



U.S. Environmental Protection Agency Procedures for Providing Reasonable Accommodation for EPA Employees and Applicants with Disabilities

Washington, DC 20460
Revised October 2020

Revision History:
Procedures issued June 2004
Revised 2010, 2018, and 2020

**The U.S. Environmental Protection Agency
Procedures for Providing Reasonable Accommodation for
EPA Employees and Applicants with Disabilities**

Contents

Summary of EPA Reasonable Accommodation Procedures 3

I. Definitions of Key Terms 4

II. Policy on Reasonable Accommodation..... 6

III. Requests for Reasonable Accommodation 7

IV. Requests for Personal Assistance Services 8

V. Interactive Process 9

VI. Time Frames..... 9

VII. Processing the RA Request 11

 A. Request by Job Applicants 11

 B. Request for Accommodations of a Continuing Nature for Employees..... 11

 C. Requests for All Other Types of Accommodations 11

VIII. Medical Information 13

 A. Requesting Medical Information 13

 B. Confidentiality Requirements Regarding Medical Information 14

IX. Granting a Reasonable Accommodation Request 15

X. Denial of Reasonable Accommodation Request..... 15

XI. Reassignment..... 16

XII. Information Tracking, Record Keeping and Reporting 16

XIII. Relationship to Statutory, Administrative, and Collective Bargaining Claim 17

XIV. Training 18

XV. Inquiries 18

XVI. Distribution 18

XVII. Disclaimer..... 18

APPENDIX A..... 19

APPENDIX B..... 20

APPENDIX C..... 22

APPENDIX D..... 24

APPENDIX E 27

Summary of EPA Reasonable Accommodation Procedures

The purpose of this document is to provide the general framework for the Agency's procedures for requesting and providing reasonable accommodation. Supervisors, employees and applicants may refer to the EEOC's "Enforcement Guidance on Reasonable Accommodation and Undue Hardship Under the Americans with Disabilities Act," available at EEOC's Internet site, for more information on their rights and responsibilities in requesting and providing reasonable accommodations.

1. Making a request for reasonable accommodation:

An **applicant** may request a reasonable accommodation, either orally or in writing, from any EPA Agency official authorized to interact with the applicant in the application process or the Senior National Reasonable Accommodation Coordinator (NRAC), National Reasonable Accommodation Coordinator, or the Local Reasonable Accommodation Coordinator (LORAC).

An **employee** may request a reasonable accommodation, either orally or in writing, from their supervisor, another supervisor in their immediate chain of command, or the Senior NRAC, NRAC, or LORAC.

2. Time frames for processing a request:

EPA will process requests for reasonable accommodation and provide accommodations in as short a time frame as is reasonably possible. EPA recognizes, however, that the time necessary to process a request will depend on the nature of the accommodation requested and whether it is necessary to obtain supporting information. All requests will be handled as promptly as possible, but there may be times when it may be difficult to determine the appropriate reasonable accommodation due to coordination with other federal agencies, for example, facility access or modification to the building, or other circumstances beyond the agency's control, such as, delays in a vendor's supply chains. When such circumstances arise, the decision-maker, Senior NRAC, NRAC, NRAC, or LORAC should update the person making the request every 10 business days to the extent that is practical.

3. Processing requests for reasonable accommodation:

Applicants: For a request made by an applicant, the Agency official receiving the request should quickly accommodate the applicant and coordinate with the Senior NRAC, NRAC, or LORAC who are available to assist in processing the request and coordinating the provision of the accommodation. Vacancy notices should also indicate that the applicant can directly contact the Senior NRAC, NRAC, or LORAC for the reasonable accommodation.

Employees: For a request made by an employee for an accommodation previously approved and anticipated to be needed on a continuing basis, the request should be provided in an expedited manner, without the need for completing an additional "Confirmation of Request for Reasonable Accommodation" form.

