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Policies and Procedures

Title: Reasonable Accommodation Procedures
(including Personal Assistance Services)

Number: 122.2v3

Date: January 10, 2018

Originating Office: Office of Outreach, Diversity & Equal Opportunity

This Replaces: This replaces 122.2 v 2 dated October 28, 2011

Distribution: All REE Agencies

In accordance with updated regulations found in Section 501 of the Rehabilitation Act of 1973, this P&P outlines the procedures for providing reasonable accommodations for individuals with disabilities & the new requirement to provide personal assistance services to individuals with “targeted” disabilities.

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INTRODUCTION

The Research, Education, and Economics (REE) Agencies are fully committed to a simple and streamlined process for providing effective reasonable accommodations to employees with disabilities. As a model Equal Employment Opportunity (EEO) Employer and pursuant to Departmental Regulation, 4300-8, Reasonable Accommodation Procedures, REE managers are encouraged to be empathetic, creative, flexible and innovative when making reasonable accommodation decisions for their subordinates with disabilities. Furthermore, these reasonable accommodation procedures demonstrate REE's support of persons with disabilities and will continue to help make REE and USDA as a whole, an EEO "Employer of Choice."

This document sets forth the policies and procedures to be used for requesting reasonable accommodations and for making reasonable accommodation decisions by agency managers and supervisors. It also provides the procedures for requesting medical documentation to support an employee's claim for needing an accommodation. This is particularly important for cases when the disability and/or the need for an accommodation is not obvious; when the workplace limitations or restrictions are unknown; and to meet both efficient recordkeeping and reporting requirements.

Each reasonable accommodation request must be considered on a case-by-case basis. There is no "one-size fits all" accommodation for every disability. In most cases, requests may be resolved between the employee and the immediate supervisor, particularly when a medical condition is transitory in nature and does not rise to the level of a disability. This is referred to as an "informal" reasonable accommodation. On the other hand, medical conditions that are not transitory in nature will require a disability determination to be made by the REE Reasonable Accommodation Program Manager through the "formal" reasonable accommodation process. In either case, the immediate supervisor is generally the deciding official. For this reason, it is imperative that employees be actively engaged with their supervisors regarding their specific accommodation needs by having ongoing dialogue and communications throughout the entire process. This is often referred to as the "interactive process."

As a final note, the vast majority of reasonable accommodation requests require very little to no funding. Agencies have been directed to use discretionary funds for those accommodations that have costs associated with providing them. This includes, but is not limited to, equipment, supplies, hardware and/or software to those persons with disabilities who may need them as a reasonable accommodation. Considering most costs are nominal, management is strongly discouraged from using a lack of funding as a basis for undue hardship claims. Such claims are not easily defensible and are frowned upon by the Equal Employment Opportunity Commission.

1. PURPOSE

This document establishes written procedures to use to implement reasonable accommodations for employees and applicants with disabilities.

2. BACKGROUND

Executive Order 13164 requires all Federal Agencies to establish procedures for handling requests for reasonable accommodations for persons with disabilities. REE's policies and procedures fully comply with the requirements of the Rehabilitation Act of 1973. Under the law, Agencies must provide reasonable accommodations to qualified individuals or applicants with disabilities, unless to do so would cause undue hardship. REE is fully committed to providing reasonable accommodations to its employees and applicants for employment to ensure that individuals with disabilities enjoy equal employment benefits and access to all employment opportunities as those without a disability.

3. POLICY

REE recognizes that each of its employees and applicants need the tools necessary to be productive. This includes providing effective reasonable accommodations to qualifying employees with disabilities to assist them in carrying out their job duties which ultimately help the agency accomplish its mission. An employee with a disability need only express their need for a reasonable accommodation to their immediate supervisor who, in most instances, is the deciding official for the request. In the majority of situations, providing a reasonable accommodation is simple, quick and inexpensive.

4. RESPONSIBILITIES

4.1 Employee

An employee with a disability who wishes to be considered for a reasonable accommodation should express their accommodation need(s) to their immediate supervisor or other deciding official within their leadership chain and/or the REE Reasonable Accommodation (RA) Program Manager. The request may be verbal and/or in writing. A request for a reasonable accommodation may also be made to the immediate supervisor or deciding official even if they have proposed to take a performance- or conduct-based action. Other basic employee responsibilities include:

- Seeking guidance from the REE RA Program Manager.
- Providing medical documentation, when necessary.
- Suggesting effective accommodations that enable the essential job functions to be performed.
- Documenting the accommodation request on Form REE-172, Request for Reasonable Accommodation (*see Exhibit 1*) and submitting to the immediate supervisor or deciding official for consideration.
- Communicating effectively to fully engage in the interactive process.
- Seeking to fully understand the reasonable accommodation laws and its requirements.
- Ensuring safe recordkeeping and/or the proper disposition of their own medical documentation.

4.2 Immediate Supervisor or Deciding Official

Generally, the immediate supervisor is the deciding official responsible for making decisions regarding a reasonable accommodation request. Some offices may choose to delegate this authority to another leadership official within the requestor's supervisory chain. For a job applicant with a disability who needs an accommodation to fully participate in the interview process, the deciding official is generally the hiring manager, although it may be the panel chair if the hiring manager has delegated a panel to oversee the interview process. In either scenario, the basic responsibilities of the deciding official include:

- Seeking guidance from the REE RA Program Manager.
- Requesting medical documentation, when necessary.
- Communicating effectively to fully engage in the interactive process.
- Collaborating with the employee to implement an effective accommodation that will enable the essential job functions to continue.
- Adhering to the established timeframes to review the request and make a decision.
- Reviewing and signing Form REE-172, Request for Reasonable Accommodation.
- Reviewing and signing Form REE-173, Denial of Reasonable Accommodation, if applicable. (*see Exhibit 2*)
- Providing both the employee and the REE RA Program Manager with copies of Forms REE-172 and/or REE-173 once a final decision is made.
- Seeking to fully understand the reasonable accommodation laws and requirements.
- Ensuring safe recordkeeping and/or the proper disposition of an employee's medical documentation.
- Consulting with the Human Resources (HR) Division, Personnel and Labor Solutions Branch when a reasonable accommodation is requested in conjunction with an anticipated or impending performance- or conduct-based action.

In the event the deciding official is unable to fulfill their responsibilities, the request shall be elevated to the next level of the requestor's leadership.

4.3 REE Reasonable Accommodation (RA) Program Manager

The REE RA Program Manager is responsible for program management and oversight. Primary responsibilities include, but are not limited to:

- Serves as the agency's liaison on all reasonable accommodation matters.
- Updates and maintains the contents of this P&P and reasonable accommodation forms. (i.e. REE-172, Reasonable Accommodation Request & REE-173, Denial of Reasonable Accommodation Request)
- Provides guidance, policies and procedures to employees needing a reasonable accommodation and to their immediate supervisor and/or deciding official.
- Facilitates reasonable accommodation requests and offers suggestions and resources to bring resolution.
- Reviews medical documentation to make disability determinations.
- Keeps record of medical documentation and associated documents for "formal" reasonable accommodation requests.
- Develops and provides reasonable accommodation training for the REE workforce.
- Attends trainings, workshops, seminars, and/or conferences to stay current on ADA laws and/or Rehabilitation Act updates and developments.

