



VA Regional Office
AFGE LOCAL 520
PO BOX 1778
COLUMBIA, SC 29202

March 17, 2015

Under Secretary for Benefits Allison Hickey
Office of the Under Secretary
810 Vermont Ave NW
WASH DC 20420

Dear USB Hickey:

You have made a decision to allow each VARO to draw a line (select a subset of employees as it is called) to determine which Veterans Service Representatives (VSRs) and Rating Veterans Service Representatives (RVSRs) will be targeted to be placed on a performance improvement plan for not meeting the production and accuracy elements of their performance standards which equates to 56 different subsets.

These are National Performance Standards, but now 56 different VAROs will determine how the performance standards will be changed. First and foremost, Article 27, Section 5I, of the Master Agreement states, "When the Department mandates national performance standards, all bargaining obligations with the Union shall be met at the national level." The decision to allow VARO's to determine subsets is not only changing the performance standards locally, but serves as an indictment that they are inadequate. Furthermore, there is no measuring stick from which all VARO's will use to determine these arbitrary subsets.

The transformation plan's ultimate goal was to move the VSR position from the Claims Processing Improvement (CPI) specialization model back to the old Business Processing Reengineering model where the VSR position was multifaceted – the transformation term used is cross fit. "Those that fail to learn from history are doomed to repeat it." - Winston Churchill

Some of the VSRs at the Columbia VARO were placed in the cross fit training program, but because of the push and focus on reducing the backlog they did not receive the necessary training and experience needed to be proficient cross fitters. Others never received the training and are still specialized. Yet, others are called "Intake Analysts" and "Comprehensive Screeners. These positions are not official positions and have no position descriptions or performance standards. In other words, they are still VSR's, and the VSR position is now a hybrid with many components. As a footnote, these

employees are still required to take a certification test that includes authorization, non-rating, appeals, and development questions.

VARO Columbia's data for December 2014 and January 2015 reveals the following:

<u>Type of VSRs</u>	<u>Total Number</u>	<u>Below Standards</u>
Development	32	15 (46.9%)
Cross-Trained	68	25 (36.7%)
Authorization	<u>3</u>	<u>2</u> (66.7%)
	103	42 (40.7%)
Comprehensive Screener	8 (Included in 103)	No Standard
Intake Analysts	6	No Standard
	109	
 RVSRs	 74	 18 (24.3%)

The distribution of work is a problem for VSRs who only have development skills because they only get one bite of the apple, while cross trained VSRs get two bites (authorization and development). Cross fit VSRs are also inefficient in the area that they were trained in which causes them to take more time to complete work in that area. The VSR that only works authorization has an even harder row to hoe. Furthermore, the limitation of only working claims that are over 125 days old only exacerbates the grab for actionable work for the VSRs and RVSRs.

Since management has the right to assign work, the employee's work distribution is based on many factors out of the control of the employees who have to do the work assigned. Attached is an example of a list of work given to two different VSRs on the same day. The employee who has the short list brought this to the attention of the Union. This is only one example of the problem with the distribution of work. Furthermore, the work assigned may not be actionable work. Therefore, some employees are left with crumbs from management's table while others feast on the prime rib.

There has been uncertainty about performance standards for over two years. Obviously, the arbitrary performance standards issued over the past two years are a direct reaction to the unplanned transformation and the perceived success of VBMS. Neither has provided the results or the new "lift" that was anticipated.

Excerpts from *The American Federation of Government Employees, National Veterans Affairs Council, Veterans Benefits Administration Issues and Resolutions, March 6, 2015* reads as follows:

"VBA has never had a formal work credit system based on actual data that reflects the amount of time required to process specific types of claims and their components. VBA should not deprive employees of the proper credit for critical work needed to process claims accurately and timely the first time.

The broken work credit system creates performance standards that are arbitrary, inconsistent, and focus too much on quantity over quality.

The first essential step is to develop an inventory of tasks that employees must complete on a daily basis. The current work credit system does not include an inventory of employee's daily tasks... While undergoing transformation, VBA must accurately determine productivity and quality and judge an employee's performance on the basis of data driven metrics."

