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JAN

**RECRUITING, HIRING, AND RETAINING
INDIVIDUALS WITH DISABILITIES
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>> Hello, everyone and welcome to the Job Accommodation Network's annual Federal employer Winter Webcast Series. I'm Linda Batiste and I'll be your moderator for today's program which is -- which is called "Recruiting, Hiring, and Retaining Individuals with Disabilities". We're featuring Stephen King from CAP today. But before we meet Stephen as you know if you have ever joined us before we need to go over just a few housekeeping items. First, if you experience any technical difficulties during the webcast, please call us at 800-526-7234 for voice and then hit button 5. Or for TTY call 877-781-9403.

Second, toward the end of the presentation we'll have a question and answer period and we might also answer some questions during the session so if you think of questions as Stephen goes along send your questions in any time using our email account which is question@askJAN.org or you can simply use our question and answer pod located at the bottom of your screen.

Also on the bottom of your screen you'll notice a file

sharepod you can get today's slides and our resource list there if you need it.

And finally, I want to remind you that at the end of the webcast, an evaluation form will automatically pop up on your screen in another window. We really do appreciate and we do use your feedback. So please stay logged onto fill out the evaluation form.

And now let me introduce today's feature speaker Stephen M. King servers as the Director of CAP which is a centrally funded Department of Defense program that provides free assistive technology and training to wounded Service Members and to employees at 68 partnering Federal agencies. I assume a lot of you already know CAP, but for any of you that don't it's a great resource we consider it our sister program. And we'll provide some more information later if any of you have any questions about CAP, XP electronic accommodations program services. Back to Stephen prior to being part of CAP in 2014 he led the efforts to be a model employer of people with disabilities as the Director of disability programs Office of Under Secretary of Defense for Personnel and Readiness a position he held since 2009 in this role he served as the department's senior spokesperson and Subject Matter Expert on the employment of individuals with disabilities developed and influenced disability related policies for DoD's total force and was the co-chair of the Workforce Recruitment Program he began his Federal career in 1998 he's been around a while as a statistician at the U.S. Census Bureau in 2001 Stephen joined the Census Bureau's Human Resources division where he developed a comprehensive recruiter training program and strategies for effective targeted recruitment -- I'm sorry; strategies for effective targeted recruitment and implemented extensive changes to the campus process and designed automated processes to increase efficiencies.

>> He's done a lot of good stuff.

>> Yeah so impressive I can't even keep myself straight here. (Chuckles).

>> In 2003 he was selected to be the Census Bureau's first Disability Program Manager. As the DPM he was instrumental in developing a model disability program after serving as the chiefs of recruitment and delegated examining at the Bureau of

Labor Statistics in 2006 he then returned to the Census Bureau to oversee the creation of the Office of Disability and diversity programs he implemented new reasonable accommodation procedures in preparation for the 2010 census, the largest peacetime mobilization in history. It was during this period that Stephen began working closely with the Equal Employment Opportunity Commission to educate the Federal workforce on the Schedule A appointing authority for individuals with disabilities.

And this is only part of constituent's work and accomplishments.

But I'm sure you can see by what I provided he's immensely qualified to talk about our subject today which is "Recruiting, Hiring, and Retaining Individuals with Disabilities". And if you want to read more about Stephen, his full bio is on the JAN training page but for now I want to welcome Stephen and I want to go ahead and turn it over to him to start today's discussion. Welcome, Stephen.

>> STEPHEN KING: Thank you Linda, thank you, Beth. To tell you a little bit more my relationship with JAN, when I -- I think back to my some days when I first became a Disability Program Manager at the Census Bureau and no one really knew what I was supposed to be doing, which was kind of nice to be honest. Never hurts to have a boss not sure what your job duties are.

And you know there was a downside, however, and when a reasonable accommodation situation came up, I didn't really have anyone to talk to.

And I learned about JAN and I have been a fan of the Job Accommodation Network for my entire time in the Federal disability community.

So kudos to you all and for everything you all do. And thank you, all, for inviting me to be here today.

>> LINDA BATISTE: Thank you.

>> STEPHEN KING: We're going to talk about as Linda stated "Recruiting, Hiring, and Retaining Individuals with Disabilities". The retention part of the conversation is going to focus on effective reasonable accommodation procedures and what is required.

Throughout I will occasionally ask for questions, especially in between each of the sessions.

So I'll do my best to stop occasionally so as Linda stated feel free to submit your questions as we go along.

A brief overview of what I plan on covering today.

The Rehabilitation Act, I want to frame the entire conversation by establishing that foundation first by talking about the Rehabilitation Act in 1973 as amended or the Rehab Act for short.

And then Federal sector hiring, recruiting, and retaining. Again, retaining primarily through effective reasonable accommodation procedures and then we'll close things out and do somewhat of a recap, if you will.

Moving on to the Rehabilitation Act. As many of you all know, the Rehabilitation Act prohibits discrimination on the basis of disability by the Federal Government of the Federal contractors as well as recipients of Federal financial assistance.

It's the same law that requires us of course to provide reasonable accommodation to qualified applicants and employees with disabilities. Requires us to have affirmative action programs. Many of you may be disability program managers. This is why we need your programs and why we need you.

It prohibits employers from making improper disability related inquiries. And improper medical examination requests. It requires that we safeguard what information we do request, medical information, or what information we do obtain. Whether we intend to obtain it or not. So information that we learn or that we're aware of. It requires that employers comply with anti-harassment standards. And prohibit retaliations by employers.

The first chapter I really want to discuss is hiring.

As I've mentioned, the Rehabilitation Act says that agencies must have affirmative action programs. Well, affirmative action, therefore, is indeed alive and well as it pertains to hiring individuals with disabilities. It is legal therefore for Federal agencies to give an advantage to an individual with a disability in a hiring, promotion or other employment decisions.

Now, this doesn't mean that agencies are to lower the bar or that agencies are to not require the person to be qualified.

We are talking about qualified individuals with disabilities. So if I have two people who are qualified for a position and I

know that one of them has a disability, let's say because they applied during the application process I should say, that they identify or happen to identify as an individual with a disability, I can indeed select that individual with a disability because let's say I just want to do our part, I know that we have this affirmative action program. This disability program. I know that more is expected of Federal Government agencies and we have hiring goals. So I can say I want to choose this person over that person because that person has a disability.

Agencies are required to set hiring goals for individuals with disabilities and individuals with targeted disabilities. And I'm going to go into more of a conversation about what that really means, targeted.

Some people like to say severe. I think it's generally -- it's generally safe to interchange them a little. But when you say targeted, it means a specific type of disability. And there's actually a list that goes along with targeted.

There is no list that really goes along with or defining what are severe disabilities per se. And I'll explain that momentarily.

Agencies should affirmatively recruit individuals with disabilities to apply for vacancies, to increase the number of individuals with disabilities in agency applicant pools.

