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SEP 18 1995

Vol. 18 No. 6 July 1995

# trc today

*An Employee Newsletter for Texas Rehabilitation Commission*



Kassebaum vs. Goodling/McKeon

Will VR  
Win The  
Toss?

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An Employee Newsletter for Texas Rehabilitation Commission

Texas Rehabilitation  
Commission  
4900 N. Lamar Blvd.  
Austin, Texas 78751-2399  
Vol. 18 No. 6 July 1995

## The Future of the VR Program Hangs in the Balance

It may be more than the pure fate of a coin toss, but the options for Congress and the VR program are now clear.

On the one hand, the Kassebaum bill in the Senate (S. 143), long thought to be the most troubling, is now considered to be a "keeper".

*"The fat's in the fire now. These two bills are headed for a vote and possible confrontation in a conference committee. The outcome will decide the future of VR." --Arrell*

Not so for the Goodling/McKeon Bill (H.R. 1617) in the House. Both address consolidation of the numerous job training programs sponsored by the federal government, but the similarity ends there.

The Goodling/McKeon Bill not only consolidates VR totally in a block grant to states, it takes dead aim at ending a program it says is "paternalistic and unresponsive" to consumers' desires and needs. In a report issued behind the bill, the nation's VR program is described in very uncomplimentary terms, making it clear this bill would end the VR program as we know it. It is out of committee but has not passed the House at this writing.

The bill sponsored by Sen. Kassebaum has come full circle from its early versions, thanks to consumer input and the Senator's willingness to listen to it. This bill also restructures the nation's workforce training programs with a big difference - VR is left out of

the block grant. VR still has its own law and its own funding. While the bill proposes to make VR an "integral part of a seamless service delivery system," the VR process is still the same.

"The fat's in the fire now," says Commissioner Arrell. "These two bills are headed for a vote and possible confrontation in a conference committee. The outcome will decide the future of VR."

Advocates, deeply concerned with VR's changing role in the Goodling/McKeon Bill, are simply asking their congressional representatives to, "take VR out of H.R. 1617 - NOW!" They are also encouraging their senators to stand firm behind Kassebaum. Time will tell.

## Thanks for the Memories

James L. Jackson



James L. Jackson, executive deputy commissioner, was recently acknowledged by the TRC Board in a proclamation citing his numerous accomplishments. Jackson, leaving to join the University of Texas at Austin Rehabilitation Counseling Graduate Program, ends a 29-year career at TRC which began as a counselor in Arlington. For the past 10 years, Jackson has been personally instrumental in many effective programs of employee participation and improved productivity. During the past 18 months, his energy, focus and determination has brought TRC through a grueling, but necessary, reengineering of the basic VR process. Many employees and clients have benefited from Mr. Jackson's commitment to the field of rehabilitation.

Carolyn (Napier) Horne



Carolyn (Napier) Horne, executive assistant to Commissioner Arrell for more than 20 years is hanging 'em up and moving to Florida. The TRC Board, with a special presentation from Chairman Kane, acknowledged Carolyn's many and varied contributions over a long career with TRC. Those who worked closely with Carolyn on agency and TRA matters will miss her calm and congenial nature. We can see her now, lounging under a Florida palm tree, sipping a mint julep and looking every bit the part. "I'm going, ya'll," she says in her famous southern drawl and a twinkle in her eye. "A'm leaving Mr. Arrell and all this in your very capable hands."

