

# EMPLOYEE ASSISTANCE REPORT

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supporting EAP professionals

## Jump into the Talent Pool

### Hiring the Special Needs Workforce

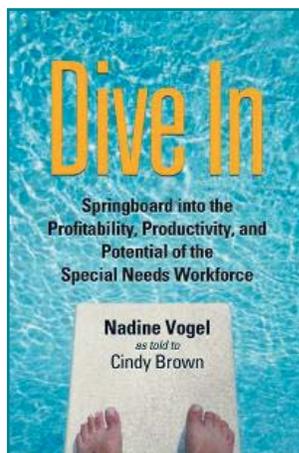
By Nadine O. Vogel

**F**ifty-four million American adults live with a disability. Add to that the tens of millions of parents of children with special needs and mature workers with age-related disabilities, and the number grows.

Why are these numbers important to a company, agency, or other organization? Because these people make up the special needs workforce\*, which is a group of talented employees that no employer can afford to overlook.

(\* I coined the term “special needs workforce” in order to include all of these talented employees and potential recruits.)

People with disabilities represent the largest minority in the world. It includes people with physical impairments like blindness, deafness, or paraplegia, and cognitive impairments



Nadine O. Vogel is the author of a landmark new book about tapping into the potential of people with disabilities.

like learning disabilities, traumatic brain injury, or Down Syndrome. There are more Americans with disabilities than there are Canadians, with or without disabilities!

#### An Under-used Talent Pool

Many of the people in this enormous talent pool are well-educated, talented, and ready to work, although widely under-utilized. This is a shame, because study-confirmed facts illustrate that:

➤ People with disabilities are more likely to stay with an employer than their non-disabled counterparts. Older workers also have reduced turnover rates.

➤ People with disabilities consistently meet or exceed job performance and productivity expectations.

➤ People with disabilities have a well-deserved reputation (backed up by research) for innovation. Accustomed to adapting to a variety of situations, they are often quick to troubleshoot, formulate new ideas, and adopt cutting-edge solutions.

➤ Absentee rates are lower for people with disabilities and for older workers compared with “typical” employees.

Also, evidence indicates that including people with disabilities in the workplace improves morale and worker productivity. In an article in *Fortune* magazine, Pizza Hut stated that the

turnover rate in its Jobs Plus™ program (geared toward people with cognitive disabilities) was **20%, compared with a 150% turnover rate among employees without disabilities.**

In the same article, Carolina Fine Snacks, Greensboro, North Carolina, reported that since hiring people with disabilities, employee turnover dropped from 80% every six months to less than 5%. A few “tasty” bonuses for this firm:

- Productivity rose from 70% to 95%;
- Absenteeism dropped from 20% to less than 5%; and
- Tardiness dropped from 30% to zero.

#### And That's Not All

As if these examples aren't sufficient evidence for employers to hire the special needs workforce, there are

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still more reasons why it makes good business sense.

A national survey reported that 92% of American consumers view companies that hire people with disabilities more favorably than those that do not. And, **87% of the public would prefer to give their business to companies that hire people with disabilities.**

And don't forget that by hiring the special needs workforce, you are also marketing to them. Check out these numbers:

❖ The U.S. Census Bureau reports that people with disabilities and their family and friends represent *\$1 trillion* in discretionary spending.

❖ Adults with disabilities spend \$200 billion, twice that of the teen market, and 17 times that of the "tweens."

❖ Parents of children with special needs have the same income, assets, and homeownership levels as the general population.

❖ The "fifty-plus" market is the most affluent age segment. It spends more than *\$1 trillion* on goods and services.

### But Why Does My Company Need Them?

"Why is it so important to focus on people with disabilities?" many employers will ask me. The Population Reference Bureau predicts that by 2030, about one-fifth of the U.S. population will be older than 65, and the Department of Labor estimates that, by 2014, thirty-six million employees will leave their jobs. In short, the Baby Boomers are retiring.

In fact, a 2006 study by the Society for Human Resource Managers (SHRM) listed the upcoming demographic shift as one of the most critical issues facing employers, citing the implications for leadership and knowledge retention.

It's true that with the current eco-

nomie climate, more people are deciding to forego retirement. However, even if the "silver tsunami" turns out to be just a good-sized swell — the fact remains that America is graying, and as it does, the number of people with disabilities will grow along with it.

