



U.S. ELECTION ASSISTANCE COMMISSION  
PROCEDURES FOR PROVIDING REASONABLE  
ACCOMMODATION FOR  
EAC EMPLOYEES AND APPLICANTS WITH  
DISABILITIES

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## **I. Purpose**

This document implements the requirements of the Rehabilitation Act of 1973 and Executive Order 13164 by establishing the U.S. Election Assistance Commission (EAC) policy on providing reasonable accommodation to individuals with disabilities. Supervisors, employees, and applicants may refer to the Equal Employment Opportunity Commission's (EEOC) "Enforcement Guidance on Reasonable Accommodation and Undue Hardship Under the Americans with Disabilities Act," available at EEOC's Internet site, <https://www.eeoc.gov/laws/guidance/enforcement-guidance-reasonable-accommodation-and-undue-hardship-under-ada>, for more information on their rights and responsibilities in requesting and providing reasonable accommodations.

## **II. Policy**

It is the policy of EAC to ensure equal access and employment opportunities to qualified individuals with disabilities by providing reasonable accommodations unless doing so would cause undue hardship, 29 U.S.C. § 791; 29 C.F.R. § 1614.203. These regulations incorporate the standards of Title I of the American with Disabilities Act (ADA), as amended into Section 501 of the Rehabilitation Act. Refer to 29 C.F.R. § 1630 *et seq.*

EAC will provide reasonable accommodation when a qualified individual with a disability needs it to:

- perform essential functions of his or her job;
- equally appreciate the benefits and privileges of employment that are available to employees without disabilities; and
- successfully overcome issues raised in a disciplinary or performance-based action proposed or taken when the employee identifies mitigating circumstances and subsequently requests a reasonable accommodation to address the reasons supporting the disciplinary or performance-based action.

EAC is committed to processing requests for reasonable accommodations in a timely, efficient, and fair manner and to maintaining open and continuous communication to ensure employees and supervisors are aware of accommodation options and the status of requests. EAC's Human Resources Manager directs the agency-wide program and is responsible for treating all specific requests for reasonable accommodation, and all information and accompanying medical documentation provided during the reasonable accommodation process, as confidential.

EAC will review the reasonable accommodation policy no later than 12 months after issuance.

## **III. Definitions**

**Agency Official:** An agency official is an Agency employee who manages a process or staff that may need to be involved or made aware of a reasonable accommodation request because they need to help implement the accommodation. Examples of an agency official for the purposes of a reasonable accommodation include the hiring official for an applicant, an employee's supervisor,

the Administrative Services Officer/EEOO<sup>1</sup>, human resources (HR) staff, technical support, or other persons who would oversee a process (e.g., transit subsidy, parking, interpreter services, travel, etc.) that an applicant or employee might contact about a need for a reasonable accommodation. The agency official is not necessarily the decision-maker about the reasonable accommodation request itself but may have a need to know to help implement the accommodation.

**Alternative Dispute Resolution (ADR):** Procedures for settling disputes by means other than litigation, which may include a discussion between the parties mediated by a neutral third-party.

**Decision-Maker:** The decision-maker is the person who makes the decision and implements the reasonable accommodation request. In most cases, the employee's immediate supervisor or supervisor in their supervisory chain or the hiring POC is the decision-maker. This individual has the authority to grant or deny requested reasonable accommodations and may seek input from the General Counsel, the Equal Employment Opportunity Officer (EEOO) and the Office of Equal Employment Opportunity at GSA, a shared service provider, when making such decisions.

**Essential Functions of the Job:** Those job duties that are so fundamental to the position that they must be performed to achieve the objectives of the job. A function can be "essential" if, among other things: (1) the position exists specifically to perform that function; (2) there are a limited number of other employees who could perform the function if assigned to them; or (3) the function is specialized, and the incumbent is hired based on their ability to perform it.

**Extenuating Circumstances:** Factors that delay processing and that could not reasonably have been anticipated or avoided in advance of the request or processing of the request for accommodation. Examples include, but are not limited to, requests for an evaluation of medical documentation, purchase of equipment, architectural barrier removal, and job reassignment.

**Individual with a Disability:** A person who (1) has a physical or mental impairment that substantially limits one or more major life activities; (2) has a record of a physical or mental impairment that substantially limited a major life activity; or (3) is regarded as having an impairment that is not both transitory (i.e., will last fewer than six months) and minor.

- **Visible disability:** A visible disability is one that another can see based on the disabled persons appearance and/or behavior. It is quite obvious that a person is blind and/or visually impaired when another sees that person walking down the street using a white cane.

**Example:** William has multiple sclerosis and uses a wheelchair. At work, there are times when he walks short distances with a cane. When his condition is in remission, he only uses a cane. This employee is always considered a person with a disability. He does not have to use a wheelchair daily to receive accommodations related to using a wheelchair.

- **Invisible disability** - A condition does not have to be visible or "readily apparent" to be considered a disability. Many conditions that are not readily apparent to the general population still affect major life activities. Whether or not a condition is

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<sup>1</sup> EAC's Administrative Services Officer serves as the Equal Employment Opportunity Officer (Collateral Duty EEO Director). The Human Resources Manager reports to the Administrative Services Officer.

"visible" is not a consideration when determining whether a person has a disability; it is the impact of the condition on major life activities that determines disability.

**Example:** Maria has dyslexia, a neurological disorder that interferes with reading and writing. Because **major life activities** include reading, learning, and the proper functioning of the neurological system, her disability affects these **activities** and therefore, are protected by the American Disability Act.

**Interactive Process:** The next step following a request for accommodation. This means that the individual requesting the accommodation, the supervisor and/or decision-maker must communicate with each other about the request, the precise nature of the problem that is generating the request, how a disability is prompting the need for an accommodation, and alternative accommodations that may be effective in meeting an individual's needs.

**Example:** John, who has only been with the company for six months, has been at least 45 minutes late every day for the past two weeks. He seems exhausted and haggard, and his behavior and tardiness are disrupting the workflow. His supervisor asks John, "Is there something we can do to help you?" The interactive process opens the door for John to notify his supervisor of his medical issues that might not be immediately apparent. Both John and his supervisor must engage in an individualized interactive process to identify what reasonable accommodation makes sense for John's specific situation

**Major Life Activity:** Basic activities an average person in the general population can perform with little or no difficulty as defined by EEOC regulations. Examples include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, working, and major bodily functions (e.g., normal cell growth, immune, digestive, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions).

**Personal Assistance Services:** Services that help individuals who, because of targeted disabilities, require assistance to perform basic activities of daily living, like eating and using the restroom.

**Qualified Individual with a Disability:** An individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the position without posing a direct threat (i.e., a significant risk of substantial harm to the health and safety of themselves and others); and (1) meets the experience or education requirements (which may include passing a written test) of the position in question; or (2) meets the appointment criteria under one of the special hiring authorities for individuals with disabilities.

**Example:** Bill is a quadriplegic. He has the requisite education, experience, and expertise to perform the essential functions of his job but is unable to perform daily living activities on or off the job that he would typically perform without personal assistance services if he did not have a disability.

