



Upcoming Events

[July 2020](#)

Independence Day

July 4

[Diversity and Inclusion in VA Council Quarterly Meeting](#)

July 15

[Federally Employed Women Virtual Leadership Summit](#)

July 20-24

30th Anniversary of the Americans with Disabilities Act

July 26

National Korean War Veterans Armistice Day

July 27

ORMDI

Steps Toward Conflict Resolution

You can contact the Office of Resolution Management, Diversity and Inclusion (ORMDI) toll-free at 1-888-566-3982 (TTY/TDD at 1-888-626-9008), from 8 a.m. to 4:30 p.m. in all time zones, and speak with a specialist regarding [Equal Employment Opportunity Complaint Processing](#), [Alternative Dispute Resolution](#), and the [Harassment Prevention Program](#). To file a discrimination or harassment complaint, you must contact [ORMDI](#) within 45 calendar days of the date of the alleged discriminatory incident.



Our Differences Make Us Great!

Deputy Assistant Secretary
Harvey Johnson

These past few days I've spent a considerable amount of time searching the depths of my soul to remember who I am, and my responsibility to our world. The two greatest moments in life are the day

we're born and the day we realize why we were born. Dr. Martin Luther King once said that if you have not found a cause worth dying for then you do not yet have a life worth living.

As I sat and resonated within, my memory recall was drawn to a familiar poem "Dark Night of the Soul" by Saint John of the Cross, a term used to describe a crisis where there are intense feelings of frustration, sadness and hopelessness. That's exactly how the year 2020 has begun; however, what if we did a mind shift and began to look at things differently?

The untimely and inexcusable death of Mr. George Floyd was not a single monolithic event, but rather the culminating event in a series of events that I believe will force our world to evolve and grow. We can trace events dating back to July 2014, when a cell phone captured Mr. Eric Garner's final words as New York City Police officers sat on his head and pinned him to the ground "I can't breathe." [Continued on page 4.](#)

Commemorate

30th Anniversary of the Americans with Disabilities Act and Updated COVID-19 Technical Assistance Guidance
by Roberto Rojo, VA's National Disability Program Manager

VA joins the Nation in observing the 30th anniversary of the Americans with Disabilities Act (ADA), signed into law by President George H.W. Bush on July 26, 1990. The [Department of Labor, Office of Disability Employment Policy \(ODEP\)](#), yearlong celebration centers around the theme of "[Increasing Access and Opportunity](#)." According to the [Department of Justice, Civil Rights Division](#), "The ADA is one of America's most comprehensive pieces of civil rights legislation that prohibits discrimination and guarantees that people with disabilities have the same opportunities as everyone else to participate in the mainstream of American life — to enjoy employment opportunities, to purchase goods and services, and to participate in State and local government programs and services. Modeled after the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, religion, sex, or national origin — and Section 504 of the Rehabilitation Act of 1973 — the ADA is an 'equal opportunity' law for people with disabilities."

This landmark civil rights legislation is especially pertinent in its workplace applicability in the context of the COVID-19 pandemic. [Continued on page 3.](#)

Training

Federally Employed Women's First Virtual Leadership Summit

Federally Employed Women (FEW) will hold its first Virtual Leadership Summit on July 20-24, 2020. The theme for this summit is "Passing the Torch, Leading the Way."

FEW is a private membership organization working as an advocacy group to improve the status of women employed by the Federal Government and by the District of Columbia government. The summit will offer workshops on leadership, project management, career planning, interpersonal communications, finance, writing, human resources, equal employment opportunity, special emphasis programs, reasonable accommodation, and courses that address the Executive Core Qualifications required for the Senior Executive Service.

VA employees who plan to attend are responsible for obtaining supervisory approvals. Please note that centralized funding is not available for attendance. Funding for both registration and/or travel must come from the employee's benefitting program office. Following supervisory and budget approval, attendees who plan to participate must also register on the [FEW website](#).

For more information, contact [Ms. Sehar Minhas](#), VA's National Federal Women's Program Manager, ORMDI.

2020 Virtual National Historically Black Colleges and Universities Week and Conference

The White House Initiative on Historically Black Colleges and Universities (HBCUs), Executive Office of the President, and the Department of Education are hosting the [2020 Virtual National HBCU Week and Conference](#), the Nation's premiere gathering of students, stakeholders, supporters, and stewards of America's HBCUs, on September 20-26.