- Collaborates with HR professionals when reasonable accommodation policies overlap with other HR programs. (*i.e. Schedule A Hiring; telework as an accommodation; performance- & conduct-based actions; disability retirement; and/or FMLA*)
- Certifies to OPM the agency's reasonable accommodation efforts for all REE disability retirement applicants.
- Serves as REE's Handicapped Parking Coordinator for employees in the Washington Metropolitan Area who have short- and long-term disabilities and need access to permanent or temporary handicapped parking.
- Serves as the liaison to REE employees in Washington Metropolitan Area who need American Sign Language interpreters. This includes informing employees of their agency's internal process to secure an interpreter.

4.4 Departmental Reasonable Accommodation (RA) Program Manager

USDA's Departmental RA Program Manager has overall responsibility to ensure mission area compliance with obligations to provide effective reasonable accommodations to qualified individuals with a disability. In extenuating circumstances, the mission area has also designated the Departmental RA Program Manager to make reasonable accommodation determinations for employees with a disability, however Departmental level determinations are extremely rare. These high-level determinations may be necessary for extremely difficult and complex matters when/if determinations within the mission area are not possible. The Departmental RA Program Manager shall maintain, review, and interpret all documentation--medical and non-medical--to make this determination and report decisions to the appropriate officials.

5. AUTHORITIES

- Section 501 of the Rehabilitation Act of 1973
- Americans with Disabilities Act of 1990
- Americans with Disabilities Amendments (ADA) Act, September 2008
- Departmental Regulation, 4300-008, Reasonable Accommodations for Employees and Applicants with Disabilities, March 2000
- Executive Order, 13164, Establishing Procedures to Facilitate the Provision of Reasonable Accommodation, October 2000
- Departmental Regulation, 4300-2, Reasonable Accommodation Procedures, July 2002

6. DEFINITIONS

Disability – As defined by the ADA, a physical or mental impairment that substantially limits one or more major life activities, a “record of” such an impairment, or an individual who is “regarded as” having such an impairment.

Essential Functions – the fundamental duties of a position. This includes, but is not limited to the reason this position exists; performance of a particular function; the limited number of other employees who could perform that function; and/or a function that is highly specialized and the incumbent was hired for his/her expertise of that function.

Formal Reasonable Accommodation - an accommodation that is provided by the immediate supervisor or deciding official before or after a disability determination has been made by the REE RA Program Manager. Individuals with a disability *must be accommodated* unless doing so creates an undue hardship for the agency.

Informal Reasonable Accommodation – an accommodation that is provided by the immediate supervisor or deciding official without a disability determination by the REE RA Program Manager. This *may or may not* include conditions that rise to the level of a disability. For example, a medical condition that is transitory in nature such as the flu, minor surgery, or a broken limb is not defined as a disability, however a reasonable accommodation should still be considered, unless doing so creates an undue hardship for the agency.

Interactive Process – the act of all parties communicating and fully engaging in the process of implementing an effective reasonable accommodation. This interaction may be verbal, written or both. Generally, this involves an ongoing dialogue between the employee and their immediate supervisor or deciding official to include, but is not limited to, the request of and the submission of medical documentation. Others involved in the interactive process include the REE RA Program Manager and/or other agency officials where there is a business necessity to be involved.

Medical Care Professional – an individual accredited by a professional body upon completing a course of study, and usually licensed by a government agency, to practice a health related profession such as dentistry, medicine, nursing, occupational health, physical therapy.

Mental Health Care Professional - a health care practitioner or community services provider who offers services for the purpose of improving an individual's mental health or to treat mental disorders.

Major Life Activities – functions that an individual performs on a daily basis. This includes, but is not limited to, caring for oneself, walking, running, seeing, hearing, speaking, breathing, learning, thinking, sitting, standing, reaching, interacting with others, concentrating, lifting and sleeping.

Mental Impairment - any psychological or mental disorder to include, but is not limited to, mental retardation, emotional or mental illness, or a learning disability.

Physical Impairment - any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems. This includes neurological, musculoskeletal, special sense organs, respiratory, cardiovascular, reproductive, digestive, genito-urinary, hemic and lymphatic, skin, or endocrine.

Qualified Individual with a Disability - an individual with a disability who satisfies the requisite skills, experiences, education, and other job-related requirements of the position and can perform the essential functions of the position, *with or without a reasonable accommodation*.

Reasonable Accommodation - a change in the work environment or the application process that would enable a qualified individual with a disability to enjoy equal employment benefits as those individuals without a disability.

Record of an Impairment - an individual having a history of or a prior record of having a mental or physical impairment that substantially limits one or more of their major life activities.

Regarded as – an individual perceived as or having an impairment which has not substantially limited a major life activity but is being treated as having such a limitation. This includes the attitudes and perceptions of others towards the impairment or having none of the impairments described, but still being treated as having one.

Substantially Limits - unable to perform a major life activity that the average person in the general population can perform or significantly restricted as to the condition, manner, or duration under which the average person in the general population could perform that same activity.

Targeted Disability – a severe disability as listed on the Office of Personnel Management Standard Form 256. It includes deafness; blindness; missing extremities; partial paralysis; complete paralysis; convulsive disorders; mental retardation; mental illness; and distortion of limb and/or spine.

Undue Hardship - an accommodation requiring significant difficulty or expense. This determination is made on a case-by-case basis and considers the nature of the accommodation, the cost of it considering the financial resources of USDA as a whole and/or the impact of the accommodation on the operations or the specific duties of the position for a particular office or facility involved.

7. REQUESTING AN ACCOMMODATION

7.1 Employees

Employees should express their need for an accommodation to their immediate supervisor or deciding official, the REE RA Program Manager and/or any other official in their leadership chain. The request may be made verbally and/or in writing. (*i.e. by email, by memorandum, and/or by using Form REE-172, Request for Reasonable Accommodation.*) The request should include the type of accommodation needed. For situations when the employee is unsure what to request, the employee's physician may make recommendations and/or the REE RA Program Manager is available to provide guidance and other resources. Employees may also request a reasonable accommodation to the deciding official proposing to take a performance- or conduct-based action.

All individuals seeking a reasonable accommodation through the formal process will be asked to complete Form REE-172 to finalize the process. This ensures proper documentation and compliance with recordkeeping requirements.

Note: Medical documentation may be required before a final reasonable accommodation determination can be made by the deciding official.

7.2 Applicants for Employment

Applicants for employment may express their need for an accommodation either verbally and/or in writing to the designee listed on the vacancy announcement and/or to the REE RA Program Manager. The request should identify the accommodation needed. Although an applicant with a disability may request a reasonable accommodation at any time during the application process, the applicant should make their request known as soon as they become aware of a barrier that hinders their full participation in the process.

Applicants contacted for an interview may be asked if an accommodation is needed for the interview. If the answer is yes, they may then be asked what type of accommodation is needed.