**Reassignment:** The change of an employee from one position to another without promotion. The employee must meet the qualification requirements of the new position. Reassignment is a reasonable accommodation of last resort. Reassignments are made only to vacant, funded positions, and to employees who are qualified for and can perform the essential functions of the new position.

**Reasonable Accommodation:** An adjustment or alteration that enables a person with a disability to apply for a job, perform job duties, or enjoy the benefits and privileges of employment. There are three broad categories of reasonable accommodations: (1) modifications or adjustments to a job application process that permit an individual with disability to be considered for a job; (2) modifications or adjustments to workplace rules regarding how the job is performed that will enable a qualified individual with a disability to perform the essential functions of the job; and (3) modifications or adjustments such as the removal of a physical barrier to enable a qualified individual with a disability to enjoy equal benefits and privileges of employment.

**Example:** Dana is sight impaired and needs an assistive animal, usually a service dog, to perform her job duties. She may bring the animal to the workplace.

**Request for Reasonable Accommodation:** A statement made due to a reason related to a physical or mental impairment, an individual needs an adjustment or change at work, in the application process, or in a benefit or privilege of employment. An accommodation can be requested at any time and is not time-limited based on the point where a disability first affects work performance.

**Example:** Acquiring or modifying equipment. Roy is a new employee, who uses a wheelchair. He discovers that his wheelchair cannot fit under the desk in his office. He informs his supervisor of his dilemma. This is an example of an oral request. When HR is notified, a “Confirmation of Request for Reasonable Accommodation” will be generated.

**Requestor:** An employee with a disability, or an individual acting on their behalf, who requests a reasonable accommodation.

**Example (Acting on the behalf of an individual).** An employee's spouse phones the employee's supervisor on Monday morning to inform her that the employee had a medical emergency due to his ongoing cancer treatment, needed to be hospitalized, and thus requires time off. This discussion constitutes a request for reasonable accommodation.

**Substantially Limits:** To have an actual or record of disability, an individual must be (or have been) substantially limited in performing a major life activity as compared to most people in the general population. An impairment need not prevent or severely or significantly limit a major life activity to be considered substantially limiting. The determination requires an individualized assessment and will not usually require scientific, medical, or statistical evidence, but such evidence may be used, if appropriate.

**Example:** EEOC examples of impairments that should be easily found to substantially limit a major life activity:

Deafness substantially limits hearing	Diabetes substantially limits endocrine function
Blindness substantially limits seeing	Epilepsy substantially limits neurological function.
Deafness substantially limits hearing	Human Immunodeficiency Virus (HIV) infection substantially limits immune function.
An intellectual disability substantially limits brain function	Multiple sclerosis substantially limits neurological function
Partially or completely missing limbs or mobility impairments requiring the use of a wheelchair substantially limit musculoskeletal function	Cerebral palsy substantially limits brain function.
Autism substantially limits brain function	Muscular dystrophy substantially limits neurological function.
Cancer substantially limits normal cell growth	Major depressive disorder, bipolar disorder, post-traumatic stress disorder, obsessive compulsive disorder, and schizophrenia substantially limit brain function.

**Undue Hardship:** If a specific accommodation would cause significant difficulty or expense, the EAC is not required to provide that particular accommodation. This determination must be made on a case-by-case basis in consultation with the EAC’s General Counsel, considering the nature and cost of the reasonable accommodation in relation to the size, resources, nature, and structure of an employer’s operation. Undue hardship refers not only to financial difficulty, but to reasonable accommodations that are unduly extensive, substantial, or disruptive, or those that would fundamentally alter the nature or operation of the bureau. EAC will assess on a case-by-case basis whether a particular reasonable accommodation would cause undue hardship.

**Example:** Two store clerks working together, but one clerk requests a change to part-time hours. As a result of the request, the other clerk who works full-time would have to take on extra responsibilities to make up for the reduced productivity of the other clerk. In this situation, the employer could successfully claim an undue hardship on the operation of the business.

#### **IV. Requesting a Reasonable Accommodation**

A request for reasonable accommodation is an oral or written statement that an applicant or employee needs an adjustment or change in the application process or at work, for a reason related to a medical condition. The reasonable accommodation process begins when an applicant or employee makes a request orally or in writing. Therefore, it is important for managers/supervisors to be able to recognize a request. The applicant or employee does not need to make a request in writing for the reasonable accommodation process to begin, however, it is important for documentation purposes. Any time an applicant or employee indicates orally or in writing that they need a workplace change or modification or is having a problem and the need or problem is related to a medical condition, it may be a reasonable accommodation request and needs to be acted upon expeditiously.

The following examples from the EEOC may help you and supervisors/managers recognize when a request may be a reasonable accommodation request:

- Example A: An employee tells their supervisor, "I'm having trouble getting to work at my scheduled starting time because of medical treatments I'm undergoing." **This is a possible request for a reasonable accommodation.**
- Example B: An employee tells their supervisor, "I need six weeks off to get treatment for a back problem." **This is a possible request for a reasonable accommodation.**
- Example C: A new employee, who uses a wheelchair, informs the employer that their wheelchair cannot fit under the desk in their office. **This is a request for reasonable accommodation.**
- Example D: An employee tells their supervisor that they would like a new chair because the present one is uncomfortable. **Although this is a request for a change, their statement is insufficient to put the employer on notice that they are requesting reasonable accommodation. The employee does not link the need for the new chair with a medical condition.**

#### **Employees and Applicants**

In this section, the word "you" refers to employees and applicants for employment. This section tells you how to request a reasonable accommodation and how your request will be handled. This section also discusses medical information, reassignment, and your rights if your reasonable accommodation request is denied.

- As a person with a disability, you have the right to request a reasonable accommodation to be considered for a position, to perform the essential functions of a position, and to enjoy equal benefits and privileges of employment with EAC. You may request a reasonable accommodation at any time and may request additional reasonable accommodations if your needs change.



- A family member, health professional, or authorized representative may request an accommodation on your behalf. When a request for accommodation is made by a third party on your behalf, the hiring POC (hiring point-of contact for applicants), your supervisor or the decision-maker who are processing the request should confirm the individual's authority to represent you.
- You may request a reasonable accommodation orally or in writing from your supervisor or manager in your chain of command, the Human Resources Manager, other agency official, or, if you are applying for a position, from the contact person identified on the vacancy announcement (hiring POC). If the decision-maker is not this official, you will be so notified.
- Please use EAC's "Confirmation of Request for Reasonable Accommodation Form" when making your written request. You do not have to use any special words such as "reasonable accommodation" or "Rehabilitation Act" when making your request. However, it is helpful for you to describe your needs as specifically as possible. The more information you give your supervisor or hiring POC, the better he or she will be able to meet your needs.
- You do not have to have a particular accommodation in mind before making your request. Assistance from your supervisor or the hiring POC includes helping you with ideas or resources to help determine what accommodations might help if you do not have a particular accommodation in mind before making a request. There are resources available from the Job Accommodation Network (JAN) and from CAP (Computer/Electronic Accommodations Program) to assist when an employee or applicant is unsure of possible accommodations. Refer to [Appendix A](#).
- The decision-maker (your supervisor or the Human Resources Manager) usually will have the authority to approve reasonable accommodation requests. Accommodations that require the purchase of equipment or services costing more than \$1000, reconfiguring workspaces, or reassignment, and accommodations that cannot be provided by current staff will be approved by the Executive Director.

