particular issues and the possible solution space. So this reinforces that desire. If nothing else, I'll move on to row 7. I do note that Bernie has given us a time check, but I think we're okay for reading through an initial discussion on the points, but I'll get moving.

7, concern about the compensation scheme including but not limited to at risk bonus, paid to staff specifically, whether they may be -- there they may be policy related or may relate to determining the completion target dates for community work to other aspects of community activities within ICANN. So first possible entry in the solution space, create a vehicle similar to the vehicle SOI statement for staff members, the documents, the types of incentives given to employees. Another bullet was describe the remuneration system, principles document whether this is in place. Logic provides trance pair even city as to whether it is in place or not. And next bullet, if this is in place, consider developing an approach of appropriate disclosure where compensation might interact with community processes.

Then there is a parenthetical, not sure this would work or be appropriate. May step too far into management prerogatives. There is only an issue if the goals are at odds with those of the relevant community groupings.

Logic, if there are incentives that affect these processes in a way set out -- in the way set out, disclosure is required to give everyone confidence about the interests being pursued. Apologize these for any stumbled reading. I'm reading these for the first time. Any comments on row 7?

Okay. Not at this point. Okay. Row 8. When -- issue, when concerns about a particular incident or experience related to staff accountability or performance are raised, the response by ICANN managers has sometimes been to set the concerns aside and not respond. And this was established mechanism for tracking concerns in response. Perhaps this can be included in complaint officer functions. Perhaps it already is. And I see there has been a couple notes there from Patrick. Patrick, you're free to speak whenever, but staff is in process of providing materials on the performance management mechanisms which should aid this conversation regarding row 7. Thank you.

And Patrick Dodson, "There is also information on remuneration. That was row 8. This is the last row we have here. Appropriate methods for addressing requests that may exceed allocated bandwidth, resources, budget, etc. And the suggestion I didn't have any thoughts on, but Jordan writes, "Develop a clear and shared prioritization and capacity document for relevant community facing parts of the organization."

Logic, this would help everyone understand the real workload of community work, understand priorities, and get people thinking about what is most important to be done. Any comments on that one?

Okay. I see none. Having now walked through this first set, first what I'd like to suggest is what Jordan and I do is go through what was said during this conversation and amend these points, augment these points to the point of -- to make sure that we have included it. We'll certainly check both on the list and at our next call to make sure that we have gotten it right. And I ask all of you, especially those who spoke, or perhaps those who didn't speak, to go to the document and put in your own tech suggestions. After doing this edit, what I propose that Jordan and I do is sort of accept -- what I'll do is sort of accept what is in there now as a base and apply the comments from today as suggested changes on that and we can clear through that as we move forward. I really do want to make this as much as possible an iterative process within the short time we've got, but really get people to look into that. As you'll see when we get to that -- yes, Patrick?

>> Patrick Dodson: Sorry, I wasn't intending to cut you off. I've now had enough coffee early in my day now that I feel comfortable speaking and not just typing. I was going to offer up a suggestion as well that I think might prove helpful for this exercise. Clarifying, I think, for everybody the roles, especially in the newly formed complaints office, which is just recently been developed, there is an announcement going out. I think if it hasn't this week, it's coming out shortly publicly that helps frame out the roles there. I think if we clarify the roles of the mechanisms of the complaint office, ombudsman, and some of these other materials might exist, that might actually help us as we work through the different issues and ideas to see what mechanisms may already be in place, but we don't have the habit and behavior of using them as staff. That might be a way to help narrow in on what additional recommendations this group might be making in addition to potentially the recommendation of just a better clarity and use of the existing or newly created mechanisms. If that would be helpful, I'm happy to pull that material together and work with Herb on the ombuds side of that.

>> Avri Doria: Thank you. While you were speaking, I was thinking that this really reinforces an invitation to Christa. If that's okay, I will contact her and see if she's available to come and join us at our next meeting separate from anything that's being done about, you know, senior staff member participation in this group and just invite her. Hopefully, Herb, that is a meeting you'll also be able to make. That would be good to get that conversation, you know, going. I'll make sure that Christa

has access to this to see what kind of thinking we're doing before that meeting so that none of this would hit her as a surprise.

Patrick, did you have another comment or was that a remnant hand?

>> Patrick Dodson: No, that was it.

>> Avri Doria: Okay. Thank you. Okay. Any other comments on this at the moment. As I say, this is the opening of the conversation. I don't want anybody to feel that we have put the solutions on table and I really do encourage people to get their typing fingers into in document.