So as part of your recruitment strategy, any agency's recruitment strategy, you should ensure that individuals with disabilities are likely to be recruited in that process. That they are made whatever -- made aware of vacancy announcements, that they are encouraged to apply, et cetera.

Sometimes you have to go above and beyond to do that. You can't just put a vacancy announcement out there and expect that a diverse candidate pool is automatically going to apply.

If that was the case, you know, one would argue well do we need diversity officers as much as we do well office we -- of course we need diversity offices because that doesn't happen many times these agencies get caught up and returning to the same schools they have always gone to. And hoping for a different outcome. That suddenly I'm going to get a diverse applicant pool, even though I keep using the same pools to help create that pool. So what I say to you all is make sure

especially if you're the Disability Program Manager that you are communicating with Human Resources and that when Human Resources develops a more full recruitment strategy that you are part of that discussion. That it includes more than just let's say going to Gallaudet University which is a great university but it's here in DC and I think some agencies feel, all right, I've gone to Gallaudet. That's my disability recruitment for the year. It's going to require a lot more than that.

Agencies are allowed to indicate in a job announcement it's seeking to recruit or hiring individuals with disabilities who are qualified. You can indeed open up a vacancy announcement specifically for individuals with disabilities. I've heard that some agencies have actually done it. I don't know how popular it is. I have not seen many of those vacancy announcements. But it can indeed be done.

The EEOC is my understanding has even done it.

On Slide No. 6, many of you are familiar probably with the Executive Order 13548 increasing Federal employment of individuals with disabilities.

That was actually signed on July 26th of 2010. So yes, this is our fifth year.

And it states that the Federal Government will hire an additional 100,000 individuals with disabilities over a five-year period.

Hopefully you know if you have done at your agency your fair share to help the Federal Government meet that goal, I know within the Department of Defense I helped create our plan and since we represent approximately 36% of the Federal Government, we decided, well, you know what, our fair share should at least be 36,000 overall. So that was our goal. And our plan was developed around that goal.

If you are within an agency and you don't know what your part of that goal is, then I recommend that you find out by talking to someone at the cabinet level within your organization.

The Executive Order says that each agency shall develop an agency specific plan. That it is to designate an SES level official to be accountable for the implementation and goals of the plan.

It says that agencies must include performance targets and hiring goals for individuals with disabilities and again,

individuals with targeted disabilities. So not only -- not only as we -- did we talk about that earlier that the EEOC and others have stated that we must do this, we're also being reminded of it in an Executive Order.

You are, indeed, to set goals for hiring of individuals with disabilities. You are indeed supposed to do that.

The Executive Order also stated that agencies are to increase retention and return to work for individuals with disabilities with work-related injuries and illnesses. This is something that I've always found interesting. You know, if we as a Federal agency are out there spending a lot of time and effort on recruiting, which is great, we should, and recruiting a diverse candidate pool but yet we have a certain percentage of our workforce that have already been trained, already know our culture but they have been injured on the job so they may be sitting at home waiting to be invited back to work or to be assisted to get back to work, I often think, you know, some of our intention really needs -- attention really needs to go to that.

These are people who are already trained. They already know the culture, the way of doing things.

Let's make sure that in our efforts to recruit a diverse workforce that we're also making sure that we're focusing on people who may have been injured, maybe acquired a disability while on the job. And let's do what we can to try to get those folks back.

So I encourage you to work with your workers' compensation officials or representatives in your organization and try to connect your disability program to that program. Because I think that there are some efficiencies that can be realized in doing that.

Furthermore and it says this bullet quite frankly is poorly worded. I'm going to be honest. It does say we are to increase accessibility physical and virtual but it says that agencies should not necessarily increase accommodations, but they you should indeed look at your reasonable accommodation procedures, make sure that they are up to date. That they are current. And of course if I'm telling you to look at them and the Executive Order is telling you to look at them and make sure they are up to date and that they are current, that of course implies that

you have them.

There was a previous Executive Order 13164 which stated that Federal agencies are indeed supposed to have reasonable accommodation procedures, written reasonable accommodation procedures.

To this day, I still run into agencies that do not have written reasonable accommodation procedures. So I don't want to assume that your agency does.

If you do not, I recommend that you get them together. Because you should have had them in place well over I think 15 years ago.

So you're slightly behind in that regard if you do not have them.

And, it's not good enough to just have them. You also have to make sure employees know how to access them. Make sure that they are available on your Internet or your Internet Web site. Make sure that messages are disseminated throughout your agencies so people know how to take advantage of what services and accommodations your agency offers. How they tie in or connect to whatever your process is a better way to word it.

It also says that agencies are to recruit -- increase the use of the Schedule A hiring authority.

Now, from this point forward throughout our conversation, I'll just say the Schedule A hiring authority. But I need to stop for a moment. Because if you look at the Schedule A regulations, which is found under 5 CFR, that's Title 5 of the Code of Federal Regulations Part 213.3102, if you were to pull that up, you would see that Schedule A is actually very broad. We see that Schedule A as it pertains to individuals with disabilities is found in Paragraph U of 5 CFR Part 213.3102.

That means that there's a paragraph A, B, C, D, E, so on and so forth.

Well, all of those other paragraphs cover different types of individuals, different groups, et cetera.

For example, you may not be aware, maybe you are, attorneys can be hired or are hired under the Schedule A hiring authority. Chaplains which is unique to the Department of Defense are hired under the Schedule A hiring authority.

So if you ever go out and encourage the use of Schedule A, understand that if you mean to refer only to people -- hiring of

individuals with disabilities, you need to make sure that that paragraph U -- that Paragraph U is on the end of the citation here or the reference. So it's Title 5 Code of Federal Regulations Part 213.3102 Paragraph U.

I've said that for many reasons. I have been at agencies and gone and on and on about the Schedule A, which I love talking about and then no one says to me until 30 minutes in the conversation and then I learn that they thought all along that I was talking about their hiring of everyone else, as well. You know, attorneys or chaplains or any of the other 20 different groups of folks who can be hired under Schedule A. So I just want to save you that -- save me that embarrassment for once also I want to make sure when you're talking to an HR professional if you're not an HR professional, that you know what the -- you know specifically what the regulation states and where to find it and the wording within the regulations. So this Paragraph U will help you do that.

For more information on the Executive Order including model strategies to implement the Executive Order which was a document that OPM released shortly after the Executive Order was signed, you can go to www.OPM.gov/disability.

Now, the next five slides are probably the most boring slides I ever discuss in a training that -- and it's important that I discuss them because I want you to understand Schedule A from a different perspective, if you will.

