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## Chapter 1 PROGRAM ESTABLISHMENT AND OFFICE REQUIREMENTS

### 1.01 Introduction

This chapter provides information on requirements for Vocational Rehabilitation and Employment (VR&E) Program establishment and office operation at the VR&E Divisions. The chapter discusses VR&E Division responsibilities for Chapter 31 and other programs, general VR&E management responsibilities and required personnel practices. The chapter also includes a discussion of protection of privacy and confidentiality issues, due process, administrative reviews and appeals of Veterans' cases. Program oversight, internal control components, and employee recognition are discussed in this chapter. The VR&E Division requirements for office space are presented including: counseling space; individual offices (including a discussion of hoteled office space); appropriate area for test administration and Job Lab resource access by Veterans.

### 1.02 References and Resources

Laws:                   5 United States Code (U.S.C.) 552a  
                              10 U.S.C. 107  
                              10 U.S.C. 1606  
                              18 U.S.C. 209  
                              38 U.S.C. 3104  
                              38 U.S.C. 3683

Regulations:         5 Code of Federal Regulations (CFR) 430.201  
                              38 CFR 0.735-4  
                              38 CFR 0.735-12  
                              38 CFR 21.410  
                              38 CFR 21.3001  
                              38 CFR 21.380-382

Other:                   Department of Veterans Affairs (VA) Directive 5013  
                              VA Manual MP-5, Part I, Chapter 713

### 1.03 VR&E Management Responsibilities

#### a. Responsibilities of VR&E Service and the VR&E Division

VR&E Service at Central Office (CO) in Washington, DC, provides policies and procedures for the VR&E Program. The VR&E Division within each regional office (RO) establishes, maintains, and provides oversight for the program

and implements the policies and procedures provided by VR&E Service at CO.

b. VR&E Division Oversight of Chapter 31 and Other Programs

The VR&E Division is responsible for providing and carrying out services and assistance for Chapter 31 and other programs. The VR&E Division is responsible for providing:

1. Assistance to Veterans and Servicemembers under 38 U.S.C. Chapter 31 including:

- Counseling and evaluation
- Administration of training and rehabilitation
- Independent living (IL) services
- Rehabilitation and employment assistance and placement

See 38 U.S.C. 3104

2. Assistance to Veterans and Servicemembers under 38 U.S.C Chapter 36 including:

- Vocational educational counseling
- Problem-solving and personal adjustment counseling

Such counseling is provided to Veterans or Servicemembers who are eligible for or receiving benefits under 38 U.S.C. Chapter 30, 38 U.S.C. Chapter 32 and Public Law (Pub. L.) 96-342, Section 903, 38 U.S.C. Chapter 31, 38 U.S.C. Chapter 33, 38 U.S.C. Chapter 35, 10 U.S.C. Chapter 1606, and Pub. L. 96-342, Section 901 (10 U.S.C. Chapter 107) See M28R.VII.A.1.

3. Assistance to dependents of Veterans under 38 U.S.C. Chapter 35 including:

- Vocational educational counseling
- Problem-solving and personal adjustment counseling
- Special Restorative Training (SRT)

- Specialized Vocational Training (SVT)
- Other applicable special assistance services

See M28R.VII.A.2.

4. Assistance to dependents of Veterans under 38 U.S.C. Chapter 18 including:

- Vocational counseling
- Evaluation
- Case management services

This chapter authorizes benefits for certain Veterans' children with spina bifida and other covered birth defects delineated in the Veterans Benefits Act of 2003. See M28R.VII.A.3.

c. General VR&E Management Responsibilities

The following information details how VR&E management responsibilities are divided between leadership at VR&E Service, the RO and the VR&E division at the RO.

1. The VR&E Officer manages a VR&E division within an RO. The VR&E division consists of Vocational Rehabilitation Counselors (VRCs), Employment Coordinators (ECs), and technical and clerical support staff members.
2. The Director, RO provides general management for the RO including line authority over the VR&E Division. The RO Director ensures service wide policy and procedural changes are implemented and benefits and services are provided in a timely manner.
3. The Director, VR&E Service does not have line authority over VR&E staff at the RO but supports the success of the VR&E division of the RO in a number of other ways. These include developing policy, formulating budgets, developing workload systems, supporting RO staff development with development of training programs, and developing requirements for RO staff. Oversight and guidance of the VR&E division is also provided to the RO systematically by the Director of VR&E Service through Quality Assurance (QA) staff site surveys and file reviews, as well as on an individual basis when requested.

## 1.04 Required Personnel Practices and Program Components

### a. VR&E Officer Responsibilities

The VR&E Officer is responsible for personnel practices that promote effective implementation of the VR&E Program. The following practices are regarded as crucial elements in accomplishment of the program's goals. Compliance in the following areas is required:

#### 1. Classification and Position Management

Each employee must be provided a current position description and, if applicable, national performance standards that reflect the work actually performed, and levels of performance in measurable terms. For positions without national performance standards, standards will be developed locally.

For more information see 5 CFR 430.201 and VA Directive 5013 at [vaww1.va.gov/ohrm/Directives-Handbooks/Documents/5013.doc](http://vaww1.va.gov/ohrm/Directives-Handbooks/Documents/5013.doc).

#### 2. The Equal Employment Opportunity (EEO) Program

VR&E Officers must take responsibility to familiarize themselves with VA's EEO Program. The VR&E Officer must also adhere to and implement the RO's EEO plan ensuring equal employment opportunities and upward mobility for all VR&E division employees. The VR&E Officer is required to assist any VR&E employee with an EEO complaint by contacting VA's EEO staff for assistance regarding grievance procedures.

For more information on EEO, see VA Manual MP-5, Part I, Chapter 713.

#### 3. Standards of Ethical Conduct and Related Responsibilities

The VR&E Officer is responsible for following the Code of Professional Ethics for Rehabilitation Counselors and to ensure counselors on staff also follow this code of ethics (available at [www.crc certification.com/filebin/pdf/CRCCodeOfEthics.pdf](http://www.crc certification.com/filebin/pdf/CRCCodeOfEthics.pdf)). The VR&E Officer and staff must also follow VA's specific guidance on ethics in Title 5, Administrative Personnel, Chapter XVI, Part 2635, Office of Government Ethics. The VR&E Officer is responsible to ensure he/she and the staff receives all required annual ethics training. The VR&E division is encouraged to utilize the Office of Regional Counsel as a resource to train staff on any particular ethics problems as needed.

#### 4. Outside Teaching by VR&E Staff

Outside employment is an area of particular concern to the VR&E Division since many of the professional staff have opportunities to engage in such activity. VR&E staff members may teach courses on their own time at non-profit institutions as long as they rely on their generic expertise and do not get paid for discussing specifically what they do at VA. In other words, they may teach counseling, psychology, psychometrics, and so forth, but not how VA performs evaluation and planning. However, teaching any subject at a for-profit facility where veterans are approved to attend is prohibited. (See 18 U.S.C. 209, 5 CFR 808, and 38 U.S.C. 3683(a), (c) and (d)).

#### b. Protection of Privacy and Confidentiality

Although the Health Insurance Portability and Accountability Act of 1996 (HIPAA) does not apply to VR&E services, staff is still responsible for protecting the privacy of Chapter 31 Veterans, safeguarding records and ensuring that information is not disclosed to individuals who have no "need to know." The Privacy Act of 1974 does apply to VR&E personnel, which permits important uses of an individual's records while protecting his/her privacy. The VR&E officer must ensure all employees handling Veterans' and dependents' Personally Identifiable Information (PII) receive and document VA's required annual privacy training.

VR&E staff must take the following measures to ensure confidentiality and privacy in situations emerging from developing technology:

- VR&E staff will not use their personal social media sites to communicate with Veterans, Servicemembers, and/or families regarding any VA-related discussions.
- VR&E staff will not respond as a VR&E employee to any posting on social media sites unless officially designated by a senior management official
- Tele-counseling technology and media may only be used if VR&E staff can guarantee both counselor and Veteran have a secure private setting for the counseling session. Tele-counseling is anticipated to often discuss personal issues of a sensitive nature and might also include PII. VR&E staff must take the same care to protect the privacy of tele-counseling conversations as is given to protect regular counseling sessions.
- VR&E counselors planning to utilize tele-counseling with Veterans should review and adhere to guidance available in the Code of Professional Ethics

for Rehabilitation Counselors at Section J: Technology and Distance Counseling.

See <http://vaww.vhaco.va.gov/privacy/Documents/5USC552a.htm>

c. Notification and Support of the Administrative Review and Appeals Process

Veterans receiving or requesting benefits under the Chapter 31 Program, are entitled to request an administrative review and/or an appeal of any VR&E decisions with which they disagree. The VR&E Officer must ensure procedures are in place to support the administrative review and appeal process. To inform a Veteran of his or her right to this process, and be responsive to Veteran requests, VA Form 4107: Your Rights to Appeal Our Decision, must be provided to the Veteran when an adverse action is taken.

For more information on the Veteran's right to an administrative review and/or an appeal, see M28R.III.C.3.

d. Program Oversight and Internal Control Components

The following procedures must be utilized to assess and improve the quality of services provided to Veterans in the Chapter 31 Program. Casework is evaluated on a national and local level. The elements listed below are the components of program oversight and internal control:

1. Quality Assurance (QA)
2. Field Surveys
3. Performance Management
4. Systematic Analysis Operations (SAO)
5. Management Reports

e. Employee Awards and Recognition Program

A nationwide VR&E Awards Program may be issued at the discretion of the Director of VR&E Service. VR&E Officers are also responsible for recognizing employees for special contributions and outstanding performance. RO directors are responsible for distributing award funds to Division managers. VR&E Officers may also provide recognition with non-monetary awards such as time-off awards or other tokens of appreciation.

For further guidance visit <http://vbaw.vba.va.gov/bl/edt/ITLProgram.htm>. Select the Veterans Benefits Administration (VBA) Supervisor's Guide to HRM, to review the module "Managing Your People/Awards Program."

#### 1.05 VR&E Division Office/Site Requirements

##### a. Requirements for Office Space

VR&E Division office space must meet the requirements listed below:

1. The office must be readily accessible to individuals with disabilities.
2. The office location must be clearly identified on building and floor directories.
3. A reception area must be provided. It must be of adequate size and have reasonably comfortable furnishings for visitors.

Exception: In those offices where a separate reception area cannot be provided, staff should make arrangements to use the facilities of other RO elements, such as the Veterans Service Center (VSC).

##### b. Requirements for Counseling Space

The counseling environment must be arranged to allow the Veteran a clear sense of the privacy and confidentiality of conversations with his/her Counselor. This can be achieved by only providing counseling in an environment that offers auditory and visual privacy, where the conversation between the Counselor and the Veteran is not open to public observation, and where there are no unannounced interruptions or other distractions. A properly planned counseling space encourages the Veteran to discuss sensitive matters of personal concern relevant to his/her vocational planning and program participation.

