



DOJ Form 100C Denial of Reasonable Accommodation

(To be maintained separate and apart from personnel files and for the duration of the individual's employment. Decision Maker must complete numbers 1-4 and complete number 5, if applicable.)

1. **Name of employee requesting reasonable accommodation:**

2. **Type(s) of reasonable accommodation requested:**

3. **Request for reasonable accommodation denied because: (may check more than one box)**
 - Accommodation Ineffective
 - Accommodation Would Cause Undue Hardship
 - Medical Documentation Inadequate
 - Accommodation Would Require Removal of an Essential Job Function
 - Accommodation Would Require Lowering of Performance or Production Standard
 - Other (Please identify) _____

4. **Detailed reason(s) for the denial of reasonable accommodation (Must be specific, e.g., why accommodation is ineffective or causes undue hardship):**

5. **If the individual proposed one type of reasonable accommodation which was denied, but rejected an offer of an alternative type of accommodation, explain both the reasons for denial of the requested accommodation and why the offered accommodation would be effective.**

NOTICE TO INDIVIDUAL:

6. If you wish to request reconsideration of this decision, you may take the following steps:

- o First, ask the Decision Maker to reconsider his/her denial. Additional information may be presented to support your request.
- o Utilize existing procedures for informal dispute resolution that can include any of the following processes: review by a second line supervisor or review by another neutral party.

RECONSIDERATION, REVIEW, AND USE OF ALTERNATIVE RESOURCES DO NOT AFFECT THE TIME LIMITS FOR INITIATING STATUTORY AND COLLECTIVE BARGAINING CLAIMS. AN INDIVIDUAL'S PARTICIPATION IN INFORMAL DISPUTE RESOLUTION PROCESSES WILL NEITHER SATISFY NOR DELAY TIME RESTRICTIONS OF THE FORMAL PROCESSES INDICATED BELOW.

7. If you wish to file an EEO complaint, or pursue MSPB and union grievance procedures, you must take the following steps:

- o For an EEO complaint pursuant to 29 C.F.R. §§ 1614, contact an EEO counselor in the appropriate Equal Employment Opportunity office *within 45 days from the date of denial of reasonable accommodation*; or
- o For a collective bargaining claim, file a written grievance in accordance with the provisions of the Collective Bargaining Agreement; or
- o Where the denial of a request results in an adverse action, 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.

Print/Type: Name/Title of Decision Maker

Signature of Decision Maker

Date reasonable accommodation denied: _____

I acknowledge that I have read the above information with regard to my request for accommodation.

Signature of Requester

Date

PRIVACY ACT STATEMENT

(This form is covered by the Privacy Act of 1974. Public Law 93-597. Authority for requesting the personal data and the use thereof are given below.)

1. **FORM NUMBER/TITLE/DATE:** DOJ Form 100A /Request for Reasonable Accommodation/ October 17, 2002; DOJ Form 100B/Reasonable Accommodation Information Reporting Form/ October 17, 2002; or DOJ Form 100C/Denial of Reasonable Accommodation/October 17, 2002.
2. **AUTHORITY:** The Rehabilitation Act of 1973, as amended, 29 U.S.C. 791; Executive Order 13164, dated July 26, 2000, Section 1(b)(9); and Equal Employment Opportunity Commission's Policy Guidance on Executive Order 13164: Establishing Procedures to Facilitate the Provision of Reasonable Accommodation, Directives Transmittal Number 915.003, October 20, 2000.
3. **PRINCIPAL PURPOSE:** To record and track requests for reasonable accommodation by individuals with disabilities, their provision, and the disposition of such requests for the Department of Justice only.
4. **ROUTINE USES:** Pursuant to subsection (b)(3) of the Privacy Act, information may be disclosed from this system as follows: To the news media and the public pursuant to 28 CFR 50.2 unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy. To a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of an individual who is the subject of the record. To the General Services Administration and National Archives and Records Administration in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906. Where a record, either on its face or in conjunction with other information, indicates a violation or potential violation of law, to any civil or criminal law enforcement authority or other appropriate agency, whether federal, state, local, foreign, or tribal, charged with the responsibility of investigating or prosecuting such a violation or enforcing or implementing a statute, rule, regulation, or order. In an appropriate proceeding before a court, grand jury, or administrative or regulatory body when records are determined by DOJ to be arguably relevant to the proceeding. To an actual or potential party to litigation or the party's authorized representative for the purpose of negotiation or discussion on such matters as settlement, plea bargaining, or in informal discovery proceedings. To a federal agency or entity that requires information relevant to a decision concerning the hiring, appointment, or retention of an employee, the issuance of a security clearance, the conduct of a security or suitability investigation, or pursuit of other appropriate personnel matter. To a federal, state, local, or tribal agency or entity that requires information relevant to a decision concerning the letting of a license or permit, the issuance of a grant or benefit, or other need for the information in performance of official duties. To contractors, grantees, experts, consultants, students, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for the Federal Government, when necessary to accomplish an agency function related to this system of records. To a former employee of the Department for purposes of: responding to an official inquiry by a federal, state, or local government entity or professional licensing authority, in accordance with applicable Department regulations; or facilitating communications with a former employee that may be necessary for personnel-related or other official purposes where the Department requires information and/or consultation assistance from the former employee regarding a matter within that person's former area of responsibility. To the White House (the President, Vice President, their staffs, and other entities of the Executive Office of the President (EOP)) for Executive Branch coordination of activities which relate to or have an effect upon the carrying out of the constitutional, statutory, or other official or ceremonial duties of the President. To such recipients and under such circumstances and procedures as are mandated by federal statute or treaty.
5. **WHETHER DISCLOSURE IS MANDATORY OR VOLUNTARY AND EFFECT ON INDIVIDUAL FOR NOT PROVIDING INFORMATION:** The provision of information for Form 100A is voluntary; however, if you do not provide this information, the Department may not provide you with an accommodation, and you may not receive important information. Forms 100B and 100C are mandatory for Decision Makers.