I also want to mention something else. Greg Shatan just announced congratulations to Jordan on his appointment as CCW cochair, replacing Mathieu. Congratulations, Jordan, when you listen to this: I admit I knew it was possible, and we will be looking for another co-rapporteur for this group in that I don't know he'll want to continue being a co-rapporteur while he's co-leading the whole circus. In fact, I'm not even sure that that would fit in the way we've defined roles and responsibilities. So think about it, folks. I'm sure that if that's case, the chairs -- the CCWG chairs and, perhaps, even now, will be approaching someone to see, but just wanted to make sure that with this that has that implication, that the CCWGs gain is the best particular subparts. Not lost, but certainly we have to deal with the issue.

But any more on this table before I go to the rest of the agenda? And I see Herb has written we have already met and discussed our respective roles and I'm sure she'll appreciate the offer. Thank you, Herb. So I'll make sure I get that done today so that there is as much time since our meeting is in two weeks. No, it's in one week. We're going on a weekly schedule.

Brenda, could you put up the agenda again, please? Thank you.

The next item on the agenda is the document check. That's going to be very quick, because very little happened. Other than the creating this initial substantive.

On the roles document, further discussion on the guidelines, Jordan has a targeted task for writing a one-page cover that has been pending. He has been fairly ill over the last couple weeks. Not serious, but not totally functional. So I think that has interfered with that.

The next is current recommended accountability measures. There's the doc on that. And that's still pending update on getting the latest information from the

organization. Basically having at least a draft set, which I don't think we're at yet, a draft set of possible solutions that we start trying to work into the various processes. So that's still pending on that.

So that's the two documents as mentioned, I think, before. As our final output, we will gather all of these documents, you know, this table once it's complete and the roles of staff, community, and board, and the current recommendations into a single document. But that's a step to come. So any questions on the documents?

Next steps. So on the issues, we've got this table now, develop possible responses that would resolve problems identified. So collaborating with staff. Basically continue talking about this one.

On delegation, there's that one pager pending on measures. That will be updated after the org staff review process and based on solutions as mentioned.

And then on all docs it remains participants please do edit passes, get familiar with the documents. If you're not yet, recommend text and comments. The way I kind of view these meetings in their best possible form is that we go through suggested text changes to the documents that people have made in terms of working through our process and have conversations based on work done or discussions on the list. For anyone that doesn't have access to drive, that's why I put out periodic PDFs to the list. Anybody that can't access drive is more than welcome to cut and paste pieces and put suggested text in the email and then Jordan or I would -- will cut it into the document before the next meeting.

Okay. Thank you for the time check, Bernie. So our schedule update, anything on next steps? Oh, and I probably should add a next step, which is invite Christa and Herb, but Herb is a member of the group, but invite them to the next meeting if possible for a discussion. So I'll add that to our going forward steps. That was added in this one.

Anything else that I should add there? I feel like I've talked way too much during this meeting.

Schedule update. We haven't changed that. Draft documents through to late April. Well, April is gone, but we do have drafts of all of our documents.

Our document for first plenary meeting was in May. We are already in the first week of May. We have -- we do do weekly meetings. Our next meeting is the 8th at 19 UTC. We really need to do work on the list and the documents. I doubt we'll make the mid-May, was in next week, but hopefully we can make something by the week after. That seems very optimistic. This is for plenary readings.

Then a public comments they'll do in July. The schedule Jordan and I have been looking at is when do we have something for the plenary reading. We're not there yet, obviously.

Any comments or questions? Any suggestions on -- I don't want to rush things. We still are waiting for information. And we clearly have further discussions to go. I'll be interested to see if there are new suggestions for solution path that they get in by next week if possible. So I'd ask everybody to sort of let this brainstorming into your background processing and try and find some time this week if you have new solution paths or things that haven't been mentioned, to please get them on the list so that when we next touch this document, which would probably be at our next meeting, depending how long the conversation with Christa and Herb went, although it would be focused around this document, too, I would hope. We have the complete basic set and then we could start working on what's reasonable, what's not, what's possible and the hows. So, please, over the next week it would really be helpful if you do have a thought on a piece of the solution space, that it's missing, please, please recommend it.

Thanks. Anything else? Does anybody have any other business of any sort? Let me look at the chat. I've not been looking. Okay. When is the next meeting, I answered that.

So the 10th may plenary documents are due today. Thank you. We obviously do not have a plenary document to suggest today. Also, May 10 plenary may be canceled. We obviously are not ready to commit anything today. So that is not an issue.

Any other comments? In which case, take five minutes of your life back. I very much appreciate everybody being on the call. I appreciate the contributions. Seeing no late hands with something urgent to say, this call is adjourned. Thank you very much.