

FFAS
HANDBOOK

Reasonable Accommodation

For All FAS (including Overseas),
FSA, and RMA Offices

SHORT REFERENCE

31-PM

UNITED STATES DEPARTMENT OF AGRICULTURE
Farm Service Agency
Washington, DC 20250

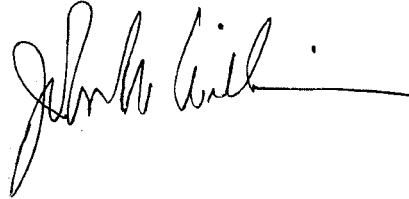
UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

**Reasonable Accommodation
31-PM**

Amendment 3

Approved by: Deputy Administrator, Management



Amendment Transmittal

A Reason for Amendment

This handbook has been amended to add information about accessible meetings/conferences and incorporate formal Departmental reasonable accommodation procedures.

B Major Changes

Parts 1, 2, and 3 have been amended to incorporate formal EEOC and OGC comments.

Subparagraphs 3 and 50 have been amended to incorporate the role and responsibilities of the Mission Area Designee.

Subparagraph 50 C has been amended to incorporate who can request a reasonable accommodation.

Subparagraph 52 B has been added and subparagraph 53 A has been amended to incorporate the timeframes and procedures for requesting an accommodation.

Information from paragraphs 78 and 79, about interpreting services, has been moved to Part 6.

Paragraph 80 and Exhibit 14 have been added to provide more information on planning accessible meetings/conferences.

Information from paragraph 100 has been moved to subparagraph 1 B. Paragraph 100 has been withdrawn.

Part 6 has been added to incorporate Sign Language Services offered.

Exhibits 7 through 9 have been amended to reflect current forms to be used.

Amendment Transmittal (Continued)

C Complete Handbook Reprint

This handbook has been converted to the revised format. Even though every page of Parts 1 through 6 have **not** been changed, because the handbook has been converted Parts 1 through 6 are being released for reprint. The major changes are listed in subparagraph B.

Page Control Chart		
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Part 1 Basic Provisions

1 Overview

A Handbook Purpose

*--This handbook:

- is intended to serve as an internal guidance manual for effecting reasonable accommodation for FAS, FSA, and RMA employees and applicants for employment
- sets forth the agencies' legal obligations regarding reasonable accommodation; however, agencies may provide more than the law requires
- does **not** replace or modify any current or future USDA regulations, directives, policies, handbooks, or manuals

Note: FFAS will amend its policies when future Departmentwide regulations, directives, policies, handbooks, or manuals are issued. Adherence to the suggestions in this handbook does not exempt FAS, FSA, or RMA managers, supervisors, employees, or applicants from any legal obligations arising under Federal or State law.

- is **not** a Departmentwide publication, nor has it been approved for use by any other agency or office within USDA

Note: Direct any questions on the applicability or use of 31-PM outside of FFAS, in writing, to:

USDA, OGC, CIVIL RIGHTS DIVISION
1400 INDEPENDENCE AVE, SW, ROOM 2006-S
WASHINGTON, DC 20250-1400.--*

- is a guide for providing reasonable accommodation for applicants and employees with disabilities to:
 - ensure equal opportunity in the application process
 - enable a qualified individual with a disability to perform essential job functions
 - enable an employee with a disability to receive employment benefits and privileges equal to those of a nondisabled employee in a similar situation.

1 Overview (Continued)

***--B Nondiscrimination Requirements**

Nondiscrimination requirements, including the obligation to make reasonable accommodation, apply to:

- the job application process
- the work environment
- all social or recreational activities provided or conducted by an employer
- any transportation provided by an employer for its employees or applicants
- all other benefits and privileges of employment

Employees with disabilities must:

- have an equal opportunity to attend and participate in any social functions conducted or sponsored by an employer

Note: Functions such as parties, picnics, shows, and award ceremonies should be held in accessible locations, and interpreters or other accommodations should be provided as necessary.

- have equal access to break rooms, lounges, cafeterias, and any other nonwork facilities that are provided by an employer for use by employees
- be given an equal opportunity to participate in employer-sponsored sports teams, leagues, or recreational activities.

Transportation provided by an employer must be accessible to employees with a disability. This includes transportation between employer facilities, transportation to or from mass transit, and transportation provided on an occasional basis to employer-sponsored events.

C Accommodation Statement

To comply with provisions of the Rehabilitation Act of 1973, as amended, the following statement is required on all flyers, posters, e-mail announcements, and other forms of notification for all meetings and events sponsored by any FFAS organizational unit. This requirement also applies to all employee organizations and bargaining units.

“Persons with disabilities who require accommodations to attend or participate in this meeting/event/function should contact (person’s name), on (voice phone #, TDD #, and e-mail address) by (day, date).”--*

1 Overview (Continued)

D Authority and Responsibility

The Director, HRD has:

- the authority and responsibility for implementing Section 501 of the Rehabilitation Act of 1973, as amended
- delegated this authority and responsibility according to the following table.

Authority	Responsible Official
Mission area policy	DEPM
FSA, FAS, and RMA National Office reasonable accommodation requests	
RMA Field Offices reasonable accommodation requests (except Kansas City)	
FAS Overseas	
Kansas City complex reasonable accommodation requests	Kansas City Reasonable Accommodation Coordinator through DEPM
State and County Office reasonable accommodation requests	State Office Administrative Officer (Field Disability Coordinator) through DEPM

E In This Handbook

This handbook contains:

- general information about reasonable accommodation
- policy on providing reasonable accommodation
- procedures for requesting and receiving reasonable accommodation
- information on conducting accessible meetings
- requirements for providing equal employment benefits and privileges to employees with disabilities.

2 Authority and Related References

A Sources of Authority

Authority for developing guidelines and managing reasonable accommodation is found in:

- Section 501 of the Rehabilitation Act of 1973, as amended
- * * * Civil Service Reform Act of 1978
- *--Title I of the Americans With Disabilities Act of 1990 (ADA)--*
- 29 CFR 1614
- 29 CFR 1630
- *--USDA DR 4300-7, "Processing EEO Complaints of Discrimination"
- any applicable USDA affirmative action plans for both individuals with disabilities and disabled veterans.--*

B Related EEOC Material

EEOC materials related to reasonable accommodation include:

- Technical Assistance Manual on the Employment Provisions (Title I) of ADA
- Technical Assistance Manual on the Employment Provisions (Title I) of ADA Resource Directory
- Compliance Manual, Section 902, Definition of the term "disability"
- *--Enforcement Guidance on the Americans with Disabilities Act and Psychiatric Disabilities
- ADA Enforcement Guidance on Preemployment Disability-Related Questions and Medical Examinations
- Enforcement Guidance on Worker's Compensation and ADA
- Enforcement Guidance on Reasonable Accommodation and Undue Hardship Under the Americans With Disabilities Act
- Enforcement Guidance on Application of Title VII and the Americans with Disabilities Act to Conduct Overseas and to Foreign Employers Discriminating in the United States. --*

3 Reasonable Accommodation Responsibilities

A DEPM Responsibilities

DEPM shall:

- develop policies and procedures for reviewing and implementing reasonable accommodation
- evaluate and approve or deny accommodation requests from offices serviced by HRD
- develop, in collaboration with the employee, employee representative, and management, an accommodation plan to implement accommodations for employees of offices serviced by HRD
- provide technical assistance to the Kansas City Accommodation Coordinator and the Field Disability Coordinators for accommodation requests, as needed
- work closely with other coordinators for FFAS to promote compliance with the provisions of this handbook, related regulations and technical guidance to foster an environment of nondiscrimination in the employment of persons with disabilities
- serve as the first appeal level for accommodation decisions from Field Offices
- maintain data on accommodations requested, provided, and the cost of each accommodation for annual reporting purposes.

3 Reasonable Accommodation Responsibilities (Continued)

***--B Mission Area Designee**

The mission area shall designate an official. The official designated shall:

- be required to successfully complete training by the Department
- ensure that the mission area is in compliance with its obligations to provide reasonable accommodation to qualified employees
- make a determination, when necessary, if the individual requesting accommodation is an individual with a disability as defined in this handbook
- maintain, review, and interpret all documentation, medical and nonmedical, to make a determination
- consult with the USDA Medical Officer when making a determination based on medical documentation, if necessary
- report their decision to appropriate officials.--*

C Kansas City Accommodation Coordinator Responsibilities

The Kansas City Accommodation Coordinator shall:

- promote compliance with the provisions of this handbook and related regulations and technical guidance to foster an environment of nondiscrimination in the area of employment of persons with disabilities
- consult with DEPM, as needed
- provide technical assistance to Field Disability Coordinators as needed
- evaluate and approve or deny accommodation requests for offices serviced by KCMO, *--Human Resources Division
- develop, in collaboration with the employee, employee representative, and management, an accommodation plan to implement accommodations for offices serviced by KCMO, Human Resources Division--*
- maintain data on accommodations requested, provided, and costs of each accommodation for annual reporting purposes.

3 Reasonable Accommodation Responsibilities (Continued)

D Field Disability Coordinator Responsibilities

State Office Administrative Officer as Field Disability Coordinator shall:

- promote compliance with the provisions of this handbook and related regulations and technical guidance to foster an environment of nondiscrimination in the area of employment of persons with disabilities
- consult with DEPM and the Kansas City Accommodation Coordinator, as needed
- evaluate and approve or deny accommodation requests for State and County Office employees in their State
- develop, in collaboration with the employee, employee representative, and management, an accommodation plan to implement accommodations for State and County Office employees
- maintain data on accommodations requested, provided, and costs of each accommodation for annual reporting purposes.

E Civil Rights Staff Responsibilities

The Civil Rights Staff shall:

- monitor and evaluate policies and procedures to ensure compliance with applicable laws and regulations
- work cooperatively with DEPM, Kansas City Accommodation Coordinator, and Field Disability Coordinators to ensure consistent and effective development and application of policies and procedures.

4-24 (Reserved)

Part 2 General Information About Reasonable Accommodation**25 Overview****A Regulations**

Regulations implementing the Rehabilitation Act of 1973, as amended, are found in 29 CFR 1614. EEOC has also provided regulations in 29 CFR 1630 on ADA, which EEOC advises should be read concurrently with the Rehabilitation Act regulations.

*--The 1992 amendment to Section 501 of the Rehabilitation Act of 1973 applies the ADA standards for nonaffirmative action employment discrimination to Federal employees. The ADA regulations at 29 CFR 1630, along with its Interpretive Appendix, sets out and explains these legal standards.

B Definition of Reasonable Accommodation

Reasonable accommodation is any modification or adjustment to a job, a job application process, an employment practice, or the work environment that makes it possible for an individual with a disability to enjoy an equal employment opportunity.--*

26 Providing Reasonable Accommodation

*--A USDA/FFAS Policy

It is the policy of the Department of Agriculture and FFAS to be a model employer of persons with disabilities and to accommodate employees and applicants with disabilities unless it imposes an undue hardship on the Agency. The minimum requirements set forth in this handbook do not preclude managers and supervisors from doing more, including accommodating individuals whose functional limitations do not rise to the definition of a “disability.” USDA and FFAS recognize that all of its employees need the tools necessary to be productive, and that providing accommodations is a way of providing the tools needed to support accomplishment of its mission. USDA and FFAS are committed to a simple and streamlined process for providing accommodations.--*

B Required Accommodations

An employer must provide a reasonable accommodation to the known physical or mental limitation of a qualified applicant or employee with a disability unless the employer can show that the accommodation would pose an undue hardship.

Reasonable accommodation is required in the following 3 aspects of employment:

- to ensure equal opportunity in the application process
- to enable a qualified individual with a disability to perform essential job functions
- to enable an employee with a disability to receive employment benefits and privileges equal to those of a nondisabled employee in a similar situation.

C Accommodations That Are Not Required

FFAS is not required to provide an accommodation:

- for an individual who is not qualified for a position
- that would pose an undue hardship on the Agency
- *--that would violate the law of the foreign country; however, every effort will be made to accommodate U.S. citizen employees located in a foreign country.--*

26 Providing Reasonable Accommodation (Continued)**D Basic Principles of Reasonable Accommodation**

When considering a request for accommodation, focus on the **individual's** abilities and limitations, not on the name of a disability or a particular physical or mental condition. Individuals with the same disability may have different abilities and limitations. Reasonable accommodation is provided to qualified individuals with disabilities to enable them to perform essential job functions.

The basic principles of reasonable accommodation are that it:

- must be effective in providing an opportunity for a person with a disability to achieve the same level of performance or to enjoy employment benefits and privileges equal to those of an average similarly situated nondisabled person
- applies only to accommodations that reduce barriers to employment related to a person's disability
- must be effective for the purpose intended, not necessarily the latest accommodation available
- cannot be used primarily for personal use
- must not cause disruption in the work unit or organization that could be considered an undue hardship
- must not fundamentally alter the nature or operation of the work unit or organization
- must be determined on an individual basis
- must take into consideration the specific:
 - abilities and functional limitations of a particular applicant or employee with a disability
 - functional requirements of a particular job.

