

P&A TiDBITS

LEGAL NEWS & other

Disability-Related info

SEPTEMBER

2020



#SuicidePreventionWeek2020

Hope, Resilience & Recovery

suicideispreventable.org

Suicide Prevention Week
is September 7-12th
Suicide Prevention Day
is September 10th

Pain Isn't Always Obvious

**KNOW
THE SIGNS**

Suicide Is Preventable



Wyoming
Department
of Health

The Wyoming Department of Health (WDH) reported in August that a new Wyoming-based suicide prevention lifeline is now available and will strengthen the response available for state residents who find themselves in crisis. Residents in crisis should call **1-800-273-TALK (8255)**.

"If you, or someone you know, is in immediate danger, the right thing to do is to call 911," said Lindsay Martin, Injury and Violence Prevention Program manager with WDH.

Central Wyoming Counseling Center in Casper is operating the new Wyoming Lifeline with funding from WDH, which was approved earlier this year by the Wyoming Legislature and Governor Mark Gordon.

For now, the Wyoming Lifeline call center will answer calls 8 hours a day, 5 days a week. At other times, calls will be directed to backup call centers located across the country through the U.S. National Suicide Prevention Lifeline. The Wyoming Lifeline call center will be able to knowledgeably refer callers to local community mental health resources. There is no charge for anyone who calls the lifeline number or sends a text to the Crisis Text Line.

Martin said another option for residents looking for help and support is to text "WYO" to **741-741** for the Crisis Text Line.

FACT:

Suicide is a leading cause of preventable death in Wyoming. The state has historically had one of the highest suicide rates in the nation and was second-highest in 2018.

Source: <https://health.wyo.gov/wyoming-based-suicide-prevention-hotline-now-available/?fbclid=IwAR2ILXKvZUhwNTcrh1NSHhEYMffJI0QpYzrPnkJPadJZZvZySrVdqx67BU0>



from the Federal Communications Commission

On July 16, 2020, the Federal Communications Commission (FCC) adopted rules to establish **988** as the new, nationwide, 3-digit phone number for Americans in crisis to connect with suicide prevention and mental health crisis counselors.

The rules require all phone

service providers to direct all 988 calls to the existing National Suicide Prevention Lifeline by July 16, 2022. During the transition to 988, Americans who need help should continue to contact the National Suicide Prevention Lifeline by calling **1-800-273-8255 (1-800-273-TALK)** and through online chats (<https://suicidepreventionlifeline.org/chat/>).

Source: <https://www.fcc.gov/document/fcc-designates-988-national-suicide-prevention-lifeline>



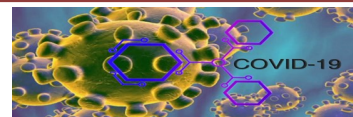
988



HAPPY LABOR DAY

HOLIDAY SCHEDULE

**OUR OFFICE WILL BE CLOSED
MONDAY SEPTEMBER 7, 2020 IN
OBSERVANCE OF LABOR DAY**



**CORONAVIRUS
RELATED**

**KEEP
INFORMED**

Feeling like it is so hard to keep up with all the information that directly impacts Wyoming citizens? YOU ARE NOT ALONE. If you want to learn what the orders and guidance that are in place in Wyoming, the Wyoming Department of Health's COVID-19 web pages can help. GO TO: <https://health.wyo.gov/publichealth/infectious-disease-epidemiology-unit/disease/novel-coronavirus/covid-19-orders-and-guidance/>

DISCLAIMER

P&A Legal Tidbits is provided to clients and other interested persons. No legal advice is intended nor should this publication be interpreted as providing legal advice.



EEOC Announces Pilot Programs to Increase Voluntary Resolutions

The U.S. Equal Employment Opportunity Commission (EEOC), recently announced two six-month pilot programs that will expand opportunities for parties to voluntarily resolve charges through mediation and increase the effectiveness of the conciliation process.

"EEOC's popular mediation program has been tremendously successful over its 20-year history and the ACT Mediation pilot creates more opportunities to resolve charges throughout an investigation," said EEOC Chair Janet Dhillon. "Similarly, the change being piloted in the conciliation process ensures internal accountability and emphasizes resolving charges before resorting to litigation."

