



AFGE Congressional Testimony

STATEMENT BY

**ERIC JENKINS
RATING VETERANS SERVICE REPRESENTATIVE
VBA REGIONAL OFFICE, WINSTON-SALEM, N.C.**

ON BEHALF OF

**AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO
AND THE AFGE NATIONAL VA COUNCIL**

BEFORE

**HOUSE VETERANS AFFAIRS COMMITTEE
SUBCOMMITTEE ON DISABILITY ASSISTANCE AND MEMORIAL AFFAIRS**

ON

**DEFINED EXPECTATIONS: EVALUATING VA'S PERFORMANCE IN THE
SERVICEMEMBER TRANSITION PROCESS**

MAY 29, 2014

**American Federation of Government Employees, AFL-CIO
80 F Street, NW, Washington, D.C. 20001 ★ (202) 737-8700 ★ www.afge.org**



Executive Summary

The American Federation of Government Employees and the AFGE National VA Council (hereinafter "AFGE"), the exclusive representative of employees processing disability claims at the Department of Veterans Affairs (Department) Veterans Benefits Administration (VBA) Regional Offices (ROs) appreciates the opportunity to share views on behalf of our members working on the front lines processing claims. AFGE appreciates the opportunity to share our views on VBA programs assisting service members transitioning from active duty to veteran status.

AFGE sought feedback from members who work at ROs and physicians completing these exams in Veterans Health Administration (VHA) facilities. Consistently, respondents expressed a strong belief in the goals and focuses of these programs. They believe that these programs, when functioning properly, are essential for ensuring that service members have a seamless transition to receiving care and benefits as a veteran.

There are several problems AFGE members consistently highlighted as well, including issues with production requirements, barriers to communications with Military Service Coordinators (MSCs), and difficulties processing National Guard and Reserve cases.

IDES

AFGE received feedback from several facilities that process IDES claims, including the two largest IDES sites, Seattle and Providence. AFGE members at all sites proclaimed their support for the program and stated that they believe it is a huge benefit to service members. AFGE remains committed to improving IDES in order to make sure that it is functioning as intended.

AFGE members consistently raised concerns over communication and training issues with MSCs. These coordinators coordinate with Veterans Service Representatives (VSRs) during the pre-development phase of claims processing. Communication between MSCs and VSRs is difficult since MSCs are scattered around the world at military bases. Some MSCs also work as VSRs at ROs performing this function as an extra duty. Supervisors at ROs can follow up with supervisors at military bases if there is an issue with a case, but with each case coming from different bases, this becomes onerous.

When MSCs send cases to the RO, the cases should also be ready to rate in order to move the case along as quickly as possible. However, this is often not the case, and cases are regularly sent to ROs that are not ready to rate. This demonstrates a lack of training for MSCs and an inability for their supervisors to correct work and point out quality issues, as would take place more easily in an RO.

National Guard and Reserve claims were also an issue mentioned across the board. More often than not, these types of claims are not ready to rate by the time they reach the Rating VSR (RVSR). National Guard and Reserve cases are especially likely to be slowed down by unresolved previous claims, missing medical records, and difficulties determining duty status. At times, when attempting to retrieve medical records, the RVSR cannot retrieve the records since the Guard unit has already disbanded.

Members handling IDES claims reported problems meeting production goals. Due to the nature of IDES cases, they are very complex and average about 16 issues per case. In addition, IDES cases typically have a higher number of complex mental health issues. Stations are under constant pressure from VA's Office of Field Operations (OFO) to have a high level of production; one respondent observed that if every employee reached his individual production goal, the station would still not meet the station goal. Despite the fact that stations are evaluated on 90 day evaluation periods, stations still must demonstrate to OFO several times a day that they are on pace for achieving goals.

With the push for high production, managers instruct employees not to defer cases. ROs use a separate exam review team for these cases. As mentioned earlier, IDES cases are complex in nature, yet the exam review team is instructed to move quickly through exams to get them completed in a timely manner. RVSRs are then told not to defer the case since the exam review team has determined that the case is ready to rate, and they are not provided with excluded time for reviewing the case again.

Essentially, in a daily effort to achieve production goals, managers are determining cases as ready to rate when they may not be in order to keep cases moving. Management tracks deferrals and employees are punished for deferring cases.