26 Providing Reasonable Accommodation (Continued)

E Examples of Reasonable Accommodation

Every accommodation is unique to the individual and the job situation. Examples of reasonable accommodation include, but are not limited to:

- making facilities readily accessible to, and usable by, an individual with a disability
- restructuring a job by reallocating or redistributing marginal or non-essential job functions
- altering when or how an essential job function is performed
- modifying work schedules
- obtaining or modifying equipment or devices
- reassigning the individual to a vacant position for which the individual is qualified at the same or lower grade, but not to a higher grade or to a position with higher promotion potential

***--Note:** EEOC advises that reassignment is the reasonable accommodation of last resort and is required only when there is a determination that either of the following situations exists:

- there are no effective accommodations that will enable the employee to perform the essential functions of his or her current position
- all other reasonable accommodations would impose an undue hardship.--*
- permitting use of accrued paid leave or unpaid leave for necessary treatment
- allowing an employee to provide equipment or devices that an employer is not required to provide.

F Refusing Accommodation

A qualified individual with a disability is not required to accept an accommodation. If the individual rejects a reasonable accommodation that is necessary to enable the individual to perform the essential functions of the position held or desired, and cannot, because of that rejection, perform the essential functions of the position, the individual will **not** be considered a qualified individual with a disability as stated in 29 CFR 1630.9(d).

26 Providing Reasonable Accommodation (Continued)**G Equal Benefits and Privileges**

An employee with a disability is entitled to employment benefits and privileges equal to those of a similarly situated nondisabled employee. Employees with disabilities must have equal access to lunchrooms, employee lounges, rest rooms, meeting rooms, and other employer-provided or -sponsored services, such as, health programs, transportation, and social events.

H Undue Hardship

An employer is not required to make a reasonable accommodation if it would impose an undue hardship on the operation of the business. However, the employer must consider whether there are alternative accommodations that would not impose a hardship, and if so, must provide them.

An undue hardship is an action that requires “**significant difficulty or expense**” in relation to the size of the employer, the resources available, and the nature of the operation. Whether an accommodation would impose an undue hardship must always be determined on a case-by-case basis.

The concept of undue hardship includes any action that is any of the following:

- unduly costly
- extensive
- substantial
- disruptive
- would fundamentally alter the nature or operation of the business.

***--I Requesting Leave**

When an employee needs leave related to his or her disability, the Agency should consider the employee’s rights under Section 501 of the Rehabilitation Act of 1973, as amended, and the Family and Medical Leave Act separately, and then consider whether the 2 statutes overlap regarding the appropriate action. For more information on the Family and Medical Leave Act, see 17-PM.--*

27 Guidelines and Definitions of Terms for Determining Eligibility for Reasonable Accommodation

A Overview

The Rehabilitation Act of 1973, as amended, and ADA protect qualified individuals with disabilities from employment discrimination. Under other laws that prohibit employment discrimination, it is usually a simple matter to know whether an individual is covered because of race, color, sex, national origin, or age. It can be complicated to know whether a person is covered by the employment provisions of these Acts. It is necessary to understand the Acts' very specific definitions of **“disability”** and **“qualified individual with a disability.”**

Deciding who is a qualified individual is a case-by-case process and must include an ***--analysis of the particular employment situation and the specific needs of the individual employee or applicant.--***

Since the definition of the term “disability” under the Acts is tailored to the purpose of eliminating discrimination prohibited by the Acts, it may differ from the definition of “disability” in other laws drafted for other purposes. The definition of “disability” set forth in the Acts, is the **only** definition applicable to the provision of reasonable accommodation.

The National Employment Law Institute’s checklist for determining whether an individual needs reasonable accommodation is provided in Exhibit 4. This is a useful tool in reviewing requests for accommodation.

Use the accommodation process outlined in Part 3 if the applicant or employee meets the following criteria:

- has a physical or mental impairment which substantially limits 1 or more of the individual’s major life activities
- a record of such an impairment, or being regarded as having such an impairment
- is “otherwise qualified” to perform the essential job functions.

Guidance on determining a **“qualified individual with a disability”** is provided in subparagraphs B through E.

27 Guidelines and Definitions of Terms for Determining Eligibility for Reasonable Accommodation (Continued)

B Definition of Physical or Mental Impairment

A physical or mental impairment includes either of the following:

- any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting 1 or more of the following body systems:
 - neurological
 - musculoskeletal
 - special sense organs
 - respiratory, including speech organs
 - cardiovascular
 - reproductive
 - digestive
 - genitourinary
 - hemic and lymphatic
 - skin and endocrine

- any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

Note: This regulatory definition does not set forth an exclusive list of specific impairments covered by the statutes. It describes the types of conditions that constitute an impairment.

C Definition of Substantially Limits

The regulatory definition of substantially limits means the individual is:

- unable to perform a major life activity that the average person in the general population can perform

- significantly restricted as to the condition, manner, or duration under which the individual can perform a particular major life activity as compared to the condition, manner, or duration under which the average person in the general population can perform that same major life activity.

27 Guidelines and Definitions of Terms for Determining Eligibility for Reasonable Accommodation (Continued)**C Definition of Substantially Limits (Continued)**

Note: The following factors should be considered in determining whether an individual is substantially limited in a major life activity:

- the **nature and severity** of the impairment
- the **duration** or **expected duration** of the impairment
- the **permanent** or **long-term** impact, or the **expected** permanent or long-term impact of or **resulting** from the impairment.

D Substantially Limited in the Major Life Activity of Working

With respect to the major life activity of working, substantially limited means the individual is significantly restricted in the ability to perform a class of jobs, or a broad range of jobs in various classes, as compared to the average person having comparable training, skills, and abilities.

The inability to perform a single, particular job does not constitute a substantial limitation in the major life activity of working.

Note: The following factors may be considered in determining whether an individual is substantially limited in the major life activity of working.

- The geographical area to which the individual has reasonable access.
- The job from which the individual has been disqualified because of an impairment, and the number and types of jobs using similar training, knowledge, skills, or abilities, within that geographical area, from which the individual is also disqualified because of the impairment (class of jobs).
- The job from which the individual has been disqualified because of an impairment, and the number and types of other jobs not using similar training, knowledge, skills or abilities, within that geographical area, from which the individual is also disqualified because of the impairment (broad range of jobs in various classes).

27 Guidelines and Definitions of Terms for Determining Eligibility for Reasonable Accommodation (Continued)

E Major Life Activities

Major life activities:

- are those basic activities that the average person in the general population can perform with little or no difficulty
- include functions, such as, caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, sleeping, and working.

Note: This is not an exhaustive list of all major life activities. It is representative of the types of activities that are major life activities.

F Example of “a Record of Such an Impairment”

An example of “a record of such an impairment” includes having a history of, or having been misclassified as having, a mental or physical impairment that substantially limits 1 or more major life activities.

G Example of “Being Regarded as Having Such an Impairment”

An example of “being regarded as having such an impairment” includes having an impairment that does not substantially limit a major life activity but is treated by USDA as constituting such limitation; having an impairment that substantially limits a major life activity only as a result of the attitudes of others toward such impairment; or having none of the impairments described in this section, but being treated by USDA as having a substantially limiting impairment.

H Statutory Exclusions

The following are statutory exclusions for protections under the Rehabilitation Act of 1973, as amended, and ADA:

- current illegal use of drugs
- homosexuality, bisexuality, transvestitism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, or other sexual behavior disorders
- compulsive gambling, kleptomania, or pyromania
- psychoactive substance use disorders resulting from current illegal use of drugs.

27 Guidelines and Definitions of Terms for Determining Eligibility for Reasonable Accommodation (Continued)

I Otherwise Qualified

Otherwise qualified, with respect to employment, means that an individual with a disability, with or without reasonable accommodation, can perform the essential functions of the position without endangering the health and safety of the individual or others, and depending upon the type of appointing authority being used, meets either of the following:

- experience or education requirements of the position
- criteria for appointment under 1 of the special appointment authorities for individuals with disabilities.

J Essential Job Functions

A function could be considered essential to a job if:

- the position exists to perform the function
- there are a limited number of other employees available to perform the function, among whom the function can be distributed
- a function is highly specialized, and the person in the position is hired for special expertise or ability to perform the function.

Consider the following to determine if a function is essential to a position:

- whether employees in the position are actually **required** to perform the function
- whether removing that function would fundamentally change the job
- whether a function is listed in a written position description prepared before advertising or interviewing applicants for a job
- the amount of time spent performing the function
- the consequences of not requiring a person in this job to perform the function
- work experience of people who have performed the job in the past and work experience of people who currently perform similar jobs.

27 Guidelines and Definitions of Terms for Determining Eligibility for Reasonable Accommodation (Continued)

K Confidentiality

Medical documentation obtained for processing reasonable accommodation requests shall remain confidential and separate from the employee’s official personnel file as required by the Rehabilitation Act, ADA, and implementing regulations.

28 Resources for Accommodation Information

A Suggested Resources

Suggested resources for accommodation information include, but are not limited to, the following.

Resource	Contact
DEPM	*--Voice: 202-418-9013--* TDD: 202-418-9116
--Mission Area Designee	Voice: 202-418-9013 TDD: 202-418-9116--
Kansas City Accommodation Coordinator	Voice: 816-926-1250 TDD: 816-823-1730
USDA staff interpreter	Voice: 202-720-3515 TDD: 202-720-7614
Job Accommodation Network	Voice/TDD: 1-800-526-7234
Technical Assistance Manual on the Employment Provisions (Title I) of the ADA, EEOC	EEOC Publications 1-800-669-3362
Agency Civil Rights Office	See USDA Directory
USDA TARGET Center (Assistive Technology)	Voice/TDD: 202-720-2600
USDA Disability Compliance Manager	Voice: 202-720-0353 TDD: 202-720-0353
ADA Regional Business and Disability Technical Assistance Centers	Technical Assistance Manual on the Employment Provisions (Title I) of ADA, EEOC
State and local vocational rehabilitation agencies	See local phone directory
CAP Technology Evaluation Center (Assistive Technology)	*--See USDA Target Center--*
EEOC	202-663-4900

***--29 Accessible Electronic Information**

A Need for Accessible Information

The goal in providing accessible electronic information is to ensure that all employees and customers have access to information disseminated, as appropriate.

Technological advances make it possible to scan documents and have them read aloud by the computer. Although sophisticated, this technology does have some limitations.

The information in this paragraph is designed to provide some basic guidelines for ensuring that information disseminated electronically will be accessible.

B Accessible Electronic Format

An accessible electronic format is one with text in a simple font, such as Courier. Accessible formats do **not** include letterhead, signature blocks, graphics, etc.

C Disseminating Electronic Information

Electronic information disseminated as attachments to e-mail, through the Intranet and Internet, **must** be made available in an accessible format upon request. Employees are encouraged to consider accessible user requirements when generating documents.

D Document Modification Assistance

Users requiring assistance in modifying electronic documents to make them accessible should contact the local Help Desk Assistance Team.--*

30-49 (Reserved)

Part 3 Reasonable Accommodation Process

50 Requesting Reasonable Accommodation

A Legal Obligation

FFAS must provide a reasonable accommodation to the known physical or mental limitations of a qualified applicant or employee with a disability unless FFAS can show that the *--accommodation would impose an undue hardship. Discrimination can result from an Agency's failure to make reasonable accommodation when the employee is a qualified individual with a disability, as defined by the Rehabilitation Act of 1973, as amended, and providing the accommodation would not impose an undue hardship.

B Reasonable Accommodation

Reasonable accommodation is any modification or adjustment to a job, a job application process, an employment practice, or the work environment that makes it possible for an individual with a disability to enjoy an equal employment opportunity.--*

The success of the reasonable accommodation is predicated on a constructive interactive process between the employee, employee's representative, management, and DEPM, Field Disability Coordinator, or KC Accommodation Coordinator.

C Who Requests Reasonable Accommodation

The applicant or employee with a disability is responsible for informing the employer that an accommodation is needed to:

- participate in the application process
- perform essential job functions
- receive equal benefits and privileges of employment.

--A family member, health professional, immediate supervisor or other representative can request a reasonable accommodation on behalf of an employee or applicant. This request will go to the same person to whom the employee or applicant. This request will go to the same person to whom the employee or applicant would make the request.--

If an applicant or employee has a "hidden" or unknown disability, the individual must make the need for an accommodation known to the employer.

If an employee with a known disability is not performing well or is having difficulty performing a job, the employer should assess whether the poor performance or difficulty is because of a disability. The employer may inquire, at any time, whether the employee needs accommodation.

Note: A qualified individual with a disability has the right to refuse an accommodation. However, if the individual cannot perform the essential job functions without an accommodation, the individual may not be qualified for the job, and therefore, may not be protected by the law.

50 Requesting Reasonable Accommodation (Continued)

D Reasonable Accommodation Requests

An applicant or employee with a disability does not have to request a specific reasonable accommodation, but must inform the employer that some adjustment or change is needed to perform a job.

*--A family member, health professional, immediate supervisor or other representative can request a reasonable accommodation on behalf of an employee or applicant. This request will go to the same person to whom the employee or applicant would make the request.

Note: Requests for reasonable accommodations do not need to be in writing. After making the initial request for accommodation, employees should complete AD-1163 to expedite processing the request. See paragraph 51. Applicants should **not** be asked to complete AD-1163.--*

E Documenting the Need for Accommodation

If an applicant or employee requests an accommodation and the need for the accommodation *--is not obvious, the Mission Area Designee may request documentation of the individual's--* functional limitations to support the request. Supervisors and managers should **not** request medical documentation from employees regarding accommodations.

Note: See subparagraph 51 B for information on when the immediate supervisor may grant accommodation requests.

Managers are prohibited from making any medical or disability related inquiries before making a conditional job offer. For further information on pre-employment inquiries, contact DEPM.