Mediation Pilot

Mediation is a voluntary, informal, and confidential way to resolve disputes with the help of a neutral mediator who is trained to help people discuss their differences. The EEOC's ACT (Access, Categories, Time) Mediation pilot, which began on July 6, 2020, expands the categories of charges eligible for mediation and, generally, allows for mediation throughout an investigation. Currently, only certain categories of charges are referred to the mediation program at the beginning of the charge investigation process. The pilot will also expand the use of technology to hold virtual mediations.

Conciliation Pilot

Conciliation is an informal and confidential process, required by Title VII, to attempt to voluntarily resolve findings of discrimination before litigation. By requiring conciliation, Congress made cooperation and voluntary compliance central to the work of the agency, a point that was recognized by the Supreme Court in *Mach Mining v. EEOC*, 575 U.S. 480 (2015). The EEOC's conciliation pilot, which began on May 29, 2020, makes a single change to the process to drive accountability and is also part of our broader effort to emphasize the importance of conciliation as a tool for remedying complaints of discrimination.

The six-month pilot program recommit EEOC to resolving charges through conciliation as these resolutions are one of the most effective means for bringing employers into compliance with the statutes the agency enforces. The pilot builds on a renewed commitment for full communication between the EEOC and the parties, which has been the agency's expectation for many years, and adds a requirement that conciliation offers be approved by the appropriate level of management before they are shared with respondents. In short, the pilot seeks to drive greater internal accountability and improve the EEOC's implementation of existing practices.

Source: <https://www.eeoc.gov/newsroom/eeoc-announces-pilot-programs-increase-voluntary-resolutions>

Accessibility News



Scene from the film Heart of Glass showing two workers talking to each other

New Documentary "Heart of Glass" Features Urban Farm That Hires People With Disabilities

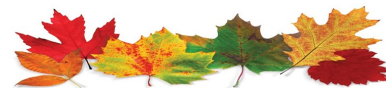
"Heart of Glass" follows the creation and story of Vertical Harvest — **an urban farm in Jackson, Wyoming**, that hires individuals with intellectual and developmental disabilities. A state-of-art indoor vertical farm, Vertical Harvest not only can harvest fresh tomatoes all year round, they pay all their employees a competitive wage.

The film has been many years in the making. In 2019, director Jennifer Tennican told *The Mighty* that developing a feature-length independent documentary was "a marathon, not a sprint," but she pushed on because the heart of the film was (and is) its people and their stories.

The Frontlines: Vertical Harvest isn't the only organization that employs members of the disability community. These organizations can be critical because people with disabilities are significantly more likely to be unemployed compared to their typical counterparts. Here are a few other businesses working to change this:

- Bitty & Beau's, a coffee chain in North Carolina, South Carolina and Georgia, is run by individuals with Down syndrome.
- Breaking Grounds Cafe in Peabody, Massachusetts, offers paid opportunities and food service training to people with disabilities.
- And several large corporations have received recognition for their inclusiveness, including Adobe, Allstate, Capital One, Cigna, HP, Intel and Delta.

Source: <https://www.yahoo.com/lifestyle/documentary-heart-glass-features-urban-183511720.html>



nTIDE June 2020 Jobs Report: Numbers up but COVID spikes may impact economic recovery



June job numbers marginally improved for Americans with and without disabilities, but the future remains uncertain as many states report recent spikes in COVID-19 cases, according to the National Trends in Disability Employment - Monthly Update (nTIDE), issued by Kessler Foundation and the University of New Hampshire's Institute on Disability (UNH-IOD).