##### c. Requirements for Individual or Hoteled Offices

Each case manager must have access to a private office, with floor-to-ceiling walls and doors for conducting counseling sessions. ROs with limited office space can meet this requirement by "hoteling" the counseling room or rooms. In such an arrangement counselors perform administrative work and duties other than counseling in a common area or an open counseling room. If hoteling, counseling sessions should be scheduled in advance and given priority over administrative work or other duties in the counseling room.



d. Requirements for Suitable Space for Administering Tests

The VR&E Officer must ensure the establishment of suitable space for the administration of psychological and vocational assessment tests. Testing must be conducted under conditions that ensure privacy and freedom from noise and distraction, and fully comply with established testing standards, including accessibility of testing material and the testing area as well as adequate lighting, ventilation, seating facilities, and working space for Veterans. Testing materials must be properly secured when not in use in a locked room or cabinet.

For more information on tests and test supplies, see M28R.II.A.2.07.

e. Access to Job Lab Resources

VR&E field stations must provide job lab resources for use by all Veterans, not just those receiving Chapter 31 benefits. The intent of the job lab is to help Veterans obtain state-of-the-art employment services, including labor market information, resume development, interviewing skills training, and access to direct job leads via Internet job boards. The resources must include at a minimum ample access to computers with Internet capabilities and desktop shortcuts to VetSuccess.gov. To the maximum extent possible, a separate area for Veterans seeking jobs will be established and staff will be made available to assist.

In stations that do not have a job lab, it is acceptable to ensure required computer, Internet and VetSuccess.gov access is available for Veterans by utilizing resources at a Department of Labor One-Stop or public library. More detailed information about job lab requirements is available at M28R.VI.A.1.

Chapter 5  
SENSITIVE ACCESS AND  
PERSONALLY IDENTIFIABLE INFORMATION

5.01 Introduction

5.02 References and Resources

5.03 Sensitive Access Levels

- a. Description of Sensitive Access Levels
- b. Authorization for Access to Sensitive Files
- c. Deviation from the Policy on Sensitive Access

5.04 Personally Identifiable Information (PII)

- a. Definition of PII
- b. Policy on the Handling and Storage of VR&E Documents and Claims
- c. Permitted Contents of Desk Drawers, Credenzas, Personal Lockable Cabinets, and Other Personal or Provided Storage Containers
- d. Employee Accountability in Regard to Disposal of Documents
- e. Review Process for Document Destruction
- f. Policy on the Handling and Storage of VR&E Documents and Claims when Working from Home
- g. Policy on the Handling and Storage of VR&E Documents and Claims When Conducting Off-site and Outreach Activities
- h. Handling Veterans' Personal Information Including Mock-up Folders Provided to VR&E Contractors

5.05 Restrictions on Use of Electronic Mail (Email) and Facsimile (Fax) Machine

5.06 Prohibition of the Use of Social Media

Appendix O. VA Forms

Appendix V, Rules for Taking Files or Information Off-Site

Appendix AD. VR&E Sign-Out Log

Chapter 5  
SENSITIVE ACCESS AND  
PERSONALLY IDENTIFIABLE INFORMATION

## 5.01 Introduction

This chapter provides guidelines to ensure that all Department of Veteran Affairs (VA) records are accessed and protected in the proper manner. It also provides procedural guidance for the development, retention, transmission and destruction of personal information by Vocational Rehabilitation and Employment (VR&E) staff and contractors.

## 5.02 References and Resources

Statutes:	38 CFR 5701 38 CFR 5727
Publications:	VA Handbook 6500.6
Guidelines:	OFO Letter 20F-12-04, Sensitive Level Designation for Regional/Area Office Employees
VA Form:	VA Form 20-8824e, Common Security Services Access Request Form

## 5.03 Sensitive Access Levels

## a. Description of Sensitive Access Levels

Some VA records require additional security measures to ensure that the privacy of the individual is protected. These records are assigned a sensitivity level and corresponding access level, and only employees who have the corresponding level of clearance can access those files. The table below describes this process:

Level of Sensitivity	VA Records Including Employees, Veterans or Their Beneficiaries	Expiration Date	Authorized Employees
9	The President/Vice President of the U.S.; Members of the Cabinet; U.S. Senators and Members of Congress; U.S. Supreme Court Justices; VA Secretary; VA Deputy Secretaries; VA Under Secretaries; VA Asst. Secretaries; other high profile individuals; special cases, e.g. witness protection	Indefinite	Under Secretary for Benefits (USB); Deputy USBs; Service Directors; SIPO Director; Directors and Asst. Directors of facilities having jurisdiction over records with a level of sensitivity equal to 9
8	VA Senior Executive Service; Directors and Assistant Directors; Regional Counsel; Div. Chiefs or equivalent; persons of national prominence; Governors; Lt. Governors; Attorneys General of states or commonwealths; locally prominent persons or officials	3 years after leaving public or government service	Facility Directors and assistants; Area Directors; Veteran Service Center (VSC) Managers and Assistants; all other Division Chiefs

Level of Sensitivity	VA Records Including Employees, Veterans or Their Beneficiaries	Expiration Date	Authorized Employees
7	Veterans Benefit Administration (VBA) employees; private attorney fee cases	3 years after leaving public or government service. The exception is private attorney fee cases. These cases remain level 7 until the Attorney Fee designation for a particular claim no longer exists.	ISOs and AISO, System Security Officers, Supervisory Accredited VSO reps; Private Attorneys; all VA Supervisors with a business need; and 10% of a VBA entities' non-supervisory staff with a business need.
6	VA Employees (other than VBA employees); VSO employees, relative of employee; VA work-study/interns employed at a VBA location. At the Director's discretion, this sensitivity level may also be placed on a Veteran's folder for high-profile claims.	3 years after leaving public or government service	Journey level employees having a business need on a daily basis, not to exceed 25% of a VBA entities' non-supervisory staff; non-supervisory accredited VSO reps.
5-0	Local Use Determination		

b. Authorization for Access to Sensitive Files

The RO Director or Assistant Director is responsible for authorizing access to sensitive files in Benefits Delivery System (BDN). All sensitive level access

requests must be submitted in CSEM, or by using VAF 20-8824e for offices not currently using CSEM. VAF 20-8824e must be submitted to the RO's ISO to request for sensitive level access. See Appendix O, VA Forms, for information on how to access this form, as well as all forms referenced in this chapter.

- Access levels 8 and 9 may be given to employees with designated positions as listed in the chart above.
- Access level 7 restrictions are limited to a maximum of 10 percent of non-supervisory staff allowed access.
- Access level 6 access is limited to an additional 25 percent of non-supervisory staff, with the stipulation that such access is given only to journey level employees. Therefore, a total of 35 percent of RO employees are entitled to Level 6 access and above, to include VR&E employees.
- Access levels 1-5 are not currently in use.
- All other employees should remain at level 0.

c. Deviation from the Policy on Sensitive Access

Due to the BDN and Common Security System (CSS) restrictions, VR&E Divisions, particularly outbased sites, may experience difficulty in managing certain cases, including those that involve access to sensitive files in BDN and CWINRS, such as Veteran-employee files, VSC employee files, and work-study student files. In order for VR&E staff to effectively manage a case involving one of these types of files, a request for deviation from the policy on sensitive access levels may be needed.

The VR&E Officer must submit a request, in writing, to the RO Director or Assistant Director for a one-time or temporary deviation from the policy on sensitive access levels per OFO Letter 20F-12-04, Sensitive Level Designation for Regional/Area Office Employees . These requests may include access to more than one sensitive file. The RO Director or Assistant Director may provide temporary access to the file at the appropriate access level, and must ensure that the temporary access is rescinded immediately after the necessary action is taken, such as in the event that development is completed and/or the claim is processed, or the Veteran completes or discontinues his/her rehabilitation program. If necessary, the RO Director or Assistant Director may renew sensitive level access requests.

## 5.04 Personally Identifiable Information (PII)

### a. Definition of PII

PII is any information maintained by VA about an individual such as education, financial transactions, medical history, and criminal or employment history, which can reasonably be used to identify that individual and information which can be used to distinguish or trace an individual's identity.

Examples of PII include, but are not limited to, the following:

- Name, such as full name, maiden name, mother's maiden name, or alias.
- Personal identification number, such as Social Security Number (SSN), passport number, driver's license number, taxpayer identification number, or financial account or credit card number.
- Address information, such as street address or email address.
- Personal characteristics, including photographic image (especially of face or other identifying characteristic), fingerprints, handwriting, or other biometric data (e.g., retina scan, voice signature, facial geometry).
- Any other personal information which is linked or linkable to an individual, such as telephone number, or date and place of birth.

### b. Policy on the Handling and Storage of VR&E Documents and Claims

1. VR&E employees with permanent office space are authorized to store CER folders, VR&E or Ed/Voc applications, award related documents, contractor or school invoices, correspondence, and other material related to specific claimants. This information may be stored in the following locations:

- VR&E Division file bank, sensitive file locked file cabinets, and designated secure file storage locations
- File carts and sorting tables in areas that are restricted from Veteran access
- Clearly marked holding areas, such as open shelving, tables, or cabinets that are restricted from Veteran access
- Unlocked above-the-work-surface storage compartments that are part

- of an individual workstation
- File cabinets specifically provided to employees for the storage of cases under their jurisdiction
  - Desk, on the top of a work site credenza, or other surface clearly visible to supervisory inspection, but not visible during individual counseling sessions
2. Loose mail or pending award or invoice documents are stored at their individual work site in a clearly marked "Active Mail In-box" on the work surface. However, this information must not be visible during individual counseling sessions.
  3. When a case manager is meeting individually with a Veteran, only the Veteran's CER file may be visible on the work surface. All paper records must be stored out of view of the Veteran. The case manager must use privacy screens on computer screens to safeguard electronic information.
  4. The VR&E Officer must ensure that all other information is stored in file cabinets or other systems specifically designated. In-boxes or other portable work systems should be located in an area of the VR&E staff member's office that is not visible to the Veteran.
  5. The case manager must ensure that a Veteran will not be left unaccompanied in his/her office or any area within the VR&E office. The case manager must also ensure that the Veteran is escorted to and from the designated waiting area.
- c. Permitted Contents of Desk Drawers, Credenzas, Personal Lockable Cabinets, and Other Personal or Provided Storage Containers
1. The following items may be stored in the storage containers indicated:
    - Personal items
    - Office supplies
    - Reference materials
  2. Under no circumstances will CER folders, VR&E or Ed/Voc applications, subsistence allowance award and related documents, school or contractor invoices, loose mail, or material containing personal identifying information be stored in any of the above referenced containers. Material



being used to develop training courses, such as sample entitlement determinations, must be stored in a lockable cabinet clearly designated for training course material.