--Medical documentation requested by Mission Area Designee shall be:--

- kept confidential
- maintained separate from official personnel records.

See Exhibits 5 and 6 for examples of medical documentation requests.

50 Requesting Reasonable Accommodation (Continued)

***--F Pre-Offer Disability Related Inquiries**

Generally, pre-offer disability related inquiries and medical examinations are prohibited under Section 501 of the Rehabilitation Act. At the pre-offer stage, inquiries about whether an applicant needs reasonable accommodation for the job is prohibited because such an inquiry is likely to elicit information about the existence of a disability.

When an agency could reasonably believe that an applicant will need accommodation to perform his or her job functions, because the applicant has an obvious disability or has voluntarily disclosed a hidden disability or a need for accommodation, the agency may ask whether the applicant needs reasonable accommodation and what type of reasonable accommodation would be needed. The agency may not go beyond these limited questions before making a conditional offer of employment.

When the hiring process includes a job demonstration, examination, or interview, an agency may ask the applicant for information relevant to any reasonable accommodation needed to perform the job demonstration, take the examination, or participate in the interview within a reasonable time period before such event. In addition, an agency may ask at an interview about an applicant's ability to perform job-related functions and may request an applicant to describe or to demonstrate how, "with or without reasonable accommodation," he or she will be able to perform job-related functions.

For more information about pre-offer disability related inquiries, see EEOC Enforcement Guidance, "Preemployment Disability Related Questions and Medical Examinations."--*

51 Reasonable Accommodation Process Responsibilities**A Employee Responsibility**

Employees shall:

- *--submit completed AD-1163 to the immediate supervisor, DEPM, Field Disability Coordinator, or KC Accommodation Coordinator according to paragraph 52

Note: A written request for accommodation is not required; however, completing AD-1163 will expedite the review of the accommodation request. If the employee does not complete AD-1163, DEPM, Field Disability Coordinator, or KC Accommodation Coordinator shall review the information requested on AD-1163 with the employee and complete the form.

- provide medical documentation requested in a timely manner
- participate in reviewing and discussing accommodation options with DEPM, Mission Area Designee, Field Disability Coordinator, or KC Accommodation Coordinator,--* management, and employee representative according to subparagraph D
- implement and use the accommodation provided
- file SF-256 with DEPM, Field Disability Coordinator, or KC Accommodation Coordinator
- comply with the terms of the accommodation plan.

B Immediate Supervisor Responsibilities

The immediate supervisor shall:

- *--submit completed AD-1163 to DEPM, Field Disability Coordinator, or KC Accommodation Coordinator according to paragraph 52

Note: If an employee makes a verbal request for accommodation, the supervisor may refer the employee to AD-1163 and this handbook, if the employee chooses not to complete AD-1163, the supervisor shall complete AD-1163 and forward it to DEPM, Field Disability Coordinator, or KC Accommodation Coordinator.--*

51 Reasonable Accommodation Process Responsibilities (Continued)

B Immediate Supervisor Responsibilities (Continued)

- confer with DEPM, Field Disability Coordinator, or KC Accommodation Coordinator *--before completing AD-1163--*
- participate in reviewing and discussing accommodation options with the employee, FFAS DEPM or Field Disability Coordinator, and the employee representative
- comply with the terms of the accommodation plan.

The immediate supervisor does not have the authority to grant a request for reasonable accommodation unless:

- cost is less than \$2,500
- the supervisor and employee are in agreement as to the accommodation
- the accommodation does not impact on the conditions of employment for any other employee in the work group.

Example: Change in work schedule.

C DEPM, Field Disability Coordinator, or KC Accommodation Coordinator Responsibilities

DEPM, Field Disability Coordinator, or KC Accommodation Coordinator shall:

- *--review all applicant and employee requests and make a determination on accommodation requests consistent with the applicable regulations, EEOC guidance, and this handbook
- consult with technical experts, as necessary
- review and complete AD-1163 with the employee, if the employee does not complete--* the form.

51 Reasonable Accommodation Process Responsibilities (Continued)

C DEPM, Field Disability Coordinator, or KC Accommodation Coordinator Responsibilities (Continued)

- provide the employee's supervisor with a copy of the accommodation request if the *--employee or applicant elected to send AD-1163 to DEPM, Field Disability Coordinator, or KC Accommodation Coordinator
- complete AD-1164 and monitor implementation

Note: See Exhibit 9 for an example of AD-1164.--*

- draft the accommodation determination memorandum according to Exhibit 7
- draft the accommodation plan according to Exhibit 8 or 9
- conduct follow-up on the accommodation plan with the employee and management, as necessary
- provide technical assistance to individuals coordinating Agency-sponsored events so that appropriate accommodations are made for employees with disabilities.

D Bargaining Units Responsibilities

Where exclusive representation exists, the exclusive representative:

- **may** represent a bargaining unit employee seeking the accommodation **only if** requested by the employee
- **may** represent a bargaining unit employee who feels another employee's accommodation has impacted a condition of employment specific to them **only if** requested by the effected employee
- **may not** represent a nonbargaining unit member as defined by the contract
- **must** comply with the privacy/confidentiality provisions of the Rehabilitation Act of 1973, as amended.

Employees requesting representation, and stewards, must complete FFAS-4 before DEPM, Field Disability Coordinator, or KC Accommodation Coordinator can discuss the medical condition of the employee with the steward. See Exhibit 10 for an example of completed FFAS-4.

Note: FFAS-4 is required because of the Privacy Act and FOIA protections of this confidential information.

51 Reasonable Accommodation Process Responsibilities (Continued)**E Civil Rights Offices Responsibilities**

The Civil Rights Offices serve to ensure nondiscrimination in the accommodation process. Most accommodation requests can be settled through consultations with the employee and management. However, in those instances where the employee, management, or both, are non-compliant with the accommodation recommendations, DEPM, Field Disability Coordinator, or KC Accommodation Coordinator should consult with the Agency Civil Rights Office.

If the employee feels he/she has been discriminated against in the accommodation process, the employee may pursue guidance from the Agency Civil Rights Office or seek remedy through the EEO complaint process.

--To file a complaint alleging discrimination in employment or the delivery of services, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, DC 20250-9410, or call 720-5964 (voice or TDD).--

F Reasonable Accommodation Statement

Individuals coordinating Agency-sponsored events **must** notify event invitees of the obligation to provide accommodation using the following statement:

“Persons with disabilities who require accommodation to attend or participate in this meeting/event/function should contact (person’s name) on (voice #), (TDD# or Federal Relay Service at 1-800-877-8339), and (e-mail address) by (day, date).”

52 Accommodation Requests Approved by the Supervisor

A Criteria for Granting a Request

Supervisors have the authority to grant accommodation requests, if **all** of the following conditions are met.

- The accommodation requested costs less than \$2,500.
- The supervisor and employee are in agreement on the accommodation needed.
- The accommodation requested does not impact on the conditions of employment for any other employee in the work group.

If all of these conditions are met, process request according to subparagraph B.

Note: In those situations where the supervisor has the authority to grant the accommodation requested, the agency is not making any determination as to whether or not the individual is a “qualified individual with a disability” as defined by the Rehabilitation Act of 1973, as amended.

***--B Processing Requests Approved by First Line Supervisor**

If the individual has an obvious disability or previously documented medical condition that qualifies them as an individual with a disability, and the accommodation request is related to the limitation caused by that medical condition; do the following.

Step	Action
1	The first line supervisor must complete AD-1163 and forward AD-1163 to the DEPM, Field Disability Coordinator, or KC Accommodation Coordinator.
2	The first line supervisor must provide the accommodation in no more than 30 workdays from the date of the written or oral request.
3	The first line supervisor must determine whether the accommodation is effective.

--*

53 Accommodation Requests Approved by DEPM or Coordinator

A Processing Requests Approved by DEPM or Coordinator

If **all** of the conditions in subparagraph 52 A are **not** met, follow the instructions in this table to process the accommodation request.

Step	Action	
1	IF the employee makes a request for accommodation to the...	THEN...
	immediate supervisor	go to step 2.
	DEPM, Field Disability Coordinator, or KC Accommodation Coordinator	go to step 3.
<p>*--Note: If the employee does not complete AD-1163, DEPM, Field Disability Coordinator, or KC Accommodation Coordinator shall complete AD-1163 with the employee’s assistance.</p>		
2	<p>The supervisor shall complete AD-1163 within 3 workdays of receiving the request for accommodation and forward the completed forms to FFAS DEPM, Field Disability Coordinator, or KC Accommodation Coordinator. The FFAS DEPM, Field Disability Coordinator, or KC Accommodation Coordinator shall request AD-1163 from the immediate supervisor, if not submitted.</p>	
3	<p>Upon receiving AD-1163 or notification of the request for accommodation, within 3 workdays, DEPM, Field Disability Coordinator, or KC Accommodation Coordinator shall forward the request to the Mission Area Designee within 2 workdays. The Mission Area Designee shall request:</p> <ul style="list-style-type: none"> • medical documentation, if necessary • AD-1163 from the immediate supervisor, if not submitted.--* 	

53 Accommodation Requests Approved by DEPM or Coordinator (Continued)

A Processing Requests Approved by DEPM or Coordinator (Continued)

Step	Action						
4	<p>The employee has 15 workdays from the date of the request for medical *--documentation to submit the necessary documentation to Mission Area Designee. Employee may request a reasonable time extension.</p> <p>Note: The interactive reasonable accommodation process is, by definition, a flexible process that varies from person to person. Failure by an agency to initiate or participate in an informal dialogue with an individual after receiving a request for reasonable accommodation could result in liability for failure to provide a reasonable accommodation. In the course of the informal dialogue, the agency may need to request reasonable clarification of medical information on more than one occasion, if the individual's disability and the need for accommodation are not obvious. Repeated failure by the employee to submit the medical documentation requested may result in a denial of the reasonable accommodation request because of insufficient information.</p>						
5	<p>Mission Area Designee shall review the medical documentation submitted--* within 15 workdays to determine whether:</p> <ul style="list-style-type: none"> • the employee is a "qualified individual with a disability" as defined by the Rehabilitation Act, ADA, implementing regulations, and EEOC guidance • the accommodation requested is necessary to provide the employee with an equal opportunity to perform the essential job functions. <p>Note: Consult subject matter experts, if necessary.</p> <table border="1" data-bbox="407 1297 1469 1545"> <thead> <tr> <th data-bbox="407 1297 906 1381">IF the medical documentation is...</th> <th data-bbox="906 1297 1469 1381">*--THEN the Mission Area Designee shall request...</th> </tr> </thead> <tbody> <tr> <td data-bbox="407 1381 906 1465">insufficient to complete the required analyses</td> <td data-bbox="906 1381 1469 1465">additional documentation may be required within 5 workdays.--*</td> </tr> <tr> <td data-bbox="407 1465 906 1545">sufficient to complete the required analyses</td> <td data-bbox="906 1465 1469 1545">go to step 6.</td> </tr> </tbody> </table>	IF the medical documentation is...	*--THEN the Mission Area Designee shall request...	insufficient to complete the required analyses	additional documentation may be required within 5 workdays.--*	sufficient to complete the required analyses	go to step 6.
IF the medical documentation is...	*--THEN the Mission Area Designee shall request...						
insufficient to complete the required analyses	additional documentation may be required within 5 workdays.--*						
sufficient to complete the required analyses	go to step 6.						
6	<p>Within 15 workdays after sufficient medical documentation is received, DEPM, Field Disability Coordinator, or KC Accommodation Coordinator shall meet with the employee, management, and employee representative to discuss whether accommodation is appropriate, and, if so, to discuss options.</p>						

53 Accommodation Requests Approved by DEPM or Coordinator (Continued)

A Processing Requests Approved by DEPM or Coordinator (Continued)

Step	Action	
7	IF the parties...	THEN...
	do not reach a consensus on the requested accommodation	<ul style="list-style-type: none"> • DEPM, Field Disability Coordinator, or KC Accommodation Coordinator shall issue an accommodation determination memorandum within *--5 workdays. See Exhibit 8. • the employee may file an appeal according to paragraph 54.
	reach a consensus on the requested accommodation	DEPM, Field Disability Coordinator, KC Accommodation Coordinator shall issue a decision memorandum and/or accommodation plan within 5 workdays. See Exhibits 8 and 9.--*
8	The employee shall review and sign or make changes to the accommodation plan within 7 workdays .	
	IF changes are...	THEN the employee shall...
	not requested	sign and forward the accommodation plan to management for signature.
	requested	forward the accommodation plan to DEPM, Field Disability Coordinator, or KC Accommodation Coordinator. Return to step 7.

53 Accommodation Requests Approved by DEPM or Coordinator (Continued)

A Processing Requests Approved by DEPM or Coordinator (Continued)

Step	Action	
9	Management shall review and sign or make changes to the accommodation plan within 7 workdays .	
	IF changes are...	THEN...
	not requested	management shall sign and forward the accommodation plan to FFAS DEPM, Field Disability Coordinator, or KC Accommodation Coordinator.
	requested	management shall forward the accommodation plan to DEPM, Field Disability Coordinator, or KC Accommodation Coordinator. Return to step 7.
10	After the accommodation plan has been signed, all parties have an obligation to comply with its terms and conditions. Note: The accommodation plan may be modified as changes in the medical condition or the essential job functions necessitate.	