For all other types of reasonable accommodation requests, the supervisor receiving the request, together with the employee, are asked to either summarize what was asked for in an email to be sent to the Senior NRAC, NRAC, and LORAC or complete the "Confirmation of Request for Reasonable Accommodation" form ([Appendix B](#)) to ensure that the request was documented. The Appendix B form or email summary should promptly be sent to the Senior NRAC, NRAC, and LORAC so that all requests can be tracked and monitored for compliance by the Senior NRAC, NRAC, and LORAC. Please note that the Appendix B form is not required as an employee may not be able to fill out the form because of their limitations or because they have already described their request orally or in writing. All requests, either oral or in writing, must be processed. The agency is required to track reasonable accommodation requests and the procedure provides reporting forms in the appendices. For the purpose of tracking reasonable accommodations, it is expected that all oral requests be put in writing in accordance with the instructions in the procedures.

For most reasonable accommodation requests, the immediate supervisor or another supervisor in the employee's immediate chain of command is the Agency decision-maker. To ensure necessary consistency throughout the Agency, supervisors are expected to consult the Senior NRAC, NRAC, or LORAC prior to making a decision on a request for reasonable accommodation.

4. Approval or denial of reasonable accommodation request

Once a decision is made on a request for a reasonable accommodation, the decision maker should respond in writing to the applicant or employee, and forward a completed [Appendix D](#) "Information Reporting" form and forward it to the Senior NRAC, NRAC, or LORAC. Upon approval of a reasonable accommodation request, the Agency will provide the accommodation in as short a time frame as reasonably possible.

Denial of a reasonable accommodation request must be recorded on the [Appendix C](#) "Denial of Request" form and provided to the employee. The form explains the individual's rights.

I. Definitions of Key Terms

Agency Official: An agency official is an Agency employee who manages a process or staff that may need to be involved or made aware of a reasonable accommodation request because they need to help implement the accommodation. Examples of an agency official for the purposes of a reasonable accommodation include the hiring official for an applicant, an employee's supervisor, the Senior NRAC, NRAC, LORAC, human resources (HR) staff, technical support, facilities staff, or other persons who would be in charge of a process (e.g., transit subsidy, parking, interpreter services, travel, etc.) that an applicant or employee might contact about a need for a reasonable accommodation. The agency official is not necessarily the decision-maker about the reasonable accommodation request itself but may have a need to know in order to help implement the RA.

Decision-maker: The decision-maker is the person who makes the decision and implements the reasonable accommodation request. In most cases, the employee's immediate supervisor or supervisor in their supervisory chain is the decision-maker.

Essential Functions: Those job duties that are so fundamental to the position that the job cannot be accomplished without performing them. A function can be "essential" if, among other things: the position exists specifically to perform that function; there are a limited number of other employees who could perform the function; or the function is specialized and the individual is hired based on their ability to perform it. The essential functions of a position are identified on a case-by-case basis and reflects the job as actually performed and not simply the components of a generic position description.

Individual with a Disability: A person who has a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a person who has a record of such an impairment, or; a person being regarded as having such an impairment.

Local Reasonable Accommodation Coordinators (LORAC): On a case-by-case basis for each Region, Laboratory or Geographical Area (e.g., RTP, Cincinnati), many of the responsibilities of the NRAC may be delegated to the Region, Laboratory or Geographical Area upon a showing that it has designated a staff member, either on a full-time or collateral-duty basis, with the appropriate knowledge, skills and abilities to perform the delegated responsibilities of the position of a LORAC. The LORACs meet with the NRAC on a regular basis to ensure consistency throughout the Agency in its processing of requests for reasonable accommodation. The LORACs also provide the NRAC a monthly report on the status of all requests for reasonable accommodation in their Region, Laboratory or Geographical Area.

Major Life Activities: Include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. Major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

Personal Assistance Services (PAS): Assistance with performing activities of daily living that an individual would typically perform if they did not have a disability, and that is not otherwise required as a reasonable accommodation, including, for example, assistance with removing and putting on clothing, eating, and using the restroom. 29 C.F.R. § 1614.203(a)(5).