According to an Association of American Retired Persons (AARP) study, nearly 70% of people over age fifty will be dealing with some sort of disability in their lifetime. Employers that support them, will be more likely to keep them.

Put another way, on average, 76% of disabilities are acquired after age twenty — during the time when a person is most likely to be employed. Shouldn't an employer want to retain their great employees, who suddenly (or not so suddenly) find themselves disabled?

### You're Already Employing Them

Here's another perk — supporting older workers and people with disabilities helps employers to support other employees, not just the 15% with disability-related issues that they are already employing.

Bet I caught your attention there. Let me say it again: *the 15% of employees with disability-related issues that companies already employ.* Most organizations have no idea that their workforce is already comprised so heavily of people with disabilities (6%) and parents of children with special needs (9%).

These numbers may not be obvious, perhaps because people haven't disclosed their disabilities or opened up about their parenting situations. Once they see that you're supporting employees with similar issues, they may feel more comfortable in asking for assistance.

### Diversity-Innovation Equation

People with diverse backgrounds, experiences, and ways of thinking can positively change products, services, even a company. Yes, these people *can*

## EMPLOYEE ASSISTANCE REPORT

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innovate, they *can* impact business, they *can* put a firm ahead of the competition, but there's more to it than that. I like to say, "Diversity *plus* inclusion equals innovation."

Let's say a company hires a young man with a disability, but the corporate culture prevents him from feeling included. He may turn out to be a good employee, but is he going to come to you with his great new ideas? Probably not. People first have to feel included, welcomed, and comfortable — only then will they risk being innovative.

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For some reason, people with disabilities are often omitted from diversity discussion. This is strange, since this group fits the definition of diversity in many ways. In addition, individuals with disabilities have great diversity of experience, dealing with situations that “typical” people never face.

Most of us, when faced with a flight of stairs, don’t have to wonder how we’re getting to the top. People with disabilities often have unique experiences and creative solutions that they can bring to a company table, as do the parents of children with special needs, who are used to troubleshooting, and older workers, who have years of experience under their belts.

### Summary

These diverse life experiences can contribute to diversity of thought, which can lead to innovation, *but only through inclusion*. In short, these are tough times for many companies, and the underutilized special needs workforce can help. I’ll leave it to Stephen C.

Lundin and Peter Blanck to conclude:

“Embracing the special needs community is the biggest step we can take toward creating a fully human workplace. And a fully human workplace is a magnet for customers, colleagues, and the very best of business practices,” states Lundin, Ph.D., author of *FISH! A Remarkable Way to Boost Morale and Improve Results*.

“In these challenging economic times, no competitive advantage can be overlooked,” adds Blanck, University Professor & Chairman, Burton Blatt Institute, Syracuse University. ■

*This article is excerpted with permission of the author and publisher from: [Dive In: Springboard into the Profitability, Productivity, and Potential of the Special Needs Workforce](#), by Nadine O. Vogel, as told to Cindy Brown, Paramount Market Publishing, [www.paramountbooks.com](#). Copyright © 2009 Nadine O. Vogel, Springboard Consulting, LLC. Nadine is also the founder and president of Springboard Consulting. For more information, contact her at [Nadine@consultspringboard.com](#) or visit [www.consultspringboard.com](#).*



### Editor’s Notebook

There are many reasons why hiring people with disabilities makes good business sense. A number of them are outlined in this month’s cover article by Nadine O. Vogel, author of a landmark new book about tapping into the potential of people with disabilities.

The need for more employers to hire this underserved population is the driving force behind *Job Training & Placement Report (JTPR)*, a newsletter for professionals who support employment for people with disabilities (also found on our website). However, while *JTPR* has been aware of this issue for years, it is a need that’s first coming to light in many other

fields. We hope this article has helped enlighten those of you not aware of this problem.

While EAPs may not be involved in the hiring process per se, EAP’s strong suit in helping employees is still very relevant to workers with disabilities — who often require some on-the-job assistance to be successful. When that support *is* in place, help that an EAP is well-positioned to provide, statistics abound that reiterate the many benefits that hiring people with disabilities will bring to *any* workplace. Until next month.

