

**VA ADMINISTRATIVE HISTORICAL PROJECT  
Office of the Assistant Secretary for  
Human Resources and Administration (006)**

**Office of Administration (03)**

***Executive Summary***

***Modernization of VA Headquarters Building***

This Prospectus-level project began in 1987 and was a joint partnership between VA and the General Services Administration. Total cost was \$57 million and was completed within budget and virtually within its original completion schedule. Project involved total replacement of all building systems and all new interior office space. Renovation was completed in 1996 and now houses approximately 2300 VA employees.

***VA Transit Benefit Program***

Executive Order 13150, dated April 21, 2000, encourages employees, through direct subsidies and pre-tax benefits, to commute by means other than single occupancy motor vehicles. The VA program is in place, and over 5,000 employees VA-wide have submitted applications for benefits. Transit media distribution began the week of September 25, 2000.

***Narrative***

***VA Transit Benefit Program***

In accordance with Executive Order 13150, Federal Workforce Transportation, Deputy Secretary Gober approved on May 30, 2000, the implementation of a transit benefit program for the Department of Veterans Affairs, which commenced on October 1, 2000.

The Transit Benefit Program is designed to improve air quality, reduce traffic congestion, and conserve energy by encouraging employees to commute by means other than single occupancy motor vehicles.

On June 16, 2000, VA signed an Interagency Agreement with the Department of Transportation's TASK TRANSERV office to administer the Transit Benefit Program. The Assistant Secretary for Human Resources and Administration (HR&A) is assigned the oversight responsibility for the Transit Benefit Program.

Employees who use mass transit and work within the National Capital Region will receive a direct subsidy not to exceed the maximum level allowed by law (currently \$65 monthly). Employees who use mass transit in the rest of the VA will receive a pre-tax benefit (currently up to \$65 monthly).

Each VA organization has appointed a Transit Program Manager who will coordinate their organization's program and serve as liaison with HR&A.

We have provided information to organizational Transit Managers to share with employees through written guidance, weekly meetings, conference calls, and videos. Information on the program via e-mail broadcast messages and messages on earnings & leave statements have gone directly to employees. In addition, Office of Administration (O/A) established a transit benefit website on VA's Intranet (<http://vaww.va.gov/ofcadmin>) to answer questions directly from employees.

An Informational Fact Sheet, which was developed by the Office of Administration, was distributed to employees at the time they received their fare media.

We developed VA's Transit Benefit Directive, Handbook, and Accounting Procedures and are finalizing them for VA-wide concurrences.

As of Tuesday, October 31, DOT had distributed fare media to 3,163 employees in the NCR. VA has over 2,358 pre-tax participants receiving fare media in the field.

### ***ReNOVation --***

The VA Building is located on the site once occupied by the homes of Presidents James Buchanan and Benjamin Harrison. In 1869, the Arlington Hotel was built on this land. The hotel catered to the wealthy of that era including J.P. Morgan and well-known politicians.

In 1912, the old hotel was demolished to make room for a newer and grander version of the Arlington. The hotel was never built and by 1917 these plans had been abandoned in favor of an office building. In 1918, the Federal Government purchased the site and the partially completed Arlington Office Building. At this time, the three basement levels were complete and structural steel had been built to a height of two stories above ground.

Once purchased, work progressed at an accelerated pace because of the war emergency. This hasty development produced a building that has no real significance in terms of architecture or technology. The building was to house employees of the Bureau of War Risk Insurance (part of the Treasury Department) and the Railroad Administration. In 1921, the Veterans Bureau was

created and the Bureau of War Risk Insurance dissolved. The building was largely completed and occupied in 1919, however, the finish work continued until 1921.

The VA Building has undergone a number of interior renovations over the years. The last substantial renovation was carried out during the 1960's and modernized almost the entire building.

In 1987, GSA announced plans for a major renovation of the VA Building. This renovation project would include replacement of the mechanical systems (heating and air conditioning, electrical, plumbing), asbestos abatement, fire and safety, and structural repairs. VA felt that the renovation presented a unique opportunity and decided to take the project a step further and create a corporate workplace by redoing the interior workspace.

Once VA made the decision to expand their role and become a partner in the project, a budget for the VA portion was developed. VA had to convince GSA that we were committed to the project. We also had to convince OMB that the additional work proposed by VA was necessary. After persuasive presentations from VA, both GSA and OMB accepted VA's participation in the project and agreed to the additional work. From then on the renovation project became a jointly funded and managed project between VA and GSA.

The next step was to conduct an internal study to see what was involved in a project of this size. According to a major Washington, DC developer, the minute we found out about the project we were already a year behind schedule!

At the beginning of the project, GSA made the decision to keep a portion of the VA employees in the building and move the remainder to leased swing space. This meant that the construction work would be divided into two phases. During each phase, half the building would be occupied and the other half completely gutted and renovated. VA wanted to move all employees to swing space, however, the amount of leased space needed to house this number of employees was beyond what GSA felt the Congress would fund. VA agreed to GSA's conditions because the building was in such a state of disrepair and we did not want to delay the start of the project.

Initially, GSA wanted to lease swing space for Central Office employees in the suburbs. VA insisted that swing space be located downtown as close as possible to the VA Building. TechWorld Plaza located by the Convention Center, fit the necessary criteria and was selected. The 801 I Street tower, where VA was to be located, was still under construction. This enabled VA to design our own space.

When planning for the project began, a management team was organized. The Assistant Secretary for Human Resources and Administration and the Deputy

Assistant Secretary for Administration were given responsibility for the project oversight. Day to day responsibility was delegated to the full-time Prospectus Staff and its Director. A Steering Committee consisting of organizational representatives with expertise in a number of areas was formed to provide guidance. In addition, each VA organizational element had a Prospectus Liaison who had the authority to answer for their organization. These individuals were responsible for all planning and implementation aspects regarding space and moves.

In 1989, Notter, Finegold & Alexander (NFA) was selected as the architect/engineer design/construction contractor for the VA Building renovation. NFA was responsible for the renovated building design and layout. The Prospectus Liaisons worked with NFA to design each organization's new space. In addition, there were a number of design elements that VA wanted incorporated into the renovated building. Included in this list were more conference rooms, an expanded cafeteria, training rooms, an expanded fitness center, and a child care center (this was later dropped from the design because of a lack of employee interest).

The design contract for the TechWorld swing space was awarded in 1990 to the architect/engineer firm of Peck, Peck, and Associates (PPA). A stack plan was developed by PPA allocating space in TechWorld to organizations vacating the Vermont Avenue wing of the VA Building. Prospectus Liaisons whose organization had employees moving to TechWorld, worked with PPA to design their swing space.

During 1990, the renovation project pace increased. Along with the two space design projects underway, planning for the employee moves into swing space was completed. Approximately 1,400 employees were scheduled to move to TechWorld and a portion of the 1,200 employees remaining in the VA Building would have to be relocated to different floors. A move contractor was selected, an inventory was put together of all items that would be moved, and meetings were held with the liaisons to plan and coordinate every detail of each organization's move.

In addition to all of the planning, consideration was given to preventing two different offices from developing. The same mailing address, 810 Vermont Avenue, was used for everyone. A shuttle service was instituted between the VA Building and TechWorld. And the *RenoVAtion* newsletter, which had begun publication in late 1990 as a means of giving employees news about the renovation project, would now also give each group news about the other.

The employee moves into swing space began in January 1991 and continued until July. The moves were done in four phases - three phases to TechWorld and the fourth phase internal VA Building moves. The TechWorld moves were conducted on weekends and most of the internal moves took place during

weekday office hours. The logistics of these moves were staggering. Meetings were held a few days before each move to go over the details with the organization move coordinators and spotters. Every level of employee, from management to support staff, was involved in their organization's move. Between TechWorld and the internal moves, over 2,000 employees were relocated along with 2,375 desks, 6,030 chairs, 633 coat racks, and 424 lamps. Twenty-nine tractor trailer loads of excess furniture were removed and the dumpsters at the VA Building were picked up twice a day instead of twice a week. When the dust had settled, approximately 1,400 Central Office employees had relocated to TechWorld and approximately 1,200 remained in the VA Building.

To help make the moves to TechWorld a little easier on employees, a welcome packet was on their desk when they arrived for work Monday morning. Their telephone and computer were both connected and working and their furniture was in place.

With the completion of the employee moves, demolition of the Vermont Avenue wing began on schedule in July 1991. The building construction contract was awarded to A.S. McGaughan Company in September 1991 and construction began several months later in December.

For those employees remaining in the building during construction, provisions were made to keep disruptions to a minimum. Dust and noise intrusion was handled several ways. The construction side of the building was closed off, the air handling system on the Vermont Avenue side of the building was shut down, and barrier walls were built dividing the building. These walls met OSHA standards for noise and dust intrusion. When problems did arise, walk-throughs with GSA and assistance from VA employees helped resolve them. In August 1991, an industrial hygienist from the Ft. Howard Regional Division office, visited the VA Building to inspect the building and address employee concerns about the work environment. In addition, GSA contracted with Biospherics, Inc. to monitor the air quality throughout the building on a regular basis.

The VA Building environment was made more pleasant through several improvements. One of the I Street entrances was modified to make it accessible for handicapped individuals. The I Street bathrooms were also modified to accommodate the handicapped. For part of the Phase 1 renovation construction work, a bank of four of the Vermont Avenue elevators were available for employee use along with the three I Street elevators. *Construction Updates* gave employees information about what was happening in the building and any changes or construction work that would affect them. Hallways and stairwells were painted, the corridor floors were stripped and waxed, and the restroom walls and ceilings were patched and painted.

All of these improvements could not prevent problems from occurring. Cables were accidentally cut which disrupted computer service, noise and dust intrusion did occur, and there were increased problems with rodents. However, these problems, and others that occurred, were resolved quickly.

GSA decided at the beginning of Phase 1 construction to contract for repair work to the outside of the VA Building and to replace the roof. The Vermont Avenue portion of the roof work was scheduled to be completed by the time employees moved back into that side of the building. The outside repair work included stone restoration, repair of the sidewalks and canopies, replacement of the window grills and outside railings, and tuck pointing (repair of the mortar joints).

For most of Phase 1 construction the project remained on schedule. There was a slight delay part way through this phase to accommodate the fabrication and installation of additional structural steel deemed necessary by GSA and the construction contractor.

During the next three years some dramatic changes took place in the VA Building. The entire Vermont Avenue wing was gutted and rebuilt according to a new design. Approximately 60 percent of the office space would now be open and 40 percent enclosed. Most employees would receive new furniture and seating when they moved into their new space. Systems furniture was purchased for the open areas and conventional furniture for enclosed offices. New conference room furniture was also installed.

The new VA Building design included several changes to the interior layout. The public corridors were moved to the inside of the building on floors 1-11 to make use of the natural sunlight and to capture more office space. An alternating color scheme of burgundy, green, and blue was adopted on floors throughout the building with the seating, signage, and public corridor carpeting all matching. The restrooms were relocated on each floor. The redesign of the interior necessitated a new numbering scheme which was consistent on each floor throughout the building. The new design of the cafeteria made use of an already existing skylight which gave the area a more light and airy atmosphere.

The Vermont Avenue lobby experienced a facelift. The architect took some of the design elements from the original lobby, including light fixtures and molding, and incorporated them into the new design. The stairs were relocated to the middle of the lobby with ramps on either side for easier handicap access. New marble and brasswork were added as well. The Vermont Avenue lobby now gives visitors to the VA Building their first glimpse of the corporate look that VA wanted to achieve with the renovation.

As originally planned by GSA, all of the major mechanical systems were replaced. One of the features of the heating and air conditioning system is the ability to cool the building during the heating season and warm it during the

cooling season. Air flow for interior space is through ceiling vents which provide for better overall air circulation. In addition, a new telephone system was installed and cabling for telecommunications and ADP is now state-of-the-art fiber optic/copper.

To prepare for the employee moves into the Vermont Avenue wing, an Activation Committee was established in July 1993. The Committee was responsible for assuring that building operations were in place before occupancy and that each workstation had the required equipment before move-in day. The moves were coordinated through the Committee so that all parties involved had the required completion dates for a number of projects.

In January 1994, the first employees moved into the renovated Vermont Avenue wing. Despite snow and ice storms, the employee moves stayed on schedule and were completed in May. Approximately 940 employees were relocated to the Vermont Avenue wing of the building including the Secretary and Deputy Secretary.