So to understand the benefits of Schedule A, I think you have to understand the environment in which Federal hiring occurs you'll hear Schedule A referred to as an expected hiring authority. What does that mean. So I need to stop. I need you to bear with me for five slides I promise it will get -- competitive service that's how most people are hired in the Federal Government. Most people are hired in agencies that primarily hire people via the competitive service what does that mean. Well comparative service generally includes all civilian positions. that are subject to Title 5 of the United States Code. That are not specifically accepted from civil service laws by statute by the President or the Office of Personnel Management and that are not senior executive service or SES. This includes most positions in the Executive Branch and I assume most of you online are part of the Executive Branch and

chances are you do indeed work for an agency that's in the competitive service or does primarily all of their hiring in the competitive service. So when filling competitive service jobs agencies can generally choose from the following, they can choose from a competitive -- what's called a list of eligibles, that's really a list of qualified candidates that either OPM has generated or the agency has generated. So they open up a vacancy.

People apply to that vacancy. They of course have to ensure that the folks who applied are qualified. Then they create a list. And generally in most cases only those most qualified are going to be available to the manager. Generally so when I talk about a list of eligibles generally it's going to be that type of list, it's a list of qualified candidates or often the most qualified candidates are provided to managers.

They also may get a list of eligibles who have civil service status.

What does that mean?

That means that you've been around a while. That means that once you have been in the -- serving in the competitive service, you usually come on board as a career conditional employee you serve under a career conditional status for three years and then after your three years, if you've served those years successfully, you are granted career status. Career status means that you have certain rights, certain privileges.

If you were to lose your job for example due to a RIF, a reduction in force you would have certain advantages to getting back into the Federal Government because you have the status that gives you those additional options, if you will, or protections.

So that's another source.

And then you have yet one more source. And that is a list of eligibles that qualify for a special non-competitive appointing authority established by law or Executive Order.

So what does this mean? This is where Schedule A comes up.

So you can be an agency that generally follows the competitive service. You are an agency that must follow Title 5 of the United States Code. You are an agency that must adhere to Title 5 of the Code of Federal Regulations. But yet, you can actually hire people non-competitively because you've been given

special authority or agencies in the competitive service have been given a special authority are okay to do it.

I'm going to continue.

The most common method for entering competitive service is to be selected after competing with our individuals. Successful candidates are generally given as I mentioned earlier a career conditional appointment if initially appointed under a career conditional appointment individuals performing successfully again for three years are going to generally receive your career status at that time. That gives you those additional protections that I've mentioned so we'll go on to Slide 10.

Excepted service. Some of you may work at excepted service agencies where all of your positions are filled via the excepted service now why would an agency need to be designated as an excepted service an agency if you're an agency that deals with homeland secure FAA for example they have a very unique role and responsibility.

Imagine a lot of employees walking off the job at the FAA, what that would do to the transportation sector in the United States and around the world.

They need to be able to respond to personnel challenges very quickly.

The FBI, the CIA must be able to respond to personnel challenges very quickly.

So they are not required to follow all of the regulations that competitive service agencies or agencies that hire primarily from the competitive service are required to follow.

All right? So they consist -- the excepted service includes most of the positions in the legislative and judicial branches and exists of all positions in the Executive Branch that statutes the President or the Office of Personnel Management has specifically excepted. They set their own qualification standards and do not have to follow Title 5.

Now you may say all right now I'm really confused.

Let me try to bring it back home.

By saying that last part, you know, I used to think that everyone had -- everyone had access to use Schedule A. That everyone could use 5 CFR 213.3102 (u) that's actually not true if you're an excepted service agency, you are not -- you do not have to abide by Title 5. You set your own personnel

regulations, requirements, et cetera.

So you may not use Schedule A, 5 CFR 213.3102 -- I'm sorry 213.3102 (u) yes you may have something you call a direct carrying authority that you could use in the same way to make sure that you're able to hire individuals with disabilities non-competitively. It's just you may be able to hire practically anyone non-competitively.

So keep in mind that Schedule A doesn't -- if it doesn't apply to you, it doesn't mean that the Executive Order doesn't apply to you. You should still -- you still should focus on having a diverse workforce and still set goals for hiring of individuals with disabilities and individuals with targeted disabilities.

I hope I haven't confused all of you.

Continuing. There is some overlap between the two. Excepted service and competitive service for example if I'm at the Census Bureau an agency that hires primarily in the competitive service but I want to hire someone via Schedule A I may have and would have a handful of employees who are under excepted service appointment surrounded by 99% of my workforce probably having been hired via the competitive service. So you do have overlap. You can have employees serving the excepted service working right next to employees that are under a competitive service appointment.

Positions may be excepted -- Slide 12 positions may be excepted under certain conditions through the use of special appointing authorities there's a Schedule B, a Schedule C and Schedule D you can read up on all of this by simply going to the Code of Federal Regulations I know there are a lot of great tools to help you use Schedule A better and help educate you on it but I will be honest with you I strongly recommend that before you look at all of these other tools including those provided on the resource list that's available on JAN's Web site associated with this webinar that you take the time to go to the Government printing office's Web site or the electronic Code of Federal Regulations and actually read through the section on Schedule A, B, C and D. So you familiarize yourself with it.

Moving on, Slide 13. Schedule A hiring authority.

Again, we're talking about 5 CFR 213.3102 (u) what does it allow you to do we'll get to questions soon so during that

period if you didn't fall asleep you may have actually submitted questions so we'll get to those questions soon.

But what is Schedule A? I've spent enough time referring to it.

Schedule A allows agencies to non-competitively appoint individuals with intellectual disabilities, severe physical disabilities or psychiatric disabilities.

Now, those are in quotes for a reason.

OPM does not come out and tell you if you are -- or define I should say what intellectual disabilities are. You have some flexibility there. I think the most -- the word that terrifies people the most in these series of words within those quotes is severe. Because severe seems subjective, doesn't it? And it is.

So often people are wondering, well, what exactly do you mean by severe? And the way I train managers and hiring officials is if on the face of it looks severe and you can justify that it is severe or a medical professional says that it's severe, or let's say that it is indeed also happens to be considered a targeted disability, which we're going to get to momentarily exactly what that means, those are all clues that you're probably okay. Hiring an individual using -- that it is severe. Those are probably all clues, psychiatric disabilities are going to be -- are going to fall under this category so if anyone has a disability that is a psychiatric disability they are indeed eligible to be hired under the Schedule A appointing authority.

The Schedule A appointing authority provides maximum flexibility, meaning not only does it allow you to appoint non-competitively, you can appoint people into temporary appointments, time limited appointments, which many agencies hire people let's say for 90 days, temporary appointments or time limited appointments.

Term appointments, which a lot of agencies may hire people into two-year term appointments.

Permanent appointments. So you have maximum flexibility there. You can be hired into any of those types of employment.