In the event of an extenuating circumstance, it may be necessary to extend time frames for accommodation requests. Extenuating circumstances are factors that could not reasonably have been anticipated or avoided in advance of the request for accommodation. When these circumstances occur, the time for processing a request and providing the accommodation will be extended as reasonably necessary. All USDA employees are expected to act as quickly as possible to determine eligibility and provide needed accommodation. A few examples of extenuating circumstances:

- the purchase of equipment may take longer than 30 days
- the employee with a disability needs to try out equipment before purchase can be made
- new staff needs to be hired or contracted for or an accommodation involves the removal of architectural barriers.

In the event of an extenuating circumstance, the employee’s supervisor shall notify the employee of the reason for the delay and the approximated date on which a decision, and/or provision of the reasonable accommodation is expected. The supervisor shall investigate whether temporary measure can be taken to assist the employee. A temporary measure may be taken even when the delay is caused by the need to obtain or evaluate medical documentation to determine if the employee has a covered disability. This is in no way obligates USDA to continue or offer further accommodations if the determination is made that the employee does not have a covered disability.

54 **Appealing a Reasonable Accommodation Decision**

A Filing an Appeal

--If either the employee or manager is dissatisfied with the disability determination or accommodation proposed, the Agency may seek an independent medical or other expert review on the points of disagreement. However, an employer cannot ask for documentation when both the disability and the need for accommodation are obvious or the individual has already provided the employer with sufficient information to substantiate the disability and the need for reasonable accommodation. If independent medical or expert review is permissible, then the final determination will incorporate the information provided by the independent medical or other expert.--

If necessary, based on the independent medical or other expert review, adjustments will be made to the disability determination or accommodation proposed. However, if either the employee or manager remain dissatisfied, the final determination may be appealed according to this table.

IF the appeal is filed by an employee or manager in...	THEN...
a Field Office	<ul style="list-style-type: none"> • first appeal is to FFAS DEPM • second appeal is to Director, HRD • third appeal is to the Agency Civil Rights Office • fourth appeal is to USDA Disability Compliance Manager.
the National Office	<ul style="list-style-type: none"> • first appeal is to Director, HRD • second appeal is to the Agency Civil Rights Office • third appeal is to USDA Disability Compliance Manager.

Note: If the employee wants to file:

- *--an EEO complaint, the employee should contact an EEO counselor for guidance
- a bargaining unit grievance, the employee should refer to the negotiated--* contract for the employee's union.

55-75 (Reserved)

Part 4 Planning Accessible Agency Events

76 Overview

A Need for Accessible Meetings

The goal in planning an accessible meeting is to create a meeting environment that is user-friendly and accessible to **all** people, including people with disabilities. The term “accessible” is most often associated with wheelchair use; however, it also includes the needs of people who have visual, cognitive, hearing, activity, manual, or mobility impairments.

B Site Accessibility

Do **not** assume that a meeting facility, which has not been visited, is accessible. Often it is assumed that a facility is accessible because a wheelchair user has been seen in the facility.

FFAS shall **not** conduct any meetings, conferences, or gatherings in facilities with barriers that deny persons with disabilities essential access and participation.

C Announcing Meetings, Conferences, and Social Events

*--**All** notices, flyers, posters, registration forms, etc., informing employees and customers about meetings, conferences, and Agency-sponsored social events shall contain the following accommodation statement:

“Persons with disabilities who require accommodation to attend or participate in this meeting/function/event should contact (person’s name) on (voice #), (TDD# or Federal Relay Service at 1-800-877-8339), and (e-mail address) by (day, date).”--*

77 Options for Providing Reasonable Accommodation for Agency Events

A TDD

A telecommunication device for the deaf (TDD) is a portable electronic machine which is used with a telephone. TDD has a visual display and/or a printer so that the caller and receiver can read and type their conversation. There are some software packages available which allow the PC to function as a TDD. People with hearing or speech impairments use TDD's.

B Assistive Listening Systems

The following systems are generally used in moderate to large meetings:

- hardwired systems
- induction loop systems
- radio frequency systems
- infrared systems.

The specific system used will depend upon the location, need for portability, and the intended users.

C Sign Language Interpreters

Interpreters should be qualified professionals. Qualified interpreters usually have the equivalent of a State certification.

--See paragraph 121 for additional information on interpreters.--

77 Options for Providing Reasonable Accommodation for Agency Events (Continued)**D Lighting**

When audio visual aids such as videos, slides, or overhead projectors are used, the lights should **never** be turned off in the room. Turning the lights off will impact the ability of an interpreter to be effective, as well as attendees with certain visual impairments.

E Large Print Materials

Materials requested in large print should be provided as follows:

- ragged right margin (non-justified)
- printed on white, yellow, or gray non-glossy paper
- standard 8 1/2" x 11" paper
- use one and one-half or double line spacing
- use Universal or Helvetica bold 18-point type.

F Braille

To locate a resource to transcribe printed materials to Braille, contact the USDA TARGET Center.

G Service Animals

Service animals include guide dogs, assist dogs, or other animals individually trained to do work or perform tasks for the benefit of a person with a disability. These animals usually wear a harness or vest identifying them as trained assist animals and they must be allowed access to the meeting facility. There should be an area near the meeting site where the animals may relieve themselves.

77 Options for Providing Reasonable Accommodation for Agency Events (Continued)

H Microphones

Microphones should be used for all moderate to large meetings.

I Meeting Rooms

The design of the meeting room should take into consideration that wheelchair and scooter users should be included in the general layout of the room. It is unacceptable to expect wheelchair and scooter users to line the sides and back of the room.

If tables are used, there should be a 30-inch clearance between the floor and table apron to accommodate wheelchair users. Most standard meeting room tables meet this requirement. Circulation space between isles should be no less than 36 inches.

Accessible rest rooms should be on the same floor as the meeting room.

Consult “A Guide to Planning Accessible Meetings” or FFAS DEPM for recommendations on floor plans for various meeting room setups. This guide also provides checklists and helpful information in planning off-site meetings.

Consideration should be given to providing some chairs without arms in all meeting rooms.

J Speakers

Ensure that speakers are apprised of any accommodation requests before arriving at the meeting location. This will allow speakers time to make any adjustments in their materials or presentation to accommodate the attendees.

Speakers should also be sensitive to narrating any visual aids used to ensure that persons having visual impairments will also benefit from the presentation.

78, 79 (Withdrawn--Amend. 3)

--80 Accessible Meetings/Conferences*A Planning**

Planning is critical to having a successful and accessible meeting/conference. This includes choosing an accessible location, asking attendees about their accommodation needs, and providing the necessary accommodations.

Note: The information in this paragraph has been synopsised from “A Guide to Planning Accessible Meetings”, with permission from ILRU Research & Training Center on Independent Living.

B Site Inspection

After the list of possible meeting/conference locations is narrowed, conduct a site inspection to ensure that the facility is accessible. Any one aspect of a building’s attributes can cause a meeting to fail. For example, sidewalk construction can create obstacles to entering and leaving a building, as well as produce noise and dust, which make for an unpleasant experience for everyone and a truly dangerous experience for some.

C Multiple Sites

When multiple sites are used for large conferences, all sites should be accessible. Any off-site events (site visits, tours, picnics, dinners, receptions, etc.) offered during/as part of the conference should also be accessible to people with disabilities. This includes transportation, provisions of services when needed, and physical and communication access.

D Multi-Day Events

A sufficient number of accessible sleeping rooms must be available for guests who request them. The Americans with Disabilities Act Accessibility Guidelines provides specific information on the number of wheelchair accessible rooms and the number of rooms required to have devices for hearing impaired persons, based on the number of guest rooms in the facility.

A number of accessible sleeping rooms should be equipped with 2 beds for individuals who travel with family, friends, and/or attendants. Generally, hotels allow certain accommodations to be requested in advance, such as no-smoking rooms, king-sized bed, or an accessible room.

Confirming and guaranteeing reservations for accessible rooms for those who request them is critical. Ensure that appropriate staff is clear that accessible rooms must be guaranteed and that when all accessible rooms are reserved, any additional requests must not be accepted. If accessible rooms are over booked, a virtual nightmare will occur, consisting of a scramble to locate accessible rooms elsewhere in the city, arranging for accessible transportation, etc.--*

--80 Accessible Meetings/Conferences (Continued)*E Locating an Independent Living Center**

Some guests may need the assistance of a personal assistant while attending the meeting/conference. ILC's can assist in locating these resources. To locate ILC, it may prove helpful to ask for assistance from a local office of the State vocational rehabilitation agency, or a hospital social worker or rehabilitation department.

F Temporary Access Remedies

Whenever negotiating for temporary access remedies, remind facility staff that permanent changes are preferred, since they help everyone. It is important to verify that promised modifications and other arrangements have actually been carried out on schedule. If it is not possible to negotiate permanent access remedies, then temporary access remedies can often be negotiated. Some examples are as follows:

- re-stripping of parking spaces using tape to add more accessible spaces
- temporary signage indicating location of accessible rest rooms and telephone, paste-on numerals in Braille, and other tactile signs for doors and elevator panels
- placing a table and paper cups adjacent to an inaccessible water fountain
- refraining from painting or laying new carpet in any part of the facility that will be used by meeting participants.

G Configuring Space

When configuring meeting room space, provide access for people with disabilities. This means making space available throughout the meeting room, not just in the front, back, or sides. This is also true for event-sponsored meals and social functions.

H Registration Forms

Registration forms provide information critical to making a meeting/conference accessible. See Exhibit 14, Sample Meeting Registration Form.

Note: The information in Exhibit 14 has been used with permission from ILRU Research & Training Center on Independent Living.--*

81-99 (Reserved)

Part 5 Equal Benefits and Privileges of Employment

100 (Withdrawn--Amend. 3)

101-120 (Reserved)

***--Part 6 Sign Language Interpreting Services**

121 Sign Language Interpreters

A Overview

Sign language interpreters should be qualified professionals who usually have the equivalent of a State certification. The EEOC standard for interpreters is that they provide effective communication. Certified interpreters vary in interpreting style and quality. The employee or applicant with the hearing disability can best determine whether an interpreter is providing effective communication.

It is the Agency’s duty under Section 501 of the Rehabilitation Act of 1973, as amended, to provide interpreting services on-the-job and at job-related events for employees who are qualified individuals with hearing disabilities, unless doing so would impose an undue hardship.

B Different Types of Interpreting

Following are examples of the interpreting services most often used.

Type	Description
American Sign Language	A manual language expressed through signs, finger spelling, and facial expressions. ASL is a language that is grammatically different from English and from sign language of other countries.
Oral Interpreting	Clearly enunciate, without sound, what is said.
Voice Interpreting	Relay to hearing persons what a person is signing.
Tactile Interpreting	Interpreter works one-on-one, makes signs by placing his or her fingers and hand directly on the hand of the person reading the sign language.

--*

***--121 Sign Language Interpreters (Continued)**

C Scheduling Interpreting Services

The following table contains information necessary to schedule interpreting services.

See paragraph 122 for additional information about scheduling interpreting services in the National Office.

Basic Information for Scheduling an Interpreter	Examples/Suggestions
What type of interpreting is required?	<ul style="list-style-type: none"> • Very English • Strong ASL • Strong voicing, etc.
Is there a dedicated camera for the interpreter?	
Is this a platform meeting?	Stage setting.
Will there be music?	Provide interpreter with a copy of the lyrics in advance.
How long is the meeting/function? Note: Consult the USDA Staff Interpreter to determine whether more than 1 interpreter is required.	

--*

*--121 Sign Language Interpreters (Continued)

D Scheduling Interpreting Services at the National Office

Schedule interpreting services at the National Office according to the following table.

Step	Action
1	Contact USDA Staff Interpreter to determine whether the Department can fulfill the request.
	IF the Department...
	THEN...
	can fulfill the request
	cannot fulfill the request
	schedule the date and time.
	request documentation from the USDA Staff Interpreter and go to step 2.
2	<p>If the Department cannot fulfill the request or a second interpreter is required, prepare and forward AD-700 requesting interpreting services to MSD. Attach documentation from the USDA Staff Interpreter to AD-700. See subparagraph E for an example of a completed AD-700 for interpreting services.</p> <p>Note: MSD will not contract for an interpreter unless documentation from the USDA Staff Interpreter is attached.</p>
3	MSD will provide the requesting office with a copy of the final purchase order for interpreting services, including dates and times service will be provided.
4	The requesting office shall provide a copy of this paperwork to the employee requesting the service.
5	The scheduling office and employee must complete FFAS-5 and return it to the USDA Staff Interpreter.

--*

*--121 Sign Language Interpreters (Continued)

E Example of AD-700 for Interpreting Services

This is an example of AD-700 for interpreting services.

