



Office of Resolution Management

FY 2011 Annual Report

MISSION:

To promote a discrimination-free work environment focused on serving Veterans by preventing, resolving, and processing workplace disputes in a timely and effective manner.



RESOLVING DISPUTES, TRANSFORMING VA

For the last several years, the Office of Resolution Management (ORM) has been laying a foundation of awareness and good practice in conflict resolution across VA in order to reduce conflict and improve the work environment. ORM's Transformation-21 (T-21) initiatives spearheaded this effort, creating a call center designed to resolve management and employee issues before they escalate, training top VA management and labor officials in conflict management, and placing full-time alternative dispute resolution (ADR) specialists around the country. In the Transformation Initiatives section below, we illustrate how, after the first full year of implementation, these initiatives are beginning to bear fruit. As the benefits to early conflict management and dispute resolution are embraced by management at all levels, we expect further dividends to be realized across VA, namely in reduced equal employment opportunity (EEO) complaint activity and an improved working environment.

At the same time, we have not wavered in our commitment to maintain our excellence in processing EEO complaints. In 2011, our record of achievement continued as our processing times remained well within the timelines mandated by the Equal Employment Opportunity Commission (EEOC). Furthermore, the EEOC recognized the high quality of our staff work and, as a result, other agencies are inquiring into our complaint processing operations.

TRANSFORMATION INITIATIVES

Resolution Support Center

Begun last year, ORM has now fully implemented the Resolution Support Center (RSC), a one-stop resource of HR-related information for employees and managers. RSC's objective is to resolve issues presented by callers so that referrals to other VA offices, which would tie up already scarce resources, are unnecessary. Among its activities, RSC supports the Office of Human Resources & Administration's ADVANCE and Wellness is Now (WIN) initiatives. In 2011, the RSC handled over 4,000 calls and successfully resolved approximately 66% of them. RSC will continue to provide information to VA managers and staff to address and resolve workplace disputes and respond to concerns about VA's other T-21 Initiatives in FY 2012.

Alternative Dispute Resolution Field Support

Eight alternative dispute resolution (ADR) specialists have recently joined ORM; six in VISNs around the country, and two in Central Office. These staff members provide full-time ADR services and education. In the short time that these full-time specialists have been in place, we have already seen improvements in several key areas. In comparing VISNs with full-time ADR specialists to VISNs without in FY 2011, we see a 7% higher ADR participation rate (58% to 51%), a reduced average processing time for ADR (65 days to 79 days), and a higher informal ADR resolution rate (48% to 43%).

Senior Leadership Training

The best way to stop the escalation of conflict in the workplace is to identify it early and address it immediately, which is the objective in ORM's initiative to train VA leaders and labor officials in conflict management and ADR. The 3-day classroom training for VA leaders promotes leadership skills in the areas of effective communication, negotiation, and problem solving. To date, 467 VA leaders have been trained.

One VA organization has sent all of its senior executives and its GS-15 and GS-14 supervisors to this training and as a result noted a 20% reduction in EEO activity in FY 2011. Participants consistently give this training the highest possible rating in their evaluations. This initiative also includes a 1-day classroom training for labor and management officials that supports VA labor-management forums by promoting constructive communication and collaborative decision-making. This training has attracted 180 VA officials and labor representatives.

EEO, Diversity, and ADR Dashboard

EEO managers in all administrations now have access to the EEO, Diversity, and ADR Dashboard (the Dashboard). The development of the Dashboard is an ADVANCE collaborative effort between the Office of Resolution Management, the Office of Diversity and Inclusion, and the VHA Support Service Center. The Dashboard monitors a number of important factors that contribute to the work environment, including historical and comparative data related to EEO complaint activity, workforce demographics, and ADR activity. The Dashboard has received positive reviews, with one user commenting, "the EEO dashboard is beautiful and truly contains very useful information."

In addition to providing training and assistance to our stakeholders, ORM created two significant resources for managing the work environment. ORM published *The Executive Leader's Guide & Desk Reference to Equal Employment Opportunity Complaints* (the Guide) as a tool for VA Executives. The Guide provides information regarding the EEO complaint process and strategies for complaint prevention and early resolution. It has been very well received within the EEO community – the Director of VA's Office of Employment Discrimination Complaint Adjudication called it "fabulous!" The Guide is now required reading for both Leadership VA and the Senior Executive Service Candidate Development Program.

The only way we are able to achieve these results is with a dedicated staff and management team, and a supportive group of stakeholders. Our staff has met the challenges placed before them by producing a second straight year of improved customer service measured by customer satisfaction, from 79% in 2009, 85% in 2010, to 92% in 2011.

We are also grateful for the commitment of our stakeholders. Our success, to a significant degree, is dependent on their efforts. Most importantly, we remain committed to achieving our mission to promote a discrimination-free work environment focused on serving Veterans by preventing, resolving, and processing workplace disputes in a timely and effective manner.