Appointments will be in the excepted service so even if you're at an agency that generally hires people under the competitive service and you're going to be surrounded by a lot of people who work in the competitive service, your appointment

is going to be under the excepted service? What does that mean? That does mean that if your agency goes through a reduction in force, which they still happen but you know they don't happen that often that individuals who are hired via the excepted service will have fewer appeal rights meaning that it will be more difficult for them to get back into the Federal Government. They may be in one of the first categories of individuals to go what I recommend doing I can't answer questions specifically about your agency's reduction in force procedure I recommend that you reach out to your Human Resources personnel or professional and actually ask to see a copy of your agency's plan, reduction in force plan and see what protections in your agencies you may have so you can provide the best advice and guidance available. Another flexibility under the Schedule A hiring authority is you don't have to post the vacancy. Let's say you have -- you created an email account that you have put on all of your recruiting materials encouraging individuals with disabilities who may be interested in pursuing employment opportunities via Schedule A to submit resumes to you to contact you via this email address et cetera. So let's say you have some resumes in hand from some folks you have a manager who needs to hire someone and someone needs resumes or for qualified people who are interested in this type of jobs that this manager had.

You do not have to post that vacancy you can indeed as long as the individuals are qualified can refer those candidates directly to the manager and the manager can indeed make a selection without having to post. One of the common questions I get surrounding this is well hold it, I was told that most hiring now especially if you're talking about interns, et cetera, time limited appointments or employees on time limited appointments that they have to come in for this hiring authority called pathways. Which is OPM it's a regulation it's similar to Schedule A it's a hiring authority. Well to try to help in reducing some of the confusion that may exist, let me explain it this way, Pathways is an excepted service appointed authority. It is under Schedule D. One schedule -- one hiring authority excepted service appointed authority does not have any precedence or any additional status or priority over the other. So I realize that under Pathways, you are required to post

vacancy. That's true. If you're hiring under Pathways. However, there's this other excepted service appointing authority called Schedule A specifically Paragraph U that allows you to hire non-competitively. You do not have to abide by the posting requirement that is associated with Pathways, which is Schedule D. I hope I helped you a little by explaining that if that was an area of confusion for you.

Again, everyone regardless if they have a disability or not must be qualified for a Federal position before they can be hired. So we're not talking about lowering the bar. The President certainly didn't have that in mind when he signed the Executive Order. He knows as many of us in the profession or in the field do, that there are tens of thousands, millions of folks out there with disabilities, many of whom have gone to college and are qualified probably for a lot of your positions. You just have to find them and that's where the targeted recruitment comes in we'll talk more about targeted recruitment and some strategies momentarily.

Expectations of work performance remain the same. I alleviate many fears that some managers may have about hiring an individual with a disability by simply ensuring them that one, I'm only going to refer you people who are qualified and two, you must hold them accountable like you would any other employee because if you don't, you're only hurting your own office, your own agency. You're only jeopardizing your own mission.

And no one wants to do that.

So put the sympathy that you may -- because some managers may have sympathy because an individual has a disability put your sympathy aside and let's keep this work focused. Work focused means can the person do the job, do I have to accommodate them. If so, what do I have to provide -- what do I provide them to accommodate them. Once I accommodate them, and -- and assure that they have the most effective accommodation I can provide them, then why shouldn't I hold them accountable. Why shouldn't I hold them to the same level that I hold every other employee.

When I talk to managers in that fashion, they get it. They seem to get it. They understand. It helps alleviate some of the fear. And they are much more likely to be supportive of my disability program and efforts.

And again, you must accommodate, if necessary.

And let's face it, many people with disabilities may not even request an accommodation.

Because they are -- there's still fear.

I certainly have run across a number of employees within various organizations that I've worked for that quite frankly I've been rather -- I found it rather upsetting to find an employee who has been working for 15 years in a position and I'm just learning that they need an accommodation and when I talk to the employee, I learned that they know that they needed something. But they didn't want to quote-unquote rock the boat. They didn't want to ask for anything. And you later learn sometimes that those individuals have been passed over for employment opportunities.

And I find it frustrating. Yes I'm a little frustrated with the person for not speaking up. But I also understand the environment that sometimes employees find themselves in.

And I think we need to do a better job making sure that the culture within our organizations are welcoming to everybody. Whether it be individuals with disabilities, whether it be any minority group, whether it be individuals from the LGBT community whatever it may be we need to have welcoming working environments to where people feel comfortable asking for what they need to do their job.

That's a bare minimum. You know, we all need tools. It's just the tools for the disabilities needs may be a little bit different.

A little bit more about Schedule A hiring authority, yes, documentation is required to support placement. So you do need proof of an applicant intellectual or psychiatric disability or severe physical disability that can indeed be for example a document from a physician.

Now, I get this question frequently.

I am asked well, you know what do you do if your doctor -- if an employee goes to a doctor and they mention Schedule A, you know, is the doctor likely or the licensed medical professional likely to know what Schedule A is. The answer is no.

So I tell them well stay away from worrying about you know is the name Schedule A or 5 CFR 213.3102 (u) mentioned in the doctor's note. It doesn't have to be.

If it is. Fine if the doctor is willing to sign that I

imagine it would alleviate some concern but often it's not black and white.

You know, if you get something from a physician and it says that someone has profound hearing loss and it tells you if this person actually gives you an audiologist's report and you can tell by looking at the decibels or whatever of hearing loss or degree of hearing loss that it is indeed severe, it falls under that category, what that audiologist report or a letter from the physician would be fine as supporting documentation.

One of the documents that I provided, again, that's available on JAN's Web site as a sample document is a Schedule A supporting document -- documentation by licensed medical professionals. It's something that I created. To really kind of show you how simple this can be.

If you take -- if you were to give this to an employee and I'll read it for those of you who don't have it in front of you. If you were to take the following sentence or document, this one-pager to a physician and have them type it on their own letterhead, I believe that most HR professionals should accept this. And it says the following, Federal employers in my opinion as a licensed medical professional comma patient's name so they would insert the patient's name there has a disability or disabilities that falls in one of the following broad categories. Intellectual disability, severe physical disability, or psychiatric disability.

If I received this and a physician had checked one of those, this would work. And this is just something that I created on my own. OPM had a letter of -- a version of the letter that I had created. This is going -- this has gone through many versions because I have tweaked it over the years used to have a version of my letter on the Web site I don't know if they still do but now you have access to it so something as simple as this would work and if your HR professionals have an issue with this, then work with them to come up with something else that can be provided to applicants that you know that they will accept when they get it. And if you want the 5 CFR reference to be there, then I would just recommend explaining what 5 CFR 213.3102 (u) is to the physicians, a little blurb, a little paragraph so they know why this odd reference is included in this medical documentation. I'll leave that up to you all.

It's all about what will my HR professionals accept.

No longer are agencies restricted to what are called Schedule A certification letters. There used to be -- for those people who have been around a while, you are probably familiar with these letters that have -- that were issued by state Department of Voc rehab that have their seal at the top. That very official looking document that have the seal as I stated. And even included not only that the person was eligible to be hired via Schedule A, but usually also said that the person is ready to work or something like that. That was called a work readiness or a job readiness statement.

Well, job readiness statements are no longer required. And you're no longer limited to just the Schedule A certification letters issued by the state voc rehab offices.

