

Upcoming Events

July 2015

Ramadan
June 18–July 17

Independence Day
July 4

LULAC Annual National Conference
July 7–11; Salt Lake City, UT

FEW National Training Conference
July 13–16; New Orleans, LA

25th Anniversary of the Americans with Disabilities Act
July 26

National Korean War Veterans Armistice Day
July 27

VACO ADA 25th Anniversary Commemoration
July 29, 8 am–noon, Room 230

Training

League of United Latin American Citizens (LULAC)



86th National Convention and Exposition will be held July 7–11, 2015, at the Salt Palace Convention Center in Salt Lake City, Utah. Attendees must follow appropriate conference attendance approval procedures established for their respective organizations. Funding associated with attending the LULAC Convention must be authorized and provided by each employee's organization. Prior to registering through the [LULAC Web site](#), employees must preregister through ACES. For the ACES intranet link or more information, contact [Mr. Andy Gonzalez](#), VA's National Hispanic Employment Program Manager. Additional conference information is available on the [LULAC Web site](#).

Federally Employed Women (FEW) 46th NTP and Veterans Forum will be held July 13–16, 2015, at the Hilton New Orleans Riverside in Louisiana. ODI is currently planning a no-cost VA Forum. Attendees must follow appropriate conference attendance approval procedures established for their respective organizations. Funding associated with attending the VA Forum and/or the FEW NTP must be authorized and provided by each employee's organization. Employees attending the VA Forum must preregister through [VA TMS](#) and ACES. Prior to registering through the [FEW Web site](#), employees attending the FEW NTP must also preregister through ACES. For the ACES intranet link or more information, contact [Ms. Mercedes Kirkland-Doyle](#), VA's National Federal Women's Program Manager. Additional conference information is available on the [FEW Web site](#).

Barrier Analysis training will be offered on Thursday, August 20, 2015, from 1 to 4 pm. The Barrier Analysis course covers all aspects of the barrier analysis process under Management Directive 715 to include analysis and interpretation of workforce statistics, trigger identification, barrier analysis investigation, preparing action plans, and following up on the action plan. This training will allow the participants to work through the majority of the process using VA specific workforce statistics. Attendees must register through the [VA Talent Management System \(TMS\)](#). For more information, contact [Ms. Ryan Pugh](#).

Blacks in Government (BIG) 37th Annual National Training Institute (NTI) and Veterans Forum will be held August 24–27, 2015, at the Hilton Orlando in Florida. ODI will present a no-cost VA Forum designed to provide VA employees with information on professional development, VA's African American Employment workforce demographics, leadership, and ODI workforce initiatives. Employees in the local commuting area are encouraged to attend the VA Forum, with supervisory approval. Attendees must follow appropriate conference attendance approval procedures established for their respective organizations. Funding associated with attending the VA Forum and/or the BIG NTI must be authorized and provided by each employee's organization. Employees attending the VA Forum must preregister through [VA TMS](#) and ACES. Prior to registering through the [BIG Web site](#), employees attending the BIG NTI must also preregister through ACES. For the ACES intranet link or more information, contact [Ms. Mercedes Kirkland-Doyle](#), VA's National African American Employment Program Manager. Additional conference information is available on [BIG's Web site](#).

African American Federal Executives Network (AAFEA) Annual Training Workshop will be held September 14–15, 2015, at the Bethesda North Marriott Hotel and Conference Center, North Bethesda, Maryland. Attendees must follow appropriate conference attendance approval procedures established for their respective organizations. Funding associated with attending AAFEA's Annual Training Workshop must be authorized and provided by each employee's organization. Prior to registering through the [AAFEA Web site](#), employees must preregister through ACES. For the ACES intranet link address or more information, contact [Tynnetta Lee](#), Office of Diversity and Inclusion, Program Lead for VA's Memorandum of Understanding with AAFEA. Additional conference information is available on [AAFEA's Web site](#).

Diversity News is a 15-minute bi-monthly video produced by ODI and the VA Central Office Broadcast Center for your education initiative. The July/August 2015 edition features the VA Central Office commemoration of Lesbian, Gay, Bisexual, and Transgender Pride Month. Current and past episodes of Diversity News are available on the [ODI Web site](#).

Section 508 courses are on VA TMS. For more information, contact the [Office of Information and Technology Section 508 Program Office](#).