Qualified Individual with a Disability: An individual with a disability is qualified if (1) they satisfy the requisite skill, experience, education, and other job-related requirements of the position; and (2) they can perform the essential functions of the position, with or without reasonable accommodation.

Reasonable Accommodation (RA): A change in the work environment or work procedures which enables a qualified individual with a disability to successfully perform the essential functions of their job and to enjoy equal employment opportunities.

Reassignment: Reassignment is an accommodation of last resort where an employee is moved to a vacant position and will be considered only when the decision-maker determines that no other reasonable accommodation will permit the employee with a disability to perform the essential functions of their current position, or if the only other accommodation would cause

undue hardship. Specifics of the reassignment process can be found in HR Bulletin #10-003B, Reassignment of a Qualified Employee with a Disability, dated April 8, 2010 and in [Section XI. Reassignment](#). Reassignment is made only to a vacant funded position and is available only to an employee who is qualified for the new position. Reassignment is not a form of reasonable accommodation available to applicants.

Senior National Reasonable Accommodation Coordinator and National Reasonable Accommodation Coordinator (NRAC): The Senior NRAC and NRAC are the subject matter expert(s) for Agency employees and decision-makers to use in requesting and providing reasonable accommodation. The NRAC functions as a resource for the reasonable accommodation process and for ensuring consistency throughout the Agency. Among other responsibilities, the NRAC tracks and monitors all requests for reasonable accommodation, facilitate the processing of a request with the supervisor and the employee; coordinate the provision of reasonable accommodation for applicants; coordinate the collection and evaluation of medical records by an appropriate health professional; maintain medical records and files on all requests; provide options to the decision-maker on appropriate reasonable accommodation; provide supplier information and technical resources for the procurement of equipment for reasonable accommodation; and provide training on the process for requesting and providing reasonable accommodation to management and staff. In most cases, NRAC can be used interchangeably to refer to the Senior NRAC and/or NRAC.

Supervisor: The term "supervisor" when used in this document means an employee's immediate supervisor, or another supervisor in their supervisory chain. In most cases, the employee's immediate supervisor or supervisor in their supervisory chain is the decision-maker who makes the decision and implements the reasonable accommodation request.

Undue Hardship: Undue hardship occurs when a requested reasonable accommodation causes significant difficulties or expense. When a requested reasonable accommodation is determined to cause undue hardship, EPA does not have to provide that particular accommodation. A determination of undue hardship is made on a case-by-case basis and considers factors that include the nature and cost of the reasonable accommodation and its impact on the operations of the Agency.

II. Policy on Reasonable Accommodation

Section 501 of the Rehabilitation Act of 1973, its amendments and the regulations of the Equal Employment Opportunity Commission (EEOC) require federal agencies to provide reasonable accommodation to qualified employees or applicants with disabilities, unless to do so would cause undue hardship. 29 U.S.C. § 791; 29 C.F.R § 1614.203. These regulations incorporate the standards of Title I of the Americans with Disabilities Act (ADA), as amended, into Section 501 of the Rehabilitation Act. Refer to 29 C.F.R. § 1630 *et seq.* EPA is committed to providing reasonable accommodation in order to assure that individuals with disabilities enjoy full access to equal employment opportunities at EPA. EPA provides reasonable accommodation:

- When an applicant with a disability requires an accommodation in order to apply or be considered for a job;

- When an employee is a qualified individual with a disability and requires an accommodation to enable him or her to perform the essential functions of the job; and/or
- When an employee is a qualified individual with a disability and requires an accommodation to enjoy equal benefits and privileges of employment.