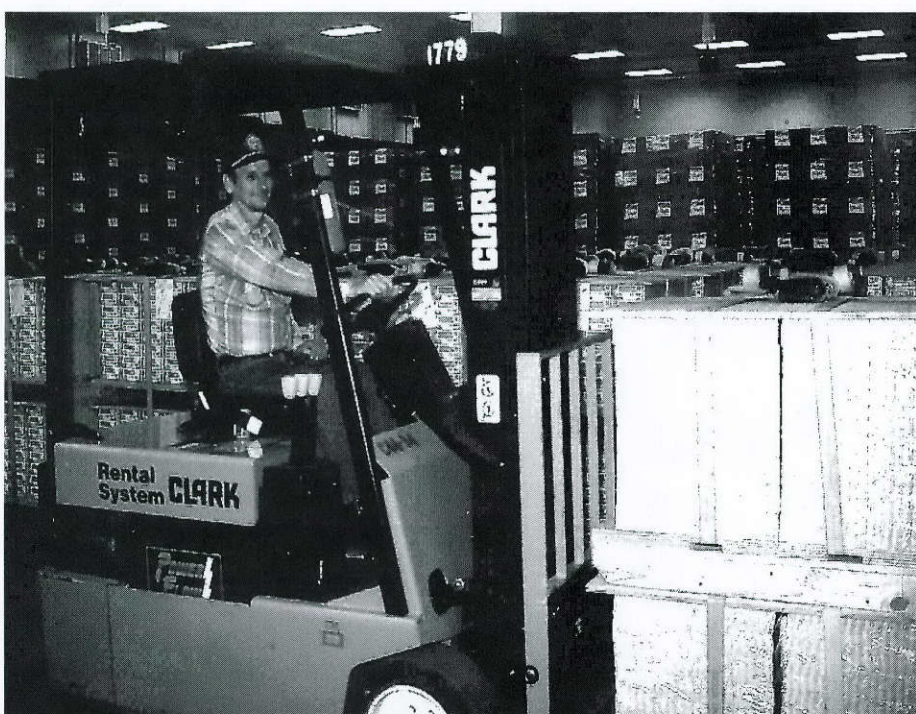
## Making money ... literally

That's what many TRC clients are doing with the U.S. Treasury Department Bureau of Engraving and Printing in Fort Worth. Since 1991 when the Bureau moved to Fort Worth, they have made an excellent effort in hiring people with disabilities.

Many of the hires came through the TRC Job Fair in Dallas that the Treasury Department attended. "We actually made 17 job offers and 13 are currently on board," says Oveta Newman-Stroud, personnel officer for the Treasury Department.

Newman-Stroud, who deserves much of the credit for the hiring initiative, has been pleased with the results. "Persons with disabilities have the same potential as persons without disabilities if permitted to demonstrate their abilities," says Newman-Stroud. "Overall, their job performances have been outstanding."

"The Treasury Department placement success of persons with disabilities is a great example of what can be done when an employer focuses on people's abilities rather than limitations," says Brenda Russell, counselor in the Fort Worth West Field Office. "I was really impressed with Ms. Newman-Stroud in the way she was willing to interview applicants on the spot at the Job Fair and actually make tentative job offers. She should be commended for her commitment and effort in making this a success."



*So what's it like to work in a room of over \$12 billion? Former client Kenneth North, currency shipment checker processor, says that the first day, he was in awe of being in the presence of so much money. But after that day, it was just work as usual.*

# ADA – Year Five

**A**DA's fifth anniversary as law will be celebrated this year amidst a storm of controversy. Once champions, some national legislators are wondering whether the law has gone too far. Others are calling it a costly and unneeded federal mandate.

It also seems the media has jumped on the "Bash ADA" bandwagon. A recent Wall Street Journal article entitled the "The Disabilities Act's Parade of Absurdities," states that, "Unfortunately, the act is producing even more absurd results than most Washington policy-makers realize."

**As year five approaches for the law that many said was the most significant piece of civil rights legislation in years, others are voicing their doubts.**

The front-page article cites 10 examples of extreme misuse. Among them:

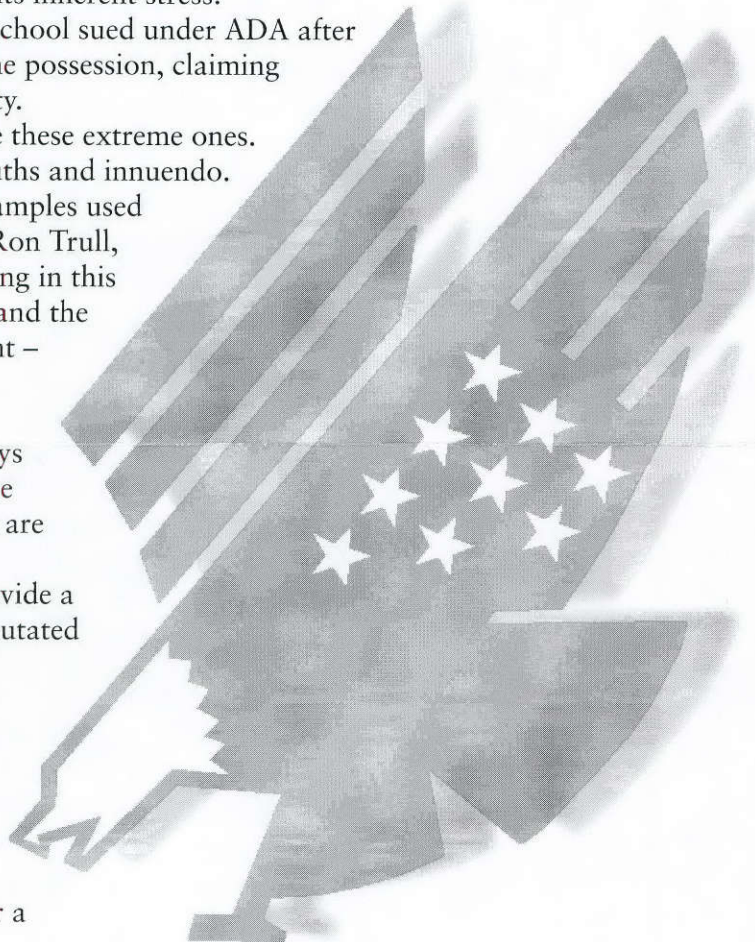
- A motorist ticketed for not wearing a seat belt claimed he was claustrophobic and sued the city because of violation of ADA.
- A government clerk was fired after repeated rude outbursts. She claimed that the firing violated her civil rights because she was manic depressive and that the employer was "obliged to strip her job of all its inherent stress."
- A guidance counselor at a high school sued under ADA after he was fired following his arrest for cocaine possession, claiming that his cocaine dependence was a disability.

