Message from the DAS

I am excited to share with you the results of a study ODI recently embarked on examining the relationships between workforce diversity, workplace inclusion, employee engagement, and organizational performance in VA. The purpose of the study was to determine if a diverse workforce and inclusive environment is positively correlated to improved productivity, quality of work, and customer and employee satisfaction in VA. The study determined that while diversity is essential, it is not sufficient to achieve a high performing organization; inclusion and employee engagement are key factors for high performance. You can read more about that study on page 3 and check out the September/October edition of Diversity News featuring ODI’s newest team, the Employee Engagement Service.

This issue of Diversity@Work is filled with new policy alerts including VA’s recent Update of Policy Guidance on Religious Exercise and Expression in VA Facilities and Property Under the Charge and Control of VA. Additionally, the General Services Administration, Office of Personnel Management, and the Equal Employment Opportunity Commission have each issued Federal guidance clarifying sex discrimination or discrimination based on gender identity, including transgender status. Contact ODI with any questions and read more under Policy Alerts beginning on page 5.

Finally, please join VA and the Nation in commemorating Hispanic Heritage Month. Read more in the Commemorate article below. ~Georgia Coffey

Commemorate Hispanic Heritage Month

VA joins the Nation in observing National Hispanic Heritage Month September 15 through October 15, 2016. This year’s theme is “Embracing, Enriching, and Enabling America.” VA managers and supervisors are encouraged to support events and activities that recognize Hispanics and their many contributions to American society. VA Central Office (VACO) will commemorate Hispanic Heritage Month on Thursday, September 15, 2016, in the G.V. “Sonny” Montgomery Veterans Conference Center, Room 230, at noon. For more information about VA’s Hispanic Employment Program (HEP) or this event, contact Ms. Aurelia Waters, VA’s National HEP Manager, Office of Diversity and Inclusion. (Continued on page 5.)
Training

**12th Annual African American Federal Executive Association (AAFEA) Professional Development Workshop** will be held September 12-14, 2016, at the College Park Marriott Hotel and Conference Center in Maryland. Employees who plan to attend the AAFEA Leadership Workshop and Banquet must follow appropriate conference attendance approval procedures established for their respective organizations. Costs associated with attending must be authorized by each employee’s organization. Attendees must pre-register through the AAFEA Web site and through ACES. For that link or for additional information, contact Ms. Tynnetta Lee, VA’s National African American Employment Program Manager, ODI. Additional conference information including registration costs, course descriptions, and schedules are available online.

VA ODI, Asian American Government Executives Network (AAGEN), and African American Federal Executives Association (AAFEA) Professional Development Workshop for VA employees will be held Thursday, September 22, 2016, from 9:00 am to noon at Veterans Affairs Central Office (810 Vermont Avenue, NW, Washington, DC 20420) in the G.V. “Sonny” Montgomery Veterans Conference Center, Room 230. This event will be open to VA employees grades GS-13 and 14. The goal is to promote the advancement of individuals from diverse backgrounds in the Senior Executive Service (SES) through mentoring, networking, and knowledge-sharing. The objectives are to motivate individuals of diverse backgrounds to pursue attaining opportunities in the SES, provide insight into the Executive Core Qualifications (ECQs) and how they apply to the SES, and promote and encourage mentoring relationships and networking. A member of the SES will provide keynote remarks and share his or her experience in attaining a SES position. There will also be an overview of the ECQs and roundtable “flash” mentoring discussions between participants and guest GS-15 and SES mentors. An optional networking session will allow participants to network with mentors and each other. There are no costs associated with attending outside of local travel costs that may be incurred by individual participants. Employees desiring to attend should follow appropriate training approval procedures established for their respective organizations and are also required to register through VA’s Talent Management System (TMS) by September 16. Registration is required. For additional information, contact Ms. Angela James, VA’s National Asian American and Pacific Islander Employment Program Manager, or Ms. Tynnetta Lee, VA’s National African American Employment Program Manager, ODI.

