



Message from the DAS

Happy New Year, everyone. I hope you all had a safe and happy holiday season. January 21 marks the annual Federal observance commemorating the birthday of one of our Nation's greatest champions of civil rights and diversity in history, Dr. Martin Luther King, Jr. As we reflect on the accomplishments of the past year in the area of civil rights, I am heartened that Dr. King's legacy lives on. In 2012, we saw civil protections strengthened for the Lesbian, Gay, Bisexual, and Transgender community when the Equal Employment Opportunity Commission recognized the right to equal employment opportunity of transgender individuals. We saw several states affirm same sex marriage under the color of state laws. We saw states and localities stand up against hate crimes on the bases of race, ethnicity, religion, and sexual orientation. Globally, we have witnessed brave citizens publicly decry violence and abuse against women and children in their societies. Dr. King paved the way for these and many other accomplishments. Let us never forget the legacy he left us and use it as a beacon to light our future path. Please join me this month in honoring this man and learn more about him in the article below.

I am also very proud to announce that once again, VA has been recognized in the diversity and inclusion arena. VA's new Diversity and Inclusion Indices developed by the Office of Diversity and Inclusion have been publicly profiled by the esteemed Corporate Executive Board (CEB). CEB published a case profile on our Indices which they shared with their professional membership network. VA's Diversity and Inclusion Indices will be highlighted as a best practice in US Federal Government in early 2013. [Continued on the next page.](#)

Inside:

[Field Notes | Page 2](#)
[Training | Page 3](#)
[MyCareer@VA | Page 4](#)
[Disability Updates | Page 5](#)
[Policy Alerts | Page 6](#)
[WRP | Page 6](#)
[Compliance Corner | Page 7](#)
[Calendar | Page 8](#)

Bookmarks:

[American Legion Post 41](#)
<http://www.legionpost41.org>
[National Association of Asian MBAs](#)
<http://www.asianmba.org>
[National Black MBA Association, Inc.](#)
<http://www.nbmaa.org>
[National Society of Hispanic MBAs](#)
<http://www.nshmba.org>

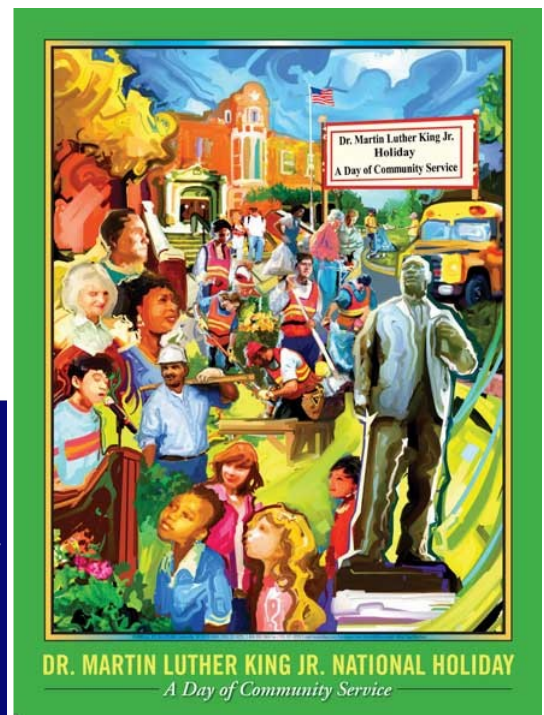
Do you have an EEO complaint?
Contact the Office of Resolution Management at (888) 737-3361 within 45 days of alleged incident.

Commemorate

Dr. Martin Luther King, Jr.'s Birthday

VA proudly joins the Nation in observing the late Reverend Dr. Martin Luther King, Jr.'s 84th birthday on January 21, 2013 when the Nation commemorates the 27th anniversary of the National Federal holiday established in his honor. The national theme is: "Remember! Celebrate! Act! A Day On, Not a Day Off!"