## **V. How to Request Personal Assistance Services (PAS)**

Federal agencies are required by regulation to provide Personal Assistance Services (PAS) to employees with targeted disabilities during work hours and job-related travel if the provision of such services enables the employee to perform the essential functions of their position and would not impose an undue hardship on the agency. PAS means "assistance with performing activities of daily living that an individual would typically perform if they did not have a disability, and that is not otherwise required as a reasonable accommodation, including, for example, assistance with removing and putting on clothing, eating, and using the restroom." 29 C.F.R. § 1614.203(a)(5).

These examples are non-exhaustive and serve to identify self-care type activities for which a PAS may be employed.

- PAS do not include, performing medical procedures (e.g., administering shots) or medical monitoring (e.g., monitoring blood pressure).
- PAS do not help individuals with disabilities perform their specific job functions, such as reviewing documents or answering calls; and differ from services that assist an individual to perform job-related tasks, such as sign language interpreters. Employees or applicants needing medically based reasonable accommodations (RA) to assist them in the workplace, or to apply for employment, may request reasonable accommodation through EAC procedures.

### **Qualifying factors to receive PAS**

- The individual is an employee of the agency.
- The individual has a targeted disability; a list of targeted disabilities is located on OPM form 256.
- The individual requires the services because of his or her targeted disability.
- The individual will be able to perform the essential functions of the job, without posing a direct threat to safety once PAS and any required reasonable accommodations are provided; and PAS will not impose undue hardship on the agency.
- Providing PAS will not impose undue hardship on the agency.

### **Making a Request for PAS**

The process for requesting personal assistance services, the process for determining whether such services are required, and EAC's right to deny such requests when provision of the services would pose an undue hardship, are the same as for reasonable accommodations. A request for PAS, like all requests for reasonable accommodation, will either be granted or denied within 20 business days of the initial request, unless there are extenuating circumstances warranting extensions of time frames or additional medical documentation is needed to address the limitations. Refer to [Section VII. Time Frames.](#)

As with reasonable accommodation, an employee may request PAS by informing a supervisor, the Human Resources Manager, or other appropriate agency official that he or she needs assistance with daily life activities because of a medical condition. The individual does not need to mention Section 501 or use specific terms such as "PAS", "affirmative action", or "Reasonable Accommodation" to trigger the agency's obligation to consider the request. Typically, the targeted disability and need for PAS will be obvious, such as with missing limbs or paralysis, and medical support may not be required. Where there is a requirement to clarify qualification of need and nature of PAS assistance, the reasonable accommodation interactive process should be engaged and a request for medically supporting information may be requested. For more information contact the Office of Human Resources.

## **EAC PAS Delivery Options**

- The agency may use an existing employee who already performs similar service as part of his or her regular job or hire federal employees, independent contractors, or a combination of employees and contractors to perform personal assistance services.
- If hiring PAS, and it is deemed reasonable, the agency may give an employee's PAS preference primary consideration to the extent permitted by law, provided PAS qualifications are met; and
- An employee who already uses a PAS provider in their personal non-work environment may request permission to bring his or her own PAS provider to work as a reasonable accommodation, if the employee does not request that the agency assume the cost of providing the services.

## **VI. Interactive Process**

Full and open communication is a critical component of the accommodation process, and helps to ensure that there is a full exchange of relevant information. Ongoing communication between your supervisor or the hiring POC is especially important when the specific limitation, problem, or obstacle is unclear. This communication and the process of working together to come up with an accommodation is known as the interactive process.

The reasonable accommodation process begins when you make a request for a reasonable accommodation, either orally or in writing. You should actively participate in identifying an effective accommodation. Refer to “Selected Reasonable Accommodation Resources” ([Appendix A](#)). An employee may ask for an interim reasonable accommodation during the interactive process and/or the decision-maker may suggest alternative accommodations at any point in the interactive process. Throughout the interactive process, a best practice for a decision-maker should be to maintain documentation about events occurring during this process, including when discussions were held and what was discussed.

## **VII. Time Frames**

EAC will process requests for reasonable accommodation (RA) from the date the individual makes the request and provide accommodations within 20 business days, absent extenuating circumstances. . EAC recognizes, however, that the time necessary to process a request will depend on the nature of the accommodation requested and whether it is necessary to obtain supporting information. When a particular reasonable accommodation can be provided in less than the maximum amount of time permitted, failure to provide the accommodation in a prompt manner may result in a violation of Section 501 of the Rehabilitation Act of 1973, as amended. (29 U.S.C. § 791 *et. seq.*)

- **RAs where medical information is not requested:** In general, a request for a reasonable accommodation will be processed and a decision made to approve or deny a request for reasonable accommodation and notification provided to the employee in less than the 20 business day maximum, unless there are extenuating circumstances warranting extensions of time frames or additional medical documentation is needed to address the limitations. The 20 business days includes 10 business days in the beginning of the process to allow for notifying the supervisor and determining if the supervisor is the decision-maker and if medical documentation is needed to make a decision as well as 10 business days for the decision-maker to make the decision and document accordingly.
- **RAs where medical information is requested:** In such cases where medical documentation is requested, the approval or denial of the request should be provided to the employee within 70 business days of the initial request absent extenuating circumstances. The employee has up to 45 business days during this process to provide the medical documentation along with up to 5 business days for the Office of Human Resources to complete the determination of disability process. After all medical information, including evaluations, is received, notice regarding the final denial or approval of the request should be provided within 10 business days. (10 business days in the beginning for notification process, 45 business days for medical documentation, 5 business days for processing the medical documentation, and 10 business days for the decision-making process which totals 70 business days.) Refer to Section IX. [Medical Information](#). **NOTE:** EAC is not expected to adhere to its usual timelines if an individual's health professional fails to provide needed documentation in a timely manner. See 29 C.F.R. §1614.203(d)(3)(i)(N).
- Expedited processing: In certain circumstances, a request for reasonable accommodation requires an expedited review and decision in a timeframe that is shorter than 20 business days, such as:
  - To ensure an applicant with a disability has an equal opportunity to apply for a job, depending on the timetable for receiving applications, conducting interviews, and making hiring decisions. EAC's Human Resources Manager or Hiring Official will act as quickly as possible to make a decision and, if appropriate, provide a reasonable accommodation.
  - To enable an employee to attend a meeting scheduled to occur shortly. For example, an employee may need a sign language interpreter for a meeting scheduled to take place in 5 days.
- **Applicants:** All requests from applicants are to be handled in an expedited manner. EAC vacancy notices indicate that an applicant can directly contact the hiring POC for the reasonable accommodation. Contact information is included.
- **RAs needed on a continuing basis:** All reasonable accommodations needed on a continuing basis (e.g., interpreters, captioning, software upgrade for assistive technology) are to be handled in an expedited manner.
- **Reassignment Search:** When reassignment is necessary because an employee with a disability can no longer perform the essential functions of their current job or if the only

other effective accommodation would cause undue hardship to EAC, the reassignment search will be conducted for 60 business days. Refer to Section XII. Reassignment.

