



National Network

Information, Guidance and Training on the
Americans with Disabilities Act

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Ten Tips for Employers: Tapping into the Talents of Veterans with Disabilities

Veterans have a lot to contribute to the workplace: skills, resilience, teamwork, loyalty, discipline, and adaptability. This is as true for the approximately one-third of veterans who have a disability as it is for others.

Many employers want to do “the right thing” in employing veterans with disabilities. Yet, goodwill alone may not be enough. Employers must have in place workplace practices to ensure that veterans with disabilities are welcomed and fully engaged.

Research suggests that employers do recognize the value of veterans, but are struggling to understand the legal and human issues around employing veterans with disabilities. Further, veterans with disabilities themselves do fear employment discrimination. Because of this fear, many are unwilling to come forward with an accommodation need.

The following ten tips are designed to support employers as they put into place positive organizational practices to recruit, hire, accommodate, develop and retain all veterans, including veterans with disabilities.

Separate fact from fiction

There are many myths and misperceptions about employees and veterans with disabilities. In general, workers with disabilities perform as well as any other employee (DePaul University, 2007). Employees with disabilities are no more likely to be violent in the workplace, have more workplace accidents, or be absent from the job than are other employees. Finally, reasonable accommodations cost far less than what many employers believe.

Fully include disability and veterans in your diversity/inclusion effort

Too often, disability and veterans’ issues are only included in diversity plans in name only. Veterans with disabilities need a workplace diversity plan robust enough to actually affect employment practices, such as recruiting, hiring, and advancement.

Know the laws

The three main laws that apply to veterans with disabilities are:

- **The Americans with Disabilities Act (ADA)** protects applicants and employees with disabilities, including veterans, against employment discrimination. Under the ADA, veterans have a right to choose whether to tell an employer about a disability and a right to an accommodation that does not cause undue hardship. Learn about the ADA or ask a question by calling the ADA National Network at 800-949-4232 or visiting: www.adata.org.



Tips for Employers: Talents of Veterans with Disabilities

- **The Uniformed Services Employment and Reemployment Rights Act (USERRA)** applies to veterans, including those with service-connected disabilities, in the workforce. Under USERRA, the employer must hold a job open for employees who are service members returning from active duty. USERRA, like the ADA, requires employers to accommodate returning veterans with service-connected disabilities. Learn about USERRA at The U.S. Department of Labor’s USERRA Advisor at: <http://webapps.dol.gov/elaws/userra.htm>
- **The Vietnam Veterans’ Readjustment Assistance Act (VEVRAA)** applies to employers who are federal contractors and protects several categories of veterans (not just Vietnam era veterans), including those with service-connected disabilities. Recently, VEVRAA has been strengthened with new rules, which took effect in 2014. These new rules include new accountabilities for federal contractors around hiring and accommodating veterans with service-connected disabilities (and other categories of veterans). Learn about VEVRAA at: https://www.dol.gov/ofccp/regs/compliance/factsheets/VEVRAA_FactSheet_QA_508c.pdf

Asking veterans about disability

Can an employer ask applicant or employee who are veterans if they have a disability? This depends on what you mean by “ask.” The ADA and VEVRAA each address this issue in a different way. Under the ADA, employers generally cannot ask veteran applicants or employees about disability unless the employer has been made aware of a disability or an accommodation need. However, under the VEVRAA 2014 rule changes, employers who are federal contractors must collect data about the number of applicants and employees who are veterans with service-connected disabilities (as well as other groups of veterans). To do this, these employers use a voluntary self-identification form to collect this data. This data is confidential, must be stored separately from other personnel records and cannot be used for decisions such as hiring or promotion. Note that ADA disability disclosure protections are not in conflict with the self-identification requirements of the VEVRAA new rules. To find out more, go to: https://www.dol.gov/ofccp/regs/compliance/faqs/vevraa_faq.htm.

Form partnerships to tap into the talents of veterans with disabilities

Though there are several resources employers can use to find qualified veterans with disabilities, many employers are not aware of and do not use these resources. Assess your recruitment practices. Do you use talent sources that include veterans with disabilities? Find out more about national, state or regional sources to recruit veterans and veterans with disabilities at: https://www.dol.gov/ofccp/regs/compliance/resources_recruit.htm

Leverage Employee Resource Groups

Employee Resource Groups (ERGs) can be a powerful way for veterans with disabilities to connect with others, share resources, find mentors and identify emerging issues. ERGs can also be a valuable voice for business leadership by informing workplace practices such as recruitment, product/service development and customer outreach. Most workplaces have either a veteran- or disability-focused ERG. Ensure that veterans with disabilities know about any ERG in your workplace. To find out more, go to: https://www.va.gov/vetsinworkplace/docs/em_affinity_groups.html.