*Mike Jacquart*

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### Money Matter\$

## Overcome ‘Budget Busters’

❖ **Budget Buster #1 — Negative Attitude** — If you think of budgeting in negative terms, such as penny-pinching, sacrifices, etc., you’re sure to fail. Overcoming this budget buster involves recognizing that postponing the instant gratification of spending all the money you earn is worth the rewards you’ll gain in the long run.

❖ **Budget Buster #2 — Lack of Motivation** — What is your motivation for budgeting? Complying with the terms of consumer credit counseling agency? This isn’t necessarily bad, but it’s an external pressure that will probably not be easy to maintain over

time. The best motivations are internal, such as a belief that budgeting can help meet your financial goals.

❖ **Budget Buster #3 — Unrealistic Expectations** — In today’s instant gratification society, the cold hard fact is that budgeting is an endurance event — those who stick with it through thick and thin will reap the rewards. Don’t expect miracles overnight. However, if you stick with it, you will see steady, measurable progress. ■

*Sources: [About.com/Financial Planning with Deborah Fowles](#); and [Money Clues for the Clueless](#), Promise Press/Barbour Publishing.*

# Whistle, but Don't Tweet While You Work

**W**orkers who want to share the latest news with Facebook friends and Twitter followers should wait until after hours or risk violating company policy, a new survey suggests.

More than half (54%) of chief information officers interviewed recently said their firms do not allow employees to visit social networking sites for any reason while at work.

"Using social networking sites may divert employees' attention away from more pressing priorities, so it's understandable that *some* companies limit access," said Dave Willmer, executive director of Robert Half Technology, which conducted the survey.

Willmer cautioned that employees should exercise good judgment, no matter how lenient their company's policy.

"Professionals should let common sense prevail when using Facebook and similar sites — even outside of business hours," he said. "Regrettable posts can be a career liability."

Robert Half Technology recommended the following tips for protecting your professional reputation when using social networking sites:

**Know what's allowed.** Make sure you understand and adhere to your company's social networking policy.

**Use caution.** Be familiar with each site's privacy settings to ensure personal details or photos you post can be viewed only by people you choose.

**Keep it professional.** Use social networking sites while at work to make connections with others in your field or follow industry news — not to catch

up with family or friends.

**Stay positive.** Avoid complaining about your manager and co-workers. Once you've hit send, you can't always take back your words — and there's a chance they could be read by the very people you're criticizing.

**Polish your image.** Tweet or blog about a topic related to your profession. You'll build a reputation as an expert in a given area, which could help you advance in your career.

**Monitor yourself.** Even if your employer has a liberal policy about social networking, limit the time you spend checking your Facebook page or reading other people's tweets to avoid reducing your productivity. ■

Source: Robert Half Technology ([www.rht.com](http://www.rht.com)).

## Money Matter\$

# What WON'T Happen this Year

By Gary Foreman

**E**ven two months into the new year, you're probably still hearing from all kinds of forecasters and prognosticators. In the interest of trying something a little different, we'll forecast things that will NOT happen in 2010.

**Your savings account will NOT grow magically.** Unless you put money into savings and leave it there to accumulate interest, the amount that you have in savings will *not* increase this year. Feel free to make me a liar by regularly depositing money into your account.

**Your spending habits will NOT change unless you take action to change them.** You can spend months reading financial self-help books. However, it's all just head knowledge unless you specifically take action to change your spending habits.

**Your take-home pay will NOT increase.** This isn't an absolute. A few fortunate workers will see increases. However, the vast majority of us will be doing well to take home as much money in 2010 as we did last year.

**Your utility bills will NOT go down.** OK, right now the cost of heating might be a little less (about 10%) than last year. However, expect them to go up. That's because much of our energy is imported, and huge borrowing by the federal government is pushing the value of the dollar down. So it will take more dollars to buy foreign energy. Thus, higher prices — including gasoline.

**You will NOT sell your house for a big profit this year.** There will continue to be many homes for sale. A continuing stream of foreclosures will put more houses on the market. To sell it, you'll need to price it aggressively. (By the way, if you're looking to buy, there might not be a better time than the present.)