Policy Alerts
EEOC Issues Updated Pregnancy Discrimination Guidance

The U.S. Equal Employment Opportunity Commission issued an update of its [Enforcement Guidance on Pregnancy Discrimination and Related Issues](#), along with a [question and answer document](#) and a [fact sheet for small businesses](#). The updated Guidance reflects the Supreme Court's decision in *Young v. UPS*, issued in March 2015, that women may be able to prove unlawful pregnancy discrimination if the employer accommodated some workers but refused to accommodate pregnant women. The Court explained that employer policies that are not intended to discriminate on the basis of pregnancy may still violate the Pregnancy Discrimination Act if the policy imposes significant burdens on pregnant employees without a sufficiently strong justification.

Sample Letter for Special Physical Examinations

The Office of Human Resources Management (OHRM) Employee Relations and Performance Management updated the sample letter for Special Physical Examinations on the OHRM Employee Relations Web site under the Title 5 Sample Letters and the Title 38 Sample Letters. The revised sample letter incorporates new policy language that was recently updated in VA Handbook 5019, "Employee Occupational Health Service." For more information, contact the [Employee Relations and Performance Management Team](#).

ORM
Steps Toward Resolution

Alternative Dispute Resolution can help with resolving disputes.

To file a discrimination or harassment complaint, you must contact the [Office of Resolution Management](#) at (toll free) 888-737-3361 within 45 days of the date of the alleged discriminatory incident.

For questions or comments about *Diversity@Work* or to subscribe, contact the [Office of Diversity and Inclusion](#).

ADA 25

AMERICANS WITH DISABILITIES ACT 1990-2015

Commemorate Anniversary of the Americans with Disabilities Act

VA joins the Nation in observing the 25th anniversary of the Americans with Disabilities Act (ADA) on July 26. In celebration of this momentous occasion, VA's Vocational Rehabilitation and Employment (VR&E) Service will host an employer symposium on Wednesday, July 29, 2015, from 8 am to noon in the G.V. "Sonny" Montgomery Veterans Conference Center, Room 230. With the theme, "VA—Celebrating 25 Years Supporting ADA," the symposium will address recruiting and hiring Veterans with service-connected disabilities, workplace accommodations and technical assistance, employer incentive programs, additional services offered through VR&E, and other government hiring programs.

The ADA provides important protections for Veterans with disabilities looking for jobs or already in the workplace. It requires employers to ensure that their application, recruiting, and hiring processes are accessible to people with disabilities, including applicants who have service-connected disabilities. Through the ADA, Veterans with disabilities are entitled to reasonable accommodations to apply for jobs, perform their jobs, and enjoy equal benefits and privileges of employment (e.g., access to the parts of an employer's facility available to all employees and access to employer-sponsored training and social events).

From the 2014 Presidential Proclamation (<https://www.whitehouse.gov/the-press-office/2014/07/25/presidential-proclamation-anniversary-americans-with-disabilities-act>): Over two decades ago, Americans—some in wheelchairs, some using sign language, and all with an abiding belief in our Nation's promise—came together to strengthen our commitment to equality for all. At a time when people with disabilities were turned away at movie theaters, rejected for employment, and measured by what so many thought they could not do, leaders and activists refused to accept the world as it was. In small towns and big cities, they spoke out. They staged sit-ins, authored discrimination diaries, and scaled the Capitol steps. Finally, they realized their call for simple justice in one of the most comprehensive civil rights bills in our country's history. On the anniversary of the Americans with Disabilities Act (ADA), we honor those who fought against discrimination, and we recommit to tearing down barriers and guaranteeing all Americans the right to pursue their own measure of happiness.

The ADA promises equal access and equal opportunity—regardless of ability. It secures each person's right to an independent life, and it enables our country and our economy to benefit from the talents and contributions of all Americans.

Even as we commemorate this milestone, we recognize that too often, casual discrimination or fear of the unfamiliar still prevent disabled Americans from achieving their full potential...The nearly one in five Americans living with a disability are our parents, children, neighbors, colleagues, and friends. They are entitled to the same rights and freedoms as everyone else. Today, we celebrate their accomplishments, stand against discrimination in all its forms, and honor all who sacrificed so future generations might know a more equal society.

For more information about VR&E, visit the [VR&E Web site](#). For more information about VA's Individuals with Disabilities (IWD) Employment Program, visit the [IWD Employment Program Web page](#).