3. Personal storage areas may be locked during work hours, but must be unlocked during non-work hours. All work areas are subject to supervisory inspection to ensure proper storage and safeguarding of records. Inspection of work areas will also be conducted during field oversight visits.

d. Employee Accountability in Regard to Disposal of Documents

All VBA employees, contractors, co-located employees of other federal and state agencies (e.g., Department of Labor employees), volunteers, and Veterans Service Organization (VSO) staff physically located within facilities under their jurisdiction must comply with VBA policy regarding the disposal of Veterans' records. This policy covers VBA facilities and worksites, regional offices and centers, outbased sites, briefing locations, and approved work-at-home or telecommuting sites.

1. Each employee must be provided a red envelope and box to place material to be shredded. Based on the volume of paper processed by the employees, the appropriate quantity of red envelopes and corrugated storage boxes (6"H x 12"W x 15"L, 10"H x 15"W x 15L or 10"H x 5"W x 24"L or similar sizes) will be purchased by the RO and distributed to employees.
2. Employees must use the red envelopes for claims-related materials only. All red boxes and envelopes will be labeled with the applicable employee's name. The red corrugated boxes are to be reused and will not be destroyed as long as the boxes are in serviceable condition. If a red shred box is deemed unserviceable, it will be replaced immediately. The RO Director is responsible for ensuring that sufficient quantities are readily available to replace unserviceable items.
3. Original copies of legal documents that duplicate records in the Veteran's claims file (birth certificates, marriage certificates, divorce decrees, DD Form 214s, Report of Separation etc.) are not to be destroyed, but returned to the Veteran in accordance with the M21-1-1 MR3.11.3.C.7.
4. Internally generated papers, such as screen or award prints and work papers not appropriate for inclusion in the Veteran's record, do not require signatures, initials, or dating, but must be placed in the employee's red corrugated shred box when submitted for shredding.

5. The following documents require only the employee's signature (or legible initials), before placement in red boxes for shredding:
    - CAPRI records (these records are available electronically if needed for evidence at a later date).
    - Draft or duplicate rating decisions, notification letters, and MAP-D letters.
    - Training materials that include PII.
  6. The following claims documents require the employee's signature and the supervisor's signature:
    - Claims and evidentiary submissions deemed duplicates submitted by the Veteran or his/her representative.
    - Waivers, administrative decisions, formal findings, etc., submitted by the Veteran or his/her representative that are determined to be duplicate VA documents of evidentiary nature.
    - Duplicate evidentiary submissions from third parties external to VA.
- e. Review Process for Document Destruction
1. Employees will perform the following actions in order to ensure the proper destruction of documents that contain PII:
    - Bundle documents by beneficiary name.
    - Sign, date, and annotate single pages indicating the reason for destruction (e.g., "duplicate record").
    - Bundle and staple multiple pages together, with the top page signed, dated, and annotated with the reason for destruction.
    - Place bundles that are too thick to be stapled in regular envelope(s), or fastened together with a rubber band.
    - Sign, date, and annotate the reason for destruction on the front(s) of the envelope(s), or top sheet, as applicable.
    - Deliver all claims-related materials, along with the claims folder(s), if

needed, for a second signature to supervisor.

- Place the two-signature claims-related documents into red envelopes or boxes after return by the supervisor.
2. The VR&E Officer or Assistant VR&E Officer will perform the following actions:
    - Review claims-related documents submitted by the employees to determine if destruction is appropriate.
    - Indicate approval by signing and dating the claims-related document(s) and returning the document(s) to the employee.
    - Review any claims-related documents that were inappropriately submitted for shredding by employee.
    - Sign and date the claims documents authorizing approval, or instruct that the documents be returned to the claims file.
    - Notify the employee when a violation has occurred.
  - f. Policy on the Handling and Storage of VR&E Documents and Claims when Working from Home
    1. Employees engaged in work-at-home activities that involve the handling and storage of paper documents may only perform work involving the use of a CER file. Under no circumstances will loose material, not associated with a CER file, be taken to the case manager's home. CER folders may not be kept at the case manager's home for more than three days. CER folders will be stored only in an approved lockable transporting container or in a locked file cabinet in the home.
    2. Except in conjunction with approved off-site visits, VR&E employees may not take counseling folders and other sensitive information to their homes. Folders must not be left in unattended vehicles. VR&E Officers are responsible for ensuring that staff members understand and comply with this policy. He/she is responsible for purchasing any materials, such as locking briefcases, necessary to carry out this policy.
    3. VR&E employees may take CER folders to a remote work location if the information is transported in a locked briefcase and if other relevant VA policy and regulations are followed during transport and at the remote location.

4. A signed copy of the rules for taking folders or information off-site (See Appendix V, Rules for Taking Files or Information Off-Site) must be on file with the employee's supervisor before any information is taken off-site. The employee must complete and submit the sign-out log (See Appendix AD, VR&E Sign-out Log) to his/her supervisor each time information is taken off-site and returned.
- g. Policy on the Handling and Storage of VR&E Documents and Claims When Conducting Off-site and Outreach Activities
1. Employees engaged in off-site visits, outreach events, stand-downs, or other locations where VR&E applications and/or related evidence are received, must take the following actions:
    - (a) Employees engaged in off-site activities that involve counseling or case management of Veterans may only perform work involving the use of a CER file. Under no circumstances will loose material not associated with a CER folder, other than blank forms utilized to gather information or complete referrals, be taken to remote locations. CER folders must be stored only in approved lockable transporting containers.
    - (b) Only one file may be out on the work surface at one time.
  2. Employees engaged in outreach activities for the purpose of taking claims for VR&E benefits, or who take claims during routine case management activities, including applications and evidentiary information, will take the following actions:
    - (a) Provide the Servicemember or Veteran for whom evidence or a claim is taken with a dated receipt identifying the evidence received and the name of the employee who received it.
    - (b) Prepare a document receipt register on which the employee will annotate the name and claim number of the Servicemember or Veteran from whom documents were received. This register must include the date, the general type of evidence received, such as applications, medical evidence, financial evidence, dependency documents, and the name of the employee who received the documents. These registers may be paper or electronic.
    - (c) Secured the information and documents in an approved lockable container for transporting. All information must be hand delivered or mailed to the VR&E Office, together with a copy of the register, within

72 hours.

When applications or evidence is returned to the VR&E office, the employee will provide the documents and the register to their supervisor. A copy of the register will be maintained for six years as defined by the general statute of limitations for civil actions against the United States.

3. When VR&E staff members are meeting individually with Veterans, only the Veteran's CER file may be visible on the work surface and privacy screens will be utilized on computer screens to safeguard electronic information. At no time will a Veteran be left unattended in the temporary space, nor will CER folders or computer equipment be left in an unlocked or unsecured temporary workspace. All Veterans must be escorted to and from designated waiting areas.
  4. A signed copy of the rules for taking folders or information off-site (See Appendix V, Rules for Taking Files or Information Off-Site) must be on file with the employee's supervisor before any information may be taken off-site. The employee must complete and submit the sign-out log (See Appendix AD, VR&E Sign-out Log) to the employee's supervisor each time information is taken off-site and returned.
- h. Handling Veterans' Personal Information Including Mock-up Folders Provided to VR&E Contractors
1. All case managers must follow the procedures outlined below regarding the creation, retention, handling, and destroying of documents and mock-up folders provided to contractors:
    - (a) CER folders will not be released to contractors. Only copies of data and documents necessary for the contractor to conduct the services requested will be placed in the mock-up folders and forwarded to contractors. Types of documents provided to the contractor will vary from case to case depending on the type of services requested and background information required to provide the services.
    - (b) To ensure that the contractor does not misuse PII, any document containing personally identifying information may be released as long as safeguards are in place to protect the information and it is outlined in the contract. Refer to VA Handbook 6500.6.
    - (c) Case managers must follow the guidance relating to the protection of privacy and release of information as cited in M28R.III.C.2, Protection of Privacy and Release of Information.

- (d) Documents containing personal identifying information must be sent according to VBA's prescribed shipping method.
2. Contractors must follow the procedures outlined below regarding Veterans' files and documents:
    - (a) All documents returned by contractors to the VR&E office must be sent via mail delivery service with traceable means.
    - (b) As cited in the Federal Acquisition Regulations (FAR), Subpart 4.7, Contractor Records Retention, all contractors are responsible for retaining records, materials, and other evidence relating to cases and services provided to Veterans under VR&E contracts until three years after final payment has been rendered.
    - (c) Contractors are required to follow the guidance relating to the privacy and security safeguards of Veterans' information as cited in FAR 52.239-1, Privacy or Security Safeguards; 52.224-1, Privacy Act Notification; and 52.224-2, Privacy Act.
    - (d) Upon expiration of the retention date, contractors should provide the VR&E office certification of the destruction of such records. Certification from the contractor should include:
      - Veteran's name
      - Last four digits of Veteran's social security number
      - Type of document(s) and date(s)
      - Date of destruction
      - Means of destruction (preferably shredded)
      - Name and position of individual who destroyed document(s)
- 5.05 Restrictions on Use of Electronic Mail (Email) and Facsimile (Fax) Machine

VR&E staff must adhere to safeguarding privacy and confidentiality of the Veterans' information. The VR&E staff must ensure that all email communications containing Veterans' PII are sent with encryptions.

VR&E staff may communicate with Veterans, VR&E contractors, and school officials through their personal or office emails. However, the VR&E staff must instruct them that all email communications must not contain any Veteran's PII.

VR&E contractors must not send any information with Veterans' PII via email to VA staff without appropriate encryption as outlined in the VetSuccess Contract. The contract stipulates, "The Contractor will store, transport or transmit VA sensitive information in an encrypted form, using a VA-approved encryption application that meets the requirements of NIST's FIPS 140-2 standard, Level 2." Documentation that cannot be sent with VA-approved encryption must be sent via postal mail service with traceable means.

VA staff may send and receive documents with Veterans' PII to Veterans, VR&E contractors, and school officials using a secure fax machine. The VR&E staff must inform the recipients to pick up the documentation from the fax machine as soon as transmission is completed. The confirmation of the fax transmission must be sent via email indicating the number of pages faxed and identifying information to acknowledge receipt of transmitted document.

#### 5.06 Prohibition of the Use of Social Media

Social media is a tool for communication, like newspaper or radio, which allows users to interact with others in the website. Currently, VA uses Facebook and Twitter. VR&E uses these media solely to support VBA initiatives and to conduct outreach to the stakeholders.

VR&E staff must not use their personal social media sites to communicate with Veterans, Servicemembers, and/or families regarding any VA-related issues to ensure protection of their privacy and that Veterans' PII are not communicated in a public forum.

In addition, VR&E staff must not respond as a VR&E employee to any posting on social media sites unless officially designated by a senior management official.