In addition to the employee moves into the VA Building, employees were relocated into the TechWorld, Westory, and Lafayette buildings. Veterans Benefits Administration (VBA) employees were permanently relocated to new office space at 1800 G Street, NW.

In May 1994, GSA gave the Notice to Proceed to the construction contractor and renovation of the I Street wing began. Many of the problems experienced by employees during the first phase of construction were avoided during this second phase. Previous experience and the fact that the major mechanical systems had already been replaced and were operational were factors in making this phase less disruptive for employees.

As a follow-on project to the major renovation project, mechanical modernization of the VA Building Vermont Avenue, freight, and H Street elevators began in February 1995. The I Street elevators were modernized as part of the renovation project and were completed by the time of the employee moves back into this wing.

In May 1996, the employee moves into the I Street wing of the building began and were completed in August. Approximately 2,200 employees are now located in the VA Building.

After several years of planning and four and a half years of construction, the VA Building renovation project has been completed. This project is one of only three GSA National Capital Region prospectus level renovations to be completed in the last ten years. Through this project, VA accomplished their goal of providing employees with modern and efficient workspace.

### ***Index of Documents (03)***

- Executive Order 13150, Federal Workforce Transportation.
- Recommendations for Implementing Executive Order 13150 (Deputy Secretary's Decision Document dated May 30, 2000).
- Interagency Agreement with the Department of Transportation dated June 16, 2000.
- Transit Benefit Information Fact Sheet dated September 2000.

## Office of Human Resources Management (05)

### *Executive Summary*

The Office of Human Resources Management implemented 5 significant initiatives ranging from implementation of a new Human Resources Information System; the Welfare to Work Presidential initiative; to the establishment of a national partnership council.

- HR LINK\$ and Shared Service Center (SSC), a major initiative jointly undertaken by the offices of the Assistant Secretary for Human Resources and Administration and the Assistant Secretary for Management began in FY 1995. Will make available VA-wide new technologies to support HR and payroll programs. The SSC, located in Topeka, Kansas, will provide centralized processing of majority of VA's HR/payroll informational and transaction activities. Initiative implements certain provisions of Executive Order 13011, "Federal Information Technology."
- VA has been enthusiastic supporter of the Welfare to Work Presidential initiative since its inception in 1997. As of 7/10/00, VA had hired 1,502 WTW participants, far exceeding original goal of 800 new employees by the close of FY 1998. VA's efforts were recognized by receipt of Vice-President's Hammer Award in September 1999.
- To comply with requirements of 1994 law, the Whistleblower protection initiative begun in 1997 promotes environment where employees feel free to raise concerns without fear of reprisal. Congressional interest in issue; GAO recently reviewed VA's efforts to increase employee awareness of Whistleblower Protection Act protections.
- In September 1993, President Clinton signed Executive Order 12871 "Labor-Management Partnerships." In response to the Executive order, representatives of VA and VA's five major unions began discussion in November 1993, to develop a framework for a national level labor-management partnership. The VA National Partnership Council (VANPC) aims to foster the goals of the National Performance Review to increase efficiency and economy of operations, by pre-decisional involvement and the sharing of information in order to find solutions to problems. The VANPC meets quarterly to discuss major departmental issues and provide a forum to address concerns about program or policy changes before decisions are made.
- The Department of Veterans Affairs' (VA) policy on Flexible Workplace Arrangements (flexiplace) was signed by the Assistant Secretary for

Human Resources and Administration and implemented in June 1997. VA's flexiplace policy authorizes home-based telecommuting, community-based telecommuting, mobile and virtual offices, as well as other appropriate flexiplace assignments. A recent ad hoc survey on the use of telecommuting in VA showed that approximately 500 employees, both in the field and in VA Headquarters are participating in some type of flexiplace assignment.

### ***Narrative***

#### ***HRLINK\$ and Shared Service Center***

VA's new Human Resources Information System, named HR LINK\$, was initiated to replace VA's 30-year-old legacy system, called PAID. The new system incorporates the HR and payroll functions and was begun as a partnership of the Office of Human Resources and Administration and the Office of Management. The HR LINK\$ project team consists of field and headquarters HR, fiscal, and IRM representatives. VA's Secretary approved the project's scope in July 1996. HR LINK\$ consolidates, integrates, and standardizes HR and business processes across VA, a factor of strategic importance as the Department attempts to become "One VA."

The HR LINK\$ goals are to:

- Provide customers with excellent HR/payroll services;
- Push transaction processing to the lowest appropriate level;
- Maximize the use of technology and Commercial Off-The-Shelf products to automate manual processes and eliminate paperwork;
- Reengineer and standardize HR/payroll service delivery processes; and
- Transform the HR function from the role of "gatekeeper of the rules" to that of corporate partner.

Employee Self Service (ESS) was implemented VA-wide by the end of February 2000. ESS allows employees to use either web-based technology or touch-tone telephones to perform personal and payroll transactions. The Self Service desktop application is available on many work computers around VA and at all computers located at HR LINK\$ Access Points within each VA facility. Among the 22 available activities are tax and address changes, Combined Federal Campaign elections, Savings Bond Campaign enrollment, and health insurance changes. Employees may also call the Shared Service Center (SSC) for assistance, either to obtain answers to questions or for help in processing transactions. The SSC provides final processing of all personnel actions Department-wide. A staffing module will eventually permit employees to create resumes and apply online for VA vacancies.

HR LINK\$ manager activities provide expert systems that enable managers to create position descriptions, classify positions, request and approve personnel actions (e.g., promotions, reassignments, details), approve leave and certify time cards – from their own desktop computers. Managers will also be able to access data for purposes of preparing reports (e.g., projecting the cost impact of staffing changes). The first of these technologies, Position Classification using Coho, was implemented VA-wide in May 2000. Other manager applications are currently being tested or are in prototype.

The SSC opened on March 2, 1998. By using HR LINK\$, employees are now able initiate their own personal and personnel transactions, which are then automatically forwarded to the SSC for processing. The SSC uses a tiered staffing structure to deliver its services. When an employee calls the SSC, his/her first contact is with a call agent. These call agents respond to a majority of questions using a dynamic knowledge base of scripted answers. If a call agent is unable to answer the employee's question, or if the question is very complex, the call agent opens a case for the employee and refers it to the HR and payroll professionals. These specialists respond to complex questions or those that do not lend themselves to scripted answers.

All of these features help carry out the provisions of Executive Order 13011, "Federal Information Technology" (aimed at using modern technology to improve governmental operations). At the same time, the concepts behind HR LINK\$ are to transform the role of the HR staff from the 'gatekeeper of the rules' and being predominantly transactional processing-focused, to a role that is more strategic and corporate-focused. On-site professionals will become consultants and partners with local management to provide staffing strategies, performance improvement and employee relations advice, employee development, and succession planning.

### ***Welfare to Work***

The Department of Veterans Affairs (VA) has been an enthusiastic supporter of the President's Welfare-to-Work Initiative since its inception in March 1997. As of September 30, 2000, VA had hired more than 1,500 individuals under this program, which far exceeds the Department's original goal of 800 new employees by the close of Fiscal Year 1998.

VA's success in hiring is the result of committed leadership from the Secretary to first-line supervisors at VA field facilities. In September 1999, these efforts, along with the work of 97 employees VA-wide, were recognized by the Vice President's Hammer Award for contributions made to this program.

VA's hires have been made at more than 160 medical facilities, regional veterans benefits offices, national cemeteries, and in Headquarters. This accomplishment

is the result of the commitment of leaders at the facility level and the collaboration of their staffs with State and local employment counselors, and social services agencies. VA is working to establish this type of collaboration in long-term, continuing relationships.

VA has placed new employees in diverse occupations such as Clerk, Food Service Worker, Housekeeping Aid, Laborer, Cemetery Caretaker, Pharmacy Technician, Veterans Claims Examiner, and professional and non-professional Nursing positions. To promote the success of employees hired under this program, training and mentoring courses and programs are available for our new employees that address both job-specific skills and life skills. Curricula for several training courses have been developed in VA and are available on VA's Intranet, as are Training Guidelines that provide information on additional relevant courses for new employees, their supervisors, and co-workers.

VA also has worked to promote and encourage participation in this national effort by our contracting officers, contractors, and suppliers. We have promoted the use by other Government agencies of clinical programs such as VA Compensated Work Therapy and Javits-Wagner-O'Day Act business activities that further the tenets of the Welfare-to-Work Initiative. A VA acquisition web page has been established and promotional events and written program publicity have been used to ensure program success.

VA's commitment to the President's Initiative on Welfare to Work remains unchanged. From success stories reported VA-wide, it is clear that new employees are motivated, and are making valuable contributions to VA's mission of serving the Nation's veterans and their families.

### ***Telecommuting Program (Flexiplace)***

Following negotiations and agreement with labor organizations at the National level, the Department of Veterans Affairs' (VA) policy on Flexible Workplace Arrangements (flexiplace) was signed by the Assistant Secretary for Human Resources and Administration and implemented in June 1997. The policy applies to most Department of Veterans Affairs (VA) employees, with the exception of certain title 38 employees who provide direct patient-care services, employees of the Veterans Canteen Service (VCS), employees compensated under the Executive Schedule, and purchase and hire employees.

In an effort to encourage the use of flexiplace assignments within VA, the Office of Human Resources Management (OHRM) held an interagency roundtable discussion on telecommuting in February 1998, for management officials from each of the Administrations and Staff Offices in VA Headquarters. Staff from the Office of Personnel Management and the General Services Administration was

invited to discuss a wide variety of topics on telecommuting, ranging from flexiplace assignment selection to data and records security.

VA's flexiplace policy authorizes home-based telecommuting, community-based telecommuting, mobile and virtual offices, as well as other appropriate flexiplace assignments. A recent ad hoc survey on the use of telecommuting in VA showed that approximately 500 employees, both in the field and in VA Headquarters are participating in some type of flexiplace assignment. In VA Headquarters, both the Board of Veterans Appeals and the Office of the General Counsel have implemented one-year flexiplace pilot programs. Several VA field facilities have also developed local flexiplace implementation plans to make flexiplace assignments. Veterans Benefits Administration (VBA) is exploring the use of alternate work sites when such an arrangement will benefit veterans. In addition to off site locations at Medical Centers and military bases, VBA has allowed employees to work at home or at an out based commuter center.

Future plans for the Department's flexiplace program include supervisory training to further encourage the use of flexiplace assignments. VA also plans on programming it's new automated HR and Payroll processing system to capture data on the use of flexiplace assignments in VA to give managers real-time data on the program.

### ***Whistleblower Protections***

VA has undertaken an aggressive series of initiatives designed to promote a culture where VA employees feel free to raise their legitimate concerns without fear of reprisal. In a recent review of whistleblower protections in VA, GAO noted the Office of Special Counsel's comments that VA's outreach efforts were better than the efforts of most agencies.

VA has established a long-term plan of actions for (1) informing on a periodic basis all employees of their whistleblower rights and (2) measuring the effectiveness of such actions. These actions include:

- Maintenance of information on VA web sites, with links to the Office of Inspector General and Office of Special Counsel (OSC). The Office of Human Resources Management web site includes a Microsoft Powerpoint presentation that can be downloaded and used for training purposes;
- Provide information, at the facility level, on whistleblower protections in a variety of media such as employee orientation material and handbooks; posting of information in prominent, highly visible public locations; discussion of employee rights and responsibilities in local e-mails and newsletters; in-house training for managers and supervisors;

- Rapid Response Investigative Teams are being deployed to review allegations of serious misconduct against VA senior managers, including those involving whistleblowing retaliation;
- The General Counsel established a formal protocol and liaison between VA's Regional Counsels and OSC that facilitates the OSC review of complaints;
- The annual ethics training plan has been augmented during the coming training cycle to incorporate whistleblower protections;
- Annual notices are issued by senior VA officials to all employees as reinforcement of the Department's views;
- A videotape of a satellite broadcast, "Whistleblowing: Rights, Remedies, and Rewards," has been publicized and made available to all facilities. The broadcast was presented on September 16, 1999, by the Office of General Counsel, the VA Learning University, and the Office of Special Counsel. Both the Special Counsel and VA's General Counsel personally participated in the broadcast;
- A data collection procedure has been implemented which will help assess whether additional steps are needed to ensure that reprisal is not tolerated. A database will contain information, to the extent feasible, on the disposition of all whistleblower complaints of which VA officials are aware, as well as, corrective actions taken;
- Language regarding whistleblower protections has been developed for inclusion in the revised Employee Handbook;
- A nation-wide ethics training program is planned for the fall of 2000. It will be broadcast by satellite, and will include a segment on whistleblowing; and
- Analysis of the overall effectiveness of VA's actions. (Begin Summer 2001.)

