LITTLE ROCK REGIONAL OFFICE ACTION REVIEW AFTER ACTION REPORT

Date: April 8 – 10, 2019

Discussion

The American Legion visited the Little Rock VA Regional Office (VARO) April 8 -12, 2019. This year's focus for the Regional Office Action Review (ROAR) continues to be the impact of the National Work Queue (NWQ) and the Veterans Benefits (VBA) work credit system on the adjudication of veterans' claims.

The purpose of this visit was to review the service-connected disability compensation claims processing function. Before the implementation of NWQ, the Little Rock VARO was primarily responsible for service-connected disability compensation claims for veterans residing in Little Rock, Arkansas. However, under the NWQ, claims are assigned to ROs based on the capacity and workload. The NWQ has drastically changed the way claims are processed; a change not fully embraced by employees across the ROs.

As of April 3, 2019, the Little Rock RO received 228 new claims, 541 adjustment claims (rating increases, etc.), and 1,222 appeals. In FY 2018, the Little Rock RO adjudicate 3,419 new claims and 12,573 adjustment claims. As of February 2019, accuracy score is 92.3% and average time in queue as of April 3, 2019 is 2.8 days. The Little Rock RO is under three days for Time in Que (TIQ) for initial development, supplemental development, claims ready for decision, and non-rating claims.

The top three adjudication categories where the RO identified errors in FY18 were:

1. Development
2. Evaluation assigned
3. Effective date assigned

To correct these errors, the Little Rock RO assigned local QRT to conduct monthly error trend training sessions for CA's, VSR's and RVSR's.

The Little Rock RO provided current workload information in response to our request. The average length of experience for the RVSRs is 54.3 months (4.5 years) and VSRs is 49.1 month (4.1 years) at the Little Rock RO.

We were afforded the opportunity to interview eleven Veterans Service Center staff during the ROAR visit. We also met with senior VARO leadership regarding VARO operations. Topics included:

- NWQ
- Leadership access
- Timeliness and accuracy of information
- Production standards and Work Credit System
- Employee training
- Emphasis on quality vs quantity
- Case reviews of 50 randomly-selected cases rated by the Little Rock RO
- Quality review of the 50 randomly-selected cases rated by the Little Rock RO

Employee Interviews – Summary of Findings

The visit to the Little Rock, RO afforded us the opportunity to interview a total of eleven RO employees. During the course of the interviews, several themes emerged which will now be discussed in detail.

1. Job Satisfaction/What employees find most rewarding about their work:

The emergent themes from this question were:

- Service
- Veteran Focused
- Personal Fulfillment
- Personal Ownership

All of the employees interviewed expressed that the Veteran and their family members being granted all benefits to which they are entitled is the number one priority when they report for work. Employees were service minded and expressed both personal fulfillment and personal ownership concerning their work.

It was clearly evident in discussion with Little Rock RO employees that it was rewarding to be able to "grant, talk to, help and do research" in order to find all benefits the veteran and family members qualify for. It was also evident that taking the aforementioned actions resulted in employees expressing personal fulfillment in statements such as "I like knowing I'm helping veterans" and "I like it when I can grant benefits to the Veteran, knowing that his/her quality of life is going to change for the better".

2. Employee Value – How supervisors show appreciation for employees:

Overall, RO employees felt valued based on the actions of supervisors displayed. Indicators of feeling valued that were mentioned were:

- Providing feedback
- Employees note that supervisors try to make employees feel valued
- Continuous fostering of good working relationships

Employees noted that team huddles are conducted by some supervisors and encouragement, feedback and assistance is provided to employees during this time. Additionally, employees noted both public and private praise for work well done and also some supervisors who are genuinely interested in the employee's professional development.

3. Management improvement – How to make employees feel good about their work:

Asked how they think management can improve how employees feel about their work. The emergent themes from the responses were:

- Interaction
- Specialization (Related to training)
- Ownership of claims from start to finish
- Feeling good about work is not the responsibility of management

Employees expressed a desire to have more interaction with veterans on a monthly basis. It is factual that employees which work in the public contact area of an RO, by far, are in face to face contact with veterans. However, employees whose work is primarily conducted through the VBMS system expressed the desire to have a rotation once a month to serve in the public contact area in order to remain veteran focused.