The Preamble to our Master Agreement (MA) states, "The Department and the Union agree that a constructive and cooperative working relationship between labor and management is essential to achieving the Department's mission and to ensuring a quality work environment for all employees..." (Emphasis added)

Now, VBA is pouring more fuel on an already unhealthy work environment that has been marked by mandatory overtime, unproven tools with many workarounds which only adds more time to the employees' ability to complete actionable work, contractors get the "cream of the crop" work leaving employees with the time consuming "undesirables" or providing inferior products which employees have to take more time to fix, and the creation of SharePoint sites to store information to be retrieved by employees which also takes more time, more tips and tricks, and one minute Videos that no human can digest yet alone comprehend.

Then, there is the uneven distribution of deductible time by management. Employees also raise the issue of integrity, favoritism, and inequity when claims are taken from their queues by other employees, supervisors, or sent to other stations. Then, there are RVSRs having to work development actions which take actionable points away from the VSRs. These are just a few hurdles that must be jumped to get actionable credit for production.

Here are quotes from emails received from our employees.

"Not sure who to contact, but is there any way I can speak to a Union Rep about this? Right now, I am not being provided claims that I can actually work. All of a sudden our team has very little promulgation work. I haven't received a response to the email below. However, earlier this week, my verbal response from my Coach is that "the work is just in a rut, because all of our claims are complex and are tied up pending medical opinions." She said that "it will pick back up" and that I have development I can work. I told her that I still don't understand development and it takes me hours to complete one claim. I was part of the Crossfit training back in 2013 and since that time I have done very little development. Promulgation became the priority and I was instructed to work primarily post. I do try to work development, but I haven't had enough training to work a lot of the types of claims I have. Apparently, this is not just my problem. A lot of other VSRs/RVSRs are experiencing this same problem."

“I am not receiving post work. Are my digits slow or is there another reason? In the last 2 days I have had a total of 3. I am just bringing this to your attention.”

“I know you are very busy. But I am trying to decide how to go about dealing with a person on my team who is continually hindering my job. I have provided him with proof, that ... is continually taking my case, thus cases to complete VSR development. I have talked to ... about it, and proved to go nowhere. And my understanding was that RVSR’s only go to Pre Development when there is a need in the VSC. We haven’t been provided any guidance that this is to occur. advised me that all RVSR’s do this. ... My understanding is that there is a big push to get Veteran’s a decision, but that’s not occurring when she is continually doing this I have production and quality goals to reach and having to do all this backtracking isn’t helping to attain those goals...”

Additionally, excerpts from *The American Federation of Government Employees, National Veterans Affairs Council, Veterans Benefits Administration Issues and Resolutions, March 6, 2015*, regarding employee’s morale and burnout only solidify the problem of the work environment at the VBA.

“Based on VA’s National Center for Organizational Development annual surveys, VBA employees responded with the lowest ratings amongst VA organizations (VBA, VHA, National Cemeteries Administration, and VA Central Office) in most categories where they compared. Within VBA, employee morale has declined consistently over the past years.

VBA employees rated their own agency the lowest when compared with employees from the other agencies in terms of engagement with the organization, performance ratings, workload, job control, organizational commitment, and performance recognition. VBA employees also rated their own agency the lowest in terms of “General Workgroup Perceptions” for ethics, workgroup involvement, safety, climate, and customer service.”

Article 27, Section 8E, states “When evaluating performance, the Department shall not hold employees accountable for factors which affect performance that are beyond the control of the employee....”

Here are other factors that have affected employees’ performance that are beyond their control...

Although VBA claims that Veterans are submitting more issues than in the past, production is still **NOT** based on single issues, but quality is. Furthermore, team assignment also affects production.

There has been a multitude of changes that have occurred in the past three years and continues today which no human being could digest yet comprehend. The GAO had this to say.

“We have noted that VA’s ongoing efforts should be driven by a robust, comprehensive plan; however when we reviewed VBA’s plan documents, we found that they fell short of established criteria for sound planning. Specifically, VBA provided us with several documents, including a PowerPoint presentation and a matrix that provided a high-level overview of over 40 initiatives, but, at the time of our review, could not provide us with a robust plan that tied together the group of initiatives, their inter-relationships, and subsequent impact on claims and appeals processing times.” GAO-13-453T, Mar 13, 2013

and

“However, regional staff we interviewed noted that there are too many sources of guidance and that searching for them is often time-consuming, confusing and difficult. Staff were also concerned that VBA’s policy manual and national training were not sufficiently updated to avoid future errors.” *HVR 195.000 Congressional transcript, Uncorrected, FC, 7/14/14 153*

The electronic system was introduced in a developmental stage and not a finished, tested product. As to this system, the VAOIG provided these words.

