

**Administration for Children and Families
Office of Diversity Management and EEO**

Reasonable Accommodations Procedures for Individuals with Disabilities

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I. Purpose and Scope

The purpose of this manual is to present the Administration for Children and Families (ACF)'s policy and procedures on processing reasonable accommodations for employees and applicants.¹ ACF developed procedures in compliance with the Equal Employment Opportunity Commission (EEOC)'s guidance, and the Department of Health and Human Services (HHS)' policy and procedures on reasonable accommodations.

This policy applies to all ACF employees, (except Commissioned Officers who must be fit for duty.) For those employees who are members of the bargaining unit, the terms of the collective bargaining agreement shall control.

II. ACF Policy on Reasonable Accommodations for Individuals with Disabilities

In compliance with the Rehabilitation Act of 1973, as amended, ACF is committed to providing reasonable accommodations to its employees and applicants for employment to ensure that individuals with disabilities enjoy equal access to all employment opportunities. Under the law, federal agencies must provide reasonable accommodation to qualified employees or applicants with disabilities, unless to do so would cause undue hardship.

ACF must provide reasonable accommodations:

1. When an applicant with a disability needs an accommodation in order to be considered for a job;
2. When an employee with a disability needs an accommodation to enable him or her to perform the essential functions of the job or to gain access to the workplace; and
3. When an employee with a disability needs an accommodation to enjoy equal benefits and privileges of employment.

ACF will process requests for reasonable accommodation, and where appropriate provide reasonable accommodations, in a prompt, fair and efficient manner. The need for a reasonable accommodation is determined on a case-by-case basis, taking into consideration the applicant's or employee's specific disability and existing limitations to the performance of a particular job function, the essential duties of a job, the work environment, and whether the proposed accommodation would create an undue hardship to the agency's operations.

In order to implement this policy, ACF has a centralized fund to pay for reasonable accommodations. The Office of Diversity Management and Equal Employment Opportunity (ODME) administers ACF's reasonable accommodation program. ODME's Reasonable Accommodations Coordinator (RAC) is responsible for proper coordination and handling of ACF reasonable accommodation requests agency-wide. Managers and supervisors may take

¹ This document will be also posted in ACF's external and internal sites.

steps beyond those described in this document to provide reasonable accommodations. While managers and supervisors are encouraged to take such steps:

- all requests for reasonable accommodation must be referred to the RAC to ensure proper handling and accountability; and
- only the medical expert staff authorized by ACF to conduct reviews and assessments will make any medical determinations required.

ACF will provide personal assistance services (PAS) to individual with certain disabilities recognized by the federal government as facing significant barriers to employment (referred to as targeted disabilities), whose lack of access to personal assistance in the workplace are above and beyond the barriers faced by people with the broader range of disabilities. Requests for personal assistance may only be denied if the difficulty or cost of providing the service would be an undue hardship.

III. Requests for Reasonable Accommodation

A request for reasonable accommodation (RA) is a statement that an individual needs an adjustment or change at work, in the application process, or in a benefit or privilege of employment for a reason related to a medical condition. (For examples of RA requests, please see Exhibit A.)

The reasonable accommodation process begins as soon as the request for accommodation is made.

A request does not need to be in writing and does not have to use any special words, such as "reasonable accommodation," "disability," or "Rehabilitation Act." An individual with a disability may request a reasonable accommodation whenever s/he chooses, even if s/he has not previously disclosed the existence of a disability.

- An **ACF employee** may submit a verbal or written request for reasonable accommodation to his/her immediate supervisor or another management official in the employee's chain of command. The employee may also directly contact the RAC to begin the process. Individuals may request accommodations in conversation or may use any other mode of communication. A manager or supervisor may choose to write a memorandum or letter confirming the individual's request. The RAC will ask the individual to fill out a Reasonable Accommodation (RA) Request form for accurate recordkeeping and tracking purposes. The agency, through the RAC, may also request reasonable documentation that the individual has a disability and needs reasonable accommodation. The date of the initial request to the manager/supervisor or directly to the RAC will be counted as the request date for processing and tracking purposes.
- A **job applicant** can request reasonable accommodation orally or in writing from the Human Resources Management (HR) Specialists, individual hiring managers, RAC, selective placement coordinators, or other HHS-ACF employees whom s/he has contact in connection with the application process.
- A **family member, health professional, or other representative** may request an accommodation on behalf of an ACF employee or applicant. The request should be submitted to the same agency official to whom employees or applicants for employment would submit their requests. The agency should confirm with the individual that they do

want a reasonable accommodation. If the employee is incapacitated or has, for example, been hospitalized due to an acute condition, ACF will process the third party's request and consult with the employee needing the accommodation as soon as it is practicable.

ACF employees and job applicants may consult the RAC at (202) 401-5500 for further information or assistance in connection with requesting or processing a request for reasonable accommodation. Contact information is also posted online at ACF Connect (intranet), and the ACF's external website at www.acf.hhs.gov.

IV. Written Requests for Record Keeping Purposes

To enable ACF to keep accurate records regarding requests for accommodation, employees seeking a reasonable accommodation should follow up an oral request either by completing the attached "Confirmation of Request for Reasonable Accommodation" form or otherwise confirming their request in writing (including by e-mail) to their immediate supervisor. If an individual with a disability requires assistance with this requirement, the RAC will provide that assistance.

While the written confirmation should be made as soon as possible following the request, it is not a requirement for the request itself. ACF will begin processing the request as soon as it is made, whether or not the confirmation has been provided.

Written confirmation is not required when an individual needs a reasonable accommodation on a recurring basis -- for example, assistance of a sign language interpreter or reader. The written form is required only for the first request. However, at least a 5-business day notice must be given each time the accommodation is needed.

V. Determining the Decision Maker

The person who has authority to decide whether to grant or deny the request for accommodation is referred to as the "decision maker." In most cases, the final decision maker is an employee's immediate supervisor. In requests for accommodations by applicants for employment, the decision maker is the appropriate agency official overseeing the specific personnel process. It is critical that the RAC is promptly informed of any reasonable accommodation request to ensure proper coordination and processing. The RAC is available, as needed, to assist individuals requesting accommodations and to decision makers in order to properly handle the requests.

