

***Office of the National  
Ombudsman***



*National Defense Industrial Association  
11<sup>th</sup> National Small Business Conference  
September, 2014*

# *Working for Small Business*

The Ombudsman process saves **time** and **money** for small business owners by helping to:

- Obtain compliance assistance and clarify compliance questions
- Reduce fines and penalties
- Resolve regulatory enforcement matters
- Connect small businesses with government officials

# Saving Time and Money for Small Business Owners

## Case Study: OSHA Fines

### COMPANY & INITIAL FINES

- ✓ Logging company
- ✓ 50-99 employees
- ✓ Two violations
- ✓ \$14,000 in total fines



### INTERVENTION & RESOLUTION

1. OSHA worked with company to correct issues
2. Cut to \$ 2,950 with 12 interest free installments

### OUTCOME

**79%** ↓  
**Fine reduction**

### COMPANY & INITIAL FINES

- ✓ Roofing company
- ✓ Less than five employees
- ✓ Three violations
- ✓ \$7,600 in total fines



### INTERVENTION & RESOLUTION

1. OSHA counseled owner
2. Reduced to \$2,300 with interest free payment plan

### OUTCOME

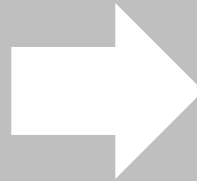
**70%** ↓  
**Fine reduction**

# *Saving Time and Money for Small Business Owners*

## *Case Study: Overdue Payments to DOD Contractor*

### **INTERVENTION & RESOLUTION**

- ✓ Contacted DOD regarding outstanding invoices
- ✓ Payment authorization confirmed
- ✓ Resolution within 2 months



### **OUTCOMES**

1. Confirmed payment authorization within 30 days
2. Payment issued: \$266,000

## *Case Study: Medicare Fee Surcharge Exemption - CMS/HHS*

### **INTERVENTION & RESOLUTION**

- ✓ Raised exemption status with HHS
- ✓ HHS reinstated exemptions and issued payment adjustments
- ✓ Resolved within 3 months



### **OUTCOMES**

1. Exemption reinstated within 30 days
2. Projected reimbursement: \$36,000

# *Key Regulatory Fairness Tools*

- 1. Comment & Review Process**
- 2. Agency Ratings**
- 3. Hearings and Roundtables**
- 4. Regulatory Fairness Boards**

# *Comment & Review Process*

**Impartial channel to report concerns with regulatory compliance and enforcement issues involving federal agencies:**

- Confidential
- Neutral liaison between small business and federal regulators
- High-level agency review and response addressed to specific concerns

# *Annual Rating of Agencies*

## **The Office of the National Ombudsman:**

- Scores all federal agencies that regulate small business on the ***promptness*** and ***substance*** of responses to small business concerns.
- Reports its findings to Congress every year in an Annual Report.

# *Regulatory Fairness Hearing and Roundtables*

## **Forums to voice concerns about unfair enforcement actions & excessive regulations:**

- Held in all of SBA's 10 Regions.
- Board members participate and local federal agencies representatives answer questions.
- Concerns raised escalated to the appropriate Federal agency for high-level fairness review.



# *Regulatory Fairness Boards*

- **5-Member Regulatory Fairness Board in each of SBA's 10 Regions**
- **Vital conduit:** between small businesses and federal government— identifies and elevates issues to the National Ombudsman
- **Diverse Industry Representation:** Finance, Agriculture, Professional Services, Information Systems, Transportation, Retail, Construction
- **Average experience of Board members:** 34 years

# *The Office of the National Ombudsman*

- ✓ Assists small business owners in obtaining agency assistance and review of regulatory compliance matters and enforcement actions
- ✓ Rates all federal agencies that regulate small business on their responsiveness to small businesses' concerns

# Contact the Ombudsman Office

[www.sba.gov/ombudsman](http://www.sba.gov/ombudsman)

**ombudsman@sba.gov**

**888-REG-FAIR**

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