In many ways, 2010 will be a tough financial year for most people. However, there is one final "not" to consider:

**You are NOT required to let finances ruin the year.** There *are* things you can do to reduce your expenses or increase your income. Use the many online resources available with money-saving ideas (including [TheDollarStretcher.com](http://TheDollarStretcher.com)). Consider starting a home or micro-business. Even small changes can improve your financial picture.

## Summary

You also have the ability to focus on the things that you do have, rather than the things that you don't. That alone will give you a different, happier mindset in 2010. ■

Gary Foreman is the editor of *The Dollar Stretcher.com* ([www.stretcher.com](http://www.stretcher.com)) and newsletters including "Financial Independence."

# Why Should Customers Choose YOU?

By Joe Calloway

Right now there are potential customers for your business trying to decide whether or not to choose you. Unfortunately, most of them can't see much difference between you and your competition.

Ultimately, an owner, manager, or chief executive of an EAP needs to ask himself/herself the toughest question that's asked by potential customers regardless of the specific business, "Why should I choose you?"

Any business has to clearly differentiate itself from the competition. You have to have what I call a "tiebreaker." The good news is that you probably have one or more tiebreakers right now, you just haven't developed them as such.

Start by choosing one basic customer expectation, and stake your claim with it. Improve your performance in that area until it becomes "your turf." While basic expectations will vary depending on the nature of your customers, the following are some typical areas that can be powerful tiebreakers:

> **Be the fastest:** Become known for returning customer's calls within one hour, paying your customer if you are late for a service call, or responding to emails with lightning speed. In today's "I want it yesterday" world, being known for quick response or always being on time can be a powerful differentiator.

> **Become the "no hassle" choice:** Examine how you interact with customers, and correct anything that might make you the least bit difficult to do business with. Are your invoices clear and easily understood? Is your website easy to navigate? Be easy to deal with, and win more customers.

> **Let the customer choose:** Today's customers want exactly what they want, exactly how they want it. Whether it's the music mix on their iPod or their "no fat, no whip, double shot, extra hot" latte, everyone wants it their way. Give them what they want, not what you want to give them.

> **Demonstrate value:** You don't necessarily have to have the lowest price, but you do have to demonstrate that you're a great deal. Never take for granted that your customers under-

stand that you're worth what you charge. Spell it out for them. It's not their job to see your value, it's your job to show them.

> **Take a "big picture" approach:** Look beyond the immediate needs of your customers to a bigger picture view of how you can help them succeed, make their lives easier, or create new opportunities for them. One restaurant offers free baby food to customers with infants, making life easier for the family. Look beyond core services.

> **Empower employees to solve problems:** Nothing is more frustrating to customers than hearing, "I'll have to ask my manager" or "I'm sorry, but our policy is ..." Do you empower employees to say "yes" to customers without always having to get approval from a manager? Train employees to resolve customer problems fairly, amicably, and, whenever possible, on the spot. Effective problem resolution can win you customers for life.

> **Consistent performance:** If customers know that no matter who they deal with in your organization, they'll receive the same level of great service every single time, that's the most powerful differentiator there is.

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### Summary

Think about your own customers' basic expectations, then set a goal to improve your performance on one of them by 25%. Start there, and then continue to get better. The more expectations you master, the better your chances to win business when potential customers ask, "Why should I choose you?" ■

Joe Calloway is a partner in Engage Consulting Group, and author of several best-selling business books, including the newly revised edition of *Becoming a Category of One* (August 2009, Wiley). To find out more, visit [www.joecalloway.com](http://www.joecalloway.com).

# The Keyboard is Mightier than the Sword!



By Dr. Julie Miller

Email messages have the potential to build — or to implode — your business. No one is asking you to inspect each and every message leaving your employees' sent folder. You expect everyone to use common sense and courtesy when emailing customers or colleagues. Or do they? Consider these stories:

**❑ Damaged:** A Fortune 1000 company fatally damaged its relationship with a significant Japanese firm based on an email from the accounting department. In response to a query, the company's account representative answered with a two-word lower case message. The result? The company went elsewhere for its purchases. How many emails leave without your review?

**☑ Resolution:** Do a communication audit. Take a random sampling of employees' emails and see what it reveals. Begin a dialogue, offer training, and develop some parameters around acceptable messaging.

