

# Quad A News

## The ROI of Hiring Vets



*By US Navy Rear Admiral T.L. McCreary (retired), President of Military Advantage and Vice President, Monster Worldwide*

I recently saw a slide at the Society for Human Resource Management's (SHRM) annual conference on military veteran issues that said: "Imagine, as an HR professional, there was a place where you could draw from an unlimited supply of talent with high-level skills such as:

- Loyalty
- High-work ethic
- Ability to work in a team
- Works well under pressure

*(Continued on Pg 3)*

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## Disabled/Vets Outreach — Good Faith is Not Enough

### June Membership Meeting

**DATE:** June 21, 2011  
**TIME:** 8:30-10:00 a.m.  
**LOCATION:** Sundt (Los Alamos Room)  
 2620 S. 55th Street  
 Tempe, AZ



*Please RSVP by Friday, June 17 to [azquada@aol.com](mailto:azquada@aol.com)*

## Speakers' Profile



**Derek L. Duplisea**  
Wounded Warrior Liaison  
Raytheon Missile Systems  
Tucson, Arizona

**Derek L. Duplisea** is the Wounded Warrior liaison for Raytheon Missile Systems in Tucson, AZ. As the liaison, he is the key interface between Raytheon and all branches of the military in supporting the transition of wounded warriors. Derek has a major role in defining and meeting the needs of Operation Phoenix Program Wounded Warrior participants.

Duplisea was severely wounded at the end of his second combat tour in support of Operation Iraqi Freedom. As a wounded warrior and a former combat arms senior non-commissioned officer and leader, Duplisea has extensive background and experience in the U.S. Armed Forces. Duplisea spent his last two years of service as a wounded warrior and retired from the U.S. Army after 13 years of honorable service as a cavalry scout, achieving the rank of Sergeant First Class. Duplisea served at numerous locations worldwide and deployed in support of Operation Joint Forge in Bosnia- Herzegovina and twice in support of Operation Iraqi Freedom.

Duplisea earned a bachelor's degree in criminal justice from Troy University in 2007. He has three daughters and enjoys the outdoors, hiking, camping and world-class sportsman activities.



**David Smith**  
OFCCP Compliance Officer  
Phoenix, Arizona

**David Smith** has been a Compliance Officer with OFCCP since October 2005.

He is responsible for conducting compliance evaluations and complaint investigations of government contractors located in the State of Arizona and Southern Nevada.

Prior to joining OFCCP, David was a career Non-Commissioned Officer in the United States Air Force. After leaving the Air Force, David was a Business Administrator for the Arizona Department of Corrections.

David holds a Masters' Degree in Human Resource Management from Webster University and a Bachelor's Degree in Liberal Studies from Regents College.



**John Bloomquist**  
Veteran Unit Supervisor  
Department of Economic  
Security Employment Service

**John Bloomquist** has been a member of the Department of Economic Security Employment Service division for almost 10 years. As the Veteran Unit Supervisor, Veteran Business Services Representative (LVER), he supervises a staff of 4 Disabled Veterans Outreach Program (DVOP) specialists in their daily efforts to support our Veteran population find employment, and remove barriers to employment from their location in the Mesa Office.

Mr. Bloomquist is a veteran of the US NAVY and divides his time in Supervision staff, providing outreach to Community and Faith Based organizations, as well as building relationships with Federal Contractors in an effort to obtain employment opportunities for Veterans. Additionally, Mr. Bloomquist assists in holding many local Job Fairs as well as holding the Hospitality Chair for the annual Career Expo held each spring and attends many Job and Information events to provide information to Veterans in attendance.

He has been honored in the past as the LVER of the year by the American Legion in 2005 and LVER of the Year by the Disabled American Veterans (DAV) in 2009. Additionally, he has been recognized by the Arizona Employers Advisory Council (EAC) as LVER of the Year in 2004 and by the Department of Economic Security as LVER of the Year on 3 occasions.

# The ROI of Hiring Vets

- Creative and dynamic thinking
- Ability to work independently towards a goal
- Strong problem-solving abilities
- Carries tasks through to completion
- Ability to change gears in the middle of the road

Most HR pros would say that sounds too good to be true! Well, they'd be wrong.

Our military veterans represent some of the brightest talent our country has to offer.