Specialization of local training, national training and overall team composition was the desire of some of the employees. The reasons provided range from some topics of VSR's that are related to development do not apply to those VSR's who do post claims work or non-rating claims work. Additionally, there are some topics that are position specific to VSR's and RVSR's. Employees felt training time would be better used if specialization of training was conducted both locally and nationally.

As specialization relates to team composition, some employees expressed that all teams should be specialized as it was at one time. Specialization of teams such as all development VSR's, all post (authorization, awards) VSR's and all non-rating (dependency, apportionments, drill pay) would contribute to a more knowledgeable VBA employee workforce in the development and adjudication of claims.

The theme of "feeling good about work is not the responsibility of management" was the overall sentiment. Seasoned employees felt that morale comes from within, therefore, management does not have control over how employees feel about their work. In the words of one employee "either you like your job or you don't". Management was lauded for having recently introduced new initiatives such as service awards, bonus payments, acknowledging employees for a job well done and most recently, having a pizza lunch to congratulate employees on their donations to the CFC which enabled the RO to reach its CFC donation goal.

4. Workload management – Is there enough time to complete tasks?

This question is focused on time allotted to complete daily tasks in order to "meet standards" and "make points". The following themes emerged from this question:

- Frequent interruptions (Systemic)
- Unrealistic expectations (Being treated as "robots" and not humans)
- Standards not feasible for all levels (Experienced vs Non-Experienced)
- Concessions for circumstances out of the employee's control (Systemic)

For those employees which responded "yes" to this question, the answer was **conditional** in that the "yes" was predicated upon the experience level of the employee (senior employees) and the self-developed tools they used to "make points for the day". The self-developed tools were checklists based on the S-1 error list or the employees own memorized checklist. However, even these seasoned employees admitted that **frequent, intermittent systemic issues, which cause outages and cessation of work flow**, contribute to the times when these senior employees are not able to "make their points for the day".

For those employees which responded "no" to this question, the reasons provided range from frequent, intermittent systemic issues to unrealistic expectations making it difficult to produce quality work to standards not feasible for minimally experienced employees to not enough concessions (excluded time) being given.

Employees expressed concern over the frequent, intermittent, systemic issues which happen on a daily basis that takes time

away from the allotted time for their work to be done and "make points". The main concern and most frequently voiced frustration pertaining to systemic issues is that of employees submitting work tickets and receiving an email stating the ticket is closed without the systemic issue being resolved.

Employees expressed that if people are making points, quality is probably suffering. Additionally, employees expressed frustration with the "points vs quality" system in that employees felt their productivity is being compared to that of a robot (i.e. not human and therefore unrealistic and not feasible). In the words of one employee, "humans are not computers".

Employees also expressed the concern of new employees not being afforded enough time to actually learn the job. Complaints were voiced of the small window of time afforded new employees before they are placed on production standards.

Time, as it relates to work productivity, is also lengthy for instances where erroneous errors are "called" on employees in which they have to rebut which can sometimes take several days. Employees expressed that errors locally "called" are based more on opinion rather than on the standards set forth in the M21-1.

Lastly, there is great concern amongst employees related to mandatory overtime. Employees expressed that there have been several instances where there was not enough work for employees on mandatory overtime, thus causing employees an inability to meet production. Employees expressed that this is a set up for failure and should be managed better by VACO.

5. Work Credit System – Fair/Balanced? Suggested Improvements? Standards:

This question is focused on the issue of the work credit system as it relates to fairness/balance, whether improvements are needed and if employees are able to meet standards. The following themes emerged from this question:

- Unfair/Points are not balanced
- Assignment of claims
- AQRS's don't rate cases (Local)

Employees expressed concern pertaining to the work credit system, describing the work credit system as unfair and unbalanced. In the words of one employee, "points are too high for the easier cases (i.e. routine future exams) and too low for difficult cases (i.e. crises/special ops cases and cases with a high number of contentions (employees have worked some cases with more than 15). There is also concern that RVSR's do not receive any credit for deferrals. As deferrals require the RVSR to both review the veterans record and take the time to write up the specific action(s) to perform in order to correct the error, not receiving any credit for this work is disappointing. The time required to perform the aforementioned lessens the time available for meeting production, which places the employee in a double bind.