Note: Providing a reasonable accommodation to a job applicant with a disability during the interview process is generally the responsibility of the hiring manager, although it may be the panel chair if the hiring manager has delegated a panel to oversee the interview process.

7.3 Other Representative

The Reasonable Accommodation Program is completely voluntary to the employee, however there may be situations where a representative may request, verbally and/or in writing, an accommodation on the employee's behalf or that of a job applicant who has a disability. The representative may be a family member, a health care professional, the immediate supervisor or other representative. The request would be submitted and decided upon by the same individual to whom the employee or the job applicant would have made their request to on their own. The deciding official should always confirm with the individual with the disability that he/she actually wants to be accommodated. They must not be coerced or forced to participate in the process.

8. RECORDKEEPING OF "FORMAL" REASONABLE ACCOMMODATION REQUESTS

In order to keep accurate records regarding the reasonable accommodation process, employees must follow-up on a verbal request by completing and signing Form REE-172, Request for Reasonable Accommodation. The immediate supervisor or deciding official is then responsible for completing and signing the supervisor's section. Copies of Form REE-172 should be distributed as follows--immediate supervisor or deciding official should maintain a copy for his/her files; the original to the employee; and a copy to the REE RA Program Manager which will be maintained for at least 5 years or when the employee separates from the agency—whichever is later. *Electronic signatures and electronic copies of the form are also acceptable.*

Although Form REE-172 is required for recordkeeping purposes for all "formal" reasonable accommodations, the written document is not necessarily required by the immediate supervisor or designated deciding official to begin the process and discussion of implementing a reasonable accommodation. The request, if made verbally, should still be considered and processed in accordance with the timelines outlined in these procedures.

Regular and reoccurring accommodations such as the need for a sign language interpreter would not require Form REE-172. Employees should contact the REE RA Program Manager (*see Section 21, Resources*) regarding the internal procedures for their respective REE agency.

In rare situations when a reasonable accommodation request is denied, Form REE-173, Denial of Reasonable Accommodation must also be completed. The immediate supervisor or deciding official should maintain a copy for his/her files; the original is provided to the employee which details his/her appeal rights; and a copy to the REE RA Program Manager which will be maintained for at least 5 years or when the employee separates from the agency—whichever is later. *Electronic signatures and electronic copies of the form are also acceptable.*

9. INTERACTIVE PROCESS

The Equal Employment Opportunity Commission strongly recommends that employers fully engage in what is described as the interactive process--the act of all applicable parties fully engaging in the process towards implementing an effective reasonable accommodation. *This is an essential part of the process.*

Most reasonable accommodations can be resolved between the individual with the disability and the immediate supervisor or deciding official. In most cases, the individual with the disability will be able to provide information regarding the exact type of accommodation that is needed. However, either or both parties are permitted to include others in the interactive process if a specific limitation, restriction, or barrier is not clear; when the type of accommodation is not apparent; and/or where the parties are choosing between different reasonable accommodations that are all equally effective. Below are a few examples of individuals or entities that may need to be a part of the process. Regardless of who is involved, communication is key to success!

- A Family Member of the Individual with a Disability
- Rehabilitation Counselor
- Medical Care/Mental Health Care Professional of the Individual with a Disability
- USDA's TARGET Center
- Departmental Reasonable Accommodation Program Manager
- Departmental Disability Employment Program Manager
- REE Reasonable Accommodation Program Manager
- REE Disability Employment Program Manager
- REE HR Division, Personnel & Labor Solutions Branch
- Department of Labor's Job Accommodation Network
- Union Representative of the Individual with a Disability

10. REQUESTS FOR MEDICAL DOCUMENTATION

Once a reasonable accommodation is requested, it is important that the immediate supervisor or the deciding official know if the employee or applicant has a covered disability which entitles the individual to an accommodation, unless doing so would create an undue hardship. In order to do this, a request for medical documentation from the individual will need to be made particularly if the disability is not visible or apparent. Although requests for medical documentation are made by the immediate supervisor or the deciding official, the REE RA Program Manager is the agency's designee for making disability determinations and must therefore be included in the process.

If an individual *does not* have an apparent disability and/or there is no prior record on file of a disability relating to the accommodation being requested, the individual will be required to provide sufficient medical documentation in order for a disability determination to be made by the REE RA Program Manager.

For situations when a disability is visible or apparent; there is a previously documented disability on file; and/or the accommodation request is related to the known disability, the deciding official may immediately consider the request *without the need for further medical documentation*.

Medical documentation must be legible, signed by the preparer, and provided on the letterhead, prescription slip, or equivalent stationary of the preparer. Documentation must include the following information, if not currently on file--

- Describes the claimed disability as it relates to the reasonable accommodation request;
- Explains the precise limitations the disability imposes on the employee's ability to perform the job held;
- Explains the impact of the employee's medical condition both on and off the job;
- Lists any medically recommended accommodations and/or suggestions that would eliminate the limitations described in item (1) above and the expected duration of the accommodation(s);
- Provides the prognosis including plans for future treatment. Include an estimated date of full or partial recovery or indicate if the condition is permanent.

11. DISABILITY DETERMINATIONS

On September 25, 2008, President George W. Bush signed the Americans with Disabilities Amendments Act which simplified the process for determining if an employee had a disability. This made it much easier for employers to make these determinations. The REE RA Program Manager is the agency's designee to review medical documentation to make such determinations on behalf of the deciding official.

The REE RA Program Manager will seek information or documentation about the disability and the functional limitations from the individual and/or ask the individual to obtain such information from an appropriate professional. All information

need not be medical. Appropriate information may be received from a social worker, rehabilitation counselor, etc. The documentation received must be sufficient enough for the REE RA Program Manager to determine if the requestor is an individual with a disability. If the medical documentation provided is insufficient to make a disability determination, further information may be requested by the deciding official and/or the REE RA Program Manager.

The individual may then ask their medical care professional, mental health care professional, or other professional, whichever is applicable, to provide the missing information. The REE RA Program Manager and the individual requesting the accommodation may agree that a signed Limited Medical Release is necessary to authorize the aforementioned professional to remit the necessary information directly to the REE RA Program Manager on behalf of the individual with a disability. This may include submitting a list of specific questions to be addressed or by having the REE RA Program Manager contact them directly to obtain the missing information.

In any event where medical information is requested, submitted, and/or obtained that is unrelated to a reasonable accommodation request, this medical information shall be confidentially discarded immediately.

The failure to provide appropriate documentation and/or not cooperate with the agency's efforts to obtain such documentation would demonstrate an individual's disengagement of the interactive process. This could result in a denial of the reasonable accommodation until the individual chooses to do so.

In the case of a job applicant, relevant medical documentation may need to be requested to determine the nature of the disability or how the accommodation would assist in the application process.

12. CONFIDENTIALITY REQUIREMENTS

Under the Rehabilitation Act of 1973, as amended *medical documentation obtained in connection with the reasonable accommodation process must be kept confidential*. This means all medical documentation, including information about functional limitations and the reasonable accommodation needs. Any information obtained in connection with a reasonable accommodation request must be kept in files separate from the individual's personnel files, including the Official Personnel Folder.