## ***Labor-Management Partnership***

### **Background**

The mission of the Department of Veterans Affairs (VA) is to administer the laws providing benefits and other services to veterans and their dependents and the beneficiaries of veterans. The Veterans Health Administration (VHA) ensures that the health care needs of America's veterans are served by providing primary care, specialized care, and related medical and social support services. The Veterans Benefits Administration (VBA) ensures the delivery of benefits and services to veterans and their families. The National Cemetery Administration (NCA) ensures that the military service of veterans is honored by providing dignified burials and lasting memorials for veterans and eligible family members and maintaining all veterans cemeteries as national shrines. VA has a total of 172 medical facilities, 58 regional offices, and 117 national cemeteries.

Within VA, unions represent approximately 74 percent of the total workforce. The largest union in VA is the American Federation of Government Employees (AFGE), which represents nearly 115,000 employees. The second largest union in VA representing approximately 13,000 employees is the National Federation of Federal Employees (NFFE). VA also negotiates at the national level with two other unions, the National Association of Government Employees (NAGE) representing close to 9,000 employees and the Service Employees International Union (SEIU) representing about 8,300 employees. VA also consults nationally with the umbrella organization that represents individual state nurses associations and the American Nurses Association (ANA), which represents approximately 6,000 nurses. Additionally, there are ten other local unions that represent employees in VA and who negotiate at the local level.

In September 1993, President Clinton signed Executive Order 12871 "Labor-Management Partnerships. In response to the Executive order, representatives of VA and VA's five major unions began discussion in November 1993, to develop a framework for a national level labor-management partnership. VA signed its National Partnership Council Agreement on April 12, 1994, pledging to implement and maintain a cooperative, constructive working relationship between labor and management to achieve the Department's mission. This National Partnership Agreement was endorsed by the Secretary of Veterans Affairs and disseminated to all field facilities. The agreement defines the broad charter for VA National Partnership Council's role and functions. Its responsibilities are directed by the following specific objectives:

- Improve VA's day-to-day operations;
- Ensure implementation of partnership concepts in VA;
- Develop methods of voluntary resolution of disputes;
- Accomplish partnership objectives through training;

- Follow Office of Personnel Management guidance on implementing E.O. 12871; and
- Address VA policies and procedures affecting employees and customer services.

The VA National Partnership Council (VANPC) aims to foster the goals of the National Performance Review to increase efficiency and economy of operations, by pre-decisional involvement and the sharing of information in order to find solutions to problems. The VANPC consists of representatives from top management of General Counsel, Human Resources and Administration, VA's three administrations, (VHA, VBA, and NCA), and the five major employees unions (AFGE, NFFE, NAGE, SEIU, and ANA). The VANPC meets quarterly to discuss major departmental issues and provide a forum to address concerns about program or policy changes before decisions are made.

This report will relate results and accomplishments achieved in support of the above objectives which are consistent with the reporting requirements of the President's Memorandum Reaffirming E.O. 12871.

### **Improve VA's Day-To-Day Operations**

The VANPC has been involved in many departmental initiatives that support improved operations and enhances services to veterans. Key VHA initiatives included headquarters and field reorganizations, safety, career transition programs, physician/nurse staffing adjustments, and nurse locality pay. Others were VBA's modernization and reengineering initiatives, VA's streamlining plan, and VA Canteen modernization. Pre-decisional discussion of the initiatives and resulting recommendations generally facilitated development and implementation of the initiatives and reduced the need for national level labor-management negotiations on related issues affecting the working conditions of VA employees.

The VANPC commitment to the objective of improving the day-to-day operations of VA is further demonstrated by the incorporation of fundamental partnership principles into the two master contracts VA has negotiated since 1995 with AFGE and NFFE. These principles set forth the requirement to promote interest-based bargaining, alternative dispute resolution, consensus decision making, prescribing duty-time for partnership activities, and requiring negotiations over Title 5, United States Code (U.S.C.) 7106(b)(1) matters.

In May 1995, the National Partnership Council established the National Partnership Awards Program, which to date has honored more than 30 exemplary labor-management partnerships. This annual award, first presented by Vice President Al Gore, recognizes achievements of labor-management partnerships working together to create a Government that works better, and costs less. Nine of these awardees have been partnership councils representing

local VA medical centers and regional benefits offices. These field facilities received awards for partnership achievements that contributed to and included significant improvements in customer-satisfaction, access to services, financial efficiencies, and improved services to veterans.

One such example resulting in a national award occurred at the Tampa VA Medical Center where a local VA partnership council, made up of representatives of AFGE, the Florida Nurses Association, and management, worked to improve efficiency. Continuous Quality Improvement (CQI) teams partnering with labor and management representatives analyzed hospital processes, identified customer needs, and successfully searched for ways to accomplish measured improvement in the delivery of services. These efforts resulted in decreased critical medication delivery time; reduction in processing time of compensation and pension examinations; reduced turn around time for x-ray reports, and improved appointment access time for specialty clinics.

Commenting on the objective of improving VA's day-to-day operations through the implementation of partnership principles, VANPC labor partner, AFGE National VA Council President states *"Through national, intermediate, and local level partnership has witnessed improvements, innovation in patient care, and veteran benefits delivery systems, and we believe improvement in customer satisfaction."*

### **Implementation of Partnerships**

The VANPC agreement provides that each local facility will establish a partnership council whose membership, size, and agenda the local council will determine. In view of the need to provide assistance to local facilities, the VANPC developed and issued in July 1994, written guidance on "Implementing Local Partnership Councils." They also conducted a national teleconference to discuss the guidance and respond to questions. The guidance was designed to address questions, which if not answered, would become barriers to overcoming traditional adversarial relationships and moving toward cooperative dealings to ensure the highest quality services to veterans.

The VANPC in cooperation with the VA Salt Lake City Education Center developed a national satellite partnership training teleconference for local union and management representatives entitled, "Labor-Management Partnerships in VA." Approximately 2,000 employees viewed the program on May 23, 1995. The live broadcast, moderated by representatives from the Federal Labor Relations Authority (FLRA), dealt with interest-based problem solving and alternative dispute resolution and their part in a successful labor-management partnership. A copy of the broadcast was forwarded to the National Partnership Council clearinghouse.

To date, nearly 90 percent of our field facilities reported to have local partnership councils, and VANPC is committed to establishing partnership councils at every facility. Concern about the effectiveness of these local partnership councils, and interest in creating partnership councils at intermediate levels such as VHA's Veterans Integrated Network Services (VISNs), and VBA's Service Delivery Networks (SDN), has been expressed by our labor partners. In this regard, a VANPC national labor partner states *"We will, of course, not cease in our efforts to form partnership councils at every level, in every location. While some councils have dissolved, we value the process and expect to take efforts to reform those councils. There are also councils that are not functional, although they meet regularly. We will continue to encourage such councils to engage in meaningful activities so that their activities become valued."* Members of the VANPC are committed to their renewed efforts to promote and recognize successful partnerships throughout the Department, as well as offer advice and direct support to local partnerships that are not working. As VANPC labor partner, NFFE VA Council President states *"We must continue to work hard to strengthen the relationship between management and labor. Our survival depends on a cooperative relationship."*

### **Develop Methods of Voluntary Resolution of Disputes**

Partnering with VA union representatives, a working group formed in the Winter of 1998 was tasked with developing a vision and a Department-wide approach for meeting both government-wide and departmental Alternative Dispute Resolution (ADR) requirements. The collaborative effort of the working group culminated in VA Directive 5978, Alternative Dispute Resolution, which was signed by the Secretary on February 23, 2000. VA Directive 5978 sets forth departmental policy regarding VA's commitment to using ADR, particularly mediation, to resolve workplace conflicts early as feasible, to the maximum extent practicable, in an appropriate and cost-effective manner, and at the lowest organizational level. In addition to articulating VA ADR policy, Directive 5978 establishes an infrastructure for departmental ADR activities and directs Administration Heads, Assistant Secretaries, and Other Key Officials to establish and implement ADR policies and programs that facilitate the appropriate use of mediation. Administration Heads, Assistant Secretaries, and Other Key Officials are also directed to ensure that the option of mediation is available to all VA employees and that each VA employee is provided a basic understanding of mediation and the ADR program available at their facility so they can make informed decisions about the mediation option.

Regarding this collaborative effort, the 1<sup>st</sup> Executive Vice President, AFGE National VA Council, and Co-Chair of the VA National Partnership Council wrote:

*"We support the Directive and anticipate that its successful implementation will help offer VA employees a full range of workplace dispute resolution options, and assist in making VA an 'employer of choice.' Several months ago, AFGE was invited to participate in the VA/ADR Working Group that was tasked with developing a Department-wide approach for meeting Federal and VA ADR requirements. From the start, representatives from AFGE actively participated and helped the Working Group to develop, mold, and refine ADR plan that was ultimately reflected in Directive 5978. We enjoyed the opportunity to help form the Department's ADR policy, in a pre-decisional way, and we feel that our participation and insight benefited all of us who hope to make this important initiative a success."*

An objective and very measurable indicator of success in meeting the goal of voluntary resolution of dispute, is the drop in Unfair Labor Practice Charges filed and Unfair Labor Practice Complaints issued since E.O. 12871 was signed in September of 1993.

Based on data provided by the FLRA, there has been a 35 percent decrease in the number of Unfair Labor Practice Charges filed within VA from FY 93 through FY 99. Of more significance, is the 62 percent drop in the number of formal Unfair Labor Practice Complaints issued. A fiscal year by year breakdown of Unfair Labor Practice Charges and Complaints since 1993 is shows the time, money, and resources saved through voluntary settlements of disputes are continuing to be diverted to a better serving of our veterans.

### **Training to Accomplish Partnership Objectives**

A major training initiative designed to promote and instruct on the principles and benefits of partnership was the satellite training conference mentioned earlier. The satellite teleconference entitled, Labor-Management Partnerships in VA, involved several months of planning and preparation with representatives of the national unions, FLRA, VA management, and audio-visual training personnel.

During the years immediately following the Executive order, VA aggressively endorsed and promoted local training in partnership principles. An overwhelming majority of local facilities in VA received training in accordance with the Executive order from various government agencies such as FLRA and OPM, as well as private contractors such as the Federal Personnel Management Institute.

In 1995, training in partnership facilitation was provided by the General Counsel of FLRA and sponsored by the VANPC in cooperation with the VA Regional Medical Education Center in Northport, New York. The program was

designed to train small teams made up of union and management members to assist facilities in establishing and maintaining partnerships. Looking back, the VANPC did not utilize these teams as intended. Partnership was so new, there was simply no real experiences, either positive or negative, to build upon and learn from. The training was premature. However, the VANPC, building upon the Northport training, is now developing a revised initiative to assist troubled partnerships through third party facilitation, which is described below in the section on Labor-Management Planning Activities.

An on-going example of efforts to meet the objective of identifying training needs to accomplish partnership objectives is the partnership research project. Under the auspices of the VANPC, VA together with several other agencies has been participating during the past year in a special partnership research project. The project is sponsored by the National Partnership Council in conjunction with OPM and is designed to study and report on progress in labor-management partnerships. The evaluation study is being conducted by Professor Marick Masters of the Katz Graduate School of Business at the University of Pittsburgh and is expected to be completed in early summer.

As part of his study involving VA, Dr. Masters is visiting a number of medical centers and benefits offices to review partnership records, interview a wide range of employees, and conduct extensive surveys. The surveys and interviews will attempt to provide specific quantifiable data on how labor-management partnerships have improved operations and services in the specific mission areas of health care and delivery of veterans' benefits.