There is great value in bringing vets into a company, but to do it right requires an investment. At that same SHRM convention, a poll of 429 randomly selected HR professionals revealed the recruitment and retention issues facing U.S. military veterans:

- 60% of respondents said translating military skills to the civilian job experience is a challenge when it comes to writing résumés, interviewing and other related job-hunt communication.
- 48% said difficulty transitioning from the structure and hierarchy in the military culture to the civilian workplace presented a hiring challenge.

## ***Getting Over the Hump: It's the Culture, Stupid***

We have a military skills translator on Military.com that

helps veterans with everything from finding equivalent civilian occupations to applying for jobs that match skills to identifying civilian terminology for resumes to exploring educational opportunities to extend skills.

But what we can't capture online – and it's probably the most important element in the military talent acquisition process – is culture. Now perception is often far from reality and just as corporate America and veterans them-



selves need to understand that translating military skills to the civilian job experience is not as challenging as it seems, companies must wake up to the fact that military vets have been trained to understand that corporate life is not quite as alien as it appears.

The best insight I heard at SHRM was the need for companies to bridge the gap by designing a veteran-specific onboarding process that shares, first and foremost, what every vet wants to know about the organization they've joined.

Things like **mission, vision, core values** and **desired outcomes** of the organization should be shared and discussed in jargon that is easily understood by the new hire.

The most effective onboarding approach will present the company's culture via a 'Rosetta Stone' learning solution that immerses the new 'foreign-speaking' hire into the new environment. It's the only way a vet can begin to think in their new surroundings, instead of simply trying to adjust.

And, it will make the vet much more productive earlier in his tenure and will enable them to fully use their talent and skill sets to contribute to the company's business. (As opposed to stumbling through the cultural morass without a compass.)

The transition from the military to corporate life is challenging; for many it's the antithesis of life in the military—a chaotic environment where nobody can make a decision and nobody seems to be in charge.

The relatively straightforward resolution of culture training is an important and necessary first step to making the investment in hiring a vet pay off.

**Source: *Monsterthinking.com***



# Hiring Without Limits By Joe Mullich, *Workforce Management*,

At the IBM Research Center in Yorktown Heights, New York, scientists develop specialized technology that is the lifeblood of the company's future products--and profits. The center depends on a constant influx of high-level talent, from computer programmers working on speech-recognition products to engineers fabricating semiconductor devices.



Ironically, amid all this high-tech gadgetry, some of the hardest jobs to fill have the ring of rust-belt manufacturing. Like most firms, Big Blue has trouble finding enough precision machinists who operate lathes and milling equipment. "It's a dying art," says Bill Strachan, the center's program director for technical recruiting. "Most of the precision machinists that are available are highly skilled members of the aging

workforce, so we have to look for new sources."

That search for new sources took the company to an unexpected place: the National Technical Institute for the Deaf. The world's largest technological college for students who are deaf or hard of hearing offers a degree in computer integrated machining technologies. Without employees trained in this field, IBM would have to send welding projects to outside vendors, slowing turnaround times and raising costs.

Hiring disabled workers gives the 315,000-person organization access to a much larger talent pool that enables it to produce the best products, says Millie DesBiens, IBM's program manager for global workforce diversity initiatives. She notes that, like other employees who are part of IBM's diversity program, disabled workers also expose the company to fresh ideas and viewpoints. While IBM doesn't calculate the ROI of its diversity program, DesBiens says that disabled workers contribute millions to the bottom line, and provide a crucial point of view for a company that makes and sells technology for the disabled. "We consider diversity strategic to our organization," adds Jim Sinocchi, director of diversity communications for IBM, who is a

paraplegic. "We don't hire people who are disabled just because it's a nice thing to do. We do it because it's the right thing to do from a business standpoint."

IBM, which hired its first disabled employee in 1914, may become a model for creating the kind of workplace that can effectively leverage the skills of disabled workers. Last year, it was one of 10 companies given the inaugural New Freedom Initiative Award from the U.S. Department of Labor, for its training and mentoring programs

**At IBM, disabled workers contribute millions to the bottom line, and provide a crucial point of view for a company that makes and sells technology for people with disabilities. "We consider diversity strategic to our organization," says Jim Sinocchi, director of diversity communications at IBM, who is a paraplegic.**

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## Hiring Without Limits (Cont)

for the disabled. In March, the American Foundation for the Blind gave IBM a 2004 Access Award for its corporate philosophy of promoting accessibility throughout the company and in its products and services. Roy Grizzard, assistant secretary of labor at the U.S. Office of Disability Employment Policy, recalls being at a meeting with an IBM vice president who told him straightforwardly that the company could not afford to overlook a potential employee because of a disability. "The executive told me that individual might develop the next iteration of a software or hardware product that could make the company a great deal of money," Grizzard says.