EPA will process requests for reasonable accommodation in a prompt, fair and efficient manner and without unreasonable delay. EPA has designated the Senior NRAC and NRAC to direct the Agency-wide program and, if appropriate, some of the NRAC's responsibilities may be delegated to the LORAC to assist in coordinating the processing and provision of reasonable accommodation in the Regions, Laboratories or Geographical Areas. According to current case law, regulations and EEOC guidance materials, it is unlikely that a reasonable accommodation will become an undue hardship solely as a result of its financial cost to an individual office. It is the responsibility of each program and regional office to fund reasonable accommodations. EPA does not provide centralized funds for reasonable accommodation costs. If there are budgetary concerns, an office should consult with their Senior Resource Official (SRO) to determine the resources that may be available.

III. Requests for Reasonable Accommodation

A request for reasonable accommodation is an oral or written statement that an applicant or employee needs an adjustment or change in the application process or at work, for a reason related to a medical condition. The reasonable accommodation process begins when an applicant or employee makes a request orally or in writing. Therefore, it is important for managers/supervisors to be able to recognize a request. The applicant or employee does not need to mention laws like Section 501 or use the phrase "reasonable accommodation" or say "I have a disability" when requesting an accommodation. The applicant or employee does not need to make a request in writing for the reasonable accommodation process to begin. Therefore, any time an applicant or employee indicates orally or in writing that they need a workplace change or modification or is having a problem and the need or problem is related to a medical condition, it may be a reasonable accommodation request and needs to be acted upon expeditiously.

The following examples from the EEOC may help employees and managers recognize when a request may be a reasonable accommodation request:

Example A: An employee tells their supervisor, "I'm having trouble getting to work at my scheduled starting time because of medical treatments I'm undergoing." **This is a possible request for a reasonable accommodation.**

Example B: An employee tells their supervisor, "I need six weeks off to get treatment for a back problem." **This is a possible request for a reasonable accommodation.**

Example C: A new employee, who uses a wheelchair, informs the employer that their wheelchair cannot fit under the desk in their office. **This is a request for reasonable accommodation.**

Example D: An employee tells their supervisor that they would like a new chair because the present one is uncomfortable. **Although this is a request for a change, their statement is insufficient to put the employer on notice that they are requesting reasonable accommodation. The employee does not link the need for the new chair with a medical condition.**¹

An applicant or employee with a disability may request a reasonable accommodation whenever they believe an accommodation is warranted. Such requests do not require that the applicant or employee have previously disclosed the existence of a disability or that the applicant or employee identify a specific accommodation. The Senior NRAC, NRAC, and LORAC are available to provide the individual with further information or assistance in connection with requesting or processing a request for reasonable accommodation. An individual does not need to have a particular accommodation in mind before making a request; the Senior NRAC, NRAC, and LORAC's assistance includes helping the individual with ideas or resources to help determine what accommodations might help if the applicant or employee does not have a particular accommodation in mind before making a request. There are resources available from the Job Accommodation Network (JAN) and from CAP (Computer/Electronic Accommodations Program) to assist when an employee or applicant is unsure of possible accommodations. Refer to [Appendix A](#).

An applicant may request a reasonable accommodation, either orally or in writing, from any EPA Agency official authorized to interact with the applicant in the application process or from the Senior NRAC, NRAC, and LORAC.

An employee may request a reasonable accommodation, either orally or in writing, from their immediate supervisor, another supervisor in their immediate chain of command or the Senior NRAC, NRAC, and LORAC. If the decision-maker is not this official, the employee will be so notified.

A family member, health professional, or authorized representative may request an accommodation on behalf of an applicant or EPA employee. When a request for accommodation is made by a third party on behalf of an applicant or employee, the Agency official (for applicants) or the supervisor for the employee, Senior NRAC, NRAC, and LORAC who are processing the request should confirm the individual's authority to represent the applicant or employee with a disability.