Proper resource allocation remains an issue for IDES claims. Recently, inventories of cases have skyrocketed, yet IDES locations have not been provided additional claims processors to deal with this situation. A VHA physician completing neurology exams mentioned concerns with proper resources and allotting time to go through the claims folders in VBMS. The physician described IDES assignments as "other duties assigned" in the list of formal physician responsibilities. In light of the complexity and number of IDES claims, AFGE urges Congress and VBA to take actions to hire additional claims processors at these sites as well as to examine whether they are given proper attention at VA Medical Centers.

AFGE Recommendations:

- VBA and DOD must improve communication capabilities between IDES locations and military bases. Congress must provide oversight.
- MSCs should be trained properly and in conjunction with standards that VBA employees are held to in order to ensure the best result for the veteran.
- VBA must conduct a scientifically based time motion study to determine the length of time it should take for each IDES claims processor to complete each task, and adjust production goals and standards accordingly. Congress should mandate the study and provide oversight.
- Congress and VBA must take steps to hire additional claims processors.

BDD/Quick Start

As with IDES, AFGE members' initial feedback was to highlight the great benefits of BDD and Quick Start to service members and demonstrate their commitment to improving the programs.

BDD and Quick Start employees reported similar issues with production as IDES. One employee reported that he was a high performer within Quick Start, and as a result, he was moved to the Service Center, where he then began working claims he had never worked before. His quality dropped from nearly 98% to 86%, and he felt that he was punished for being a strong performer in Quick Start.

The Winston Salem RO, the largest site for BDD and Quick Start claims, reported major issues with a lack of work available for RVSRs. Over the last two years, Winston Salem brokered out approximately 20,000 cases. Though the system states that they currently have 6,000 cases, on Wednesday, May 21, they only had 22 cases ready to rate. Management has been scrambling to keep raters productive, including assigning BDD and Quick Start teams to set up exams for veterans (work that is done by VSRs). Management should be held accountable for brokering and this practice should be examined further.

Due to the lack of work as a result of brokering, management recently instructed employees to begin “pre-rating” work. Pre-rating consists of rating a case that is not in fact ready to rate, for example when VBA is waiting on an additional medical exam or evidence. Management instructed the raters to rate the claim as if the medical evidence had already arrived, yet also told employees not to finalize the rating. This raises serious questions and concerns for both veterans and VBA employees. Employees could potentially be punished for a lack of quality if medical evidence arrives that does not prove the employee’s prior pre-rating or if the evidence adds additional conditions which must be rated. Veterans should be concerned about this new tactic by VBA management and how this will affect their final ratings.

AFGE Recommendations:

- VBA must conduct a scientifically based time motion study to determine the length of time it should take for each BDD and Quick Start claims processor to complete each task, and adjust production goals and standards accordingly. Congress should mandate the study and provide oversight.
- Congress should investigate VBA’s practice of brokering work and the potential negative impacts on ROs.
- Congress should investigate VBA’s recently announced practice of “pre-rating” decisions without proper medical evidence and the potential impact on veterans and claims processors.

Production Issues

As AFGE has mentioned in past testimony before the Committee, 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. These issues also are present for employees processing IDES, BDD, and Quick Start claims. 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 agency has made a few perfunctory efforts to establish a more reliable set of measures over the years. However, AFGE has not seen any work credit study or work credit system

based on actual data. Given VBA's current transformation and the national rollout of VBMS, AFGE believes the timing is ideal for a scientific based time motion study to create a formal work credit system.

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 employees' daily tasks. The absence of a valid work credit system exacerbates the well-documented problem of VBA managers manipulating backlog data to improve performance measures. Veterans who fought for this nation deserve to have their claims processed in a timely manner, and waiting over two years for a decision from VBA is unacceptable. While undergoing transformation, VBA must accurately determine productivity and quality and judge an employee's performance on the basis of data driven metrics.

Eric Jenkins Bio

Eric Jenkins works as an RVSR in the Winston Salem RO. Eric has worked at VBA for 9 years, first as a VSR for 6 years, and now as an RVSR for nearly 4 years. Eric is a 15 year veteran of the Marine Corps and a service connected veteran. He is a combat veteran, deployed in Afghanistan and in Iraq for both Operation Desert Storm and Iraqi Freedom. Eric also works as a shop steward in AFGE Local 1738. Eric graduated from North Carolina State University with a degree in political science.