In a year when all of us in Federal Government have been challenged to do more with less, we are extremely proud of our results. Our T-21 initiatives are moving beyond the early implementation stage, and are already demonstrating their intended benefits. Our EEO complaints processing staff continues its consistent level of excellent service, and is receiving the accolades it so richly deserves. Our alternative dispute resolution program is making inroads in the culture of our agency, with important benefits: workplace disputes are being addressed early and the workplace environment is improving so that our employees can devote their full energies to the mission to which all of us in VA are committed — serving our Nation's Veterans.

WORKPLACE ALTERNATIVE DISPUTE RESOLUTION PROGRAM

Transforming the way conflict is managed and disputes resolved has been the objective of the Workplace ADR Program since 2007 when ORM's Deputy Assistant Secretary was named VA's Deputy Dispute Resolution Specialist for Workplace ADR. Since that inaugural year, the use of ADR has steadily increased. The adjacent charts illustrate the improving trends.

The use of ADR to address non-EEO workplace disputes has risen dramatically over the last three years, increasing by nearly a factor of five from 2008. The rate at which these complaints were resolved using ADR also increased, from 82% in 2009 to 87% in both 2010 and 2011 (Chart 1).

VA's commitment to ADR is clearly evident in the EEO complaint process. In nearly every EEO case (98%) in 2011, ADR was offered as an option to address the dispute and in over half the cases, ADR was used (Chart 2).

The ADR Field Support and Senior Leadership Training initiatives are allowing ORM to broaden its impact across VA by expanding its program outreach to VA facilities and by training VA's senior leaders. This expansion is heightening the awareness of conflict management and dispute resolution within the workplace and will likely reduce the cost of disputes and improve the working environment. The success of these efforts will contribute to improving the delivery of services to our Nation's Veterans, and to the transformation of VA into a 21st century organization.

CHART 1: ADR Used to Address Non-EEO Workplace Disputes

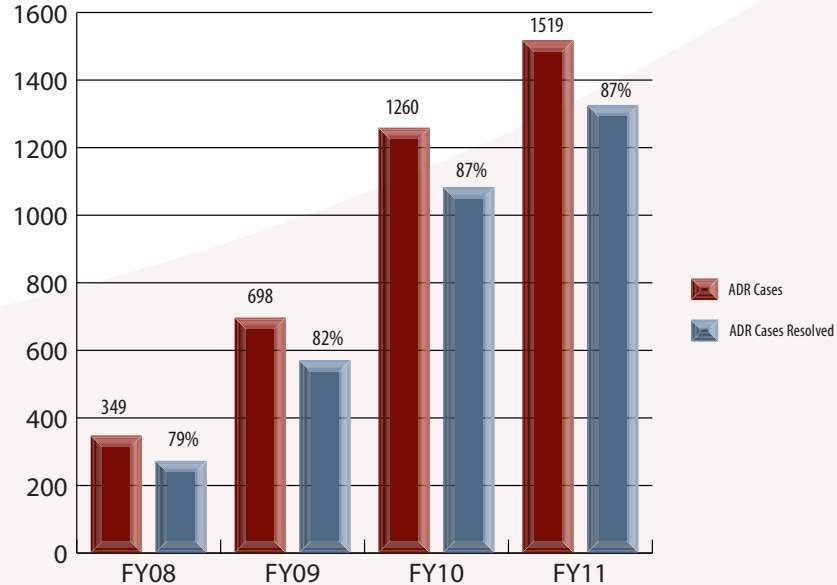
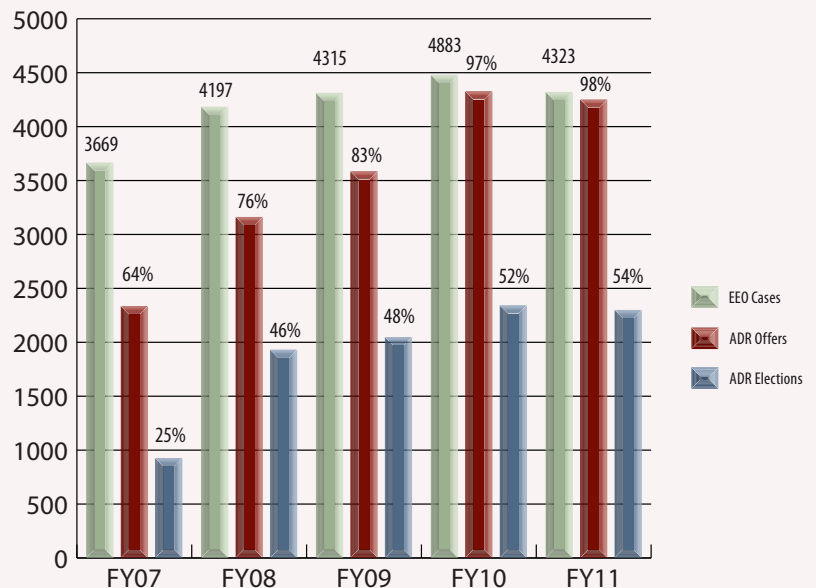