IV. Requests for Personal Assistance Services

Federal agencies are required by regulation to provide Personal Assistance Services (PAS) to employees with targeted disabilities during work hours and job-related travel, if the provision of such services enables the employee to perform the essential functions of their position and would not impose an undue hardship on the agency. PAS means "assistance with performing activities of daily living that an individual would typically perform if they did not have a disability, and that is not otherwise required as a reasonable accommodation, including, for example, assistance

¹ Refer to EEOC (Reasonable Accommodation and Undue Hardship (EEOC Guidance) at <http://www.eeoc.gov/policy/docs/accommodation.html>)

with removing and putting on clothing, eating, and using the restroom." 29 C.F.R. § 1614.203(a)(5).

The process for requesting personal assistance services, the process for determining whether such services are required, and the agency's right to deny such requests when provision of the services would pose an undue hardship, are the same as for reasonable accommodations. A request for PAS, like all requests for reasonable accommodation, will either be granted or denied within 20 business days of the initial request, unless there are extenuating circumstances warranting extensions of time frames or additional medical documentation is needed to address the limitations. Refer to [Section VI. Timeframes](#). For more information specific to PAS, please refer to the EPA PAS Reference Guide (<https://www.epa.gov/ocr/reasonable-accommodation-procedures-and-form-reasonable-accommodation-requests>).

V. Interactive Process

Full and open communication is a critical component of the accommodation process, and helps to ensure that there is a full exchange of relevant information. Ongoing communication between the decision-maker and/or the Senior NRAC, NRAC, and LORAC and the applicant or employee is especially important when the specific limitation, problem, or obstacle is unclear. This communication and the process of working together to come up with an accommodation is known as the interactive process.

The reasonable accommodation process begins when the applicant or employee makes a request for a reasonable accommodation, either orally or in writing. The applicant or employee requesting the accommodation should actively participate in identifying an effective accommodation. Refer to [Appendix A](#). The Senior NRAC, NRAC, and LORAC are also available to assist in identifying an accommodation. An employee may ask for an interim reasonable accommodation during the interactive process and/or the decision-maker may suggest alternative accommodations at any point in the interactive process. Throughout the interactive process, a best practice for a decision-maker should be to maintain documentation about events occurring during this process, including when discussions were held and what was discussed.

VI. Time Frames

EPA will process requests for reasonable accommodation and provide accommodations in as short a time frame as is reasonably possible. EPA recognizes, however, that the time necessary to process a request will depend on the nature of the accommodation requested and whether it is necessary to obtain supporting information. When a particular reasonable accommodation can be provided in less than the maximum amount of time permitted, failure to provide the accommodation in a prompt manner may result in a violation of Section 501 of the Rehabilitation Act of 1973, as amended. (29 U.S.C. § 791 *et. seq.*)

- A. RAs where medical information is not requested:** In general, a request for a reasonable accommodation will be processed and a decision made to approve or deny a request for reasonable accommodation and notification provided to the employee within 20 business days of the receipt of the initial request, unless there are extenuating circumstances

warranting extensions of time frames or additional medical documentation is needed to address the limitations. The 20 business days includes 10 business days in the beginning of the process to allow for notifying the supervisor and determining if the supervisor is the decision-maker and if medical documentation is needed to make a decision as well as 10 business days for the decision-maker to make the decision and document accordingly.

B. RAs where medical information is requested: In such cases where medical documentation is requested, the approval or denial of the request should be provided to the employee within 70 business days of the initial request absent extenuating circumstances. The employee has up to 45 business days during this process to provide the medical documentation along with up to 5 business days for the Senior NRAC, NRAC, or LORAC to complete the determination of disability process. After all medical information, including evaluations, is received, notice regarding the final denial or approval of the request should be provided within 10 business days. (10 business days in the beginning for notification process, 45 business days for medical documentation, 5 business days for processing the medical documentation, and 10 business days for the decision-making process which totals 70 business days.) Refer to [Section VII. Medical Information](#).

C. Applicants: All requests from applicants are to be handled in an expedited manner.

D. RAs needed on a continuing basis: All reasonable accommodations needed on a continuing basis (e.g., interpreters, captioning, software upgrade for assistive technology) are to be handled in an expedited manner.