Disabled workers have long been an untapped source of talent, and are expected to play an increasingly vital role in the workplace in coming years. The massive wave of retiring older workers is expected to leave companies scrambling for new employees, especially hard-to-fill positions like precision machinist and computer programmer. Also, companies that coax older employees to stay on or to return to work will have to accommodate conditions such as poorer vision, hearing loss and mobility problems. "As we have an aging workforce, we are going to see more people with disabilities," DesBiens says.

### Feeling Like an Alien

Twenty years ago, Sinocchi broke his neck while surfing on a vacation, and has used a wheelchair ever since. At the time of the accident, he was 25 years old and had been with IBM for five years. "They asked me to come back to work, and I had no idea what I would be able to do," he says. "I felt like an alien. I didn't know if I would be a burden or a person to be pitied."



IBM moved him to an office closer to his home so he wouldn't have to make the grueling commute into New York City. He was given his choice of positions and selected a job producing technical briefs. Today, he runs the company's internal Web site about disability issues and does a wide range of public relations tasks. Still, he says there are people who are surprised and even shocked to learn that he holds down an executive position and flies to confer-

ences where he handles a wide range of media requests, and that he met his wife *after* he was disabled.

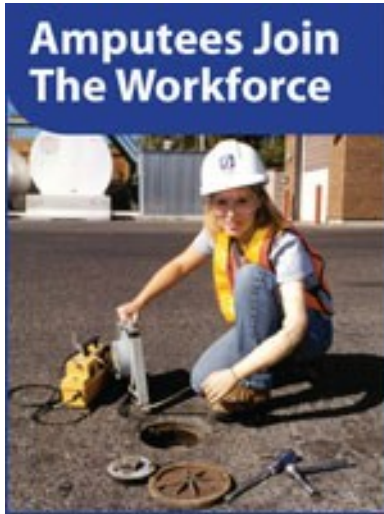
"The problem is that people equate disability with stupidity," he says. "When I go out to dinner, the waiter won't ask me what I want. He'll ask the people I'm with what I want to have." This pervasive attitude must be broken for disabled workers to make a full contribution to society, he says. "The next time you see a person with a disability, try to look at them as a leader in your organization, not just as a worker."

That potential was a theme at IBM's recent third-annual Global Leadership Conference for People with Disabilities. Forty-two percent of the company's disabled workers have key-skill jobs, such as software engineering, marketing and IT architecture. The company estimates that about 1 to 2 percent of its workforce is disabled, but believes that the actual number is closer to 4 to 6 percent when it includes people with undisclosed disabilities such as speech impediments or amputees with prostheses. The higher figure would indicate that IBM has more

## Hiring Without Limits (Cont)

than 18,000 disabled employees, contributing many millions of dollars, although company spokesmen say that it doesn't specifically record the ROI of its disability efforts.

### Building Pipelines



In its constant effort to attract disabled employees, IBM has developed outreach programs throughout the country. It plants recruiting seeds by sending executives to high schools and middle schools to speak to disabled students about careers in technology. "We have several deaf research scientists who are doing world-class work and can be role models for these kids," Strachan says.

For example, a deaf IBM researcher named Dimitri Kanevsky is a renowned expert in voice-recognition technology. The 52-year-old Kanevsky's most recent advance was developing an

automatic system in cars that carries on a conversation with the driver to help him stay awake. IBM research scientists take the time to demonstrate some of their latest projects for the students. Many times, deaf researchers also help students in getting acclimated to assistive technology that they will use in their day-to-day work.

IBM has launched a number of heralded programs that reach out to disabled students and job-seekers. DesBiens says the key to their success is that they dovetail with the company's culture. Mentoring programs for disabled workers are simply adaptations of similar programs that have been successful with able-bodied workers. In 1997, IBM joined with the American Association for the Advancement of Sciences to launch a program called Entry Point, which provides disabled students with a summer position or assignment that can last up to six months. The AAAS develops relationships with professors and students on campuses, which is important because many college students, like people of all ages, don't identify themselves as disabled. Since the program's founding, IBM has placed 137 students in internships and hired 29 for regular employment.