- **Extenuating Circumstances:** There may be situations in which meeting the time frames for processing requests or providing a reasonable accommodation may not be possible because of extenuating circumstances. Extensions based on extenuating circumstances should be strictly limited. Extenuating circumstances are factors that could not reasonably have been anticipated or avoided in advance of the request for a reasonable accommodation. Extenuating circumstances cover limited situations in which unforeseen or unavoidable events prevent prompt processing of a request and provision of an accommodation. The following is a non-exclusive list of examples of extenuating circumstances:
  - The employee requests more time to provide medical documentation or the submitted medical documentation was not sufficient and additional time is needed to obtain the additional information.
  - The purchase of equipment may take longer because of procurement requirements.
  - Equipment is on back order, or the vendor cannot promptly supply the needed goods or services and another vendor is not available.
  - A requested accommodation involves removal of architectural barriers.
  - The temporary illness or unforeseen unavailability of the decision-maker or the employee.

When extenuating circumstances are present, the time for processing will be extended as reasonably necessary. The decision-maker must notify the applicant or employee of the reason for the delay, and the approximate date on which a decision, or provision of the accommodation, is expected. The decision-maker or Human Resources Manager should update the person making the request every 10 business days to the extent that it is practical.

## **VIII. Processing the Request of Accommodation**

### **Request by Job Applicants**

Requests from applicants should be processed and provided in an expedited manner. An Agency official should notify the Human Resources Manager of the accommodation provided or need for an accommodation. When the Agency official has questions regarding a requested accommodation, or an accommodation cannot be made quickly, the Agency official should contact the Human Resources Manager as soon as possible for assistance in processing the request. Vacancy notices should also indicate that applicants can contact the hiring POC directly to request an accommodation. The Human Resources Manager will assist in locating resources, help identify appropriate accommodations, and if necessary, help coordinate the provision of the accommodation for the applicant.

### **Request for Accommodations of a Continuing Nature for Employees**

When the request is for an accommodation that is anticipated to be needed on a continuing basis (such as interpreting services, readers, travel related needs, etc.), for an employee's regular job functions, training, or special events, the Agency official receiving the request should provide the accommodation in a timely manner. Once the request for reasonable accommodation has been approved and the employee's records are on file, the Human Resources Manager can promptly confirm the continuing accommodation, if necessary, and the provision of the reasonable accommodation should occur without requiring an additional "Confirmation of Request for Reasonable Accommodation" form ([Appendix B](#)). However, proper notice (typically at least five business days) should be provided to EAC to ensure arrangements can be made for the requested accommodation.

## **Requests for All Other Types of Accommodations**

### **Beginning of the RA and the Interactive Process**

- When your supervisor receives your reasonable accommodation request, the reasonable accommodation process must start as soon as possible. The supervisor must either complete or sign the "Confirmation of Request for Reasonable Accommodation Form" ([Appendix B](#)) in consultation with you or respond in writing (email) to the Human Resources Manager for record-keeping purposes.
- If the Office of Human Resources initially receives the request, they will forward a copy of your "Confirmation of Request for Reasonable Accommodation Form" ([Appendix B](#)) or email to your supervisor.
- If you contact an Agency official and not your supervisor, the Agency official should direct the request to your supervisor and the Human Resources Manager.
- During the interactive process, you and your supervisor should discuss the reasonable accommodation requested, the reason(s) for the request and whether the accommodation is anticipated to be needed on a continuing basis. Your supervisor should also identify the person who will be the decision-maker if it will not be the supervisor and discuss the process for determining whether an accommodation will be provided. When possible, the decision-maker should take part in this discussion.

### **Work with the Human Resources Manager**

- The decision-maker should send the completed [Appendix B form](#) or an email documenting your written request (if the Appendix B form was not provided) to the Human Resources Manager. The Human Resources Manager will track the request and assist with the process. To ensure necessary consistency throughout the agency, supervisors are expected to consult the Office of Human Resources prior to deciding on a request for a reasonable accommodation.

### **Determine if Medical Information is Needed**

- The Office of Human Resources will ask your supervisor if they are the decision-maker and if medical information is needed to make a decision about the request. The supervisor has up to 10 business days to respond as to who is the decision-maker and if medical information is

needed. If no medical information is needed, the Office of Human Resources will send the next steps to document the decision.

- If medical documentation is needed for the decision-maker to make a decision, the Human Resources Manager will provide the next steps and due date for the medical information. Refer to [Section IX Medical Information](#) for more detail about medical information. You will have up to 45 business days to provide this information.

### **Decision-maker makes and documents decisions about the Reasonable Accommodation Request**

- Where different possible accommodations are being considered, your supervisor or the hiring POC will discuss the effectiveness of the different accommodations with you,
- Once the decision-maker has determined that they are ready to make a decision, in consultation with the Human Resources Manager, the decision-maker must promptly inform you within 10 days of the decision by completing a “Reasonable Accommodation Information Reporting Form” ([Appendix D](#)) and in case of a denial a second form – the “Denial of Reasonable Accommodation Request Form” ([Appendix C](#)). Refer to [Section X. Granting a Reasonable Accommodation Request](#) and [Section XI. Denial of Reasonable Accommodation Request](#) for more information.
- In some cases, the Computer/Electronic Accommodations Program (CAP) may be able to provide additional assistance. CAP may assess you upon request (needs assessment) to suggest appropriate assistive technology and/or devices. You and the decision-maker should coordinate with the Office of Human Resources when CAP makes recommendations during a “needs assessment”, so any decisions about the recommendations are documented accordingly. EAC is ultimately responsible for providing the approved accommodations.

### **IX. Medical Information**

- When you make a request for reasonable accommodation, EAC is entitled to know that you have a disability that requires a reasonable accommodation. In certain instances, when the nature of a disability or the need for a reasonable accommodation is not clear, the decision-maker may request you to provide medical information to evaluate your request. Medical information should describe the nature of your disability, your need for a reasonable accommodation, and how the requested accommodation, if any, will assist you to apply for a job, perform the essential functions of a job, or enjoy the benefits and privileges of the workplace.
- When the decision-maker decides that medical information is necessary to evaluate a request for reasonable accommodation and to determine if you are a person with a disability, they will notify the Human Resources Manager of the need to obtain the information.
- The Human Resources Manager will request information on behalf of the decision-maker that is sufficient to substantiate that you have a Rehabilitation Act disability that requires accommodation and that the accommodation requested will be effective. Refer to [Appendix E](#) for a Checklist for Obtaining Medical Information. The request for medical information



will follow the guidelines set forth in the EEOC's "[Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees Under the Americans with Disabilities Act.](#)"