Chapter 1  
PERFORMING MOTIVATIONAL AND OUTREACH ACTIVITIES

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  - 1.02 References and Resources
  - 1.03 Motivational and Outreach Activities
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## Chapter 1 PERFORMING MOTIVATIONAL AND OUTREACH ACTIVITIES

### 1.01 Introduction

Vocational Rehabilitation and Employment (VR&E) motivational and outreach activities are designed to ensure that a Veteran with potential eligibility for Chapter 31 benefits and VR&E services is made aware of program services. These activities should provide sufficient understanding to assist the Veteran or Servicemember in making an informed choice to apply for vocational rehabilitation and related services. This chapter is a summary of how VR&E partners with the Compensation Division to identify a Veteran with potential eligibility for VR&E services after receiving a Service-Connected (SC) disability rating; follows up with a Veteran who does not apply for VR&E services after receiving an application for them; counsels Veterans concerning potential Chapter 31 benefits and utilizes specialized outreach efforts and the Department of Veterans Affairs (VA) forms to notify a Veteran who is potentially eligible to receive VR&E benefits.

### 1.02 References and Resources

Laws: 38 United States Code (U.S.C.) 3697

Resources: Share User Guide  
VETSNET Operational Report (VOR) Desk Reference

VA Forms (VAF): VAF 28-1900, Disabled Veterans Application for Vocational Rehabilitation  
VAF 28-8890, Important Information about Vocational Rehabilitation Benefits  
VAF 119, Report of Contact

Websites: [www.pdhealth.mil/dcs/pdhra.asp](http://www.pdhealth.mil/dcs/pdhra.asp)  
[www.yellowribbon.mil](http://www.yellowribbon.mil)

### 1.03 Motivational and Outreach Activities

#### a. Initial Motivational Contact

The Veterans Service Center (VSC) informs the Veteran of the availability and purpose of the VR&E program when VSC processes an original or reopened claim that results in an initial SC disability rating of 10 percent or greater or an increased combined SC disability rating of 20 percent or greater. VAF 28-1900 and VAF 28-8890 (see Appendix O, VA Forms), are automatically sent to the Veteran when eligibility for Chapter 31 benefits is established for initial or

increased SC disability compensation.

b. Future Control for Veteran Motivational Contact

The VSC uses the 810 diary code in Share (a program used by Compensation to establish claim control and to view the Veteran's military, personal, and compensation and pension ratings information) to track follow-up activities for a Veteran identified as seriously disabled and establishes a 30-day future control for a subsequent motivational contact.

c. VR&E Responsibilities

1. VR&E Divisions must check VOR monthly for pending 810 diary codes requiring action. A Veteran with severe disability conditions who has not filed a VAF 28-1900 is reflected on the VOR under the 810 diary code. If a completed VAF 28-1900 is submitted prior to the control date, VR&E must clear the pending 810 diary code in Share using the Pending Issue File Cleared (PCLR) command.
2. If a Veteran with a severe disability does not complete and return VAF 28-1900 within 30 days from the date of receipt, VR&E staff must personally contact the Veteran to explain the benefits and services available under the VR&E program and encourage him/her to apply for VR&E services using VAF 28-1900. VR&E must clear the pending 810 diary code in Share and document the contact on VAF-119 (see Appendix O, VA Forms) and file the form in the Veteran's Claims File (C-File).
3. VR&E Divisions are required to analyze the effectiveness of their motivational and outreach efforts. VR&E Officers or their designees are required to conduct a Systematic Analysis of Operations (SAO) regarding motivational/outreach activities annually. This analysis should include a review of VSC's compliance with required procedures for providing initial motivational materials when authorizing SC disability compensation awards, the effectiveness of VR&E motivational/outreach activities and whether the type of motivational contact by VR&E is appropriate.

d. Specialized Outreach Efforts

Specialized outreach efforts are required for a transitioning Servicemember, and a hospitalized Servicemember or Veteran. These include the Transition Assistance Program (TAP), Coming Home to Work (CHTW) program, educational and vocational counseling services under Chapter 36, Operation Enduring Freedom/Operation Iraqi Freedom and Operation New Dawn (OEF/OIF/OND) Priority Processing, Post-Deployment Health Reassessment (PDHRA), Yellow Ribbon Reintegration Program (YRRP), Integrated Disability

Evaluation System (IDES) and VetSuccess on Campus (VSOC).

1. Transition Assistance Program (TAP)

TAP was established to meet the needs of a separating Servicemember during their period of transition into civilian life by offering job-search assistance and related services.

The law creating TAP established a partnership among the Departments of Defense, VA, Transportation and the Department of Labor's Veterans' Employment and Training Service (VETS) to give employment and training information to a Servicemember within 180 days of separation or retirement.

TAP helps a Servicemember and his/her spouse make the initial transition from military service to the civilian workplace with less difficulty and at less overall cost to the government. An independent national evaluation of the program estimates that a Servicemember who participates in TAP, on average, finds their first post-military employment opportunity three weeks sooner than those who do not participate in TAP.

TAP consists of comprehensive three-day workshops at selected military installations nationwide. Professionally-trained workshop facilitators from the State Employment Services, military family support services, Benefits Assistance Service, Veterans Health Administration (VHA), National Cemetery Administration, Department of Labor contractors or VETS staff may present at the workshops.

2. Coming Home to Work (CHTW) Program

The CHTW program was created to provide transition assistance to a hospitalized Servicemember at a military treatment facility or VA medical center. For more information regarding the CHTW program, see M28R.III.B.2.

3. Educational/Vocational Counseling (Chapter 36)

VR&E provides educational and vocational counseling services to a transitioning Servicemember who falls under any of the following conditions:

- Is within six months prior to discharge from active duty
- Is within one year following discharge from active duty

- Is a current beneficiaries of educational assistance under Chapters 30, 31, 32, 33, 35, 1606 and/or 1607
- Is a Veteran and a qualified dependent who is eligible for and is entitled to education assistance under Chapters 30, 31, 32, 33, 35, 1606 and/or 1607

Services include the following:

- Counseling to facilitate career decision-making for civilian or military occupations
- Educational and vocational counseling to choose an appropriate civilian occupation and develop a training program
- Academic and adjustment counseling to resolve barriers that impede success in training or employment

For more information on educational and vocational counseling under Chapter 36, see 38 U.S.C. 3697 and M28R.VII.A.1.

4. Operation Enduring Freedom/Operation Iraqi Freedom and Operation New Dawn (OEF/OIF/OND) Priority Processing

VR&E's role is to ensure that priority processing of applications is completed for a Veteran designated as OEF/OIF/OND. Priority processing is geared toward active duty, National Guard or Reserve Veterans who were deployed in the OEF/OIF/OND theaters or in support of these combat operations, as identified by the Department of Defense (DoD). Each Regional Office OEF/OIF/OND manager is responsible for overseeing the OEF/OIF/OND workload and outreach initiatives. These responsibilities include the following:

- Working closely with the National Guard and Reserve to obtain Service Medical Records (SMRs)
- Coordinating with VHA representatives to expedite medical examinations
- Working with the Development Centers in obtaining SMRs or other pertinent data
- Serving as a resource to other employees and groups within VA on issues relating to OEF/OIF/OND claims in their jurisdiction

#### 5. Post-Deployment Health Reassessment (PDHRA)

DoD launched the PDHRA Program to safeguard the well-being of a Servicemember. While the initial focus of the PDHRA is on returning Reservists and National Guard members who fall within the three- to six-month post-deployment period, the program is also made available to a Servicemember who has returned from deployment since September 11, 2001. PDHRA events focus on reconnecting a Servicemember and his/her family with service providers to ensure that they are aware of and understand the benefits and resources that are available to help them overcome the challenges of reintegration. VR&E's participation in these events facilitates contact with OEF/OIF/OND Reservists and National Guard members and provides them with information regarding VR&E benefits. For more information on the PDHRA Program, see [www.pdhealth.mil/dcs/pdhra.asp](http://www.pdhealth.mil/dcs/pdhra.asp)

#### 6. Yellow Ribbon Reintegration Program (YRRP)

DoD's YRRP events provide National Guard and Reserve members and their families with information, services and referrals throughout the entire deployment cycle. The goal of the YRRP is to provide reintegration assistance at 30-day, 60-day and 90-day intervals following demobilization. YRRP events focus on reconnecting a Servicemember and his/her family with service providers to ensure that they are aware of and understand the benefits and resources that are available to help them overcome the challenges of reintegration. VR&E's participation in these events facilitates contact with OEF/OIF/OND Reservists and National Guard members, and provides them with information regarding VR&E benefits. For more information on the YRRP, see [www.yellowribbon.mil](http://www.yellowribbon.mil).

Note: VR&E Divisions are encouraged to include PDHRA and YRRP events in their outreach activities. The volume of an exiting Servicemember, frequency and location of events will need to be considered when determining which events are attended.

The duties of VR&E staff attending the events include but are not limited to the following tasks:

- (a) Staffing information tables with Chapter 31 and Chapter 36 benefits information (e.g., Quick Books, VR&E Orientation CDs and VAF 28-1900).
- (b) Addressing a Servicemember's questions and concerns regarding Chapter 31 and Chapter 36 benefits.

- (c) Assisting a Servicemember with completing applications for Chapter 31 or Chapter 36 benefits.
- (d) Submitting a brief summary of PDHRA and YRRP events with the monthly CHTW report, including these items:
  - Date of event
  - Location of event
  - Number of participants
  - Services provided

VR&E staff should review the PDHRA and YRRP websites for upcoming events and coordinate their calendars accordingly. PDHRA and YRRP events are routinely held on weekends at local National Guard or Reserve Command units. Therefore, ROs must consider the availability of overtime funds or the use of compensatory time for employees attending PDHRA and YRRP events.

#### 7. Integrated Disability Evaluation System (IDES)

A national Memorandum of Understanding (MOU) was signed by VA on January 17, 2012, and DoD on February 1, 2012, that provides guidance and responsibilities for stationing VR&E counselors on military installations (see Appendix K, Signed MOUs). Vocational Rehabilitation Counselors (VRCs) provide outreach and transition services to a Servicemember transitioning through the IDES program. VRCs engage the Servicemember early in their recovery, helping them identify the skills they have, the skills they need and opportunities where those skills can be used for future employment.

Services range from a comprehensive rehabilitation evaluation to determine abilities, skills and interests for employment purposes, to support services to obtain and maintain employment. By physically placing VRCs at IDES locations on military installations, quality and timeliness of benefits delivery is improved by beginning the process of developing a new career that is uniquely appropriate for each individual's desires and abilities during the transition process.

#### 8. VetSuccess on Campus (VSOC)

The VSOC program was designed to serve beneficiaries receiving educational benefits. Veteran students transitioning from active duty

service to civilian life face unique challenges entering the college or university setting. They may need special supportive services to deal with issues such as symptoms of Post-Traumatic Stress Disorder, Traumatic Brain Injury or other mental and physical health issues. Under the VSOC program, VRCs are assigned to certain campuses to provide VA benefits, outreach services, support and assistance to ensure the Veteran's health, educational and benefit needs are met.