Licensed medical professionals can also provide that information. As well as any Federal agency, state agency, or agency of the District of Columbia or U.S. territory that issues or provides disability benefits.

So on Slide 15, contrary to popular belief, again, a statement of job readiness is no longer required. That was a change several years ago.

A candidate is not required to have a targeted disability.

What do I mean by a targeted disability? Now I'm going to take a moment to explain it.

When I refer to a targeted disability, I'm referring to a category of disabilities that the EEOC has designated.

It is a category of disabilities that agencies are required to place special manufacture sis upon.

Meaning that, yeah, you need to have affirmative action programs that focus on individuals with disabilities. But there are these people with certain types of disabilities that are even more likely to be discriminated against in the workplace. That find it even more difficult to secure employment.

And you need to place special emphasis upon this particular category.

If you want to see a list of those disabilities, look at the Standard Form 256. There's a picture of it. Although it may be a little blurry on Slide 16. If you look on the left-hand side of the form and the form is available on OPM's Web site you will see that there's Part 1 of the form, which covers the left-hand

side gives you the targeted disability. They are hearing, vision -- in the categories of hearing, total deafness, vision, blindness, missing extremities, partial paralysis, complete paralysis, epilepsy, severe intellectual disability. Psychiatric disability and dwarfism.

Now, a question I get regularly, if you look up at the title of Part 1 of this form, it says targeted/severe disabilities.

That leads many people to automatically assume that targeted disabilities are the same as severe disabilities.

It's not exact the case. Meaning that this list is indeed a list of all the different types of targeted disabilities. Because EEOC defines them.

No one has defined the list of severe disabilities. Yes, it would include these.

But it includes a lot of others.

It could include confirmation of disabilities that when you look at them together, you see that they are severely limited. It could really make it difficult for the person to become employed or to advance in the workplace.

So do not think that an individual must have a targeted disability. And be hired under Schedule A.

Another way to explain this, this is the way I explain it to my colleagues in HR, if they ever tell me that, I say, all right, go to the CFR. And tell me in the CFR where it states that. You will not find it. Targeted disabilities are not referred to in the Schedule A regulations. So keep that in mind.

The last slide on Schedule A hiring authority and we'll go through the next sections a little bit more quickly, but we are going to stop after this slide for questions, another common misperception is that if I'm hiring a Veteran, if they have a 30% or greater disability rating, then they are obviously eligible to be hired via Schedule A.

How do I always answer that to my colleagues in HR and others?

I tell them, go to Schedule A regulations, please tell me where it mentioned a Veteran rating in the Schedule A regulations.

It's not there.

So you may think that if someone has a 30% or greater

disability rating that they are qualified for Schedule A. And you know what, they may be. But they also may not be.

So don't base your decision on the disability rating that the VA provides.

Don't base it on that alone. You're going to need additional information. There are other hiring authorities that support placement of Veterans that actually rely entirely on their disability rating.

So just don't get those confused.

Now I'm going to stop for a moment and ask Linda if we have any questions that we can address now.

>> LINDA BATISTE: Great, we do have a few questions mostly related to Schedule A of course.

First question is, does Schedule A apply to Federal contractors or just Federal agencies? For example, we are a financial institution. Does this apply to us?

>> STEPHEN KING: The fact that you're a financial institution like I would consider the FDIC financial related. This applies to Federal Government agencies. Schedule A is not used by contractors. But, but, under 503 regulations and I know we're not really discussing that -- we're not focused on contractors really as part of the -- of this particular webinar -- we do, indeed, as the Federal Government does indeed expect that contractors will also have a diverse workforce. And there are goals in place for even participation rates of individuals with disabilities that contractors who want to do business with the Federal Government now must meet. They do that through other methods. I'm not familiar with how like how specifically a private organization goes through their hiring processes and procedures. But they do not have to adhere to the Schedule A authority. And I have a feeling they do not -- wouldn't call it Schedule A. I have a feeling they have other authorities or other ways in which they ensure that they have a diverse candidate pool.

>> LINDA BATISTE: Okay. Great.

This question is, what if we already posted a job and then we get a Schedule A applicant; can we still use Schedule A?

>> STEPHEN KING: That is an awesome question. I'm glad you asked it.

Yes, you can.

You can have -- you can post a vacancy and quite frankly I hope this isn't the case but let's be honest, not all of our managers or HR professionals are aware of Schedule A so you post a vacancy you post vacancies all the time in your agency yes you may have diversity in mind but you may not have Schedule A in mind or hiring someone with a disability at all. It may just not have gotten on your radar or not be on your radar for one reason or another.

Individuals with disabilities can apply to open vacancy announcements. They can also apply to vacancies that of course are expressed interests if you will and vacancies which haven't even been announced yet.

So yes you can be headed down one track meaning you want to hire -- you believe you're going to hire someone competitively. And you happen to come across a candidate, whether they submit their resume directly through that same applicant pool under that open vacancy announcement. Or it just happens to come across your desk from a Career Fair that you went to.

Either way, that person can be considered for that vacancy announcement.

Now, if they weren't part of the applicant pool specifically for that vacancy announcement meaning they didn't apply through USAJOBS, et cetera, then what happens behind the scenes is your HR professional would actually code the vacancy or the list of eligibles as a non-selection meaning they didn't select from the intended candidate pool. Instead they hired via Schedule A. So they can justify why they did that. That's a great question. Thank you for asking that.

>> LINDA BATISTE: All right. Thanks. We have a couple more here.

I think this refers to, Stephen, your discussion about that there's other things covered by Schedule A besides hiring people with disabilities.

The question reads, can you repeat where we can access the 20 jobs eligible for Schedule A?

>> STEPHEN KING: Ah-ha. There are not 20 -- there are not 20 jobs available for Schedule A. Let me see. How do I -- okay. There are 20 or so -- I don't know off the top of my head what letter U is in the alphabet so I guessed it was around the 20th letter.

But there are 20 other categories or paragraphs meaning a Paragraph A, B, C, D, E, et cetera, et cetera.

There's also let's see S, T, U, V, AA, BB, CC, et cetera, et cetera, there are actually even more than that, there are more than 30. You can access that by going directly to the Code of Federal Regulations.

Now if you don't already know where that is if you look back on the slide, it was Slide No. 13. I tell you in parentheses the source and I say go to www.gpoaccess.gov. If you go there, or if you go to www.e -- as in electronic -- e -- C for code, F for Federal, R for regulation.gov so www.beecfr.gov it will take you to the electronic version of the Code of Federal Regulations and you can just type in 213.3102 and it will take you to that section and it will show you all of those other categories that I was referring to.

So they are not jobs really. They are categories of individuals who based on their status as a chaplain or as an attorney or as an individual with a disability or as an interpreter or reader for the blind, they are actually -- can be hired under a different part of Schedule A. All of those will be listed there.

>> LINDA BATISTE: Great. And can couple other ones came in while you were talking do you want to go ahead and do those core come back after you have covered --

>> Let's come back I want to make sure we cover some of other stuff, as well.