PROCUREMENT REQUEST										TO: (Procurement Office) MSD, Room 1406-S					1. REQUESTING OFFICE ABC-XYZ			
<i>INSTRUCTIONS Agencies must provide entries in unshaded areas. See page 2.</i>																		
2. RECEIVING OFFICE NO.		3. CONTRACT NUMBER <i>(If Applicable)</i>			4. ORDER DATE		5.	6. UNIT CODE		7. FUND CODE		8. PURCHASE/DELIVERY ORDER NUMBER		9. SUB.		1A. PROCUREMENT REQUEST NO. ABC-98-		
																1B. DATE March 23, 1998		
CHECK ONE		10. TO: (Seller)										11. SHIP TO: (Consignee and Destination) USDA/FSA/ABC/XYZ/STOP 0596 9833-South Building Washington, D.C. 20250						
<input type="checkbox"/> Purchase Order												<input type="checkbox"/> INSIDE DELIVERY REQUESTED						
<input type="checkbox"/> Delivery Order																		
12. LINE ITEM	13. ACT. CODE	14. DESCRIPTION					15. BUDGET OBJECT	16. ACC. LINE	17. QUANTITY		18. UNIT ISSUE	19. UNIT PRICE		20. AMOUNT				
01		Justification: Request interpreting services for Branch Staff Meeting 05-12-98. Meeting scheduled for 1 hour beginning 9:00 AM. 20 People will attend. Meeting scheduled for Room 9833-South Building. JUSTIFICATION: USDA Staff Interpreter cannot take request - see attached notification. <i>For additional information, please contact:</i> TECHNICAL CONTACT _____ TELEPHONE NO. _____																
21. FOB POINT					22. DISCOUNT TERMS					Sub-Total -			25					
23. REQUIRED DELIVERY <i>(Do not use ASAP)</i>			23A. NEGOTIATED DELIVERY		24. SHIP VIA		26. ESTIMATED FREIGHT					TOTAL ▶		27				
28. ACC. LINE	29. ACCOUNTING CLASSIFICATION										30. DISTRIBUTION		31. AMOUNT					
	A		B			C		D		E								
2	5		10			5		3		4		1	4	1	2			
RECOMMENDED SOURCE(S) <i>(If necessary, use attachment)</i>										I certify that the above items are necessary for use in the public service.								
										TITLE Division Director								
										SIGNATURE OF AUTHORIZED REPRESENTATIVE								
Electronic version designed using WordPerfect (USDA-FSA)										AD-700 (4/82)								

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***--121 Sign Language Interpreters (Continued)**

F Scheduling Interpreting Services for a Field Office

Schedule interpreting services for a Field Office according to the following table.

Step	Action
1	Contact the Registry of Interpreters for the Deaf at 301-608-0050 (voice/TDD) for a list of agencies with certified interpreters for your city area.
2	Contact 1 or more of these agencies to determine the most cost effective resource.
3	Schedule an interpreter.
4	The scheduling office and employee must complete FFAS-5 for the contracted interpreting services and return it to CED or Administrative Officer, as appropriate, KC Accommodation Coordinator, or RMA Field Office Director for filing.

--*

--122 Sign Language Interpreting Services for the National Office*A Introduction**

Communication is vital for getting work accomplished and promoting successful working relationships. When deaf and hearing employees work together, there are many ways to communicate. One of the easiest and most efficient ways is through a sign language interpreter. The following information will help obtain sign language interpreting services in the Department of Agriculture offices in the Washington, DC metropolitan area.

B Necessity for an Interpreter

A sign language interpreter facilitates communication between deaf and hearing employees. Using an interpreter ensures that:

- deaf and hearing employees have full access to communication
- work that requires communication is accomplished in an efficient and effective manner.

An interpreter can be scheduled for:

- formal or informal meetings or gatherings
- large groups or as few as 1 person
- half-hour discussions
- weeklong training sessions.

Events include staff meetings, interviews, performance evaluations, educational activities, telephone calls, holiday parties, and large assemblies.

C Interpreter Responsibilities

Sign language interpreters:

- translate spoken English into sign language and vice versa
- provide service in an impartial manner without interjecting personal opinion
- strive to communicate the tone of the conversation as well as the content using body language and voice inflection.

Communications are confidential and are not shared by the interpreter with any other party.--*

--122 Sign Language Interpreting Services for the National Office (Continued)*D Using Interpreting Services**

Any USDA manager or employee, whether hearing or deaf, can request an interpreter. Deaf employees and their hearing coworkers use interpreters most frequently. At times, others who do not work directly with deaf employees will need an interpreter, for example, someone responsible for planning an agencywide event or a supervisor interviewing a deaf applicant.

E Requesting Interpreting Services

Request sign language interpreting services by calling Susie Prior, USDA Staff Interpreter, at 202-720-3515 (Voice), 202-720-7614 (TDD), or 202-690-0761 (FAX).

Provide the following information:

- name
- agency
- telephone number
- event date
- starting and ending time for the event
- building and room number where interpreter shall report
- type of event, such as, meeting, one-on-one interview, training, etc.
- audience, include the names of the deaf individuals, if known
- special needs of the deaf individuals, that is, language preference.

For large events or special programs, the interpreter will need the following additional information:

- name and telephone number of the onsite contact person
- names of the speakers
- advance copies of the presentations, handouts, songs, or agendas (if long and technical).

Indicate if the program will be televised, videotaped, or if lights will be dimmed for overhead projectors, slides, or films. If the deaf person will be using a microphone, the interpreter will also need a microphone.--*

--122 Sign Language Interpreting Services for the National Office (Continued)*F Making Advance Plans for an Interpreter**

Scheduling an interpreter should be an integral part of the initial stages of planning for a meeting. It is best to request an interpreter as far in advance as possible; this gives a better chance that the interpreter will be available or that alternate arrangements can be made. However, staff interpreters will do last minute assignments if time is available. Likewise, if a meeting is canceled, notify the interpreter as soon as possible so that the services are available to others.

Registration materials should include a question about whether interpreters or other reasonable accommodations are needed. Flyers should announce that either a sign language interpreter is provided or available upon request. If videotapes will be shown, meeting planners should find out if there are captioned versions and arrange for a television decoder.

G Scheduling Two Interpreters

Two or more interpreters are needed when:

- the assignment is longer than 2 hours
- the assignment is extremely technical
- different modes of communication are required, for example, ASL/Signed English, manual/oral, or tactile/close vision interpreting
- there are placement considerations, that is, a deaf speaker as well as deaf audience
- the assignment includes several breakout groups.--*

--122 Sign Language Interpreting Services for the National Office (Continued)*H USDA Staff and Outside Resources**

USDA has 1 full-time certified sign language interpreter and limited contract interpreters as needed. These interpreters provide services to USDA staffs in the Washington metropolitan area on a **first-come first-serve basis**.

Contact MSD for additional information on establishing a blanket purchase agreement. Provide feedback to the USDA interpreter on the services provided by contract interpreters.

I Cost for Interpreting Services

The cost of maintaining staff interpreter skills is distributed to all agencies in the Washington metropolitan area as a program reimbursement.

The current rate for a contract interpreter is approximately \$100 per 2-hour session, generally \$20 is added for transportation. Additional charges for late reservations (up to \$150 for less than 24 hours notice) and videotaping are common practices with outside vendors providing contract interpreters.--*

Reports, Forms, Abbreviations, and Redelegations of Authority

Reports

None

Forms

This table lists all forms referenced in this handbook.

Number	Title	Display Reference	Reference
AD-700	Procurement Request	121	
AD-1163	Confirmation of Request for Reasonable Accommodation	Ex. 7	50-53
AD-1164	Reasonable Accommodation Information Reporting Form	Ex. 8	51-53
AD-1165	Denial of Reasonable Accommodation Request	Ex. 9	51
FFAS-4	Authorization for Representation	Ex. 10	51
FFAS-5	Interpreter Performance Assessment	Ex. 16	121
FFAS-6	Hardware and Software Request	Ex. 17	Ex. 12
FFAS-7	Flexiplace Home Safety Checklist	Ex. 20	Ex. 12
SF-256	Self Identification of Handicap		51

Reports, Forms, Abbreviations, and Delegations of Authority (Continued)

Abbreviations Not Listed in 1-CM

The following abbreviations are not listed in 1-CM.

Approved Abbreviation	Term	Reference
ADA	Americans with Disabilities Act of 1990	Text
ASL	American Sign Language	121, 122
CAP	Computer/Electronic Accommodations Program	28
DEPM	Disability Employment Program Manager	Text
ILC	Independent Living Centers	80
TARGET	Technology Accessible Resources Gives Employment Today	28

Delegations of Authority

None

Definitions of Terms Used in This Handbook

Major Life Activity

A major life activity is a basic activity that the average person in the general population can perform with little or no difficulty.

Mental Impairment

A mental impairment is any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

Otherwise Qualified

Otherwise qualified, with respect to employment, means that an individual with a disability, with or without reasonable accommodation, can perform the essential functions of the position without endangering the health and safety of the individual or others, and depending upon the type of appointing authority being used, meets either of the following:

- experience or education requirements of the position
- criteria for appointment under 1 of the special appointment authorities for individuals with disabilities.

Physical Impairment

A physical impairment is any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting 1 or more major body systems.

Definitions of Terms Used in This Handbook (Continued)

Reasonable Accommodation

--Reasonable accommodation is any modification or adjustment to a job, a job application-- process, an employment practice, or the work environment that makes it possible for an individual with a disability to enjoy an equal employment opportunity.

Substantially Limited

An individual is considered to be substantially limited if the individual is:

- unable to perform a major life activity that the average person in the general population can perform
- significantly restricted as to the condition, manner, or duration under which the individual can perform a particular major life activity
- significantly restricted in the ability to perform a class of jobs or a broad range of jobs in various classes.

Note: The following factors should be considered in determining whether an individual is substantially limited in a major life activity:

- the **nature and severity** of the impairment
- the **duration** or **expected duration** of the impairment
- the **permanent** or **long-term** impact, or the **expected** permanent or long-term impact of or **resulting** from the impairment.

Undue Hardship

An undue hardship is an action that requires “**significant difficulty or expense**” in relation to the size of the employer, the resources available, and the nature of the operation.

Checklist to Determine Whether an Individual Needs Reasonable Accommodation

I. Determining Disability

- Does the individual claim to have a current disability? Yes _____ No _____

Note: If the individual claims ADA protection only as a result of "record of" or "regarded as" coverage, the individual is not entitled to reasonable accommodation according to EEOC.

- Does the individual have an impairment? Yes _____ No _____

If yes, what is the impairment? _____

Discuss evidence of the impairment.

- Is a major life activity affected by the impairment? Yes _____ No _____

If yes, what is the major life activity?

- | | |
|-------------------------------|-------------------------------|
| _____ Walking | _____ Learning |
| _____ Speaking | _____ Performing Manual Tasks |
| _____ Breathing | _____ Caring for Oneself |
| _____ Hearing | _____ Concentrating |
| _____ Seeing | _____ Lifting |
| _____ Thinking | _____ Sleeping |
| _____ Sitting | _____ Working |
| _____ Standing | *-- _____ Reproduction--* |
| _____ Reaching | _____ Other (Describe) |
| _____ Interacting with Others | |

- Does the impairment *substantially limit* the major life activity? Yes _____
No _____

Discuss how the individual is substantially limited in the major life activity identified above. If the major life activity is "working," identify the class of jobs or broad range of jobs that the individual cannot perform because of the impairment.

Continued on the next page

Checklist to Determine Whether an Individual Needs Reasonable Accommodation
(Continued)

II. Determining Whether an Individual is Qualified

- Does the individual have the required skills, education, and experience for the job, and does the individual meet other job-related requirements?
Yes _____ No _____

If no, discuss:

- What are the functions of the job (as distinguished from the ways of performing those functions)?

- What are the essential functions of the job?

What evidence/documentation supports this determination?

- _____ Employer's judgement
- _____ Written job description
- _____ Amount of time spent performing function
- _____ Consequences of not performing function (Discuss)

_____ Terms of collective bargaining agreement (Discuss)

- _____ Experience of current employees in position
- _____ Experience of past employees in position
- _____ Nature of work operation (Discuss)

_____ Organizational Structure (Discuss)

_____ Other (Discuss)

Continued on the next page

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Checklist to Determine Whether an Individual Needs Reasonable Accommodation
(Continued)

- What are the marginal functions of the job?

What evidence/documentation supports this determination?

- Can the individual perform the essential functions of the position, either with or without a reasonable accommodation? Yes _____ No _____

If yes, does individual need a reasonable accommodation? Yes _____ No _____

(If yes, complete Part III)

III. Determining Whether Reasonable Accommodation is Required

- Did the individual request reasonable accommodation, that is, did the individual ask for a modification or change because of a medical condition? (Describe)

- In which aspect of employment is reasonable accommodation needed?

_____ Application process
_____ Performance of job (including leave)
_____ Benefits and privileges of employment

- What accommodation, if anything specific, was requested?

_____ Equipment or Machinery
_____ Reader
_____ Interpreter
_____ Modification of Policy (including Leave Policy)
_____ Accessibility
_____ Job Restructuring (Reallocation of Marginal Functions)
_____ Modification to Work Schedule
_____ Examinations/Training Materials
_____ Reassignment
_____ Other

Describe accommodation requested:

Continued on the next page

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Checklist to Determine Whether an Individual Needs Reasonable Accommodation
(Continued)

- Is the reasonable accommodation needed *because of a disability*? Yes _____
No _____
(Discuss)

- Did you engage in the interactive process to identify an effective accommodation?
Yes _____ No _____

Did you discuss accommodation with the individual? Yes _____ No _____

If yes, document discussions (include attachments, if necessary).

Did you request assistance in determining accommodation from any outside source, such as, the Job Accommodation Network? Yes _____ No _____

If yes, document discussions (include attachment, if necessary).

- Has accommodation been provided? Yes _____ No _____

If yes, is accommodation effective (i.e., does it work?) Yes _____ No _____
(Discuss)

Continued on the next page

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Checklist to Determine Whether an Individual Needs Reasonable Accommodation
(Continued)

- Do you claim that providing reasonable accommodation would impose an undue hardship? Yes _____ No _____

If yes, explain:

What evidence exists to support undue hardship?