CHART 2: ADR Use in the EEO Process



COMPLAINT PROCESSING

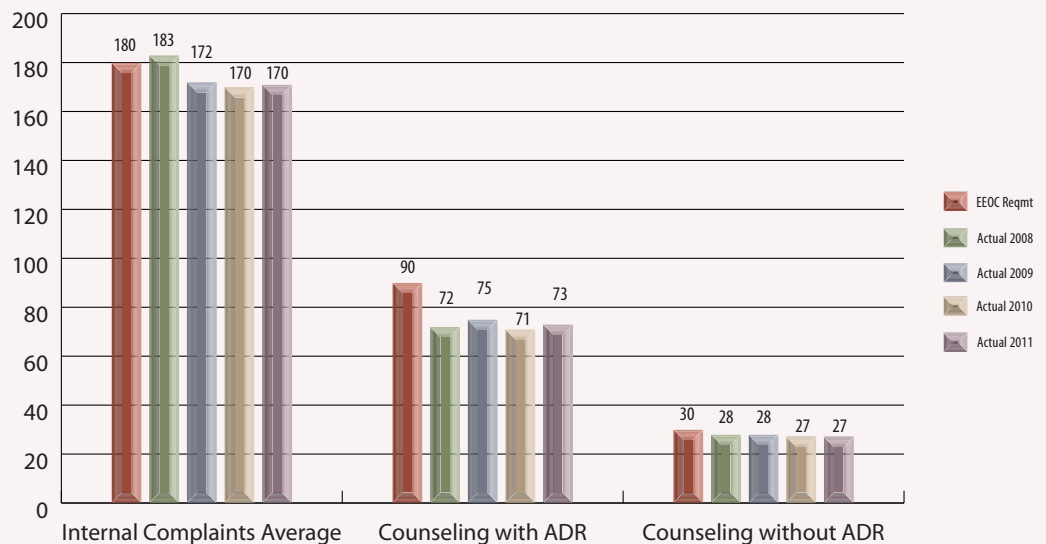
ORM posted impressive productivity gains in EEO complaint processing in 2011, continuing a trend of improvements over the last few years (Chart 3). These results were achieved despite some serious challenges, including a 6.5% rise in complaint activity and a staffing shortage of approximately 25 FTE below what was needed to keep up with this increasing level of work.

Despite the increased workload, ORM continued to exceed key performance metrics. ORM completed counseling in an average of 27 days for cases that did not elect ADR and in an average of 73 days for cases that went through ADR. Both processing times are well within EEOC’s mandated timeframes. A third key metric is the time frame for the completion of an investigation. In this ORM averaged 170 days, well within the EEOC 180-day mandate.

ORM was recently recognized by several EEOC administrative judges as the “gold standard” in Federal complaint processing. They noted VA’s excellence in conducting procedural reviews and producing affidavits that are comprehensive and thorough. The judges agreed that ORM work products contained a more sophisticated legal analysis than most, without the systemic problems they often observe with other agency investigations. They also shared their impression that VA is, “far ahead of other agency folks” and they “wish VA could give advice to other agencies.” This view of ORM is further supported by the interest expressed by several Federal agencies to have ORM provide fee-basis EEO complaint processing services.

ORM continued its drive to automate by launching an e-service delivery option available to all complainants. This initiative, which supports the Department’s Green Management Program, provides complainants with an opportunity to receive all EEO-related correspondence, including reports of investigation, electronically. In addition, ORM sends all EEO-related correspondence to management officials via e-mail, which speeds transmission and receipt while eliminating standard mailing delays. As more of our clients select this delivery option, cost effectiveness and time efficiency benefits will increase.

CHART 3: Processing Times



CONTACT US

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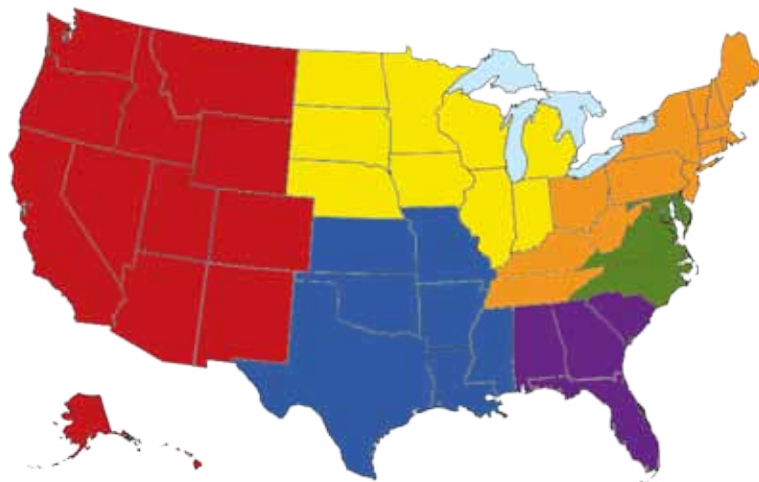
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OUR VISION

***VA is recognized as the leader in promoting a discrimination-free environment
for those who serve our Nation's Veterans***