The late Dr. King was born on January 15, 1929, in Atlanta, Georgia, and became the world's foremost advocate of the 1960's civil rights movement. Each year, on the third Monday of January, we celebrate what has now become an American tradition—the observance of a National holiday honoring Dr. King. Dr. King led a nonviolent movement in the late 1950's and '60s to achieve legal equality for African-Americans in the United States. [Continued on page 4.](#)



Message from the DAS

[Continued from the previous page.](#)



Georgia Coffey

In 2012, we were also able to successfully revise VA's D&I Strategic Plan to align with the Government-wide D&I Strategic Plan, as introduced by President Obama's recent Executive Order on Establishing a Government-Wide D&I Initiative (EO 13583). This Plan was publicly cited as a "best practice" and model plan by the Office of Personnel Management. Additionally, earlier in 2012, the Government Accountability Office singled out VA for its best practices in disability employment, including leadership accountability for VA's people with targeted disabilities hiring goal (which has since been increased to three percent); mandatory disability training; the centralized accommodation fund; quarterly reporting and monitoring; and an updated reasonable accommodation policy.

As we reflect on the past year, let us also take a moment to remember those we lost in 2012 including military service men and women, and most tragically, the innocent lives taken at Sandy Hook Elementary School in Newtown, Connecticut. I, along with our entire Nation, mourn and honor each of these individuals and their families. We must also use these events as a clarion call to action to ensure that senseless loss of life is never tolerated.

On a closing note, I want to thank all of our partners and stakeholders for your commitment to diversity and inclusion. I ask that in 2013 we redouble our commitment to a diverse VA workforce and inclusive VA work environment to best serve our Nation's Veterans. It is only with our combined efforts that VA can be a leader in creating and sustaining a high-performing workforce that leverages diversity and empowers all employees to achieve superior results. Thank you for your commitment. Here's to a year full of exciting possibilities! ~Georgia Coffey, VA Deputy Assistant Secretary for Diversity and Inclusion

Field Notes

Hispanic Employment Program Managers National Teleconference January 28

The next Hispanic Employment Program Managers (HEPM) teleconference will be held Monday, January 28, 2013, from 3 to 4:15 p.m. (EST). If you are in Washington, DC, you may attend the session at the ODI Conference Room (1575 I Street, Room 200) or, if off-site, call VANTS at 1 (800) 767-1750 (access code 70087). January's teleconference will feature Ismael Martinez, EEO Director for the National Archives and Records Administration and Chairman of the National Council of HEPMs, a Federal inter-agency council of advocates for Hispanic Federal employees and prospective applicants. Mr. Martinez's presentation will focus on "Establishing a Model Hispanic Employment Program." Supervisory approval to attend this meeting is required. For more information, contact Arlene Gonzalez, National HEP Manager, at Arlene.Gonzalez2@va.gov.

42 VA Employees Gain Culture Change Skill, Earn Health Care Analytics Certificates

Forty-two VA employees were recently certified in health care analytics for the first time through a program aimed at creating a culture to identify patterns in data and translate it into improvements for Veteran health care. "This certification program provides a highly effective tool to train VA employees in skills that will continue to make VA a data- and performance-driven organization. Ultimately, this will lead to improved services for Veterans," said Secretary of Veterans Affairs Eric K. Shinseki. "By training VA employees at all levels on how to evaluate our performance, we are getting a true picture of where we need to focus our energies to create meaningful improvements in our operations." The 42 graduates are the first to have completed VA's Healthcare Analytics Certificate Program developed in conjunction with the VA Nebraska-Western Iowa Health Care System and the Midwest Mountain Veterans Engineering Resource Center (VERC) through its affiliation with the University of Nebraska-Lincoln Department of Industrial and Management Systems Engineering. The program helps develop expert knowledge and skill in performing complex data analysis, translating information into knowledge, leading teams in identifying relevant data, and coaching and mentoring others in the use of data. Nearly 500 other employees are enrolled in one or more of the program's four courses.