The National HBCU Week and Conference is being held virtually this year due to the uncertainties of the COVID-19 pandemic. The Initiative is committed to continuing to leverage this platform to provide meaningful experiences for the HBCU field. Over the next two months, the Initiative will partner with Federal and non-Federal allies to develop a calendar of online offerings—exploring webinars, conference calls, and other supplementary means—to engage, inform, and deliver valuable experiences to the HBCU community during the 2020 Virtual National HBCU Week and Conference.

For more information, contact [Ms. Tynnetta Lee](#), VA's National African American Employment Program Manager, ORMDI, and VA's HBCU Representative.

U.S. Supreme Court Issues Decision on Title VII and LGBT Protections

Sexual Orientation and Gender Identity Included in Definition of Sex

The Department of Veterans Affairs (VA) supports and affirms that all individuals are entitled to be treated with dignity and respect. As part of the Department's continuing commitment to this principle, the Office of Resolution Management, Diversity and Inclusion (ORMDI) takes numerous steps to ensure that acceptance and inclusion are fostered in VA. The Department's agency-wide adherence to the [Secretary's EEO, Diversity & Inclusion, No Fear and Whistleblower Rights and Protection Policy Statement](#) ensures that employees feel safe and free from discrimination, and are empowered to be their authentic selves, as they continue to deliver outstanding service to our Nation's Veterans.

In a [sweeping landmark decision rendered by the U.S. Supreme Court in June \[PDF\]](#), Title VII of the Civil Rights Act of 1964 was held in a 6-to-3 majority ruling that its federal provisions, which also prohibit discrimination based on sex, extend to sexual orientation and gender identity. With the Supreme Court's ruling, the issue of law has now been settled on whether gender identity and sexual orientation are included in the definition of sex.

As the Lesbian, Gay, Bisexual, and Transgender (LGBT) community—in addition to VA's other recognized special emphasis groups—is an integral and growing segment of the Department's workforce diversity, this monumental legal decision further buttresses current policies and directives in place, and will unequivocally ensure that VA's workplace will remain inclusive and free from discrimination or harassment based on sexual orientation and gender identity.

For more information, visit the [VA LGBT Program Webpage](#) or contact [Mr. Sterling Akins](#), VA's National LGBT Program Manager, ORMDI.

Commemorate

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Americans with Disabilities Act

Celebrate the ADA! July 26, 2020

Credit: [ADA National Network](#)

On June 17, 2020, the Equal Employment Opportunity Commission (EEOC) issued an expanded update to the COVID-19 pandemic technical assistance guidance, [What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, and Other EEO Laws](#), to address antibody testing. This update aligns EEOC with current [Centers for Disease Control and Prevention \(CDC\) Interim Guidelines for COVID-19 Antibody Testing](#) which clarifies that serologic (antibody) tests now have Emergency Use Authorization by the U.S. Food and Drug Administration (FDA) and that antibody test results “should not be used to make decisions about returning persons to the workplace.”

“Serology tests detect the presence of antibodies in the blood when the body is responding to a specific infection, like COVID-19,” according to the [FDA](#). “In other words, the tests detect the body’s immune response to the infection caused by the virus rather than detecting the virus itself.” In direct accordance, the EEOC determined that “an antibody test at this time does not meet the ADA’s ‘job related and consistent with business necessity’ standard for medical examinations or inquiries for current employees. Therefore, requiring antibody testing before allowing employees to re-enter the workplace is not allowed under the ADA. Please note that an antibody test is different from a test to determine if someone has an active case of COVID-19 (i.e., a viral test). The EEOC has already stated that COVID-19 viral tests are permissible under the ADA.” The EEOC will continue closely monitoring recommendations provided by the CDC and could update their ADA technical guidance in response to update(s) by the CDC.

As of May 31, 2020, the overall employment of persons with disabilities (PWD) represented 13.15 percent of VA’s permanent workforce and persons with targeted disabilities (PWTD) represented 2.47 percent. For the grade clusters below GS-11, PWD represented 17.08 percent and PWTD represented 3.62 percent of VA’s permanent workforce. For the grade clusters at or above GS-11, PWD represented 9.85 percent and PWTD represented 1.41 percent. Disabled Veterans represented 14.08 percent of VA’s permanent workforce. For more information, visit [VA’s Individuals with Disabilities Employment Program web page](#) or contact [Mr. Roberto Rojo](#), VA’s National Disabilities Program Manager.