IBM's national recruiting organization has identified and assigned executives to work with five schools that have at least 50 disabled students in the math and science areas: the University of Minnesota, University of Michigan, New Mexico State, University of Illinois and the National Technical Institute for the Deaf. "These are five campuses where we were already successful at recruiting," DesBiens says. In some cases, IBM helped start the disability programs on campus by hosting meetings and having employers talk to students and administrators about their jobs, accommodations and career development.

Many companies have trouble hiring students and entry-level employees with disabilities because recruiters avoid them at job fairs and employment services. In many cases, IBM employees say, the recruiters are simply unaccustomed to being around disabled people and want to avoid embarrassing and awkward moments.

In 1999, the company launched Project Able, which streamlines the process of hiring disabled workers. So far, 84 college students, 139 professionals and one nonexempt



## Hiring Without Limits (Cont)

person with disabilities have been hired through the program. The program has a network of 30 volunteer "line champions" who meet with disabled applicants and advocate for them with hiring managers. The line champions also help managers and applicants prepare for the interviews. Joe Peplinski, IBM's e-server development environment manager and one who serves as a line champion, finds that disabled students tend to be shier than their able-bodied classmates and sometimes need an extra push to aggressively sell themselves at interviews. "Sometimes they simply aren't as prepared as they should be for the interview because they don't think they really have a chance to be hired," says Peplinski, who has been paralyzed from the neck down since age 17, when he was a passenger on a motorcycle that was struck by a car. He earned a bachelor's degree in therapeutic recreation at the University of Wisconsin, and worked with disabled patients for several years before earning another bachelor's degree in computer science from Winona State University. He joined IBM 19 years ago after his basketball coach told him the company was looking to hire for a new manufacturing line.

At IBM, managers receive training in hiring disabled people. "Managers should be



trained to ask hard questions when interviewing people with disabilities," Sinocchi says. "They should know how to ask hard questions. Ask a blind person how he reads; ask a person in a wheelchair how he travels. The last thing a disabled person wants is to have an interviewer knock him out because of things he thinks he can't do without asking." The blind person might use Home Page Reader, a self-voicing Web browser. A quadriplegic might have a reliable driver.

At the Global Leadership Conference for People with Disabilities in April, IBM unveiled a new six-minute video for managers, titled "Help Wanted," to answer the questions many are afraid to ask, such as whether disabled workers will be able to work as fast.

Strachan says that this kind of trepidation is understandable, especially if a manager has never had a disabled employee. When a deaf intern goes to work at the IBM Research Center, Strachan tries to arrange for everyone who will be involved with the student to participate in a two- or three-hour orientation program. Managers, contractors and peers meet with representatives from the National Technical Institute for the Deaf.

"It clears up a lot of misconceptions, such as people thinking that every deaf person can read sign language," Strachan says.

As a line champion, Peplinski makes sure that a new employee's work environment is set up properly with any special equipment before he arrives, so his first week or two is not idle. He normally spends 10 to 12 hours with a new disabled employee during his first six months. Unlike a typical mentor, however, Peplinski also spends four to five hours with the worker's manager, helping to smooth over any difficulties that arise.

It's not surprising that technology companies such as IBM have been the first to embrace disabled workers, since they

## Hiring Without Limits (Cont)

make and sell products that eliminate workplace barriers for them. Nor is it a surprise that IBM goes far beyond the legal requirements to accommodate disabled workers.



The company is in the middle of a sweeping project that began two years ago to make every one of its buildings in the 160 countries where it operates accessible to people with disabilities. At the Research Center in Yorktown Heights, the entire building is engineered for wireless communication, allowing deaf employees to easily chat online with coworkers. The center's evacuation system has been outfitted with audible and visible signals, in accordance with the Americans with Disabilities Act. IBM has gone a step further, however, giving deaf workers in labs special beepers--which are tested once a week--as well as linking them with a buddy to assist in the event of an evacuation.

The organization also tries to remove some of the barriers to hiring the disabled. A disabled worker may need to

have doors widened or elevator buttons lowered. Like many other large companies, IBM maintains a special fund for such accommodations, rather than charge managers' budgets, which would create a disincentive to hire a disabled worker.

While all this is important, DesBiens notes that people sometimes forget that a disabled worker's needs go beyond having the right kind of desk or computer monitor. When DesBiens is called for input on providing accommodations, she reminds coworkers to look at the whole person, especially if an employee is just becoming disabled. "Too often, the focus is only on providing the accommodations and getting the person back to work," she says. "I tell them to think about the person and how they are feeling." That may mean providing resources for counseling, support groups or tip sheets on how the disabled worker can adapt her home to her needs. The more quickly a disabled person handles such needs outside the workplace, the more productive she can be at work.