Employees requiring personal assistance services will work with the RAC to ensure that an individual assessment of their needs is conducted by the agency. The process of determining whether providing personal assistance services is an undue hardship is the same as the process the agency uses to determine whether a reasonable accommodation poses an undue hardship. For this and other reasons (e.g., confidentiality, tracking timeliness of responses), requests for personal assistance will be centrally recorded in the Agency's system of records for reasonable accommodations. It is important to note that under Section 501 of The Rehabilitation Act of

1973, ACF is prohibited from taking adverse actions against job applicants or employees based on their need for personal assistance, either perceived or real.

VI. The Interactive Process

Communication between the individual requesting the accommodation and the supervisor, as well as with the RAC, is a priority throughout the process.

When a type of accommodation cannot be immediately determined, it is important for the individual and the decision maker to talk to each other about the request, including exploring together options or alternatives for meeting the employee's accommodation needs. While the decision maker has the primary responsibility for identifying possible accommodations, the employee requesting the accommodation should also participate, to the extent possible, in helping to identify an effective accommodation. Communication is a priority throughout the entire process. Resources available to help both the decision maker and the individual requesting the accommodation to identify possible accommodations are listed in Appendix A of this document.

When engaging in an interactive process, consideration should be given to:

- the essential functions and purpose of the employee's job;
- The functional limitations imposed by the employee's disability or medical condition;
- The factors in the work environment or job tasks that pose difficulties to the individual's performance of a particular job function;
- Possible accommodations that have the potential to remove the difficulties, either in the work environment or job tasks, and which would allow the individual to perform the essential functions of the job; and
- The effectiveness of possible accommodations and whether the various accommodations would pose an undue hardship on the agency.

On-going communication is particularly important where the specific limitation, problem, or barrier is unclear; where an effective accommodation is not obvious; or where the parties are considering different possible reasonable accommodations. In cases where the disability, the need for accommodation, and the type of accommodation that should be provided are clear, extensive discussions are not necessary. Even so, the decision maker and the requesting individual should communicate with each other to make sure that there is a full exchange of relevant information. The RAC is available to provide technical assistance to both ACF employees and supervisors throughout the process, particularly when the specific limitation, problem, or barrier is unclear, or where an effective accommodation is not obvious. As part of the interactive process, the supervisor may consult with the RAC, who may offer alternative suggestions for reasonable accommodation, and discuss their effectiveness in removing the workplace barrier that is impeding the individual with the disability. The agency may choose among effective accommodations, and is not required to provide the specific accommodation requested by the employee.

The decision maker, or any other ACF official receiving information in connection with a request for reasonable accommodation, may share information connected with that request with

another agency official only on a need-to-know basis in order to reach a final determination on the request for accommodation. For example, the Office of the Chief Information Officer (OCIO) may need to be consulted in connection with specific requests for adaptive equipment for computers. It is important to note, however, that OCIO has no need to know any information about the medical condition of the person seeking the accommodation. OCIO will only need to know the employee's functional limitations insofar as these limitations affect technology needs. As soon as the deciding official determines that a reasonable accommodation will be provided, the decision should be immediately communicated to the employee or applicant. If the accommodation cannot be provided immediately, the supervisor in collaboration with the RAC must inform the individual, in writing, of the projected time frame for providing the accommodation.

VII. Requests for Medical Information

ACF is entitled to know that an employee or applicant has a covered disability that requires a reasonable accommodation. In some cases, the disability and need for accommodation will be obvious or otherwise already known to the agency. In these cases, ACF will not seek any further medical information. However, when a disability and/or need for reasonable accommodation is not obvious or otherwise already known to the agency, the individual must provide reasonable documentation about the disability and his or her functional limitations.

The RAC will determine whether medical documentation is necessary.

- If necessary, the RAC may request relevant documentation about the disability, functional limitations and/or the need for accommodation. The request should be limited to the job-related functions for which the accommodation is requested and may only be used to substantiate that the individual has a disability covered by the Rehabilitation Act. Further, any such request will focus less on the disability and more on the requestor's need for accommodation.
- If not necessary, the request for medical documentation will be returned promptly to the supervisor with an explanation, in specific terms, as to why medical documentation is not necessary and instructions to complete the processing.

When requests for medical documentation are necessary, the information requested should be limited to information needed to substantiate the individual's disability and the need for the reasonable accommodation requested. ACF's requests for additional medical information will follow the requirements set forth in the Equal Employment Opportunity Commission (EEOC)'s *Enforcement Guidance on Disability-Related Inquiries and Medical Examinations on Employees under the Americans with Disability Act (ADA)*, available at www.eeoc.gov. Examples of requested information may include:

1. A short description of the disability;
2. How the disability or barriers limits or restricts the employee's ability to do the job or participate in ACF activities, or the applicants' ability to apply or interview for the job; and
3. How the requested accommodation is expected to improve the situation.

The RAC may seek information or documentation about the disability and/or functional limitations from the individual, and/or ask the individual to obtain such information from an

appropriate professional, such as a doctor, social worker, rehabilitation counselor or other appropriate practitioner. All requests for information from outside sources should include a description of the nature of the job, the essential functions the individual is expected to perform, and any other relevant information. The RAC will, as needed, work with the supervisor to identify and provide appropriate information on the employee's job and functions.

Supervisors should work directly with the RAC regarding medical documentation. In specific:

- If a supervisor believes that the condition for which the individual is seeking an accommodation is not obvious and that a request for medical documentation may be necessary, s/he will make a request to the RAC to obtain this information.
- If a supervisor is already aware of an employee's disability or medical condition, the RAC must still ensure that the employee's disability is substantiated with appropriate documentation using the procedures herein established.

If the information provided by the health care provider (or the information volunteered by the individual requesting the accommodation) is insufficient to enable the RAC to determine whether an accommodation is appropriate, ACF will provide an opportunity for documentation to be submitted. To that end:

- The RAC may request additional information by explaining to the individual seeking the accommodation, in specific terms, why the information provided is insufficient, what additional information is needed, and why it is necessary for a determination of the reasonable accommodation request.
- The individual requesting the accommodation may contact the health care provider or other appropriate professional to request the missing information.
- Alternatively, the individual requesting the accommodation and the RAC may agree on a list of specific questions to be sent to the individual's health care provider. With the agreement of the employee, the RAC may directly contact the individual's health care provider.
- ACF will suspend the processing of a case and will not be expected to adhere to its usual timelines if an individual's health professional fails to provide needed documentation in a timely manner.