It is anticipated that the NPC/University of Pittsburgh evaluation project will depict the strengths and weaknesses of a microcosm of labor-management partnerships within VA. It will provide a basis from which to develop additional specific strategic action plans, determine training needs, and showcase best practices. A VANPC labor partner stated his union supports the University of Pittsburgh study in helping to identify partnership training needs, but regardless of the study findings, they strongly believe courses in team building and interest based bargaining would be in order.

### **Follow OPM Guidance on Implementing E.O. 12871**

The VANPC objective of following the OPM guidance on implementing E.O. 12871 has been addressed as shown by the following examples. Within a year following the establishment of the VANPC, the council issued a guidance paper to all field facilities on the requirement of the Executive order "that the head of each agency shall negotiate over the subjects set forth in Title 5 U.S.C. 7106(b)(1) and instruct subordinate officials to do the same."

The guidance paper was a key event in implementing partnerships within the VA as it clearly encouraged local officials to approach negotiations through

interest based bargaining which is to be based upon consensus decision making and trust. The paper, which was signed by the Co-Chairs of the VANPC, also pointed out that management officials should not look to use 7106(a) management rights as a means to circumvent their bargaining obligations. This guidance sent a strong message of the Department's commitment to the principles and spirit of partnership.

In 1997, this guidance encouraging expanded bargaining became a requirement as the provisions of the Executive order were placed in the master contract negotiated with AFGE.

The VANPC also provided guidance in late summer of 1999 on the partnership concept of affording union representatives "pre-decisional involvement" in matters affecting their working conditions. A paper and handy pamphlet providing definitions and answering general questions entitled "Using Pre-decisional Involvement in Partnership" was developed and distributed to all field facilities by the Council for use at the local partnership level.

### **Address VA Policies and Procedures Affecting Employees and Customer Services**

The VANPC meets quarterly to address major issues and provide a forum for pre-decisional input. A number of departmental issues that would otherwise have been addressed through the less than optimum, adversarial negotiating methods were addressed by the Council in a win-win, interest-based atmosphere. This method reduces the need for national level labor-management negotiations on related issues affecting the working conditions of VA employees. VA national policies and issues handled in this fashion included Performance Management and Incentive Awards, Physician/Nurse Staffing Adjustments, Career Transition Assistance Program, Flexiplace Program, Nurse Qualifications Standards, and Buyouts. The VANPC also provided input to several other VA-wide programs that are vital to the attainment of improved operations and services such as training programs on sexual harassment, caring and courtesy, AIDS, and diversity.

A further early step the VANPC undertook to implement the principles of the Executive order was the development of a process to overcome what was identified as a significant barrier to true partnership within VA. Selected health care personnel within VA are hired and advanced under provisions codified in 38 U.S.C. Section 7422 states matters related to or arising out of professional conduct or competence (direct patient care), peer review, or pay, as determined by the Secretary of Veterans Affairs, are outside the scope of collective bargaining. A subgroup of the VANPC worked to develop a handbook on the process to be used when the parties are unable to reach consensus on a Title 38

matter mentioned above, and when a final decision by the Secretary is necessary to resolve the dispute.

The handbook entitled "The VA Partnership Council's Guide to Collective Bargaining and Joint Resolution of 38 U.S.C. 7422 Issues" further demonstrated the Department's commitment to partnership. It strongly encourages consensus decision making on matters affecting direct patient care, which is fundamental to the mission of VA. The objective is to enable needed flexibility within the law and to prevent costly and needless litigation.

### **Labor-Management Planning Activities**

In October 1998, following discussions that took place over several months and building on core principles, the VANPC developed a specific three-point labor-management strategy to foster partnership in the Department. The three fundamental points of the strategy with examples were:

- 1) Using partnership principles at all levels in a clearly defined pre-decisional mode on major issues, with the goals of improving the effectiveness and the timely issuance of policy and minimizing or eliminating the need for traditional bargaining.**

A current initiative demonstrating the commitment to partnership principles, primarily pre-decisional involvement, is a major cooperative effort between the VANPC and safety officials of VHA. This joint effort also involves officials from the Occupational Safety and Health Administration (OSHA).

In conjunction with a comprehensive system-wide reorganization of VHA, the Under Secretary for Health initiated steps to improve the quality of employee safety and health. To foster inter-agency cooperation, VA, VHA, and OSHA officials met in 1995 to discuss the concept of using a partnership to affect OSHA's agency evaluation of VA's Occupational Safety and Health (OSH) program. It was concluded that a partnership effort involving all stakeholders would ensure that OSHA's agency evaluation better reflect the strengths and weaknesses of VHA's OSH program and thereby improve employee safety and health.

The evaluations would primarily focus on VA Medical Centers (VAMCs) and VHA Headquarters' management of OSH programs. VHA worked with OSHA to develop a draft protocol for the Department's evaluation and, following a briefing to the VANPC, involved representatives from the five VA national employee unions to complete the final protocol. It was agreed that 10 VAMCs would be evaluated with one-third from the group of VAMCs having the highest Lost Time Claims Rate, one-third from the group having strong OSH programs, and the remaining one-third chosen for other reasons including size, complexity, and location. The final protocol covered the methodology and procedures that

would be followed in conducting site evaluations, covering all aspects of OSH programs in sufficient detail to thoroughly evaluate OSH programs at each of the VAMCs visited.

In FY 1999, a National Evaluation Team comprised of OSHA, VA, and VHA safety and health professionals, and representatives from VA national employee unions traveled to 10 VAMCs and worked with local VAMC health and safety staff, and local union representatives to conduct the evaluations. Following the completion of the evaluations of VAMCs, the National Evaluation Team met to evaluate VA Headquarters and VHA Headquarters OSH programs, and wrap up final issues prior to turning over the writing of the agency OSH program evaluation report to OSHA. We anticipate that OSHA will issue this report in the third quarter of FY 2000.

Following issuance of the final agency OSH program evaluation report by OSHA, the report's recommendations will be discussed by program managers and union representatives along with a plan to improve VHA's OSH program in accordance with deficiencies and recommendations contained in the final agency evaluation report.

**2) Fostering local partnerships resulting in an increase in total number of effectively functioning partnerships in the field.**

A significant effort underway to foster and increase the number of effectively functioning partnerships in the field is the work of the VANPC sponsored "Improving Partnership Subcommittees."

The VANPC tasked an initial subcommittee in November 1998 to develop a comprehensive strategy for facilitating effective partnerships at the field level, with particular emphasis on improving dysfunctional partnerships. The May 1999 final report of this subcommittee is enclosed. That subcommittee made five major recommendations designed to develop and promote effective partnerships. A new subcommittee is currently developing ways to implement these recommendations. One of the initiatives under consideration, which builds upon the Northport training described earlier, includes training a cadre of individuals representing both union and management who would visit the location of a troubled partnership and facilitate training strategies designed to help restore a more trusted, effective relationship.

**3) Marketing and publicizing VANPC activities to increase field awareness and communication on partnership efforts.**

The VANPC has also focused increased effort on publicizing itself. Beginning in August 1999, the VANPC sponsored a VA-wide "VANPC Logo Contest" opened to all VA employees and their families. Over 100 submissions were received and reviewed by a special panel of the VANPC. The winning entry

was selected as best reflecting the VANPC attributes of diversity, creativity, and commitment to positive change. The red, white, and blue logo features five stars representing the five major unions placed on a highway stretching into the future. The true role of the VANPC is reflected in the wording at the bottom of the logo "Labor and Management for Veterans."

These two events are the first of numerous activities the Council is planning to reward successful and creative labor-management partnership initiatives.

### **Looking Ahead**

Going forward, the VANPC will build upon the past accomplishments by supporting initiatives aimed at making VA a great place to work and by improving the way that services and benefits are provided to veterans and their families. VA working together with our labor partners will use the above strategic points to refine our plan in accordance with recent guidance on the elements of an effective labor-management plan. We will soon begin work to update our labor-management plan to specifically include a vision statement and an environmental analysis.

### ***Index of Documents (05)***

- Executive Order 13011, Federal Information Technology.
- Presidential Memorandum - Government Employment for Welfare Recipients (March 8, 1997)
- VA Annual Welfare to Work reports for FY 1997, 1998, 1999
- VA Policy of Flexible Workplace Arrangements
- VA Memorandum for Administration Heads, Assistant Secretaries and other Key Officials - Whistleblower Protection (March 9, 1999)
- VA Memorandum to All Employees - Whistleblower Protection (March 9, 1999)
- GAO Report - Whistleblower Protection - *VA Did Little Until Recently to Inform Employees About Their Rights*
- VA National Partnership Agreement (April 12, 1994)

- VA National Partnership Council Guidance - Implementing Local Partnership Councils (July 22, 1994)
- Labor-Management Partnerships in VA (Satellite Conference, May 23, 1995)
- Department of Veterans Affairs - Trends in Union Filed Unfair Labor Practice Charges and Unfair Labor Practice Complaints Issued 1993-1999
- VA National Partnership Council Guidance - Negotiating Matters Related to 5 U.S.C. 7106(b) (January 6, 1995)
- VA National Partnership Council - Ideas on Using Pre-decisional Involvement to Enhance Partnership Councils
- VA Partnership Council's Guide to Collective Bargaining and Joint Resolution of 38 U.S.C. 7422 Issues
- VA National Partnership Council - Improving Partnership Subcommittee (Final Report May 1999)
- VA National Partnership Logo

## **Office of Diversity Management and Equal Employment Opportunity (06)**

### ***Executive Summary***

#### ***Reorganization of the Office of Equal Opportunity***

A reorganization of the Office of Equal Opportunity in 1998 reaffirmed the function supporting equal employment opportunity (EEO) policies and programs, and the discrimination complaints processing function was transferred to a newly established organization named as the Office of Resolution Management. The Office of Equal Opportunity was renamed as the Office of Diversity Management and Equal Employment Opportunity (DM&EEO) in year 2000. The new focus on achieving work force diversity was clearly visible in the new title of the Deputy Assistant Secretary for Diversity Management and Equal Employment Opportunity. The Deputy Assistant Secretary redirected resources to support program activities that will increase the awareness of and promote the acceptance of diversity and EEO. This Office will stay focused primarily on complaints prevention in this large Cabinet-level agency.

#### ***VA Implementation of Executive Orders***

- **Executive Order 12876 White House Initiative on Historically Black Colleges and Universities**

The Department made education assistance payments to eligible veterans, dependents, reservists and service members attending HBCUs to assist them in defraying the cost of tuition and associated fees. Additionally, VA made payments to HBCUs through formula driven awards, referred to as reporting fees. These fees are paid to HBCUs to cover administrative costs for processing reports and certifications required by Title 38 U.S.C., Section 3684[c], in the administration of VA educational assistance programs. The total amount of reporting fees awarded varies from year to year at each educational institution, based on the number of veterans and eligible beneficiaries enrolled.

The Student Career Experience Program allows undergraduates and graduate students to gain valuable work experience, training and education in high-demand career fields based on mutual agreements between VA and academic institutions. HBCU students complete their education to become physical therapists, physician assistants, health care administrators, registered nurses, social workers, and other health care professionals.

The Office of Research and Development allocates funding to support the Research Training Initiative for HBCUs. In FY 1997, efforts were undertaken to stimulate greater interest in the Research Training Initiative, to enhance the attractiveness of the Initiative for potential applicants, and to solicit applications from HBCUs that had not previously participated. Applications are now reviewed

by a panel of scientists who are experts in the applicant's field of study and are close to the latest information within the field of research. The inclusion of many scientists in the review process ensures that several members of the research community, rather than a select few, make a group judgment of the applicant's research. As the result of refining improved outreach efforts, awards were made to two HBCUs -- Paul Quinn College and Spelman College -- that had not previously participated in the Initiative. In addition, awards were made to Florida A&M University and Meharry Medical College.

- Executive Order 12900 White House Initiative on Educational Excellence for Hispanic Americans

VA signed a Memorandum of Understanding (MOU) with the Hispanic Association of Colleges and Universities (HACU) in October 1996. Since 1996, VA sponsored 235 HACU interns in positions throughout the Department, and 5 interns accepted full time positions.

VA and the National Association of Hispanic Federal Executives (NAHFE) signed a partnership agreement in 1997. In 1999, VA and NAHFE co-sponsored Hispanic Federal Executive Summit II with the Office of Personnel Management and President's Management Council to address Hispanic under-representation in senior positions throughout Federal government.

