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Applications of Mindfulness in Vocational Rehabilitation, Career Change, Disability Management, and Forensic Assessment

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*So often times it happens, we all live our life in chains,
and we never even know we have the key.
"Already Gone" by the Eagles*

Several decades ago, the developers of Adult and Continuing Education programs coined the term "lifelong learning." Professionals in all fields must commit to a continuation of their education in germane content as a minimum requirement for effectiveness, and those who are "certified" by their professions (such as CRC, CCM) or licensed in their disciplines are required to accumulate a minimum number of Continuing Education Units over a specified time frame.

Mindfulness plays a critical role in continuing professional development in terms of the value an individual places on the process. When the requirements are seen as a burden that must be endured, or an aspect of one's work that is simply "going through the motions," the benefits for the professional, as well as his/her clients, are greatly reduced. Mindfulness when it is embraced as being helpful equates to professional growth and the realization of an enriched experience derived from the everyday experiences of professional employment.

Mindfulness may also be thought of as the willingness and capacity of human beings to achieve higher levels of functioning. That is, being a mindful professional means endeavoring to carry out what we have been trained to do with ever increasing effectiveness, and increasing professional effectiveness requires discipline, diligence, and devotion just as the mind, body, and spirit require nutrition, exercise, and attention. Mindfulness by definition involves peak experiences and leads to self-actualization.

Abraham Maslow (and others) thought of peak experiences and self-actualization as higher levels of human development, realized through mindfulness. For Maslow, peak experiences involved:

Feelings of limitless horizons opening up to the vision, the feeling of being simultaneously more powerful and also more helpless than one ever was before, the feeling of ecstasy and wonder and awe, the loss of placement in time and space with, finally, the conviction that something extremely important and valuable had happened, so that the subject was to some extent transformed and strengthened even in his daily life by such experiences.

Maslow asked his subjects to think of the most wonderful experience or experiences of their lives – the happiest moments, ecstatic moments, moments of rapture, perhaps from being in love, or from listening to music or suddenly

"being hit" by a book or a painting or from some great creative moment. He found that people undergoing peak experiences felt more integrated, more at one with the world, more in command of their own lives, more spontaneous, less aware of the limitations of space and time, more perceptive, more self determined, and more playful. Elements of what Mihaly Csikszentmihályi called "flow" (full immersion and energized focus) are found in Maslow's construct of the peak experience.

According to Maslow, self-actualization is "the desire for self-fulfillment," namely the tendency for the individual to become real, or actualized, in what he/she is. This tendency might be restated as having the desire to become more and more what one is, to become everything that one is capable of becoming.

Seemingly, Maslow, Csikszentmihályi, and other humanistic and positive psychologists have referenced mindfulness (with their individual constructs) as a vehicle that transports us toward peak experience, flow, lifelong learning, and self-actualization. Ultimately, professional development is a continuous process of personal growth through engagement, enrichment, and enhancement of one's occupation and its potentials.

The Dual Applications of Mindfulness

Being mindful has two distinct applications:

1. it connotes the essential requirement for one to be responsible and ethical in his or her actions, and
2. it can be a practice for personal, emotional, and physical benefits.

Mindfulness, in the first instance, is the overriding responsibility of all professionals to be responsible, fair-minded, open-minded, even-handed, and impartial as they practice their professions. Mindfulness in the second instance connotes a methodology used by individuals to achieve and maintain personal and physical wellbeing.

The first section of this paper has invited the reader to consider the importance of being mindful in one's continuing professional development. The *raison d'être* for professional development is directed to those who are in need of assistance, while stress reducing mindfulness activities are beneficial to those who accept its value and practice it. Mindfulness is a key life skill, and both providers and recipients of professional human services can reap benefits from both mindfulness training and having mindful intentions.

Mindfulness as the Basis of Ethical Consideration in Workplace Wellbeing

Methodologies in terms of vocational assessments and return-to-work strategies in the workplace have evolved significantly over the years. Recent developments in disability management in the workplace focus on Positive Psychology and two of its subsets, resilience and mindfulness.