Confidentiality applies to all aspects of the agency's reasonable accommodations process, whether the accommodation was provided via the formal process or the informal process. It also means that any REE employee who obtains or receives such information is strictly bound by these confidentiality requirements.

The REE RA Program Manager will maintain custody of all medical records obtained or created during the "formal" reasonable accommodation process and will respond to all requests accordingly for disclosure of information found in such records. All records will be maintained in accordance with Privacy Act provisions and any information found in those records may only be disclosed as follows:

- Supervisors and managers needing to know if the individual meets disability criteria; the workplace restrictions/limitations on the individual's job duties; and about any recommended accommodations by the physician. *Copies of medical documentation will only be disclosed by the REE RA Program Manager if absolutely necessary and if it is consistent with business necessity to do so.*
- First Aid and safety personnel may be given specific medical documentation if the disability might require emergency care or treatment.
- Government officials may be given information necessary to investigate the agency's compliance with the Rehabilitation Act of 1974.
- In certain circumstances, medical documentation may be disclosed to certain HR professionals such as Employee Relations Specialists, Worker's Compensation Specialists and/or insurance carriers in accordance with Equal Employment Opportunity Commission guidelines, regulations, and other requirements as cited in the Rehabilitation Act of 1974.

Whenever information is disclosed, the individual disclosing it must inform the recipient of the confidentiality requirements as well as the requirements to comply with applicable Privacy Act provisions.

For bargaining unit employees-- information may be disclosed to the Union Representative with representation functions related to making reasonable accommodation determinations, however the confidentiality requirements of the Union Representative must be consistent with Equal Employment Opportunity Commission guidelines, regulations, and other requirements as cited in the Rehabilitation Act of 1974.

13. TIMEFRAMES FOR PROCESSING REQUESTS

It is expected that whether a request is made by an individual with a disability or an individual with a transitory medical condition, a reasonable accommodation should be acknowledged and considered as soon as it is reasonably feasible to do so. Special circumstances may influence the overall timing of the process, however most accommodations can be provided immediately or within a few days of the request. When an immediate accommodation is not possible, the timeframes indicated below must be followed specifically for all "formal" reasonable accommodation requests as these requests are those when a disability determination has been made requiring that the individual be accommodated, unless doing so would create an undue burden or hardship to the agency.

- The reasonable accommodation request should be acknowledged and the process of consideration should begin immediately upon receipt by the immediate supervisor or deciding official, but *no more than 5 business days after receipt*. This is for both verbal and written requests.

- If the immediate supervisor or deciding official is awaiting a disability determination by the REE RA Program Manager, the immediate supervisor or deciding official should acknowledge the request and begin the process of consideration immediately upon notification by the REE RA Program Manager of a disability determination, but *no more than 5 business days after being notified*.
- The immediate supervisor or deciding official is responsible for determining if the requested accommodation is effective. If not, they should engage the interactive process by having further discussions with the individual needing the accommodation until both parties can agree on the most effective accommodation. ***An accommodation must be provided no more than 30 business days from the date of the written request, the verbal request or upon notification of a disability determination--whichever is later.*** Extenuating circumstances may require more than 30 days for full implementation, however this practice is generally the exception and not the rule.

In the event of an extenuating circumstance, the immediate supervisor or designated deciding official shall notify the employee of the reason for the delay and the approximate date that a final decision is expected to be made. The immediate supervisor or deciding official should consider whether an interim accommodation can be offered pending a final decision.

14. GRANTING A REASONABLE ACCOMMODATION REQUEST

As soon as a reasonable accommodation decision has been made to grant the request, the immediate supervisor or deciding official should immediately communicate this to the employee. This includes completing and signing Form REE-172, Reasonable Accommodation Request (*see Section 8, Recordkeeping of "Formal" Reasonable Accommodation Requests*). This may also include outlining and detailing work expectations associated with the accommodation if unknown to the employee.

15. DENYING A REASONABLE ACCOMMODATION REQUEST

Denials are extremely rare since most reasonable accommodations are approved although adjustments or modifications may have been made to the individual's initial request. However, when an approval isn't possible, the immediate supervisor or deciding official must communicate this to the employee as soon as the decision to deny the request is made. It is also required that the immediate supervisor or designated deciding official complete and sign Form REE-172, Reasonable Accommodation Request **and** Form REE-173, Denial of Reasonable Accommodation Request to document the reason and an explanation for the denial. For example, if granting a particular accommodation would cause an undue hardship, the immediate supervisor or deciding official must select this option on the form and provide an explanation.

The employee should receive the original forms of both the REE-172 and REE-173. The REE-173 in particular informs the individual of his/her appeal rights. This may include filing an EEO complaint or pursuing a grievance under the Merit Systems Protection Board procedures. Form REE-173 also encourages employees to utilize the agency's Alternative Dispute Resolution process. *Electronic signatures and electronic copies of the form(s) are also acceptable*

16. REASSIGNMENT AS A REASONABLE ACCOMMODATION

Reassignment will only be considered if no other accommodation is available that enables the individual to perform his or her essential job functions or if the only effective accommodation would cause an undue hardship. Reassignments are made only to a vacant position for which the employee is qualified. If qualified, the employee could be reassigned without competition. The new position cannot have greater promotion potential than the position currently held.

In considering whether there are positions available for reassignment, the immediate supervisor or deciding official will need to collaborate with the REE RA Program Manager and the REE HR Staff. Communications with the Department's Office of Human Resources Management (OHRM) may also be required for vacancy searches beyond the REE mission area. HR Staff will:

- Identify all vacant positions within the agency for which the employee may be qualified, *with or without a reasonable accommodation.*
- Identify all positions which HR Staff or OHRM has reason to believe will become vacant over the next 60 business days and for which the employee may be qualified.

The immediate supervisor or deciding official will first focus on positions that are equivalent to the employee's current position and will then consider vacant lower level positions for which the individual is qualified. A reassignment may be made to a vacant position outside of the employee's commuting area, but only if the employee is willing to relocate. As with other reassignments not directed by management, REE is not obligated to pay relocation expenses.

17. TELEWORK AS A REASONABLE ACCOMMODATION

Telework may be appropriate and should be considered as a reasonable accommodation for employees with disabilities as long as this type of accommodation will enable the individual with a disability to perform the essential (critical) functions of their position and is an effective option. The determination as to whether an individual may be granted telework as a reasonable accommodation should be made on a case-by-case basis considering not all positions and job duties are portable. It is important to consult with the REE RA Program Manager for guidance since telework as a reasonable accommodation follows a different set of provisions than those of a general telework request.

18. SEPARATION DUE TO DISABILITY

When an employee is unable to perform the essential functions of the position due to a disability and cannot be reasonably accommodated, the agency may initiate a disability separation of the employee which is considered an involuntary separation. An employee may also apply for disability retirement as a voluntary separation, if they meet certain eligibility requirements. Whether the disability separation is voluntary or involuntary, neither action is considered a disciplinary action.

