

**PROCEDURES FOR PROCESSING REQUESTS  
FOR REASONABLE ACCOMMODATION**

**CHAPTER 7  
REPORTING REQUIREMENTS**

I. REPORTS TO THE ACTIVITY'S MAJOR COMMAND

A. Denial of Reasonable Accommodation Requests: If a request for reasonable accommodation is denied at the activity level, the following information will be provided to the CDEEOO for review and tracking purposes:

1. Written summary of reasonable accommodation case detailing the information considered, analysis performed, and the reasons for denying the request for documentation.
2. Copies of documentation considered in the activity's determination.
3. Copy of the denial letter.
4. The information outlined above will be provided to the major command within 14 calendar days after the issuance of the decision to deny the request for accommodation.
5. The RA POC is responsible for collecting and transmitting the information listed above.

B. No Vacant Positions Identified at the Activity Level during Job Search Process: If no vacant positions are identified at the activity level during the job search process, the following information will be provided to the major command for a higher level review:

1. Certification by Commanding Officer that there are no current vacant positions at the activity level for placement of the employee.
2. Written summary of the disability assessment and activity's job search efforts. The RA POC is responsible for preparing the written summary.

C. No Vacant Positions Identified by the HRSC during Job Search Process: If no vacant positions are identified by the HRSC during the job search process, the following information will be provided to the major command for review and tracking purposes:

1. Written summary of reasonable accommodation case detailing the information considered and analysis performed.

2. Copies of documentation considered in the activity's analysis.

3. Written summaries of activity and HRSC job search efforts.

4. Copy of the denial letter.

5. Copy of final employment action, i.e., disability retirement, removal letter.

II. EEOC AGENCY SELF-ASSESSMENT CHECKLIST (Management Directive [MD] 715, PART G)

A. Establishing a Model EEO Program in Compliance with EEO MD-715: The EEO MD-715 identifies the six essential elements of a Model Title VII and Rehabilitation Act Programs as:

1. Demonstrated commitment from agency leadership;
2. Integration of EEO into the agency's strategic mission;
3. Management and program accountability;
4. Proactive prevention of unlawful discrimination;
5. Efficiency; and,
6. Responsiveness and legal compliance.

B. Annual Self-Assessment Checklist (MD-715, Part G): Annually each activity is required to conduct a self-assessment to determine whether its EEO Program is properly established and compliant with the EEO MD-715 standards utilizing the checklist included as part of the MD-715 (Part G). The relevant portions of the self-assessment checklist, as it pertains to the Rehabilitation Act, are highlighted below:

1. Demonstrated Commitment from Agency Leadership (Essential Element A).

a. Are managers and supervisors evaluated on their commitment to agency EEO policies and principles, including their efforts to ensure the provision of requested disability accommodations to qualified individual with disabilities when such accommodations do not cause an undue hardship?

b. Have the procedures for reasonable accommodation for individuals with disabilities been made readily available/accessible to all employees by disseminating such procedures during orientation of new employees and by making such procedures available on the World Wide Web or Internet?

c. Have managers and supervisors been trained on their responsibilities under the procedures for reasonable accommodation?

2. Integration of EEO into the agency's strategic mission (Essential Element B).

a. Is there sufficient budget allocated to all employees to utilize, when desired, all EEO Programs, including the complaint processing program and ADR, and to make a request for reasonable accommodation?

b. Has funding been secured for publication and distribution of EEO materials (e.g. harassment policies, EEO posters, reasonable accommodation procedures, etc.)?

c. Is there a central fund or other mechanism for funding supplies, equipment and services necessary to provide disability accommodations?

d. Does the agency fund major renovation projects to ensure timely compliance with Uniform Federal Accessibility Standards?

e. Is there sufficient funding to provide all managers and supervisors with training and periodic updates on their EEO responsibilities to provide disability accommodations in accordance with the agency's written procedures?

3. Management and Program Accountability (Essential Element C).

a. Does the agency review disability accommodation decisions/actions to ensure compliance with its written procedures and analyze the information tracked for trends, problems, etc.?

4. Efficiency (Essential Element E).

a. Is there a designated agency official or other mechanism in place to coordinate or assist with processing requests for disability accommodations in all major components of the agency?

b. Are 90% of accommodation requests processed within the time frame set forth in the agency procedures for reasonable accommodation?

III. EXECUTIVE ORDER 13164: ESTABLISHING PROCEDURES TO FACILITATE THE PROVISION OF REASONABLE ACCOMMODATION

A. Executive Order Tracking Requirements: The Executive Order states, an agency's reasonable accommodation procedures must: Ensure that agencies' systems of recordkeeping track the processing of requests for reasonable accommodation and maintain the confidentiality of medical information received in accordance with applicable law and regulations. (Section 1(b)(9) of Executive Order 13164)

B. Information to be Tracked: All activities must be able to identify, at a minimum, the following information on reasonable accommodation requests:

1. The number and types of reasonable accommodations that have been requested in the application process and whether those requests have been granted or denied;

2. The jobs (occupational series, grade level and activity) for which reasonable accommodations have been requested;

3. The types of reasonable accommodations that have been requested for each of those jobs;

4. The numbers and types of reasonable accommodations for each job, by activity, that have been approved, and the number and types that have been denied;

5. The number and types of requests for reasonable accommodations that relate to the benefits or privileges of employment, and whether those requests have been granted or denied;

6. The reasons for denial of requests for reasonable accommodation;

7. The amount of time taken to process each request for reasonable accommodation; and

8. The sources of technical assistance that have been consulted in trying to identify possible reasonable accommodations.

C. Maintenance of Tracking Information: Activities should keep any cumulative records used to track its performance with regard to reasonable accommodation for at least 3 years. Tracking performance over a 3 year period is critical to enable an activity to assess whether it has adequately processed and provided reasonable accommodations. Activities can use this tracking information to evaluate whether and where they need to improve their handling of reasonable accommodation requests.

D. Recommended Use of Tracking Information: Activities should regularly review its tracking information to:

1. Evaluate its performance in responding to requests for reasonable accommodation.

2. Assess how long the activity takes to respond to requests for different types of reasonable accommodations.

3. Determine whether there are particular types of reasonable accommodations that the activity has been unable to provide.

4. Determine the reasons for denial of reasonable accommodation requests, if no requests have been granted.

5. Determine if there are any repeated delays in the processing of reasonable accommodation requests. If so, investigate the reasons for the problem and take the necessary steps to correct the situation.