CEC Associates, Inc., in Valley Forge, Pennsylvania and Miami, Florida has worked for three decades to assist employers to plan and operate disability management programs. Our original effort into how Positive Psychology could be useful in Disability Management was focused on the concept of "injured worker helplessness." We recognized that in some cases, employees manifested disability without evidence of disease, a phenomenon first reported by Behan and Hirschfeld that derived from their studies of workers in the auto industry in the early 1960s. Behan and Hirschfeld also found that employees who were actually injured or had become ill in the absence of a supportive disability management program learned that it would somehow be to their advantage to resist a return to work. We also recognize that workers' compensation systems lack a sense of mindfulness as they engender both helplessness and laziness in the so-called beneficiaries they ostensibly intend to "make whole."

While recognizing the existence of injured worker helplessness (and laziness) are pernicious outcomes of a failed social support system, it is important to examine the related phenomenon of resilience in that it might be a potential remedy to the problem. That is, it is important to understand resilience and how it can be engendered so that people might deal more effectively with their injuries or illnesses as opposed to the disincentives produced by the disability safety net itself. CEC has written numerous articles for employers and rehabilitation professionals on injured worker helplessness, proactive disability management, and employee resilience.

More recently, CEC has turned its focus to the concept and practice of "mindfulness," an application that is closely allied to resilience. The objective of making oneself, or someone else, aware of the value of being "mindful" is to train the mind to reduce distress, promote emotion regulation, and foster wellbeing. One highly regarded researcher in this field, J. Kabat-Zinn, has defined mindfulness as "paying attention in a particular way, on purpose, in the present moment, and

non-judgmentally." In practicing mindfulness, one should be void of judgment, as it can cloud the mind with negative emotion. It is essential to be mindful solely of the direct and immediate experience.

The idea is that by becoming aware of the thoughts that are in our minds, we can avoid over-reacting to them. (This awareness/avoidance process is called "decentralizing.") In the process of recognizing intrusive, nonproductive thoughts, we tend to increase positive emotions and decrease negative emotions. It takes practice to be mindful and to maintain it.

Originally, "mindfulness" derives from Buddhist psychology as a mental state that we can use to control daily life experiences. More recently, it has become a significant aspect of medical training in America. At least two major medical training institutions have specific programs:

- Center for Mindfulness at the University of Massachusetts Medical School
- Duke Integrative Medicine

The Massachusetts program indicates that it has been looking at this process and providing training and services in this field for more than 30 years. They state that the first steps involve becoming aware of one's emotions by identifying them and then, in turn, managing them. In terms of creating and operating disability management in the workplace, mindfulness is the prerequisite of taking responsibility for preventing and managing lost time.

Programs designed to teach mindfulness methods are frequently called Mindfulness-Based Stress Reduction (MBSR). There is an important national movement emerging to focus public education on mindfulness for both teachers and adolescents. A growing number of curriculum builders for public schools are creating MBSR programs for children, especially for under-performing children.

Mindfulness as a Factor in the Workplace

In contemporary neuroscience, practicing mindfulness facilitates awareness and self-regulation for the purpose of developing a calm, focused mind. The objective of self-inducing mindfulness (or teaching it in others) is to assist the individual to be open, responsive, and sensitive to the realities around himself/herself.

In Buddhism, mindfulness is regarded as a mental state, one of the many functions of the mind that can arise in various combinations to assist in coping with the ever-changing experiences of daily life. In today's society, many of us rush through the day with recurring thoughts influencing our psyche. These thoughts are often automatic, and they can be intrusive and obsessive in nature, impacting our moods and detracting from the quality of our lives. These obtrusive thoughts are called ruminations and are frequently described as worrying about things that are not important.

While there are a number of apparent benefits from assimilating MBSR concepts, at least three have direct and cost-effective applications in disability management programs in the workplace. They include:

- the reduction of stress and anxiety
- hastening healing and recuperation
- coping with chronic pain, illness, or fatigue

The benefits of mindfulness for the purpose of stress reduction include:

- decreased physical and psychological symptoms
- increased ability to relax
- reduced pain levels
- increased energy and enthusiasm for life
- increased self-esteem (re: Maslow)

Further, being mindful in terms of workplace management is the essential ingredient of being aware and responsible for having a quality disability management program in the first place. Quality proactive disability management programs have long since proved their cost effectiveness, and workplace managers who do not operate state-of-the-art disability management programs are simply not being mindful of their responsibilities to their companies' human resources.