- Once the medical information is received, the Human Resources Manager will have up to 5 business days to review the documentation and provide a determination of disability letter (indicating if the employee is a person with a disability or not) or an updated medical information letter if the employee either already had a determination of disability letter or has an obvious disability but needed to provide medical information for a specific need (e.g., travel needs).
- Once the Human Resources Manager has provided the determination of disability letter or updated medical information letter, the decision-maker will have up to 10 business days to make a decision or indicate that additional medical information is needed. If additional medical information is needed, the Human Resources Manager will assist and work with the decision-maker to determine what additional medical information is needed. The Human Resources Manager will notify the employee and provide a new due date and next steps for obtaining this information. Additionally, EAC may have medical information reviewed by a medical expert at the agency's expense.
- If, after a reasonable period of time (up to 45 business days), the applicant or employee does not provide sufficient information to demonstrate that they have a disability and needs a reasonable accommodation, the decision-maker may:
  1. Offer additional time for the applicant or employee to receive the documentation or
  2. Deny the request due to lack of information.
- Failure by the applicant or employee to timely provide appropriate documentation within a reasonable time (up to 45 business days), or to cooperate with EAC's efforts to obtain such documentation can result in a denial of the requested accommodation.
- Medical information obtained in connection with a reasonable accommodation request will be placed in a file separate from your personnel file or job application, and will be kept confidential in accordance with the Privacy Act and 36 C.F.R. 1121. Medical information will be disclosed only to agency officials who participate in making decisions on reasonable accommodation. The Human Resources Manager will coordinate EAC's response to any request for disclosure of such information.
- There are limited circumstances under which the agency may disclose confidential medical information:
  1. Supervisors, managers, Human Resources (HR) or other agency or management representatives who have a need to know may be told about necessary restrictions and about the necessary accommodation(s);
  2. First aid and safety personnel may be told if the disability might require emergency treatment;
  3. Government officials to investigate the EAC's compliance with the Rehabilitation Act;



4. Workers' compensation offices or insurance carriers; and
  5. EAC's EEOO may be given the information to maintain records.
- In some cases, an addendum with updated information (e.g., the dates of the accommodation were extended, or the number of telework days was increased, etc.) is sufficient and can be attached to an existing [Appendix D](#). When the decision-maker offers a substitute that is different from what the employee requested during the interactive process, the decision should also explain the reasons that the decision-maker believes that the substitute accommodation would be effective.
  - The decision-maker should work to promptly provide the accommodation. When the accommodation cannot be quickly provided, the decision-maker will inform you of the projected time frame for providing the accommodation. This notice should also be in writing.

## **X. Granting a Reasonable Accommodation Request**

- If your reasonable accommodation request is approved, the decision-maker should promptly communicate this in writing to you and the Human Resources Manager. For this purpose, the decision-maker should complete a "Reasonable Accommodation Information Reporting Form" ([Appendix D](#)). In some cases, an addendum with updated information (e.g., the dates of the accommodation were extended, or the number of telework days was increased, etc.) is sufficient and can be attached to an existing [Appendix D](#). When the decision-maker offers a substitute that is different from what the employee requested during the interactive process, the decision should also explain the reasons that the decision-maker believes that the substitute accommodation would be.
- If additional time is required to provide an accommodation, you will be notified of the expected date that the accommodation will be provided, and the decision-maker will discuss with you whether there are any temporary measures that can assist you.
- When all the facts and circumstances known to EAC make it reasonably likely that you are entitled to a reasonable accommodation, but the accommodation cannot be provided immediately, the agency will provide an "interim accommodation" that allows you to perform some or all of the essential functions of your job, if it is possible to do so without imposing undue hardship on the agency. For example, there may be a delay in receiving assistive equipment for your vision disability. During the delay, the decision-maker could arrange for someone to act as a reader. This temporary measure may not be as effective as the adaptive equipment, but it will allow you to perform as much of the job as possible until the equipment arrives.
- If a decision-maker decides to deny your reasonable accommodation request, they will review the specific reasons with the Executive Director. If the Executive Director agrees

with the action, the decision-maker will give you a written notice explaining the specific reasons for the denial and your appeal rights.

## **XI. Denial of Reasonable Accommodation Request**

- If your reasonable accommodation request is denied, you will receive a copy of the Denial of Reasonable Accommodation Form ([Appendix C](#)) in addition to the “Reasonable Accommodation Reporting Form” ([Appendix D](#)). EAC will provide a copy of the written denial in accessible formats (braille, large print, audio files, etc.) at the time the request for accommodation is denied.

You are encouraged to use the alternative dispute resolution (ADR) processes to resolve reasonable accommodation issues informally (29 C.F.R. § 1614.203(d)(3)(i)(U)). If you choose to participate in ADR, the processing period shall not exceed ninety (90) days from the date of the initial contact with EAC’s EEOO, Robin Sargent, (202) 360-2144 or [rsargent@eac.gov](mailto:rsargent@eac.gov).

- You may also file an EEO complaint; pursue an appeal to the Merit Systems Protection Board (MSPB), if denial of an accommodation becomes part of an appealable adverse action as defined at 5 C.F.R. § 1201.3; or file a complaint with the Office of Special Counsel (OSC), if denial of an accommodation is part of a prohibited personnel practice as defined at 5 U.S.C. §2302.

## **XII. Reassignment**

- Reassignment is a type of reasonable accommodation available to you when you can no longer perform the essential functions of your current position, with or without reasonable accommodation or medical documentation has been provided indicating that you are no longer able to perform an essential job function. Reassignment of a non-probationary employee will be considered if no other accommodations are available to enable you to perform the essential functions of your current job, or if the only other effective accommodation would cause undue hardship to EAC.
- The Human Resources Manager, with the assistance of supervisors and managers, proceeds to identify (1) all funded vacant positions within EAC for which you may be qualified, with or without reasonable accommodation; and (2) all funded positions which EAC has reason to believe will become vacant over the next 60 business days and for which you are qualified.
- The Human Resources Manager, with the assistance of supervisors and managers, shall consult with the affected employee as necessary to determine whether there are limits on the search the employee would like the agency to conduct, whether the employee is qualified for a particular job, or whether the employee would need a reasonable accommodation to perform the essential functions of a new position.

- EAC will attempt to identify positions which are equivalent to your current job in terms of pay, status, and relevant factors. When there is no vacant equivalent position, EAC will consider vacant lower-level positions for which you are qualified.

### **XIII. Information Tracking and Reporting**

The Human Resources Manager will keep a record of all reasonable accommodation requests received, including oral requests. Pursuant to 29 C.F.R. §1614.203(d)(8)(vi), these records include details about each request, including:

- The specific reasonable accommodation requested, if any;
- The job (occupational series, grade level, and agency component) sought by the requesting applicant or held by the requesting employee;
- Whether the accommodation was needed to apply for a job, perform the essential functions of a job, or enjoy the benefits and privileges of employment;
- Whether the request was granted (which may include an accommodation different from the one requested) or denied;
- The identity of the deciding official; and
- The number of days taken to process the request.

The Human Resources Manager is also responsible for ensuring that all records are maintained in accordance with the Privacy Act and the Federal Records Act.