The Department of Veterans Affairs Medical Center (VAMC) San Juan, Puerto Rico, along with the University of Puerto Rico (UPR) School of Medicine have an exemplary HSI program. VA's Research & Development Service operated the facility's Center for Hispanic Studies, which has affiliations in research related to Hispanics with VAMC Miami, Florida, and Miami University. VAMC San Juan, Puerto Rico had institutional and programmatic affiliation agreements with the Schools of Dentistry, Allied Health, Public Health, Pharmacy, and Nursing. VAMC San Juan, Puerto Rico, also had programmatic affiliations with other approved medical schools in Puerto Rico -- Ponce Medical School and Universidad Central del Caribe Medical School. Twenty-one disciplines have residents in the Independent Teaching Program at VAMC San Juan, Puerto Rico.

At the 1997 HACU 11<sup>th</sup> Annual Conference in San Antonio, Texas, the VA's Assistant Secretary for Public and Intergovernmental Affairs conducted a workshop entitled "Veterans' Education Benefits: Montgomery GI Bill". She discussed how educational institutions could partner with VA to reach and encourage Hispanic veterans to use their benefits within ten years of military separation in order to achieve their educational objectives.

- Executive Order 13021 White House Initiative on Tribal Colleges and Universities (TCU)

DM&EEO is working with the American Indian Higher Education Consortium (AIHEC) to develop a MOU that will provide the cooperative framework for VA and AIHEC to develop and establish mutually supportive programs to increase employment and educational opportunities for the Native American community.

The Veterans Health Administration (VHA), Healthcare Staff Development and Retention Office (HCSDRO) administers the Student Career Experience Program (SCEP) that allows undergraduate and graduate students the opportunity to gain valuable work experience, training and education in high-demand career fields, based on agreements between VA and academic institutions.

The Washington Internships for Native Students (WINS) program administered by American University, Washington, DC, is another VA supported internship program. WINS participants attend an intense academic program and work experience for nine weeks gaining skills and knowledge to take back to their communities. VA sponsored 15 WINS since the program began in 1999.

The Veterans Benefits Administration will continue refining its educational assistance payment database to accurately reflect the amount of educational benefit payments to Native American veterans attending TCUs under the Montgomery GI Bill or the amount of funding fees paid directly to TCUs. Another VA goal is to contribute toward the education and training of TCU students in more than 40 different health-care professions. Funding support is provided to medical and dental residents, physician and dentist fellows, and students in 27 various health-care program areas.

- Executive Order 13125 Increasing Participation of Asian Americans and Pacific Islanders in Federal Programs (AAPI)

VA participates in and supports the Federal Asian Pacific American Council (FAPAC) annual Congressional Seminar National Leadership Training Conferences. DM&EEO and FAPAC are working on a Partnership Agreement to develop and establish mutually supportive programs to increase employment and educational opportunities for the AAPI community.

Since 1999, VA has supported the Okura Mental Health Leadership Program for Asian American and Pacific Islanders. VA's partnership with the Okura Foundation furthers the community leaders' understanding of how the VA impacts national health care, encourages collaborative partnerships between VA and community leaders in order to advance health care and human services for veterans and their families, and provides information about VA's employment opportunities.

- E.O. 13078 Increasing Employment of Adults with Disabilities

VA supports the President's Committee on Employment of People with Disabilities' Workforce Recruitment Program and also serves on the planning committee for the Annual Perspectives on Employment of People with Disabilities Training Symposium. VA's strategic plan for the employment of people with disabilities includes a hiring goal 17,700 through October 2005. Additionally, VA has an employment goal of 1.97 percent of the total work force by the year 2004 for people with targeted disabilities.

### ***President's Initiative on Race: One America in the 21<sup>st</sup> Century***

The Department of Veterans Affairs participated in the President's Initiative on Race through the arrangement of forums with persons from the community who engaged in dialogue on race relations based on their own personal life experiences. There were several race relations forums conducted at the Department where top officials were invited to participate. The Department also selected several employees who were asked to conduct forums in their communities. Feedback from these activities were reported back to the President's Initiative on Race.

### ***Narrative***

#### **Reorganization of the Office of Equal Opportunity**

A reorganization of the Office of Equal Opportunity in 1998 reaffirmed the organizational function supporting equal employment opportunity (EEO) policies and programs. The reorganization also transferred the discrimination complaints processing function from the Office of Equal Opportunity to a new organization named as the "Office of Resolution Management" within the Department of Veterans Affairs. The resources allocated for the Office of Equal Opportunity were then directed toward the development of a diverse work force along with an organizational culture and work environment that engages all employees to be fully productive in support of the veterans and their families who are served by this agency.

The President issued several executive orders expanding the required effort of agencies in addressing employment issues of the legally protected groups. In support of these executive orders, the Office of Equal Opportunity expanded its roles and responsibilities in special emphasis programs that focused on special employment issues and on the needs of legally protected groups.

In addition, the Office of Equal Opportunity raised the level of support for determining the sufficiency of EEO program implementation and accomplishments. With this end in mind, a program review model was designed to include on-site technical assistance reviews conducted by cross-functional teams and also to include self-evaluations conducted by field facility staff. As a result, numerous assessments have been conducted annually since 1997.

The Office of Equal Opportunity was renamed as the Office of Diversity Management and Equal Employment Opportunity (DM&EEO) in year 2000. Resources were redirected to support program activities that will continue to increase the awareness of and promote the acceptance of diversity and EEO throughout the agency. The new focus on diversity management was clearly visible in the new title of the Deputy Assistant Secretary for Diversity Management and Equal Employment Opportunity. In carrying out that mission, the Deputy Assistant Secretary will remain focused primarily on complaints prevention in this large Cabinet-level agency.

#### **VA Implementation of Executive Orders**

In support of the President's commitment to create a Federal government that reflects America's diversity and increasing prosperity for all Americans, the Department achieved the following measurable objectives in support of the White House Initiative Office.

- Executive Order 12876 White House Initiative on Historically Black Colleges and Universities

The Department of Veterans Affairs (VA) policy implements Executive Order 12876 by developing programs designed to significantly increase the participation of Historically Black Colleges and Universities (HBCUs) in VA sponsored programs. VA strives to maintain a strong relationship with these colleges and universities. The Department sought to achieve the following goals and measurable objectives:

- a. To create a positive relationship with HBCUs by providing minority students exposure to the VA system;
- b. To assist minority students in the development of their anticipated profession;
- c. To enhance the medical centers' opportunities to recruit minority candidates;
- d. To share resources available at VA medical centers;

- e. To provide tuition assistance to VA health care employees enrolled at an accredited college/university for academic coursework or continuing education; and
- f. To provide and increase the number of awards to HBCUs for VA's Research Training Initiative, and to conduct collaborative research projects between faculty scientists at HBCUs and scientists within VA.

The Department contributed significantly to the education and training of more than 40 different health care professions. Funding support is provided to medical and dental residents, specialized physician and dentist fellows, and students in 27 various health care program areas.

The Department made education assistance payments to eligible veterans, dependents, reservists and service members attending HBCUs to assist them in defraying the cost of tuition and associated fees. Additionally, VA made payments to HBCUs through formula driven awards, referred to as reporting fees. These fees are paid to HBCUs to cover administrative costs for processing reports and certifications required by Title 38 U.S.C., Section 3684[c], in the administration of VA educational assistance programs. The total amount of reporting fees awarded varies from year to year at each education institution, based on the number of veterans and eligible beneficiaries enrolled.

VA selected the Student Career Experience Program to strengthen partnerships between HBCUs and VA Medical Centers. The Student Career Experience Program allows undergraduates and graduate students to gain valuable work experience, training and education in high-demand career fields based on mutual agreements between VA and academic institutions. HBCU students complete their education to become physical therapists, physician assistants, health care administrators, registered nurses, social workers, and other health care professionals.

VA's Research and Development Training Initiative for HBCUs exemplifies the type of cooperative effort that Federal agencies may develop with HBCUs. The establishment of comparable programs promote the goals of Presidential Executive Order 12876; increase the participation of minority individuals in biomedical research; augment the institutional capacity building and faculty resource base of HBCUs; provide the opportunity for HBCU faculty to strengthen their research skills; provide HBCU faculty and students access to VA research laboratories that are equipped with state-of-the-art equipment; provide HBCU faculty access to VA scientists who have a clinical perspective on research that is directly related to health care issues of minority population groups; and stimulate the interest of minority students in pursuing careers in biomedical research in VA.

The Office of Research and Development (R&D) allocates funding to support the Research Training Initiative for HBCUs. In Fiscal Year 1997, efforts were

undertaken to stimulate greater interest in the Research Training Initiative, to enhance the attractiveness of the Initiative for potential applicants and to solicit applications from HBCUs that had not previously participated. Applications are now reviewed by a panel of scientists who are experts in the applicant's field of study and are close to the latest information within the field of research. The inclusion of many scientists in the review process ensures that several members of the research community, rather than a select few, make a group judgment of the applicant's research. As the result of refining improved outreach efforts, awards were made to two HBCUs -- Paul Quinn College and Spelman College -- that had not previously participated in the Initiative. In addition, awards were made to Florida A&M University and Meharry Medical College.

- Executive Order 12900 White House Initiative on Educational Excellence for Hispanic Americans

In support of the President's commitment to create a Federal government that reflects American's diversity and increasing prosperity for all Americans, the Department achieved the following measurable objectives.

VA signed a Memorandum of Understanding (MOU) with the Hispanic Association of Colleges and Universities (HACU) in October 1996. The MOU provides a cooperative framework for VA and HACU to develop and establish mutually supportive initiatives. Since 1996, VA has sponsored 235 HACU interns in positions throughout the Department. Five talented interns have accepted full time positions in the Department. In 1998, VA received the prestigious HACU Partner of the Year Award. HACU will continue to open new opportunities for both interns and the Department.

A Partnership Agreement was signed between VA and the National Association of Hispanic Federal Executives (NAHFE) on November 20, 1997. In 1999, VA co-sponsored Hispanic Federal Executive Summit II, with the Office of Personnel Management, President's Management Council and NAHFE. The goal of Summit II was to raise awareness of Hispanic under-representation in senior Federal positions throughout the Federal government. In 1999, VA received NAHFE's Agency Excellence Achievement Award and the President's Executive Excellence Achievement Award for sponsoring Summit II.

The Department of Veterans Affairs Medical Center (VAMC) San Juan, Puerto Rico, along with the University of Puerto Rico (UPR) School of Medicine have an exemplary HSI program. VA's Research & Development Service operated the facility's Center for Hispanic Studies, which has affiliations in research related to Hispanics with the Miami VAMC and Miami University. VAMC San Juan was affiliated under a Dean's Committee with the UPR School of Medicine. In addition, the VAMC had institutional and programmatic affiliation agreements with the Schools of Dentistry, Allied Health, Public Health, Pharmacy, and Nursing.

VAMC San Juan, Puerto Rico, also had programmatic affiliations with the other approved medical schools in Puerto Rico - the Ponce Medical School and the Universidad Central del Caribe Medical School in Bayamon. Multiple other affiliations with Nursing and allied Health academic institutions are also covered by affiliate agreements. Twenty-one disciplines have residents in the VAMC San Juan, Puerto Rico. These programs are independently operated by the VAMC. The VAMC San Juan, Puerto Rico, is one of the only VAMCs in the Nation with an Independent Teaching Program.

In 1997, VA participated in the Hispanic Association of Colleges and Universities 11<sup>th</sup> Annual Conference in San Antonio, Texas. The Assistant Secretary for Public and Intergovernmental Affairs conducted a workshop entitled "Veterans' Education Benefits: Montgomery GI Bill" to encourage Hispanic veterans to utilize those benefits within ten years of military separation. She discussed how educational institutions could partner with VA to reach and encourage those veterans to use their benefits to achieve their educational objectives.

VA participated in the following targeted National Hispanic conferences and job fairs: American GI Forum, Hispanic Association of Colleges and Universities, League of United Latin American Citizens, National Council of La Raza, National Image, Inc., Rio Grande High Technology Minority and Women's Job Fair, and United States Hispanic Leadership Conference. Veterans Health Administration continues to establish partnerships with American GI Forum and other Hispanic national organizations to facilitate improving the healthcare of Hispanic veterans. In addition, the VA Recruitment Bulletin was distributed to conference attendees. The VA Recruitment Bulletin provides current information about vacancy announcements in the Department.