>> LINDA BATISTE: Great.

>> STEPHEN KING: Thank you for the questions, though, sometimes those questions make me realize you know what I should have mentioned that and you all certainly have that impact so I appreciate it.

Now we're going to talk about recruiting which is Slide 18.

I mentioned earlier the importance of having a plan, a strategy. Agencies are actually required by OPM to have a recruiting strategy. I don't know if they are still referred to as the three Rs but it was recruitment, retention and of course I would forget the other R. Recruitment, retention and -- all right. Anyway, there's a plan that OPM required. And in short it requires agencies to be strategic in their planning.

With recruitment for retention bonuses with the way they

recruit people, their strategies. How they are going to get a diverse applicant pool. What schools may even require you to say you know how you're going to implement this strategy, what schools you may go to, what are the resources you use.

How you're going to perform outreach to these various communities, et cetera.

So that's what I was referring to. To make sure that you're a part of that conversation if you're a disability Program Specialist or manager sorry. A special placement coordinator in EEOC -- a professional, et cetera, to make sure that you're part of that plan, the development of that plan.

Does your agency go to the right mix of colleges? As I stated earlier, sometimes we get let's say you're at an agency and you hire a lot of statisticians. Well, chances are, a lot of your leaders may also have backgrounds in statistician -- or degrees in statistics or mathematics.

And they may have come from certain schools, let's say Brigham Young or Stanford. Great statistics programs.

Well, sometimes we get caught up in where our leaders went to school. And we keep going back to the same pools. And we expect a different outcome.

And sometimes what we run the risk of running into or what the end result could end up being unfortunately is that you have a bunch of people who are exactly like your senior leaders and you may think well hold it, that's a good thing, right? Well, what about diversity? I learned a long time ago that you can find a gem of an employee on a campus -- at a campus at a community college in the middle of Kentucky just like you can find a gem of an employee walking the campus at Stanford.

Believe it or not.

You know one may require a little bit more development and that could actually be the person from Stanford, I don't know.

It just gets to diversity.

And then you can find those pearls or those gems anywhere. You just have to throw a broad enough net.

So plan ahead. Make sure you set goals. And always track your success.

Your HR professional should be used to doing this. You don't want to keep going to recruiting events at the same school or recruiting events that are promoted by the same third party

organizations if it's not producing results.

Try to find a way to measure those results. And hopefully your HR professionals are on top of that.

Remember as it says on Slide 20 that recruiters are the face of your organization. Very important. That they feel comfortable interacting and communicating with and about individuals with disabilities.

Very important.

It will alleviate your manager's concerns if they know how to interact with individuals with disabilities.

And what they can and cannot ask during an interview. I for a fact know that JAN's Web site has tons of information about this very topic, about what you can and cannot ask during an interview.

So you already know how to get to JAN's Web site because you had to use it to register for this. So I advise you to use the resources available including the EEOC's Web site, EEOC.gov, to learn more about this. To help you relay that information to recruiters and to managers to make sure that when they are representing your agency, they are not embarrassing, that they are welcoming a diverse applicant pool to be considered for job opportunities and hopefully to openly secure employment within your respective organizations.

Make sure that your recruiters understand that reasonable accommodation, that obligation that we have, not only applies to employees to help them perform the essential functions of their jobs, it also applies to hiring. And the hiring process. Meaning that if you need to provide let's say -- let's say someone asks for a sign language interpreter to participate in an interview, well, guess what, your agency needs to provide that.

I'll give you another example that's a little less uncommon that you may not have heard in our trainings before. And that is let's say that you are -- you're recruiting for an organization. And you are on the second floor of the career services building. And that's where your interview room is.

And you learn that one of the candidates is unable to get up to the second floor because the elevator is out of order that day.

You don't just cancel the interview. You accommodate them.

You may not have called it an accommodation you may not even be thinking that way you may be like well of course I would go downstairs and interview them. Well guess what, you have just accommodated them. Not only is it a good thing to do and it's the appropriate and intelligent thing to do, it's also required. If the person needs to be able to get to the second floor to participate in an interview and you're on the second floor and the elevator isn't fixed in time, you need to make an adjustment.

Your recruiters need to know that. They need to know that someone may show up and ask for something on the spot. Don't just say no. In some cases, yeah, you may have to delay the interview because you were just made available.

One way to avoid some of those surprises, at the time that you set up interviews, ask all candidates that if they need an accommodation to participate in the interview or the hiring process, to make your agency aware. That way you know in advance and you can plan accordingly.

I asked -- one of the bullets here, I mention are recruiters well versed in your agency's mission critical occupations? I say that because let's be honest, within your organizations, most of the growth -- opportunity for growth for advancement are probably within your mission critical position.

So let's try to give people with disabilities, individuals with targeted disabilities, in the mission critical areas so they will have greater opportunities to move up and greater opportunities to be the future leaders of the organization.

You know many of us have long heard and I believe this to be true. I've seen it. I know it to be true.

We are more likely to see advancement of employment of people with disabilities when we actually see individuals with disabilities in management positions.

You know Christine Griffin for those of you who were around a while back when she came to the EEOC around what, 2006ish or so, you know, here you had an individual with an apparent disability who was a senior leader in the Federal Government. Trust me when she came to your agency, your senior leaders suddenly viewed disability differently.

She opened up doors for many of us so we could do our jobs better and changed the focus.

We still have some folks like that in the Federal community. But they -- you may have to uncover them. You may have to try to find them on your own. You may have to find them within your own agency, champions, if you will, to help bring awareness to your agency's obligation represent the population of the United States and have a diverse workforce. And I think often the easiest way of doing this is to focus a lot on your mission critical positions and I also think it's very important for anyone involved in the hiring process to be able to describe the job requirements, especially any physical requirements of the job. As you all know many position descriptions in the Federal Government are poorly written. If your recruiters and managers are facing their understanding of the job on the PD, the position description, and not on what is really required, you've got a problem.

So try to work with HR professionals to ensure that your position descriptions are accurate. And that everyone knows what is required of individuals in those positions.

We're now going to talk a little bit about locating talented candidates. I am going to speed up a bit.

Yes, I have -- I have resources listed here. And I have links to some of these resources. On that resource list that we provided. As part of this webinar. So I'm only going to actually go over one of these and that's one that I use to lead and it's a DoD DOL collaborative program. JAN DOL funded at DoD program so I think it's important to focus on the WRP program this is a recruitment program for college students and students with disabilities co-sponsored by DOL and DoD. It's for -- because it's for recent graduates and by recent graduates I mean people who have graduated within the past year. And college students, current college students with disabilities we work a lot with colleges and universities to find candidates who we then interview.

Yes over the years those interviews or those evaluations of candidates have been done in a variety of ways. Because of budget issues.

We used to always go on college campuses. We sometimes would do telephone interviews. We have even asked people to submit answers to questions, interview questions in writing. And then evaluated those.