Mindfulness and Workplace Practices

The overriding responsibility of managers in the workplace in terms of mindfulness is that they become aware of the significance of the mind-body connections. It is our position that, in respect to the workplace, managers, and other

relevant professionals related to the process, apply the historical concept of mindfulness to achieve ethical considerations.

In addition, just as the planning and implementation of an effective disability management program requires the support and advocacy of top management, so does the application of mindfulness methods. Using contemporary methods of mindfulness will not work unless all of the decision makers in the organization understand the value of the concept and support its application to the way the organization is managed. Likewise, medical and legal professionals involved in the process must also invoke mindfulness as a means of achieving the dual, interrelated goals of "being" and "doing."

The second responsibility of business administrators is to get key professionals trained in the process. Most well managed companies already support ongoing wellness and safety programs. (In some states, businesses are given reductions in their workers' compensation premiums for operating these programs.) Once the initial round of training on mindfulness has been accomplished, procedures have to be developed to continue the interest, especially among supervisors who will become responsible for its ongoing viability.

Methods and Resources

There are three primary methods recommended as stress reduction techniques:

1. Relaxation Techniques
2. Meditation
3. Positive Thinking

An excellent source for the specific methods used in each of these stress reduction processes is the Mayo Clinic in Rochester, MN (www.MayoClinic.com). Search this site with the descriptor "stress reduction." The Mayo Clinic provides a reason why each of these techniques is of value and continues with specific techniques to use in order to achieve them. (If you are unable to find the individual pieces cited above under the Mayo web page, contact dina@cecassoc.com for a hardcopy of each.)

The Mayo Clinic article on Positive Thinking listed above evidences the fact that it is the overriding method of mindfulness and should be, therefore, the basis for essentially all Disability Management in the Workplace applications. To quote from the Mayo's text on Positive Thinking:

Researchers continue to explore the effects of positive thinking and optimism on health. Health benefits that positive thinking may provide include: increased life span, lower rate of depression, lower levels of distress, better psychological and physical well being, etc.

Changing Careers Mindfully

Wanting to change careers is a commonplace and acceptable phenomenon for many adults. After experiencing a start on one or another career path, individuals may find that the chosen path is not satisfying. A mindful career change should include, at minimum:

- an assessment that can provide some idea of preference and suitability for a new career
- exploration of the level of education or training needed in the new career
- an evaluation of existing skills that may be transferable to the new career

When looking for and/or changing careers, one should do so while "keeping in mind" several factors. A potential career should match a person's values, personality, skills/abilities, and interests. In this case, it is easier to become immersed in one's work activities and achieve flow. Using the combination of one's talents and skills can allow one to thrive in a career.

Many people make a mental list of things that they want/need from their jobs when beginning a search or transition. However, it is also important to be aware of what was NOT satisfying in previous careers and/or career-related experiences. Chances are if it did not work in one context, it will not work in another.

During the process of job searching or career exploring, it is integral to practice mindfulness throughout the entire process itself. Whether researching, networking, or interviewing, being present and focusing on the moment can help one to make better decisions regarding the next step. In other words, the journey can be just as important as the destination.

In the final analysis, anything as important as a career change will require one to be of a mind set to want to make it, that is, being mindful of one's self-interest in making a decision and being determined to see it through once the decision is made. In this sense, being "mindful" may be related to the cognitive-behavior model of psychotherapy called "acceptance and commitment therapy" (ACT). ACT is based on the principle that one has to "just notice" the issue: just notice the fact that you choose to make a decision to change careers, have in fact made a decision to change your career path, and then fully accept and embrace that fact. There is no reliance on intuition in this approach. It is a straightforward ratiocination:

- choose to make a decision
- make a decision
- commit to the decision

The primary strategy of mindfulness in this forthright sense is to help the individual clarify his/her personal responsibilities and take action on them. Mindfulness in this context assigns responsibility to the individual without allowances for procrastination or excuses. Making a career change requires making a behavioral change. The simple objective is to decide to do something and then do it.

Managerial Mediation

The dynamics of workplace management require judicious and effective mediation between individuals in conflict. The conflict can be between equals or between a supervisor and someone in his/her charge. It is hard to imagine how an individual can control his or her stress level if he or she is in conflict with another person.

