

# CenterPage

A quarterly publication of the

## Office of Equal Opportunity and Civil Rights

Centers for Medicare & Medicaid Services



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### A Conversation with Ruben J. King-Shaw, Jr.

On August 23<sup>rd</sup> CenterPage sat in the front office lobby awaiting the official okay for this "exclusive" interview of Ruben J. King-Shaw, Jr. As we were led in, we noticed that we were not going to the more formal conference room, known as the Glass Room, but to his office. We were offered a seat on the couch for what turned out to be a cordial and relaxed conversation with the CMS Chief Operating Officer and Deputy Administrator, Ruben J. King-Shaw, Jr.

CenterPage: Is it true that you were born in Washington, D.C.?

**Ruben J. King-Shaw, Jr.:** Yes, I lived in D.C. until the 5<sup>th</sup> grade. Later we moved to Rockville, Maryland. My mother's family actually goes back four generations in D.C. They are one of the oldest Black families in the District. In fact, her family were some of the original builders of Washington, D.C. and also founders of Asbury United Methodist Church in 1836. Our family also goes back four generations in the mountains of Virginia. My parents met at Howard University. So I am a local guy in a sense with good memories of D.C. and the surrounding area. I enjoyed all that the area had to offer. Staying here on the East Coast, I completed undergraduate at Cornell. I later developed and became my own guy in Miami, then moved on to Tallahassee where I met my wife Pat. It was there that our two daughters, Alexandra and Angelica, were born.

CenterPage: So, I guess returning to the D. C. area is an adjustment for you?

**Ruben J. King-Shaw, Jr.:** It is an adjustment after 20 years. There is quite a difference in this area now--a lot of growth. I particularly have to adjust to the rush hour. Going from a small southern city to the center of the eastern establishment takes some getting use to. I don't like that part of the adjustment.

CenterPage: While researching for this interview, I was quite impressed with your career. I read the many accolades from your peers during your time in Florida. It must feel good to hear people in your field compliment you that way. (Continues on page 3)

### Workplace Tolerance



In the wake of the tragic events on September 11, Cari M. Dominguez, Chair of the U.S. Equal Employment Opportunity Commission (EEOC), called on all employers and employees across the country to promote tolerance and guard against unlawful workplace discrimination based on national origin or religion.

"We should not allow our anger at the terrorists responsible for this week's heinous attacks to be misdirected against innocent individuals because of their religion, ethnicity, or country of origin," Chair Dominguez said. "In the midst of this tragedy, employers should take time to be alert to instances of harassment or intimidation against Arab-American and Muslim employees. Preventing and prohibiting injustices against our fellow workers is one way to fight back, if only symbolically, against the evil forces that assaulted our workplaces Tuesday morning."

Ms. Dominguez urged all individuals to heed the words of President Bush, "We must be mindful that as we seek to win the war [against terrorism] we treat Arab-Americans and Muslims with the respect they deserve."

Among other laws, EEOC enforces Title VII of the Civil Rights Act of 1964, which prohibits discrimination in employment on the basis of race, color, religion, national origin, sex, and retaliation for filing a complaint. For example, Title VII precludes workplace bias based on the following: Religion, ethnicity, birthplace, culture, or linguistic characteristics:

- Marriage or association with persons of a national origin or religious group;
- Membership or association with specific ethnic or religious group's physical, linguistic or cultural traits closely associated with a national origin group, for example, discrimination because of a person's physical features or traditional Arab style of dress; and
- Perception or belief that a person is a member of a particular national origin group based on the person's speech, mannerisms, or appearance.

"Our laws reaffirm our national values of tolerance and civilized conduct. At this time of trial, these values will strengthen us as a common people," Ms. Dominguez said. "The nation's workplaces are fortified by the enduring ability of Americans of diverse backgrounds, beliefs, and nationalities to work together harmoniously and productively."

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## Workplace Disputes

### Resolving them before they become EEO complaints and grievances

Workplace disputes- disputes between employees, disputes between managers, disputes between employees and managers - are often the result of competing interests, values, structures, data, and relationships. They rarely start out as EEO complaints and grievances, but over time, if unresolved, they can become complaints and grievances. Why does this transformation occur? Framing a workplace dispute as an EEO complaint or grievance moves the matter into a forum where it will be addressed and adjudicated. While those involved are ensured that the matter will be addressed, there is no guarantee that the matter will be resolved. In addition, when a dispute is moved into the EEO process or negotiated grievance procedure, the costs of dealing with the problem escalate for all involved. What can be done to resolve workplace disputes before they become complaints and grievances?