Once the medical documentation is received, if needed, ACF will seek a professional medical evaluation by the Federal Occupation Health Service (FOH)'s Medical Employability Program. When such an evaluation is requested, it will be performed at the agency's expense. The FOH medical professionals will evaluate the information submitted by the requestor, which may include contacting the requestor's medical provider, in order to provide recommendations to the agency's RAC, within 30 days of FOH's receipt of the request. If the medical documentation provided is insufficient to determine whether an accommodation is appropriate, FOH will inform the RAC, who will ask the requestor to submit further information for FOH's review. The RAC will explain to the individual seeking the accommodation in specific terms, why the information received is insufficient, what additional information is needed, and why it is necessary for a determination of the reasonable accommodation request. If after a reasonable period of time the individual's health care professional has not provided sufficient information to demonstrate that the individual has a disability and requires reasonable accommodation, the RAC may request that

the individual be examined by a physician chosen by the agency's medical reviewing authority at the agency's expense. (EEOC Policy Guidance on Executive Order 13164: Establishing Procedures to Facilitate the Provision of Reasonable Accommodation, Section II, D, 17-19).

The RAC will let the supervisor know whether the documentation demonstrates that a reasonable accommodation is appropriate and will provide, as necessary, additional relevant information about the individual's functional limitations. Medical documentation will not be shared with the requester's supervisor, other management officials, or co-workers. Work products and communications created during the review of medical documentation, including but not limited to findings submitted by FOH, are confidentially maintained by the RAC and will not be shared with the requestor, requester's supervisor, other management officials, co-workers, or third parties (except as required under this policy).

It is important to note that the failure of an employee or job applicant to provide appropriate documentation or to cooperate with ACF's efforts to obtain such documentation can result in a denial of the request for reasonable accommodation.

The decision maker or any other ACF official receiving information in connection with a request for reasonable accommodation may share information connected with that request with another agency official only when the agency official has the need to know in order to reach a final determination on the request for accommodation. Supervisors should notify the RAC to obtain guidance, as necessary, to ensure that the proper procedures are followed.

VIII. Confidentiality Requirements Regarding Medical Information Obtained in the Reasonable Accommodation Process

Under the Rehabilitation Act, medical information obtained in connection with the reasonable accommodation process must be kept confidential. This means that all medical information, including information about functional limitations and reasonable accommodation needs, that ACF obtains in connection with a request for reasonable accommodation must be kept in files separate from the individual's personnel file. It also means that any ACF employee who obtains or receives such information is strictly bound by these confidentiality requirements.

The RAC will maintain custody of all records obtained or created during the processing of a request for reasonable accommodation, including medical records, and will respond to all requests for disclosure of the records. All records will be maintained in accordance with the Privacy Act and the requirements of 29 C.F.R. Part 1611; EEOC Order 150.003, General Records Schedule, and HHS and ACF records management policy.

This information may be disclosed only as follows:

- Supervisors and managers who need to know may be told about necessary restrictions on the work or duties of the employee and about the necessary accommodation(s), but medical information should only be disclosed if strictly necessary.
- First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment;
- Government officials may be given information necessary to investigate the agency's compliance with the Rehabilitation Act; and

- The information may in certain circumstances be disclosed to workers' compensation offices or insurance carriers.

Whenever medical information is disclosed, the individual disclosing the information must inform the recipients of the information about the confidentiality requirements that attach to it. The decision maker or any other ACF official receiving information in connection with a request for reasonable accommodation may share information connected with that request with another agency official only when the agency official has the need to know in order to reach a final determination on the request for accommodation. For example, OCIO may need to be consulted in connection with requests for adaptive equipment for computers. It is important to note, however, that OCIO has no need to know any information about the medical condition of the person seeking the accommodation. OCIO will only need to know the employee's functional limitations insofar as these limitations affect technology needs.

IX. Time Frames for Processing Requests and Providing Reasonable Accommodation

ACF will process requests for reasonable accommodation and provide accommodations, where they are appropriate, in as short time frame as reasonably possible. ACF 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. **It is important to note that some accommodations can be provided in less time than the timelines outlined below, and failure to respond promptly to a request may result in violation of the Rehabilitation Act.**

If a request for an accommodation can be processed by the requesting employee's supervisor and does not require supporting medical information, and no extenuating circumstances apply:

- The request shall be processed in no more than 15 business days from the date the individual makes the request and provides all necessary documentation;
- The accommodation, if approved, will be provided as soon as possible but not later than 30 business days from the date the request was approved, (45 days from the date of the request).

If medical information is required:

- The RAC shall request that the employee contact his/her health care provider to obtain medical documentation in support of his/her request;
- Time frames are suspended until the requested medical documentation is submitted;
- The request will resume and be processed in accordance with aforementioned timeframes when the medical documentation is submitted;
- Where necessary, as determined by the RAC, supporting medical documentation will be reviewed by Federal Occupational Health (FOH), and FOH will render a recommendation.
- During the review process, the employee may be afforded an interim accommodation, where possible.

- **Expedited processing:** In certain circumstances, a request for reasonable accommodation requires an expedited review and decision in a timeframe that is shorter than 15 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, taking tests, and making hiring decisions. The appropriate Human Resources Specialist or Hiring Official will act as quickly as possible to notify the RAC, who will make a decision and, if appropriate, provide a RA.
 - 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.

- **Extenuating Circumstances:** Under limited situation, there are unforeseen or unavoidable factors beyond the control of ACF personnel that could not reasonably have been anticipated or avoided, which prevent processing of and/or delivering an accommodation within the established time frames. The following are some examples of extenuating circumstances:
 - There is an outstanding initial or follow-up request for medical information, or the designated official is evaluating medical information that has been provided.
 - A medical examination or additional medical documentation has been requested.
 - Purchase of equipment may take longer than thirty business days because of requirements under the Federal Acquisition Regulation.
 - Equipment must be back-ordered; the vendor typically used for goods or services has gone out of business or cannot promptly supply the needed goods or services and another vendor is not immediately available.
 - Architectural barriers must be removed.
 - Items must be ordered from non-local sources.

When extenuating circumstances are present, the time for processing a request for reasonable accommodation and providing the accommodation will be extended as reasonably necessary. However, the employee may be afforded an interim accommodation where possible. Where extenuating circumstances are present, the decision maker must notify the individual, in writing, of the reason for the delay, and the approximate date on which a decision, or provision of the reasonable accommodation, is expected. Any further developments or changes should also be communicated promptly in writing to the individual.

It is ACF's policy that extensions based on extenuating circumstances should be limited to situations where they are strictly necessary. All ACF staff is expected to act as quickly as reasonably possible in processing requests and providing accommodations. ACF may not delay processing or providing an accommodation because a particular staff member is unavailable. Failure to meet this time frame solely because of staff delays in processing the request is not an extenuating circumstance.