VA purchased on-line service with the Federal Information Exchange System (FEDIX) to advertise opportunities for employment in the VA Recruitment Bulletin, research grants, fellowships, and other information about VA for students and faculty at Hispanic-Serving Institutions.

VA's partnerships with HACU and NAHFE helped raised Hispanic employment Department-wide to 13,052 or 6.1 percent (December 1999).

- Executive Order 13021 White House Initiative on Tribal Colleges and Universities

The Department of Veterans Affairs (VA) supports Executive Order 13021 through programs designed to increase the participation of Tribal Colleges and Universities (TCUs) in VA-sponsored programs. One of VA's goals is to create a workforce that reflects the diversity of our Nation and the veterans we serve. TCUs provide VA with an opportunity to achieve diversity by providing VA facilities with a broader pool of trained and qualified applicants from which to recruit. As a continuance to Executive Order 13021, DM&EEO is working with the American Indian Higher Education Consortium (AIHEC) to develop a Memorandum of Understanding (MOU). The MOU will provide the cooperative framework for VA and AIHEC to develop and establish mutually supportive programs to increase employment and educational opportunities for the Native American community.

The Veterans Health Administration (VHA), Healthcare Staff Development and Retention Office (HCSDRO) administers the Student Career Experience Program (SCEP). The program builds and fosters partnerships between TCUs and VA facilities. SCEP allows undergraduate and graduate students the opportunity to gain valuable work experience, training and education in high-demand career fields, and is based on agreements between VA and academic institutions. The Washington Internships for Native Students (WINS) program administered by American University, Washington, DC, is another VA supported internship program. WINS participants attend an intense academic program and work experience for nine weeks gaining skills and knowledge to take back to their communities.

VA supports the Washington Internships for Native Students (WINS) hosted by American University and accredited by AIHEC. VA has sponsored fifteen WINS since the program began in 1999.

The Veterans Benefits Administration will continue refining its educational assistance payment database to accurately reflect the amount of educational benefit payments to Native American veterans attending TCUs under the Montgomery GI Bill or the amount of funding fees paid directly to TCUs. Another VA goal is to contribute toward the education and training of TCU students in more than 40 different health-care professions. Funding support is provided to medical and dental residents, specialize physicians and dentist fellows, and to students in 27 various health-care program areas.

VA's outreach efforts had maintained Native American employment VA-wide at 1,808 or 0.8 percent (December 1999).

- Executive Order 13125 Increasing Participation of Asian Americans and Pacific Islanders in Federal Programs

The President signed E.O. 13125 on June 7, 1999, in order to improve the quality of life of Asian Americans and Pacific Islanders (AAPI) through increased participation in Federal programs where they may be under-served, for example, in health, human services, education, housing, labor, transportation, and economic and community development. Definitions of the AAPI population are the following.

(1) "Asian American" includes persons having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent.

(2) "Pacific Islander" includes the aboriginal, indigenous, native peoples of Hawaii and other Pacific Islands within the jurisdiction of the United States.

The executive order established three goals.

- (1) Develop, monitor, and coordinate Federal efforts to improve AAPI participation in government programs,
- (2) Foster research and data collection for AAPI populations and sub-populations, and
- (3) Increase the involvement of public and private sectors and communities in improving the health and well being of AAPIs.

VA and the Federal Asian Pacific American Council (FAPAC) fostered supportive relationships to ensure the Asian American and Pacific Islander community equitably participate in VA's employment and education programs and can benefit from VA resources and services. VA participates in and supports FAPAC's annual Congressional Seminar National Leadership Training Conferences. In 1998, the Deputy Assistant Secretary for Equal Opportunity received FAPAC's Special Recognition Award for promoting Asian Pacific initiatives in the workplace. In addition, DM&EEO is working with FAPAC to develop a Partnership Agreement. The Partnership Agreement will establish a framework for VA and FAPAC to develop and establish mutually supportive programs to increase employment and educational opportunities for the AAPI community.

VA has supported the Okura Mental Health Leadership Program since 1999 by engaging VA leaders as presenters for seminars conducted in Washington, D.C. The Okura Mental Health Leadership Foundation fosters and promotes leadership, education, research, and services in the areas of mental health and

human services. The Foundation conducts its annual leadership program for Asian American and Pacific Islander professionals and students. The purposes of VA's partnership with the Okura Foundation are (1) to further some community leaders' understanding of how the VA impacts national health care, (2) to encourage collaborative partnerships between VA and community leaders in order to advance health care and human services for veterans and their families, and (3) to provide information about VA's employment opportunities. DM&EEO planned, coordinated, and hosted these seminars.

- E.O. 13163 Increasing the Opportunity for Individuals with Disabilities to Be Employed in the Federal Government

VA supported the President's Committee on Employment of People with Disabilities' Workforce Recruitment Program. Annually, VA sent a recruiter to colleges nationwide where students with disabilities were interviewed, evaluated, and accepted into the program. VA also served as one of three repositories for the students' applications. Since 1998, VA employed 27 interns under the summer hire program and subsequently hired 5 of these interns as full time employees.

VA's strategic plan for the employment of people with disabilities includes a hiring goal 17,700 through October 2005. Additionally, VA has an employment goal of 1.97 percent of the total work force by the year 2004 for people with targeted disabilities.

DM&EEO represented VA on the President's Committee on Employment of People with Disabilities' planning committee for the annual Perspectives on Employment of People with Disabilities Training Symposium. DM&EEO sponsored workshops at this national conference and also conducted a pre-conference training program for VA disability program managers or other human resources professionals.

VA's recruitment efforts maintained the employment of people with disabilities VA-wide at 74,329 or 34.6 percent of the total work force (December 1999).

### **3. President's Initiative on Race: One America in the 21<sup>st</sup> Century**

On June 14, 1997, the President announced a one-year initiative to examine the current state of race relations in America. Federal Departments and Agencies were requested to support the initiative by conducting conversations on race and other initiatives that foster racial reconciliation and understanding.

The President's Initiative on Race is an effort to move the country closer to a stronger, more just, and unified America, one that offers opportunity and fairness for all Americans. This initiative provides an opportunity for every citizen in our country to be a part of a great national conversation about America's racial

diversity and about the strength it brings our nation. As Americans, our shared values unite us, but through this initiative it was felt that we could do more to be One America. President Clinton asked that all Americans join him in this effort, which combined thoughtful study, constructive dialogue, and positive action to address the continuing challenge of how to live and work more productively as One America in the 21<sup>st</sup> century.

The objectives of "One America in the 21<sup>st</sup> Century", the President's initiative on race are:

- (1) To educate Americans about the facts concerning race, such as historical knowledge and awareness, the breakdown of racial stereotypes and the increasing demographic diversity of the country;
- (2) To promote constructive racial dialogue to work through the difficult issues surrounding race;
- (3) To reduce racial disparities by expanding opportunities in critical areas;
- (4) To promote the value of diversity; and
- (5) To promote our shared values and commonalities which transcend racial lines.

The Department of Veterans Affairs participated in the President's Initiative on Race through the arrangement of forums with persons from the community who engaged in dialogue on race relations based on their own personal life experiences. There were several race relations forums conducted at the Department where top officials were invited to participate. The Department also selected several employees who were asked to conduct forums in their communities. Feedback from these activities were reported back to the President's Initiative on Race.

Race Dialogues - One America: Conversations That Bring Us Together. The Assistant Secretary for Human Resources and Administration, Mr. Eugene A. Brickhouse, hosted the Department of Veterans Affairs' first conversation on race on December 3, 1997 in the Omar Bradley Conference Room. Eleven community leaders and other individuals from the Washington, DC area discussed the issue of race and its impact upon this Nation. The participants provided a breadth of personal, academic, community, and professional experiences for the discussion. The participants also expressed interest in continuing the conversation in the future.

The Deputy Assistant Secretary for Equal Opportunity, Gerald K. Hinch, organized the next VA race dialogue, "One America: Conversations That Bring Us Together", on January 15, 1998. Participants included Brigadier General

Clara Adams-Ender, Retired, US Army; the Honorable Katherine K. Hanley, Chairman, Fairfax County Board of Supervisors; and Ronald Drach, National Employment Director, Disabled American Veterans.

For race dialogues by other key VA officials, twenty-one VA officials located in headquarters and the field were provided guidelines for hosting and conducting race dialogues by April 1998.

Additionally, the Director, Affirmative Employment Service, remained connected with the community leaders on race relations. For example, she attended the a forum sponsored by the U. S. Pan Asian American Chamber of Commerce on October 28, 1997. A panel of distinguished speakers addressed the topic of "Race Relations: Can We Get Along?" The panelists were Roger Clegg, General Counsel, Center for Equal Opportunity; Kwasi Holman, Executive Vice President, District of Columbia Chamber of Commerce; Stanley Karnow, Notable Author and Journalist; H. Robert Sakinawa, Washington Representative, Japanese American Citizens League; and Abigail Thernstrom, co-author, *America in Black and White: One Nation, Indivisible*.

VA's Participation on the Federal Agency Youth Task Force. Ms. Sandy Barrett, an equal opportunity specialist, represented VA on the Federal Agency Youth Task Force which was also a focus of the President's Initiative on Race Working Group on Youth. In support of the Youth Task Force, a dialogue on race was organized and hosted by VA. Two representatives from the following high schools located in Maryland, Virginia, and the District of Columbia participated.

Richard Montgomery High School  
Georgetown Preparatory School  
Oxon Hill High School  
Banneker High School  
DC School Without Walls  
Lake Braddock High School

Secretary's EEO Awards Program. Annually, the Secretary of Veterans Affairs recognized exemplary VA employees throughout the country for enhancing the Department's EEO Program. The five categories for recognition were Non-Supervisory Employees, Supervisors and Managers through GS-14, Managers and Executives GS-15 and above, EEO Program Representative, and People with Targeted Disabilities and Disabled Veterans.

### ***Index of Documents (06)***

- Executive Order 12876 - White House Initiative on Historically Black Colleges and Universities
- Executive Order 12900 - White House Initiative on Educational Excellence for Hispanic Americans
- Executive Order 13021 - White House Initiative on Tribal Colleges and Universities
- Executive Order 13125 - Increasing Participation of Asian Americans and Pacific Islanders in Federal Programs
- Executive Order 13078 - Increasing Employment of Adults with Disabilities

## Office of Security and Law Enforcement (07)

### *Executive Summary*

To improve its ability to maintain law and order and protect persons and property at Department facilities, VA initiated a program to arm its police force nationwide. Until the implementation of this program, VA police officers were not authorized to carry firearms while on duty at VA facilities. Additionally, to improve the Department's readiness to respond to national and local emergencies, VA has established its Continuity of Operations (COOP) Plan in compliance with the Presidential Executive Orders and Decision Directives.

### *Narrative*

#### ***Arming of VA Police Officers:***

In 1995 Secretary Jesse Brown approved the implementation of a Pilot Program to Arm Veterans Affairs Police Officers. The Pilot Program was originally established at five medical centers. This implementation began in September 1996 and continued through January 1997. Gradually more facilities were added, for a total of 12 pilot facilities. During 1999 OS&LE completed work on a Firearms Implementation Program, which had been approved by the Secretary on March 4 of that year. OS&LE finalized the development of updated policies and procedures to govern the firearm program. A national contract has been procured for the Department's appropriate firearms. Sixteen VA medical centers were chosen to participate during the first phase of the firearms implementation plan. All participating police officers are extensively trained and screened prior to being authorized to carry firearms on duty, and the OS&LE provides program development, monitoring and oversight. On October 13, 2000, the Acting Secretary approved an implementation program that increased the pace of newly armed sites to approximately 30 annually, eventually arming each police officer in the Department.

#### ***Continuity of Operations (COOP) Plan:***

VA Directive 0320, Emergency Preparedness Planning, and VA Handbook 0320, Emergency Preparedness Planning Procedures and Operational Requirements, were published in October 1999. These documents contain the Department's COOP Plan which was developed and completed within the 1-year time frame mandated by Presidential Decision Directive 67. The goal of the Department's COOP Plan is to ensure a viable continuity of VA operations under all circumstances and a wide range of possible threats. The Directive and Handbook 0320 describe the planning policies and procedures for the rapid restoration of VA's vital functions. The COOP Plan allows for a continuity of the

Department's infrastructure through pre-planned devolution of authorities, responsibilities, and essential functions. It provides for VA organizations to be operational at their alternate facilities, with or without warning, no later than 12 hours after the plan's activation, and to have the ability to sustain operations up to 30 days. It also provides for the maximum use of existing agency field infrastructures in support of the Plan.