"ADA does not support claims like these extreme ones. What we are seeing now is a lot of half-truths and innuendo. If it weren't for the potential harm, the examples used would almost be considered funny," says Ron Trull, TRC ADA coordinator. "What is interesting in this article is that three were not ADA-related and the rest — even though they filed the complaint — does not mean that they will win."

Equal Employment Opportunity Commission Chairman Gilbert Casellas says that most ADA cases that cross his desk are not all that bizarre. The examples he cites are at the other end of the spectrum:

- An employer who refused to provide a stool for an employee with a partially amputated leg;
- An employer who revoked a job offer as a maintenance supervisor after it was discovered he had epilepsy, although the employee had not had a seizure in more than 10 years.
- An employer who refused to allow a person in a wheelchair to apply for a job as a school teacher.

"ADA is sadly misunderstood," says Trull. "ADA is one law that can work well for business and for the people of America. I think a lot of what we see today will blow over. It's a fair law and I think common sense will prevail."



Sure, ADA might be taking some heat. But according to a recent Harris Poll, American businesses are voicing their support. Here's what executives of small, medium and large corporations have to say:

- 70% say ADA should not be changed. 8% say it should be strengthened; 9% that it should be weakened and 3% want it repealed.
- 82% say ADA is worth the cost of implementation.
- 80% say the cost of accommodating people with disabilities has increased "a little." 7% say it's increased "a lot."
- 66% say litigation has not increased. 14% say it's increased "a little."
- In 1986, 51% of corporations reported having made accommodations for employees with disabilities. In 1995, that figure is 81%.

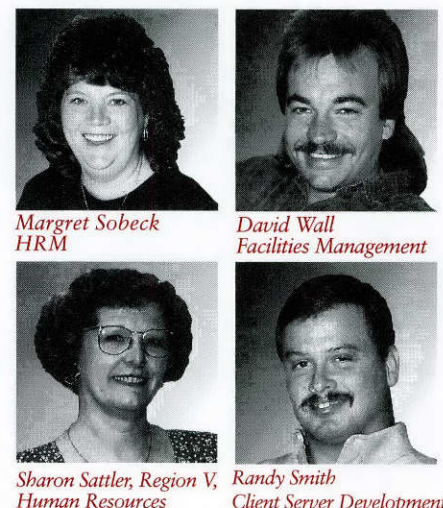
Some say that corporations are "rich" so they can afford to be generous about implementing ADA. Mom and Pop businesses can't. Not true. Any organization, regardless of size, should know the value of a wise investment.

REACHING THE MAX...



## Maximized

These folks have earned 12 or more maximizers.



*Margaret Sobeck*  
HRM

*David Wall*  
Facilities Management

*Sharon Sattler, Region V,*  
Human Resources

*Randy Smith*  
Client Server Development

Cumulative Title I ADA Charge Data – Violations Cited July 26, 1992 - December 31, 1994 Reporting Period	
ADA Violations Most Often Cited	Percent
Discharge	50.5%
Failure to Provide Reasonable Accommodation	25.7%
Hiring	10.9%
Harassment	10.8%
Discipline	7.4%
Layoff	5.2%
Benefits	3.9%
Promotion	3.7%
Rehire	3.7%
Wages	3.5%
Suspension	2.3%

(This list adds up to more than 100% because individuals can allege multiple violations. Percentages are rounded off.)