So there are a variety of ways in which candidates are evaluated. But candidates are evaluated.

And those candidates are made available to Federal Government agencies for them to do a further evaluation if they would like. And then to extend offers to them.

This database, this program, was actually called out at a model strategy to implement Executive Order 13548 that I mentioned earlier. And it represents the largest candidate pool of Schedule A eligible folks. Schedule A eligible college students and recent graduates.

So everyone, all 2500 plus candidates in the database that was just released for 2015 about three weeks ago or so, they have all -- they all have an understanding of what Schedule A is. And they have all said that they are Schedule A eligible. Yes, it is up to the employers to verify Schedule A eligibility. But Schedule A has been explained to the school coordinators and to the candidates. And this database is indeed the largest pool of Schedule A eligible candidates available.

This database is created by participation of over 250 colleges and universities. And a lot of volunteers, recruiting or evaluating candidates. Candidates are all evaluated. Each evaluated on various factors. Those factors include maturity, direction, communication and experience.

And they are also given an overall rating.

Only candidates with a 3 or higher on a 5 point scale are included in the database.

So we have already done some cuts. And we have tried to only give you the best of the best.

So it is a valuable tool. And I highly recommend that you all use.

Slide 24 we go into a little bit more detail. Let me just say that some agencies have some funding in place. DoD is one of those.

The -- any accommodations that are needed to support placement of WRP candidates assistive technologies at any of our 68 partnering agencies we provide that of course.

And you can learn more about going to WRP.gov. Now I'm going to stop for questions about recruitment.

>> LINDA BATISTE: Okay, great and we had several people let you know that it's relocation your other R.

>> STEPHEN KING: Thank you so much.

>> LINDA BATISTE: It was hurting your brain for a while.

>> STEPHEN KING: Wow, thank you, I'll be able to sleep tonight.

>> LINDA BATISTE: We were happy to find that out, too. Okay we do have several questions some of them do overlap with your first section.

>> STEPHEN KING: Okay.

>> LINDA BATISTE: How would anyone get access to any pre or pending job positions in the Federal Government?

>> STEPHEN KING: It takes working closely with HR to really be able to do that effectively.

Now, I have indeed conducted trainings at agencies and had managers come up to me now that they were aware that the agency had a disability program and what its purpose was, I have indeed had managers come up to me and said well you know what I have an opening on my staff. How can I use Schedule A? I would love to bypass this sometimes time consuming process that I have to go through when I actually post the vacancy. I would rather not post it. But just accept resumes. And transcripts and whatnot from candidates who would like to be considered.

So you can do it by just raising awareness of your program.

And setting up potentially an email address that could be put on recruitment materials, et cetera, to direct individuals who may be interested in an appointment via Schedule A to you or to an HR professional, the only other way to do that is to work closely with HR because whenever a manager has a vacancy, they generally have to work with HR for a while to develop -- to figure out what questions are going to be asked, to make sure that the PD is in good shape, the position description, et cetera, before it's ever put on USAJOBS so if you can somehow get in between when that manager comes to HR and before that job vacancy has posted then you're golden, you're exactly where you need to be as a Disability Program Manager. That's easier said than done. I realize it. But it goes to -- it reiterates the importance of the relationship that is required for you to have a Human Resources professional.

We can do none of this without Human Resources.

So if you don't have a good relationship with them, you've got to work on that immediately. You really do.

>> LINDA BATISTE: And this is kind of a parallel question kind of coming from the candidates, the job application candidates position. Is there a register for Schedule A candidates where they can submit applications so that those will be available when there's a job opening?

>> STEPHEN KING: Well, years ago there was indeed this vision. When I first met with Christine Griffin in 2006 I said wouldn't it be great if the Federal Government had a database exactly as you have just described.

And a database that is open to everyone for every type of job that may come up in the Federal Government, no, that doesn't exist.

However, one of the other -- one of the other resources that I had on that slide where I mentioned that WRP and I said that there were other resources that I listed and I have a link to the URLs for some of those on the resource list, one of those is the OPM shared register.

The OPM shared register is indeed an attempt to do that. But it's primarily focused on eight job categories. I don't have those job categories in front of me -- in front of me at the moment but it's things such as budget, they are positions that most agencies would have. Like for example positions in HR, budget, administrative positions, et cetera. You hear some people refer to it as a quote-unquote vendor list and that's because the current contract that OPM is awarded for the shared register was indeed awarded to those held by Joyce Bender's program or company. So you can learn more about that by going to the URL that's on the resource list that's been provided for this webinar.

>> LINDA BATISTE: We do have a few more questions a couple of these I think will go quickly and I'll let you go get onto your next schedule if an employee uses Schedule A to take a higher level position with an agency do they need to have a two year probation period.

>> STEPHEN KING: That's another great question. Yes, whenever -- so you can indeed use Schedule A to get -- to get a promotion. So let's say I came in through the competitive process. Did not use Schedule A, and suddenly, wow, I really want this GS 13 position that's available and I would like to get to them before they post it and open it to everyone.

I have a disability. A severe disability. I would like to use Schedule A. Could you put forth your name and could your agency hire you? Yes. But what goes along with that flexibility, that non-competitive status, if you will, is the fact that you have to go back into the excepted service.

It's a tradeoff. Which means you could be putting yourself out there for a period of time without the job protections you would otherwise have it's a great question it requires a lot of thought before you do it I always recommend that you reach out to an HR professional to find out what job protections you would have if you are in the excepted service within an agency that primarily hires people within the competitive services.

>> LINDA BATISTE: For time I'll let you go ahead move on to your next section I would like to say real quickly to the audience, Stephen has agreed to answer any questions later after the presentation that we can send out in an email so if we don't get to your questions, you will get an answer later on. So feel free to keep sending them in. But right now we're going to move on to Stephen's next section.

>> STEPHEN KING: All righty. Thank you very much. So Executive Order 13164 retention but I said we would take a reasonable accommodation slant to retention because let's face it if you hire individuals with disabilities one of the best ways to keep them or any other employee is to give them the tools they need. It just happens that when you're talking about people with disabilities it's not just a good thing to do, it's actually a requirement that we provide those accommodations.

So Executive Order 13164 requires agencies to have written reasonable accommodation procedures in accordance with the Rehabilitation Act or the Rehab Act reasonable accommodations must be made available for the applicant -- for the application process, the hiring process as I just mentioned, performing the essential functions of the job. You probably knew that one before today's conversation. Most people do.

And then there's this other one, the benefits and privileges of employment. If there's ever an area in which managers are a little confused, and a light bulb goes on inside their head it's like wow I have to provide -- I may have to provide accommodations to someone so they can participate in an activity that is you know available to other employees that I have here.

Yes. The answer is yes.

So perfect example I love using is the office holiday party.

You may think that an office holiday party that no accommodations would ever have to be provided for that.

But if it were not for the fact that the employee was employed in that office, they would not be invited to this.