VRCs assigned to campuses are easily accessible by Veteran students. Counselors are available to respond to quick questions or detailed requests for assistance accessing VA benefits such as life insurance, home loans, VR&E, Post-9/11 GI Bill or other VA education benefits (Chapters 1606, 1607, 30 & 35).

Through the VSOC program, Veteran students can obtain a referral for health services through VA medical facilities and local Veteran Centers, information on submitting a claim for disability compensation, the location of community and campus resources, and employment and resume assistance. The VSOC counselor may also provide assistance and information on application, evaluation and entitlement to VR&E Chapter 31 services.

VSOC counselors also provide supportive guidance to the Veteran and an eligible dependent by assisting in resolving problems that may interfere with their ability to complete their education and enter the civilian workforce in a viable career.

#### 1.04 Use of Social Media

##### a. Definition

Social media is defined as a form of electronic communication through which users create online or virtual communities and network to share information, ideas, personal messages, and other content, such as videos, photos, etc. Examples of commonly used social media are websites for social networking and microblogging.

##### b. Official Use of Social Media

Currently, VA has a presence on Facebook and Twitter. These social media are used by VR&E exclusively to support VBA initiatives, satisfy public demands, and conduct outreach to the stakeholders.

c. Restrictions on the Use of Social Media

Social media is restricted to VR&E official use only, as outlined in section b above. It is the VR&E staff's responsibility to protect the Veteran's privacy and the Veterans' assumption of the confidentiality of their communications with any VR&E staff.

VR&E staff must not use their personal social media sites to communicate with Veterans, Servicemembers, and/or families regarding any VA-related issues. Examples of personal social media sites are Facebook, Twitter, and Skype.

In addition, VR&E staff must not respond as a VR&E employee to any posting on social media sites unless officially designated by a senior management official.

1.05 Counseling a Veteran or Servicemember

VA must give a Veteran with disabilities eligible for Chapter 31 benefits the opportunity to obtain counseling regarding VR&E services and the possible advantages of electing benefits under Chapter 31, regardless of the education benefit actually claimed. A Veteran who may be eligible for VR&E services should be referred to the VR&E Division for motivational contact and counseling even if they have not requested counseling.



Chapter 2  
PROGRAM ASSISTANCE

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- 2.02 References and Resources
- 2.03 Case Management Appointments
  - a. Requirements
  - b. Case Management Level
  - c. Frequency of Case Management Appointments
- 2.04 Course and Program Length
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- 2.05 Review of Training Records
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  - b. Attendance and Progress Records
  - c. VAF 28-1905c, Monthly Report of Training and Wages
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- 2.06 Adjusting the Rehabilitation Plan
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Appendix O. VA Forms

Appendix BP. RWT Evaluation Job Aid

## Chapter 2 PROGRAM ASSISTANCE

### 2.01 Introduction

The Vocational Rehabilitation Counselor (VRC) is responsible for ensuring the Veteran remains on track and focused to successfully complete his/her rehabilitation plan. This chapter covers case management contact methods, level and frequency of contact, course and program length, rate of pursuit, review of training records, adjusting the rehabilitation plan, and unsatisfactory conduct and cooperation. The chapter also contains statutory and regulatory references governing the provision of case management services.

### 2.02 References and Resources

Laws: 38 United States Code (U.S.C.) 3107

Regulations: 38 Code of Federal Regulations (CFR) 21.35  
 38 CFR 21.96  
 38 CFR 21.98  
 38 CFR 21.126  
 38 CFR 21.132  
 38 CFR 21.146  
 38 CFR 21.294  
 38 CFR 21.310  
 38 CFR 21.312  
 38 CFR 21.314  
 38 CFR 21.324  
 38 CFR 21.362  
 38 CFR 21.4270 through 21.4275  
 38 CFR 21.4280

VA Forms (VAF): VAF 28-1902n, Counseling Record - Narrative Report (Supplemental Sheet)  
 VAF 28-1905, Authorization and Certification of Entrance or Reentrance into Rehabilitation and Certification of Status  
 VAF 28-1905c, Monthly Report of Training and Wages  
 VAF 28-1905d, Special Report of Training  
 VAF 28-1917, Monthly Statement of Wages Paid to Trainee  
 VAF 28-8861, Request for Medical Services-Chapter 31  
 VAF 28-8872, Rehabilitation Plan

### 2.03 Case Management Appointments

The VRC is ultimately responsible for managing the Veteran's case and assisting

him/her throughout the rehabilitation program. Through face-to-face contacts, email messages, telephone calls, and traditional mail, the VRC monitors the Veteran's progress toward the established rehabilitation goals. Case management appointments must be accomplished in a timely and systematic manner through personal contact with the Veteran and through securing necessary information from persons, agencies and other organizations involved in the rehabilitation process.

a. Requirements

1. Case Management Appointments

Case management appointments are defined as face-to-face meetings with the Chapter 31 participant that cover vocational, medical, financial, academic and any other issues impacting progress.

It is preferred that case management appointments be conducted at the training facility. However, appointments may be scheduled at Department of Veterans Affairs (VA) offices or facilities, or an alternate location under certain circumstances, such as when requested by the Veteran or when meeting space is not available at the facility. "No shows" will be re-scheduled at the VA's convenience. At the minimum, the VRC should conduct at least one site visit per year at the school facility to meet with the certifying official, bookstore officials, finance office, disability office and any other relevant staff.

When approved, case management conducted using VA approved tele-video equipment that meets security requirements will be considered face-to-face visits. In all cases, the Veteran must be in agreement to use this technology instead of traditional face-to-face visits, and such agreement will be documented in writing, with the Veteran's signature.

2. Contacts

A contact is defined as a communication between the case manager and the Veteran to assist the Veteran in completing his/her rehabilitation goal. Contacts are made to follow-up on issues identified through the scheduled case management appointments or other case management activities. These contacts may be conducted by using one of the following methods:

- Face-to-face meeting
- Telephone

- FAX
- Email
- Letter

It is the case manager's responsibility to ensure that contacts with Veterans remain confidential and protected. The case manager must not use social media, such as Facebook, Twitter, MySpace, and Skype, to communicate with Veterans. These electronic means of communication result in the creation and storage of electronic records on the websites that are neither confidential nor protected as they may become available to the public. Refer to M28R.III.B.1, Use of Social Media.

b. Case Management Level

Each Veteran must be assigned a case management level in Corporate WINRS (CWINRS) under the Rehabilitation tab. The level must also be documented on VAF 28-1902n or in a CWINRS case note. The level is also noted on the rehabilitation plan. See Appendix O, VA Forms for information on how to access VAFs.

The levels of case management and a description of each are provided in the chart below:

LEVEL OF CASE MANAGEMENT	DESCRIPTION
Level 1	<p>One annual face-to-face case management visit is required. Additionally, one case management follow-up by telephone or in-person is required during each of the other terms or three times per year if non-standard terms or training is non-academic.</p> <p>The Veteran exhibits independent, goal-oriented behavior and needs minimal contact from the case manager to stay on track. The Veteran may demonstrate the following characteristics:</p> <ul style="list-style-type: none"> <li>• Stable medical conditions</li> <li>• Minimum requirement for support services</li> <li>• History of self-motivated achievement</li> <li>• Exceeds criteria for satisfactory progress</li> <li>• Independence in problem solving</li> <li>• Absence of Level 2 and Level 3 criteria</li> </ul>

LEVEL OF CASE MANAGEMENT	DESCRIPTION
Level 2	<p>Face-to-face case management meetings are required once per term attended or at least three times per year for non-standard terms. For non-academic programs, required face-to-face meetings are conducted once per month for the first three months, then quarterly.</p> <p>The Veteran needs guidance and structure, but is able to follow through and stay on track. The Veteran may be recovering from recent setbacks and/or demonstrate the following characteristics:</p> <ul style="list-style-type: none"> <li>• Requires remedial instruction to prepare for post-secondary educational placement tests</li> <li>• Circumstances that interfere with the Veteran's progress in completing the rehabilitation plan, such as personal, family, emotional, financial or medical concerns</li> </ul>
Level 3	<p>Face-to-face case management visits are required once per month, with the exception of those Veterans participating in an Individualized Employment Assistance Plan (IEAP) or Individual Independent Living Plan (IILP). See note below on those types of plans.</p> <p>The Veteran requires an intensive level of services. Veteran needs frequent contact and/or has multiple rehabilitation needs. Examples of circumstances that may require this level of service are:</p> <ul style="list-style-type: none"> <li>• Independent Living (IL), Rehabilitation Workshops, Special Rehabilitation Facilities or Chapter 35 Special Restorative Training</li> <li>• Chronic, inappropriate conduct and cooperation</li> <li>• Behavior in violation of training establishment policies</li> <li>• Severe impairments due to a medical or neuropsychological condition(s)</li> <li>• Substance abuse issues</li> <li>• Homelessness</li> <li>• Incarceration or threatened incarceration</li> </ul>

## c. Frequency of Case Management Appointments

The frequency of appointments is determined by the type of program as indicated in the chart below. It is important to note that all programs, with the exception of those receiving training in an institution of higher learning or a non-college degree program, require an initial case management appointment within 30 days of plan development. For those Veterans receiving training in an institution of higher learning or a non-college degree program, the initial case management appointment is required within 60 days.

PROGRAM TYPE	LEVEL AND FREQUENCY OF CASE MANAGEMENT APPOINTMENTS
Institution of Higher Learning or Non-College Degree Program	<p>Level 1, 2 or 3 as required by the Veteran's needs and individual circumstances.</p> <p>Assigned level may be adjusted during the rehabilitation program and should be reviewed at least annually. Only highly achieving Veterans or those in advanced degree programs should be Level 1. Veterans receiving non-punitive or punitive grades or experiencing any barriers to success should be provided active case management that is in accordance with his/her needs.</p>
On-the-Job Training (OJT), Apprenticeship, Federal Paid and Unpaid OJT, Non-Paid Work Experience	<p>Level 2 or 3 as required by the Veteran's need and individual circumstances.</p> <p>Due to the nature of OJT placements, on-site follow-up with the employer is required at the time the OJT is established and at least one time during the course of the training program.</p>
Farm Cooperative	<p>Level 2</p> <p>One of every three case management appointments with the Veteran must be made at the school, with at least one of the other two being made at the farm training site.</p>

PROGRAM TYPE	LEVEL AND FREQUENCY OF CASE MANAGEMENT APPOINTMENTS
Homebound/ Independent Instructor	<p>Level 2 or 3 as required by the Veteran's need and individual circumstances.</p> <p>The independent instructor must be present at one of every three case management meetings.</p>
Employment	<p>Level 3 with allowance for monthly contacts in place of face-to-face visits if no special needs or barriers are identified. Contacts may be made by Disabled Veterans Outreach Program (DVOP) Specialists or by Local Veteran Employment Representatives (LVERs).</p> <p>Services must be tailored to the Veteran's needs and must be actively provided to assist the Veteran in obtaining and maintaining employment.</p> <p>After obtaining employment: Contacts may be made by DVOP/LVER Face-to-face is not needed if no special needs or barriers are identified Telephone and email contacts that demonstrate active assistance in accordance with the Veteran's needs are allowed</p>
Self-Employment	Level 2 or 3 as required by the Veteran's needs and individual circumstances.
<p>Special rehabilitation programs, including:</p> <ul style="list-style-type: none"> <li>• Special Rehabilitation Facilities</li> <li>• IL</li> <li>• Rehabilitation Workshops</li> <li>• Chapter 35</li> </ul>	<p>Level 3 with allowance for monthly contacts in place of face-to-face visits for periods of up to three months while waiting for cost approvals, coordination of construction or other administrative delays in active service provision.</p> <p>Case management meetings should be conducted at Veteran's home or a location most convenient in accordance with type of program.</p> <p>Supplemental contacts between required visits may be by telephone if most convenient for the Veteran.</p>

PROGRAM TYPE	LEVEL AND FREQUENCY OF CASE MANAGEMENT APPOINTMENTS
Other, including: <ul style="list-style-type: none"> <li>• Extended Evaluation</li> <li>• Chapter 18</li> <li>• Independent Study</li> </ul>	Level 2 or 3 as required by the Veteran's need and individual circumstances.