Be prepared to accommodate returning veterans with post-traumatic stress injury (PTSI) and traumatic brain injury (TBI)

About 30% of veterans returning from recent engagements have PTSI, TBI and/or depression. Called the “signature disabilities,” PTSI and TBI are not always obvious to others. Here are some points that employers need to keep in mind:



Tips for Employers: Talents of Veterans with Disabilities

- **Question automatic assumptions.** Too often, PTSD is misperceived as a “character flaw” or a risk for workplace violence. PTSD is not a character flaw or the result of a weak personality. Also, PTSD is not limited to veterans only; many people with PTSD are in fact not veterans. Despite the newspaper headlines, the vast majority of people with PTSD do not pose a danger to others in the workplace.
- **The disability may still be unfolding.** When returning to the civilian workplace, veterans may still be coming to terms with these disabilities and may not yet have been diagnosed or treated. Conditions such as PTSD and TBI can have delayed symptoms. All returning veterans need to fully understand that accommodations, EAP services and other resources are available to them as they make the transition to civilian work life.
- **The disability may continue to change over time.** PTSD and TBI are conditions that tend to change over time. This means that employers must have in place responsive, flexible, and effective accommodation practices.
- **Symptoms vary from person to person.** People with the same diagnosis can have very different symptoms and needs. Employers should avoid a “one size fits all” approach to accommodating veterans with the signature disabilities.
- **Start by listening to the veterans.** Effective accommodations always start by listening to the veteran herself. How does the disability affect the job? Which job functions are impacted? What does/might/would help the person be effective? Consider the full range of accommodations that might work, such as work from home, modified schedule, time off to attend treatment, change of work environment, white noise headphones, or more reminders of work tasks. Work leave and job transfer, though sometimes necessary, should be considered accommodations of last resort. For more information, go to: <https://askjan.org/topics/veterans.htm>.

Make sure managers are on board

In many organizations, managers are on the front line for determining who is hired, who gets coached and developed, who is promoted, and who is fired. Also, managers are likely to be the ones getting and granting an accommodation request. Are all the managers/supervisors in your organization prepared to be effective in working with veterans with disabilities?

Consider mentoring

Mentoring for veterans with disabilities has several benefits. Veterans who have a mentor not only “learn the ropes,” but also get a sense of connection that can be sustained beyond job start-up. Being able to reach out to other veterans in the workplace can be a valuable lifeline for veterans who are trying to deal with disability issues while returning to civilian life. To find out more, go to: https://www.va.gov/VETSINWORKPLACE/docs/Training_Series_Vet_Mentoring_Programs.pptx

Create a climate of trust

Ask yourself a few hard questions. What actually happens when individuals come forward with a disability in your workplace? Do you see their skills, talents and abilities, or do you only see the disability? Are they treated seriously and respectfully, or are they pitied and quietly dismissed? Are steps taken so they can do their job effectively with a disability, or is coming forward with a disability often the first step on the road to leaving the workplace? Building a climate of trust is less about what employers say and more about what they actually do—what actually happens. Ultimately, this is what



veterans with disabilities will notice. To learn more about building a climate of trust for veterans with disabilities, visit the free Making Work Happen Toolkits at: <http://www.makingworkhappen.com>.

References

- ADA National Network. (2014). Employment Data for Veterans with Disabilities. Accessed at: <https://adata.org/factsheet/employment-data-veterans-disabilities>
- Appelbaum, P., Robbins, P., Monahan, J. (2000). Violence and delusions: Data from the MacArthur Violence Risk Assessment Study. *Am J Psychiatry*, Vol 157:566–572.
- DePaul University and Disability Works (2007). Exploring the Bottom Line: A Study of the Costs and Benefits of Workers with Disabilities. Released January 28, 2007. Accessed at: http://bbi.syr.edu/_assets/staff_bio_publications/McDonald_Exploring_the_Bottom_Line_2007.pdf
- Gradus, J. (2014). *The Epidemiology of PTSD*. US Department of Veterans' Affairs. Accessed at: <https://www.ptsd.va.gov/professional/treat/essentials/epidemiology.asp>.
- Loy, B. (2014). *Workplace Accommodations: Low Cost, High Impact*. Job Accommodation Network. Accessed at: <https://askjan.org/topics/costs.cfm>.
- Monahan, J., Steadman, H., Silver, E., Appelbaum, P., Clark, R., Mulyey, E., Roth, L., Grisso, T., Banks, S. (2001). *Rethinking Risk Assessment: The MacArthur Study of Mental Disorder and Violence*. Oxford University Press.
- Peterson, J., Kennealy, P., Skeem, J., Bray, B., & Zyonkovic, A. (2014). How often and how consistently do symptoms directly precede criminal behavior among offenders with mental illness? *Law and Human Behavior*, online April 15, 2014. DOI: 10.1037/lhb0000075.
- Rudstam, H., Gower, W., Cook, L. (2012). Beyond yellow ribbons: Are employers ready to hire, accommodate and retain returning veterans with disabilities? *Journal of Vocational Rehabilitation*. 36 (2012) 87 – 95.
- Rudstam, H., Wilson, J. & Semeah, L. (2014). Transition Challenges for Veterans with Disabilities: Implications for Practice. Presented at the National Council of Rehabilitation Education Annual Conference, 2014.
- Tanielan, T. & Jaycox, L. Eds. (2008). *Invisible Wounds of War: Psychological and Cognitive Injuries, Their Consequences, and Services to Assist Recovery*. RAND, 2008. Accessed at: <http://www.rand.org/pubs/monographs/MG720.html>

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