If the employee needs to try various accommodations to find one that is suitable, the time frame for providing the accommodation will be expanded by mutual consent between the employee and deciding official. **ACF staff will act quickly in processing requests and providing accommodations because failure to respond promptly to a request for accommodation may result in a violation of the Rehabilitation Act.**

- **Interim Accommodation:** If all the facts and circumstances known to the agency make it reasonably likely that the individual will be entitled to an accommodation, but the accommodation cannot be provided immediately, ACF will provide an interim accommodation that allows the individual to perform some or all of the essential functions of the job, absent undue hardship. If there is a delay in providing an accommodation which has been approved, the decision maker must investigate whether temporary measures or provisional accommodations can be taken to assist the employee. This could include providing the requested accommodation, or a temporary, alternate accommodation. The decision maker may provide temporary measures of the law if: (1) they do not interfere with the operations of the Agency; and (2) the employee is clearly informed that they are being provided only on a temporary, interim basis. Deciding officials who approve temporary measures are responsible for assuring that they do not take the place of permanent accommodations and that all necessary steps to secure permanent accommodations are being taken.

X. Reassignments

Reassignment is a form of reasonable accommodation that may be provided, absent undue hardship, to an employee who, because of a disability, can no longer perform the essential functions of the position, with or without RA. Reassignment may only be considered if there is no other effective accommodation that would enable the employee to perform the essential functions of the current job, or if all other possible accommodations would pose an undue hardship on the organization. Accordingly, it is considered to be the “accommodation of last resort.”

Reassignment is only available to employees, not applicants. Reassignment is available only to a probationary employee if the employee adequately performed the essential elements of the position, with or without RA before the need for the accommodation arose. Neither HHS nor ACF is required to create new positions or move employees from their jobs to create a vacancy. The RAC will evaluate the request and, if it meets the aforementioned criteria, will help to facilitate the reassignment process.

In considering whether there are positions available for reassignment, the RAC will work with OWPD and/or Agency leadership as well as the employee requesting the accommodation to identify: (1) all vacant positions within ACF for which the employee may be qualified with or without the accommodation; and (2) all current vacancies identified, or projected vacancies (over the next 60 calendar days). If no vacancies can be identified in ACF, the search will move to the Department (through the use of USAJobs.gov or the HHS HR System of records).

The vacancy search will focus on positions for which the employee may be qualified, focusing first on positions which are in the commuting areas and are equivalent to the employee's current job in terms of pay, status, and other relevant factors. If there is no vacant equivalent position, vacant lower level positions for which the individual is qualified may be considered.

Reassignment may be made to a vacant position outside of the employee's commuting area if the employee is willing to relocate. As with other transfers not required by management, ACF will

not pay for the employee's relocation costs. In addition, as part of the interactive process and if reassignment is contemplated, the individual should be asked to identify qualifications, interests, and willingness to accept a reassignment outside the local commuting area and to accept a downgrade if no vacant positions are identified at the same grade.

XI. Issuing a Reasonable Accommodation Decision

As soon as the decision maker determines that a reasonable accommodation will be provided, that decision should be immediately communicated to the individual. If the accommodation cannot be provided immediately, the decision maker must inform the individual of the projected time frame for providing the accommodation. These notices are provided in writing.

At a minimum, the decision will contain the following elements:

1. A clear statement of the agency's decision (i.e., approving or denying the employee's request for RA).
2. If the request for accommodation is approved:
 - a. A statement describing the approved accommodation(s);
 - b. The responsibilities and expectations of all parties; and
 - c. The need for periodic evaluations/reassessment. Reasons for such an evaluation include:
 - i. The accommodated employee's functional limitations might increase or decrease, thus requiring periodic reviews and adjustments to the approved accommodation(s). For example, some disabilities are degenerative in nature and may require additional accommodation(s).
 - ii. Conversely, a disability may improve to the point that an approved accommodation can be discontinued or removed.
 - iii. The employee's work station or work environment may change, resulting in the need for adjustment to the approved accommodation(s).
 - iv. The employee's position may change leading to the need to reassess the existing accommodation(s) and the nexus with the employee's new essential functions.
 - v. The approved accommodation creates an unforeseen barrier for the employee or otherwise hinders the employee's performance, resulting in the need for adjustment to the approved accommodation(s).
2. If alternative accommodation(s) to those requested by the employee are selected:
 - a. The reasons for the denial of the requested accommodation; and
 - b. The reason(s) that the decision maker believes that the alternative accommodation(s) will be effective.
3. If the request is denied, the specific reasons for the denial (i.e., *why* the accommodation would not be effective or *why* it would result in undue hardship).
 - a. A statement informing the individual that s/he has the right to file an EEO complaint and may have rights to pursue Merit Systems Protection Board (MSPB) and union grievance procedures. The statement shall also explain the HHS procedures for appeal of a denial of RA available for informal dispute resolution.

XII. Denial of Reasonable Accommodation Request

As soon as the decision maker determines that a request for reasonable accommodation will be denied, s/he must notify the requestor in writing. (The decision maker must consult with the RAC before moving ahead with the decision to deny a request.) The explanation for the denial should be written in plain language, clearly stating the specific reasons for the denial. Where the decision maker has denied a specific requested accommodation, but offered to make a different one in its place which was not agreed to during the interactive process, the denial notice should explain both the reasons for the denial of the requested accommodation and the reasons that the decision maker believes that the chosen accommodation will be effective. Reasons for the denial of a request for reasonable accommodation may include the following:

- The requested accommodation would not be effective.
- Providing the requested accommodation would result in **undue hardship**. Before reaching this determination, the decision maker must consult with the RAC to explore whether other effective accommodations exist which would not impose undue hardship and therefore can be provided. A determination of undue hardship means that the ACF finds that a specific accommodation would result in significant difficulty or expense, or would fundamentally alter the nature of ACF's operations. When evaluating budgetary or administrative concerns to determine if undue hardship exists, ACF will follow the standards enunciated in the "[Enforcement Guidance: Reasonable Accommodation and Undue Hardship Under the Americans With Disabilities Act](#)", and other EEOC guidance. A denial based on cost must consider all resources available of the agency as a whole, excluding those designated by statute for a specific purpose that does not include reasonable accommodation.
- Medical documentation is inadequate to establish that the individual has a disability and/or needs a reasonable accommodation.
- The requested accommodation would require the removal of an essential function.
- The requested accommodation would require the lowering of a performance or production standard.