**❑ Fired:** "I am a very busy person. I'm just too slammed to

follow any writing rules," said the Human Resource director of an international consulting firm. She added, "I just let it rip — no punctuation, spelling...those rules are for amateurs." The result? Fired. Why? Disrespect for her colleagues and a cruel attitude. Can you imagine how she treated the firm's clients?

**☑ Resolution:** Craft an email style guide. First, facilitate a discussion about how employees will treat clients and peers through the written word. Topics might include greetings and closings, signature block content, and time allowed before returning email messages. Next, determine the standards you can agree to regarding writing style and tone.

**❑ Sued:** An employee sued her employer for sexual harassment, racism, and damaged reputation. The reason? An employee emailed her instead of a male colleague and invited her to attend a strip club with all the trimmings — graphically described in the email. She was awarded \$1 million.

**☑ Resolution:** Decide what will NEVER be allowed in an email. Everyone in your organization must follow this policy to the letter.

## What One Firm Did

A call center chose 10 employees to monitor. Because their software could actually see what they were doing and writing between calls — eight of the 10 were fired, for reasons such as downloading

porn and participating in online gambling. This occurred even though they had received warnings, possessed an HR notebook with the policies, and attended training.

## Summary

Follow these four steps to "clean up" your communication:

1. Assess the current state of affairs in regard to writing;
2. Audit select messages to determine tone, style, and content;
3. Develop an action plan for improving #1 and #2 through training and coaching; and
4. Publish a style guide with email protocol.

Writing remains the costliest of all workplace activities. What is it worth to you to get it right? ■

*Dr. Julie Miller, founder of "Business Writing That Counts!"™ is a national consultant and trainer. For more information, visit [www.businesswritingthatcounts.com](http://www.businesswritingthatcounts.com).*

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# Court Allows Counsel to Bring Whistleblower Claims

By Daniel P. Westman & Lindsay Traylor Braunig

In its first decision interpreting the whistleblower provisions of the *Sarbanes-Oxley Act*, the U.S. Court of Appeals for the Ninth Circuit broadened the scope of protected conduct.

Although other circuits have required a would-be whistleblower to prove a reasonable belief that the law had been violated, the Ninth Circuit held that the whistleblower need only believe an *investigation* is required.

Moreover, the Ninth Circuit held that the fact that the whistleblower was an in-house attorney — who may need to disclose privileged communications to make her case — did not preclude such claims.

*Sarbanes-Oxley* protects employees of publicly-traded companies from retaliation for providing information related to possible acts of fraud against shareholders.

In *Van Asdale v. International Game Technology*, the court ruled that plaintiffs need only establish that they had an actual and objectively reasonable *belief* that shareholder fraud occurred.

## Background

Plaintiffs Shawn and Lena Van Asdale, a married couple, were both in-house counsel at International Game Technology during the negotiation and consummation of a merger. After the

merger closed, Mr. Van Asdale became aware of information that he thought impacted the value of the target and that he believed had been withheld during merger negotiations.

Accordingly, Mr. Van Asdale allegedly raised the specter of shareholder fraud and was terminated a few months later. Mrs. Van Asdale was terminated a few weeks after her husband's termination.

As stated, *Sarbanes-Oxley* prohibits publicly-traded companies from terminating an employee for providing information that the employee reasonably believes indicates mail, wire, bank, securities, or shareholder fraud, or a violation of an SEC rule or regulation.

## Summary

To summarize, the Ninth Circuit held that:

➤ An in-house counsel's claim of retaliatory discharge need not be dismissed because of privilege or professional responsibility concerns;

➤ The holding by the Department of Labor that the statute's protections only extend to whistleblowing about the specific kinds of wrongdoing enumerated in the statute was reasonable;

➤ An employee's subjective belief that the possibility of fraud should be investigated — rather than a belief that a fraud actually

occurred — is sufficient to meet the statute's "subjective belief" standard; and

➤ A subjective belief that a fraud was perpetrated can be objectively reasonable even if it is mistaken. ■

*Daniel Westman is co-chair of Morrison & Foerster's Employment and Labor Group and one of the country's leading authorities on whistleblower laws. He is the principal author of the book, Whistleblowing: The Law of Retaliatory Discharge. Lindsay Traylor Braunig is an associate in Morrison & Foerster's San Francisco office. Additional source: [www.allbusiness.com](http://www.allbusiness.com).*

## Resources

🔗 The *Job Accommodation Network* maintains an "A-Z of disabilities" section that provides information and accommodation suggestions for a wide variety of disabilities. Visit [www.jan.wvu.edu](http://www.jan.wvu.edu).

