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Governor's Committee on Employment
of People with Disabilities



ABILITIES

Promoting the employment of Vermont citizens of all abilities

September 2010 - Vol 4, Issue 4

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Dear Friends ~ Taking our Shows on the Road!



On behalf of the Governor's Committee on the Employment of People with Disabilities, I would like to welcome you to the latest issue of "Abilities".

In this issue we are pleased to share with you the story of Rene Pellerin, a GCEPD member who has just left the Committee in order to pursue a career as an entertainer / educator. We have enjoyed Rene's contributions for over five years and promise you that you will find him to be quite engaging as well.

Next we are excited to tell you about the GCEPD's recent presentation to Vermont human resource professionals on the best practices for making an accommodation under the ADA.

Finally, continuing with our focus on the recently amended Americans with Disabilities Act, we will share some more practical tips for employers looking to understand the recent changes.

Thanks for reading on!

Best regards,

Fred Jones, Chair

Governor's Committee on Employment of People with Disabilities

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Disability Employment Awareness Month is Coming

René Pellerin - Taking his Show on the Road! - Story Synopsis

This is a special story - the story of René Pellerin.

For the past five years René has been an active and valued member of the GCEPD. Unfortunately for us, he has just decided to step down from the committee, effective August 31st, 2010.

Why? He's too busy pursuing his new profession as an entertainer / educator!



Oh, and I should add that René happens to be deaf since birth and has limited vision due to retinitis pigmentosa. The combination of these two conditions is known as Usher Syndrome.

[click here to read more](#)

"The ADA and Accommodations - It's All About Attitude!": a presentation by the GCEPD - Story Synopsis

On July 21, 2010, the GCEPD had the opportunity to share our message when we presented "The ADA and Accommodations - It's All About Attitude!" to approximately 100 human resources professionals at the monthly meeting of the Vermont Human Resources Association (VHRA).

The program was led by Committee member April Tuck, Senior Vice President for Human Resources & Compliance at Copley Health Systems, who guided participants to look beyond the often daunting and misunderstood statutory aspects of employing and accommodating a person with a disability.



The powerful, personal voices of a panel of four employees (including two members of the GCEPD) - who discussed their own disabilities and accommodation needs - allowed the audience to see



and appreciate the real people the ADAA is intended to serve and the importance of open communication with a positive attitude.

As a result, participants learned that making accommodations could be rather simple, inexpensive, and most importantly, a rewarding, creative and collaborative process that provides a win not only for the individual employee but also for the organization itself.

We invite you to click below to read more and access links to some videotaped portions of this presentation.

[click here to read more](#)

Final Words on the Recent Amendments to the Americans with Disabilities Act - *Story Synopsis*

As mentioned, one focus of the GCEPD's recent presentation to the VHRA was how the Americans with Disabilities Act has been changed by recent legislative amendments. In our last two issues of Abilities we discussed many of these changes. We'd like to conclude this topic with some practical tips for employers in complying with the amended Act, courtesy of the Jan Accommodation Network's "Accommodation and Compliance Series; The ADA Amendments Act of 2008". (see www.askjan.org)

[click here to read more](#)

MORE ON René Pellerin's Story

This is a special story - the story of René Pellerin. For the past five years René has been an active and valued member of the GCEPD. Unfortunately for us, he has just decided to step down from the committee, effective August 31st, 2010. Why? He's too busy with pursuing his new profession as an entertainer / educator! Oh, and I should add that René happens to be deaf since birth and has limited vision due to retinitis pigmentosa. The combination of these two conditions is known as Usher Syndrome.

Reports say that most people are less afraid of dying than of public speaking, yet René has had a long held passion since his youth of acting and putting on performances. Story telling is an integral part of Deaf culture. During holiday Deaf Club celebrations he was renowned for his presentations of the "Grinch who Stole Christmas". ASL students clamored for his clear visual renditions of ASL folklore. Thus began his lifelong love of story telling, a great source of fun and pleasure for René.



As a youth in his teens, René thought he was just like everyone else - playing sports, driving, attending a public college in New Hampshire where he studied industrial engineering. Although he had night blindness, he thought everyone had it. However, a staff member at his college in New Hampshire (who had graduated from Gallaudet College) noticed his problems at night and encouraged him to see a doctor. At this time his Usher Syndrome was diagnosed.

After this diagnosis René decided to attend Gallaudet University himself, where he majored in social work. Upon graduation he returned to Vermont and found work in a group home helping people with developmental disabilities. From there he went to work at the Vermont Association for the Blind and Visually Impaired as an outreach and peer counselor. After a few years there and a stint in Massachusetts as a coordinator for Independent Living at DEAF, Inc., René began a 17 year career with Vermont's Division of Vocational Rehabilitation, first as a rehabilitation counselor for the deaf and then as the State Coordinator for the Deaf and Hard of Hearing.