Training

VSSC Online Training

ODI announces the availability of training on the Veterans Health Administration's Support Service Center (VSSC) Human Resources (HR) Reporting Tools. VA uses VSSC to store HR data for all of VA in an easy to use reporting format. This interactive training is designed to alert a wide range of managers, HR, equal employment opportunity (EEO) and diversity specialists to VSSC's HR query applications. All managers have a duty to ensure there is equal opportunity in the workplace with regard to hiring, promotions, and other terms and conditions of employment. This training provides guidance on how to properly use the applications to conduct various workforce analyses, identify triggers, and define and distinguish between Relevant Civilian Labor Force and Civilian Labor Force. Training classes will be offered on the following dates from 10 am to noon (EST):

- Wednesday, February 20, 2013 (https://www.tms.va.gov/learning/user/deeplink_redirect.jsp?linkId=REGISTRATION&scheduleID=2569348)
- Wednesday, April 17, 2013 (https://www.tms.va.gov/learning/user/deeplink_redirect.jsp?linkId=REGISTRATION&scheduleID=2569352)
- Wednesday, June 19, 2013 (https://www.tms.va.gov/learning/user/deeplink_redirect.jsp?linkId=REGISTRATION&scheduleID=2569353)
- Wednesday, August 21, 2013 (https://www.tms.va.gov/learning/user/deeplink_redirect.jsp?linkId=REGISTRATION&scheduleID=2569354)
- Wednesday, September 18, 2013 (https://www.tms.va.gov/learning/user/deeplink_redirect.jsp?linkId=REGISTRATION&scheduleID=2569357)

Each session will be conducted via Live Meeting. You can register using the relevant link above. Once you click on the link, you will need to sign into the VA Talent Management System (TMS) and click confirm. Spaces are available on first-come, first-serve basis. If none of these dates work for you, you can use TMS to request additional dates. If you have any questions or concerns, please contact Ryan Pugh at Ryan.Pugh2@va.gov or (202) 461-4155 or David Williams at David.E.Williams@va.gov or (202) 491-5579.

Diversity News: An Online Training Resource

The January/February 2013 edition of *Diversity News* focuses on MyCareer@VA and features an interview with Dr. Carrie Tuning with the VA Learning University. *Diversity News* is available both on the internal VA Knowledge Network and on ODI's external Web site. To view current and past episodes, visit <http://www.diversity.va.gov/products/dn.aspx>.



Section 508 Webinars

The Section 508 Program Office currently has two webinars in 2013: General Section 508 and Programming with Section 508 in Mind. The webinars have their own TMS number for self-certification. Details for self-certification will be given at the end of the webinars. General Section 508 should be a prerequisite before taking Programming with Section 508 in Mind.

General Section 508

This webinar provides an overview of the law and its application to Electronic Information Technology (EIT), including the technical, functional, and documentation/support standards surrounding conformance to Section 508 of the Rehabilitation Act. VA employees attending the training session will learn more about VA's Section 508 Program Office and how it works to ensure that EIT products developed, procured, maintained, or used by VA are Section 508 conformant. Training is captioned.

- January 22, 10 am to noon
- January 30, 2 to 4 pm

Programming with Section 508 in Mind

Attend this webinar and gain more insight into coding for accessibility from a programming perspective. Learn more about the W3C specification for Accessible Rich Internet Applications. Training is captioned.

- January 22, 2 to 4 pm
- January 30, 10 am to noon

For more information, contact Vicki Leon at Vicki.Leon@va.gov.

Commemorate

[Continued from page 1.](#)

He went on to lead similar campaigns against poverty and international conflict, always maintaining fidelity to his principles that men and women everywhere, regardless of color or creed, are equal members of the human family. His memorial, located at the north east corner of the Tidal Basin on the National Mall, will forever honor his life, legacy and dream.