Vet Guide
OPM Updates Section on Veterans Preference

The Office of Personnel Management (OPM) updated the [Veterans Services Vet Guide](#) to attune the Guide with the interim rule amending 5 CFR part 211 titled, Veterans' Preference, published on December 29, 2015, and to incorporate references to category rating. The changes to the Vet Guide were made to the section titled "Veterans' Preference in Appointments"

Under "Types of Preference":

- Added language pertaining to sole survivorship preference;
- Clarified the ending date of Operation Iraqi Freedom as being August 31, 2010; and
- Added information on the VOW (Veterans Opportunity to Work Act).

Under "Preference in Competitive examinations":

- Included reference to Category Rating selection procedures.

Compliance Corner
Telework and Reasonable Accommodation

It is well settled that telework can be a reasonable accommodation under the American with Disabilities Act (ADA). An employee may ask to telework part or full time because workplace conditions, such as excessive noise, exacerbate his PTSD. Or an employee may request telework because commuting to and from the office worsens her asthma. However, questions remain about whether telework is a required reasonable accommodation if the essential functions of the employee's position include regular face time in the office to attend meetings and deal with clients. Further complicating telework reasonable accommodation decisions are technological advances, such as virtual meetings and networks, that have changed how we define our workplaces.

In two recent legal decisions, these issues were asked and answered with conflicting outcomes. In *Complainant v. Department of Housing and Urban Development (HUD)*, Equal Employment Opportunity Commission (EEOC) Appeal No. 0720130029 (Feb. 12, 2015), the EEOC found that the complainant was denied a reasonable accommodation for his spinal condition when he was not allowed to telework full time. The complainant's back condition caused vertebrae in his spine to fuse together and his long commute made the condition worse. The complainant initially requested to telework full time or to telework three days a week with one day a week working in an office closer to his home.

The agency argued that he was not a qualified individual with a disability and that they had no legal obligation to reasonably accommodate him. HUD officials testified that complainant's inability to commute made him unable to perform the essential functions of his position which included conducting on-site reviews, interacting with colleagues, and retrieving and responding to mail. The EEOC disagreed. They held that while working collaboratively with colleagues, training and mentoring other employees, and attending meetings were essential functions of complainant's position, these functions did not require him to perform these duties in person.

A Federal appeals court came to an opposite conclusion in *EEOC v. Ford Motor Company*, 752 F.3d 634 (6th Cir. 2014). They held that telework was not a reasonable accommodation for a resale buyer who suffered from severe irritable bowel syndrome. The Court concluded that despite developments in workplace technology, regular and predictable on-site job attendance was an essential function of most jobs. In this particular case, the employee's job was highly interactive and required teamwork, meetings with suppliers, and on-site availability to participate in face-to-face meetings.

Bottom line: reasonable accommodation decisions involving telework are fact driven and must be analyzed on a case-by-case basis. It is important for managers and employees to engage in the interactive process to identify effective accommodations that work for both parties that may include limited telework schedules and/or reassignment to a location closer to the employee's home to shorten a commute.

—Maxanne R. Witkin, Director, Office of Employment Discrimination Complaint Adjudication

MyCareer@VA
4 Ways to Be a Good Team Player

Imagine working alone to solve a difficult issue and hitting constant, frustrating roadblocks along the way. Teamwork can help you find innovative solutions to tough problems and better fulfill VA's mission of serving Veterans. That's why contributing to high-performing teams is essential to mastering VA's [All Employee Competency of Interpersonal Effectiveness](#).

But being a good team player is often easier said than done. In fact, it's common for teams to fail to reach their full potential.¹ With practice, you can improve your teamwork skills and help your group succeed. Here are a few steps you can take to become a more effective team member.

1. Know Your Team's Purpose

Make sure that you and your team members clearly understand the purpose of your team. Teams with a shared understanding of their purpose communicate more effectively and, ultimately, perform better.¹ That's because when everyone knows the team's purpose, the team can set common goals and establish clear expectations for each team member.

If your team is struggling to figure out its purpose, try asking questions like:

- What is our end goal?
- How can I tell if the team is performing well?
- How does my work affect my team members and their work?
- How does the team affect my work?⁵

2. Pay Attention To Others

An effective team is one where members help and support one another.¹ So, it's important to pay attention to your own work, but to the work of your teammates, too. Notice how your teammates are doing—for example, is someone feeling overwhelmed or overloaded? Is there a way you can pitch in and help them?