Employees expressed assignment of claims on both the national and local levels is a barrier to meeting both quality and production standards. The reasons provided pertain to difficult claims assigned to less experienced VSR's who must take time to ask for assistance due to not being properly trained on how to conduct development on the claim. Additionally, claims received in station from the NWQ which should have been corrected at the previous station from which the claims were worked, results in less time available for claims processing and the inability of the employees to meet production standards.

Locally, employees expressed concerns that AQRS's, who are responsible for case review and assignment of errors, are not required to rate cases and are not knowledgeable concerning VBMS-R.

Overall, employees expressed that the work credit system needs to be reviewed and revised. Some suggestions provided by employees were to solicit feedback from those who actually perform development and adjudicate veterans claims. Employees perceive that those who are in decision making positions at the national level at the VBA, do not have a clear understanding of what is required in order to ensure both quantity and quality claims work.

Additionally, employees suggested VBA leadership take seriously the feedback provided from employees as it relates to the adverse health effects and lack of psychological safety occurring as a result of the work credit system and the manner in which it is being implemented on a daily basis. Employees explained instances of co-workers physical and mental health worsening as a result of the unrealistic demands of the work credit system. It was also concerning to employees that these standards are adversely affecting employees who are veterans, some who served in combat. Employees are also concerned about the issue of attrition and expressed the love for the job but needing to look for other employment due to the adverse health effects, both physical and psychological.

6. Frequency/Relevancy of new and/or refresher training:

This question is focused on the issue of the frequency and relevancy of new/refresher training and if the training actually aides the employees in performance of their job related tasks. The following themes emerged from this question:

- Management provides frequent training
- Comprehension/Practical application

- Redundancy
- Outdated Information

Employees expressed that management provides weekly training pertaining to manual updates and revisions. Refresher training is provided, although some employees expressed that they would like to have refresher training on specific topics and also court cases. Employees also mentioned that monthly consistency studies are conducted on specific topics which are relevant to the work they are required to perform.

Some employees expressed that although frequency of training is good, sometimes the training is more position specific. As such, position specific training should be conducted for VSR's, RVSR's, LS's and CA's. Additionally, while some of the training is helpful, employees are more concerned with the "how". In essence, there needs to be more of a focus on the comprehension and practical application. Employees suggested taking a claim and working it live, step by step, in order to gain a better understanding of how to work a particular claim (i.e. MST, ALS, STR review, etc.).

Employees stated that at times, there is a lot of redundancy and outdated information (Power point slides by VBA on certain topics are dated 2012, etc.). Employees also felt that those who are chosen locally to conduct training should be individuals who are both knowledgeable and enthusiastic about conducting training.

Employees expressed that the AMA training was particularly difficult to grasp due to the quickness with which the training was implemented. Many fear that the inability to grasp and practically apply such a vast knowledge of information will result in decreased quality and productivity. This issue was very concerning for employees and is a barrier to meeting quality and production standards.

7. Employee suggestions concerning training improvement:

This question focused on employees providing suggestions on how management can improve training at the local level. Themes which emerged from this question were:

- Position specific training
- Use experienced employees to provide training
- Allow time for feedback without negative repercussions
- Properly train AQRS's and hold them accountable
- Use various methods of training (audio, visual, practical application exercises live)

Employees suggested position specific training (i.e. VSR, RVSR) be provided by those are knowledgeable in these areas. Additionally, employees expressed concern that AQRS's are "calling" errors yet are not required to rate any cases which is resulting in erroneous errors. Employees also felt it would be a good idea to use different methods of training to reach all types of adult learners (audio, visual, practical application exercises live)

8. Quality of Work/Consistency/Trends across Regional Offices:

This question focused on quality of work, consistency and trends across regional offices as it relates to the processing and adjudication of claims in the National Work Queue. The following themes emerged from this question:

- STR's not being reviewed due to VBA's "quantity over quality"
- Lack of consistency resulting in rework
- Excessive deferrals resulting in claims processing delays

Employees expressed concern regarding the lack of required development actions related to claims processing. Employees expressed they have noticed an increase in the lack of quality work and consistency since the standards have become more demanding. As a result of the lack of consistency and claims development, employees reported having to constantly rework claims because the prior station from which the claim originated failed to do so. The positive aspect, from this writers perspective, is the fact that Little Rock RO employees take the time to actually correct the claims in order for the claim not to be held up another 30 days.