On a daily basis, VA is in a position to carry on Dr. King's legacy—his commitment to helping others. Our Veterans and their families are our priority, and the employees who serve them are our most valued resource. Therefore, we must ensure that equal opportunity is practiced in our programs for Veterans and through the recruitment, hiring, promotion, and advancement of our diverse workforce.

All managers and supervisors are encouraged to support and attend appropriate activities that are conducted to celebrate Dr. Martin Luther King, Jr. Day and remind us of his life and legacy. A list of standard activities and events that facilities typically plan and present can be found on ODI's Web site at <http://www.diversity.va.gov/calendar/dmlk.aspx>. For more information, contact your local equal employment opportunity manager or Trina Faison, VA's National Program Manager for the African American Employment Program, at (202) 461-4044 or Trina.Faison@va.gov.

MyCareer@VA

Opens the Door to Job Fulfillment

Statistics show that most individuals will have five different careers over the course of a lifetime. With an organization as diverse and multi-faceted as VA, one could have all five without ever leaving the Department.

MyCareer@VA, available online at mycareeratva.va.gov, helps current and prospective employees navigate the hundreds of job opportunities available at VA so they can achieve a position they love. The website recently celebrated its one year anniversary to the tune of positive user feedback, hundreds of thousands of visits to the website and awards from human resources and government innovation thought leaders.

MyCareer@VA levels the playing field at VA by providing all employees and potential employees with the knowledge and tools necessary to achieve their professional goals. Site users—who represent a variety of GS wage levels, occupations and backgrounds—have responded enthusiastically to the personalized experience offered by MyCareer@VA.

Many who use MyCareer@VA say that they feel as if the site was created just for them. This is no accident. The career planning tools on the site were designed to provide each user with information tailored to his or her career interests. The My Career Fit Tool, for example, helps current and prospective VA employees identify jobs at VA that match their unique mix of skills and preferences.

MyCareer@VA not only connects users' individual interests to positions at VA, the program also guides them through the process of setting and achieving long-term professional goals. Employees who have the ambition to make a change—such as earning a promotion, or moving from one occupation to another—will find tools and resources at MyCareer@VA that empower them to do so.

The My Career Mapping Tool enables users to chart a course along their current career path or explore a new one. Other tools that aid in the career planning process include the VA Career Guides (detailed descriptions of occupational families and positions at VA), the My Federal Resume Builder (a step-by-step guide to creating a federally formatted resume) and the VA Job Finder (search tool featuring the latest openings from USAJobs, which users can explore by location). [Continued on page 7.](#)



VALU
VA LEARNING UNIVERSITY

MyCareer@VA

VA Disability Program Updates

New Hires

In Fiscal Year (FY) 2012, VA had several successes connected to the employment of people with disabilities. All Administrations met the Secretary's 2 percent hiring goal for people with targeted disabilities; this group was 2.58 percent of all new hires. This is a big improvement over FY 2011, when the hiring rate was 1.8 percent of all new hires. The targeted disabilities, as established by the U.S. Equal Employment Opportunity Commission, are blindness, deafness, missing extremities, partial paralysis, total paralysis, epilepsy, severe intellectual disabilities, psychiatric disabilities, and dwarfism.

On Board Ratios

In 2000, employees with targeted disabilities were 1.8 percent of VA's workforce. By FY 2009, the on board rate for this group had dropped to 1.47 percent. At the end of FY 2012, they were 1.85 percent of the workforce. VA appears to be on target to meet the on board goal of 2 percent by the end of FY 2013. At that point, we will place more focus on providing advancement opportunities for individuals with targeted disabilities who have degrees and are eligible for promotion or career ladder positions.