Paying attention to others also gives you the chance to offer constructive, honest feedback to team members, which can improve the team's performance as a whole. Remember that it's best to share feedback in a respectful way and to avoid becoming defensive when your teammates provide you with constructive criticism as well.^{1,3}

3. Ask the Difficult Questions

Teamwork can involve a lot of complex decision-making. For this reason, teams often benefit from someone who is willing to ask the tough questions and explore different perspectives. Asking these difficult questions can help your team come up with better, more innovative approaches to challenges.²

If you think your team could benefit from considering these difficult questions and you are ready to ask them, keep in mind that your task is simply to be logical and to find potential risks the team needs to consider. Then, proceed with caution and make sure your team has a backup plan in place to ease those risks.⁴

Also, keep in mind that if someone else on your team is asking tough questions, your first reaction might be irritation.² Remember, though, that these questions could really help your team. Instead of shutting down these probing questions, try to really listen to what your team member is saying and see how approaching things from a different perspective can improve your work. It may not feel like it, but in the end, everyone is working toward the same goal.

4. Communicate Often

Don't let stress and responsibilities prevent open communication with your group members. Frequent communication, including informal chats, is an important part of teamwork.

If you're having trouble communicating clearly with team members, try using closed loop communication. Here's how it works. First, you share a message with others. They interpret the message and let you know that they have received it. Then to "close the loop," you confirm that the interpretation they provided was correct (or you provide correction if needed).¹ It can also be helpful to learn about different [styles of communication](#) and how you can adapt to them.

Want to learn how to become a better team player and leader? Explore TMS courses like [Building Trust](#) that will help you gain and keep the trust of your teammates. And as always, stay up-to-date with career advice and articles like this one by signing up for the [MyCareer@VA Monthly Update](#).

Sources:
¹ Salas, Eduardo, Dana Sims, C. Shawn Burke. 2005. "Is There a Big Five in Teamwork?" *Small Group Research* 36: 555–599.
² Coutu, Diane. 2009. "Why Teams Don't Work." *Harvard Business Review*, May. Accessed March 31, 2015. <https://hbr.org/2009/05/why-teams-dont-work>
³ Ferrazzi, Keith. 2012. "Candor, Criticism, Teamwork." *Harvard Business Review*, January. Accessed March 31, 2015. <https://hbr.org/2012/01/candor-criticism-teamwork>
⁴ de Bono, Edward. 1995. "Serious Creativity." *The Journal for Quality and Participation* 18: 12–18.
⁵ Pentland, Alex. 2012. "The Hard Science of Teamwork." *Harvard Business Review*, March. Accessed March 31, 2015. <https://hbr.org/2012/03/the-new-science-of-building-gr>

Reasonable Accommodation
VA Centralized Fund Available for Employees and Applicants with Disabilities

VA has a Memorandum of Understanding with the Department of Defense's Computer/Electronic Accommodations Program (CAP) whereby CAP provides VA employees and applicants for employment cost-free accommodation products. Examples of items that CAP provides are: special keyboards, software, sit-stand desks, monitors, and other assistive technology. The most current list of Blanket Purchase Agreement items that CAP provides is [online](#). CAP is the main source for electronic related accommodations. The Local Reasonable Accommodation Coordinator (LRAC) and Alternate LRACs are the only VA employees authorized to request items from CAP. Please note the VA centralized fund is used for any reasonable accommodation that CAP does not provide.

ODI announces the continued availability of the Reasonable Accommodation Centralized Fund. The centralized fund offers reimbursement for the cost of approved reasonable accommodation services or products to employees or applicants with disabilities.

ODI administers the centralized fund to assist VA administrations and staff offices with meeting their obligation to hire, develop, promote, and retain individuals with disabilities in accordance with the Rehabilitation Act of 1973. The most common requested reimbursements through the centralized fund are: ergonomic assessment costs, ergonomic chairs, interpreters, and reader service. The cost associated for an individual with a disability to attend training is also a reimbursable expense. These are just examples of the types of reimbursements that have been made; however, please note that the list for reasonable accommodation items is non-exhaustive. This fund may be used for slight facility modifications pertaining to a reasonable accommodation that CAP does not provide.