The methods and materials for mediating workplace conflicts have been available for at least two decades, and workplace managers are responsible for learning the methods and actively applying them for conflict resolution.

CEC Associates, Inc. has trainers certified by the Mediation Training Institute International (MTII) available to companies wanting to train their management in effective conflict resolution in the workplace. The critical writings on Managerial Mediation were developed by Dan Dana, founder and director of MTII. They are:

- Managing Differences
- Conflict Resolution: Mediation Tools for Everyday Worklife

The Mindful Forensic Vocational Disability Expert

Mindfulness is generally considered a "state" of consciousness that allows one to experience the moment without interference from the individual neuroses of our everyday lifestyles. That is, mindfulness is true freedom from distraction.

Definitions of mindfulness center on the ideas of being aware, nonjudgmental, and "being here now," the latter a phrase introduced to Western culture by Richard Alpert (a.k.a. Ram Dass) more than 30 years ago. Mindfulness training has grown in popularity, and for psychotherapy clients and military personnel alike, it has been helpful in stress reduction, focusing enhancement, and goal attainment.

Mindfulness, however, may also be considered a "trait" in terms of being and staying aware and being attentive to our responsibilities as human beings. Mindfulness has played a central role in the Buddha Dharma (teachings of the Buddha) and in other avenues of "enlightenment." Enlightenment may be thought of as a place in "being" where dukkha (suffering) no longer exists and where only compassion remains.

In forensic vocational assessment, a vocational rehabilitation professional is asked to determine the occupational and earning potentials of an individual with physical and/or mental impairment(s). The forensic vocational expert is mindful to use all available methodologies to increase accuracy and reduce error, thereby adding to the cause of enlightenment while remaining compassionate. This logic leads to the vocational expert taking several steps including:

1. consideration of all available medical documentation regarding the examinee,
2. an analysis of the evaluatee's educational background and work experiences (if any),
3. the recognition of the effect of family and social dynamics on the subject's career potentials, both before and after the onset of impairment,
4. executing the most complete appraisal of the evaluatee's worker traits and skills (through documentation analysis, interview data, and standardized measurement), and

5. considering the effect of job accommodations and/or retraining on the subject's employability and earning power.

Finally, the mindful forensic vocational evaluator recognizes that people are, generally speaking, much more able than "disabled."

The purpose of forensic assessment is to inform the court (judge and/or jurors) of the plaintiff's or claimant's job potentials and earning capacities. The forensic expert's challenge is to remain mindful of being empirical, neutral, and objective. Any other approach runs the risk of bias and likely fails the test of being mindful. Of course, experts are paid by one of the parties involved in the dispute, but experts should be mindful that they are paid for their time and expertise, not their opinions. Mindful court experts recognize and surrender to the power of ethics promulgated by professional groups and certifying boards. For example, the Commission on Rehabilitation Counselor Certification (CRCC) advises its members that they should be guided by the principles of autonomy, beneficence, fidelity, justice, and veracity.

Let us look at each one of these principles. Autonomy is self-governance. Not only do rehabilitation professionals value autonomy and strive to create that prospect for their rehabilitation clients, they maintain independence from any party that might influence them to compromise their professional standards, including lawyer clients that might want a particular slant to their opinions. The CEC evaluator has encountered situations in which forensic experts have submitted "draft" reports to lawyers for consideration before finalizing a report, and this is no more than a "slippery slope" away from autonomy and other guiding principles of being a forensic expert.

Beneficence involves doing good. Doing good in a forensic assessment is being thorough and accurate regarding the examinee's employability and potential to be productive. Being able to articulate the results of the assessment so that others fully understand a particular individual's potentials is also "doing good" work. Good work should enlighten those who encounter it. Beneficence (or non-maleficence) is not only conducting oneself in concert with the law, but also what would be considered ethically appropriate given guidelines promulgated by CRCC and other professional certifying bodies.

Fidelity is defined as the quality of being faithful and devoted. The rehabilitation profession is indeed a noble calling, and forensic experts need to let all know that being able and productive is far preferable to being disabled and dependent. Fidelity also means that the forensic expert must remain devoted to lifelong learning and continual enrichment and enhancement of one's skill base. With regard to mindfulness, one must be willing to continuously examine his or her own life, values, and the world generally, and mindfully adapt when necessary, but ultimately, fidelity here means being faithful and devoted to the profession of rehabilitation.