Interns

To create a pipeline of qualified individuals with disabilities in the Federal government, the Department of Defense and Department of Labor created the Workforce Recruitment Program (WRP). College students and recent graduates with disabilities are interviewed and screened for Federal employment. In FY 2011, ODI began reimbursing the salary cost for WRP interns hired in VA. This effort was so successful that in FY 2012, VA had 27 WRP interns, and two were converted to permanent employment. VA had the second highest number of WRP interns in the Federal government. Information on the WRP can be found on the following page.

Centralized Fund

In FY 2010, to support the hiring of people with disabilities, the Deputy Assistant Secretary for Diversity and Inclusion established a Centralized Fund to reimburse the cost of items and services purchased as reasonable accommodations. In FY 2012, ODI reimbursed 702 accommodations, for a total of \$296,425.79. More information on the Centralized Fund process is at <http://www.diversity.va.gov/programs/pwd.aspx>.

Roll out of Reasonable Accommodation Compliance System (RACS)

As part of the Human Capital Improvement Plan, ODI contracted for an electronic system to track requests for accommodation. This system will allow employees to enter their own requests, which will help prevent requests from being overlooked. Each facility has a Local Reasonable Accommodation Coordinator and Alternate; these individuals assist with addressing requests for disability accommodations and enter the processing steps into RACS. In June 2012, the National Cemetery Administration (NCA) became the first VA entity to use RACS. In October 2012, the Veterans Benefits Administration (VBA) began using the system. By March 2013 it is expected that all of VA will be using RACS to track the processing of accommodation requests.

Discrimination Based on Disability

Unfortunately, in FY 2012 VA had 41 findings of discrimination, and 19 (46 percent) were based on disability. The ratio of findings based on disability for the Veterans Health Administration was 39 percent. The ratio for VBA was 60 percent. The ratio for VA Central Office was 100 percent. NCA had no findings of discrimination. While the number of informal EEO complaints based on disability decreased to 666 in FY 2012 from a high of 1,219 in 2010, the number of complaints based on reasonable accommodation as the issue increased to 170 in FY 2012 from 95 in 2007. With increased training, understanding of the law, and use of the tracking system, VA should be able to reduce the number of findings of discrimination that are based on disability. The Disability Program Manager in ODI is available to conduct training for Human Resources staff, and for supervisors and managers. For more information, visit <http://www.diversity.va.gov/programs/pwd.aspx>.

Policy Alerts

2010 Census Special EEO Tabulation

The U.S. Equal Employment Opportunity Commission (EEOC) reports that Federal agencies will have the ability to breakout the 2010 civilian labor force (CLF) by citizen status (U.S. citizen versus non-U.S. citizen). Starting in fiscal year 2013, it will be EEOC's guidance that Federal agencies shall use occupational CLF data of U.S. Citizens only when assessing "under-representation" of race/ethnicity and gender groups. For more information, contact David Williams at David.E.Williams@va.gov.

VA Handbook 5383, Part II

A change has been made to VA Handbook 5383, Part II. This handbook contains mandatory procedures on VA's Drug-Free Workplace Program. This revision implements new mandatory guidelines published by the Department of Health and Human Services. Significant changes include:

1. Revises collection site procedures by itemizing the subject matter used to train collection personnel.
2. Modifies procedures in Appendix II-B by requiring a volume of 45 mL be collected from donors.
3. Clarifies in Appendix II-F that blind samples will be submitted using the same form used for donor specimen.

Limitations on Overtime Duty, Weekend Duty, and Alternative Work Schedules for Nurses

VA Handbook 501 I, Part II, Chapter 3 and Part III, Chapters 2 & 3, has been revised to implement the provisions of Public Law 111-163. Significant changes include:

