



# DIVERSITY@WORK

A PUBLICATION OF THE OFFICE OF DIVERSITY MANAGEMENT & EQUAL EMPLOYMENT OPPORTUNITY,  
A PROGRAM OFFICE WITHIN VA'S OFFICE OF HUMAN RESOURCES & ADMINISTRATION

VOLUME 8, ISSUE 1

<<http://www.va.gov/dmeeo/ca/daw.htm>>

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## ADA AMENDMENT ACTS OF 2008

On September 25, 2008, President George W. Bush signed into law a measure that is likely to have a significant impact on VA. The measure (S.3406) amends the Americans with Disabilities Act (ADA) and makes conforming amendments to the Rehabilitation Act of 1973 as amended that provides legal basis for reasonable accommodation requests made by Federal employees. Currently, under the Rehabilitation Act of 1973, as amended, an individual with a disability is defined as a person who:

- Has a physical or mental impairment that substantially limits one or more major life activities;
- Has a record of such an impairment; or
- Is regarded as having such an impairment.

The ADA Amendments Act of 2008 (ADAAA) that will take effect on January 1, 2009, reinstates a broad scope of protection to be available under the ADA. [*Continued on page 3.*]

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## COFFEY'S KEYNOTES

*Message from the Deputy Assistant Secretary for DM&EEO*

Greetings! The past few months at VA have been a very exciting time for me. I am honored and look forward to working closely with my fellow VA leadership team to address the very important diversity issues that face our Department today. I want to extend my additional thanks to Fernando Rivera, Director of the Washington VAMC, who invited me to speak on a distinguished panel on Cultural Diversity as part of its Executive Leadership Training Series. I commend Mr. Rivera for his proactive approach to including diversity and inclusion as part of Executive Leadership program. At that event, I discussed a theme you will hear me speak frequently about: the Business Case for Diversity. I believe it is imperative that we convey to our managers and workforce that diversity and equal opportunity are not simply legal mandates, but business imperatives as well in our globalized economy of the 21st century. It is not only a legal and ethical course of action, it is also in all of our business interests.

The private sector discovered the economic case for diversity much earlier than the public sector. They are in the business of profits, and they realized quickly that to tap into the most rapidly emerging markets, they must have a workforce that understood and related to the markets they served. As a result, companies like Pepsi Cola, IBM, McDonald's, and Nike exponentially increased their global revenues by having workforces and complementary business strategies that mirrored the increasing

globalization and diversification of the marketplace. While government is not in the business of profits, it is, at its most fundamental level, in the business of equity: equity of service, protections, opportunity. Here, too, it is essential that the public sector has a workforce and business strategies that connect with the citizenry we serve, and produces a return on investment at the same time. Our "customers" are becoming increasingly diverse and globalized. As a major health care and benefits provider, VA must sustain a workforce that is reflective of its clientele. This is not an issue of legal compliance, but smart business.

A recent study entitled "Diversity At Medical Schools Makes Stronger Doctors" illustrated the business case for diversity in patient care. The study revealed that medical professionals from diverse medical schools were more equipped to provide better patient care in a diverse society. There is a growing body of research that supports the theory that diversity and performance have a strong positive correlation. Conversely, there is increasing evidence of the financially and organizationally detrimental effect of homogeneous workforces and organizations intolerant of workforce diversity and the diversity of thought it brings. I look forward to other opportunities to share this information with you in your own organizations. [*Continued on page 3.*]

### BOOKMARKS

- ▶ **American GI Forum of the United States**  
[www.agif.us](http://www.agif.us)
- ▶ **American Indian Heritage Foundation**  
[www.indians.org](http://www.indians.org)
- ▶ **Disabled American Veterans**  
[www.dav.org](http://www.dav.org)
- ▶ **National Congress of American Indians**  
<http://ncai.org>
- ▶ **National Federation of Indian American Associations**  
[www.nfia.net](http://www.nfia.net)
- ▶ **Native American Business Alliance**  
[www.native-american-bus.org](http://www.native-american-bus.org)
- ▶ **Veterans of Foreign Wars of the United States**  
[www.vfw.org](http://www.vfw.org)
- ▶ **Washington Internships for Native Students**  
[www.american.edu/wins](http://www.american.edu/wins)

Contact information for other diversity-related organizations can be found on the DM&EEO Web site at: [www.va.gov/dmeeo/org](http://www.va.gov/dmeeo/org)

## FIELD NOTES

### News You Can Use

#### Community Prosperity Partnership (CPP)

Defense Commissary Agency (DeCA) sought VA's assistance in locating GWOT veterans and severely disabled veterans who seek employment. DeCA has a worldwide workforce of 17,000.