***Index of Documents (07)***

- Memorandum: Arming of VA Police Officers, August 14, 1995
- Memorandum: Preliminary Evaluation of Firearm Pilot Program, April 1, 1997
- Memorandum: Evaluation of Firearm Pilot Program, February 24, 1998
- Memorandum: Decision Paper – Implementation of Program to Arm VA Police, May 27, 1998
- Memorandum, VA Police Firearms Implementation Program, January 25, 1999
- Memorandum, VA Police Firearms Program – Implementation Plan, October 13, 2000
- VA Directive 0720, Pilot Program to Arm VA Police, August 23, 1996
- VA Directive 0720, Program to Arm Department of Veterans Affairs Police
- VA Handbook 0720, Procedures to Arm Department of Veterans Affairs Police, January 24, 2000
- VA Directive 0320, Emergency Preparedness Planning, and VA Handbook 0320, Emergency Preparedness Planning Procedures and Operational Requirements, October 18, 1999

## Office of Resolution Management (08)

### *Executive Summary*

Consistent with the Department of Veterans Affairs' (VA) "Plan for Transformation: Reengineering the Equal Employment Opportunity Complaint Process" (Appendix A) and Public Law 105-114 (Appendix B), the Office of Resolution Management (ORM) was created to provide Equal Employment Opportunity (EEO) discrimination complaint processing services to VA employees, applicants for employment and former employees. Complaint processing services include counseling, investigation, and procedural final agency decisions. ORM also provides compliance oversight functions on VA's Office of Employment Discrimination Complaint Adjudication (OEDCA) final agency decisions, appellate Equal Employment Opportunity Commission (EEOC) decisions, and matters relating to settlements, including breach of settlements. In addition, ORM administers and monitors the Department's External Civil Rights Program under Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975. ORM accomplishes these responsibilities through a nationwide network of twelve Field Offices employing nearly 280 full-time EEO professionals.

ORM goals are: (1) to further ensure the timely and accurate processing of complaints; (2) to further educate employees, to include executives, on the meaning of discrimination and employees' rights and responsibilities; (3) to ensure that employees, management and labor officials have a full appreciation for what is and is not appropriate for the complaint process; (4) to expand use of alternative dispute resolution, and (5) to ensure confidentiality, fairness, integrity and trust in the process.

Although the establishment of ORM and a new complaint process removes the designation as EEO officer from facility directors and headquarters executives, the fundamental set of expectations and responsibilities for VA executives continues to be: accountability for fostering a workplace free of discrimination, honoring diversity, minimizing systemic problems, empowering employees, promoting open communication, and demanding high standards of supervisory, management, and employee behavior.

Through eradicating discrimination within the Department, VA will further its corporate goals of ensuring that it creates and maintains a high performing workforce while maximizing wise use of taxpayer dollars.

## ***Narrative***

The Office of Resolution Management (ORM) was established by Public Law 105-114, effective November 21, 1997, to provide Equal Employment Opportunity (EEO) discrimination complaint processing services to VA employees, applicants for employment and former employees. Complaint processing services include counseling, investigation, and procedural final decisions. ORM provides compliance oversight functions on final decisions, appellant reviews, and matters relating to settlements, including breach of settlements, and fully investigates claims for compensatory damages. ORM also administers and monitors the Department's External Civil Rights Program under Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975.

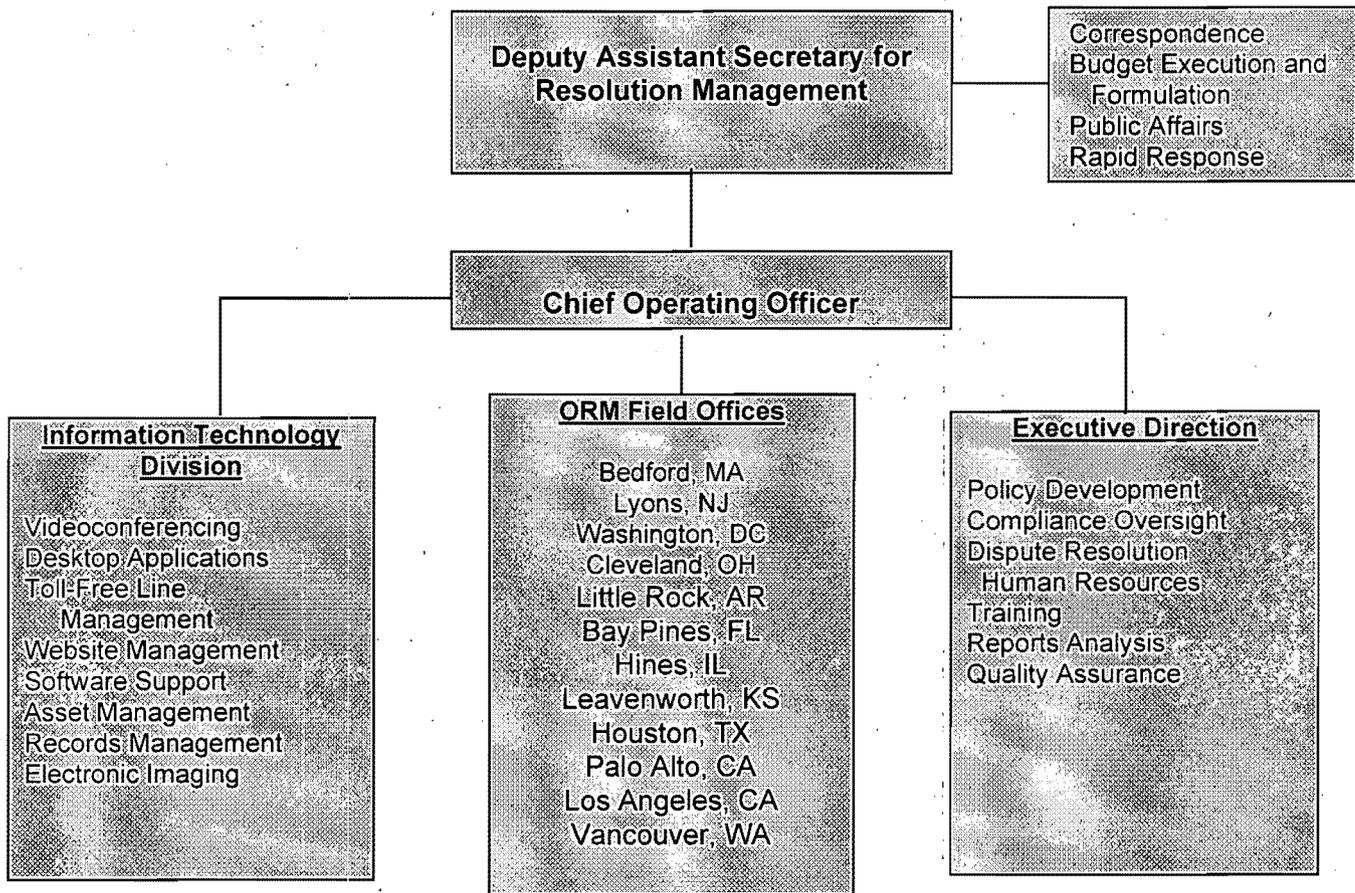
### **Mission and Vision.**

ORM's mission is to provide timely and high quality EEO complaint processing services to VA employees' former employees, and applicants for employment for all allegations of employment discrimination. In addition, ORM processes complaints from veterans alleging discrimination in the granting or denial of veterans' benefits or services. ORM actively seeks resolution of complaints at the lowest level possible using alternative dispute resolution.

ORM's vision is to be the best in government in the timely and confidential processing of all discrimination complaints while remaining sensitive and compassionate to those we serve.

**Organizational Structure.** Under the leadership of a Deputy Assistant Secretary for Resolution Management, ORM maintains a headquarters and field office structure. ORM accomplishes its responsibilities through a nationwide network of twelve ORM field offices and eleven satellite offices employing nearly 280 full-time EEO professionals. Field Offices are organized into self-directed work teams that provide continuity and quality service. Each team is comprised of an intake specialist, EEO investigator(s) and EEO counselor(s). This team structure allows a group of subject matter experts to provide seamless and comprehensive EEO complaint processing services.

ORM's current organizational structure includes:



## Principal Responsibilities & Duties of Major Occupations

**Deputy Assistant Secretary for Resolution Management:** The Deputy Assistant Secretary for Resolution Management administers the Department's discrimination complaint process in a manner that ensures prompt, equitable, and efficient processing of discrimination complaints. The Deputy Assistant Secretary works closely with VA management officials in resolving EEO complaint issues and coordinates the development of VA's resolution management programs and initiatives with the Equal Employment Opportunity Commission (EEOC) and other external agencies.

**Chief Operating Officer:** The Chief Operating Officer (COO) assists the Deputy Assistant Secretary for Resolution Management in formulating and implementing department-wide policies and procedures to ensure the integrity, effectiveness and impartiality of the complaint system. The COO has oversight of all ORM field operations and serves as ORM's technical expert in EEO complaint processing.

**Policy and Compliance Officer:** The Policy and Compliance Officer (PCO) is responsible for developing Departmental policies relating to employment discrimination and complaint processing. The PCO monitors Departmental compliance with VA's Office of Employment Discrimination Complaint Adjudication's (OEDCA) or EEOC's final agency decisions on findings of discrimination or reprisal, and monitors follow-up procedures to ensure that corrective action is taken. Compensatory Damages investigations are conducted under the leadership of the PCO.

**Field Manager/Regional EEO Officer:** The Field Manager/Regional EEO Officer is responsible for the full scope of EEO complaint processing and operations within an assigned geographic area. The Field Manager formulates and directs organizational requirements, goals and objectives, and serves as the principal ORM spokesperson in his or her servicing area.

**Intake Specialist:** The staff in these positions are responsible for receiving complaints of discrimination, collecting and assembling complaint files, and supplementing the files with additional evidence and information. Intake Specialists are responsible for issuing acceptability determinations (formerly performed by the Office of General Counsel), which either accept the complaint for investigation or dismisses the complaint for failure to meet the EEOC acceptance standards. Intake specialists facilitate regular communication with field facility program managers/liaisons and are responsible for resolving issues related to processing complaints of discrimination.

**EEO Investigator:** EEO investigators are responsible for investigating accepted claims of prohibited discrimination. The investigator is authorized to take statements under oath, without a pledge of confidence, gather pertinent

documents and records, and conduct whatever inquiry is necessary. Upon completion of the investigation, the investigator must prepare a report, which summarizes and makes findings of fact and analyzes those findings using the appropriate theory of discrimination.

**EEO Counselor:** The primary responsibility of EEO counselors is to provide counseling to employees, former employees and applicants who believe that they have been discriminated against by field facilities. EEO counselors inform the aggrieved person about the EEO process; acquire and research information as it relates to the claims involved; attempt resolution of the complaint at the lowest possible level; and produce a written report for the purpose of processing a formal complaint of discrimination. EEO counselors works with both management and the aggrieved person to provide a channel through which informal resolution of matters giving rise to allegations of discrimination can take place.

ORM's workforce diversity statistics are:

Fiscal Year 2000

Whites	32.7%
African Americans	53.9%
Hispanics	8.8%
Asian Americans	3.3%
Native Americans	1.2%

56% of ORM's workforce are women;  
78% of ORM employees are veterans;  
5% of ORM employees are disabled individuals/veterans.

**Highlights of ORM Responsibilities**

- ✓ Manage the EEO complaint process, including the selection of full-time counselors, investigators and intake specialists.
- ✓ Issue procedural final decisions as to whether individual complaints should be accepted or dismissed pursuant to the Equal Employment Opportunity Commission (EEOC) governing regulations codified at 29 C.F.R. Part 1614.
- ✓ Monitor compliance with VA's OEDCA or EEOC's findings of discrimination or reprisal, and monitor follow-up procedures to ensure that corrective action is taken.
- ✓ Issue final agency decisions on complainant's claim that the Department has failed to comply with the remedial relief ordered in a final decision, or that the

Department has breached a settlement agreement pursuant to procedures contained in EEOC's regulations codified at 29 C.F.R. Part 1614.