### Not Just Once a Year

It's a cliché, but creating a disability-friendly workplace does start at the top, DesBiens says. IBM's 39 most senior executives take part

in the company's Executive Diversity Task Force, with four of those executives on the global task force for people with disabilities.

As Grizzard of the U.S. Office of Disability Employment Policy points out, companies that create a disability-friendly environment make employees more willing to disclose those disabilities because they know they won't be stigmatized. IBM trumpets its commitment to the world. Its diversity networking groups provide exposure within the company. Recently, its People with Disabilities Group joined with the women's networking group to present a workshop about employees with children who are disabled. "Letting people know about disabilities is part of the culture here," Peplinski says. "It isn't just brought out once a year during National Disability Awareness Month."

*Workforce Management*, June 2004, pp. 53-58. Joe Mullich is a freelance writer in Sherman Oaks, California. E-mail [editors@workforce.com](mailto:editors@workforce.com) to comment.



## ***From the Desk of... USDOL***



### **Initiatives for Employing People with Disabilities**

The Office of Disability Employment Policy sponsored the "Health Care: Career Trends, Best Practices & Call-To-Action Summit" at

Access Living in Chicago on Tuesday. It was an opportunity for USDOL Secretary Solis and ODEP Assistant Secretary Kathy Martinez to build strategic alliances and sustainable partnerships with industry leaders in order to achieve more widespread adoption and implementation of initiatives for employing people with disabilities.

"We want to encourage the health care industry to include individuals with disabilities in educational and training programs," said Solis. "They can be capable and caring health care providers."

*To view the meeting slideshow, go to: <http://www.dol.gov/dol/media/photos/slideshows/20110517-osec-odep.htm>.*

### **Department of Labor Launches Controversial App to Track Hours Worked**

The U.S. Department of Labor has proudly announced the launch of its first application for smartphones, described as "a timesheet to help employees independently track the hours they work and determine the wages they are owed." Users can track regular work hours, break time and any overtime hours they work for one or more employers, according to the DOL press release on the application. The free "app," launched May 9th, is compatible with

iPhone and iPod Touch and is available in English and Spanish.

The Department predicts that the workers' information "could prove invaluable" during a Wage and Hour Division investigation of employers accused of failing to maintain accurate time records. Indeed, the app will allow workers to "email the summary of work hours and gross pay as an attachment" to the Department's investigators. The app provides a "[g]lossary, contact information and materials about wage and hour laws through links to the Web pages of the department's Wage and Hour Division." According to Secretary of Labor Hilda L. Solis, "This app will help empower workers to understand and stand up for their rights when employers have denied their hard-earned pay."

The Department also is considering future updates to enable use on other smartphone platforms, such as Android and BlackBerry, and to capture information on kinds of pay not currently addressed, "such as tips, commissions, bonuses, deductions, holiday pay, pay for weekends, shift differentials and pay for regular days of rest."

### **Why is the Department Doing This?**

At first blush, the concept behind the app seems innocuous enough: providing workers with a means of recording their working hours to help facilitate proper payment of wages under the law. Where employers fail entirely to maintain accurate time records, this information can be very important in an enforcement proceeding or in litigation. In the absence of reasonably accurate records on the employer's part, contemporaneous information recorded by workers may seem to be persuasive evidence regarding entitlement to back wages. The reality is more complicated. For starters, the fact that the Department is devoting resources to creating this type of app sends a message that its leadership think that a substantial number of employers, and perhaps employers in general, fail to keep reasonably accurate time records. This app, in effect, encourages workers to maintain a parallel set of books because their employers supposedly cannot be trusted.

The next question is what weight the De-

## ***From the Desk of... USDOL***



partment will give to these employee records. Historically, if an employer used a reasonable system to track employee hours, the system was given significant weight in disputes over the calculation of hours worked. But if workers maintain daily records of the time they supposedly worked, will the Department ignore employers' time records altogether and just rely on the workers' records?

### **Advice for Employers**

Paul DeCamp, former Administrator of the Department's Wage and Hour Division and now national chair of the Wage and Hour practice at Jackson Lewis, observes, "This app underscores the need for employers to maintain accurate time records for their non-exempt workers." "Employers," he cautions, "may want to build into their policies a requirement that if workers' time records show any sort of disparity from the employer's time records or the workers' pay stubs, then the workers must report that disparity immediately and submit those records to the employer in order to ensure accurate wage payments." He adds, "The last thing an employer wants is to be blindsided by years' worth of detailed daily time records showing significantly more time worked than was actually paid. It is in everyone's interest for workers to be paid correctly and for any disagreement regarding hours worked to be resolved in real time rather than months or years after the fact."