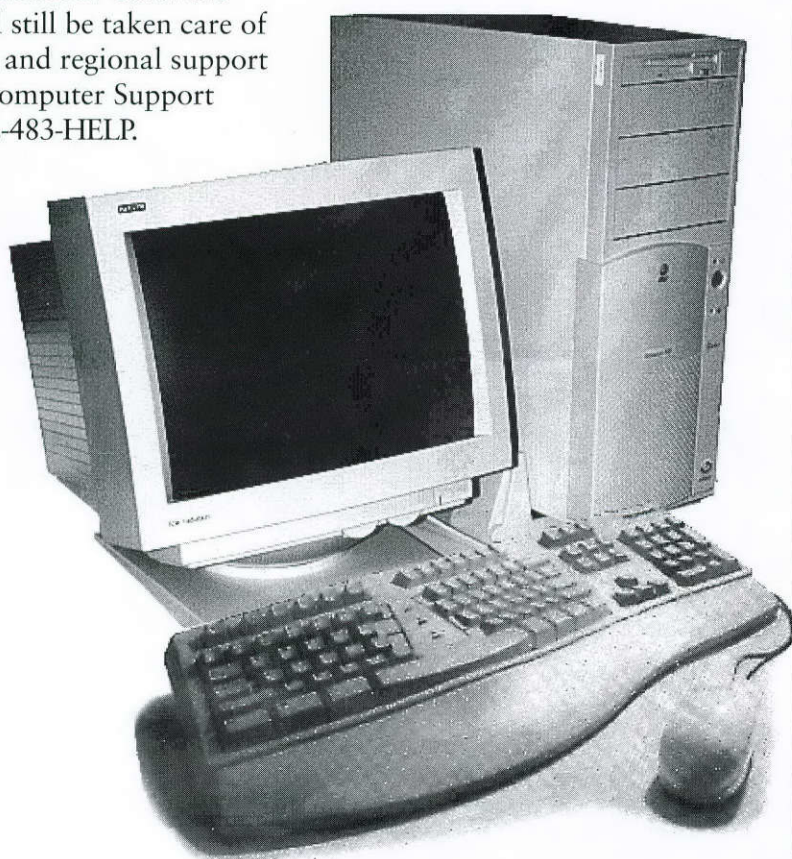
# The Big Swap

Starting soon, field staff will be first in line to get the *tower of power* – the fast and powerful Pentium class computer that will handle the reengineered system. To help defray costs, the new computers will be exchanged with the current ones sitting on your desks.

All field staff has to do to be ready is clear away a work space next to your old computer. Then take a break! Factory trained engineers from AT&T will come in and cable your old computer to the new one so no work will be lost. It won't take long and when you come back to your work area, a new computer will be there to greet you.

One thing that will immediately look different is the crooked keyboard that's designed to ease aches and pains of your hands and arms. It might be a little weird at first but give it a chance!

And with this new set-up, you will have factory-trained engineers and technicians that will provide hardware maintenance within eight work hours of notification. Software problems will still be taken care of by your local and regional support staff or the Computer Support Center at 512-483-HELP.



# A New Slant on Co-Location

If you think co-location is happening only to field offices, guess again. In the not so distant future, TRC may share the Brown-Heatly Building (in addition to TYC) with the Health and Human Services Commission and possibly others.

"It makes a lot of sense for HHSC and others to move into this building with us," says Commissioner Arrell. "It sets a good example of agencies sharing resources. And, from their point of view, who better to room with than the agency known for taking care of business."

To make room for everyone, work areas (commonly called OOLS) will be reconfigured to meet new GSC guidelines for space. That means that everyone will have to be patient with some moving around and changing of work space.

"We are just now starting to work out the details," says Leon Holland, deputy commissioner for Administrative Services, "but so far, it looks like this move will actually give us the opportunity to improve the location of the departments affected. The biggest concern we have is maintaining accessibility. This building serves as a national model for accessibility, and that must not change."

## Across the State

### Welcome Aboard!

Florence Falola, ADP programmer, CO  
Arminta Forrer, ADP programmer, CO  
Erica Lawrence, accounting clerk, CO  
Brandon White, clerk, CO  
Amy Lindsey, clerk, CO  
Glenda Crowley, counselor, Wichita Falls FO  
Demarice Ferguson, RST, Garland FO  
Angela Labar, RST, Houston FO Central  
Cynthia Vasquez, RST, Laredo FO

### Retirements

Shirley Austin, ad tech, Lubbock West FO  
R. W. Touchet, chief of Program Evaluation, DDS  
Delvin Sparks, programs specialist, CO  
John (Jed) Davis, associate commissioner for Automated Services

### Deaths

George Valdez, counselor, El Paso Central FO  
Charlotte Fowler, RST, Pasadena FO  
Yeura Smith, retired area manager, Houston

### Kudos

Pamela Cox, counselor in the Crockett FO (and formally in the Abilene FO) received her Ph.D in therapeutic recreation from the Texas Women's University.

