

MANAGEMENT

HAZARDOUS WEATHER POLICY FOR EMPLOYEES WITH DISABILITIES

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PURPOSE This MAPP outlines the policies and procedures, within the Center for Drug Evaluation and Research (CDER), for accommodating employees with disabilities during hazardous weather conditions.

REFERENCES

- FDA Staff Manual Guide 3111.3, *Hazardous Weather Policy for Employees with Disabilities*.
 - CDER MAPP 4657.7, *Leave and Absence for Hazardous Weather and Other Emergency and Administrative Situations*.
 - FDA Staff Manual Guide h:3111.1, *Leave for Hazardous Weather and Other Emergency Situations in the Washington, D.C. Metropolitan Area*.
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DEFINITIONS

- **Disability.** A temporary or permanent condition of blindness or physical impairment that limits mobility, and could interfere with safe travel to and from work and/or departure from the workplace.
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- **Hazardous Weather Conditions.** Extreme conditions, such as accumulation of ice or snow, extremely heavy rain, flooding, or strong winds, that impede an employee's mobility.
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POLICY

- An employee with a disability will comply with the provisions in CDER MAPP 4657.7, *Leave and Absence for Hazardous Weather and Other Emergency and Administrative Situations*, in addition to this policy.
- An employee's permanent disability must be recorded in his/her Official Personnel Folder and filed with the Office of Human Resources and Management Services (OHRMS). Additionally, the employee will inform the immediate supervisor of the disability. A temporary disability need not be recorded in the employee's Official Personnel Folder.
- An employee with a disability wishing to receive special accommodations during hazardous weather conditions must complete a *Request for Special Accommodations During Hazardous Weather Conditions* (Attachment A), and ensure that his/her immediate supervisor keeps an approved copy on file.
- When hazardous weather conditions make it difficult for the employee to get to or from work, the supervisor may grant a reasonable amount of excused absence to cover the absence. The amount of excused absence granted will vary according to individual circumstances.
- Prior to denying a request for special accommodations during hazardous weather conditions, the CDER Executive Officer will contact the Selective Placement Coordinator for the Disabled in OHRMS for counsel and/or for further review of medical documentation. The medical review will be conducted by, or under the supervision of, a physician to determine if the medical information supports the request. The following will be considered:
 1. The history of the medical condition including onset of conditions, progression, treatment, and responses to treatment.
 2. Current clinical findings related to the condition.
 3. Stability and diagnosis of the medical condition.
 4. The nature and degree of impairment of mobility.

5. The anticipated degree of incapacitation or risk of injury identified by the employee.

The Division of Employee Relations, OHRMS, will be contacted for further counsel only if the issue cannot be resolved with the Selective Placement Coordinator for the Disabled.

- Should a hazardous weather condition occur before approval of a request for accommodation during hazardous weather, the employee's leave record will be corrected retroactively upon approval.

RESPONSIBILITIES

An employee with a temporary or permanent disability requesting accommodation during hazardous weather:

- Ensures that a permanent disability is recorded in his/her Official Personnel Folder and filed with OHRMS, and informs his/her immediate supervisor of the disability.
- Completes and submits a *Request for Special Accommodations During Hazardous Weather Conditions* (Attachment A) to his/her immediate supervisor in advance for concurrence. The request will include:
 1. A description of the disabling condition;
 2. An explanation of the circumstances under which hazardous weather conditions would interfere with safe travel to and from work; and
 3. Medical documentation verifying the medical condition and the degree of impairment (except in cases of blindness, confinement to a wheelchair, or continuous dependence on a supportive device, e.g., crutches or leg braces). The medical documentation is submitted in a sealed envelope marked "Medical-Confidential."

The immediate supervisor of the disabled employee:

- Prior to recommending approval/disapproval of the request, considers alternatives that would accommodate the employee, e.g., other travel arrangements or a parking space closer to the building. The supervisor, as necessary, will discuss these alternatives with the employee.

- Recommends approval or disapproval of the request. Prior to recommending disapproval, the supervisor will consult with the Selective Placement Coordinator for the Disabled, OHRMS, and include a brief summary of the discussion in his/her assessment.
- Forwards the request with supporting documentation to the employee's second-level supervisor for recommendation of approval/disapproval.
- Keeps a copy of the employee's approved *Request for Special Accommodations During Hazardous Weather Conditions* on file.

The second-level supervisor of the disabled employee:

- Consults with the immediate supervisor to obtain additional information, as necessary.
- Recommends approval or disapproval of the request.
- Forwards the request with supporting documentation to the CDER Executive Officer, for approval/disapproval.

The Executive Officer, Office of Management:

- Approves/Disapproves requests for accommodations for disabled employees during hazardous weather conditions. The Executive Officer will consider the employee's statement, the supervisors' assessment and recommendation, and, if applicable, the medical consultant's recommendation.
- Prior to denying a request, contacts the Selective Placement Coordinator for the Disabled, OHRMS, for counsel and/or for further review of medical documentation. The Division of Employee Relations, OHRMS, will be contacted for further counsel only if the issue cannot be resolved with the Selective Placement Coordinator for the Disabled (see the POLICY section for more information).
- Notifies the employee and his/her supervisors of the approval/disapproval by forwarding the signed request to the employee through the appropriate supervisors.

APPROVAL AUTHORITY

The Executive Officer, Office of Management, has authority to approve/disapprove requests to accommodate employees with disabilities during hazardous weather conditions.

EFFECTIVE DATE

This MAPP is effective upon date of publication.

Attachment A

MEMORANDUM

Department of Health and Human Services
Public Health Service
Food and Drug Administration
Center For Drug Evaluation And Research

DATE:

FROM: (Employee with Disability)

SUBJECT: Request for Special Accommodations During Hazardous Weather Conditions

TO: CDER Executive Officer, Office of Management
Through: (Second-level Supervisor)
Through: (Immediate Supervisor)

I request special accommodations during hazardous weather conditions due to a (temporary or permanent) disability. (Describe the disability and explain the circumstances under which hazardous weather conditions would interfere with safe travel to and from work.)

I have attached medical documentation supporting my request in a sealed envelope marked "Medical-Confidential" (medical documentation is not required for cases of blindness, confinement to a wheelchair, or continuous dependence on a supportive device, e.g., crutches or leg braces).

I understand that reporting to work is my responsibility, and I will attempt to make alternative arrangements for travel during hazardous weather conditions. I understand that in each instance, I must request leave or excused absence, as appropriate, from my supervisor, and explain the reason(s) that I am unable to report for work or wish to leave early.

Comments:

Recommendation: Approve Disapprove

Signature of Immediate Supervisor Date

Comments:

Recommendation: Approve Disapprove

Signature of Second-level Supervisor Date

Comments:

Action: Approve Disapprove

Signature of Executive Officer Date