Nature and net cost of accommodation _____

Type of operations of covered entity, including composition, structure, and functions of the workforce of covered entity, and geographical separateness and administrative or fiscal relationship of facility/facilities in question to the covered entity _____

Impact of the accommodation on the operation of the facility, including impact on other employee's ability to perform duties and facility's ability to conduct business _____

Terms of a collective bargaining agreement (Discuss how the accommodation would affect the rights of other employees, and whether you tried to negotiate a change of CBA) _____

Describe and document evidence supporting undue hardship:

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Standard Request for Medical Documentation From Federal Employee

A Example of Medical Documentation Request for Federal Employees

Following is an example of a request for medical documentation.

TO:	Headquarters or State Office Employee
FROM:	FFAS DEPM\Field Disability Coordinator\KC Accommodation Coordinator
DATE:	May 15, 1997
SUBJECT:	Accommodation Request

Accommodation Request

To receive the protections of the Rehabilitation Act of 1973, as amended (the Act), a person must meet the definition of the term "**qualified individual with a disability**" as defined by the Act and implementing regulations found in 29 CFR 1614. Technical interpretive guidance for these regulations can be found in 29 CFR 1630. The employee must possess the necessary knowledge, skills, and abilities, or be otherwise qualified to perform the essential functions of the job for which the employee is seeking accommodation.

In order to evaluate your request for an accommodation, please share the information provided in **Attachment 1** with your doctor or specialist in order to assist them in responding to the questions provided in **Attachment 2**. Should the data provided be insufficient for a complete analysis, additional documentation may be requested.

The Agency is unable to proceed with your accommodation request until this information is received as required by 29 CFR 1614.

Standard Request for Medical Documentation From Federal Employee (Continued)

A Example of Medical Documentation Request for Federal Employee (Continued)

*--

Definition of Disability

Since the definition of the term “disability” under the Act is tailored to the purpose of eliminating discrimination prohibited by the Act, it may differ from the definition of “disability” in other laws drafted for other purposes. For example, the definition of a “disabled veteran” is not the same as the definition of an individual with a disability under the Act. Similarly, a person who meets the Act’s definition of “disability” may not meet the requirements for disability retirement.

“Disability” is defined by the Act as:

- (A) a physical or mental impairment that substantially limits one or more major life activities of such individual;
(For example, an individual who uses a wheelchair as the exclusive means of mobility.)
 - (B) a record of this impairment;
(For example, an individual with a history of cancer, but is currently in remission)
- or
- (C) being regarded as having this impairment.
(For example, an individual erroneously classified as mentally retarded who is either non-disabled or actually has a learning disability.)

A person must meet the requirements of at least one of these three criteria to be an individual with a “disability” under the Act. The first part (A) of the definition covers persons who actually have physical or mental impairments that substantially limit one or more major life activities. The focus under the first part (A) of the definition is on the individual, to determine if (s)he has a substantially limiting impairment, which, is the basis for determining if an accommodation is necessary.

To meet the first part of the definition, a person must establish three elements:

- (1) that he/she has a physical or mental impairment
- (2) that substantially limits
- (3) one or more major life activities.

--*

Standard Request for Medical Documentation From Federal Employee (Continued)

A Example of Medical Documentation Request for Federal Employee (Continued)

Evaluation of Request

Please provide the information requested in **Attachment 2** by **DAY, DATE - 15 BUSINESS DAYS FROM THE DATE OF THIS MEMORANDUM**, should you require more time to submit the documentation please let me know. The Agency is unable to proceed with your accommodation request until this information is received as required by 29 CFR 1614.

Please forward the information requested in an envelope marked, **CONFIDENTIAL TO BE OPENED BY ADDRESSEE ONLY** to the following:

--Mission Area Designee--

Should you or your doctor have any questions or need additional information, please do not hesitate to contact me on (voice number) or (TDD number).

Standard Request for Medical Documentation From Federal Employee (Continued)

B Attachment 1 for Medical Documentation Request

Following is Attachment 1 to a request for medical documentation.

ATTACHMENT 1
GUIDANCE ON THE DEFINITION OF "DISABILITY"

What follows is a brief summary of some of the topics relevant to the determination of whether an employee's impairment satisfies the Act's definition of "disability." This summary information is provided to assist employees and medical professionals in providing the necessary documentation to determine if the employee qualifies under the Act's definition as having a disability, and what accommodation(s) may be appropriate. More detailed information can be found in the Equal Employment Opportunity Commission (EEOC) Directive 915.002, Definition of the Term "Disability."

Impairment
An impairment is a physiological disorder affecting one or more body systems or a mental or psychological disorder.

The following conditions are **not** impairments:

- environmental, cultural, and economic disadvantages;
- homosexuality and bisexuality;
- pregnancy;
- physical characteristics, i.e., hair color, eye color, etc.;
- common personality traits; and
- normal deviations in height, weight, or strength.

Major Life Activities
Examples of major life activities listed in the regulations and EEOC guidance, include caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. Other examples of major life activities include sitting, standing, lifting, and mental and emotional processes such as, thinking, concentrating, and interacting with others.

Substantially Limits

- An impairment is substantially limiting if it prohibits or significantly restricts an individual's ability to perform a major life activity as compared to the ability of the average person in the general population to perform the same activity.
- The determination of whether an impairment substantially limits a major life activity depends on the nature and severity of the impairment, the duration or expected duration of the impairment, and the permanent or long-term impact of the impairment.
- Although very short-term, temporary restrictions generally are not substantially limiting, an impairment does not have to be permanent to rise to the level of a disability. Temporary impairments that take significantly longer than normal to heal, long-term impairments, or potentially long-term impairments of indefinite duration may be disabilities if they are severe.
- Chronic or episodic disorders that are substantially limiting when active or have a high likelihood of recurrence in substantially limiting forms **may** be disabilities.

Standard Request for Medical Documentation From Federal Employee (Continued)

C Attachment 2 for Medical Documentation Request

Following is Attachment 2 to a request for medical documentation.

ATTACHMENT 2

In order to evaluate your request for accommodation, the following questions must be answered by the doctor or specialist treating the impairment. Please provide the responses to these questions on doctor's office letter:

- 1) State the nature of the impairment and diagnosis.
- 2) Explain how the impairment **substantially limits** one or more major life activities of this specific individual. Provide specific examples, i.e., employee is unable to walk more than 15 feet without sitting to rest.
- 3) State the prognosis for the impairment specific to this individual.
- 4) Explain how the impairment effects the performance of the **essential job functions**? (A copy of the employee's position description is provided.)
- 5) Provide any specific information relevant to the impairment not provided above, e.g., specific physical restrictions or specific activity restrictions, which may assist the office in evaluating the employee's request for an accommodation.
- 6) Specify accommodations you anticipate will assist the employee in performing the essential job functions.

Standard Request for Medical Documentation From Non-Federal Employee

A Example of Medical Documentation Request for Non-Federal Employee

Following is an example of a request for medical documentation.

TO: County Office Employee
FROM: Field Disability Coordinator (State Administrative Officer)
DATE: May 15, 1997
SUBJECT: Accommodation Request

Accommodation Request

To receive the protections of the Americans with Disabilities Act of 1990, (the ADA), a person must meet the definition of the term “**qualified individual with a disability**” as defined by the ADA and implementing regulations in 29 CFR 1630. The employee must possess the necessary knowledge, skills, and abilities, or be otherwise qualified to perform the essential functions of the job for which the employee is seeking accommodation.

In order to evaluate your request for an accommodation, please share the information provided in **Attachment 1** with your doctor or specialist to assist them in responding to the questions provided in **Attachment 2**. Should the data provided be insufficient for a complete analysis, additional documentation may be requested.

The Agency is unable to proceed with your accommodation request until this information is received as required by 29 CFR 1630.

Standard Request for Medical Documentation From Non-Federal Employee (Continued)

A Example of Medical Documentation Request for Non-Federal Employee (Continued)

*--

Definition of Disability

Since the definition of the term “disability” under the ADA is tailored to the purpose of eliminating discrimination prohibited by the ADA, it may differ from the definition of “disability” in other laws drafted for other purposes. For example, the definition of a “disabled veteran” is not the same as the definition of an individual with a disability under the ADA. Similarly, a person who meets the Act’s definition of “disability” may not meet the requirements for disability retirement.

“Disability” is defined by ADA as:

- (A) a physical or mental impairment that substantially limits one or more major life activities of such individual;
(For example, an individual who uses a wheelchair as the exclusive means of mobility.)
 - (B) a record of this impairment;
(For example, an individual with a history of cancer, but is currently in remission.)
- or
- (C) being regarded as having such an impairment.
(For example, an individual erroneously classified as mentally retarded who is either non-disabled or actually has a learning disability.)

A person must meet the requirements of at least one of these three criteria to be an individual with a “disability” under the ADA. The first part (A) of the definition covers persons who *actually* have physical or mental impairments that substantially limit one or more major life activities. The focus under the first part (A) of the definition is on the *individual*, to determine if (s)he has a substantially limiting impairment, which, is the basis for determining if an accommodation is necessary.

To meet the first part of the definition, a person must establish three elements:

- (1) that he/she has a physical or mental impairment
- (2) that substantially limits
- (3) one or more major life activities.

--*

Standard Request for Medical Documentation From Non-Federal Employee (Continued)

A Example of Medical Documentation Request for Non-Federal Employee (Continued)

Evaluation of Request

Please provide the information requested in **Attachment 2** by **DAY, DATE - USUALLY TWO WEEKS FROM THE DATE OF THE MEMO**, should you require more time to submit the documentation please let me know. The Agency is unable to proceed with your accommodation request until this information is received as required by 29 CFR 1630.

Please forward the information requested in an envelope marked **CONFIDENTIAL TO BE OPENED BY ADDRESSEE ONLY** to the following:

STATE ADMINISTRATIVE OFFICER
ADDRESS

Should you or your doctor have any questions or need additional information, please do not hesitate to contact me on (voice number) or (TDD number).

Standard Request for Medical Documentation From Non-Federal Employee (Continued)

B Attachment 1 for Medical Documentation Request

Following is Attachment 1 to a request for medical documentation.

**ATTACHMENT 1
GUIDANCE ON THE DEFINITION OF "DISABILITY"**

What follows is a brief summary of some of the topics relevant to the determination of whether an employee's impairment satisfies the ADA's definition of "disability." This summary information is provided to assist employees and medical professionals in providing the necessary documentation to determine if the employee qualifies under the ADA's definition as having a disability, and what accommodation(s) may be appropriate. More detailed information can be found in the Equal Employment Opportunity Commission (EEOC) Directive 915.002, Definition of the Term "Disability."

Impairment

An impairment is a physiological disorder affecting one or more body systems or a mental or psychological disorder.

The following conditions are **not** impairments:

- environmental, cultural, and economic disadvantages;
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- pregnancy;
- physical characteristics, i.e., hair color, eye color, etc.;
- common personality traits; and
- normal deviations in height, weight, or strength.

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Examples of major life activities listed in the regulations and EEOC guidance, include caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. Other examples of major life activities include sitting, standing, lifting, and mental and emotional processes such as thinking, concentrating, and interacting with others.

Substantially Limits

- An impairment is substantially limiting if it prohibits or significantly restricts an individual's ability to perform a major life activity as compared to the ability of the average person in the general population to perform the same activity.
- The determination of whether an impairment substantially limits a major life activity depends on the nature and severity of the impairment, the duration or expected duration of the impairment, and the permanent or long-term impact of the impairment.
- Although very short-term, temporary restrictions generally are not substantially limiting, an impairment does not have to be permanent to rise to the level of a disability. Temporary impairments that take significantly longer than normal to heal, long-term impairments, or potentially long-term impairments of indefinite duration may be disabilities if they are severe.
- Chronic or episodic disorders that are substantially limiting when active or have a high likelihood of recurrence in substantially limiting forms **may** be disabilities.

Standard Request for Medical Documentation From Non-Federal Employee (Continued)

C Attachment 2 for Medical Documentation Request

Following is Attachment 2 to a request for medical documentation.

ATTACHMENT 2

In order to evaluate your request for accommodations, the following questions must be answered by the doctor or specialist treating the impairment. Please provide the responses to these questions on doctor's office letterhead.

- 1) State the nature of the impairment and diagnosis.
- 2) Explain how the impairment **substantially limits** one or more major life activities of this specific individual. Provide specific examples, i.e., employee is unable to walk more than 15 feet without sitting to rest.
- 3) State the prognosis for the impairment specific to this individual.
- 4) Explain how the impairment effects the performance of the **essential job functions**? (A copy of the employee's position description is provided.)
- 5) Provide any specific information relevant to the impairment not provided above, e.g., specific physical restrictions or specific activity restrictions, which may assist the office in evaluating the employee's request for an accommodation.
- 6) Specify accommodations you anticipate will assist the employee in performing the essential job functions.

***--AD-1164, Reasonable Accommodation Information Reporting Form**

The following is an example of an AD-1164.

REASONABLE ACCOMMODATION INFORMATION REPORTING FORM

Name of Individual Requesting Accommodation: _____

Agency and Office of the Requesting Individual: _____

1. Reasonable Accommodation (check one)
 Approved - Name & Title of Deciding Official: _____

Denied (attach form AD-1164 "DENIAL OF REASONABLE ACCOMMODATION REQUEST")

2. Date accommodation requested and date referred, if applicable: _____

3. Name & position of individual to whom request was made: _____

4. Date accommodation approved or denied: _____

5. Date accommodation provided: _____

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

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

8. Accommodation required for:
 application process
 performing job functions or accessing work environment
 accessing a benefit or privilege of employment (e.g., attending training, social event)

9. Type(s) of accommodation requested:

AD-1164
4/2002

--*

***--AD-1165, Denial of Reasonable Accommodation Request**

The following is an example of an AD-1165.