Most recently, René worked for the Vermont Center for the Deaf and Hard of Hearing, which began as part of the Austine School for the Deaf in Brattleboro, Vermont. René's job was to set up support programs in the northern part of the State. He completed this work in April of 2009 when his program ended.

Suddenly René found himself in a new situation. With the end of his extensive career in serving the deaf and hard of hearing population, he faced the question many of us have: "Where do I go from here?" Initially he was a stay at home Dad - he called himself "Mr. Mom" - which made him stir crazy. Traditional employment opportunities were hard to find. Yet in the back of his mind he kept remembering his love for telling stories. So he decided to meet with the counselors in the State's Division for the Blind and Visually Impaired

(DBVI) to discuss his options for performing and doing acting and drama. From this a star has been born.

Working with the DBVI counselors, René identified his resources and connections for accessing opportunities with area theaters. He began developing a business plan for his self employment work, complete with the requisite budget. He researched the equipment and technology that would he would need. Soon he was off and running.

VSA Vermont encouraged René's artistic pursuits which lead to an offer to do a pilot pre-show for "The Miracle Worker" at Lost Nation Theater in Montpelier. He was well received by the general audience in attendance. He used the feedback from that performance to continue fine tuning his show.

Now René has a busy and growing calendar of scheduled events. With a mission of "learning through laughing", he shares his stories of his experience as a member of the deaf blind culture in a humorous way that will also educate the audience about Usher Syndrome. His show is intended for all audiences - both deaf and hearing, blind and sighted. He uses an interpreter to convey his message. He hopes, among other things, that employers who see this show will leave with a better understanding of how individuals with Usher Syndrome adapt in the workplace.

Recently René presented his show to over 400 people from all over the northeast who were in Albany, NY attending a conference of sign language interpreters. In October of 2010 he will perform at Holyoke College in Massachusetts and also in Lansing, Michigan.

The grand opening of René's show in the Burlington area will be on September 25th at the University of Vermont as part of Deaf Awareness Week. This will be the start of his year long effort towards raising funds for the American Association of the Deaf- Blind (AADB). He hopes to raise significant monies for the support services requisite for many deaf-blind persons to attend the Association's semi-annual symposium in Kentucky in June 2011. The 2011 Rainbow Alliance convention in Colorado has also requested that René perform.

So it's pretty obvious why René has stepped down from the GCEPD - the show must go on! In fact, his show is called "The Unstoppable"; unstoppable indeed! And the best part of this story? With his performing, René has been able to couple his life's passion with a real source of income. We should all be so lucky.

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To contact René or learn more about his appearances, send him an email at info@ReneTheUnstoppable.com or look for his soon to be launched website, www.ReneTheUnstoppable.com.

To learn more about Usher Syndrome, go to <http://www.nidcd.nih.gov/health>

</hearing/usher.htm>

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MORE ON the GCEPD's presentation - "The ADAA and Accommodations - It's All About Attitude!"

On July 21, 2010, the GCEPD had the opportunity to share our message when we presented "The ADAA and Accommodations - It's All About Attitude!" to approximately 100 human resources professionals at the monthly meeting of the Vermont Human Resources Association (VHRA).

The program was led by Committee member **April Tuck**, Senior Vice President for Human Resources & Compliance at Copley Health Systems, who guided participants to look beyond the often daunting and misunderstood statutory aspects of employing and accommodating a person with a disability.

The powerful, personal voices of a panel of four employees (including two members of the GCEPD) - who discussed their own disabilities and accommodation needs - allowed the audience to see and appreciate the real people the ADAA is intended to serve as well as the importance of open communication with a positive attitude.

As a result, participants learned that making accommodations can be rather simple, inexpensive, and most importantly, a rewarding, creative and collaborative process that provides a win not only for the individual employee but also for the organization itself.

The program began with an overview of recent amendments to the ADA by attorney **Kerin Stackpole** of Bergeron, Paradis & Fitzpatrick, LLC. April Tuck then spoke to the practical realities of making accommodations from the human resources perspective.

Rounding out the presentation was the shared wisdom and experience of our **panelists**:



S. Sam Sepah,
Human Resources
Partner, IBM, a GCEPD
member, and a person
who has been deaf since
early childhood;

Steve Cothalis,
Pulmonary Rehabilitation
Therapist, Copley
Hospital Systems, and a



person with a severe traumatic brain injury as a result of a serious fall while hiking.

Dave Lawrence, Radiology Technologist, Copley Hospital Systems, a veteran of Operation Iraqi Freedom as a member of the Vermont Army National Guard, and a person with post traumatic stress disorder and a mild traumatic brain injury as a result of his military service.