🔗 *Disability.gov* offers comprehensive information about disability programs, laws, benefits, etc., including the *Americans with Disabilities Act (ADA)*, Social Security disability benefits, special education, and more. Visit [www.disability.gov](http://www.disability.gov).

🔗 The *U.S. Equal Employment Opportunity Commission (EEOC)* conducts EEOC enforcement litigation under terms of the *ADA*, *Equal Pay Act*, and others. Check out [www.eeoc.gov](http://www.eeoc.gov).

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# Raise Morale Without Breaking the Piggy Bank

By Jonathan Rapoport

With increased work hours and rumors of layoffs, employees are in need of a boost in morale more than ever. Who better to ask how to make them happy than employees themselves? A recent survey asked more than 1,000 employees about the best ways to improve morale at their own companies.

Results were found that it doesn't take much, and one of the common misconceptions is the belief that you have to give large bonuses or throw elaborate parties (for those of you who did so in December).

Instead of big bashes and bonuses, the survey found that employees are

simply looking for some niceties that bring a little bit of fun and a lot of respect into the workplace.

The following are among the leading answers employees gave that could boost morale in *your* workplace:

- ✓ Break up the monotony of the work week by sending out a fun trivia question where employees can win inexpensive prizes like cups of coffee and movie tickets.

- ✓ Have an optional charitable service day (*you* decide when and how often) in which employees can volunteer for different causes as a team.

- ✓ Reward an individual employee for a project that is well done with an extra day or half-day off.



- ✓ Once a month send out a positive email that recognizes individual employees for specific projects that were particularly well done and give them a small *non-monetary* reward. (Again, *you* decide what would be appreciated.)

- ✓ Bring in a chair massage therapist, nutritionist, or yoga instructor to help reduce stress and promote overall health.

- ✓ Express your respect and appreciation for your employees often and with sincerity. No one likes being taken for granted. ■

Jonathan Rapoport is the founder of Great Work Perks, LLC, a free employee discount program. For more information, visit [www.greatworkperks.com](http://www.greatworkperks.com).

# Beat the Recession by Keeping Your Job

By Connie Podesta

There are two ways of looking at a crisis. We can become paralyzed and feel like a victim — or we can take action to move in a different direction. The most successful people in just about any industry are people who have failed before, and who reinvented themselves in order to re-emerge.

Everyone who finds themselves unemployed or on the bubble of being out of work has something in common with even the most successful people in their field. At some point or another, they were unemployed, too.

My real-world tips include:

- *Take charge of your personal life* — As one CEO said, “I want people working for me who come to work ready to get the job done — people whose personal life is stable and healthy enough that they can direct their attention and energy to

their work, their customers, and their colleagues.”

- *Demonstrate your added value* — According to a business owner, “We are looking for employees who not only understand the need for us to remain financially sound, but who are actively involved in finding ways to help us do just that.”

- *Have a positive impact* — Employers do not have the right to evaluate an employee's beliefs, but they DO have the right to evaluate how they behave and perform on paid work time as a result of those attitudes, beliefs, and feelings.

- *Embrace and initiate change* — Employers will keep employees who can adapt to the changes their organization is going through with professionalism, determination, and optimism. They need employees who are resilient enough to face change without resorting to complaints, apathy, anger, or fear.

- *Work smarter, harder, faster and better* — One manager stated, “Which employee would I keep? I need employees who aren't afraid of hard work, who can be counted on to do the job right, and who don't need constant reminders or supervision. They know what needs to be done and they do it — it's as simple as that.”

- *Communicate openly and directly* — Employers want people who can communicate their needs, preferences, and ideas to customers, co-workers, and managers without manipulation and game playing.

- *Look for leadership opportunities* — One business owner replied he is likely to retain employees who, “are willing and able to assume a leadership role and take charge when necessary and appropriate, regardless of their job title.” ■

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