DM&EEO connected DeCA with the Air Force's Wounded Warrior Program Manager in San Antonio, Texas, and with the Director, Vocational Rehabilitation & Employment (VR&E) in VACO, to begin identifying qualified veterans for DeCA's preliminary list of vacancies. DM&EEO also coordinated a meeting on October 2, 2008, to introduce DeCA to internal and external organizations that can support in this recruitment effort. VR&E, where 2,700 disabled veterans are enrolled, proposed a memorandum of understanding (MOU) to collaborate in support of DeCA's succession planning, similar to the MOU with the Federal Aviation Administration. Disabled Veterans of America described its rehabilitation program and network of veterans service officers as resources to identify veterans. Other VA representatives described best practices in the Veterans Employment Program and Canteen Service that could be adopted by DeCA. The VSO Liaison agreed to facilitate DeCA's communications with the veterans service organizations. The Federally Employed Women's representative will facilitate support for the recent executive order directing Federal agency hires of spouses. For more information, contact José Marrero at <[jose.marrero@va.gov](mailto:jose.marrero@va.gov)>.

#### Perspectives Conference

The 27th Annual Perspectives on Employment of Persons with Disabilities Conference will be held December 10–12, 2008, at the Hyatt Regency at 7400 Wisconsin Avenue (One Bethesda Metro Center), Bethesda, Maryland,

20814. VA Secretary James B. Peake will be a keynote speaker and will bring into focus the valuable work of VA's employees in service to veterans.

DM&EEO is sponsoring a VA Preconference Event on December 9, 2008. The VA Preconference Event is a diversity training opportunity designed specifically for facility equal employment opportunity (EEO) managers and disability special emphasis program managers, workers compensation professionals, and collateral duty selective placement coordinators. The VA Preconference Event is free of charge to all VA participants. To register for the VA Preconference Event, visit <<https://vawww.trace.lrn.va.gov/registration/Default.asp?CourseID=2384>>.

Established in 1981, Perspectives has established itself as the premier conference for disability program managers, selective placement coordinators, and EEO professionals across the Federal government. This year's conference offers an opportunity for professional and personal development through workshops addressing topics such as the new requirements embodied in the Americans with Disabilities Act Amendments Act of 2008 that significantly broadens the definition of disability. Detailed information and registration forms can be obtained from Perspectives' Web site at <<http://www.grad.usda.gov/Conferences/Perspectives/index.php>>.

This conference qualifies as training in compliance with Title 5, Chapter 41, of the United States Code. For more information, contact David Walton, VA's National EEO Manager for People with Disabilities, at (202) 461-4002 or at <[david.walton@va.gov](mailto:david.walton@va.gov)>. ■

## WEB SITE SPOTLIGHT

The Metrics and Business Case for Diversity Reading Room, <<http://www.multiculturaladvantage.com/business-case-for-diversity-recruiting.asp>>

**Content:** Convergence Media, Inc. publishes multiculturally-focused directories as well as <[multiculturaladvantage.com](http://www.multiculturaladvantage.com)>, an online community where underrepresented professionals and leaders can stay informed, identify opportunities, and learn first-hand what it takes to stay ahead of the pack. Included are thousands of articles, checklists, research reports, and links covering career issues, leadership, teamwork, diversity, racism, ESL, immigration, education business, and other topics of interest to professionals from diverse backgrounds and people working with multicultural issues. Multicultural Advantage's Metrics and Business Case for Diversity Reading Room provides readers with articles that explain how diversity recruiting initiatives can go beyond serving as a way to comply to affirmative actions law, avoid litigation, or address litigation concerns. They will show recruiters how diversity recruiting can be a key to

maintaining a competitive edge. Results driven diversity staffing initiatives can be the catalyst for a better return on your investment in human capital and maximize your competitive advantage.