The written notice of denial also informs the individual that s/he has the right to file an EEO complaint and may have rights to pursue other administrative avenues of redress. The notice also explains ACF's procedures available for informal dispute resolution.

XIII. Reconsideration Process for Reasonable Accommodation

Individuals with disabilities can request prompt reconsideration of an RA decision.

- A request for reconsideration must be submitted to a second-line management official in the requesting employee's chain of command within ten (10) business days from the date of receipt of the **Reasonable Accommodation Decision**. This management official will have ten (10) business days to respond to the request. A failure to respond to the request for reconsideration will be interpreted as a denial.
- If the second-line management official denies the request for reconsideration, (i.e., does not reverse the original decision), the individual will have ten (10) business days to present a reconsideration request to the next level supervisor in his/her chain of command, who will

respond to the request within ten (10) business days. A failure to respond to the reconsideration request will be interpreted as a denial.

- The third-line management official is the requesting employee's last option for reconsideration. The individual will have ten (10) business days to submit the reconsideration request, and the third-line supervisor will respond within ten (10) business days. A failure to respond to the request for reconsideration will be interpreted as a denial. This management official's response is the final decision. After issuance of this decision, the reconsideration process will be deemed completed.

At any point in this process, the individual may initiate an ADR process.

Pursuing the reconsideration process described above, does not affect the time limits for initiating statutory and/or collective bargaining claims. An individual's participation in any or all of these informal dispute resolution processes does not preclude his/her right to bring a claim under EEO, Merit Systems Protection Board (MSPB), or union grievance procedures, nor does it toll the filing deadlines for EEO, MSPB or union grievances.

XIV. Relation of Procedures to Statutory and Collective Bargaining Claims

This policy is in addition to statutory and collective bargaining protections for persons with disabilities and the remedies they provide for the denial of requests for reasonable accommodation. The requirements governing the initiation of statutory and collective bargaining claims, including time frames for filing such claims remain unchanged.

An individual who chooses to pursue statutory or collective bargaining remedies for denial of reasonable accommodation must:

- For an EEO complaint, contact an EEO counselor at ODME within 45 days from the date of receipt of the written notice of denial.
- For a collective bargaining claim, file a written grievance in accordance with the provisions of the Collective Bargaining Agreement; or
- Initiate an appeal to the Merit Systems Protection Board within 30 days of an appealable adverse action as defined in 5 C.F.R. 1201.3.

If a member of the ODME staff has had any involvement in the processing of the request for reasonable accommodation, that staff member shall recuse him or herself from any involvement in the processing of an EEO counseling contact or complaint in connection with that request.

XV. Information Tracking and Reporting

ACF confidentially maintains a system of records related to each individual who has requested RA for the duration of that individual's employment or 5 years (whichever is longer) in accordance with applicable law and regulation. This information is used to ensure that approved accommodations are appropriately documented and implemented. This system of records also ensures that ACF is able to anticipate and limit impediments that may cause unnecessary delay in providing or modifying a RA requested by an employee.

The record for each request for reasonable accommodation will include, at least, the following:

1. The specific reasonable accommodation requested, if any;
2. The job (occupational series, grade level, and agency component) sought by the requesting applicant or held by the requesting employee;
3. 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;
4. Whether the request was granted (which may include an accommodation different from the one requested) or denied;
5. The identity of the deciding official;
6. If denied, the basis for such denial; and
7. The number of days taken to process the request.

The decision maker will provide written notification to the RAC within ten (10) business days of the decision. The decision maker should attach any documentation received in connection with the request. The RAC will prepare annually a report to be made available to all employees.

Pursuant to EEOC guidance, the following information is collected and maintained in ACF's system of records to track ACF's performance with regard to RA and to elaborate the agency's annual report:

- The number of reasonable accommodations, by type, that have been requested in the application process and whether those requests have been granted or denied;
- The jobs (occupational series, grade level, and agency component) for which reasonable accommodations have been requested;
- The types of reasonable accommodations that have been requested for each of those jobs;
- The number of reasonable accommodations, by type, for each job that have been approved, and the number of accommodations, by type, that have been denied;
- The number of requests for reasonable accommodations, by type, that relate to the benefits or privileges of employment, and whether those requests have been granted or denied;
- The reasons for denial of requests for reasonable accommodation;
- The amount of time taken to process each request for reasonable accommodation; and
- The sources of technical assistance that have been consulted in trying to identify possible reasonable accommodations.

The agency's annual RA report will also provide a qualitative assessment of ACF's reasonable accommodation program, including any recommendations for improvement of ACF's reasonable accommodation policies and procedures.

ACF will follow information tracking standards stated in the [EEOC Policy Guidance on Executive Order 13164: Establishing Procedures to Facilitate the Provision of Reasonable Accommodation](#) or any superseding subsequent guidance.

XVI. Personal Assistance Services (PAS)

In accordance with Section 501 of the Rehabilitation Act of 1973, as amended, the Administration for Children and Families (ACF) will provide personal assistance services (PAS) during work hours and job-related travel if:

- (A) The employee requires such services because of a targeted disability;
- (B) Provision of such services would, together with any reasonable accommodations required, enable the employee to perform the essential functions of his or her position; and
- (C) Provision of such services would not impose undue hardship on the agency.

Targeted Disability: A subset of the larger disability category including, but not limited to:

- Developmental disabilities, such as cerebral palsy and autism spectrum disorder;
- Traumatic brain injuries;
- Deafness or serious difficulty learning, benefitting from, for example, American Sign Language;
- Blindness or serious difficulty seeing even when wearing glasses;
- Missing extremities (arm, leg, hand, and/or foot);
- Significant mobility impairment, benefitting from the use of a wheelchair, scooter, walker, leg brace(s), and/or other supports;
- Partial or complete paralysis (any cause);
- Epilepsy and other seizure disorders;
- Intellectual disabilities;
- Significant psychiatric disorders, for example, bipolar disorder, schizophrenia, PTSD, or major depression;
- Dwarfism;
- And significant disfigurement, for example, disfigurement caused by burns, wounds, accidents, or congenital disorders.

Personal Assistance Services (PAS): Are defined as “assistance with performing activities of daily living that an individual would typically perform if he/she did not have a disability, and that is not otherwise required as a reasonable accommodation; examples include, assistance with removing and putting on clothing, eating, using the restroom, and pushing a wheelchair or assistance with getting into or out of a vehicle at the worksite.” The individual will be able to perform the essential functions of the job, without posing a direct threat to safety, once PAS and any other required reasonable accommodations are provided. ACF is required to provide PAS only when an employee is working or is on work-related travel.