The Federal Asian Pacific American Council (FAPAC) Career Development Program (CDP) for High Performers is FAPAC’s first career development program. In support of Executive Order 13583 on establishing a coordinated government-wide initiative to promote diversity and inclusion in the federal workforce, the CDP is open to all Federal employees with permanent career status at all levels. Up to 40 mentor and 40 mentee applicants are selected for the program annually. The CDP curriculum includes a kickoff orientation, mutually scheduled one-on-one mentoring sessions, group training workshops, a midpoint progress review, a close-out recognition ceremony, and leadership courses offered in the community. For participants, the CDP offers an additional resource for self-improvement and professional development, opportunities to strengthen personal goals and career planning, a forum to benefit the lives of high-performers in government, and enrichment to individual readiness for hiring and career advancement opportunities. To serve as a mentor, you must be GS-13 level or above, have at least eight years of Federal service, and are required to attend mandatory mentor training. Mentors guide high performers seeking to improve themselves and must possess good knowledge of the Federal personnel system, the structure of Federal career programs, skills in performance evaluation and counseling, and the ability to provide resources to the mentee. Time commitment is critical to successful completion of the CDP. Both mentors and mentees are required to attend all mutually agreed upon one-on-one session totaling up to 12 hours. In addition, mentees are required to attend 12 hours of group activities and 16 hours on a leadership project to graduate from the program. In total, mentee participants will need 40 hours for completion of this program during a nine-month period. Participants will sign a mentoring agreement to acknowledge their roles and responsibilities to improve work performance using the CDP, including supporting FAPAC goals and objectives by contributing to its program and membership activities. Additionally, mentees are required to complete a 16-hour shadowing assignment which can be broken into multiple segments upon agreement from the mentors and mentees. Mentors may assist mentees in searching for two or more shadowing assignments. The goal is to provide mentees the opportunity to observe leadership skills in examples such as managing a meeting, making group decisions, resolving disputes and conflicts, providing briefing to senior leaders, etc. Read more about this program and about the VA employee who received FAPAC’s prestigious “Mentor of the Year 2015” award on page 4.
The Effects of Diversity, Inclusion, and Engagement on Organizational Performance

Results of ODI Study Show Inclusion and Engagement Key Factors for High Performance

Ample research has been published on the relationship between diversity and business performance in the private sector, specifically for-profit businesses; however, few—if any—studies have focused on the government sector. To address this gap, ODI embarked on a study to examine the relationships between workforce diversity, workplace inclusion, employee engagement, and organizational performance in VA. The purpose of this study was to determine if a diverse VA workforce and inclusive environment is positively correlated to improved productivity, quality of work, and customer and employee satisfaction.

ODI examined the relationship between workforce diversity (in terms of race, ethnicity, and gender as measured by the VA Diversity Index or DI), organizational inclusion (as measured by the Federal Employee Viewpoint Survey [FEVS] Inclusion Quotient or IQ), and employee engagement (as measured by the FEVS Engagement Index or EI) on the following VA performance indicators:

- **Productivity**: Completed Normalized Veterans Claims for VBA and Average New Patient Wait for VHA;
- **Quality**: Compensation Accuracy for VBA and Strategic Analytics for Improvement and Learning (SAIL) Quality Ratings for VHA;
- **Customer Satisfaction**: Overall Satisfaction scores from the Voice of the Veteran (VOV) project for VBA and the Survey of Healthcare Experiences of Patients (SHEP) Customer Satisfaction Survey for VHA; and,
- **Employee Satisfaction**: Turnover Rate (Regrettable Losses) and All Employee Survey (AES) Overall Satisfaction for both VBA and VHA.

Overall, the study found positive correlations among each of the indices and all four performance metrics. Interestingly, the study revealed a positive but weak relationship between diversity and inclusion, and between diversity and engagement; but a strong linear relationship between inclusion and engagement. We can infer that while diversity is essential, it is not sufficient to achieve a high performing organization; **inclusion** and **employee engagement** are key factors for high performance.