- Replaces the 36/40 alternate work schedule for registered nurses with the 72/80 alternate work schedule;
- Clarifies that nurses on 72/80 work schedules who are not scheduled to work on a holiday or the day designated as a holiday are not entitled to an in-lieu of holiday;
- Adds a minimum charge for annual and sick leave for nurses on this schedule of one-quarter hour (15 minutes);
- Eliminates outdated annual "Certification of Compliance with Provisions of Department of Veterans Affairs Health Care Personnel Enhancement Act of 2004" reporting requirement. However, facilities must still maintain a policy that prevents nurses from providing direct patient care (other than nurses providing emergency care) from working in excess of 12 consecutive hours or 60 hours in any 7-day period;
- Requires nurses officially ordered or approved hours of service in excess of 40 hours in an administrative week, or in excess of 8 consecutive hours, shall receive overtime pay for each additional hour of service;
- Establishes limitations on overtime duty, weekend duty, and alternative work schedules for nurses; and
- Modifies the leave charge for nurses on the Baylor Plan. Instead of being charged 1.667 hours for each hour taken, nurses on the Baylor Plan will be charged leave on an hourly basis.

Free Interns

2013 WRP Underway

All VA offices are eligible to obtain a pre-screened summer intern with salary costs reimbursed by ODI. Reimbursement will be approved on a first come, first served basis. These Workforce Recruitment Program (WRP) interns are all college students in good standing or recent graduates. They each have a disability, which means they can obtain a Schedule A letter for appointment to a Title 5 position. These candidates are prescreened; the interviewer's summary is posted on the Web site along with the student's resume and transcript. To identify a suitable intern, visit <https://wrp.gov>. After you obtain a password, you can do a search by college major or other selecting factor. If you wish to obtain salary reimbursement from ODI, please email Aurelia.Waters@va.gov before making an offer to the candidate. Priority consideration will be given to offices that have identified a position to which the intern can be converted once the internship ends. New for fiscal year 2013, salary reimbursement will be on a monthly basis and will conclude the first week of September.



Compliance Corner

Harassment by a Non-Employee



We typically think about harassment in terms of conduct or comments made by co-workers, supervisors, contractors, or even volunteers. However, harassment may also be actionable when the alleged perpetrator is a non-employee such as a patient or client.

In a 2007 complaint, a VA licensed practical nurse alleged that she was sexually harassed when making evening bed checks because male patients were watching pornographic movies and sleeping in the nude in violation of agency policies. VA dismissed her complaint for failure to state a claim. The agency argued that given the complainant's duties "it would be reasonable to assume that these events would not be rendered as harassment and hostile work environment incidents". While VA agreed that patients may not sleep in the nude or view pornographic movies, it contended that "Management...exercises reasonable care to prevent and correct harassing behavior".

On appeal before the Equal Employment Opportunity Commission (EEOC), the complainant asserted that certain agency officials "deliberately and continually fail to enforce existing rules as to offensive and sexually related behavior of patients" and essentially were "affirming and encouraging the sexual harassment of its female nurse by resident male patients and creating a hostile work environment". EEOC reinstated the complaint finding that it was improperly dismissed because the alleged incidents were sufficiently severe or pervasive to state an actionable claim of harassment.

In a 2011 decision, EEOC awarded a former prison guard \$300,000 in damages for the ongoing physical and emotional pain she was suffering as a result of continuous sexual harassment by a prison inmate that culminated in a sexual assault. EEOC found that the Department of Justice (DOJ) failed to take appropriate action when the inmate repeatedly exposed himself to the complainant and ultimately came to her office and physically assaulted her. The agency argued that the four incidents of exposure did not create a hostile work environment in the context of a correctional facility. While DOJ found the assault, which including groping the complainant's private areas, was sexual harassment, it argued that it should avoid liability because it took appropriate action by talking to the inmate and telling him to stop the behavior.

EEOC determined that DOJ improperly separated the indecent exposure incidents from the assault, when the inmate's conduct should have been viewed as a pattern of misconduct that created a hostile work environment. It further concluded that DOJ was liable for the inmate's conduct because the complainant reported each incident as it occurred, but it took no effective action to stop the inmate until after he assaulted her. In making its decision, EEOC rejected the agency's suggestion that the inmate's conduct was not directed at the complainant. Rather it found that the inmate stalked the complainant so he could expose himself in her presence and that he "looked angrily at complainant after she reported his indecent acts."