Reassignment Search: When reassignment is necessary because an employee with a disability can no longer perform the essential functions of their current job or if the only other effective accommodation would cause undue hardship to the Agency, the reassignment search will be conducted for 60 business days. Refer to [Section XI. Reassignment](#).

E. Extenuating Circumstances: There may be situations in which meeting the time frames for processing requests or providing a reasonable accommodation may not be possible because of extenuating circumstances. Extensions based on extenuating circumstances should be strictly limited. Extenuating circumstances are factors that could not reasonably have been anticipated or avoided in advance of the request for a reasonable accommodation. Extenuating circumstances cover limited situations in which unforeseen or unavoidable events prevent prompt processing of a request and provision of an accommodation. The following is a non-exclusive list of examples of extenuating circumstances:

- The employee requests more time to provide medical documentation or the submitted medical documentation was not sufficient and additional time is needed to obtain the additional information.
- The purchase of equipment may take longer because of procurement requirements.

- Equipment is on back order, the vendor that EPA usually uses for goods or services has gone out of business, or the vendor cannot promptly supply the needed goods or services and another vendor is not available.
- A requested accommodation involves removal of architectural barriers.
- The temporary illness or unforeseen unavailability of the decision-maker or the employee.

When extenuating circumstances are present, the time for processing will be extended as reasonably necessary. The decision-maker must notify the applicant or employee of the reason for the delay, and the approximate date on which a decision, or provision of the accommodation, is expected. The decision-maker, Senior NRAC, NRAC, NRAC, or LORAC should update the person making the request every 10 business days to the extent that it is practical.

VII. Processing the RA Request

A. Request by Job Applicants

Requests from applicants should be processed and provided in an expedited manner. An Agency official should notify the Senior NRAC, NRAC, and LORAC of the accommodation provided or need for an accommodation. When the Agency official has questions regarding a requested accommodation, or an accommodation cannot be made quickly, the Agency official should contact the Senior NRAC, NRAC, and LORAC as soon as possible for assistance in processing the request. Vacancy notices should also indicate that applicants can contact the Senior NRAC, NRAC, and LORAC directly to request an accommodation. The Senior NRAC, NRAC, and LORAC will assist in locating resources, help identify appropriate accommodations, and if necessary, help coordinate the provision of the accommodation for the applicant.

B. Request for Accommodations of a Continuing Nature for Employees

When the request is for an accommodation previously approved and anticipated to be needed on a continuing basis (such as interpreting services, readers, travel related needs, etc.), for an employee's regular job functions, training, or special events, the Agency official receiving the request should provide the accommodation in a timely manner. Because the request for reasonable accommodation had previously been approved and the employee's records are already on file, the Senior NRAC, NRAC, and LORAC can promptly confirm the approval of the accommodation, if necessary, and the provision of the reasonable accommodation should occur without requiring an additional "Confirmation of Request for Reasonable Accommodation" form ([Appendix B](#)). However, proper notice (typically at least five business days) should be provided to the Agency to ensure arrangements can be made for the requested accommodation.

C. Requests for All Other Types of Accommodations

Step 1. Beginning of the RA and the Interactive Process.

The supervisor who receives a reasonable accommodation request should start the reasonable accommodation process as soon as possible. The supervisor must either complete or sign the "Confirmation of Request for Reasonable Accommodation Form" ([Appendix B](#)) in consultation with the employee making the request or respond in writing (email) to the Senior NRAC, NRAC, or LORAC for record-keeping purposes. If the employee contacts an Agency official and not their supervisor, the Agency official should direct the request to the employee's supervisor and the Senior NRAC, NRAC, or LORAC. During the interactive process, the employee and the employee's supervisor should discuss the reasonable accommodation requested, the reason(s) for the request and whether the accommodation is anticipated to be needed on a continuing basis. The employee's supervisor should also identify the person who will be the decision-maker if it will not be the supervisor and discuss the process for determining whether an accommodation will be provided. When possible, the decision-maker should take part in this discussion. The decision-maker should send the completed [Appendix B](#) form or an email documenting the oral or written request from the employee (if the Appendix B was not provided) to the Senior NRAC, NRAC, or LORAC.