So it is a work function. You may not be paid for it. It may be after work. It may be after hours at someone's home. But if you have someone on your staff and they are deaf and let's say they need a sign language interpreter, this event, which does really present itself as a work function because again, unless you worked in that office for that agency, you wouldn't be invited, you may have to provide an accommodation in your own home. But you wouldn't have to pay for it. Your agency would.

That is a more difficult one.

I like looking at another one that comes up. Because this almost happens -- this almost happened to me I've thought about holding a holiday party at my home. I looked -- I lived in a condo more like a townhouse but as soon as you came in the front door you had to go up 12 stairs or so.

That would have been a horrible place to have a holiday party. If the only thing on the first level of my home was a garage unless I planned on having everyone party in the garage, everyone is going to have to go up those stairs. Well if I have anyone with a mobility issue on my staff, and I happen to -- I happened to at the time, then that would have been inappropriate. Actually it would have been insensitive, as well, let's be honest.

So sometimes accommodations I believe are somewhat just -- they are nonsensical if you will they should be common sense I should say that's what I meant they should be common sense in many ways. They are the right thing to do. If it's a way to make people feel included so benefits and privileges of employment whenever Federal dollars are spent on a program or an initiative, then that program needs to be accessible. I don't care if it's a program in your auditorium. I don't care if it's extracurricular baseball tournament or league that your agency has. You have to allow people with disabilities to participate. So that may require an accommodation.

Moving on.

That kind of touched on most of what Slide 27 is about. It's all about equal access. All Federal programs, training events and other activities must be fully accessible to all employees and guests if those guests are invited.

So if I am at my auditorium and I have an event and it is open to the public, I should probably have a reasonable accommodation statement in my event announcement so I can capture those needs so I have what accommodations are needed to make this program accessible.

So whenever Federal dollars are spent, there is a responsibility that goes along with it. That's the easiest way I have to describe it.

Common types of accommodations are covered on Slide 28. They include but are not limited job restructuring, modifying a workplace policy, purchasing equipment, which is one thing CAP is good for providing sign language interpreters, et cetera, et cetera.

Slide 29, an agency is required to make reasonable accommodations or provide reasonable accommodations to accommodate individuals who have a known mental or physical limitation. So please keep in mind that you can only accommodate what you know.

So yes, it is on the employee to make you aware when they need an accommodation. However, sometimes the accommodation or the individual with a disability is apparent and in those cases, I encourage managers to ask individuals if they are likely to need something. You know if you have an employee and they are deaf, you know they are deaf, they have asked for interpreters in the past, chances are, they are going to need an interpreter again. So just keep that in mind.

As a general rule, again, as I said as a general rule, the individual with the disability is responsible for informing the agency that the accommodation is needed.

I do keep -- do keep in mind some of the small print I have there on that slide that if an agency wants to say -- or tries to claim that it's an undue hardship for them to provide an accommodation, expense or cost, it's not going to fly it's not going to work for a Federal Government agency.

Generally most accommodations are under \$500. Last year CAP

provided a record number of accommodations in our 24th year, 12,700 or so and the average cost of accommodation was \$459. For 12,700 accommodations so there's proof that most of them are actually under \$500 rather inexpensive and easy to do.

Carrying on Slide 30 what must an employer do after receiving a request for reasonable accommodations? I'm going to sum this up, talk about it. If you're made aware that -- if a manager is made aware that an employee needs an accommodation or believes an employee may need an accommodation, talk about it, ask them, you know, I've noticed you seem to be having difficulty doing something or I've noticed that your performance in a particular area has not been what it used to be. Is there an issue is there something I can do to help you notice when I said that I did not say reasonable accommodation, I did not mention disability. I didn't mention any of those things.

And you don't have to. You can just make it a simple conversation. That alleviates some of the fear I think that your managers have about saying the wrong thing by just taking some of those words like disability and reasonable accommodation out of it. And just showing your concern for an employee.

That's a good thing.

Again, I always recommend folks contact their Disability Program Manager whenever they need assistance.

Speaking of assistance on Slide 31 very quickly you already know about JAN. You're participating because of JAN. I don't want to assume you know about CAP. But we're also a resource. You can go to [ww.CAP](http://www.CAP.mil) that's CAP.mil to learn all about us but in short as was already mentioned in the opening you can get free assistive technology through us if you are part of the Department of Defense or one of our 68 partnering agencies. We have a list of our partnering agencies on our Web site. And the majority, over 90% of employees in the Federal Executive Branch are indeed eligible for our services because they are account partners. We do not provide accommodations or cannot provide accommodations to contractors of the Federal Government.

And our entire accommodation process starts by going, again, to our Web site, CAP.mil I have a screenshot on Slide 3 -- on is Slide 32 and simply pressing request an accommodation. It's that simple. -- Slide 32 if you have any questions a member of our -- of my staff is always available you can submit a question

on the Web site our phone numbers are on the Web site. I encourage you to like us on Facebook, connect to us on Twitter. All of that information again is at CAP.mil.

A very brief closing. We talked about the Rehab Act and the obligations Federal Government agencies have. We mentioned the Executive Order. That we enforce some of -- some of what the Rehab Act already requires one of the things it says is you need to increase hiring of individuals with disabilities and increase use of Schedule A we mentioned resources available to do that.

One of those resources is the Workforce Recruitment Program. Your own agency can establish a database or a referral process if you would rather not use one of these tools for whatever reason.

Make sure you work with your HR professionals to do that always keep in mind the WRP program, always keep in mind that the easiest and best way to retain good employees is to treat them well, and give them the tools they need. And for people with disabilities, that usually just means giving them an extra tool. What accommodation they may need.

At CAP we recently changed our motto which we have used on our wounded Service Member side to support, equip and empower that sums up what we do we at CAP and I hope you within your organizations do this, as well, you support your employees by providing them what they need. And through that you empower them. You empower them to reach their goals, to achieve their missions and to be all that they can be.

With that being said, I thank you for your time. And once again you want to -- I want to thank the Job Accommodation Network for inviting me.

>> LINDA BATISTE: Great thanks so much Stephen for a really great presentation. We really do appreciate it.

We are out of time. So we will take you up on your offer to send out the questions later on.

I want to thank everybody else for attending and thank you, also, to Alternative Communication Services for providing our net captioning today.

If you need additional information about anything we talked about today just let us know and if you want to discuss an accommodation, please feel free to contact us at JAN and also at CAP.

We hope the program was useful. Join us in February on the 18th for our second webcast in this series, it's called: Promoting employment of individuals with disabilities in the Federal workforce. And will feature Jolinda Johnson from the Social Security Administration this will be dedicated to answering audience questions so if you plan to join us and you have questions you want to have answered feel free to send the questions in ahead of time to questions@askJAN.org and finally as I mentioned earlier an evaluation form will automatically pop up on your screen in another window again we appreciate your feedback so we hope you'll take a minute to complete the form. Again, thanks for attending.

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