19. PERSONAL ASSISTANCE SERVICES

Effective January 3, 2018, Section 501 regulations of the Rehabilitation Act of 1973 requires federal agencies to provide Personal Assistance Services (PAS) on the job as part of their affirmative action requirements. The new regulations specifically require Federal agencies to provide PAS to individuals with a “targeted” disability (*see Section 6, Definitions*) if they require such services.

PAS are services that provide assistance with performing activities of daily living that an individual would typically perform if he or she did not have a disability and that is not otherwise required as a reasonable accommodation. For example, assistance with activities of daily living to include, but not limited to, removing and putting on clothing, eating, bathing and using the restroom. *PAS are “functional” services not “medical” services nor medical care.*

In addition to job-related services required as a reasonable accommodation, current regulations require agencies to provide an employee with PAS during work hours for job-related travel if the employee requires such services because of a targeted disability. The new regulations now provide PAS for non-working hours to help the individual prepare for their work day. Provisions of such services would, together with any reasonable accommodations needed, enable the employee to perform the essential functions of his or her position, as long as providing the services does not impose an undue hardship on the agency.

PAS must be performed by a PAS provider. Agencies may require PAS providers to provide services to more than one individual. Agencies may also require PAS providers to perform tasks unrelated to personal assistance services, *but only to the extent* that doing so does not result in their failure to provide PAS in a timely manner.

When selecting someone who will provide PAS to a single individual, agencies are required to give primary consideration to the individual's preferences to the extent permitted by law. This may include a family member, a coworker, or an independent contractor. No matter which party is chosen, their *primary function must be to provide PAS.*

Although providing PAS is not a reasonable accommodation, *the procedures for requesting PAS are the same* as outlined in this policy. This includes determining

whether such services are required and the agency's right to deny such requests, if providing such services poses an undue hardship. As with reasonable accommodation requests, costs as an undue hardship is not easily defensible. Forms REE-174, Request for Personal Assistance Services and/or REE-175, Denial of Personal Assistance Services Request should be used instead. (*see Exhibits 3 & 4*)

20. PROGRAM TRACKING AND REPORTING REQUIREMENTS

The REE RA Program Manager is responsible for maintaining accurate reasonable accommodation records, tracking trends and/or complying with various initiatives and reporting requirements as requested or mandated by, but not limited to OHRM, the Office of Personnel Management and/or the Equal Employment Opportunity Commission. These reporting requirements do not disclose a particular medical condition nor do they reveal the name of an employee(s) that is being accommodated. Reporting efforts are intended to demonstrate and highlight the agency's proactive efforts in support of persons with disabilities. Reporting data may include information such as:

- The number of reasonable accommodations cases approved or denied;
- The types of positions for which reasonable accommodations have been requested;
- Trends in the types of reasonable accommodations that are being requested by position type;
- The reasons for a reasonable accommodation denial;
- The average amount of time taken to process a reasonable accommodation request; and/or
- The sources of technical assistance that have been consulted in trying to identify possible reasonable accommodations.

21. RESOURCES

- The Equal Employment Opportunity Commission 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, **disability** or genetic information.

Equal Employment Opportunity Commission Reasonable Accommodation Enforcement Guidance

<https://www.eeoc.gov/policy/docs/accommodation.html>

Equal Employment Opportunity Commission Personal Assistance Services (PAS) under Section 501 of the Rehabilitation Act

<https://www.eeoc.gov/federal/directives/personal-assistance-services.cfm>

- The Job Accommodation Network is a service of the Department of Labor, Office of Disability Employment Policy. This agency provides written materials and information to the public solely for educational purposes. Materials are not intended to be legal or medical advice.

Job Accommodation Network (JAN) Contact Information

www.askjan.org
 1-800-526-7234 (Voice)
 1-877-781-9403 (TTY)

Employers Practical Guide to Reasonable Accommodation Under the ADA
<https://askjan.org/ErGuide/ErGuide.pdf>

Personal Assistance Services (PAS) in the Workplace
<https://askjan.org/media/PAS.html>

- The TARGET Center provides onsite workplace assessments and demonstrations for assistive technology and ergonomic solutions. They also provide recommendations regarding reasonable accommodation requests.

USDA TARGET Center
www.usda.gov/oo/target.html
 202-720-2600 (Voice/TTY)

- The REE Reasonable Accommodation Program Manager is available to provide additional guidance and resources to help facilitate an effective reasonable accommodation between an individual with a disability and their deciding official. For more information or questions regarding the contents of this policy and procedures, please contact:

USDA/ARS/Office of Outreach, Diversity, and Equal Opportunity
Tonya B. Morris, REE Reasonable Accommodation Program Manager
 Direct Line: 301-504-4339
 Main Line: 202-720-6161
 Email: tonya.b.morris@ars.usda.gov

22. LIST OF EXHIBITS

- **Exhibit 1**, REE-172, Request for Reasonable Accommodation
- **Exhibit 2**, REE-173, Denial of Reasonable Accommodation Request
- **Exhibit 3**, REE-174, Request for Personal Assistance Services
- **Exhibit 4**, REE-175, Denial of Personal Assistance Services
- **Exhibit 5**, Sample Letter for Requesting Medical Documentation (*for Supervisors*)
- **Exhibit 6**, Limited Release of Medical Documentation
- **Exhibit 7**, Step-by-Step Formal Reasonable Accommodation Process (*Visual Aid*)
- **Exhibit 8**, Informal vs. Formal Reasonable Accommodation Process (*Visual Aid*)

Exhibits found in this P&P are intended as samples only. To obtain electronic or hard copy versions of the Exhibits, please contact the REE RA Program Manager (*see Section 21, Resources.*) Additionally, the aforementioned REE forms may be accessed by visiting Axon's electronic forms web site at:

<https://axon.ars.usda.gov/Employee%20Tools/Pages/Electronic-Forms.aspx>

Signature for Approval:

Casandra V. Butler /s/

“Acting” Director
Office of Outreach, Diversity and Equal Opportunity
Agricultural Research Service

Date of Approval:

January 5, 2018

Date

Exhibit 1

United States Department of Agriculture
 Research, Education, and Economics Agencies

REQUEST FOR REASONABLE ACCOMMODATION

| | | | |
|--|---------------------|--------------------------------|--------------------------|
| <i>This Section to be Completed by Individual Requesting an Accommodation</i> | | | 1. Date of Request |
| 2. Individual's Name | 3. Telephone Number | 4. Individual's E-mail Address | 5. REE Agency and Office |
| 6. Accommodation Requested (attach separate sheet, if further explanations needed) | | 7. Reason for Request | |
| 8. Applicant or Individual's Signature and Date | | | |

| | | | |
|---|--|--|--------------------------------|
| <i>This Section to be Completed by the Immediate Supervisor or Other Deciding Official</i> | | | |
| 1. Name of Individual Requesting Accommodation | | 2. REE Agency and Office | |
| 3. Reasonable Accommodation (Check one) <input type="checkbox"/> Approved <input type="checkbox"/> Denied (If denied, attach copy of the "Denial of Accommodation Request" form - Form REE-173) | | 4. Name of Individual to Whom Request was Made (if not immediate supervisor) | |
| 6. Date Accommodation Requested | | 7. Date Accommodation Approved or Denied | 8. Date Accommodation Provided |
| 9. If time frames outlined in the Reasonable Accommodation Procedures P&P were not met, please explain. (if met, enter N/A) | | | |

| | | |
|---|---|---|
| 10. Title of Job Held or Desired by Individual Needing the Accommodation (include series and grade level) | 11. Accommodation Requested (if different from above) | 12. Accommodation Provided (if different from what was requested) |
| 13. Was Medical Documentation Required to Process this Request? If yes, was it provided to RA Program Manager for review? | | 14. Cost of Accommodation (if any) |
| 15. Supervisor Signature and Date | | 16. Title |