Step 2 Work with the Senior NRAC, NRAC, or LORAC.

The Appendix B form or written notification should be promptly forwarded to the Senior NRAC, NRAC, and LORAC for tracking of the request. The Senior NRAC, NRAC, and LORAC will track the request and assist with the process. If the Senior NRAC, NRAC, and LORAC initially receives the request, they will forward a copy of the "Confirmation of Request for Reasonable Accommodation Form" ([Appendix B](#)) or email to the employee's supervisor. To ensure necessary consistency throughout the Agency, supervisors are expected to consult the Senior NRAC, NRAC, and LORAC prior to deciding on a request for a reasonable accommodation.

Step 3 Determine if Medical Information is Needed.

The Senior NRAC, NRAC, or LORAC will ask the supervisor if they are the decision-maker and if medical information is needed to make a decision about the request. The supervisor has up to 10 business days to respond as to who is the decision-maker and if medical information is needed. If no medical information is needed, the Senior NRAC, NRAC, or LORAC will send the next steps to document the decision.

If medical documentation is needed for the decision-maker to make a decision, the Senior NRAC or NRAC will provide the next steps and due date for the medical information. Refer to [Section VIII Medical Information](#) for more detail about medical information. The employee will have up to 45 business days to provide this information.

Step 4 Decision-maker makes and documents decision about the RA request.

Once the decision-maker has determined that they are ready to make a decision, in consultation with the Senior NRAC, NRAC, and LORAC, the decision-maker must promptly inform the employee within 10 business days of the decision by completing a "Reasonable Accommodation Information Reporting Form" ([Appendix D](#)) and in case of a denial a second form - the "Denial of Reasonable Accommodation Request Form" ([Appendix C](#)). Refer to [Section IX. Granting a Reasonable Accommodation Request](#) and [Section X. Denial of Reasonable Accommodation Request](#) for more information.

In some cases, EPA's partnering organization Computer/Electronic Accommodations Program (CAP) may be able to provide additional assistance. CAP may assess the employee upon request (needs assessment) to suggest appropriate assistive technology and/or devices. The employee and decision-maker should coordinate with the Senior NRAC, NRAC, and LORAC when CAP makes recommendations during a "needs assessment", so any decisions about the recommendations are documented accordingly. EPA is ultimately responsible for providing the approved accommodations.

VIII. Medical Information

A. Requesting Medical Information

When a request for reasonable accommodation is made, EPA is entitled to know that an employee or applicant has a disability that requires a reasonable accommodation. In some cases the disability and need for accommodation, as well as the most appropriate accommodation, will be obvious to the decision-maker or sufficient medical documentation of the disability will have been previously submitted. In most cases, EPA will not seek any further medical information. However, when a disability and/or need for reasonable accommodation is not previously documented or the disability is not obvious to the decision-maker, EPA may require that individuals provide medical information.

When the decision-maker decides that medical information is necessary in order to evaluate a request for reasonable accommodation and to determine if the person is a person with a disability, they will notify the Senior NRAC, NRAC, and LORAC of the need to obtain the information. The Senior NRAC and/or NRAC will send the medical documentation request and due date.

The Senior NRAC and NRAC will request information on behalf of the decision-maker that is sufficient to substantiate that the applicant or employee has a Rehabilitation Act disability that requires accommodation and that the accommodation requested will be effective. Refer to [Appendix E](#) for Checklist for Obtaining Medical Information. The request for medical information will follow the guidelines set forth in the EEOC's "Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees Under the Americans with Disabilities Act."