PAS does not include performing medical procedures or medical monitoring. PAS do not help individuals with disability perform their specific job functions, (eg., reviewing documents, answering calls, etc.). It also differs from services to assist an individual to perform job-related tasks, (eg, sign language interpreter). Employees or job applicants needing medically-based reasonable accommodations to assist them in the workplace, or to apply for employment, may request reasonable accommodation through ACF’s RA procedures. The agency is not required to provide PAS to help employees commute to work.

Requesting PAS: Employees requesting PAS will work with the Reasonable Accommodation Coordinator (RAC) so that the Agency can conduct an individual assessment of the employee's needs. The process for requesting personal assistance services and determining whether such services are required, the agency's right to deny such requests when provision of the services would pose an undue hardship, ; and the reconsideration process for denials of PAS requests are the same as for reasonable accommodations. Requests for PAS will be centrally recorded in the agency's system of records for RA.

The agency may deny a request for PAS if:

- The requester is not an ACF employee;
- The requester does not have a targeted disability;
- The targeted disability does not created a need for PAS;
- The requester is not able to perform the essential functions of the job, even with PAS and any reasonable accommodations; and
- Providing PAS would impose undue hardship on ACF.

Delivery of PAS: The personal assistance services may be provided by an existing employee who already performs similar services as part of his/her regular job, or hire federal employees, independent contractor(s), or a combination of employees and contractors to perform PAS. Due to the nature of the services provided, the Reasonable Accommodation Coordinator (RAC) will work with employees needing PAS to ensure that primary consideration is given to the employee's preferences for assigned PAS providers. A service provider may provide PAS to one or more individual. An employee who already uses PAS provider in their personal non-work environment may request permission to bring his/her own PAS provider to work as a reasonable accommodation, if the employee does not request that the agency assume the cost of providing said services.

No adverse action against an employee will be taken based on his/her need for PAS, either perceived or real.

XVII. Inquiries

Questions or inquiries regarding these procedures should be directed to the RAC at (202) 401-5500.

XVIII. Distribution

These procedures shall be distributed to all employees upon issuance, and posted on the ACF websites (ACF Connect for internal users and the ACF main website for the general public). Copies also will be available in ODME. In addition, a copy of these Procedures will be provided to the Human Resources staff that provides services to ACF. These Procedures will be provided in alternative formats, when requested.

Appendix A: Glossary

Person with a Disability

A person who: (1) has a physical and/or mental impairment that substantially limits one or more major life activities or major bodily functions; (2) has a record of such impairment; (3) or is regarded as having such impairment.

- A **“physical and/or mental impairment”** includes any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body system: neurological; musculoskeletal; special sense organs; respiratory, (including speech organs); cardiovascular; reproductive; digestive; genitourinary; immune, circulatory, hemic, lymphatic, skin and endocrine. They also cover a mental or psychological disorder, such as intellectual disability; organic brain syndrome; emotional or mental illness; and specific learning disabilities.
- **“Major life activities”** are basic activities that an average person in the general population can perform with little or no difficulty. Examples include but are not limited to: walking; speaking; breathing; performing manual tasks; seeing; hearing; learning; caring for oneself, sitting, standing, lifting, reaching, bending, reading, thinking, interacting with other people, communicating, concentrating, eating, sleeping, reproduction, or working.
- **“Major bodily functions”** include but are not limited to: functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, or reproductive functions.
- A **“record of impairment”** means that an individual has a history of, or has been classified as having, a mental or physical impairment that substantially limits one or more major life activities.
- **“Is regarded as having impairment”** means that individuals (e.g., supervisors, managers and/or other employees) believe that the individual has a disability, whether the individual actually has a disability or not.

It is important to note that a person who currently uses illegal drugs is not covered by these procedures as an “individual with a disability.” However, a former drug user who is receiving treatment for a drug addiction or has been rehabilitated successfully is covered. Additionally, Commissioned Corps Officers of the United States Public Health Services are not covered by this policy as they have a requirement to be fit for duty.

Qualified

In respect to an individual with a disability, “qualified” means that the individual satisfies the requisite skill, experience, education and other job-related requirements of the employment position such individual holds or desires and, with or without reasonable accommodation, can perform the essential functions of such position.

Employee

An individual who is employed by the agency who, with or without reasonable accommodations can perform the essential functions of the position that s/he holds, regardless of the type of appointment mechanism. Whether an employee is also a “person with a disability” for purposes of reasonable accommodation will be decided on a case-by-case basis.

Reasonable Accommodation

A request for reasonable accommodation is a statement that an individual needs an adjustment or change at work, or during the job application process, for a reason related to a medical condition so that the individual may enjoy the same benefits and privileges of employment as are available to a similarly situated individuals without a disability. If requested or identified, reasonable accommodations are addressed in three aspects of employment:

1. In the job application process: A reasonable accommodation is provided in the job application process to provide a qualified job applicant with a disability an equal opportunity to be considered for the position being sought.
2. In the performance of the essential functions of a job: a reasonable accommodation is provided to enable a qualified employee with a disability to perform the essential duties of the job currently held. This may include modification or adjustments to the work environment and to the way duties are customarily performed.
3. In receipt of all benefits of employment: A reasonable accommodation is provided to enable an employee with a disability to enjoy benefits and privileges of employment equal to those enjoyed by other similarly situated employees without disabilities. This would include equal access to buildings, conferences and meetings that are agency-sponsored services and events.

It is important to note that reasonable accommodation is not the creation of a new position or the intentional altering of the position of record beyond its grade controlling factors.

Medical Documentation

The employer may require only the documentation that is needed to establish that a person has a disability that necessitates a reasonable accommodation. Thus, an employer, in response to a request for reasonable accommodation, cannot ask for documentation that is unrelated to determining the existence of a disability and the necessity for an accommodation. In addition, all medical documentation will be treated confidentially and the Employer will observe all requirements of the Privacy Act and other appropriate legal authorities. Medical documentation will be maintained in accordance with applicable provisions of *5 CFR, Section 293 and 5 CFR 297*.

Decision Maker

For the purpose of this policy, the decision maker is that person (supervisor or manager) who has responsibility and authority to make certain determinations and decisions relative to an employee's request for reasonable accommodation. The decision maker is the individual who initiates the interactive process in a timely fashion to find an accommodation that balances the needs of both the employee and agency.