Happy Birthday, ADA!

By *Dr. André Sutton, Chief of Reasonable Accommodation Services*

Whenever I conduct reasonable accommodation and personal assistance services training, one of the highlights of explaining applicable disability related statutes and regulations, is the Americans with Disability Act (ADA). This important and critical Act has changed the life for so many Americans to include returning disabled service members ensuring they have laws protecting their rights as they return to civilian life and careers.

From the [U.S. Department of Justice, Civil Rights Division, Disability Rights Section](#): *The ADA uses different standards than the military and the Department of Veterans Affairs in determining disability status...It covers all employment practices, including the job application process, hiring, advancement, compensation, training, firing, and all other conditions of employment. Under the ADA, employers cannot use eligibility standards or qualifications that unfairly screen out people with disabilities and cannot make speculative assumptions about a person’s ability to do a job based on myths, fears, or stereotypes about employees with disabilities...Additionally, employers must make “reasonable accommodations” for employees with disabilities, which means changing the work environment or job duties to eliminate barriers that keep an individual from being able to perform the essential functions of the job. Employers are not, however, required to make accommodations that would result in an “undue hardship,” which means accommodations that would result in significant difficulty or expense. Also, employers are not required to provide accommodations unless an employee requests them. So, if you’re a veteran with a hidden disability like PTSD, you can decide whether to reveal the disability and request accommodations.*

VA’s Office of Reasonable Accommodation Services works to ensure that every VA employee with a disability is provided the necessary tools, resources, and effective reasonable accommodation and or personal assistance services to enable them to provide our Nation’s Veterans with the world class benefits and services they deserve. VA employees, managers, supervisors and stakeholders are encouraged to join the Community of Practice for Reasonable Accommodation Services share point site. For more information, visit the [ORMDI Reasonable Accommodation webpage](#) or email [VA’s Office of Reasonable Accommodation Services](#).

Message from the DAS

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Every event comes with its own lesson and should be “what am I to learn from this event?” This is a global calling for each of us to rise to our higher selves – a shift from fear and hatred to one of love and acceptance. An unwillingness to no longer put up with racism, bigotry, acts of injustice and less than favorable treatment of anyone. The message is now being expressed on a global stage, loud and clear, “injustice will no longer be tolerated.”

I believe 2020 will be a year so uncomfortable, so painful and so inflamed, that it forces us to awake and evolve from our ignorant slumber – a year of enlightenment. A year we finally band together, instead of pulling each other apart. In the upcoming months we must shift from a sense that we are separate to a realization that we are one. We can no longer act in maladaptive ways.

The weak can never forgive. Forgiveness is the attribute of the strong. – Mahatma Gandhi

In a time when it seems we have extreme polarization; extreme violence, extreme hatred – what if we practiced extreme forgiveness? Forgiving so radically requires a deep maturity, grace and mercy. Forgiving brings healing which is where I believe we are headed. Healing begins from loving within and from this mindset, all else flows. We ultimately harmonize with our environment. If we are in a positive environment, we will adapt to it. Before you speak, contemplate first: is it true, is it necessary and is it kind? The Declaration of Independence says that “All men are created equal.” This is true – all people are created equal. It is only our cultural beliefs, socialization and values that sometimes cause us to forget this truth. He or she who lives in harmony with themselves, lives in harmony and accepts others.

As we continue our journey together in 2020, remember, what appears to be tragedy or injustice may be a test to strengthen a weakness. Knowing and believing this, I will continue to search the depths of my soul as I remember who I am and what I am called to do.

Warm regards, Harvey

Additional Resources

[The Secretary’s EEO, Diversity and Inclusion, No FEAR, and Whistleblower Rights and Protection Policy Statement](#)

[Secretary Wilkie: We must bind our wounds](#)

[VA’s Diversity and Inclusion Strategic Plan](#)

[Office of Resolution Management, Diversity and Inclusion Training Resources](#)

[VAntage Point Blog: VA Committed to Diverse Workforce, Strengthening Care for Veterans](#)

[The National Museum of African American History and Culture Talking About Race Portal](#)

[Resolution of the U.S. Equal Employment Opportunity Commission In Mourning for the Deaths of George Floyd, Breonna Taylor, and Ahmaud Arbery](#)

[Executive Order on Safe Policing for Safe Communities](#)



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