Upon completion of this form, please provide the original to the employee or applicant and a copy to the Reasonable Accommodation Program Manager, USDA/ARS/OA/Office of Outreach, Diversity & Equal Opportunity, 5601 Sunnyside Avenue, Mail Stop 5144, Beltsville, MD 20705-5144.
 Form REE-172 (Rev. 11/2017) This form was electronically produced by USDA/ARS/OIC/OEASB.

Exhibit 2

United States Department of Agriculture
 Research, Education, and Economics Agencies

DENIAL OF REASONABLE ACCOMMODATION REQUEST

| | |
|--|--|
| 1. Name of Individual Requesting Accommodation | 2. Type(s) of Reasonable Accommodation Requested |
|--|--|

3. Reason for the Denial (Check all that apply)

| | |
|--|--|
| <input type="checkbox"/> Accommodation ineffective <input type="checkbox"/> Accommodation would cause undue hardship <input type="checkbox"/> Medical documentation inadequate | <input type="checkbox"/> Accommodation would require removal of an Essential Function <input type="checkbox"/> Accommodation would require lowering of performance/production standard <input type="checkbox"/> Other (please specify) _____ |
|--|--|

4. Give Detailed Reason(s) for the Denial (Must be specific. For example, explain why the accommodation is ineffective or causes undue hardship.)

5. If the requestor proposed an accommodation that was denied and subsequently rejects an alternative accommodation that is as equally effective, please explain the reason for the denial of the original request and why or how the alternative accommodation would be as effective. (If not applicable, enter N/A)

6. If an individual wishes to request reconsideration of this decision, he/she may take the following steps:

- (a) Ask the decision maker to reconsider the denial and provide additional supporting information, if applicable;
- (b) If the decision maker is the immediate supervisor and he/she is unable to reverse the denial, the individual may ask the second level supervisor (i.e., Office Chief, Director, etc.) to review the request for reconsideration;
- (c) If the decision maker is the second level supervisor (i.e., Office Chief, Director, or equivalent), the individual may elevate the request to the next leadership level. He/she may also ask the REE Reasonable Accommodation Program Manager to review the request. The REE Reasonable Accommodation Program Manager is not the deciding official, however, can work with the deciding official(s) and offer additional guidance to facilitate an effective accommodation.

7. If an individual wishes to file an EEO complaint, pursue Merit Systems Protection Board procedures, and/or pursue Union Grievance Procedures, they may take the following steps:

- (a) For an EEO complaint pursuant to 29 C.F.R. & 1614, contact an EEO counselor in their Agency's Civil Rights Office within 45 days from the date of this denial notice; or
- (b) For a collective bargaining claim, file a written grievance in accordance with the provisions of the Collective Bargaining Agreement or the Agency's Administrative Grievance Procedures; or
- (c) 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; or
- (d) Utilize the Agency's Alternative Dispute Resolution (ADR) process. Note, pursuing the ADR process does not relieve the individual from adhering to the time frames indicated above.

| | | |
|---------------------------|----------|--|
| 8. Deciding Official Name | 9. Title | 10. Deciding Official Signature and Date |
|---------------------------|----------|--|

Upon completion of this form, please provide the original to the employee or applicant and a copy to the Reasonable Accommodation Program Manager, USDA/ARS/OA/Office of Outreach, Diversity & Equal Opportunity, 6601 Sunnyside Avenue, Mail Stop 5144, Beltsville, MD 20705-5144.

Exhibit 3

United States Department of Agriculture
 Research, Education, and Economics Agencies

REQUEST FOR PERSONAL ASSISTANCE SERVICES

| | | | |
|---|---------------------|--------------------------------|--------------------------|
| <i>This Section to be Completed by Individual Requesting Personal Assistance Services (PAS)</i> | | | 1. Date of Request |
| 2. Individual's Name | 3. Telephone Number | 4. Individual's E-mail Address | 5. REE Agency and Office |
| 6. Type of PAS Requested <i>(attach separate sheet, if further explanations needed)</i> | | 7. Reason for Request | |
| 8. Applicant or Individual's Signature and Date | | | |

This Section to be Completed by the Immediate Supervisor or Other Deciding Official

| | | | |
|---|--------------------------------|---|--|
| 1. Name of Individual Requesting PAS | | 2. REE Agency and Office | |
| 3. Reasonable Accommodation <i>(Check one)</i> <input type="checkbox"/> Approved <input type="checkbox"/> Denied <i>(If denied, attach copy of the "Denial of Personal Assistance Services" - Form REE-175)</i> | | 4. Name of Individual to Whom Request was Made <i>(if not Immediate supervisor)</i> | |
| | | 5. Position Title | |
| 6. Date PAS Requested | 7. Date PAS Approved or Denied | 8. Date PAS Provided | |
| 9. If time frames for providing PAS were not met, please explain below. See P&P 122.2v3, Reasonable Accommodation Procedures, Section 13. <i>(If met, enter N/A)</i> | | | |

| | | |
|---|--|--|
| 10. Title of Job Held or Desired by Individual Needing PAS <i>(include series and grade level)</i> | 11. Type of PAS Requested <i>(if different from above)</i> | 12. Type of PAS Provided <i>(if different from what was requested)</i> |
| 13. Was Medical Documentation Required to Process this Request? If yes, was it provided to RA Program Manager for review? | | |

| | |
|-----------------------------------|--------------------------|
| 14. Cost of PAS | 15. Name of PAS Provider |
| 16. Supervisor Signature and Date | 17. Title |

Upon completion of this form, please provide the original to the employee or applicant and a copy to the Reasonable Accommodation Program Manager, USDA/ARS/OA/Office of Outreach, Diversity & Equal Opportunity, 5601 Sunnyside Avenue, Mail Stop 5144, Beltsville, MD 20705-5144.

Form REE-174 (Rev. 11/2017)

This form was electronically produced by USDA/ARS/OIC/OEASB.