Employers are reminded that their time-keeping procedures and systems should be audited periodically to ensure they are recording employees' time worked accurately.

### **Web Tool Helps Veterans Transition to Civilian Employment**

The U.S. Department of Labor (DOL) announced that it has revised its REALifelines:

Veterans' Employment and Career Transition Advisor – an interactive, online tool to help Veterans and their family members access resources to assist them as they transition into civilian employment.

The REALifelines: Veterans' Employment and Career Transition Advisor offers guidance for veterans on finding a job, returning to a pre-service employer, working for the Federal government, benefits and other support services, and assistance for family members. It also offers specific information for wounded warriors, including guidance on job accommodations. For Veterans seeking employment and training, the Advisor provides links to state-specific resources by integrating with the National Resource Directory (NRD), a web-based directory managed collaboratively by the U.S. Departments of Labor, Defense and Veterans Affairs. This Advisor is one of a series of **elaws** (Employment Laws Assistance for Workers and Small Businesses) Advisors developed by DOL to help employers and employees understand federal employment laws. To access it, visit the **elaws Web site**.

To learn more about DOL's efforts to assist Veterans and transitioning Service Members, visit the **VETS Web site**.

**We'll be taking a summer  
break in July  
and August  
from monthly  
meetings.**



**We hope to see you in New  
Orleans in July for the  
National ILG Conference.**

**If not ... we'll see you in  
September!**



**The Louisiana ILG  
is privileged to host the**

**29th Annual Industry  
Liaison Group National  
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***“Embrace the Rhythms of Harmony & Equality”***  
**July 25-29, 2011**

**at the New Orleans Marriott**



\$495	(2 1/2 day conference) register by April 29
\$645	(3 1/2 day preconference and conference) register by April 29
\$695	(2 1/2 day conference) register after April 30
\$845	(3 1/2 day preconference and conference) register after April 30

**Register at:**

**<http://www.ilgconference2011.com>**



## ***From the Desk of... EEOC***



### **Starbucks Sued by EEOC for Disability Discrimination**

*El Paso Café Refused Reasonable Accommodation and Fired Barista Due to Dwarfism, Federal Agency Charges*

EL PASO — Starbucks Coffee Company violated federal law by denying a reasonable accommodation to a barista with dwarfism at its El Paso café and then firing her because of her disability, the EEOC charged in a lawsuit filed on May 16, 2011.

According to the EEOC's suit, Elsa Sallard has a physical impairment, dwarfism. She was hired by Starbucks to work in a customer service position July 2009, but was only allowed to train for three days before she was fired. The job description for the barista position stated that no prior experience was required. Soon after being hired by Starbucks, Sallard asked to use a stool or small stepladder to perform the essential functions of preparing orders and serving customers at the counter. Starbucks disregarded Sallard's request and refused to consider her use of a stool or stepladder, the EEOC said. On the same day that Sallard requested the accommodation, Starbucks terminated her employment, claiming that she could pose a danger to customers and employees.

Such alleged conduct violates Title I of the Americans With Disabilities Act (ADA), which prohibits employers from discriminating against qualified individuals with disabilities in hiring, firing, job application procedures, advancement, compensation, job training and other terms and conditions of employment. The ADA requires employers to make reasonable accommodations to employees' and applicants' disabilities as long as this does not pose an undue hardship. The EEOC filed suit after first attempting to reach a pre-litigation settlement through its conciliation process.

"Starbucks has become a virtual icon of modern American culture, appealing to an incredibly diverse customer base," said Robert A. Canino, regional attorney for the Dallas District Office of the EEOC. "We'd hope that when considering hiring a person with a disability, Starbucks would choose to enhance its brand with the mark of equal opportunity and access."

The EEOC seeks injunctive relief, including the formulation of policies to prevent and correct disability discrimination. The suit also seeks lost wages and compensatory damages for Sallard and punitive damages against Starbucks Coffee Company. The EEOC filed suit in U.S. District Court for the Western District of Texas after first attempting to reach a voluntary pre-litigation settlement.

