



**Human Resources Issuance System**

Chapter: 900-005

Transmittal Number: 07-008

Date: March 30, 2007

Office: Office of Equal Opportunity and Diversity

Subject: Section 508 Administrative Complaint Processing Procedures.

1. PURPOSE. This policy sets forth the procedures for the administrative processing of non-employment and employment related complaints in compliance with Section 508 of the Rehabilitation Act of 1973, as amended.
2. SCOPE. This Directive applies to all bureaus, offices and organizations in the Department of the Treasury. The authority of the Inspector General is set forth in Section 3 of the Inspector General Act and the Internal Revenue Service Restructuring and Reform Act, and defined in Treasury Order 114-01 (OIG) and Treasury Order 115-01 (TIGTA), or successor orders. The provisions of this policy shall not be constructed to interfere with that authority.
3. CANCELLATION. Not applicable.
4. EFFECTIVE DATE. This policy is effective with the date of this chapter.
5. REFERENCES.
  - A. Section 508 of the Rehabilitation Act of 1973, as amended by section 408(b) of the Workforce Investment Act of 1998, (Pub. L. 105-220, title IV, Section 408 (b), Aug. 7, 1998).
  - B. Department of the Treasury's Section 504 complaint procedure, 31 CFR Part 17.
  - C. Equal Employment Opportunity Commission (EEOC) regulations, 29 C.F.R. Part 1614.

6. **BACKGROUND.** Section 508 (f)(B)(2) of the Rehabilitation Act of 1998, as amended (29 U.S.C. § 794d), requires federal agencies to handle administrative complaints regarding compliance with section 508 by applying the procedures for complaints regarding compliance with section 504 of that act. Treasury regulations for processing complaints regarding section 504 are found at 31 CFR Part 17.

Section 508 applies to all federal agencies when they develop, procure, maintain and use electronic and information technology (EIT). Federal agencies must ensure that employees and members of the public with disabilities have access to, and are able to use, EIT to the same extent as individuals without disabilities, unless an undue burden would be imposed on the department or agency.

7. **POLICY.** It is the policy of this Department that complaints of noncompliance related to accessibility of EIT in programs or activities conducted by the Department, shall be processed under the procedures established for the processing of Section 504 federally conducted complaints found at 31 C.F.R. §17.170. Treasury's procedures for Section 508 noncompliance complaints are as follows:

### **SECTION 508 COMPLAINT PROCESSING PROCEDURES**

An individual with a disability who wishes to file a complaint of noncompliance with Section 508 of the Rehabilitation Act of 1973, must send a signed, written complaint within 180 days of the incident that gave rise to the complaint, to the following address:

Department of the Treasury  
Office of Equal Opportunity and Diversity  
1750 Pennsylvania Avenue, NW  
8<sup>th</sup> Floor, Room 8157D  
Washington, DC 20220

The complaint should include sufficient details of the alleged section 508 violation to enable the Office of Equal Opportunity and Diversity to understand what occurred, where and when it occurred and the responsible Treasury organization, if known. If accepted for investigation, the appropriate bureau will investigate the complaint and attempt resolution. If no resolution is achieved, the bureau will forward the findings to the Department. A letter of findings will be issued, notifying the complainant of the results of the investigation, and providing administrative appeal procedures. Any appeal of the decision will be made to the Deputy Assistant Secretary for Human Resources and Chief Human Capital Officer.

Alternative Means of Filing a Complaint: Treasury will provide appropriate assistance to complainants who may need help in filing their complaint, and will consider complaints filed in alternate formats. For example, a disabled complainant may file a complaint electronically, by audiotape, in Braille, or in some other format. Additionally, oral complaints will be considered if the complainant is unable to write.

To file a complaint telephonically, complainants should call 1-202-622-1160 or TTY 1-202-622-7104.

## **INTERACTION WITH THE EEO COMPLAINT PROCESS**

Section 508 provides that it shall not be construed to limit any right, remedy, or procedure otherwise available under Section 791 through 794(a) of the Rehabilitation Act of 1973, as amended. Therefore an individual alleging a denial of accessibility to electronic and information technology that affects a term, condition, or privilege of employment is free to pursue a complaint under the provisions of 29 CFR 1614.

8. REQUIREMENTS. Bureaus will post procedures on intranet and internet websites, include procedures in employee handbooks, and post procedures in locations visible to employees (library, EEO Office, etc.).
9. OFFICE OF PRIMARY INTEREST. The Office of Equal Opportunity and Diversity, Office of the Deputy Assistant Secretary for Human Resources and Chief Human Capital Officer.

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/s/  
Rochelle F. Granat  
Deputy Assistant Secretary for Human Resources  
and Chief Human Capital Officer