The EEOO will prepare an annual report, to be made available via the Management Directive 715 (MD 715). The report will contain a qualitative assessment of EAC's reasonable accommodation program for applicants and employees, including any recommendations for improvement of EAC's reasonable accommodation procedures. The analysis of the information collected will also be used to determine whether EAC is complying with the nondiscrimination and affirmative action requirements imposed under Section 501, and such records will be available to the Equal Employment Opportunity Commission upon request.

EAC records include details about each request for reasonable accommodation, including:

- The specific reasonable accommodation requested, if any;
- The job (occupational series, grade level, and agency component) sought by the requesting applicant or held by the requesting employee;
- Whether the accommodation was needed to apply for a job, perform the essential functions of a job, or enjoy the benefits and privileges of employment;
- Whether the request was granted (which may include an accommodation different from the one requested) or denied;
- The identity of the deciding official; and
- The number of days taken to process the request.

The Human Resources Manager will maintain these records for the period of the applicant's or employee's tenure with EAC for 3 years after employee separation from the agency or all appeals are concluded whichever is later as per EAC's Records Schedule.

The Office of Human Resources at EAC's headquarters maintains current information about the status of each request. The employee, applicant, or manager can contact the Human Resources Manager at any time to inquire about the status of a request. The Human Resources Manager documents each step of the reasonable accommodation process in writing to both the employee, applicant and the decision-maker with the due date and next steps.

#### **XIV. Roles and Responsibilities**

##### **The Office of Human Resources (OHR) will:**

- Oversee the reasonable accommodation program and requests for reasonable accommodations.
- Act as the Reasonable Accommodation Coordinator (RAC) and process all requests.
- Track requests and decisions on reasonable accommodations in a database and provide updates to applicants or employees about the processing of the request.
- Research options for reasonable accommodations and make recommendations.
- Provide information on reasonable accommodation procedures and options to EAC employees and supervisors.
- Participate in ongoing communication with all parties involved in processing requests for reasonable accommodations.
- Ensure the confidentiality of medical information collected to support accommodation requests.
- Work with necessary offices within the EAC divisions (e.g., Administrative Services, Financial Management, Procurement, Information Technology) to obtain equipment and services needed as accommodations. Coordinate with EAC's General Counsel Division as needed, including before determining the essential functions of a position, requesting medical documentation, and may assist in determining to grant or deny a request for reasonable accommodation.
- Complete annual reporting requirements.
- Consult with others on an as needed basis on reasonable accommodation issues.

##### **The Office of Financial Management will:**

- Provide needed funding for all approved reasonable accommodation requests.

##### **Supervisors and managers will:**

- Submit all requests for accommodations, whether written or oral, received from their employees or persons acting on behalf of the employee to the Human Resources Manager as soon as possible but no later than within two (2) business days of receipt.
- Participate in ongoing communication with the employee and other applicable parties regarding the reasonable accommodation request.
- Initiate discussions with employees about reasonable accommodations, in consultation with the Human Resources Manager, if they have identified performance or conduct concerns that the employee states may be due to a medical condition.

**Employees will:**

- Initiate a request for reasonable accommodation as needed. (A designated third party may also initiate a request.)
- Provide completed request form and any necessary medical documentation.
- Participate in ongoing communication with the decision-maker and other applicable parties regarding the reasonable accommodation request.

**The Office of General Counsel will:**

- Provide legal advice and consultation on reasonable accommodation matters related to the Rehabilitation Act and other applicable laws concerning reasonable accommodation requirement.

**GSA's Office of Equal Employment Opportunity will:**

- Provide technical assistance upon request about reasonable accommodation matters related to the Rehabilitation Act and other applicable laws and reasonable accommodation requirements.
- Collaborate with the EAC's Office of Human Resources to ensure employees are trained about the Rehabilitation Act, other applicable laws and reasonable accommodation requirements, and this policy.
- Monitor the EAC's compliance with the Rehabilitation Act and other applicable laws and reasonable accommodation requirements and make recommendations as needed under the circumstances to ensure compliance.

**Supervisors and Human Resources Manager will:**

- Respond to reasonable accommodation requests.
- Approve reasonable accommodation requests costing \$1000 or less, unless the accommodation requires the purchase of equipment or services costing more than \$1000, reconfiguring workspaces, or reassignment, or the accommodation cannot be provided by current staff.
- Discuss reasonable accommodation requests with the employee or applicant. Where the need for an accommodation is unclear, will ask the employee or applicant for additional information. Where the specific accommodation needed is unclear, will call on expert resources to recommend possible accommodations. Where different possible

accommodations are being considered, will discuss the effectiveness of the different accommodations with the employee or applicant.

- Respond to reasonable accommodation requests as soon as possible, but no later than three business days after the request is made, unless medical information is required.
- If you approve a reasonable accommodation request, the accommodation will be provided as soon as possible, but no later than five business days after the request is made, unless expert resources need to be called on to recommend possible accommodations, equipment needs to be purchased, the workspace needs to be reconfigured, new staff needs to be hired, or other extenuating circumstances apply. If additional time is required to provide an accommodation, you will notify the employee or applicant of the expected date that the accommodation will be provided and will discuss with the employee or applicant whether there are any temporary measures that can assist him or her.

**Executive Director will:**

- Approve accommodations costing more than \$1000.
- Approve all reasonable accommodation requests that result in a change of duty station.
- Review all reasonable accommodations that are denied.

**XV. Training**

In order to encourage compliance with Executive Order 13164 and the Rehabilitation Act of 1973, EAC will develop a reasonable accommodation training course for supervisors and managers. The Human Resource Manager, in consultation with the EEOO, will be responsible for the development of the course, as well as for resource materials and manuals to assist employees and supervisors in their responsibilities regarding reasonable accommodation under the Rehabilitation Act.

**XVI. Inquiries**

Any person wanting further information concerning these procedures may contact the Human Resources Manager at (202) 360-2144.

**XVII. Distribution**

The Reasonable Accommodation procedures are posted on EAC's Intranet and Internet sites. Employees are notified of the reasonable accommodation program during new employee orientation. A paper or electronic copy is available upon request from the Human Resources Manager or EEOO. In addition, the procedures will be provided in accessible formats (braille, large print, audio files, etc.) upon request.

## **XVIII. Disclaimer**

The procedures described in this document supersede all previous procedures concerning reasonable accommodation. The statements in this document are intended solely as general guidance on internal EAC's procedures for processing requests for reasonable accommodation. This document is not intended, nor can be relied upon, to create any rights or obligations enforceable by any party, employee or applicant, in litigation.

In extraordinary situations, EAC officials may act at variance with these procedures based on the specific facts and circumstances presented. These procedures may be revised from time to time to reflect changes in statutes, regulations, case law, EEOC guidance, or the like; changes in EAC's approach to processing requests for reasonable accommodation; or EAC's organizational changes.

## APPENDIX A

### Selected Reasonable Accommodation Resources

#### U.S. Equal Employment Opportunity Commission

<https://www.eeoc.gov/>

The U.S. Equal Employment Opportunity Commission (EEOC) is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information, as well as providing a reasonable accommodation.