ODI highly encourages reimbursement requests to be submitted immediately after the Purchase order or invoice is issued. Requests for reimbursement may be made until August 14, 2015. If you intend to make a purchase after this date, please contact Mr. Akins to ensure reimbursement can be received during fiscal year 2015. Reimbursement requests should be made to [Steven Akins, Diversity and Inclusion Specialist, Office of Diversity and Inclusion](#). Based on funds availability each fiscal year, all reimbursements are awarded on a first come, first served basis. Check with your financial office to determine whether the reimbursement was issued.

For questions or comments about *Diversity@Work* or to subscribe, contact the [Office of Diversity and Inclusion](#).

From the DAS

Georgia Coffey



Our work is not done. At the time of this writing, I am reflecting on the tragic events of Charleston, South Carolina, that resulted in the deaths of nine innocent brothers and sisters in a place of worship. It is incomprehensible that in this day and age, we continue to try and make sense out of the senseless bigotry and hatred that led to that awful event. In my reflection, I hear a chorus of voices reminding me that our work is not done. We have progressed so far in our national quest for diversity and inclusion, yet have so far to go. As I witnessed the grace exemplified by the people of Charleston in the aftermath of the event, praying together and steadfastly resisting the urge to resort to the same hate that erupted that day, I am reminded also of Dr. Martin Luther King's words: "Returning hate for hate multiplies hate, adding deeper darkness to a night already devoid of stars. Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate, only love can do that." I hope that we all possess the grace to heed those words, and the strength to redouble our commitment to ensure that racism and bigotry are not tolerated in VA.

We hope you had an opportunity to join us at the VA Central Office (VACO) commemoration of Lesbian, Gay, Bisexual, and Transgender (LGBT) Pride Month this past June 18. If not, I encourage you to check out the current episode of *Diversity News* to hear more about this important diversity event. Speaking on the theme, "Leading with Pride," Brigadier General Tammy Smith, Director, Army Reserve Human Capital for the United States Army Reserve, was eloquent as this year's keynote speaker. Deborah McCallum of our Office of General Counsel did an admirable job as this year's senior host.

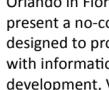
I am proud that Dr. John Fuller, a trainer on my staff, was presented an I CARE Award for outstanding LGBT Veteran service. The LGBT Program, Office of Patient Care Services, sponsors the I CARE Award for LGBT Veteran Services as a way of recognizing extraordinary efforts made by VA employees to provide excellent care to LGBT Veterans. The goal of the I CARE Award for LGBT Veteran Services is to publicly acknowledge the innovative programs (e.g., training programs, LGBT special observances, research findings), outstanding clinical services (e.g., support groups, couples counseling), and/or community outreach (e.g., collaborative events with community organizations) which improves access to and quality of services for LGBT Veterans. Congratulations again to Dr. Fuller and my heartfelt thanks to the LGBT Program, Office of Patient Care Services, for recognizing Dr. Fuller's work.

It was wonderful to greet about 100 summer National Diversity Internship Program (NDIP) and Workforce Recruitment Program (WRP) interns at a VACO Welcome Ceremony on June 8. These internships provide meaningful work experiences to students and serve to build a diverse pipeline for future VA employment. For more information, visit the [NDIP](#) and [WRP](#) Web pages.

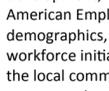
Finally, please join VA and the Nation in commemorating the 25th anniversary of the [Americans with Disabilities Act \(ADA\)](#). The ADA was monumental legislation that guaranteed equal opportunity for individuals with disabilities to participate in the mainstream of American life. Read more in the [Commemorate](#) article.



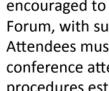
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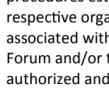
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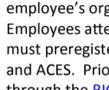
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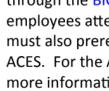
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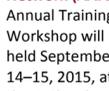
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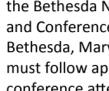
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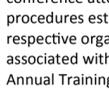
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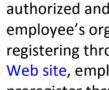
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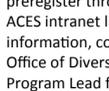
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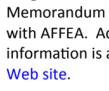
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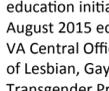
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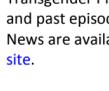
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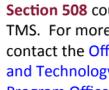
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