In conclusion, workforce diversity is associated with increased performance when appropriate conditions are implemented to cultivate an inclusive environment and an engaged workforce.

For more information about this study, contact Ms. Boriana Cavicchia, Management Program Analyst, or Mr. David E. Williams, Director, Workforce Analysis, ODI.

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Women’s Equality Day

VA Central Office Event Celebrated Women Veterans Whose Courage and Sacrifice Help Demonstrate Equality

On August 26, VA commemorated Women’s Equality Day and the passing of the 19th Amendment to the U.S. Constitution, securing women’s right to vote. The VA Central Office (VACO) Women’s Equality Day event was held on Thursday, August 25, 2016. Ms. Kayla M. Williams, Director of the Center for Women Veterans, served as this year’s keynote speaker. Ms. Williams recently posted a blog on VAntage Point on Women’s Equality Day and women Veterans whose courage and sacrifice help demonstrate equality. For more information about VA’s Federal Women’s Program, visit VA’s Federal Women’s Program Web page or contact Ms. Mercedes Kirkland-Doyle, VA’s National Federal Women’s Program Manager.
VA Employee Named FAPAC “Mentor of the Year 2015”

Congratulations to Ms. Chanel Bankston-Carter

The Federal Asian Pacific American Council (FAPAC), a non-profit educational organization whose mission is to promote equal opportunity and cultural diversity for Asian Americans and Pacific Islanders (AAPIs) through education and recognition of outstanding performance, honored one of the Department of Veterans Affairs very own with the “Mentor of the Year 2015” award. Ms. Chanel Bankston-Carter, Director, Strategic Outreach and Communications, Office of Small and Disadvantaged Business Utilization (OSDBU), was given the prestigious award for her committed mentorship of Ms. Sara Kaul, an employee of the National Institutes of Health. Ms. Kaul was also named FAPAC’s “Mentee of the Year for High Performers 2015.”

The mentoring program associated with this award is a part of FAPAC’s Career Development Program (CDP) for High Performers. The CDP was developed to support the Federal government’s vision to achieve and maintain a diverse, inclusive, high-performing workforce. The CDP provides participants with a career development experience that can lead to different pathways of learning and growth within their organizations while encouraging participants to practice their leadership responsibilities and to address their interest for career development through FAPAC.

One of the nomination criteria is for the mentee to complete all CDP requirements. Out of 30 mentees, only 33 percent kept their commitment and graduated from the program in 2015. Ms. Bankston-Carter’s mentee, Ms. Kaul, was one of them. Due to Ms. Bankston-Carter’s commitment to mentoring Ms. Kaul, she was not only able to meet the 40 hour program requirement, but exceeded it by completing over 60 hours. In addition, Ms. Kaul became more engaged in leadership programs within FAPAC and her agency, and was selected as the 2015 Mentee of the Year.

Ms. Kaul expressed that she was at a career crossroads when entering the FAPAC CDP after years in the government. She summed up her mentee experience stating, “What I gained from [Ms. Bankston-Carter] was a greater perspective—on myself, on my organization, and on the Federal government...I learned from [her] skills that have helped me to build my working relationships—skills in listening, communicating, analyzing, planning, and documenting.”

The mentoring program begins with a selection process in which mentors are nominated and selected by FAPAC leadership. Ms. Bankston-Carter was selected to be one of 30 mentors for the 2015 program. Mentors are expected to foster caring and supportive leadership; encourage their mentees to develop to their fullest potentials; offer opportunities to strengthen personal goals and career plans; serve as a resource for mentee self-improvement and professional development; and enrich the mentee’s individual readiness. Through full-pledged dedication to the FAPAC mentoring program objectives, Ms. Bankston-Carter enabled her mentee to transform into a better leader and gain tremendous confidence to pursue a career promotion to the next grade level.

VA congratulates Ms. Bankston-Carter on receipt of this noteworthy award, as well as for her time and dedication to helping others advance in their careers!