Owen Milne, Director of Development, Vermont Businesses for Social Responsibility, a GCEPD member, and a person who uses a wheelchair as a result of an automobile accident;

The presentation included many important messages about making effective accommodations, which can be summarized as follows:

- 1) Employers should know the Act and utilize the resources available to them in this regard such as the GCEPD, VocRehab Vermont, the Vermont Department of Labor, the Job Accommodation Network, and your employment attorneys.
- 2) The attitude of the human resource staff sets the stage for how managers, supervisors, and other employees will react; people will look to you as to how to respond.
- 3) Be inclusive in your hiring practices; allow your organization to reflect your community at large.
- 4) Communicate, communicate, communicate. Stay in touch and connected with the employee after you have made the accommodation; don't simply say "good luck, God bless, get going". Communication is far more valuable than titles and money and in some ways more valuable than the accommodation itself. Checking in allows the person to feel a part of the community and will also keep you aware should the accommodation need to be modified.

We invite you to click on any of the links below to see videos of this presentation.

[PT 1 - Intro and HR to the Rescue](#)

[PT 2 - Accommodations](#)

[PT 3 - Accommodations cont'd](#)

[PT 4 - Panelists Steve Cothalis & Dave Lawrence](#)

[PT 5 - Panelists Owen Milne & Sam Sepah](#)

[PT 6 - Advice re Accommodations](#)

[PT 7 - April Tuck's final words](#)

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MORE ON our Final Words on the Recent Amendments to the Americans with Disabilities Act

As mentioned, one focus of the GCEPD's recent presentation to the VHRA was how the Americans with Disabilities Act has been changed by recent legislative amendments. In our last two issues of Abilities we discussed many of these changes. We'd like to conclude this topic with some practical tips for employers in complying with the amended Act, courtesy of the Jan Accommodation Network's "Accommodation and Compliance Series; The ADA Amendments Act of 2008". (see www.askjan.org)

1) Review job descriptions, qualification standards, and accommodation procedures to ensure compliance with the ADA.

While the ADA doesn't require an employer to hire an unqualified applicant, it does prohibit an employer from using unnecessary qualifications to weed out applicants with disabilities. It also prohibits the use of an inaccurate job description to determine that an employee with a disability can no longer perform the job.

2) Focus on performance and conduct.

The Amendments Act broadens the definition of disability and places the focus on the actions of employers. One problem employers can have is making assumptions or comments about an employee's medical condition, which in turn could lead an employee to believe that employment-related decisions were made based on his or her real or perceived disability - even if that is not the case. To help avoid this problem, an employer should focus on performance or conduct problems and apply company policies in a uniform manner rather than assuming that a medical problem or disability is contributing to or causing the problem. In general, it is the employee's responsibility to let the employer know that a conduct or performance problem is disability related and to request an accommodation. Therefore, there is usually no reason for an employer to bring up medical issues first.

3) Train frontline supervisors and managers.

Frontline supervisors and managers usually have the most contact with employees on a daily basis, and so employers should train them to refrain from mentioning medical conditions unless relevant. They should also be trained to recognize accommodation requests and to know the person associated with the

company who is to be contacted for assistance.

4) Document actions and decisions.

Because the focus of the ADA will shift away from the definition of a disability and toward whether employers complied with their obligations, documentation of actions and decisions can be very important in the case of an allegation of discrimination. Accurate records can help employers remember what has transpired, and written records are generally considered more reliable than memory alone.

Another important aspect of documentation is effective communication with employees. Many problems occur because employers don't let employees know if and how their performance needs to improve, the status of their accommodation requests, or why a particular accommodation request may have been denied. Employees need to be informed so they can have the opportunity to address performance problems or suggest alternative accommodation options.

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Disability Employment Awareness Month is Coming

October is National Disability Employment Awareness Month (NDEAM), a time that Congress has designated to increase the public's awareness of the contributions and skills of American workers with disabilities. Various programs carried out throughout the month highlight the specific employment barriers that still need to be addressed and removed.

The theme for NDEAM 2010 is "Talent Has No Boundaries: Workforce Diversity Includes People With Disabilities".

According to the Office of Disability Employment Policy, in August 2010 the percentage of people with disabilities in the U.S. labor force was 22.0. By comparison, the percentage of persons with no disability in the labor force was 70.2. Furthermore, the unemployment rate for those with disabilities was 15.6 percent, compared with 9.3 percent for persons with no disability, not seasonally adjusted.

Our hope is that with continued education and awareness, we can all work together to implement effective practices that will increase employment opportunities for people of all abilities and ultimately radically change these statistics.

Thanks for reading this issue of "Abilities". We welcome your comments, feedback, and suggestions for future issues. Copies of past issues may be found on our website - www.hireus.org, or in the [Constant Contact archives](#).

Melita DeBellis,

Governor's Committee on Employment of People with Disabilities

melita@gcepd.org; 802-434-6600; www.hireus.org

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