~Maxanne R. Witkin, Director, VA's Office of Employment Discrimination Complaint Adjudication

MyCareer@VA

[Continued from page 4.](#)

Over the next few months, MyCareer@VA will continue to grow. The team behind the site—which includes subject matter experts representing occupations across VA's three administrations—is currently developing new content and functionality. Many of these enhancements that are in progress originated from feedback captured in the site's first year of operation, and each is designed to enhance the user experience.

As of January 25, MyCareer@VA covers 100 percent of VA's mission critical occupations, meaning there are more career opportunities for site users to explore than ever before. To learn more about how MyCareer@VA can help you fulfill your professional resolutions in 2013, register today for "Introduction to MyCareer@VA," a free webinar that teaches you how to use the website to plan and develop your career. The webinar is accessible via TMS (course #3734161), and offered several times monthly.

Diversity@Work is published by the U.S. Department of Veterans Affairs' (VA's) Office of Diversity and Inclusion (ODI), a program office within the Office of Human Resources and Administration (HR&A).

To subscribe or unsubscribe, e-mail odi@va.gov.

CONTACT US

Mail:
810 Vermont Avenue
NW (06)
Washington, DC 20420

Phone:
(202) 461-4131

Fax:
(202) 501-2145

E-mail the Editor:
odi@va.gov

Visit our Web site
<http://www.diversity.va.gov>
for staff e-mail addresses.

OTHER USEFUL LINKS

HR&A
<http://www.va.gov/ofcadmin>

VA's Office of Human Resources Management
<http://www.va.gov/ohrm>

VA's Office of Resolution Management
<http://www.va.gov/orm>

Veterans Health Administration's Diversity and Inclusion Community of Practice
Michael.Youngblood@va.gov

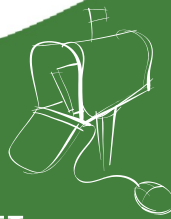
GOT NEWS?

We want to hear from you! If you'd like to share your story ideas, comments, or suggestions, e-mail us at odi@va.gov.

D&I Online

The mission of the Department of Veterans Affairs' diversity and inclusion program is to develop and implement a comprehensive, integrated, and strategic focus on diversity and inclusion as key components of the Department's human resources strategies. Here's a sampling of online tools available at <http://www.diversity.va.gov> that can help leverage diversity and build inclusion:

- ▶ Dr. Martin Luther King, Jr.'s birthday and other observance resources.
- ▶ Training resources, guides, and reports.
- ▶ Links to professional and community organizations.
- ▶ Best practices for diversity management.



D&I In Your E-mail Inbox

Once a week, ODI sends out *NewsLink*, an e-mail message with annotated links to current news items and other information related to leveraging diversity and building inclusion. For a FREE subscription to this weekly electronic news service, e-mail odi@va.gov with the words SUBSCRIBE NEWSLINK in the subject line. Find a sample of *NewsLink* at <http://www.diversity.va.gov/products/newslink.aspx>.

D&I on Your TV or PC

Diversity News is a monthly video program produced by the VA Central Office Broadcast Center for ODI. *Diversity News* follows VA News on the VA Knowledge Network, Content Distribution Network, channel 2. Programs are also available at <http://www.diversity.va.gov/products/dn.aspx>.

Calendar

<http://www.diversity.va.gov/calendar>

January
National Mentoring Month

New Year's Day
January 1

Religious Freedom Day
January 16

VA Diversity Council Meeting
January 16, 1–3 pm; Washington, DC
<http://www.diversity.va.gov/council>

World Religion Day
January 20

Dr. Martin Luther King, Jr.'s Birthday
January 21

Mahayana New Year
January 27

Assistive Technology Industry Association
Conference
January 30–February 2; Orlando, FL
<http://www.atia.org>