Additionally, employees expressed concern over excessive deferrals and believed this is occurring because employees nationwide are working hard to "make points" in order to prevent loss of employment.

9. Receipt of timely and accurate information to accomplish work on-time and without error?

There were no emerging themes for this question as employees agreed overall that timely and accurate information is received. This is overshadowed, however, by the fact that there are changes once per week which makes it difficult for employees to keep current on what has changed and how to practically apply the change.

Additionally, employees expressed that although timely and accurate information is received, there still often remains the question of how to practically apply the information to the claims process. Employees expressed concern regarding how quickly the AMA training was given and the expectation that employees would be able to immediately implement AMA without error. This resulted in increased physical and mental stress for employees and the absence of psychological safety.

10. Comfortable raising issues? Issues adequately addressed?

There were no emerging themes from employees concerning being able to raise issues and feeling positive about their issues being adequately addressed.

Employees expressed overall that they are comfortable raising issues although they realize that most issues raised are beyond the scope of local management. Systemic issues and the issue of demanding and unrealistic standards are handled at VACO so there is a sense of despondency related to what management is actually able to address.

Quality Review

The American Legion received the requested 50 cases for review prior to visiting the Little Rock AK VARO. The American Legion was not able to review 11 of the 50 cases provided. Of the 39 cases reviewed, The American Legion found that 10 (26%) either had adjudication errors or VA failed to develop the claim properly. The Little Rock AK VARO agreed with the findings in 8 of the 10 cases; though not every issue in each case. The final outcomes are as follows for the 39 cases reviewed:

- Cases with no errors: 29/39 (74%)
- Cases with Errors identified by The American Legion: 10/39 (26%)
- Cases where a decision was corrected as a result of The American Legion's review: 8/10 (80%)

The majority of the errors identified related to disability rating and inadequate Compensation and Pension (C&P) exams; these are common errors noted by The American Legion at VAROs across the nation. Raters often find themselves in the position of having to choose between meeting their production quota and deferring a decision to afford the veteran the opportunity for a new, adequate C&P examination. This affects their production rates as deferred actions do not receive work credit. We believe that VBA senior leadership should review the current production requirements to ensure it is fair and equitable and that it is a sustainable model that will not have long-term consequences to the VA and especially the veteran community. We continue to believe the status quo unfairly penalizes raters for doing what is right for veterans and adds substantial undue stress on RO staff.

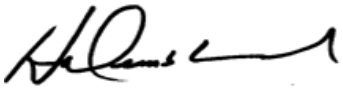
We discussed the value and advantages of the Quality Reviews and In Process Reviews (IPRs) during our exit briefing. We also discussed morale and employee recognition programs either in place or conceptualized within the realm of the Director's authority and support from senior VA leadership. We discussed the disparity between the employees' complaint about the production standards and the fact that they are meeting or exceeding standards. We also discussed the need to disseminate and train staff to apply Court of Appeals for Veterans Claims (CAVC) and Federal Circuit Court's rulings in a timely and consistent manner.

The American Legion currently does not have a representative at the Little Rock AK RO. We believe it would be beneficial to have an on-site DSO who can develop a good working relationship with the RO and to whom the RO can communicate issues that are of vital interest to TAL and the veterans we serve.

Conclusion

The American Legion appreciates the accommodations given for our visit and the openness of the staff and supervisors of the Little Rock RO. On behalf of The American Legion, I thank you and your staff for your hospitality and support during our ROAR visit.

Respectfully Submitted by,



Greg Nembhard
Deputy Director, Claims Services
The American Legion