"Employers cannot blithely ignore a request for a reasonable accommodation by a qualified individual with a disability," said Joel Clark, trial attorney for the EEOC. "Starbucks flatly refused to discuss Ms. Sallard's reasonable request. Instead, they assumed the worst and fired her. The ADA was enacted to prevent that kind of misguided, fear-driven reaction."

*The EEOC enforces the nation's laws prohibiting discrimination in employment. More information about the EEOC is available on its website at [www.eeoc.gov](http://www.eeoc.gov).*

### ***Why Join Quad A?***

**For over 35 years, Quad A has been providing its members with quality, up-to-date information through workshops, seminars and conferences. Participating in monthly meetings builds your network of professional contacts in the areas of HR, EEOC, AA, Compensation, and other areas of interest. Membership entitles you to exclusive benefits on our website, monthly newsletters, discounts on quarterly meetings, workshops, seminars, the Annual Conference (in April) and Compliance Conference (in the fall).**

**For more information and to join us, go to**

**[www.azquada.org](http://www.azquada.org)**

## ***From the Desk of... EEOC***



### ***State Contractor to Pay \$55,000 to Settle EEOC Disability Discrimination Suit***

**PRESS RELEASE** 5-26-11. INDIANAPOLIS – Affiliated Computer Services, Inc. (ACS), the company under contract with the State of Indiana to operate many of Indiana's public benefits programs, will pay \$55,000 to settle a disability discrimination lawsuit brought by the EEOC.

The EEOC had charged in its suit that ACS and Alpha Rae Personnel, Inc., the staffing firm that supports the company, violated federal law by refusing to accommodate an employee's known disabilities and by terminating her assignment to ACS instead. Such conduct violates the Americans With Disabilities Act (ADA) and Title I of the Civil Rights Act of 1991. The EEOC filed suit after first attempting to reach a pre-litigation settlement.

A consent decree agreed to by the EEOC, ACS and Alpha Rae and entered by the court requires that for the next three years ACS and Alpha Rae take action to track and respond appropriately to requests for accommodation, post and distribute a policy of non-discrimination, train its employees on non-discrimination and report to the EEOC on progress in this area.

"Although we recently celebrated the 20-year anniversary of the ADA, some employers still make the serious mistake of basing job placement decisions on a person's disabilities," said EEOC Regional Attorney Laurie Young. "This settlement will send a message to all employers that failure to reasonably accommodate disabilities will not be tolerated, and this agency will take all necessary steps to ensure compliance with equal employment opportunity laws."

### ***Dillard's to Pay \$50,000 to Settle EEOC Age Discrimination Suit***

*Department Store Fired 61-Year-Old Sales  
Manager Because of Her Age*

**PRESS RELEASE** 5-16-11. CHARLOTTE, N.C. – Dillard's, Inc., a major department store chain, will pay \$50,000 and furnish other relief to settle an age discrimination lawsuit filed by the EEOC. The EEOC had charged in its lawsuit that Dillard's discriminated against a manager when it discharged her because of her age, 61.

According to the EEOC's complaint, Dillard's terminated Virginia Keene from her position as an area sales manager at the Cary, N.C., store in November 2008 and replaced her with a 24-year-old employee who only had four months of experience as an area sales manager. Keene, on the other hand, had successfully worked as an area sales manager for over four years. At the time of her termination, Keene ranked second out of six area sales managers at the Cary store in terms of sales, the EEOC said.

Keene had also received positive reviews in her two most recent performance appraisals and had twice been recommended for promotion. Throughout the course of her employment with Dillard's, Keene's managers made repeated references to her age, telling her she was "too old" for a sales job and that it might be time for her to "let the younger [managers] take over."

Such alleged conduct violates the Age Discrimination in Employment Act (ADEA), which prohibits employers from discharging individuals because of their age. The EEOC filed suit after first attempting to reach a voluntary settlement out of court.

"Older workers have experience and skills that are too often overlooked," said Lynette A. Barnes, regional attorney for the EEOC's Charlotte District Office. "It is illegal to make employment decisions based on age. The EEOC is committed to using all available means, including litigation, to combat age discrimination."

According to company information, Little Rock, Ark.-based Dillard's has 330 stores in 29 states.