#### 2.04 Course and Program Length

Full and part-time training for Veterans in the Chapter 31 program is measured under 38 CFR 21.310 (also see 38 CFR 21.4270 through 21.4275); unless a physician determines that the Veteran's disabilities reduce his/her ability to pursue a program (see 38 CFR 21.312).

##### a. Less than Full-Time Participation

###### 1. General

Veterans may pursue a course of vocational rehabilitation training in an educational or training facility on a three-quarter or half-time basis only after a careful consideration of all the facts and it is determined that rehabilitation will be better assured by less than full-time pursuit for all or part of the program. Family responsibilities, health, transportation difficulties, economic reasons, or other factors may contribute to the decision that part-time attendance is a reasonable method of accomplishing the vocational goal.

###### 2. Pursuit at Less than Half-Time

A Veteran may pursue a rehabilitation program at an educational institution on a less than half-time basis under 38 CFR 21.314 if the pursuit is a part of the Veteran's plan. For example, a Veteran's plan may include pursuit of one course for the Veteran's first term of training because he/she is uncertain about leaving an unsuitable job to pursue training under Chapter 31. During this period, the Veteran will have an opportunity to explore his/her ability to successfully pursue training. At the end of the term, the Veteran must make a choice regarding continuation in the program at a half-time or greater rate.

In another instance, the Veteran's VRC may find that the Veteran is making a poor adjustment in training and reduction to a less than a half-time rate is in the Veteran's best interest for the remainder of the term.



If the Veteran's rate of pursuit is reduced below half-time, payment of subsistence for the term will be terminated under 38 CFR 21.324. No subsistence allowance award can be made for less-than-half-time training. However, since entitlement usage is based on rate of pursuit, an eligibility/entitlement update GED is required to charge entitlement to the BDN Master Record. Refer to M28R.V.B.8 for procedures related to manually charging entitlement.

b. Non-Traditional Rehabilitation Programs

The rate of pursuit for the following education or training programs not furnished by a traditional educational institution (38 CFR 21.35(k)(3)) is as follows:

1. On-Job Training/Non-Paid Work Experience (NPWE)

Full-time training in an on-job program or NPWE is the lesser of the number of hours in the prevailing workweek for:

- (a) Journeyman employees in the same job categories at the establishment where training is being provided.
- (b) Other persons in on-job training for the same or similar occupations at the facility where the Veteran is training or at other facilities in the locality.

See M28R.VI.A.12 for procedural guidance on the delivery of On-Job and NPWE services.

2. Farm Cooperative Training

If training in a farm cooperative program is provided by an individual instructor, the full-time rate of pursuit must meet the requirements of 38 CFR 21.126.

3. Independent Instructor Training

The full-time rate of pursuit for a Veteran in an independent instructor program must meet the requirements of 38 CFR 21.146.

4. Training in the Home

The full-time rate for a training program provided in the Veteran's home must meet the requirements of 38 CFR 21.146.

#### 5. Vocational Course in a Rehabilitation Facility

A vocational course of training offered by a rehabilitation facility (38 CFR 21.35(k)(5)(6)), formally referred to as a sheltered workshop, will be measured under provisions of 38 CFR 21.4270(b) for trade or technical non-accredited courses, unless it is the established policy of the facility to measure the rate of pursuit for full-time or a particular level of part-time training based upon fewer clock hours of attendance than provided in that regulation.

#### 6. Special School

If training is pursued in a special school, such as those for persons with visual or hearing disabilities, the rate of pursuit will be measured under 38 CFR 21.4270 through 21.4275, unless it is the established policy of the school to measure the rate of pursuit for full-time or particular level or part-time training based upon fewer semester, credit, or clock hours of attendance than prescribed in these regulations.

#### 7. Independent Study

##### (a) Seriously Disabled Veterans

For certain seriously disabled Veterans, VA may measure the Veteran's enrollment:

- In an independent study course as half-time or greater training, or
- Both in independent study subjects and subjects requiring class attendance on the basis of the combined training load when the number of credit hours of independent study equals or exceeds the number of other credit hours.

##### (b) Qualifying Criteria

To qualify for this rate of pursuit:

- The seriously disabled Veteran must have a disability or circumstances which preclude regular attendance at an institution of higher learning, and
- Independent study must be a sound method for providing the training necessary for restoring the Veteran's employability.

In all other cases, VA will measure independent study according to the provisions of 38 CFR 21.4280.

## 8. Rehabilitative Services

Measurement of the rate of pursuit for Veterans in programs consisting primarily of services designed to evaluate and improve physical and psychological functioning will be assessed under this paragraph.

(a) The services assessed under this paragraph include:

- Evaluation and improvement of the rehabilitation potential of a Veteran for whom attainment of a vocational goal is reasonably feasible;
- Extended evaluation to determine whether attainment of a vocational goal is reasonably feasible; or
- A program of IL services to enable a Veteran to function more independently in his/her family and community when attainment of a vocational goal is not reasonably feasible.

(b) Measurement of the rate of pursuit for services and programs named in paragraph (a) of this section will be:

- As provided in paragraph (a) of this section for services furnished by educational institutions; or
- According to the non-educational facility's customary criteria for full-time and part-time pursuit.

(c) If the facility does not have established criteria for full-time and part-time pursuit, or services are being provided by more than one facility, the rate of pursuit will be assessed in the following manner:

Rate of Pursuit	Clock Hours per Month
Full-time	120 or more
Three quarter-time (1)	90-119
Half-time (1)	60-89
Quarter-time (1)	30-59
Note: (1)	Pertains to Extended Evaluation and Independent Living

## c. Reduced Work Tolerance (RWT)

## 1. General

VA will consider that a Veteran with reduced work tolerance is pursuing a rehabilitation program full-time when the amount of time the Veteran is

devoting to his/her program is as great as the effects of his/her disability (service and non-service-connected) will permit. This information must be considered when evaluating a Veteran's work tolerance and must be communicated to the Veteran to help him/her set up an appropriate schedule of activity.

## 2. Determination of Reduced Work Tolerance

The VRC will refer each Veteran considered for reduced work tolerance to a VA Medical Center physician who will make the initial determination, as well as any later redeterminations of work tolerance (38 CFR 21.312). A non-VA physician may not make a reduced work tolerance determination. VAF 28-8861, Request for Medical Services-Chapter 31, is used to request the determination of reduced work tolerance (see Appendix BP, RWT Evaluation Job Aid for an example of how to request and document RWT using VAF 28-8861). Reduced work tolerance approval is annotated on VAF 28-1905. Item 9, Specific Guidelines located on VAF 28-1905 may be used for this.

Upon the determination of reduced work tolerance, the VRC must discuss the determination and its impact on the rehabilitation plan with the Veteran. This communication should be done in person or via telephone, with a follow-up letter to the Veteran to ensure a complete understanding if the VRC determines this additional step would be helpful. The VRC must convey the following information to the Veteran:

- The amount of time the Veteran will be expected to train, travel, prepare and practice for training to be considered full time, and
- An explanation that the subsistence allowance is payable at the full-time rate as long as the Veteran participates at the rate identified by the VA physician. Participation at a lower rate requires a redetermination of reduced work tolerance by a VA physician. For example, the VA physician determines the Veteran can participate in six credit hours per semester, which includes the amount of time to travel, prepare and practice for training. If the Veteran registers for six credit hours, then subsistence allowance is payable at the full-time rate. However, if the Veteran pursues any rate less than six credit hours, subsistence allowance is not payable, and a redetermination of reduced work tolerance must be completed, and
- An explanation that other activities, such as employment, are prohibited as a result of the determination of reduced work tolerance because it would further reduce the Veteran's ability to participate in training.

The VRC must document this communication in either a CWINRS case note or by filing a copy of the letter sent to the Veteran, which explains the determination of reduced work tolerance and cites 38 CFR 21.312, on the right side of the Counseling/Evaluation/Rehabilitation (CER) folder.

### 3. Redetermination of Reduced Work Tolerance

The Veteran's work tolerance will be reevaluated by a VA physician whenever there is evidence of a change in work tolerance sufficient to warrant a modification in the rate of pursuit. Regardless of evidence of a change in work tolerance, each Veteran with a reduced work tolerance must be reevaluated at least yearly. The rate of pursuit required to meet the standards of full-time pursuit will be modified if a VA physician determines that the Veteran's work tolerance has increased or decreased. The VRC must inform the Veteran of the physician's determination. Refer to M28R.IV.C.2 for additional information regarding annual recertification of RWT.

### 4. Other Activities Barred

A Veteran with reduced work tolerance may not engage in other activities, such as employment (to include work study), that would further reduce his/her ability to train.

### 5. Subsistence Allowance

A Veteran with a reduced work tolerance will be paid a subsistence allowance at the full-time rate for the type of program being pursued.

### 6. Disagreement with Determination

If the Veteran disagrees with a determination or redetermination of reduced work tolerance, he/she may appeal the decision (see 38 CFR 21.98 and M28R.III.C.3).

## d. Employment and Rate of Pursuit

### 1. Satisfactory Program Progress is Essential

The major consideration in dealing with employment should be the Veteran's individual needs and circumstances and his/her continued satisfactory progress toward the rehabilitation goal as defined in the plan. To achieve the goal, it is possible that the rehabilitation plan may be developed or amended to have the Veteran pursue training at a part-time rate if the Veteran must work full-time.

## 2. Realistic Expectations

Ideally, the Veteran will not be employed while pursuing full-time training. Realistically, this is not always possible or practical. The Veteran may be employed full or part-time in a job at the time the plan is developed. The Veteran's financial circumstances may dictate that employment is necessary while participating in the rehabilitation plan. The Veteran's employment status and financial needs must be considered when determining rate of pursuit and anticipated program completion dates. When the Veteran enters the rehabilitation program, the VRC will emphasize that the Veteran must advise the VA promptly of any changes in employment status; i.e., an increase or decrease in employment hours or new employment.