Justice involves being fair in the treatment of all clients. It is important for the rehabilitation professional to provide appropriate services to all of his or her clients and treat them equally.

Finally, veracity may be the most important of these principles. The total commitment to truth, finding and conveying it, is the reason forensic science exists.

Forensic vocational experts are uniquely positioned in the realm of disability determination. Among the professions involved in rehabilitation, they alone know the impact of impairment and functional limitations on employability and earning power. Forensic experts are aware of job analysis and how work can be modified to reduce the limitation on work productivity. Forensic experts matching workers' traits and skills to the impaired individual's residual functional capacity, and generating a realistic profile of residual employability, constitute the sine qua non of disability analysis.

The process one pursues and accomplishes mindfully is as meaningful as the outcome. Not every expert will agree, but every expert has the obligation of being mindful in his or her analysis and deliberation of the unique problems brought to his/her scope of expertise.

Conclusions

Stressors that derive from workplace issues and disputes between employers and employees have been commonplace for a very long time. Work organizations can benefit from becoming more aware of the need for mindfulness at all levels of personnel functioning. Managers need to understand the importance and relevance of mindfulness as the basis for taking control of the continuation and growth of the organization. Employees can become much more productive and potentially satisfied in the workplace with applications of mindfulness. Mindfulness has important applications in the disciplines of Vocational Rehabilitation, Disability Management, and Forensic Assessment. Mindfulness can assist

individuals in the process of career change and occupational recovery. Mindfulness, both as a method of behaving cognitively and as an acquired personal characteristic, has a rich history with significant workplace applications.

The Significance of Mindfulness and Its Relevance in the Workplace: Some Quotations

Nothing endures but change.

Heraclitus, c500 BC

While the first medical center to concentrate on the value of "mindfulness" (U of Mass Medical Center) is now more than 30 years old, the value of the process to our personal lives has continued to gain adherents. (Another early provider was the Duke Center for Integrative Medicine, and in our area, the Thomas Jefferson University Hospital and their Jefferson Myrna Brind Center of Integrative Medicine is also a nationally recognized program.)

Mindfulness-Based Stress Reduction (MBSR), the primary process of integrative medicine, is now viewed as being so useful that it is being introduced into American schools.

The preceding article explores the value of MBSR when applied to programs for disability management in the workplace. It also addresses mindfulness as a key requirement of the "acceptance and commitment" model of professionalism.

To supplement the article, we have selected a few quotes concerning the process:

Albert Einstein

- You cannot solve a problem with the same mind that created it.
- I never came upon any of my discoveries through the process of rational thinking.

Jon Kabat-Zinn, PhD (Founder in 1995 of the Center for Mindfulness in Medicine, Health Care, and Society at UMass Medical School)

- Mindfulness is paying attention in a particular way: on purpose, in the present moment, and non-judgmentally.
- You can't stop the waves, but you can learn to surf.
- 7 Aspects of Mindfulness

1. Non-Judging: becoming an impartial witness to your own experience
2. Patience
3. Beginner's Mind: willingness to see everything as if for the first time
4. Trust: in yourself
5. Non-Striving: by doing nothing, all is done
6. Acceptance: seeing things as they actually are in the present
7. Letting go

Howard Thurman (author, philosopher, civil rights leader, and spiritual advisor to Martin Luther King, Jr.)

- Don't ask yourself what the world needs. Ask what makes you come alive, and go do that. Because what the world needs is people who have come alive.

Arnold Bennett (journalist; author of "How to Live on 24 hours a day")

- Your own mind is a sacred enclosure into which nothing harmful can enter except by your permission.

Ramana Maharshi (sage and spiritual teacher)

- Your own self-realization is the greatest service you can render the world.

Some Resources:

Mindfulness Stress Reduction and Healing, a "Tech Talk" at Google by Jon Kabat-Zinn available as a video on YouTube.

Mindfulness for Beginners, Jon Kabat-Zinn

The Mindfulness Solution: Everyday Practices for Everyday Problems, Ronald D. Siegel, PsyD.

Mindfulness in Plain English, Henepola Gunaratana