“..Due to the incremental development approach VA chose, the system had not been fully developed to the extent that its capability to process claims from initial application through review, rating, award, to benefits delivery could be sufficiently evaluated. While we did not evaluate the quality of system testing, we determined, the partial VBMS capability deployed to date has experienced system performance issues...

Further, scanning and digitization of veterans’ claims lacked a detailed plan and an analysis of requirements. We identified issues hindering VBA’s efforts to convert hard-copy claims to electronic format for processing within VBMS, including disorganized electronic claims folders and improper management of hard-copy claims.

VA senior officials stated they have taken recent actions to improve in the areas identified. However, given the incremental system development approach used and the complexity of the automation initiative, VA will continue to face challenges in meeting its goal of eliminating the backlog of disability claims processing by 2015.

We recommended VA establish a plan with milestones for resolving system issues and develop a detailed approach to scanning and digitizing claims so that transformation efforts do not adversely affect claims processing and add to the existing backlog....” *VAOIG Report 11-04376-81, Review of Transition to a Paperless Claim Processing Environment, February 4, 2013*

As a senior VBA official said, "We are fixing the plane while flying it." No airline passenger would buy a ticket and ride on a plane if the airline told them that they would be fixing it in flight. However, our employees do not have an option, but continue to ride on the VBA Transformation flight to destination unknown.

I personally work with centralized mail and can testify to the problems employees' face every day working with these electronic packets.

During a visit at our VARO, you asked an employee in the mail room what she was going to do when her job was eliminated. AFGE Local 520 wants to report that each day the mail room continues to get mail from the post office, express companies, VSOs and other entities which have to be date stamped, placed in a box and shipped to the contractors.

In March 2003, this study (*VBA Cycle Time Study, June 2003*) was requested by the Under Secretary for Benefits (USB). Excerpts from it provide these enlightening findings.

"...The most effective regional offices have a clear integration of certain key practices into an overall philosophy of continuous improvement. These specific practices are:

A. A highly competent and involved management team, that includes the Office of the Director, the Veteran Service Center Manager, and every supervisory position in the Veteran Service Center (VSC). In the context of this study, these words have very specific meaning. The term "competent" means managers understand claims processing at a very detailed level. Each person, from the Director to the Assistant Coaches, understands the details of claims processing and how the sum of the parts make up the whole. While there is an appreciation for tools, reports, and data, these are not the primary drivers of the process. Rather, they are validation that the process is working. There is a sense that without this understanding of process, tools are of little value. To be sure, not every director or assistant director must have followed a career path through the claims processing arena. However, successful engagement by senior leadership simply cannot take place without clearly "understanding the business. All of the high performing stations visited during the study exhibit this characteristic."

The term "involved" means each manager works to support a culture of continuous improvement. Initiatives to improve, "stretch", recognize, and reward performance comes from all levels. The office is considered as having these two elements of management competency and involvement only when the employees themselves validate it...." Emphasis added

Our employees continue to face extraordinary challenges as they attempt to provide quality decisions to our Nation's Veterans while working under extraordinary conditions and undue stress for over 3 years. However, instead of providing employees with the

leadership and tools necessary to accomplish our mission, they are faced with another “fear” tactic to motivate them to do more.

You and your leadership team have created this environment because of poor planning, untested tools, an unwillingness to listen to dissenting voices by labeling them “not all in,” refusing to fix known problems prior to proceeding to new procedures, and neglecting to move to a balanced claims processing approach which has left more Veterans to suffer under a broken and bruised claim processing workforce.