**Must-See Features:** The articles by Dr. Edward E. Hubbard, including, "The Business Case for Diversity" and "How to Calculate Diversity Return on Investment (DROI): An Overview."

**Accessibility:** No information offered.

**Contact Info:** Convergence Media, Inc.  
8345 NW 66th Street, Suite 8916  
Miami, FL 33166-2626  
(888) 750-6132  
<[contactus@multiculturaladvantage.com](mailto:contactus@multiculturaladvantage.com)> ■

## ADAAA

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The revised Act provides that the definition of “disability” shall be construed in favor of broad coverage for individuals and clarifies that an impairment that substantially limits one major life activity need not limit other major life activities in order to be a disability.

Under the ADAAA, major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. A major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions. Additionally, the definition of disability also now includes an impairment that is episodic or in remission if it would substantially limit a major life activity when active.

The Act also states that the determination of whether an impairment substantially limits a life activity shall be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment, or appliances, low-vision devices (which do not include ordinary eyeglasses or contact lenses), prosthetics, hearing aids, mobility devices, or oxygen therapy equipment and supplies, assistive technology, reasonable accommodations or auxiliary aids or services,

or learned behavior or adaptive neurological modifications.

The Act further clarifies the standard for being “regarded as disabled.” An individual meets the requirement of “being regarded as having such an impairment” if the individual establishes that he or she has been subjected to an action prohibited under this Act because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity. Impairments that are transitory or minor (that is, with an actual or expected duration of six months or less) do not qualify for “regarded as disabled” protection.

Congress expects the Equal Employment Opportunity Commission to revise a portion of its current regulations. In response, DM&EEO plans to revise VA Directive 5975.1, Processing Reasonable Accommodation Requests from Employees and Applicants, and its associated handbook. The revised directive and handbook should be complete and available in 2009.

To read the ADAAA in its entirety, visit the Library of Congress online at <<http://thomas.loc.gov/cgi-bin/query/D?c110:1:./temp/~c110QbkrIA::>>.

For more information, contact **David Walton**, National EEO Manager for People with Disabilities, at (202) 461-4002 or by e-mail at <[david.walton@va.gov](mailto:david.walton@va.gov)>. ■

## COFFEY'S KEYNOTES

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On a different note, we are nearing the end of the calendar year and have many exciting celebrations coming up; many of these will be religious, but let's not forget about other observances that provide us with an opportunity to learn about and appreciate the various cultures and experiences of our fellow coworkers. VA joins the Nation in observing National American Indian Heritage Month during November. At VA, it is especially important to honor those American Indians and Alaska Natives who have defended our Nation's freedom through their service in the U.S. Armed Forces. Overall, in fiscal year (FY) 2008, Native Americans made up 1.26 percent of VA's workforce and .98 percent of VA's leadership pipeline (GS 13-15). Native Americans made up 1.24 percent of the total VA veteran population. Here in VA Central Office (VACO), we have a number of activities lined up for our American Indian Heritage Month celebration. On November 13, Choogie Kingfisher, an accomplished storyteller and actor from Oklahoma, will be sharing Native American stories with VACO in the G.V. “Sonny” Montgomery Veterans Conference Center, Room 230, at noon. I would also like to remind everyone that for information on VA's Native American Program, they can contact **Brenda Martin**, EEO Specialist, at

<[Brenda.Martin@va.gov](mailto:Brenda.Martin@va.gov)>.

VA also joins the Nation in proudly saluting those who have served our Nation on Veterans Day, November 11. About 30 percent of VA's 277,000 employees are veterans, and nearly 8 percent are service-connected disabled veterans. For more information on veteran employment at VA, I encourage you to visit the Veterans Employment Coordination Service Web site at <[www.va.gov/VECS](http://www.va.gov/VECS)>. Information, activities, and resources concerning VA's Veterans Day celebration can be found at <[www.va.gov/opa/vetsday](http://www.va.gov/opa/vetsday)>.

With the holidays just around the corner, it is an appropriate time for me to also mention the importance of religious understanding. In an increasingly diverse workplace, it is important to keep in mind that your fellow coworker may hold different religious beliefs than you. This holiday season it might be appropriate to take some time to reflect on how we can all actively participate in helping VA to become a more inclusive place to work where everyone's religious beliefs are recognized and respected. Thank you for your commitment and happy holidays! See you next year! ~Georgia Coffey ■

## Diversity@Work

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Visit our **Web site**, <[www.va.gov/dmeeo](http://www.va.gov/dmeeo)>, for additional staff e-mail addresses.

