



DEC 30 2005

MEMORANDUM FOR: All Employees

FROM: David L. Johnson

SUBJECT: Guidance for Providing Reasonable Accommodation

NOAA's National Weather Service (NWS) must strive to create and maintain a sound, diverse, and cooperative work environment. Equal opportunity and diversity management for all employees and applicants for employment is essential to the continued success of NWS. With that in mind, we must take advantage of the knowledge, skills, and abilities of persons with disabilities. The Rehabilitation Act of 1973, as amended, requires NWS to provide qualified applicants for employment and employees with disabilities reasonable accommodations for known physical or mental limitations unless the accommodation would impose an undue hardship. This guidance describes NWS procedures for providing reasonable accommodation to qualified individuals with disabilities who are employees or applicants for employment. This guidance also designates authorities and responsibilities.

A reasonable accommodation is an adjustment to job requirements or to the work environment that assists an employee with a disability in performing the essential duties of his or her position, or a qualified applicant for employment with a disability during the recruitment and selection process. A reasonable accommodation may include, but is not limited to making facilities readily accessible to, and usable by, people with disabilities; job restructuring; part time or modified work schedules; acquiring or modifying equipment or devices; appropriate adjustment or modification of examinations and training materials; and providing readers, interpreters and other auxiliary aids.

NWS will process requests for reasonable accommodations and provide accommodations where they are appropriate, in as short a period as reasonably possible. Sometimes there may be factors that are unavoidable that will delay the consideration or provision of a reasonable accommodation. In such circumstances, NWS will notify the individual of the reason for the delay and consider whether there are temporary measures available to assist the person with a disability until the accommodation is processed. Agency officials will contact the Office of Equal Opportunity and Diversity Management (OEODM) prior to deciding that a reasonable accommodation is not possible.

Individuals will write or orally submit requests for reasonable accommodations to any supervisor or manager in his or her immediate chain of command, or OEODM. A family member, health



professional, or other representative may request a reasonable accommodation on behalf of an individual with a disability. **Where possible, NWS should then confirm that the person with a disability, in fact, wants the proposed reasonable accommodation.** An individual with a disability can request a reasonable accommodation whenever she or he chooses. Such a request will then trigger NWS obligation to start the process described per this guidance. Where an employee has requested a reasonable accommodation that he or she is likely to need on a repeated basis, NWS will not require that individual to submit additional written requests for multiple future needs.

This guidance establishes the following authorities and responsibilities:

The Assistant Administrator (AA) for Weather Services has primary responsibility for implementation of the Reasonable Accommodation Program.

As a general practice, **NWS Headquarters, Regional Headquarters, National Centers, and Field Offices** will foster an environment that is accessible for everyone; provide funds for reasonable accommodation; ensure subordinate officials understand the reasonable accommodation guidance; provide appropriate training on reasonable accommodation for subordinate managers, supervisors and other employees; assume the role of Deciding Official when applicable; and ensure compliance with provisions of this guidance memorandum.

The **Director of Equal Opportunity and Diversity Management (DOEODM)** and the **Equal Employment Opportunity Regional Managers (EEORM)** are the principal advisors to the AA and Regional Directors, respectively, on reasonable accommodation issues. DOEODM and EEORM will ensure that managers, Workforce Management officials, and supervisors understand the laws, executive orders, regulations, procedures and policy directives concerning reasonable accommodation; and pass a request for reasonable accommodation to the appropriate deciding official within 3 business days. DOEODM will develop and maintain NWS guidance for reasonable accommodation; consult with the NOAA's Office of Civil Rights, appropriate Workforce Management officials and General Counsel representatives on reasonable accommodation issues and undue hardship determinations; coordinate management and employee training on reasonable accommodation issues with Workforce Management officials, as appropriate for each operating unit; and suggest alternate methods of accommodations that would effectively meet everyone's needs.

Deciding Officials are usually the immediate supervisors, but can be a Regional Director, Office Director, or manager. Deciding Officials should process and provide the accommodation within 15 business days of written or oral receipt from requester, immediate supervisor, or OEODM. Determine if he or she has the authority to make a decision regarding the accommodation request. Refer the request to a higher-level official if the official is not authorized to make the decision within 5 business days. Request medical documentation to support the request, as needed and share medical documentation only with individuals involved in responding to requests who have a valid need to know. Determine if the requester is a qualified individual with a disability and determine if the request is a reasonable accommodation. Consult with the requester regarding the kind of accommodation needed and determine an effective method of accommodation to address the need. Address the agency's responsibility to accommodate

individuals with known mental and physical disabilities when it is observed that a disability may be limiting an employee's ability to perform the job at a fully successful level or could otherwise improve a fully successful employee's job performance or an applicant's ability to participate in the selection process. Draft a written update for the OEODM to track the request for reasonable accommodation. Keep requester, immediate supervisor, and OEODM, apprised of progress in responding to accommodation requests. Aggressively seek alternate methods of accommodations that would effectively meet everyone's needs. Seek guidance from and consult with the DOEODM or EEORM on reasonable accommodation issues before determining that an undue hardship would occur if a reasonable accommodation was provided. Explain request denial to requester in writing and notify the denied requester of their right to file an EEO complaint. Identify and explain informal dispute resolutions procedures. As a last resort make every effort to reassign non-probationary employees with disabilities who are unable to perform the essential functions of their current positions.

Workforce Management officials will ensure all NWS vacancy announcements inform qualified individuals with disabilities that reasonable accommodations may be requested; provide instructions for making such requests; and discharge responsibilities of managers and supervisors, as they apply to qualified applicants.

Employees with disabilities who desire a reasonable accommodation will request their reasonable accommodation orally or in writing or select a representative to request a reasonable accommodation on their behalf; the employee will provide medical documentation of the disabling condition, if requested; and provide a description of the reasonable accommodation requested, if known.

An applicant may request an accommodation orally or in writing from any NWS employee with whom the applicant has contact in connection with the application process; provide medical documentation of the disabling condition, if requested; provide a description of the accommodation requested.