The EEOC provides guidance to federal agencies and individuals on all aspects of the federal government's equal employment opportunity program including reasonable accommodation. These resources specifically regarding reasonable accommodation are found at:

Disability Discrimination (<https://www.eeoc.gov/disability-discrimination>)

Specific guidance is available at [EEOC Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees under the Americans with Disabilities Act \(ADA\)](#); and [EEOC Enforcement Guidance: Reasonable Accommodation and Undue Hardship Under the Americans with Disabilities Act](#).

#### Computer/Electronic Accommodation Program (CAP)

[www.cap.mil](http://www.cap.mil)

Effective October 1, 2020 (FY21) CAP is no longer funded to procure or provide Assistive Technology (AT) and AT devices to non-DoD agencies. CAP will gladly conduct assessments, provide information, referrals and assist non-DoD agencies in determining the appropriate AT and AT devices to purchase by their agency. In order for an EAC employee to receive assistance from CAP, they must have an approved reasonable accommodation at EAC. AT can be used to maintain, increase, or improve an individual's job performance, and are available to accommodate people with all types of disabilities. This includes both physical disabilities, as well as hidden cognitive disabilities.

#### Job Accommodation Network (JAN)

<https://askjan.org>

The Job Accommodation Network (JAN) is funded by the U.S. Department of Labor, Office of Disability Employment Policy and serves as a source of free, expert, and confidential guidance on workplace accommodations and disability employment issues. JAN helps both the supervisor/decision-maker and employee with resources, information, and accommodation solutions throughout the reasonable accommodation process (prior, during, and after). JAN is particularly useful when the employee and/or the decision-maker is not sure of possible accommodations. Assistance is available both over the phone and online.



# APPENDIX B

## CONFIRMATION OF REQUEST FOR REASONABLE ACCOMMODATION FORM

1. Today's Date \_\_\_\_\_ 2. Date of Request \_\_\_\_\_

3. \_\_\_\_\_ 4. \_\_\_\_\_  
Applicant's or Employee's Name Applicant's or Employee's Telephone No.

5. \_\_\_\_\_  
Employee's Office, Pay Band and Occupational Series

6. \_\_\_\_\_  
Employee's Supervisor's Name and Telephone Number

7. \_\_\_\_\_  
Name and Telephone Number of Agency Official to which Request was originally made

**8. TYPE OF ACCOMMODATION REQUESTED:** (For example, workplace modified for wheelchair usage; assistive technology for vision impairment; personal assistance services (PAS) for a person with a targeted disability. If specific equipment or other effective accommodation known, please specify)

**9. REASON FOR REQUESTING REASONABLE ACCOMMODATION:** (Identify impairment requiring a change in the workplace or application process)

**10. IS THIS REQUEST LIKELY TO BE REPEATED?:** (check)  YES  NO

**11. NAME OF DECISION-MAKER\*:** \_\_\_\_\_

**12. SIGNATURES**

\_\_\_\_\_  
Employee or Applicant

\_\_\_\_\_  
Agency Official Receiving Request\*

Please send the completed form to the Human Resources Manager for tracking and processing.

\*This signature is not required. By signing this form, the Agency official who received the request is ONLY acknowledging that they are aware that a request has been made. The [Appendix D](#) documents the decision and accommodation provided.

**Privacy Notice:** Requesting a reasonable accommodation is a voluntary process. Due to the confidential nature of reasonable accommodation as well as the requirements of the Privacy Act, only those persons listed on this form, or others in the performance of their official duties on a "need to know" basis, shall have access to this information or be involved in any discussion related to this employee's request.

**Statutory Authority:** Section 501 Rehabilitation Act of 1973, Executive Order 13164, Establishing Procedures to Facilitate the Provision of Reasonable Accommodation, dated October 20, 2000, as well as Equal Employment Opportunity Commission (EEOC) reasonable accommodation regulations and guidance.

**Purpose and use:** The information collected on this form is used to facilitate the reasonable accommodation process for individuals with disabilities.

**Routine Use:** In some limited cases, EAC must work with external partners to provide information about a reasonable accommodation request and/or record of a reasonable accommodation or to aid in an investigation for an EEO complaint. By signing this form, the employee or applicant gives EAC consent to release Personally Identifiable Information (PII) for the purpose for which it is intended.

**Consequence for Not Supplying Personally Identifiable Information (PII):** If an employee or applicant does not provide the necessary information, including medical information (Sensitive PII) then a decision-maker may deny the reasonable accommodation.

# APPENDIX C

## DENIAL OF REASONABLE ACCOMMODATION REQUEST FORM

(Must complete numbers 1-3; complete number 4, if applicable)

1. Name of Individual requesting reasonable accommodation:
  
2. Type(s) of reasonable accommodation requested:
  
3. Detail explanation for the denial of reasonable accommodation. The explanation should provide the reason for denying the request (e.g., person is not a qualified individual with a disability, the accommodation would cause undue hardship, the accommodation would be ineffective or require lowering of performance or production standards, etc.) as well as a detailed explanation for why the requester does not meet the necessary elements for receiving reasonable accommodation (e.g., why the medical documentation provided is inadequate to establish a disability, or how an accommodation would cause undue hardship, etc.)
  
4. If the individual proposed one type of reasonable accommodation which is being denied, but rejected an offer of a different type of reasonable accommodation, explain both the reasons for denial of the requested accommodation and why you believe the chosen accommodation would be effective.

If the employee would like to pursue Alternative Dispute Resolution (ADR), the employee should request it as soon as possible since participating in alternative dispute resolution does not affect the time limits for initiating statutory and administrative claims. An employee's participation in alternative dispute resolution after a final Agency decision is made does not satisfy the requirements for bringing a claim under Equal Employment Opportunity (EEO), Merit Systems Protection Board (MSPB), Office of Special Counsel (OSC) or union grievance procedures.

If an individual wishes to file an EEO complaint, an MSPB appeal, or an OSC complaint, they must take the following steps:

- For an EEO complaint, initiate informal counseling within 45 calendar days from the date of receipt of the written final Agency decision. To initiate counseling, applicants should contact the EEO Officer, Robin Sargent, (202) 360-2144 or [rsargent@eac.gov](mailto:rsargent@eac.gov).
- For an MSPB appeal, file within 30 calendar days of an appealable adverse action as set forth at 5 C.F.R. §1201.3, <https://www.mspb.gov/appeals/appeals.htm>.
- For a complaint to OSC, file with OSC if a denial of accommodation is part of a prohibited personnel practice as defined in 5 U.S.C. § 2302, <https://osc.gov/pages/file-complaint.aspx>.

---

Name of Deciding Official

---

Signature of Deciding Official

---

Date reasonable accommodation denied

**Privacy Notice:** Requesting a reasonable accommodation is a voluntary process. Due to the confidential nature of reasonable accommodation as well as the requirements of the Privacy Act, only those persons listed on this form, or others in the performance of their official duties on a "need to know" basis, shall have access to this information or be involved in any discussion related to this employee's request.