## Another reason to keep your eye on Congress ...

The Personal Responsibility Act of 1995 (HR 4) passed the U.S. House in March. Similar legislation is pending in the Senate. Both bills would greatly reduce the number of people who are eligible for supplemental security income and social security disability insurance benefits.

If enacted, such legislation would eliminate benefits to individuals who have alcoholism or drug addiction as the determining factor in finding that they are unable to work. Non-citizens would be ineligible for SSI except in limited circumstances, and it would also restrict the number of children who would be eligible for benefits.

The Senate bill would require a readjudication of a significant number of childhood cases. The House version automatically terminates payments to a large number of child recipients within six months of enactment.

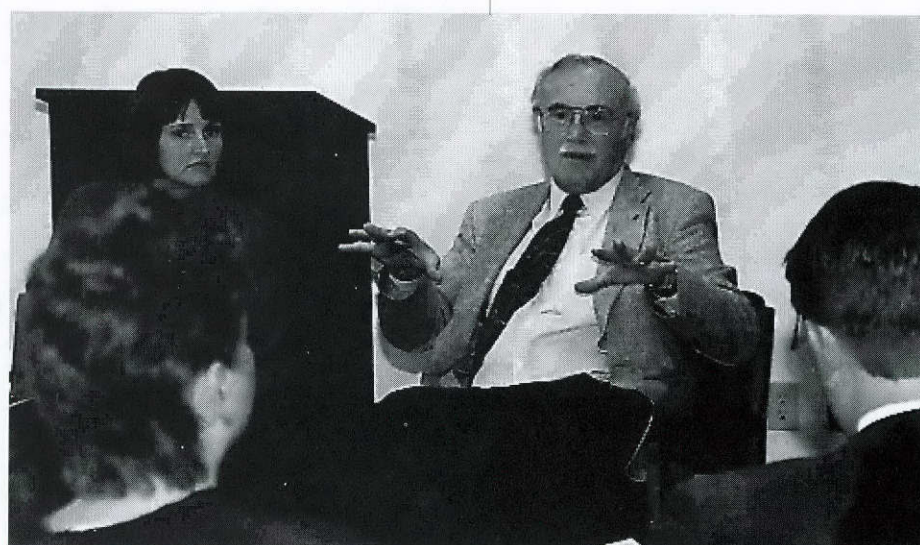
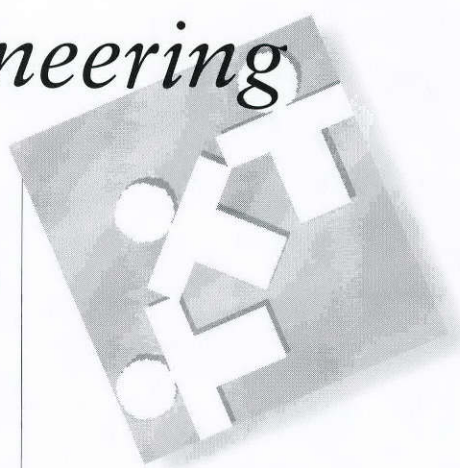
More on this as it unfolds!

# Straight talk on reengineering

Recently, Commissioner Arrell met with two field units (East Austin and Dallas Northwest), in a question and answer session on the topic of reengineering. "I get around the state, and I hear different stories on what you're expecting," said Arrell. "To me, reengineering is something that ought to benefit the people on the line, or we should not be doing it."

Arrell said that most of the confusion revolves around *what* will be happening *when*. "Some of the things we hoped would be ready on Oct. 1 will not be ready. We won't put anything on the line that's not tested or that staff is not trained on," said Arrell. A Release List of reengineered products will be on cc:Mail so that anyone at any-time can look up and see what to expect and when.

And by the time you read this, *A Conversation with the Commissioner* video should be available that will clear up other questions or concerns folks might have. "Keep in mind," said Arrell, "this is something brand new to us and to state government. We are plowing new ground."



Commissioner Arrell with Jackie Feinberg (left) fielding questions at Dallas Northwest FO.

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Address Correction Requested

# trc today

TRC Today is published by the Texas Rehabilitation Commission for distribution to its employees and retirees throughout the state. We welcome submissions for publication, but reserve the right to edit or screen materials according to newsletter policy. Address submissions or inquiries to Shayla Fleshman, Public Information Office, Texas Rehabilitation Commission, 4900 N. Lamar Blvd., Austin Texas 78751-2399; or telephone (512) 483-4043.

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10 years

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Beth Frank

DDS

Oli Ejirika

15 years

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Region II

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Jean Nault

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Kaye Beneke

Prissy Pense

20 years

Region IV

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Jack King

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