# 2011 Membership Application

Thank you for your continuing interest in and support of the Arizona Affirmative Action Association (Quad A). Our members include professionals in the fields of human resource management, equal employment opportunity, affirmative action, workplace diversity and other related fields. For over 35 years, Quad A has been providing its members with quality, up-to-date information through workshops, seminars and conferences. Your membership entitles you to a monthly newsletter, quarterly meetings/workshops, seminars, the Annual Conference (in April) and Compliance Conference (in the fall). Most activities are included in your membership; others are offered at a substantial discount. At only \$75 per year (Jan-Dec), membership in Quad A is a true value for the money. *(Individual memberships only; no organizational memberships at this time.)*

Goals of the Arizona Affirmative Action Association are to:

- Promote equal employment opportunity, diversity and affirmative action in the workplace.
- Promote awareness and recognition in the workplace and the community of the benefits of taking affirmative action to provide equal employment opportunities
- Share and disseminate up-to-date information on EEO, AA and diversity issues, legislation, judicial decisions, best practices and trends.
- Provide an opportunity for professionals interested in EEO, AA and diversity issues to network and communicate.

*Quad A is a nonprofit 501(c)3 organization (TIN 86-0966437).*

***Membership applications/renewals can be made  
online at [www.azquada.org](http://www.azquada.org).***

*If paying by check, please return this renewal form along with a check or credit card for \$75 made payable to Arizona Affirmative Action Association to our office at P.O. Box 1848, Phoenix, AZ 85001.*

## MEMBERSHIP APPLICATION/RENEWAL

Member Name: \_\_\_\_\_

Company Name: \_\_\_\_\_

Title: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail (for member communications only): \_\_\_\_\_



**Arizona Affirmative Action Assoc.  
(aka) "Quad A"  
A 501(c)3 Corporation**

**P. O. Box 1848  
Phoenix, AZ 85001  
Phone: 555-555-5555  
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E-mail: azquada@aol.com**

**We're on the Web!  
azquada.org**

**Board Members & Officers**

**John Garza, President**  
JAG Specialties, LLC  
(602) 300-2023

**Maria Sandoval, PHR, Vice President**  
MAS Specialists, LLC  
623-451-6389

**Rebecca Rand, SPHR, Recording Secretary**  
American Express  
(602) 537-2960  
**Gail Painter, PHR**  
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**Marian Enriquez, CCEP, MHCS, PHR**  
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**Evelyn Miller**  
Raytheon  
520-794-9997

**Charlene Valestin, SPHR**  
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**Lida Daniel**  
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**Quad A Legal Counsel**  
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602-778-3702

**Flossie Christensen, Chair**  
**Las Vegas SNILG Chapter**  
Bank of Nevada  
(702) 248-4200

**Quad A Administrator**  
**Chris Weakland, SPHR**

Legacy Partners Consulting & Coaching, LLC  
(602) 377-0404

**Membership meetings are the 3<sup>rd</sup> Tuesday  
of every month from 8:30-10:00 a.m.**

# 2011 Calendar of Events

DATE	TOPIC	HOST & LOCATION
Jan 18, 8:30-10:00	2011 Forecast & Trends in Employment	Blood Systems 4405 E. Cotton Center Suite 120 Phoenix
Feb 15, 8:30-10:00	Compliant & Effective Job Descriptions & Postings	To Be Announced
Mar 15, 8:30-10:00	Can Your Organization Make the Grade? Passing the OFCCP/EEOC Tests	To Be Announced
Apr 19, 8:00-4:00 Cost: Members \$100 Nonmembers \$150	36th Annual Conference	Desert Willow Conference Center 4340 E Cotton Center #100 Phoenix
May 17, 8:30-10:00	Medical Marijuana in the Workforce	American Express 18850 N. 56 <sup>th</sup> Street, Phoenix
June 21, 8:30-10:00	Disabled/Vets Outreach -- Good Faith is Not Enough	Sundt (Los Alamos Rm) 2620 S. 55 <sup>th</sup> Street Tempe
July 25-29	Annual National ILG Conference	New Orleans
AUGUST	MID-SUMMER BREAK	MID-SUMMER BREAK
Sept 20, 8:30-10:00	Best Practices: Communicating AAPs	To Be Announced
Oct 16, 8:30-10:00	Best Practices: Diversity – Not Why But How	Sundt (Los Alamos Rm) 2620 S. 55 <sup>th</sup> Street Tempe
Nov 15, 8:30-10:00 COST: Members \$100 Nonmembers \$150	14th Annual Compliance Conference	Desert Willow Conference Center 4340 E Cotton Center #100 Phoenix
Dec 6, 8:30-11:30 COST: Members FREE Nonmembers \$75	Annual Members Only Holiday Roundtable	To Be Announced