DENIAL OF REASONABLE ACCOMMODATION REQUEST

Name of Individual Requesting Accommodation: _____

1 Type(s) of reasonable accommodation requested:

2 Request for accommodation denied because (may check more than one)

- Accommodation ineffective
- Accommodation would cause undue hardship
- Medical documentation inadequate
- Accommodation would require removal of an Essential Function
- Accommodation would require lowering of performance/production standard
- Other (please specify)

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

4 If the requestor proposed one type of reasonable accommodation and the request is denied, and rejected an offer of an alternative accommodation, explain the reason for denial of the original requested accommodation and how the offered alternative accommodation would be effective.

Name & Title of Deciding Official

Signature of Deciding Official

Date reasonable accommodation denied

AD-1165
4/2002

--*

***--AD-1165, Denial of Reasonable Accommodation Request (Continued)**

DENIAL OF REASONABLE ACCOMMODATION REQUEST (continued)

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

- ask the decision maker to reconsider the denial and provide additional supporting information;
- if the decision maker does not reverse the denial, and the decision maker is the individual's supervisor, the individual may ask the office chief/director to review the request;
- if the decision maker is the office director/chief, the individual can ask the Agency Disability Employment Program Manager to review the request;
- if the decision maker is the Agency Disability Employment Program Manager (DEPM), the individual can ask the Departmental DEPM to review the request.

If an individual wishes to file an EEO complaint, or pursue Merit Systems Protection Board (MSPB) and union grievance procedures if applicable, s/he must take the following steps:

- For an EEO complaint pursuant to 29 C.F.R. § 1614, contact an EEO counselor **within 45 days from the date of this notice of denial of reasonable accommodation**; or
- For a collective bargaining claim, file a written grievance in accordance with the provisions of the Collective Bargaining Agreement, or Administrative grievance procedure as appropriate; 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 Alternative Dispute Resolution (ADR) process as outlined in Secretary's Memorandum 4710-1 (3/23/00). **Pursuing the ADR process does not relieve the individual from adhering to the other time frames indicated above.**

AD-1165
4/2002

--*

FFAS-4, Authorization for Representation

The following is an example of a completed FFAS-4.

REPRODUCE LOCALLY. Include form number and date on reproductions.

FFAS-4
(07/26/98)

U.S. DEPARTMENT OF AGRICULTURE
Farm and Foreign Agricultural Services

AUTHORIZATION FOR REPRESENTATION

<i>For Disability Coordinator Only</i>
1. Case Number

TO: DISABILITY COORDINATOR

I, William Mulberry hereby authorize Jack Ford

to represent me in all matters concerning my reasonable accommodation request with the

(Check One).

FFAS Disability Employment Program Manager

Kansas City Reasonable Accommodation Coordinator

Field Disability Coordinator

I understand that I can withdraw or modify this authorization at any time with a written statement.

2. EMPLOYEE SIGNATURE	DATE	3. AUTHORIZED REPRESENTATIVE SIGNATURE	DATE
/s/ William Mulberry	7/29/xx	/s/ Jack Ford	7/29/xx

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.

Sample Accommodation Determination Memorandum

TO: [insert employee's name]

FROM: FFAS DEPM
Kansas City Reasonable Accommodation Coordinator
State Administrative Officer

DATE: [insert current date]

SUBJECT: Accommodation Request Decision

Background

Due to [specify medical condition], you requested [state accommodation] on [insert date].

On [insert date], the initial request was made for medical documentation to support your medical condition as a qualifying disability under the Rehabilitation Act of 1973, as amended, or ADA. Your response was received by this office on [insert date].

[The documentation received did not satisfy the requirements set forth in the implementing regulations for the Rehabilitation Act in 29 CFR 1614 , or ADA in 29 CFR 1630, nor the EEOC guidance issued on the "Definition of the Term Disability" in March 1995. A request for specific clarification on your medical condition was issued on [insert date]. Your response was received in this office on [insert date].]

Accommodation Determination

The medical documentation received [is or is not] sufficient to qualify your [specify medical condition] as a qualifying disability under the Rehabilitation Act of 1973, as amended.

This analysis is based on [provide analysis].

The following will be provided by the Agency as an accommodation [specify accommodation].

The determination of whether an individual has a disability is not necessarily based on the name or diagnosis of the impairment the person has, but rather on the effect of that impairment on the life of the individual.

Future Requests

Should your condition change, or if you have any questions, please do not hesitate to contact me on [insert telephone or TDD number].

Flexiplace Accommodation Plan

Under the Rehabilitation Act of 1973, as amended, or ADA, an accommodation has been approved for [insert employee's name]. [Insert employee's name] will work at home for a maximum of [insert number] days per week beginning [insert date]. This Plan may be amended or terminated based on changes in the impairment necessitating this accommodation. Changes or modifications to the accommodation or this Plan must be incorporated into this Plan as an addendum before implementing the change or modification.

Work Schedule (State schedule type, i.e., flexitour, variable day, maxiflex, etc.)

(Specific to the individual)

Monday	7:45 AM - 5:15 PM	Home
Tuesday	7:45 AM - 5:15 PM	Office
Wednesday	7:45 AM - 5:15 PM	Office
Thursday	7:45 AM - 5:15 PM	Office
Friday	7:45 AM - 4:15 PM	Home

Monday	CWS	
Tuesday	7:45 AM - 5:15 PM	Home
Wednesday	7:45 AM - 5:15 PM	Office
Thursday	7:45 AM - 5:15 PM	Office
Friday	7:45 AM - 5:15 PM	Home

[Insert employee's name] will work at the official duty station at least 16 hours per pay period (may be waived as a result of medical condition).

Duties

There is no change in work duties for [insert employee's name].

Government Equipment

The (insert Division providing computer equipment) shall provide [insert employee's name] with the following:

To be determined by medical and business needs.

- 1) Style/model computer
- 2) Style/model monitor
- 3) Style/model modem
- 4) Style/model printer
- 5) Software - specify

FFAS-6 must be completed and included in this Plan.

Note: See Exhibit 17 for an example of a completed FFAS-6.

Continued on the next page

Flexiplace Accommodation Plan (Continued)

Duty Stations

[insert employee's name] official duty station is [insert Division, include city and State].

[insert employee's name] alternate work site is [insert address].
FFAS-7 must be completed by the employee and included with this Plan.

Note: See Exhibit 20 for an example of a completed FFAS-7.

Medical Documentation

Depending on the nature of the medical condition, documentation may be sought on a periodic basis to determine if the condition has changed, and if any modifications are necessary to the accommodation Plan.

Agency Responsibilities:

- Provide [insert employee's name] reasonable accommodation to provide the opportunity for successful job performance.
- The employee's supervisor shall attend flexiplace training when offered.
- Comply with the terms of this Plan and the Flexiplace Agreement contained herein.

Employee Responsibilities:

- Attend flexiplace training when offered.
- Provide feedback to management and FFAS DEPM, Field Disability Coordinator, or KC Accommodation Coordinator about any negative impact flexiplace is having on successful job performance.
- Report any problems with the flexiplace computer hardware or software immediately to the [insert division responsible for computer maintenance], and maintain a log of these problems and contacts.
- Comply with the terms of this Plan and the Flexiplace Agreement contained herein.
- Report the need for sick leave and additional accommodations as soon as the need arises.

Continued on the next page

Flexiplace Accommodation Plan (Continued)

FFAS DEPM/Field Disability Coordinator/KC Accommodation Coordinator Responsibilities:

- Conduct periodic follow-ups with [insert employee's name] and management to identify problems which may impact successful job performance.
- Work to resolve any problems identified by the employee or management. Collaborate with subject matter experts as needed.

Flexiplace Agreement

(Check the negotiated contract for any relevant language)

1. The employee volunteers to participate in the Flexiplace Work Program and to adhere to the applicable guidelines and policies. [insert Agency] concurs with the employee's participation and agrees to the applicable guidelines and policies.
2. Preconditions for participation:
 - a. Employee and supervisor have read OPM and FSA flexiplace guidelines and agree to attend Flexiplace training, when offered.
 - b. Employee currently has and agrees to maintain a performance rating of at least fully successful. Failure to maintain a fully successful rating will result in re-evaluation of flexiplace participation and may result in removal from the program.
 - c. Employee understands that flexiplace is not a substitute for dependent care. Care for dependents outside the home or in the home by a third party must be provided during the employee's scheduled work hours.
 - d. Provided the employee is given at least 24 hours advance notice, the employee agrees to permit periodic home inspections by the Agency of their work site during normal working hours to ensure proper maintenance of Government-owned property and worksite conformance with safety standards and other specifications in these guidelines.
 - e. Failure to comply with flexiplace provisions may result in loss of pay, termination of this flexiplace arrangement, and/or other appropriate disciplinary action.

Continued on the next page

Flexiplace Accommodation Plan (Continued)

f. A flexiplace employee may sometimes, but not always, be affected by an emergency requiring the regular office to close. For example, on a "snow day", the flexiplace employee is not excused unless the employee cannot perform work because the regular office is closed. When both the regular office and the alternative worksite are affected by a widespread emergency, the employee may be granted excused absence, as appropriate. When an emergency affects the alternative worksite for a major portion of the workday, the employee may be required to report to the regular office, request leave, or be granted excused absence, depending on the circumstances. In the event the employee reports to the official duty station, travel time from the alternative worksite will be considered part of the tour of duty.

3. Administrative policies for participation:

- a. Employee's timekeeper will have a copy of the employee's scheduled flexiplace work hours. Employee's time and attendance will be recorded as if performing duties at the official duty station. Employee will record time and attendance on the agency Work Schedule Log and forward it bi-weekly to their timekeeper. Time and attendance reports may be submitted telephonically, electronically, via USPS, or in person to allow the timely processing of time and attendance records. The method of reporting time and attendance does not obviate the employee's obligation to timely certify the records as true and accurate.
- b. Employees must obtain supervisory approval before taking leave according to established procedures. By signing this Plan, employee agrees to follow established procedures for requesting and obtaining approval of leave.
- c. Any leave taken in association with lunch will be recorded when absence exceeds the normally scheduled lunch period. (Generally 30 minutes for most employees.)
- d. Employee will continue to work in a pay status while working at a center or personal residence. If the employee works overtime that has been ordered and approved in advance, the employee will be compensated according to applicable law and regulations. The employee understands that the supervisor will not accept the results of unapproved overtime work. By signing this Plan, the employee agrees that failing to obtain proper approval for overtime work may result in removal from the Flexiplace Work Program or other appropriate action.
- e. All pay, special salary rates, leave, and travel entitlement will be based on the employee's official duty station.

Continued on the next page

Flexiplace Accommodation Plan (Continued)

4. Work Assignments:

- a. Employee will meet with their supervisor to receive assignments and to review completed work as necessary or appropriate.
- b. Employees will complete all assigned work according to work procedures mutually agreed upon by the employee and the supervisor and according to guidelines and standards stated in the employee's performance plan.
- c. Assignments will be portable and measurable to ensure adequate agreement on quality and quantity of work assignments and to ensure support for performance reviews.
- d. Employee's job performance will be held at the same standard as any employee who works at the official duty station and will be evaluated by the employee's immediate supervisor.
- e. As is with employees working at the official duty station, performance reviews will be conducted intermittently throughout the rating period to ensure employee and supervisor agree on current performance and Flexiplace Work Agreement requirements.
- f. In addition to regularly scheduled onsite days, employees are responsible for attending occasional meetings or other onsite events; adequate notice of these events will be given to employees who are not scheduled to be in the office on those days.

5. Equipment:

- a. If the Government provides equipment, employee will protect the Government equipment according to procedures established in FIRMR Bulletin 30, October 15, 1985, and this agreement.
- b. Government-owned equipment will be serviced and maintained by the Government. Government equipment and serial numbers must be listed on the Government Equipment Checklist and the document signed by the employee, the supervisor, and **[insert Division providing computer equipment]**. A copy should be maintained by the supervisor.
- c. Should Government equipment need repair or additional software, the employee is responsible for transporting the equipment to and from their flexiplace worksite.

Continued on the next page

Flexiplace Accommodation Plan (Continued)

- d. The Government will pay the cost of additional telecommunication expenses (second telephone line) incurred on behalf of the Government. The Government will not be responsible for operating costs, home maintenance, utilities, or any other incidental cost whatsoever, associated with using the employee's residence. By participating in flexiplace, the employee does not relinquish any entitlement to reimbursement for authorized expenses incurred while conducting business for the Government.
- e. If the employee provides equipment, the employee is responsible for servicing and maintaining it. The employee is responsible for ensuring the safety and adequacy of the residence and compliance with applicable building and safety codes, and local permits. This includes, but is not limited to, ensuring that the electrical system and safeguards are adequate to protect Agency equipment.

The Government will not be liable for damages to an employee's personal or real property during the course of performance of official duties or while using Government equipment in the employee's residence, except to the extent the Government is held liable for Federal Tort Claims Act claims or claims arising under the Military Personnel and Civilian Employees Claims Act. If required, the employee is responsible for obtaining the necessary insurance coverage, business use permits, variances, etc. from local municipalities, Home Owners' Association, etc.