FAPAC is the oldest and largest Asian American and Pacific Islander (AAPI) affinity group representing the Federal sector. FAPAC provides leadership training programs designed for all employees in grades GS-5 to the Senior Executive Service (SES). For more information on FAPAC and its services and programs, visit the FAPAC Web site.
Commemorate
Continued from page 1

During National Hispanic Heritage Month we celebrate the cultures, histories, and significant contributions Hispanics have made to American Society and to our Nation. In 1968, Congress passed Public Law 40-498 to honor the achievements of Hispanics in America with histories and cultures from ancestors who came from Spain, Latin America, and the Caribbean. Congress, by Public Law 100-402, as amended, authorized and requested the President to issue annually a proclamation designating September 15 through October 15 as “National Hispanic Heritage Month.” These dates are significant as they commemorate the independence of various Latin American countries including Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Mexico, and Chile. As of September 30, 2015, Hispanics represented 6.77 percent of VA’s permanent workforce. Of its permanent workforce, VA employs 115,162 Veterans, of which 7.62 percent are Hispanic. VA is experiencing less than expected participation for Hispanic men and women when compared to the Relevant Civilian Labor Force. In addition, Hispanic men have less than expected participation rates at GS-11 through 14 and women have less than expected participation rates at GS-12 through 15, and Senior Executive Service/Title 38 equivalent pay grades when compared to the pay grade distribution of the total VA workforce. Although VA continues to develop and implement strategies to improve outreach and career development, the numbers indicate that considerable work is ahead to ensure that Hispanics are fully included in VA’s workforce.

From the 2015 Presidential Proclamation: Throughout our history, our Nation has been enriched by the storied pasts of all who call the United States of America home. America’s Hispanic community has woven unique threads into the diverse fabric of our country and played an important role in shaping our national character as a people of limitless possibility. This month, let us honor their distinct heritage while reaffirming our commitment to enabling them to build a future bright with hope and opportunity for themselves, their families, and the country we love.

Hispanics contribute to our Nation’s success in extraordinary ways—they serve in the military and government, attend schools across America, and strengthen the economy. They are the father who works two jobs to give his children a better life, and the mother who ventures out to take a risk and start a business. They are the student—often the first in their family to go to college—who pursues their greatest aspirations through higher education. They are the lawful permanent resident who seeks to naturalize and become a citizen, and the business leader whose loved ones have lived in the United States for generations. Each day, we see the tremendous impact they have on our communities, and they reflect an enduring truth at the heart of our Nation: no matter where you come from or where your roots are, with hard work and perseverance you can make it in America...As a Nation, we are bound by our shared ideals. America’s Hispanic community has the same dreams, values, trials, and triumphs of people in every corner of our country, and they show the same grit and determination that have carried us forward for centuries. During National Hispanic Heritage Month, let us renew our commitment to honoring the invaluable ways Hispanics contribute to our common goals, to celebrating Hispanic culture, and to working toward a stronger, more inclusive, and more prosperous society for all.

For more information, visit VA’s Hispanic Employment Program Web page.

Policy Alerts

Update of Policy Guidance on Religious Exercise and Expression in VA Facilities and Property Under the Charge and Control of VA

VA is committed to maintaining a diverse workforce and inclusive work environment and to protecting First Amendment freedoms. As our Nation becomes increasingly diverse, so do the religious affiliations and belief systems of its citizens. VA must be mindful and respectful of the diverse belief systems and the First Amendment rights of all its employees, Veterans, stakeholders, and others in the conduct of VA business. The Department recently issued the Update of Policy Guidance on Religious Exercise and Expression in VA Facilities and Property Under the Charge and Control of VA. The guidance and associated Frequently Asked Questions are available on VA’s Diversity Legal & Policies Web page.