- ✓ Make recommendations to the Assistant Secretary for Human Resources and Administration on the need for a rapid response team on matters solely related to egregious acts of discrimination where a senior level manager is the responding management official.
- ✓ Oversee the Department's External Civil Rights program. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin. It is the model for several subsequent statutes that prohibit discrimination on other grounds in Federally assisted programs and activities, including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975.

**Budget.** ORM's financial arrangement is unique in that funding is provided through appropriation transfers by internal VA organizations based on the level of complaint activity, and the administrative overhead associated with managing twelve field offices and eleven satellite offices. The Veterans Health Administration, Veterans Benefits Administration, National Cemetery Administration, the Office of the Inspector General and VA staff offices, transfer funds to ORM based primarily on the level of complaint activity within these respective organizations. This reimbursement arrangement has resulted in a greater willingness on the part of VA executives to explore the use of mediation and settlement options to informally resolving workplace disputes. ORM encourages managers to attempt early resolution of disputes.

**Customer Service Standards.** ORM leadership has consistently challenged its employees to provide excellent service. Service delivery standards have been developed with the aim to be the best in government. These service delivery standards are as follows: (1) due professional care, (2) customer sensitivity, (3) gain employee and manager trust, (4) accurate and timely service, and (5) continuous and effective communications. How employees practice these delivery standards is a distinguishing characteristic that sets ORM apart from other organizations. For example, ORM developed the following theme: ***"Honoring and serving our Nation's veterans by promoting an environment that is free of discrimination."*** This theme is the core of how we accomplish work, interact with customers, and process complaints of discrimination.

Due professional care means that each ORM employee will apply competent skills, exercise sound judgment and exhibit professional demeanor in performing counseling, investigation and complaint intake duties. The exercise of due professional care requires Independence, Professional Proficiency, Planning and Quality Outcome.

ORM employees are committed to understanding the concept of customer service and VA's commitment to providing quality customer service and the importance of customer

service as it relates to processing complaints of discrimination. ORM employees are responsible for being fully aware of who our customers are and the need to interact with them in a positive and professional manner. Relationships with customers are to contribute positively to the effective accomplishment of ORM's organizational goals.

**Alternative Dispute Resolution Policy.** ORM is committed to using Alternative Dispute Resolution (ADR) techniques, particularly mediation, to find creative, mutually acceptable resolutions to workplace disputes. ORM supplements VA's ADR program by providing information to complainants regarding the Department's ADR program; serving as a liaison between complainants and VA's representative as it relates to mediation; providing additional resources for mediators to local EEO program managers; and keeping local program managers advised of regulatory issues relating to ADR in the EEO complaint processing system.

In support of ORM's commitment to ADR and early resolution of complaints, ORM sponsored several training sessions, which focused on mediation skills. Mediation training was provided to VA executives to ensure that they are well versed in and supportive of mediation principles, which can lead to a reduction in discrimination complaint activity. Mediation training was extended to VA Chaplains and EEO Program Managers to serve as a viable pool of well-trained mediation experts for the Department.

ORM provided its EEO Counselors with 35 hours of basic mediation training. As a result of incorporating basic mediation skills into the training curriculum, ORM counselors are resolving approximately 60% of cases at the informal stage.

**Activity Based Costing Study.** ORM has undertaken an initiative to analyze the true costs associated with processing complaints of employment discrimination. In September 2000, SRA International, Inc., completed an Activity Based Costing (ABC) study for ORM. This is the first study of this nature in the Federal sector. The study provides estimates of the resources required to process a complaint by breaking out the total cost by activity, processing stage, and organizational element. The results of the report will be used to improve ORM's ability to calculate costs accurately, to manage costs, and to improve program operations. Several key recommendations emerged from the study such as: resolve disputes at the lowest possible level (use ADR methods) to avoid the costs of additional processing stages; seek ways to reduce processing time, especially between stages; identify and share best practices between field offices, agencies, and departments within ORM; and seek ways to continually improve data quality throughout ORM. Ultimately, reductions in costs for processing complaints of employment discrimination translate into cost savings for the Department. A summary of the ABC Study is contained in Appendix C.

**Root Cause Analysis.** ORM contracted with Booz-Allen & Hamilton, an independent contracting firm, to conduct a root cause analysis which seeks to

identify the underlying causes of allegations of discrimination. The study will also include geographic trends, impact of change on perceptions of discrimination, and make further recommendations for prevention of complaints of discrimination. The report is scheduled to be completed by December 2000.

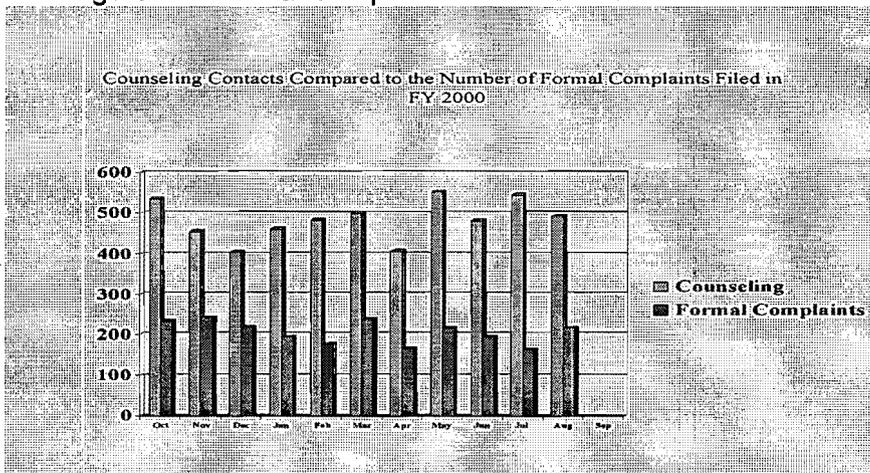
**Accomplishments.** Following ORM's establishment, its immediate goals were to accurately capture the complaint workload, focus on complaints that were over 180 days old, educate VA employees regarding the new process, and train VA employees on discrimination complaint procedures. ORM inherited 3,200 cases from VA facilities, established a special team to process cases over 180 days, and trained nearly 60,000 employees on the new employment discrimination complaint process.

In 1998, ORM's workload included 3,893 active formal complaints. Nearly 630 investigations were pending completion and 714 cases were pending acceptability decisions. Counselors averaged 21 days in providing counseling, well within the normal 30-day informal counseling requirements. Investigators averaged 63 days in the investigative process. The average processing time in the investigative stage was high. Intake Specialist averaged 69 days in making acceptability decisions. Overall, the average processing time for complaints was 286 days, a reduction by over 100 days compared to the former complaint processing system. On average, ORM facilitated nearly 30 settlements of formal complaints per month.

Today, ORM complaint activity statistics show the following:

*Informal Complaint Activity*

Figure 1. Informal Complaint Resolution Rates

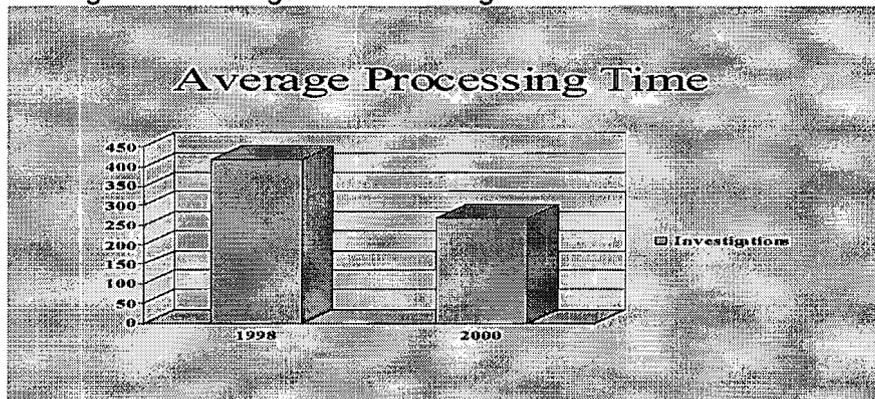


As seen in Figure 1, ORM has a resolution rate of 60% at the informal stage, which can be attributed to a focus on Alternative Dispute Resolution (ADR).

With regard to timeliness at the informal stage, EEOC prescribes 30 days to complete the counseling stage. ORM has maintained an average of 21 days.

## Formal Complaint Activity

Figure 2. Investigative Processing Time



Prior to the establishment of ORM the processing time from the date a complaint was filed to the date the investigation was completed averaged 419 days. By the end of Fiscal Year 2000, ORM successfully decreased the average processing time to 270 days. While this is a marked improvement over the previous system, ORM is committed to reaching the average processing time of 180-days established by the Equal Employment Opportunity Commission. This improvement can be attributed to an aggressive complaint processing training plan developed by ORM's Learning Resource Office, and several initiatives designed to address investigative processing time. These initiatives involved the uses of contract investigators, and brokering work among ORM field offices, and the creation of hybrid positions such as, Counselor/Investigators positions and Investigator/Intake Specialist positions. These employees are cross-trained to perform more than one complaint processing function that provides ORM managers the flexibility to adjust work assignments based on workload.

**Implementation of Executive Orders.** During President Clinton's tenure as President of the United States, the following Executive Orders, which impacts the Department's Equal Employment Opportunity program, were issued:

- ✓ Executive Order 13087, dated May 28, 1998, "Further Amendment to Executive Order 11478, EEO on Federal Government" prohibits discrimination based on sexual orientation. The Department has publicized this amendment to employees. ORM established and implemented procedures for processing complaints of discrimination based on sexual orientation.
- ✓ Executive Order 13145, dated February 8, 2000, was issued "To Prohibit Discrimination in Federal Employment Based on Genetic Information." The Department is developing policies and procedures for implementing this executive order.

- ✓ Executive Order 13152, dated May 2, 2000, "Further Amendment to Executive Order 11478, EEO in Federal Government," prohibits discrimination based on an individual's status as a parent. The Department is developing policies and procedures for implementing this executive order.
- ✓ Executive Order 13166, dated August 11, 2000, "Improving Access to Services for Persons with Limited English Proficiency," This executive order provides for improvement of access to federally conducted and federally assisted programs and activities for persons who, as a result of national origin, are limited in their English proficiency. Agency specific guidance is being developed to ensure that VA's recipients of these programs have appropriate access as outlined in the executive order.

**Other Accomplishments:**

- ✓ Implemented operation of a toll-free telephone line for complaint processing;
- ✓ Developed a state of the art ORM web page, <http://vaww.va.go/orm/> ;
- ✓ Developed the capability to track complaint information, analyze trends, and provide preventive methodologies to management officials. In the past, this tracking was not done;
- ✓ During 1998, VA employees received an additional two hours of prevention of sexual harassment training. The toolbox product for training included satellite broadcasts and distribution of VA's first "Guide to Preventing Sexual Harassment";
- ✓ Participated in the development of criteria for "Rapid Response Teams." These teams are deployed within two weeks to investigate, to the fullest extent, serious allegations of misconduct and sexual harassment against senior managers;
- ✓ Videoconferencing at 4 of its 12 locations. Counseling and investigations occur by videoconferencing, significantly reducing travel costs and providing an almost immediate opportunity to schedule, conduct, and transcribe witness interviews; and
- ✓ Worked with Booz Allen & Hamilton to finalize its Core Competency Model. Core competencies are the required knowledge, skills, and abilities an employee must have to be successful in his or her occupation. ORM will use the model in selection decisions, performance management, training, and skills assessment.

The Office of Resolution Management has demonstrated a strong commitment to the concept of "reinvention" which has transformed the Federal Government. ORM has gone beyond the traditional role of simply investigating complaints of discrimination and has begun a process of identifying the root causes of common workplace disputes. This approach will form the basis for employee training and

education programs aimed at eradicating discrimination in the workplace. ORM takes pride in its employee diversity and record of achievements and will continue to place emphasis on total quality management and service.

***Index of Documents (08)***

- Department of Veterans Affairs (VA) "Plan for Transformation; Reengineering the Equal Employment Opportunity Complaint Process (September 1997)
- Public Law 105-114 (November 21, 1997) - Equal Employment Opportunity Process in the Department of Veterans Affairs