This article is intended to provide some guidance for employees and managers; how to reflect on disputes when they arise, and how to respond to disputes when they surface. It is relatively easy for most of us to avoid, accommodate, behave aggressively, or compromise our conflicts. We do not find it nearly so easy to join our opponents in a mutual search for collaborative solutions. Yet collaboration yields the greatest opportunities, and the most exciting journeys. The following actions can help us start collaborating and learning from our conflicts and resolving them before they become complaints and grievances.<sup>1</sup> Apply these actions to a workplace dispute in which you are or have been involved; i.e., non-selection, disciplinary action, assignment of work, and test if these steps could have produced a different outcome.

- Recognize and affirm that the conflict you are experiencing can become a positive learning experience, pointing the way to opportunities for growth or change or indicating the need to break a system or shift a paradigm.
- Use empathy – place yourself in the other person's shoes, while at the same time recognizing that there is a difference between understanding their behavior and condoning it, between forgiving them and forgiving what they did. Try to see things from the other person's point of view. Why do you think they acted as they did? How could you respond more constructively?
- Shift your focus from holding on to power and supporting your position to sharing responsibility and supporting the satisfaction of interests on both sides. Avoid blame. What are your interests, what are theirs, what interests do you share, and how might both be satisfied?
- Focus your efforts beyond settlement and for full resolution of all the underlying issues in your dispute. What triggered the dispute? What prior experiences are connected? Ask questions to find out more about what happened. What would accommodating or settling for settlement's sake leave out of the equation? How can the underlying issues be raised and addressed?

<sup>1</sup> Cloke, K., and Goldsmith, J. *Resolving Conflicts at Work: A Complete Guide for Everyone on the Job*. San Francisco: Jossey-Bass, 2000.

- Be honest with yourself and the other person; give truthful and timely feedback.
- Speak and act with integrity and clarity and without judgment. Don't take critical comments personally. Drop all self-justifications, defenses, and judgements. Test whether your perceptions are accurate. Clarify expectations.
- Search for collaborative alternatives that increase cooperation, create common ground, and focus on shared interests. Brainstorm some things you could do to greater incorporate cooperation and partnership.

Commit to the journey of joint responsibility and action to resolve disputes and reduce the chances of the matter escalating to the EEO or negotiated grievance arena.

## Celebrating Women of Courage & Vision

On August 23, CMS honored 10 women for their significant contributions to the Agency mission and for their work on issues of importance to women in the workplace. The employees who received the Equality Day awards were: Violet Baxter (CMSO), Akosua Ghailan (RO II), Mary Jane Hamilton (RO VII), Deborah Higgins (CBC), Cynthia Hopkins (CBC), Tamara Jackson (CBC), Annette Kussmaul (RO VII), Toya Smith (CMSO), Eugenea Sohn (OACT), and Connie Vita (RO II). Mary Jane Hamilton, at 86 years old, was also recognized for being five years old when the Nineteenth Amendment was ratified!

CMS speakers included Ruben J. King-Shaw, Jr., Chief Operating Officer and Deputy Administrator, Ramon Suris-Fernandez, Director, OEOCR, and Cynthia Hopkins, Helen Dea, Tamara Jackson, Glynis Johnson, and Lynn Strange of the Federal Women's Program Advisory Committee (FWPAC) members. Judith Bragdon, also a FWPAC member, provided musical selections.

The program included a dramatic presentation by a local actress who portrayed Margaret Brent, a Maryland colonist who was an early leader in the women's suffrage movement.

## National American Indian and Alaska Native Heritage Month



On Tuesday, November 27, 2001, at 11 am in the main auditorium, CMS will recognize *American Indian Heritage Awareness Month* under the program entitled "Native Voices." Dorothy Dupree, Senior Policy Advisor in CMSO, will be the keynote speaker. Ms.

Dupree is a member of the Assiniboine and Sioux Tribes, Fort Peck Reservation in Montana where she was born and raised.

Also featured for this event is Dovie Thomason, the award-winning storyteller, published author and cultural educator. Dovie Thomason brings to her work the richness of her Lakota and Kiowa Apache heritage. Also featured is drummer, Micky Sickles.