Depending on the type of request, either the PMAP Rating Official or the Reasonable Accommodations Specialist/Coordinator is the decision maker. In ACF employment application process, the decision maker is the Agency's Human Resources Director, or his/her designee (as on a vacancy announcement for example). To request specific information on a case by case basis, please refer to the ACF RA points of contact in Exhibit A.

Interactive Process

The process used to determine what, if any, accommodation will be provided after an individual has been determined to be an “individual with a disability.” This means that the individual requesting the accommodation, the decision maker (and in most cases the Accessibility Specialist) must communicate with each other about the request. This can include, but is not limited to:

- the precise nature of the disability or medical condition that is generating the request;
- how the individual’s functional limitations impact the ability to perform the essential functions of the position; and
- alternative accommodations that may be effective in meeting an individual’s needs.

Essential Functions

Those job duties that are so fundamental to the position that the individual holds or desires that s/he cannot do the job without performing them. A function can be “essential” if, among other things: the position exists specifically to perform that function; there are a limited number of other employees who could perform the function; or the function is specialized and the individual is hired based on his/her ability to perform it. Determination of the essential functions of a position must be done on a case-by-case basis so that it reflects the job as actually performed, and not simply the components of a generic position description.

Undue Hardship

If a specific type of reasonable accommodation causes significant difficulty or expense, then the agency does not have to provide that particular accommodation. Determination of undue hardship is always made on a case-by-case basis, considering factors that include the nature and cost of the reasonable accommodation needed and the impact of the reasonable accommodation on the operations of the agency. All resources available to the agency as a whole, excluding those designated by statute for a specific purpose that does not include reasonable accommodation, are considered when determining whether a denial of reasonable accommodation based on cost is lawful.

Reassignment

Is a form of reasonable accommodation that, absent undue hardship, is provided to employees (not applicants) who, because of a disability, can no longer perform the essential functions of their job, with or without reasonable accommodation.

Direct Threat

A significant risk of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced by reasonable accommodation. The determination that an individual poses a “direct threat” shall be based on an individualized assessment of the individual's present ability to safely perform the essential functions of the job. This assessment shall be based on a reasonable medical judgment that relies on the most current medical knowledge and/or on the best available objective evidence.

In determining whether an individual would pose a direct threat, the factors to be considered include:

1. The duration of the risk;
2. The nature and severity of the potential harm;
3. The likelihood that the potential harm will occur; and
4. The imminence of the potential harm.

Personal Assistance Services

Are defined as “assistance with performing activities of daily living that an individual would typically perform if he/she did not have a disability, and that is not otherwise required as a reasonable accommodation; examples include, assistance with removing and putting on clothing, eating, using the restroom, and pushing a wheelchair or assistance with getting into or out of a vehicle at the worksite.” The individual will be able to perform the essential functions of the job, without posing a direct threat to safety, once PAS and any other required reasonable accommodations are provided.

PAS does not include performing medical procedures or medical monitoring. PAS do not help individuals with disability perform their specific job functions, (e.g., reviewing documents, answering calls, etc.). It also differs from services to assist an individual to perform job-related tasks, (e.g., sign language interpreter). Employees or job applicants needed medically-based reasonable accommodations to assist them in the workplace, or to apply for employment, may request reasonable accommodation through ACF’s RA procedures.

Appendix B: Selected Reasonable Accommodations Resources

[Self-Identification of Disability Form \(Including Targeted Disabilities\)](#)

[ACF 508 Contact](#)

Section 508 accessibility enables equal access, digitally. Accessibility is meant to help those with various disabilities: visual, auditory, mobility and dexterity, and cognitive or language difficulties.

ACF fully embraces the scope and intent of Section 508 and is actively committed to ensuring that our customers and employees, with and without disabilities, benefit from the use of accessible electronic and information technology.

[U.S. Equal Employment Opportunity Commission](#)

1-800-669-3362 (Voice) 1-800-800-3302 (TT)

The EEOC's Publication Center has many free documents on the Title I employment provisions of the ADA, including both the statute, 42 U.S.C. § 12101 et seq., and the regulations, 29 C.F.R. § 1630. In addition, the EEOC has published a great deal of basic information about reasonable accommodation and undue hardship. The three main sources of interpretive information are: (1) the Interpretive Guidance accompanying the Title I regulations (also known as the "Appendix" to the regulations), 29 C.F.R. pt. 1630 app. §§ 1630.2(o), (p), 1630.9; (2) [Enforcement Guidance on Reasonable Accommodation and Undue Hardship Under the Americans with Disabilities Act](#), 8 FEP Manual 405:7601 (1999); and (3) *A Technical Assistance Manual on the Employment Provisions (Title I) of the Americans with Disabilities Act*, 8 FEP Manual (BNA) 405:6981, 6998-7018 (1992) (*Technical Assistance Manual*). The *Technical Assistance Manual* includes a 200-page Resource Directory, including federal and state agencies, and disability organizations that can provide assistance in identifying and locating reasonable accommodations.

The EEOC also has discussed issues involving reasonable accommodation in the following guidance and documents: (1) [Enforcement Guidance: Pre-employment Disability-Related Questions and Medical Examinations](#) at 5, 6-8, 20, 21-22, 8 FEP Manual (BNA) 405:7191, 7192-94, 7201 (1995); (2) [Enforcement Guidance: Workers' Compensation and the ADA](#) at 15-20, 8 FEP Manual (BNA) 405:7391, 7398-7401 (1996); (3) [Enforcement Guidance: The Americans with Disabilities Act and Psychiatric Disabilities](#) at 19-28, 8 FEP Manual (BNA) 405:7461, 7470-76 (1997); (4) [Fact Sheet on the Family and Medical Leave Act, the Americans with Disabilities Act, and Title VII of the Civil Rights Act of 1964](#) at 6-9, 8 FEP Manual (BNA) 405:7371, 7374-76 (1996); and (5) [Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees Under the Americans with Disabilities Act](#) at 20, 22, 23, 24-5, 8 FEP Manual (BNA) 405:7701, 7711, 7712-14, 7715-16 (2000).

Finally, the EEOC has a poster that employers and labor unions may use to fulfill the ADA's posting requirement.

All of the above-listed documents, with the exception of the *Technical Assistance Manual* and the poster, are also available through the Internet at www.eeoc.gov. All of these documents

provide guidance that applies to federal agencies through the Rehabilitation Act of 1973, 29 U.S.C. § 791.