- 6. The employee will safeguard and protect Government/Agency records from unauthorized exposure or damage and will comply with Privacy Act requirements set forth in Privacy Act of 1974, Pub. L. 93-573, codified as Section 552a, Title 5 U.S.C.
- 7. Employees are covered under the Federal Employee's Compensation Act if injured in the course of actually performing official duties at the official duty station or at the alternate duty station. Any accident or injury occurring at the alternate duty station must be brought to the immediate attention of the supervisor, or as soon as practicable, and complete applicable documentation. Because an employment-related accident sustained by a flexiplace employee will occur outside of the premises of the official duty station, the supervisor must investigate all reports immediately following notification.
- 8. Tracking Information

Title, Series, Grade

Continued on the next page

Flexiplace Accommodation Plan (Continued)

This Plan may be modified, as necessary, to ensure appropriate implementation in compliance with the Rehabilitation Act of 1973, or ADA, as amended.

In concurrence with the Reasonable Accommodation Plan for **[insert employee's name]**:

_____ Employee signature	_____ Date
_____ First-line supervisor signature	_____ Date
_____ Second-line supervisor signature	_____ Date
_____ FFAS DEPM/Field Disability Coordinator/ KC Accommodation Coordinator signature	_____ Date

Nonflexiplace Accommodation Plan

Under the Rehabilitation Act of 1973, as amended, ADA, an accommodation has been approved for [insert employee's name]. The Agency will provide [insert accommodation provided] for work-related activities. [insert employee's name] will receive [insert accommodation provided] on [insert day and date].

Changes or modifications to the accommodation and/or this Plan must be incorporated into this Plan as an addendum before implementing the change or modification. This Plan may be amended or terminated based on changes in the impairment necessitating this accommodation.

Depending on the nature of the medical condition, documentation may be sought on a periodic basis to determine if the condition has changed, and if any modifications are necessary to the Accommodation Plan.

Accommodation Requirements:

List

Agency Responsibilities:

- Provide [insert employee's name] with an accommodation which meets the above referenced requirements in or to provide the opportunity for successful job performance.
- Notify FFAS DEPM/Field Disability Coordinator/KC Accommodation Coordinator, in writing, if this accommodation is not working.
- Comply with the terms of this Plan.

Employee Responsibilities:

- Provide feedback to management and FFAS DEPM/Field Disability Coordinator/KC Accommodation Coordinator about any negative impact the accommodation is having on successful job performance.
- Provide a written statement to management regarding any operational or performance problems with the accommodation and maintain a log of these problems and contacts. Provide FFAS DEPM/Field Disability Coordinator a copy of these statements. These statements may be made through e-mail.
- Provide written notification concurrently to management and FFAS DEPM/Field Disability Coordinator if this accommodation is not working.
- Comply with the terms of this Plan.

Continued on the next page

Nonflexiplace Accommodation Plan (Continued)

FFAS DEPM Responsibilities:

- For the first 2 months, conduct biweekly follow-ups with **[insert employee's name]** and management to identify problems which may impact successful job performance.
- Following the first 2 months, conduct monthly follow-ups with **[insert employee's name]** and management, to identify problems which may impact successful job performance, operational concerns, etc.
- Work to resolve any problems identified. Collaborate with subject matter experts as needed.
- Comply with the terms of this Plan.

This Plan may be modified, as necessary, to ensure appropriate implementation in compliance with the Rehabilitation Act of 1973, as amended (or ADA).

In concurrence with the Reasonable Accommodation Plan for **[insert employee's name]**:

Employee signature

Date

First-line supervisor signature

Date

Second-line supervisor signature

Date

**FFAS DEPM/Field Disability Coordinator
KC Accommodation Coordinator signature**

Date

***--Sample Meeting Registration Form**

SAMPLE MEETING REGISTRATION FORM

This registration form can be obtained in large print, on audiotape, or Braille by contacting the USDA TARGET Center on (202) 720-2600 voice/TDD. If you have difficulty writing or would prefer to register by telephone, please call (____) _____ - _____.

NAME _____

ADDRESS _____

CITY/STATE/ZIP _____

TELEPHONE _____ FAX _____

NAME FOR NAME BADGE _____

ORGANIZATION _____

I am bringing a personal assistant _____ YES _____ NO

PERSONAL ASSISTANT NAME BADGE _____

ORGANIZATION _____

Registration Fee \$ _____

TOTAL DUE \$ _____

Payment (check appropriate form):

_____ Check enclosed _____ Voucher enclosed

_____ MasterCard/Visa Card No. _____ Expiration Date _____

SIGNATURE _____

Check, voucher, or charge information **MUST** accompany this registration form.

RETURN TO: Meeting Coordinator, Street Address, Anytown, USA 00000-0000

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***--Sample Meeting Registration Form (Continued)**

Check materials and services needed.

(To ensure your request is fulfilled, registration MUST be received by [date].)

_____ Interpreter Services:

_____ ASL _____ Oral _____ Voice _____ Signed English

_____ Other: please specify _____

_____ Note taker _____ Reader

_____ Assistive Listening Device: please specify _____

Other - please specify _____

_____ Printed materials: _____ Large print _____ Braille

_____ Audio cassette

_____ Disk (ASCII format) _____ 3.5" _____ 5 1/4"

_____ Orientation to the meeting site

_____ I will be using a wheelchair at the conference (information needed to project space accommodations for meals, receptions, and workshops)

_____ Special diet requirements - please specify: _____

ADDITIONAL MEETING INFORMATION

Registration forms should also include the following information on meeting access (specific to the event and services available):

Transportation

From airport, bus, or train station: taxi service is available. The hotel also has a courtesy van (not lift equipped) between the hotel and the airport. To obtain this free service, use the courtesy telephone by baggage claim or the TDD to call the hotel.

For lift-equipped van transportation from the airport or train station or between other hotels, call _____ at (_____) _____-_____. Specify that you are attending this meeting when you call.

Personal Assistant Services

You may arrange for personal assistance services by calling _____ (_____) _____-_____.

Other Hotels

The following hotels/motels also have accessible sleeping rooms and have been inspected by qualified surveyor(s). [List names, addresses, and the telephone numbers and number of accessible rooms in the facility here.]

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FFAS-5, Interpreter Performance Assessment

The following is an example of a completed FFAS-5.

REPRODUCE LOCALLY. Include form number and date on reproductions.

FFAS-5 (07/26/98)		U.S. DEPARTMENT OF AGRICULTURE Farm and Foreign Agricultural Services			
INTERPRETER PERFORMANCE ASSESSMENT					
PART A - GENERAL INFORMATION					
1. Name of Agency ABC Interpreting Company	2. Name of Interpreter Marla Hobbs	3. Hour(s) of Service 9:00 - 10:15 a.m.	4. Date 3/21/xx		
PART B - TYPE OF ACTIVITY					
5. Indicate the type of activity where the interpreter was used: (Check one)					
<input type="checkbox"/> Training <input checked="" type="checkbox"/> Meeting <input type="checkbox"/> Program <input type="checkbox"/> Other					
6. Communication Style Used: (Check one)					
<input checked="" type="checkbox"/> ASL <input type="checkbox"/> PSE <input type="checkbox"/> English <input type="checkbox"/> Other					
7. On a scale of 1 to 5 please rank the Interpreter's Performance					
		Poor	Average	Excellent	
Receptive (words received)	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input checked="" type="checkbox"/>	5 <input type="checkbox"/>
Expressive (facial expression)	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input checked="" type="checkbox"/>	5 <input type="checkbox"/>
Professionalism (attitudes/behavior/well-dressed)	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input checked="" type="checkbox"/>	4 <input type="checkbox"/>	5 <input type="checkbox"/>
Timeliness (arrive on time/earlier/late)	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input type="checkbox"/>	5 <input type="checkbox"/>
8. If you circled 1 or 2 for any of the above, please explain why: The interpreter showed up 20 minutes late.					
9. Other Comments: The interpreter did not know the acronyms for the Agency. I do not like using this company because they send people unfamiliar with USDA.					
10. I would like to work with this interpreter again: (Check one)					
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
11. Please rate the voice translation:					
<input type="checkbox"/> Excellent <input type="checkbox"/> Average <input type="checkbox"/> Not Clear					
12. If you marked "not clear" in item 11, please explain why:					
13. When completed, please mail or fax this form to:					
USDA Staff Interpreter OFFICE OF OPERATIONS Room 1551-South Bldg. STOP 9810 FAX: (202) 690-0761					

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.

FFAS-6, Flexiplace Hardware and Software Request

The following is an example of a completed FFAS-6.

REPRODUCE LOCALLY. Include form number and date on reproductions.

FFAS-6 (05-24-99)		U.S. DEPARTMENT OF AGRICULTURE Farm and Foreign Agricultural Services	
FLEXIPLACE HARDWARE AND SOFTWARE REQUEST			
PART A - REQUESTING OFFICE			
1. Name of Flexiplace Participant Gene Mitchell	2. Agency/Division/Branch FSA/HRD/DOB	3. Telephone Number (Area Code) (703) 555-2222	
	4. Room Number	5. E-mail Address gmitchell@usda.gov	
PART B - HARDWARE/SOFTWARE DESCRIPTION			
6. Check (✓) the appropriate box(es) indicating the equipment you need: <i>(Please attach additional information, if needed.)</i>			
	Desk top setup required on personal computer		Agency computer
	Laptop		Software: <i>(List specific software packages in Item 7, Remarks.)</i>
	Modem		
	Printer		
7. Remarks 1. Standard computer setup with standard software. 2. Dial in access. 3. Equipment delivered to my home (see attached justification).			
PART C - APPROVALS			
8. Signature of Supervisor /s/ <i>Payne Jordan</i>	Date 7-30-xx	9. Name of Employee's Supervisor Payne Jordan	
10. Signature of ITSD Official /s/ <i>Cheryl Carrera</i>	Date 8-02-xx	11. Name and Title of Approving ITSD Official Cheryl Carrera Chief, Services Branch	
<small>The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.</small>			

FFAS-7, Flexiplace Home Safety Checklist

The following is an example of a completed FFAS-7.

REPRODUCE LOCALLY. Include form number and date on reproductions.

FFAS-7 (06-01-99)		U.S. DEPARTMENT OF AGRICULTURE Farm and Foreign Agricultural Services	
FLEXIPLACE HOME SAFETY CHECKLIST			
PART A - GENERAL INFORMATION			
1. FLEXIPLACE PARTICIPANT'S NAME, ALTERNATE WORKSITE, AND TELEPHONE Gene Mitchell 1234 Winfall Lane Great Falls, VA (703) 555-2222		2. AGENCY/DIVISION/BRANCH FSA/HRD/DOB	
3. EMPLOYEE'S OFFICIAL DUTY STATION, CITY, AND STATE Portals Building Washington, DC		4. FLEXIPLACE COORDINATOR'S NAME AND TELEPHONE NO. Miles Cotton (202) 555-8888	
5. ALTERNATE WORKSITE ADDRESS 1234 Winfall Lane Great Falls, VA		6. DESCRIBE THE LOCATION OF DESIGNATED WORK AREA (if worksite in participant's home.) Study	
PART B - CHECKLIST ITEMS			
<i>The following checklist is designed to assess the overall safety of the alternate worksite. Read, complete, and submit this form. Upon completion, the checklist should be signed and dated by the participating employee and their immediate supervisor. A copy of this document should be maintained by the supervisor.</i>			
MARK "NA" IF NOT APPLICABLE		YES	NO
7. Is the space free of indoor air quality problems, and the space adequately ventilated?		X	
8. Is the space free of noise hazards (in excess of 85 decibels)?		X	
9. Is there a potable (drinkable) water supply?		X	
10. In working at home, are you in compliance with municipal codes? Homeowner Association?		X	
11. Are lavatories available with hot and cold running water?		X	
12. Are all stairs with 4 or more steps equipped with handrails?		X	
13. Are all circuit breakers and/or fuses in the electrical panel labeled?		X	
14. Do circuit breakers clearly indicate if they are in the open or closed position?			X
15. Is all electrical equipment free of recognized hazards that would cause physical harm (frayed or loose wires, bare conductors, exposed wires)?		X	
16. Will the building's electrical system permit the grounding of electrical equipment?		X	
17. Are aisles, doorways, and corners free of obstructions to permit visibility and movement?		X	
18. Are file cabinets and storage closets arranged so drawers and doors do not open into walkways?		X	
19. Do chairs have any loose casters (wheels)? Are the rungs and legs of chairs sturdy?		X	
20. Are the phone lines, electrical cords, and extension wires secured under a desk or alongside a baseboard?		X	
21. Is the office space neat, clean and free of excessive amounts of combustibles?		X	
22. Are floor surfaces clean, dry, level, and free of worn or frayed seams?		X	
23. Are carpets well secured to the floor, and free of frayed or worn areas?		X	
24. EMPLOYEE'S SIGNATURE /s/ Gene Mitchell		DATE 7/30/xx	
25. SUPERVISOR'S SIGNATURE		DATE	
SPECIAL NOTE: SUPERVISORS ARE ENCOURAGED TO CONDUCT AN ON SITE INSPECTION FOR ANY EMPLOYEE CHECKING FIVE OR MORE "NO" ANSWERS. EMPLOYEES ARE RESPONSIBLE FOR INFORMING THEIR SUPERVISOR OF ANY SIGNIFICANT CHANGE TO WORKSITE.			
<small>The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.</small>			