Attendees will learn and enhance their understanding of the values and beliefs of Native Americans.



**Ruben J. King-Shaw, Jr.:** Well, I am encouraged by that. I enjoy working in health care and having the opportunity to build new models. All of this is an extension of my core values. I was also involved in humane societies and fundraising for academic scholarships to help disadvantaged African-American, Haitian and Cuban populations in Florida. So my core values and community building were key to my success there. I want to build a healthier nation and get involved in those issues that plague our people.

**CenterPage:** Your title is a combination of two--Chief Operating Officer and Deputy Administrator. Why the two titles?

**Ruben J. King-Shaw, Jr.:** The concept of Chief Operating Officer (COO) is not new to CMS. There have been others with that title before I came here. Secretary Thompson, the President and the Vice President want to create a new culture within government that links policy with operation and to have someone fully responsible to make sure that policies are implemented. The COO is responsible for ensuring resources that support policy and create a culture of responsiveness. Government must be responsive to the needs of people. There must be someone to make sure that there are systems and processes that will allow responsiveness. Someone has to be held accountable to set the agenda and develop strategies on a daily basis. The Deputy Administrator serves in the absence of the Administrator. There are times when I must sit in for him when he is not available. So I am fully responsible for making the agency work better.

**CenterPage:** That brings us to your relationship with [the Administrator] Tom Scully. How is it? Do you get more than our daily e-mail ruminations?

**Ruben J. King-Shaw, Jr.:** We have a good rhythm. In fact, we do communicate quite often. When he was recently vacationing in France we were staying in touch. We sometimes come to conclusions in different ways but we get to the same destinations. We both look at issues and problems in a comprehensive way. Regarding the daily ruminations, I think it is a good thing that he takes the organization along with him to work. The ruminations are personal and effective. The spelling errors are less important than what he is thinking--what he is doing.

Our relationship is working out very well and we have become good friends.

**CenterPage:** Now, most of us have heard some of your statements about diversity. How will you know when we are successful?

**Ruben J. King-Shaw, Jr.:** First, I want to highlight the distinction between diversity and inclusion. You know, there are numbers that are reported of certain groups of people that reflect how diverse we are. But that's not the complete picture. There must be inclusion here at CMS. Having the numbers and no one talking to one another is incomplete. So I strongly support inclusion as well.

Diversity has to be on the agenda at CMS--and it is. When our agenda and thought processes and priorities reflect populations that we serve and there are diverse interests, we can say we are improving. Success is when there is a change in the organizational culture as a result of inclusion.

**CenterPage:** Could you respond to what we will call, "voices from the streets" at CMS. One comment is: "It sounds good, but let's wait and see what action follows all the talk."

**Ruben J. King-Shaw, Jr.:** That's fair. People should look for action and substance. You should look at hiring decisions, where the money goes, what grants for "minority" health care

issues are being targeted, and what changes as a result of putting dollars in those programs. Let's look at the issue of diversity at CMS. It is an agenda item at senior staff meetings. That had not existed before. Also, employees should ask, "what responsibility do I have to make sure I can take advantage of the opportunities when they become available?" If there is some training that is needed, or some skills that need to be polished, employees should be working on preparing for opportunities and not sitting back and complaining that others are moving ahead, and they are not. Be ready, and do what it takes to enhance your career.

**CenterPage:** Some will play the passive/aggressive game and wait you out over the next couple of years.

**Ruben J. King-Shaw, Jr.:** There are clearly people who will do that. We will work around that if necessary. Nothing is going to stop this train from running. There are too many imperatives as an agency and as a society that we cannot afford to miss. If it has to be a war of attrition, then we will fight a war of attrition. Let me say that I believe that a majority of folks want to see CMS succeed. Change is sometimes difficult and some of us do not want too much change. But we all have to understand that the world is changing, and we must also.

**CenterPage:** How much bite does accountability have in all of this?

**Ruben J. King-Shaw, Jr.:** In general, accountability is a struggle here. The way our organization is structured, individual groups don't own the whole work project or process. There is a tremendous amount of overlap and shared responsibility that makes accountability difficult. We are looking at teams of project managers who will have more ownership of an entire process or product. We will be looking at what decisions are made, the effect of these decisions, the trends, and the intent. If there is harm, I will address that in different ways.