### 2.05 Review of Training Records

Substantive case documentation of specific, observable behaviors is required to identify problems that impact the rehabilitation process. The observations and outcomes of these contacts will be fully documented on VAF 28-1905d or in a CWINRS case note. Any consequent change to the planned program will be entered in the Progress Notes sections of the VAF 28-8872, Rehabilitation Plan. These documents should express not only the professional observations of the VRC, but also the Veteran's perceptions of his/her progress toward the rehabilitation goal.

#### a. VAF 28-1905d, Special Report of Training

The results of case management appointments will be documented on VAF 28-1905d or in a CWINRS case note. Thus, the VAF 28-1905d details the chronological progress of services provided to the Veteran and should include the following:

- Progress in the specific elements of the plan.
- Evaluation of needed special services, such as reader service or tutoring, to assist the Veteran to overcome a problem in his/her program and the results of the steps taken to resolve the problem.
- All arrangements to initiate planned services or follow-up of Veterans in Interrupted or Discontinued case status, except for Veterans placed directly in Discontinued case status from Applicant case status.
- The outcomes of employment assistance and follow-up action.
- Findings after reviewing the plan, such as the need for an amendment or

redevelopment, setting of a new annual review date, or a recommendation that no substantive changes are needed.

- Date of the next case management appointment and future planned actions.

b. Attendance and Progress Records

1. Regular Institutional Training Programs

Each facility approved to provide training or other rehabilitation services must, as part of its approval, agree to cooperate with the VA and to provide in a manner prescribed by the VA accurate and timely information concerning the Veteran's attendance, performance and progress (38 CFR 21.294(a)(4)). The VRC will arrange with the training facility for timely submission of information on the Veteran's attendance and progress in training that is needed to determine that training is proceeding in accordance with the plan. Securing this information is part of the collaborative relationship between VA and the training facility.

2. Training in Other Programs

Unless information equivalent to that provided for Veterans in regular institutional programs is available, VAF 28-1905c, Monthly Report of Training and Wages (see Appendix O, VA Forms), will be used to record attendance and progress for on-job programs and NPWE, homebound, independent instructor, special rehabilitation programs and schools where courses are conducted almost wholly on a job operations basis.

Information on VAF 28-1905c will be used to determine whether overall progress in completing the program is within the established program scope and duration.

c. VAF 28-1905c, Monthly Report of Training and Wages

At the end of each training month, the trainee and the trainer will enter on VAF 28-1905c the total hours the trainee devoted to major instructional and work activities. The trainer will certify the Veteran's progress and the rate of pay in on-job training cases and then forward the completed form to the VRC.

1. VAF 28-1905c Not Used Under Certain Circumstances

When equivalent information is available from the training facility, VAF 28-1905c will not be used. For information to be equivalent, it must enable the VA to adequately document the trainee's progress. For on-job training, equivalent information is generally available in well-established apprenticeship programs and structured training programs conducted by

large companies. The content of these programs is well known and can be relied upon for consistent presentation of knowledge and skills needed in a trade or craft. For these programs, VAF 28-1917, Monthly Statement of Wages Paid to Trainee, is used in lieu of VAF 28-1905c.

## 2. Processing Training and Wage Reports

The VRC will review VAF 28-1905c and VAF 28-1917 for completeness and adherence to the training agreement. If the form is in order, it will be filed on the left side of the CER folder. If it is not in order, the trainer and the trainee will be contacted and necessary adjustments made.

### (a) Control for Monthly Review of Wages

A monthly control for review of the wage statement will be prepared by the Vocational Rehabilitation and Employment (VR&E) Division. When a change in the established wage schedule warrants a change in the amount of subsistence allowance payable, the VRC will prepare a VAF 28-1905 to justify the amendment of the subsistence allowance award. The original will be sent to the Authorization activity and a copy will be filed on the left side of the CER folder.

### (b) Delinquent Wage Statement

If either VAF 28-1905c or VAF 28-1917 for a given month is not received by the 10th day of the following month, the VRC will contact the trainer and the trainee to obtain the form in sufficient time to avoid suspension of subsistence allowance. If the VRC does not obtain the form, he/she will notify the trainee in writing that he/she is delinquent with the wage statement. If the delinquent wage statement has not been received within 10 days of the notification to the Veteran and the trainer, the VRC will prepare a VAF 28-1905, requesting suspension of subsistence allowance and forward it to the Authorization activity. The effective date of suspension will be the date last paid.

The VRC will send the Veteran a letter notifying him/her of non-receipt of the training and wage report and suspension of his/her subsistence allowance. The original will be sent to the Veteran; a copy will be sent to the trainer; and a copy will be filed on the right side of the CER folder.

When a completed VAF 28-1917 or VAF 28-1905c is received, the VRC will use VAF 28-1905 to authorize the Authorization activity to resume, adjust, or terminate payments as appropriate. The Veteran will not



receive notice of the action taken by the Authorization activity if the award is resumed without further adjustment.

If a training and wage report is not received within one month of the date of the letter, the Veteran's case will be placed in Interrupted status.

d. Additional Records of Progress

Any progress reports provided by the facility, such as grade reports or special progress reports for workshop trainees should be filed in the center portion of the Veteran's CER folder.

2.06 Adjusting the Rehabilitation Plan

a. Obtaining the Veteran's Cooperation

Successful development and implementation of the rehabilitation plan require the full and effective participation by the Veteran and the rehabilitation professionals assigned to assist the Veteran (38 CFR 21.362). This mandates that the Veteran be informed of all available services and the necessity of full participation. Using rehabilitation counseling skills, the VRC will help the Veteran develop an awareness of his/her progress toward the rehabilitation goal. The VRC will assist the Veteran to develop coping skills and needed adjustments to accomplish rehabilitation.

b. Interaction with the Veteran

The establishment of rapport between the Veteran and the VRC is a critical element in the success of any rehabilitation program. It is through this relationship that the rehabilitation process, including adjustments in the rehabilitation program, is facilitated. In the event that the rehabilitation plan needs adjustment, the VRC provides the following services:

1. Problem-Solving Counseling

The VRC will provide problem-solving counseling as needed.

2. Medical and Dental Treatment

The VRC will refer the Veteran to a VA Medical Center (VAMC) for medical or dental treatment or other services provided by the Veterans Health Administration (VHA) using VAF 28-8861 (see M28R.V.A.5).

3. Adjustment Counseling

The VRC will personally discuss the Veteran's adjustment or performance in the course with the trainer and the Veteran.

4. Change in Place of Training

The VRC may arrange for a change in the place of training if either the trainer or the Veteran is dissatisfied and the VRC cannot obtain a satisfactory agreement to continue the planned training.

5. Repetition of a Course

When a Veteran in a rehabilitation program needs to repeat a course because of failure or for another reason, repetition may be authorized if the Veteran meets the criteria in 38 CFR 21.132. A Veteran may repeat a course for credit if the course is necessary for the Veteran to reach his/her educational goal. Review courses may be authorized. On the other hand, a Veteran in a Chapter 31 program may not under any circumstances audit a course for no credit.

6. Minor Plan Modifications

The VRC may modify the rate of pursuit, the frequency of case management appointments, and the schedule of plan review.

7. Use of the Vocational Rehabilitation Panel (VRP)

The VRC should use the resources of the VRP whenever a multidisciplinary approach would assist in reaching a decision concerning the Veteran's rehabilitation program. The VRC will request this assistance through a memorandum to the chairperson of the VRP. This memorandum will briefly state the situation and the issues that the VRP should consider. See M28R.II.A. 4 and M28R.IV.C.2 for additional information on the VRP.

- c. Major Plan Modifications

The Veteran or the VRC may request a change in the plan at any time (38 U.S.C. 3107(b)). A change in the Veteran's long-range goal may only be made following a reevaluation of the Veteran's rehabilitation program by the VRC. A change may be made when:

1. Achievement of the current goal(s) is no longer reasonably feasible, or
2. The Veteran's circumstances have changed or new information has been developed which makes rehabilitation more likely if a different long-range

goal is established, and

3. The Veteran fully participates and concurs in the change.

A change in intermediate objectives or services provided under the plan may be made by the VRC when such change is necessary to carry out the statement of long-range goals. The case status will remain in Rehabilitated to the Point of Employment (RTE) status during the redevelopment evaluation of the plan. Do not move the case to Evaluation and Planning (EP) status during redevelopment.

- d. Review of the Individual Written Rehabilitation Plan (IWRP)

The VRC and the Veteran will periodically review and evaluate the IWRP. A comprehensive review will be conducted at least once every 12 months (38 CFR 21.96) and will be annotated on the IWRP. Review may result in no change to the plan, an amendment, or redevelopment of the plan.

#### 2.07 Unsatisfactory Conduct and Cooperation

When the VRC determines that the Veteran's conduct or cooperation does not conform to the standards in 38 CFR 21.362, the VRC will discuss the problems with the Veteran. The VRC will assist the Veteran to make the necessary adjustments to the rehabilitation program as necessary. For more information on Veteran's conduct and cooperation, see M28R.III.C.6.

Chapter 5  
OUTREACH ACTIVITIES TO EMPLOYERS

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## Chapter 5 OUTREACH ACTIVITIES TO EMPLOYERS

### 5.01 Introduction

Outreach is a proactive, intentional effort by individuals in an organization to connect its ideas or practices to the efforts of other organizations, groups and individuals. Along these lines, the Department of Veterans Affairs (VA) Vocational Rehabilitation and Employment (VR&E) staff are authorized and directed to contact Veterans with service-connected disabilities, employers, community organizations and other entities in order to:

- Promote training opportunities supported by VR&E to all potentially eligible and entitled Veterans.
- Increase community awareness of the VR&E Program.
- Connect employers with VR&E as a potential source of training for Veterans and a potential source of Veterans for employment.
- Establish employment opportunities for VA VR&E Program participants.
- Develop community relationships and support.

Through outreach, VR&E staff helps individuals and groups learn about VR&E services and how to access them. In this chapter, topics include promotion of training and employment opportunities, employer outreach and marketing, and Internet marketing.