Job Accommodation Network (JAN)

1-800-232-9675 (Voice/TT)

A service of the President's Committee on Employment of People With Disabilities. JAN can provide information, free-of-charge, about many types of reasonable accommodations. ADA Disability and Business Technical Assistance Centers (DBTACs) 1-800-949-4232 (Voice/TT). The DBTACs consist of 10 federally funded regional centers that provide information, training, and technical assistance on the ADA. Each center works with local business, disability, governmental, rehabilitation, and other professional networks to provide current ADA information and assistance, and places special emphasis on meeting the needs of small businesses. The DBTACs can make referrals to local sources of expertise in reasonable accommodations.

Registry of Interpreters for the Deaf

(301) 608-0050 (Voice/TT)

The Registry offers information on locating and using interpreters and transliteration services.

RESNA Technical Assistance Project

(703) 524-6686 (Voice) (703) 524-6639 (TT)

RESNA, the Rehabilitation Engineering and Assistive Technology Society of North America, can refer individuals to projects in all 50 states and the six territories offering technical assistance on technology-related services for individuals with disabilities. Services may include:

- Information and referral centers to help determine what devices may assist a person with a disability (including access to large data bases containing information on thousands of commercially available assistive technology products),
- Centers where individuals can try out devices and equipment,
- Assistance in obtaining funding for and repairing devices, and
- Equipment exchange and recycling programs.

USDA TARGET Center

1400 Independence Avenue Room 1006-S Washington, DC 20250-9876 (202) 720-2600 (Voice/TTY)

(202) 720-2681 (Fax)

The Target Center has a wide variety of assistive devices available for Federal employees to examine and test.

Computer/Electronic Accommodations Program (CAP)

(703) 681-8813 (Voice) (703) 681-0881 (TTY)

The Department of Defense (DoD) established CAP in 1990 to eliminate employment barriers for its employees with disabilities. The mission of CAP is to provide real solutions for real needs to ensure that people with disabilities have equal access to the information, environment, and

opportunities in the Federal Government. HHS entered into an agreement with CAP to provide free computer/electronic equipment to employees with disabilities.

National Captioning Institute

1900 Gallows Road, Suite 3000 Vienna, VA 22182 (703) 917-7600

Federal law requires that all videos include captions, preferably open captions. The National Captioning Institute can add captions to videos.

Appendix C: ACF Reasonable Accommodation Forms

Employees are not required to use the forms mentioned in the ACF Reasonable Accommodation Procedure, and listed below. If an employee elects to complete one of these forms but finds that an alternative format is needed, s/he should contact the ACF Reasonable Accommodation Coordinator. Job applicants requiring reasonable accommodation for any part of the application process should follow the instructions in the job opportunity announcement.

(HHS FORM 557) CONFIRMATION OF REQUESTS FOR REASONABLE ACCOMMODATION

Appendix D: ACF Reasonable Accommodation Points of Contact

Laura M. Irizarry, Acting Director

Office of Diversity Management and Equal Employment Opportunity (ODME)

330 C Street, SW, Washington, DC 20201

Office: (202) 401-5967

Email: laura.irizarry@acf.hhs.gov

Wanda Turner, Reasonable Accommodation Coordinator

Office of Diversity Management and Equal Employment Opportunity (ODME)

330 C Street, SW, Washington, DC 20201

Office: 202-401-5500

Email: wanda.turner@acf.hhs.gov

Darlene D. Marcoe, Executive Assistant

Office of Diversity Management and Equal Employment Opportunity (ODME)

330 C Street, SW, Washington, DC 20201

Office: 202-205-1592

Email: darlene.marcoe@acf.hhs.gov

Note: For matters related to reasonable accommodations, job applicants should follow the instructions in the job opportunity announcement. For any part of the remaining hiring process, applicants should contact the ACF Reasonable Accommodation Coordinator.

Appendix E: Examples of Reasonable Accommodations

The types of actions that can be taken in connection with RA can best be determined on a case-by-case basis, taking into consideration the employee, his/her specific disability and the resulting limitations, the essential duties of the particular job, the work environment, and the feasibility of the proposed accommodation. RA may include, but is not limited to, the following:

1. Modification of the Worksite

Facilities should be made readily accessible. Modifications may include, but are not limited to: arranging files or shelves for accessibility; raising or lowering equipment and work surfaces to provide comfortable working heights; installing special holding devices on seats, desks, or machines; using Braille labels or other tactile cues for identification purposes; and installing special equipment such as telephone amplifiers.

2. Assistive Devices

ACF is authorized to purchase equipment or assistive devices if they are necessary to fulfill the official business of the agency. Equipment or assistive devices may not be provided if they are of a personal nature such as eyeglasses or hearing aids. In determining whether the purchase of equipment and assistive devices should be authorized, consideration should be given as to whether the device will enable the person with a disability to perform tasks s/he would otherwise be unable to carry out, and whether the major benefit would be an increase in the quantity, quality, or efficiency of the employee's work.

3. Captioning

The process of converting the audio portion of a video production or live event into text which is displayed on a television or film screen or computer monitor. The captions are typically white upper-case against a black background and, when pre-recorded, displayed live as the show is broadcast. They may also be permanently visible (open-caption) or viewable only through a decoder (closed-caption) attached to or built into the television.

4. Computer-Aided Real-time Translation (CART)

A form of captioning which provides a word-for-word transcription of what is being said. It may be read on a laptop computer or projected onto a television screen or, for a large audience, onto a full-size screen.

5. Flexible Leave Policies

ACF has authority to adopt flexible leave policies, subject to appropriate laws and regulations that will accommodate employees with disabilities.

6. Adjusting Work Schedules or Work Locations

ACF is encouraged to approve flexible or altered work schedules for employees who cannot

meet the requirements of the regularly scheduled tour of duty for their position for reasons associated with their disability (examples include requirement for medical treatment, need for rest periods, or difficulty getting to work). Use of ACF's telework program is also encouraged when employees require use of alternative work locations.

7. Restructuring Jobs

Job restructuring is one of the major means by which an employee with a disability can be accommodated. Supervisors should consult with the Reasonable Accommodation Coordinator to discuss changes that can be made to enable the person with a disability to perform the job.

8. Training

ACF will accommodate and assume the costs incurred when an employee with a disability attends training. ACF will also arrange RA needs for approved courses, whether held at the Agency or other locations, including arrangement of transportation to and from the training site.