**CenterPage:** Now that you are here at CMS, compare your perception of the Agency from the inside versus from the outside.

**Ruben J. King-Shaw, Jr.:** I've had much exposure to CMS, HCFA back then. It was known to be a place where if you were nurtured and groomed you could have a wonderful career here. I have no problem with that. I think the support system for those who have come and done well is a good thing. I hope to expand that system, to have that network include more people. There are smart people working here with very strong technical skills. People working long hours is legendary here. But there is a cultural dysfunction at work. Sort of an inbred culture of the chosen. There is a strong sense of community, family, and even multi-generational support. Those who come here who are not a part of this culture or family do not fit in as well and leave. It is difficult to retain some because of that. If people are not embraced by the organization, they leave. We must embrace all those who have the skills that we need to work here.

**CenterPage:** While Secretary of the Agency for the Health Care Administration [in Florida], a Florida publication labeled you "a rising star in Jeb Bush's administration. How do you see yourself?

**Ruben J. King-Shaw, Jr.:** I am blessed. To be able to do the things I dreamed of is a blessing. I have had help along the way. People opened doors for me and I took advantage of the opportunities. And I really enjoy making a difference here at CMS. I have a sincere passion for what I do and for what CMS does. I am fortunate to be here at this pivotal time in our history.

# Homepage under Construction



The Office of Equal Opportunity and Civil Rights (OEOCR) is redesigning its homepage to provide information that is more comprehensive, up-to-date and easier to access. The OEOCR homepage will serve the needs of employees for EEO related responsibilities and a host of timely resources available at a click of the mouse.

CenterPage will also be available, both the current and past issues. Additional features will include: current and historical demographic snapshots of the agency, special related initiatives in the federal, state and local arena and links to EEO and civil rights documents, agencies and organizations.

## Job Fair & Conference Schedule

*Hispanic Association of Colleges & Universities (HACU) <b>October 27-30</b> San Juan, Puerto Rico www.hacu.net	*National Society of Hispanic MBAs <b>November 1-3</b> San Antonio, Texas <a href="http://www.nshmba.org/conference.asp">http://www.nshmba.org/conference.asp</a>
*Gallaudet University Job Fair <b>November 5</b> Washington, D.C.	*Howard University Job Fair <b>November 16</b> Washington, D.C.
Health Disparities in a Diverse Society <b>November 23-24</b> New Orleans, Louisiana	*58th Annual National Congress of American Indians <b>November 25-30</b> Spokane, WA.
Women & Girls in High-Tech Symposium <b>Friday, November 30</b> Washington, D.C.	The Society for Human Resource Management <b>December 3-5</b> San Diego, California.

\* Planned attendance of OEOCR or OICS

## CALENDAR OF EVENTS

AMERICAN INDIAN HERITAGE AWARENESS MONTH  
CMS AUDITORIUM  
TUESDAY, NOVEMBER 27, 10AM

# Reporting on Strengthening Diversity

The CMS' commitment to a diverse and inclusive workforce has managerial accountability. The OEOCR provides managers with periodic workforce profiles to help identify under-representation at CMS and reminds managers of the agency's commitment to diversity.

Every month, senior managers report on activities undertaken to strengthen diversity. Although this initiative is not new to CMS, the specific reporting of outreach, recruitment, hiring and retention strategies and how managers are promoting a diverse and inclusive environment has become a new way of doing business.

The monthly reported activities are summarized and shared with the Chief Operating Officer and Deputy Administrator.

## King Gimp Screening at CMS

"Win with Ability" was this year's theme for the 2001 National Disability Employment Awareness Month. Making an appearance at CMS for the screening of *King Gimp* was the star of the film, Dan Keplinger, accompanied by one of the Oscar winning producers, Susan Hannah Hadary and Dan's interpreter, Karen Buoncristiano. After the October 18 event, committee members join Dan Keplinger for photographs.



From left to right:

Seated: Joseph Esposito and Desmond Young, members of the Committee for Employees with Disabilities Advisory Group (the Awareness Workgroup) Dan Keplinger, Susan Hannah Hadary, and Glenn Locklear, Chairperson of the Committee for Employees with Disabilities Advisory Group. Standing: Jean-Marie Moore member of the National Disability Awareness Committee and Audio Describer for the visually impaired, Nancy Lafferty, Program Manager for Employees with Disabilities and Dan's interpreter, Karen Buoncristiano.

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