### 5.02 References and Resources

Regulations:                   38 Code of Federal Regulations (CFR) 21.252  
                                      38 CFR 21.256  
                                      38 CFR 21.296  
                                      38 CFR 21.299

Websites:                       [www.vetsuccess.va.gov](http://www.vetsuccess.va.gov)  
                                      [www.facebook.com/VeteransBenefits](http://www.facebook.com/VeteransBenefits)  
                                      [www.twitter.com/VAVetBenefits](http://www.twitter.com/VAVetBenefits)  
                                      [www.youtube.com/user/DeptVetAffairs](http://www.youtube.com/user/DeptVetAffairs)  
                                      [www.fedshirevets.gov](http://www.fedshirevets.gov)  
                                      [www.va.gov/vecs](http://www.va.gov/vecs)  
                                      [www.flickr.com/photos/VeteransAffairs](http://www.flickr.com/photos/VeteransAffairs)

### 5.03 Promotion of Training and Employment Opportunities

VR&E offices are directed to promote the establishment of employment, training and related opportunities to provide eligible Veterans with compensable service-connected disabilities the services and assistance necessary to enable them to become employable and to obtain and maintain employment. Effective promotion of training and employment opportunities for Veterans includes:

- Coordination and cooperation with other disability and employment placement service providers and interested parties.
- Participation in job fairs and related community activities.
- Engagement in outreach activities to employers.
- Providing employers with valuable consultation services.
- Training on the Americans with Disabilities Act (ADA) and other relevant disability law.
- Assistance in determining and providing assistive technology or other reasonable accommodations needed by a Veteran.

### 5.04 Role of the Employment Coordinator (EC)

One of the EC's primary duties is conducting outreach activities to employers. These outreach duties include, but are not limited to:

- Establishing effective relationships with potential employers within the Regional Office's (RO) jurisdiction.
- Serving as the primary consultant and point of contact for the VR&E staff members, employers, Veterans and the community regarding employment services.
- Providing labor market information (LMI) to assist case managers in developing suitable vocational goals.
- Advocating for the placement of Veterans in suitable employment through active networking with employers.
- Providing guidance to the Veterans and employers regarding access to the VetSuccess.gov website through assistance with the registration process and

the listing of employment opportunities.

- Utilizing state-of-the-art marketing techniques to promote the hiring of Veterans with service-connected disabilities. This includes media events and job fairs with employers within the office's jurisdiction.

#### 5.05 Outreach Activities

##### a. Marketing

Good marketing is essential for successful outreach with employers. All VR&E offices are directed to market the VR&E program and the employment of Veterans with service-connected disabilities within their jurisdiction. Each VR&E Office's responsibilities include but are not limited to the following:

- Conducting informational briefings to local and national employers.
- Developing local Memoranda of Understanding (MOU) with various employers for job training and placement of Chapter 31 Veterans.
- Encouraging employers to register and list job openings on the VetSuccess.gov website.

##### b. VetSuccess.va.gov

This website contains valuable information and links to provide employers with qualified Veteran applicants and serves as resource center for the Veterans. These include:

- A repository of Veterans' resumes (Resume Books) for registered employers to review for hiring.
- Online space for employers to list job openings.
- Information on Special Hiring Events in the RO's jurisdiction.
- Tips for preparing applications, writing resumes and interviewing.

The case manager must ensure that each Veteran in his/her caseload is registered in the VetSuccess website and must assist them in registering and using the website.

##### c. Marketing Material

Each VR&E office is directed to distribute promotional materials developed by

VR&E to employers and the community. These may include, but are not limited to:

- DVDs or other video media developed for this purpose.
- Printed materials – QuickBooks, pamphlets, brochures, posters, flyers, etc.

Each EC is provided an EC portfolio. This is an organizer that contains various items including a VA VR&E Program Standardized PowerPoint Presentation, forms for various employment programs, and informational brochures, DVDs and handouts. The EC portfolio should also be used to carry the resumes of the Veterans the EC is seeking to place. The portfolio is used as the EC's resource center when meeting with employers.

d. Distribution of Marketing Materials

These marketing materials may be distributed during the following and other relevant activities:

- Vocational rehabilitation employers' network meetings.
- Industry expositions, such as Chamber of Commerce events.
- Job fairs sponsored by state employment offices.
- Job fairs sponsored by non-government organizations (e.g., Goodwill Industries).
- Veterans Employment and Training Service (VETS) sites.
- State vocational rehabilitation offices.

e. Marketing Strategies

1. Targeted Marketing

VR&E endeavors to market the VR&E program and the employment of Veterans with disabilities using a marketing strategy with well-defined target employers. Each VR&E division will analyze the local labor market using available resources and develop a list of local employers that are partners in the employment of Veterans with disabilities or that have potential for collaboration with VA. When developing a list of priority targets for focused marketing, consideration should be given to:



- Employers with a history of hiring VR&E participants.
- Federal, state and local government agencies.
- Employers with a large number of employees.
- Defense and other federal contractors.
- Veteran-owned businesses.

## 2. Cold Calling

VR&E staff is directed to generate a database or list of potential employers both in order to locate current career openings for Veterans and to promote systematic marketing efforts. Cold calling will often be necessary for both of these aims and should not be avoided. VR&E staff must research the company or agency prior to contacting it and maintain professionalism throughout all contacts. When calling, the VR&E staff member should be simple and direct, first introducing himself/herself and then asking to speak to the hiring manager. He/she should ask the hiring manager for an appointment to discuss the possibility and benefits of employing Veterans who are pre-screened, trained and job-ready.

A list of employers to contact should be compiled from available sources including but not limited to:

- Data-mining job announcements online or in newspapers for employer information.
- Collaborating with the Disabled Veteran Outreach Program (DVOP) specialist or Local Veterans Employment Representative (LVER) at VETS to identify potential employers.
- Reviewing local Chamber of Commerce listings of companies by location and number of employees.
- Searching the U.S. Securities and Exchange Commission listing of publicly held companies for local employers' names, contact addresses and phone numbers.
- Searching business information aggregators.

### 3. Employer Accounts

Once a company or government agency is determined to be a potential source of employment for Veterans in the VR&E program, the EC will work with the employer to create a relationship in which the employer regards VR&E as a first-class source of pre-screened, trained, job ready candidates for employment. VR&E staff will assist the employer in setting up an account on [www.vetsuccess.va.gov](http://www.vetsuccess.va.gov). The EC will also work with the employer's hiring manager to determine an appropriate schedule and preferred method of contact for VR&E staff to reach the company to discuss available openings.

#### f. Social Media

VA has established a substantial online presence utilizing the most current social media. The main goal of VA social media is to interact with the "millions of Veterans and their family members" who already use social media each day. Currently, most social media websites are blocked on VA computers but access can be granted with approval of the VR&E Officer and the local Information Security Officer.

Due to VR&E's responsibility to protect the Veteran's privacy and the Veteran's assumption of the confidentiality of VA communications, it is not appropriate for VR&E staff to communicate directly with Veterans, Servicemembers, and/or their families using social media sites. In addition, VR&E staff will not respond as a VR&E employee to any posting on social media sites unless officially designated to do so by a senior management official. The established media for VA are:

##### 1. Facebook

Veterans Benefits Administration (VBA) manages a Facebook page to allow real-time feedback on various programs and services. This page is also used to notify Veterans and stakeholders of upcoming events and to make other announcements. VR&E staff is responsible for providing a Facebook posting biweekly.

This site can be accessed at [www.facebook.com/VeteransBenefits](http://www.facebook.com/VeteransBenefits)

##### 2. Twitter

VBA manages an account on Twitter to allow real-time feedback on various programs and services. Twitter is a social networking and microblogging service similar to Facebook. Posts are limited to 140 characters. VR&E

staff is responsible for providing a microblog, called a "tweet", on a weekly basis.

This site can be accessed at [www.twitter.com/VAVetBenefits](http://www.twitter.com/VAVetBenefits)

### 3. Flickr

Flickr is a photo-sharing site is used to "put a face on" VA personnel, facilities, services and Veterans.

The VA's Flickr address is [www.flickr.com/photos/VeteransAffairs](http://www.flickr.com/photos/VeteransAffairs)

### 4. Vantage Point

This is the official blog of the VA and provides a forum for Veterans, active-duty military, their families and the general public to learn about the Department and its initiatives and to contribute feedback. Since VA employees are encouraged to submit guest blogs, Vantage Point may also be used in local outreach and marketing efforts if approved by the VR&E Officer and the RO Director.

### 5. YouTube Channel

YouTube provides a video posting site for individuals to share and view videos. The website also provides a forum for response to videos by written reply or video reply. VR&E Service will solicit and may post testimonial-type videos featuring Chapter 31 participants discussing their experiences in the VetSuccess program. VR&E Service may also utilize YouTube to reach out to employers to market VA Vocational Rehabilitation Program services and to encourage them to consider VR&E as a hiring resource. Staff must contact the VA Office of Public and Intergovernmental Affairs and the VA Social Media Office before submitting a video.

Go to [www.youtube.com/user/DeptVetAffairs#g/c/A93A5833057D78B7](http://www.youtube.com/user/DeptVetAffairs#g/c/A93A5833057D78B7) for VA videos on YouTube.

### g. Partnerships

Establishing partner relationships with employers not only assists in expeditiously placing Veterans in suitable employment, but also is beneficial when regular hiring proves difficult for Veterans who have special and complicated circumstances.

1. On-the-Job Training

For more information regarding on-the-job training (OJT), refer to 38 CFR 21.296 and M28R.VI.A.12.

2. Non-Paid Work Experience Program

For more information on the Non-Paid Work Experience (NPWE) program, refer to 38 CFR 21.299 and M28R.VI.A.12.

3. Special Employer Incentive

For more information on the Special Employer Incentive (SEI) initiative, refer to 38 CFR 21.256 and M28R.VI.A.7.

4. Memoranda of Understanding (MOU)

MOUs are developed to increase employment and training opportunities for Veterans with disabilities. MOUs provide for a pre-established agreement on shared costs and responsibilities between the employer and VR&E. For more information on VR&E's national MOUs, refer to M28R.VI.A.6. See Appendix K to review VR&E's current MOUs.

5. Veterans Employment and Training Service (VETS)

VA has a partnership with U.S. Department of Labor, Veterans Employment and Training Service (DOL/VETS). The VETS staff provides direct job-placement services to Veterans. VETS offers Veterans assistance with Veterans' preference eligibility information, Uniform Services Employment and Reemployment Rights Act (USERRA) guidance, and Hire Vets First initiatives. VETS utilizes DVOPs and LVERs in the field to facilitate outreach and job placement efforts on behalf of DOL and VA.

#### 5.06 Federal Veterans Employment Initiative

The Federal Veterans Employment Initiative, Executive Order 13518, signed November 9, 2009, enhances and promotes recruitment of Veterans for employment opportunities within the executive branch. It establishes an interagency Council on Veterans Employment and requires each federal agency to develop an Operational Plan for the employment of Veterans. Each agency on the Council must also provide a full-time Human Resources Specialist to serve as the agency's Veterans Employment Program Coordinator. This specialist is responsible for coordinating and managing employment of Veterans and must perform outreach activities at the agency, including helping with the placement of

Veterans with disabilities.

More information is available at [www.fedshirevets.gov](http://www.fedshirevets.gov). Any VRC/EC assisting a Veteran in Job Ready Services should utilize this site both as a one-stop shop for information on federal employment of Veterans and as a directory to find the Veterans ECs at different federal agencies.