Exhibit 4

United States Department of Agriculture
Research, Education, and Economics Agencies

DENIAL OF PERSONAL ASSISTANCE SERVICES (PAS)

| | |
|--------------------------------------|-----------------------------|
| 1. Name of Individual Requesting PAS | 2. Type(s) of PAS Requested |
|--------------------------------------|-----------------------------|

3. Reason for the Denial (Check all that apply)

- Providing PAS would cause undue hardship
- Medical documentation inadequate
- Other (please specify): _____

4. Give Detailed Reason(s) for the Denial (Must be specific. For example, explain why providing PAS is ineffective or causes an undue hardship)

5. If an individual wishes to request reconsideration of this decision, he/she may take the following steps:

- Ask the decision maker to reconsider the denial and provide additional supporting information, if applicable;
- If the decision maker is the immediate supervisor and he/she is unable to reverse the denial, the individual may ask the second level supervisor (i.e., Office Chief, Director, etc.) to review the request for reconsideration;
- If the decision maker is the second level supervisor (i.e., Office Chief, Director, or equivalent), the individual may elevate the request to the next leadership level. He/she may also ask the REE Reasonable Accommodation Program Manager to review the request. The REE Reasonable Accommodation Program Manager is not the deciding official, however, can work with the deciding official(s) and offer additional guidance to facilitate the request.

6. If an individual wishes to file an EEO complaint, pursue Merit Systems Protection Board procedures, and/or pursue Union Grievance Procedures, they may take the following steps:

- For an EEO complaint pursuant to 29 C.F.R. & 1614, contact an EEO counselor in their Agency's Civil Rights Office within 45 days from the date of this denial notice; or
- For a collective bargaining claim, file a written grievance in accordance with the provisions of the Collective Bargaining Agreement or the Agency's Administrative Grievance Procedures; 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; or
- Utilize the Agency's Alternative Dispute Resolution (ADR) process. Note, pursuing the ADR process does not relieve the individual from adhering to the time frames indicated above.

| | | |
|---------------------------|----------|---|
| 7. Deciding Official Name | 8. Title | 9. Deciding Official Signature and Date |
|---------------------------|----------|---|

Upon completion of this form, please provide the original to the employee or applicant and a copy to the Reasonable Accommodation Program Manager, USDA/ARS/OA/Office of Outreach, Diversity & Equal Opportunity, 5601 Sunnyside Avenue, Mail Stop 5144, Beltsville, MD 20705-5144.

Exhibit 5

DRAFT TEMPLATE FOR SUPERVISORS (REVISED 2/2016)

DATE:

SUBJECT: Reasonable Accommodation Request

TO:

The _____ (Agency Name) _____ is concerned with the continuing health and well-being of its employees. Where a medical condition exists which might have on-the-job implications, it is important for management to understand the details of the situation in order to make a determination regarding our ability to provide a reasonable accommodation to you.

I am therefore requesting you provide further medical documentation from your physician. Please note, you are responsible for any costs in connection with obtaining this medical documentation which should address the 5 elements listed below.

- (1) Describe the claimed disability as it relates to the reasonable accommodation request;
- (2) Explains the precise limitations the disability imposes on the employee's ability to perform the job held;
- (3) Explains the impact of the employee's medical condition both on and off the job;
- (4) List any medically recommended accommodations and/or suggestions that would eliminate the limitations described in item (1) above and the expected duration of the accommodation(s);
- (5) Provide the prognosis including plans for future treatment. Include an estimated date of full recovery or partial recovery or if the medical condition is permanent.

Important Note: Your physician must also indicate in the medical assessment as to whether your impairment qualifies you as an individual with a disability. As defined by the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 2008, as amended, an individual with a disability is someone who has a physical impairment affecting one or more body systems or intellectual or psychological impairment that substantially limits one or more major life activities.

I am also enclosing a form to be used as authorization to obtain/release medical information to the Agency from your physician. This form is for you to sign and to be provided to your physician(s) if you opt to have him/her submit the medical information to the Agency on your behalf in lieu of providing it directly to you. It also authorizes the Reasonable Accommodation Program Manager to contact your physician in the event the medical information is vague, unclear and/or makes it difficult to make an effective reasonable accommodation determination. This form is *optional*.

The medical documentation should be submitted within 15 days of the date you receive this letter. An extension may be considered on a case-by-case basis. Medical documentation may be submitted to a confidential fax line on (301) 504-3309 or it may be mailed in a sealed envelope as follows:

CONFIDENTIAL – TO BE OPENED BY ADDRESSEE ONLY

USDA/ARS/Office of the Administrator
Office of Outreach, Diversity & Equal Opportunity
Tonya B. Morris, REE Reasonable Accommodation Program Manager
5601 Sunnyside Avenue, Mail Stop 5144
Beltsville, MD 20705-5144

Lastly, enclosed is a copy of your position description and performance standards. These are being provided to you for your physician's information to describe the duties and responsibilities required of your position to assist in determining an appropriate reasonable accommodation.

Should you have any questions regarding this request, please contact Ms. Morris on 301-504-4339 or via email at tonya.b.morris@ars.usda.gov.

/Supervisor's Signature/

Exhibit 6

**PATIENT LIMITED RELEASE OF MEDICAL DOCUMENTATION FOR
REASONABLE ACCOMMODATION REQUEST
EVALUATION BY PHYSICIAN**

Patient:

I understand and agree that in the course of addressing my request for reasonable accommodation, I have signed a limited release authorizing my health care practitioner(s) to release relevant medical records related to my current claimed disability and request for a reasonable accommodation.

- (1) Describe the claimed disability as it relates to the reasonable accommodation request;
- (2) Explains the precise limitations the disability imposes on the employee's ability to perform the job held;
- (3) Explains the impact of the employee's medical condition both on and off the job;
- (4) List any medically recommended accommodations and/or suggestions that would eliminate the limitations described in item (1) above and the expected duration of the accommodation(s);
- (5) Provide the prognosis including plans for future treatment. Include an estimated date of full recovery or partial recovery or if the medical condition is permanent.

Important Note: Your physician must also indicate in the medical assessment as to whether your impairment qualifies you as an individual with a disability.

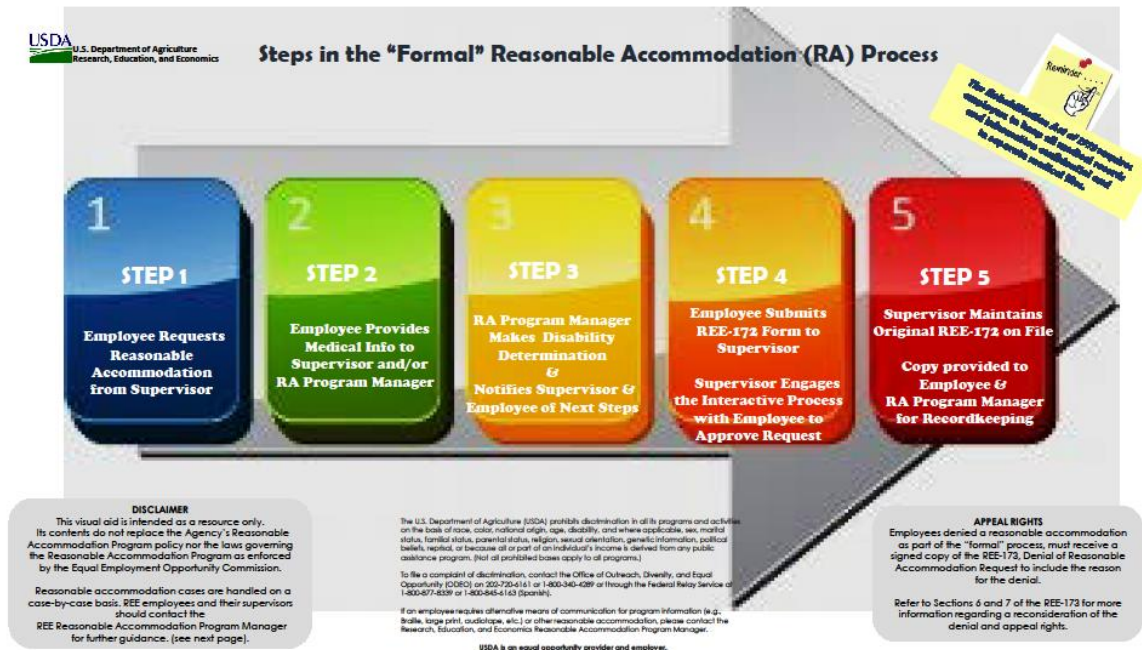
As defined by the Rehabilitation Act of 1973, as amended, and the 2008 Americans with Disabilities Act, as amended, an individual with a disability is someone who has a physical impairment affecting one or more body systems or intellectual or psychological condition that substantially limits one or more major life activities.