**Statutory Authority:** Section 501 Rehabilitation Act of 1973, Executive Order 13164, Establishing Procedures to Facilitate the Provision of Reasonable Accommodation, dated October 20, 2000, as well as Equal Employment Opportunity Commission (EEOC) reasonable accommodation regulations and guidance.

**Purpose and use:** The information collected on this form is used to facilitate the reasonable accommodation process for individuals with disabilities.

**Routine Use:** In some limited cases, EAC must work with external partners to provide information about a reasonable accommodation request and/or record of a reasonable accommodation or to aid in an investigation for an EEO complaint. By signing this form, the employee or applicant gives EAC consent to release Personally Identifiable Information (PII) for the purpose for which it is intended.

**Consequence for Not Supplying Personally Identifiable Information (PII):** If an employee or applicant does not provide the necessary information, including medical information (Sensitive PII) then a decision-maker may deny the reasonable accommodation.

# APPENDIX D

## REASONABLE ACCOMMODATION INFORMATION REPORTING FORM

Name of Individual Requesting Reasonable Accommodation:

1. Reasonable accommodation: (check one)

Approved

Denied (If denied, attach copy of the completed Denial of Reasonable Accommodation Request Form, [Appendix C](#)).

Denied under Reasonable Accommodation but granted via other provision (s) outside of the reasonable accommodation process. In this case, it is not considered a reasonable accommodation.

2. Date reasonable accommodation requested: \_\_\_\_\_

Who received request: \_\_\_\_\_

3. Name of decision-maker: \_\_\_\_\_

4. Date reasonable accommodation approved or denied: \_\_\_\_\_

5. Date reasonable accommodation expected to be provided (if different from date approved):

6. If time frames outlined in the Reasonable Accommodation Procedures were not met, please explain why.

7. Job held or desired by individual requesting reasonable accommodation (including occupational series, grade level, and office):

8. Reasonable accommodation needed for: (check one)

- Application Process
- Facility Access
- Performing Essential Job Functions
- Accessing a Benefit or Privilege of Employment (e.g., attending a training program or social event)
- Personal Assistance Services (PAS) [employee with a targeted disability]

9. Type(s) of reasonable accommodation requested (e.g., adaptive equipment, staff assistant, removal of architectural barrier):

10. Type(s) of reasonable accommodation provided:

11. Was medical information required to process this request? Please explain why.

12. Sources of technical assistance, if any, consulted in trying to identify possible reasonable accommodations (e.g., Computer/Electronic Accommodations Program [CAP], Job Accommodation Network [JAN], disability organization):

13. Comments:

Form completed by: \_\_\_\_\_ Phone: \_\_\_\_\_

\_\_\_\_\_  
Signature of Decision-Maker and Date

**Privacy Notice:** Requesting a reasonable accommodation is a voluntary process. Due to the confidential nature of reasonable accommodation as well as the requirements of the Privacy Act, only those persons listed on this form, or others in the performance of their official duties on a "need to know" basis, shall have access to this information or be involved in any discussion related to this employee's request.

**Statutory Authority:** Section 501 Rehabilitation Act of 1973, Executive Order 13164, Establishing Procedures to Facilitate the Provision of Reasonable Accommodation, dated October 20, 2000, as well as Equal Employment Opportunity Commission (EEOC) reasonable accommodation regulations and guidance.

**Purpose and use:** The information collected on this form is used to facilitate the reasonable accommodation process for individuals with disabilities.

**Routine Use:** In some limited cases, EAC must work with external partners to provide information about a reasonable accommodation request and/or record of a reasonable accommodation or to aid in an investigation for an EEO complaint. By signing this form, the employee or applicant gives EAC consent to release Personally Identifiable Information (PII) for the purpose for which it is intended.

**Consequence for Not Supplying Personally Identifiable Information (PII):** If an employee or applicant does not provide the necessary information, including medical information (Sensitive PII) then a decision-maker may deny the reasonable accommodation.

## APPENDIX E

### CHECKLIST FOR OBTAINING MEDICAL DOCUMENTATION

This checklist is intended to provide supervisors, employees, and their health care professionals a list of the type of information generally necessary to allow the decision-maker to make a determination as to whether an employee should be provided a reasonable accommodation when the disability and/or the need for the reasonable accommodation is not obvious or sufficient medical documentation has not already been provided to the decision-maker. When an employee is asked to provide medical documentation to support a request for a reasonable accommodation, employees are strongly encouraged to provide this checklist to their physician or health care professional as a reference and ask that any documentation provided be in typed form.

It is important to remember that the decision-maker needs sufficient information to determine whether:

- the employee has a disability covered by the Rehabilitation Act of 1973 (i.e., a physical or mental impairment that substantially limits a major life activity); and
- if a disability is found to exist, what kind of reasonable accommodation(s) would be necessary.

Therefore, the following information from a physician or health care professional may be needed to support a request for a reasonable accommodation:

- 1) the identification of the physical or mental impairment experienced by the employee;
- 2) a description of the severity and duration of the impairment and the expected treatment;
- 3) the identification or description of the activities that are affected or limited by the impairment;
- 4) a description of the severity of the limitation the impairment has on these activities;
- 5) a description of how this impairment affects the employee in the workplace, i.e., describe why there is a need for an accommodation;
- 6) if possible, a description of how an accommodation (especially a specifically requested one) would assist the employee in the workplace.

This document is to be used solely as a checklist to assist in obtaining the appropriate information to support a request for reasonable accommodation and is not an exclusive list of the information the decision-maker is entitled to obtain from an employee requesting a reasonable accommodation. For a more complete discussion on this topic, refer to [EEOC Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees under the Americans with Disabilities Act \(ADA\)](#); and [EEOC Enforcement Guidance: Reasonable Accommodation and Undue Hardship Under the Americans with Disabilities Act](#).



**Privacy Notice:** Requesting a reasonable accommodation is a voluntary process. Due to the confidential nature of reasonable accommodation as well as the requirements of the Privacy Act, only those persons listed on this form, or others in the performance of their official duties on a "need to know" basis, shall have access to this information or be involved in any discussion related to this employee's request.

**Statutory Authority:** Section 501 Rehabilitation Act of 1973, Executive Order 13164, Establishing Procedures to Facilitate the Provision of Reasonable Accommodation, dated October 20, 2000, as well as Equal Employment Opportunity Commission (EEOC) reasonable accommodation regulations and guidance.

**Purpose and use:** The information collected on this form is used to facilitate the reasonable accommodation process for individuals with disabilities.

**Routine Use:** In some limited cases, EAC must work with external partners to provide information about a reasonable accommodation request and/or record of a reasonable accommodation or to aid in an investigation for an EEO complaint. By signing this form, the employee or applicant gives EAC consent to release Personally Identifiable Information (PII) for the purpose for which it is intended.

**Consequence for Not Supplying Personally Identifiable Information (PII):** If an employee or applicant does not provide the necessary information, including medical information (Sensitive PII) then a decision-maker may deny the reasonable accommodation.