Continued on the next page.
Nondiscrimination Clarification in the Federal Workplace

GSA Bulletin 2016-B1 clarifies the nondiscrimination clause in the Federal Management Regulation (FMR), 41 CFR Part 74 Facility Management for space under the jurisdiction, custody, or control of GSA regarding prohibitions against sex discrimination. The Equal Employment Opportunity Commission (EEOC), the Department of Education (ED), and the Department of Justice (DOJ), have all interpreted prohibitions against sex discrimination under various Federal civil rights laws and regulations, including Title VII of the Civil Rights Act of 1964 (as amended) and Title IX of the Education Amendments Act of 1973 (as amended), to encompass discrimination based on gender identity, including transgender status. As required in the FMR 41 CFR Part 74, section 102-74.445, all Federal agencies occupying property operated under, or subject to, the authorities of GSA must not discriminate by segregation or otherwise against any person or persons because of race, creed, religion, age, sex, color, disability, or national origin in furnishing, or by refusing to furnish to such person or persons the use of any facility of a public nature, including all services, privileges, accommodations, and activities provided on the property. Several Federal agencies with enforcement authority over Federal civil rights laws, including the EEOC, ED, and DOJ, have interpreted prohibitions against sex discrimination to include discrimination on the basis of gender identity, including transgender status. GSA is clarifying that the prohibition against sex discrimination contained within the FMR includes discrimination due to gender identity, and is consistent with the legal interpretations issued by other Federal agencies, including the EEOC, ED, and DOJ, as well as the Office of Personnel Management (OPM). OPM has issued Guidance Regarding the Employment of Transgender Individuals in the Federal Workplace that addresses some of the common questions that agencies have raised with OPM regarding the employment of transgender individuals in the Federal workplace. EEOC’s Fact Sheet: Bathroom Access Rights for Transgender Employees Under Title VII of the Civil Rights Act of 1964 is also available for reference.

Physical Requirements in Job Opportunity Announcements (JOA)

Some of the physical requirements that are routinely listed in JOA postings include physical requirements that may discourage someone from applying for a job because of his or her disability. In accordance with the laws enforced by the Equal Employment Opportunity Commission (EEOC), Sections 501 and 505 of the Rehabilitation Act of 1973, it is illegal to discriminate against a qualified person with a disability in the Federal Government. It is illegal for an employer to recruit new employees in a way that discriminates against them because of their disability. In addition, it is illegal for an employer to publish a job advertisement that shows a preference for or discourages someone from applying for a job because of his or disability. The law also requires that employers reasonably accommodate the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless doing so would impose an undue hardship on the operation of the employer's business. VA has established HR policy that provides guidance to HR practitioners and hiring managers on the recruitment practices to ensure compliance with EEOC laws and regulations. The example, as stated above, would be considered a violation of Sections 501 and 505 of the Rehabilitation Act of 1973. The published VA guidance in Human Resources Management Letters (HRML) No. 05-07-04 and 05-12-02, provides technical guidance when recruiting and hiring persons with disabilities. HRML No. 05-12-02 specifically instructs hiring managers and human resources offices to make a thorough, fact-based evaluation of the physical and/or mental requirements necessary for satisfactory performance. The review should result in the elimination of any unnecessarily restrictive requirements that are marginal to successful performance of essential duties and responsibilities and could potentially exclude people with disabilities. The HRO will reflect the valid physical and/or mental requirements in the applicable portion of the position description and JOA. The functional job requirements are the physical and mental capacities normally required to accomplish work activities. These job requirements detail information about: 1) how the accomplishment of tasks occurs; 2) physical movements and/or mental processes involved; 3) degrees of physical effort and/or the complexity of mental processes involved in work activities; 4) the time involved in performing each work activity; and 5) the frequency of the work activities. There must be a direct relationship between the physical requirements and the actual duties of the position. The position description and the position’s job analysis must address the valid medical and physical requirements of a position. In addition, every JOA must communicate VA’s intent to make reasonable accommodations for qualified job applicants and employees with disabilities. All job announcements should also state that VA is an equal opportunity employer and should encourage candidates with disabilities to apply. VA facilities must make reasonable accommodation for the physical or mental limitations of an applicant or employee who is a qualified person with a disability unless the accommodation would impose an undue hardship on the department or agency. For more information, contact VA’s Recruitment and Placement Policy Service.