PATIENT'S SIGNATURE

DATE

Exhibit 7

Front



Back

CONTACT:
Tonya B. Morris
REE Reasonable Accommodation Program Manager
Email: tonya.b.morris@ars.usda.gov

USDA/ARS/Office of the Administrator
Agricultural Research Service
Office of Outreach, Diversity & Equal Opportunity
5601 Sunnyside Avenue, Room 2-1118
Mail Stop 5144
Beltsville, MD 20705-5144

Desk: 301-504-4339 Main Line: 202-720-6161
Secured Fax Line: 301-504-3309

On Line Resources

REE Reasonable Accommodation Policy
www.afm.ars.usda.gov/ppweb/pdf/222-2v.2.pdf

Job Accommodation Network
www.askjan.org

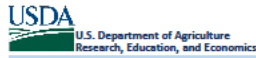
Form REE-172, Request for Reasonable Accommodation
<https://axon.ars.usda.gov/Employee%20Tools/Electronic-Forms/REE-172.pdf>

Form REE-173, Denial of Reasonable Accommodation Request
<https://axon.ars.usda.gov/Employee%20Tools/Electronic-Forms/REE-173.pdf>

REE employees without access to AXON may obtain PDF copies of RA form(s) by contacting the REE RA Program Manager.

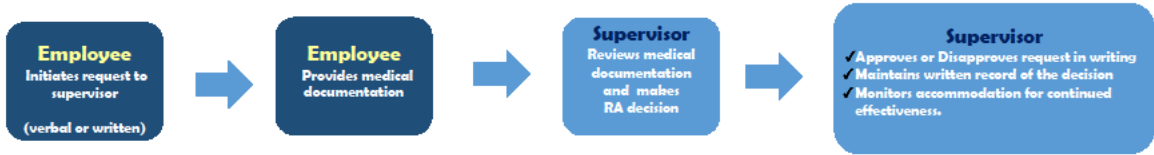
Exhibit 8

Front

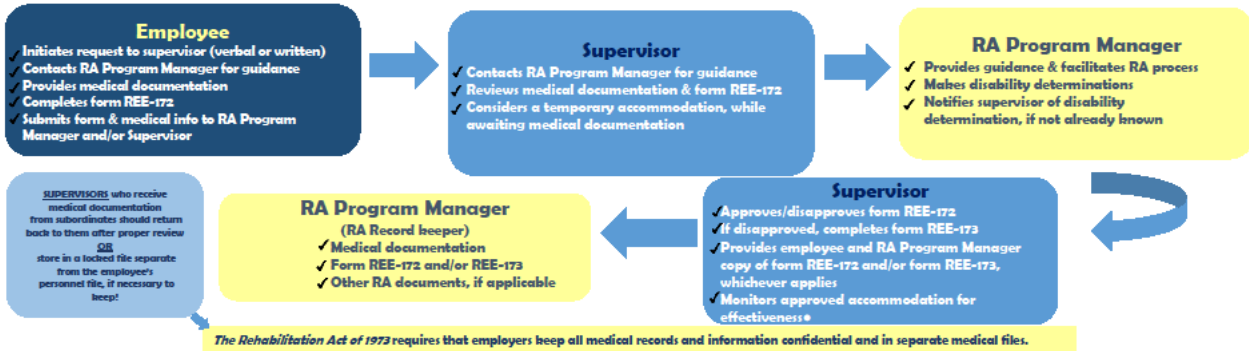


Informal vs. Formal Reasonable Accommodation Requests

"Informal" Process



"Formal" Process



Back



CONTACT:
Tanya B. Morris
REE Reasonable Accommodation Program Manager
Email: tanya.b.morris@ars.usda.gov

USDA/ARS/Office of the Administrator
Agricultural Research Service
Office of Outreach, Diversity & Equal Opportunity
5601 Sunnyside Avenue, Room 2-1118
Mail Stop 5144
Beltsville, MD 20705-5144

Desk: 301-504-4339

Main Line: 202-720-6161

Secured Fax Line: 301-504-3309



REE Reasonable Accommodation Policy
www.afm.ars.usda.gov/ppweb/pdf/222-2v_2.pdf

Job Accommodation Network
www.askan.org

Form REE-172, Request for Reasonable Accommodation
<https://axon.ars.usda.gov/Employee%20Tools/Electronic-Forms/REE-172.pdf>

Form REE-173, Denial of Reasonable Accommodation Request
<https://axon.ars.usda.gov/Employee%20Tools/Electronic-Forms/REE-173.pdf>

REE employees without access to AXON may obtain PDF copies of RA form(s) by contacting the REE RA Program Manager.

DISCLAIMER
This visual aid is intended as a resource only. Its contents do not replace the Agency's Reasonable Accommodation Program policy nor the laws governing the Reasonable Accommodation Program as enforced by the Equal Employment Opportunity Commission.
Reasonable accommodation cases are handled on a case-by-case basis. REE employees and their supervisors should contact the REE Reasonable Accommodation Program Manager for further guidance. (see above).

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program, that all prohibited bases apply to all programs.
To file a complaint of discrimination, contact the Office of Outreach, Diversity, and Equal Opportunity (ODEO) on 202-720-6161 or 1-800-340-4289 or through the Federal Relay Service of 1-800-877-8339 or 1-800-845-6163 (Spanish).
If an employee requires alternative means of communication for program information (e.g., Braille, large print, audiotape, etc.) or other reasonable accommodation, please contact the Research, Education, and Economics Reasonable Accommodation Program Manager.
USDA is an equal opportunity provider and employer.

APPEAL RIGHTS
Employees denied a reasonable accommodation as part of the "formal" process, must receive a signed copy of the REE-173, Denial of Reasonable Accommodation Request to include the reason for the denial.
Refer to Sections 6 and 7 of the REE-173 for more information regarding a reconsideration of the denial and appeal rights.