For more information, go to: https://www.eurekalert.org/pub_releases/2020-07/kf-nj2070220.php

FOR MORE
INFO

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Voice or Relay

(Clients Only)

FAX



COVID-19 (Coronavirus) Information and Resources for Schools and School Personnel



Health officials are currently taking steps to prevent the spread of COVID-19 (Coronavirus) in communities across the country. The Department of Education (DOE) recognizes the importance of equipping states, communities, educators and families with resources and flexibilities that empower students of all ages to continue pursuing their education goals. This includes the ongoing development of guidance and policies related to elementary and secondary education, special education, higher education, and other essential components of lifelong learning. The Centers for Disease Control and Prevention (CDC) also continues to provide updated guidance for school settings (<https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/index.html>).

Schools can share relevant CDC fact sheets to help students, families, and staff understand COVID-19 along with steps they can take to protect themselves:

- What you need to know about coronavirus disease 2019 (COVID-19) — <https://www.cdc.gov/coronavirus/2019-ncov/downloads/2019-ncov-factsheet.pdf>.
- Stop the spread of germs – help prevent the spread of respiratory viruses like COVID-19 — <https://www.cdc.gov/coronavirus/2019-ncov/downloads/stop-the-spread-of-germs.pdf>.

Please send questions on which the DOE can be helpful to the following email address: COVID-19@ed.gov.

Source: <https://www.ed.gov/coronavirus>.

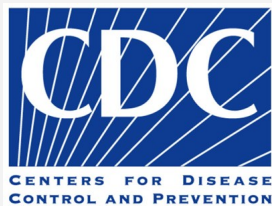
Preparing K-12 School Administrators for a Safe Return to School in Fall 2020

Schools are an important part of the infrastructure of communities and play a critical role in supporting the whole child, not just their academic achievement.

The Centers for Disease Control and Prevention (CDC) issued guidance on August 1, 2020, intended to aid school administrators as they consider how to protect the health, safety, and wellbeing of students, teachers, other school staff, their families, and communities and prepare for educating students this fall.

This guidance is intended for K-12 school administrators who are preparing for students, teachers, and staff to return to school in fall 2020. School administrators are individuals who oversee the daily operations of K-12 schools, and may include school district superintendents, school principals, and assistant principals.

For more information, go to: <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/prepare-safe-return.html>



KAI ZEN 改善 Change for Good



Time to Understand *Kaizen* (改善)?

Have you ever heard of the Japanese word “Kaizen?” It means “continuous improvement” or “good change.” In the Japanese business world, the word is synonymous with quality control. As long as the starting block is a solid one, *Kaizen* helps shape products and services to get better or improve.

Functionally, if we take a closer look at the Kanji characters (改 + 善), the former (*kai*) refers to “change” and the latter (*zen*) refers to “good” or “change for the better.” I keep a picture of these words on the wall in my office. For me, it is a daily reminder to try to do or be better than I was the day before. It is not easy as any change is hard.

Since the emergence of the pandemic, we all have seen many changes. Some seem to be for the good. Others are immensely more challenging, especially when there does not seem to be the proverbial “light at the end of the tunnel.” For many, there is a lot to take in, leading to stress, anxiety and depression. There are almost countless examples, however, of people supporting others who are facing difficulties, which are a source of encouragement. We begin to see how even little things can make a difference. We may not always know how our actions may have accomplished anything. Yet, it seems like the inability to actually see impacts of our actions should not discourage all of us from reaching out.

In these uncertain times, it might be good to remember that despite the challenges, it is an opportunity for a change for the better.

Robert Walters, P&A Staff Attorney

CDC Supports Disability Inclusion

CDC recognizes the Americans with Disabilities Act as an important federal law for facilitating the inclusion of people with disabilities in federal efforts related to health and health care. As such, CDC strives to improve the health of people with disabilities by providing access to disability data, fostering state and national collaborations to promote inclusion, and developing tools for disability inclusion. Below are some of the CDC's most recent resources and tools for disability inclusion.

CDC created the Disability and Health Data System (DHDS) to provide vital information to better understand the health needs of adults with disabilities at the state and national levels. Equipped with these data, state epidemiologists, researchers, policymakers, public health professionals, and anyone interested in the health of adults with disabilities can plan for inclusive communities that offer the programs and services needed to improve the health of this population.

For more information, go to: <https://www.cdc.gov/ncbddd/disabilityandhealth/features/ada-anniversary.html>