Continued on the next page.
Policy Alerts (Cont.)

Update to Veterans’ Preference Laws - Gold Star Fathers Act of 2015

The U.S. Office of Personnel Management recently issued a memorandum dated July 14, 2016, notifying federal Chief Human Capital Officers of changes in existing Veterans’ Preference laws established through the Gold Star Fathers Act of 2015. On October 7, 2015, the President signed the Gold Star Fathers Act of 2015, P.L. 114-62 (i.e., the “Act”). The Act amends section 2108(3)(F) and (G) of title 5, United States Code (U.S.C.), by expanding preference eligibility from the ‘mother’ of a deceased or Disabled Veteran who is unable to use his or her preference, to the ‘parent’ of that service member. The Act is in effect now (it became effective on January 7, 2016) and VA operating offices must apply the new criteria, now laid out in the law as follows:

Section 2108(3)(F) the parent of an individual who lost his or her life under honorable conditions while serving in the armed forces during a period named by paragraph (1)(A) of this section, if—
(i) the spouse of that parent is totally and permanently disabled; or
(ii) that parent, when preference is claimed, is unmarried or, if married, legally separated from his or her spouse;

Section 2108(3)(G) the parent of a service-connected permanently and totally Disabled Veteran, if—
(i) the spouse of that parent is totally and permanently disabled; or
(ii) that parent, when preference is claimed, is unmarried or, if married, legally separated from his or her spouse.

OPM is in the process of updating the Delegated Examining Operations Handbook; the Vet Guide; chapter 211 of title 5, Code of Federal Regulations; the SF-15, Application for 10-Point Veteran Preference; and relevant website pages, accordingly. In addition, VA’s Recruitment and Placement Policy Service (059) is updating applicable references in staffing policy in VA Handbook 5005, Part I, Chapter 3, Section D, Veterans’ Preference and Part II, Chapter 3, Section A., Paragraph 3., Appointment Requirements and Determinations. Effective immediately, any newly issued job opportunity announcements must expand derived preference eligibility to those meeting the new criteria. HR Officers must inform all HR professionals in their organization performing staffing functions of the information contained in this bulletin. Questions about this bulletin should be directed to VA’s Title 5 Staffing Policy Team and not OPM directly.

Disabled Veteran Leave

The U.S. Office of Personnel Management (OPM) has issued final regulations implementing the newly created Disabled Veteran leave category established under the Wounded Warriors Federal Leave Act of 2015 (Public Law 114-75, November 5, 2015), which added a new section 6329 in title 5 of the United States Code. Regulations for the new leave category are located in subpart M of part 630, title 5 of the Code of Federal Regulations. By law, “Disabled Veteran leave” must be provided to any Federal employee hired on or after November 5, 2016, who is a Veteran with a service-connected disability rating of 30 percent or more for purposes of undergoing medical treatment for such disability for which sick leave could regularly be used. Disabled Veteran leave is available as a one-time benefit during a 12-month period beginning on an eligible employee’s “first day of employment” and may not exceed 104 hours for a regular full-time employee. Disabled Veteran leave not used during the 12-month eligibility period may not be carried over to subsequent years and will be forfeited. Current Federal employees hired before November 5, 2016, are not eligible for Disabled Veteran leave; however, the Federal Government offers various leave options and workplace flexibilities to assist Disabled Veterans who require absence(s) from work to receive medical treatment for service-connected disabilities. These options include: annual leave, sick leave, advanced annual leave, advanced sick leave, leave under the Family and Medical Leave Act (FMLA), donated leave under the voluntary leave transfer program, alternative work schedules, credit hours under flexible work schedules, compensatory time off, and telework. Also, under Executive Order (EO) 5396, July 17, 1930, employees who are Disabled Veterans are entitled to use accrued annual leave, accrued sick leave, or leave without pay for necessary medical treatment associated with the service-connected disability, contingent upon prior notice. Leave under EO 5396 may be used without having to invoke FMLA. Read the OPM memorandum for more information or contact VA’s Worklife and Benefits Service.