The Preamble to the MA also states,... “The parties recognize that this relationship must be built on a solid foundation of trust, mutual respect, and a shared responsibility for organizational success. Therefore, the parties agree to work together using partnership principles, Labor-Management Forums, and the Master Agreement to identify problems and craft solutions, enhance productivity, and *deliver the best quality of service to the nation’s veterans.*” (Emphasis added)

AFGE Local 520 will continue to affirm the Congress’ finding and the purposes as outlined in Statute: § 7101 regarding labor organization to safeguard the public interest, contribute to the effective conduct of public business, and facilitate and encourage the amicable settlements of disputes between employees and their employers involving conditions of employment.

Therefore, VARO employees across the nation are now calling on you to acknowledge the failures of the VBA leadership which renders the current performance standards moot and stop the “subset” fear tactic. If you want to change the performance standards, it should be done on the National level according to the MA.

Sincerely,

A handwritten signature in blue ink that reads "Ronald Robinson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ronald Robinson
President

Enclosure
VARO’s Columbia One List

CF:
VA Secretary
VA Deputy Secretary
NVAC President

Wrap Text General

4

Wrap Text General

40

Claim ID	Suspense Reason	Start Date	End Date	Suspense Reason
04/28/2014	2nd Request for Federal Records from: SAFE_Army	03/10/2015	20	11/18/2014 Inter-Office Action Needed, File to: FOLDER SEAR
05/19/2014	VA Exam Requested, Awaiting Results from: S44	03/12/2015	20	05/14/2014 1st Request for Non-Federal Records from: DOMA
09/29/2014	2nd Request for Federal Records from: SAFE_Army	03/11/2015	110	06/17/2014 Development to the Claimant for: FAL
10/30/2014	1st Request for Federal Records from: Naval Health	04/06/2015	20	09/05/2014 1st Request for Federal Records from: MILHOSP
11/03/2014	1st Request for Federal Records from: JSRRC	03/10/2015	110	10/31/2014 2nd Request for Federal Records from: PIES Help C
12/01/2014	2nd Request for Non-Federal Records from: DOMA	03/10/2015	110	12/10/2014 Request pending with / for: PSCAN_1210
12/19/2014	Request pending with / for: PSCAN	03/16/2015	20	12/11/2014 Request pending with / for: PSCAN_0305
			10	12/12/2014 Request pending with / for: PSCAN_1212
			110	12/15/2014 Pending Initial Development Standard 5103 Notice
			110	12/15/2014 Pending Initial Development Standard 5103 Notice
			110	12/15/2014 Pending Initial Development Standard 5103 Notice
			20	12/15/2014 Pending Initial Development Standard 5103 Notice
			20	12/15/2014 Documents uploaded into eFolder
			20	12/15/2014 Pending Initial Development VBMS scan
			20	12/15/2014 Pending Initial Development VBMS scan
			10	12/15/2014 Pending Initial Development Standard 5103 Notice
			10	12/15/2014 Paperless Claims Processing Case, Awaiting: file fr
			20	12/15/2014 Request pending with / for: PSCAN
			20	12/16/2014 Pending Initial Development VBMS scan
			20	12/16/2014 Pending Initial Development vbms scan
			110	12/16/2014 Pending Initial Development Standard 5103 Notice
			20	12/16/2014 Pending Initial Development Standard 5103 Notice
			20	12/16/2014 Initial Review Pending
			20	12/16/2014 Pending Initial Development Standard 5103 Notice
			20	12/16/2014 Pending Initial Development Standard 5103 Notice
			110	12/16/2014 Pending Initial Development
			20	12/16/2014 Request pending with / for: PSCAN_0104
			20	12/16/2014 Pending Initial Development cfile requested from
			20	12/17/2014 Pending Initial Development Standard 5103 Notice
			20	12/17/2014 Initial Review Pending VBMS SCAN
			10	12/17/2014 Pending Initial Development
			20	12/17/2014 Pending Initial Development VBMS Scan
			20	12/17/2014 Paperless Claims Processing Case, Awaiting: SCAN
			110	12/17/2014 Paperless Claims Processing Case, Awaiting: SCAN
			110	12/18/2014 Pending Initial Development
			20	12/18/2014 Pending Initial Development VBMS scan
			20	01/22/2015 Pending Initial Development Standard 5103 Notice
			20	02/18/2015 Request pending with / for: PSCAN_0227
			110	02/25/2015 Pending Initial Development Standard 5103 Notice