### OTHER USEFUL LINKS

Under Secretary for Health  
Diversity Advisory Board  
<[www.va.gov/diversity](http://www.va.gov/diversity)>

VA's Office of Human  
Resources & Administration  
<[www.va.gov/ofcadmin/portal](http://www.va.gov/ofcadmin/portal)>

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

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

### GOT NEWS?

We want to hear from you!  
If you'd like to share your  
story ideas, comments, or  
suggestions,  
please e-mail us at  
<[dmeeo@va.gov](mailto:dmeeo@va.gov)>  
with the words  
DIVERSITY@WORK in the  
subject line.

## DM&EEO ON THE INTERNET <[www.va.gov/dmeeo](http://www.va.gov/dmeeo)>



The DM&EEO mission is to increase awareness and acceptance of diversity and to promote a flexible and inclusive work environment throughout the Department of Veterans Affairs. Our vision is of a work environment that fosters respect, fairness, and opportunity for all employees. Here's a sampling of online tools available that can help leverage diversity and build inclusion:

- ▶ National American Indian Heritage Month, Veterans Day, and other special observance resources.
- ▶ Events, conferences, conventions, and programs.
- ▶ Links to professional and community organizations.
- ▶ Best practices for diversity management.

## DM&EEO IN YOUR E-MAIL INBOX

Once a week, DM&EEO sends out *NewsLink*, an e-mail message with annotated links to current news items and other information related to leveraging diversity and building inclusion. For a FREE subscription to this weekly electronic news service, e-mail us at <[dmeeo@va.gov](mailto:dmeeo@va.gov)> with the words SUBSCRIBE NEWS in the subject line. You can find a current copy of *NewsLink* on the DM&EEO Web site at this address: <[www.va.gov/dmeeo/ca/newslink.htm](http://www.va.gov/dmeeo/ca/newslink.htm)>.

## DM&EEO ON YOUR TV SCREEN (OR PC MONITOR)

*Diversity News* is a monthly video program produced by the VACO Broadcasting Center for DM&EEO. Each program runs for a month, immediately following *VA News*. A copy of each program will be placed on the DM&EEO Web site (when the files become available) at this address: <[www.va.gov/dmeeo/ca/diversitynews.htm](http://www.va.gov/dmeeo/ca/diversitynews.htm)>.

## FROM THE 2008 DIVERSITY CALENDAR

<[www.va.gov/dmeeo/calendar](http://www.va.gov/dmeeo/calendar)>

### NOVEMBER

National American Indian Heritage Month

#### 2008 DeafNation Expo

November 1; Secaucus, NJ  
<[www.deafnation.com](http://www.deafnation.com)>

#### Veterans Day

November 11

#### Society of Hispanic Professional Engineers Conference

November 12–16; Phoenix, AZ  
<<http://oneshpe.shpe.org>>

#### National Image, Inc. Region III Leadership Training Conference

November 13–14; Arlington, VA  
<[www.nationalimageinc.org/regional\\_conferences.htm](http://www.nationalimageinc.org/regional_conferences.htm)>

#### CAREERS & the disABLED Magazine Career Expo for People with Disabilities

November 17; Washington, DC  
<[www.eop.com/exporegistration.html](http://www.eop.com/exporegistration.html)>

### DECEMBER

International Day of Disabled Persons  
December 3

#### Annual TASH Conference

December 3–6; Nashville, TN  
<[www.tash.org/conferences\\_training\\_events.html](http://www.tash.org/conferences_training_events.html)>

#### Human Rights Day

December 10

#### 27th Annual Perspectives National Training Conference

December 10–12; Bethesda, MD  
<<http://www.grad.usda.gov/Conferences/Perspectives/index.php>>

#### Bill of Rights Day

December 15

#### National Institutes of Health Summit, The Science of Eliminating Health Disparities

December 16–18; National Harbor, MD  
<[www.blsmettings.net/2008health](http://www.blsmettings.net/2008health)>