Once the medical information is received, the Senior NRAC, NRAC, or LORAC will have up to 5 business days to review the documentation and provide a determination of disability letter (indicating if the employee is a person with a disability or not) or an updated medical information letter if the employee either already had a determination of disability letter or has an obvious disability but needed to provide medical information for a specific need (e.g., travel needs). Once the Senior NRAC, NRAC, or LORAC has provided the determination of disability letter or updated medical information letter, the decision-maker will have up to 10 business days to make a decision or indicate that additional medical information is needed. If additional medical information is needed, the Senior NRAC or NRAC will assist and work with the decision-maker to determine what additional medical information is needed. The Senior NRAC or NRAC will notify the employee and provide a new due date and next steps for obtaining this

information. Additionally, the Agency may have medical information reviewed by a medical expert at the Agency's expense.

When an independent medical evaluation (Federal Occupational Health – FOH) of the employee's medical documentation is needed, the Senior NRAC or NRAC will work with the decision-maker to arrange for obtaining the medical information. The decision-maker's office is responsible for funding this process. In such cases where the FOH process is used, the Senior NRAC or NRAC will ask for a medical privacy release so that the independent medical review official can communicate directly with the employee's physician or other health care professional.

If, after a reasonable period of time (up to 45 business days), the applicant or employee does not provide sufficient information to demonstrate that they have a disability and needs a reasonable accommodation, the decision-maker may:

1. Offer additional time for the applicant or employee to receive the documentation; or
2. Deny the request due to lack of information.

Failure by the applicant or employee to timely provide appropriate documentation within a reasonable time (up to 45 business days), or to cooperate with EPA's efforts to obtain such documentation can result in a denial of the requested accommodation.

B. Confidentiality Requirements Regarding Medical Information

Under the Rehabilitation Act, medical information obtained in connection with the reasonable accommodation process is confidential. The Senior NRAC and NRAC maintain all medical information obtained by EPA in connection with a request for reasonable accommodation. This information must be handled in compliance with the Privacy Act and the Federal Records Act. This means that the information should be emailed with encryption or password protection measures, transferred in sealed confidential envelopes if paper-based, maintained in a file separate from the applicant's or employee's official personnel file (paper or electronically), kept in locked cabinets or rooms if paper-based, and that access to such records is strictly limited to Agency or contractor officials with a bona fide need for the records. EEOC also has the right to review such records upon its request, in order evaluate the Agency's reasonable accommodation procedures. The Senior NRAC and NRAC will coordinate the Agency's response to any request for disclosure of such records.

There are limited circumstances under which the agency may disclose confidential medical information:

1. Supervisors, managers, Human Resources (HR) or other Agency or management representatives who have a need to know may be told about necessary restrictions and about the necessary accommodation(s);
2. First aid and safety personnel may be told if the disability might require emergency treatment;
3. Government officials to investigate the agency's compliance with the Rehabilitation Act;
4. Workers' compensation offices or insurance carriers; and
5. Agency EEO officials may be given the information to maintain records.

IX. Granting a Reasonable Accommodation Request

As soon as the decision-maker determines that a reasonable accommodation will be provided, the decision-maker should promptly communicate this in writing to the applicant or employee and the Senior NRAC, NRAC, and LORAC. For this purpose, the decision-maker should complete a "Reasonable Accommodation Information Reporting Form" ([Appendix D](#)). In some cases, an addendum with updated information (e.g., the dates of the accommodation were extended, or the number of telework days was increased, etc.) is sufficient and can be attached to an existing Appendix D. When the decision-maker offers a substitute that is different from what the employee requested during the interactive process, the decision should also explain the reasons that the decision-maker believes that the substitute accommodation would be effective.

The decision-maker should work to promptly provide the accommodation. When the accommodation cannot be quickly provided, the decision-maker will inform the employee of the projected time frame for providing the accommodation. This notice should also be in writing.

When all the facts and circumstances known to the Agency make it reasonably likely that an individual will be entitled to a reasonable accommodation, but the accommodation cannot be provided immediately, the agency shall provide an "interim accommodation" that allows the individual to perform some or all of the essential functions of his or her job, if it is possible to do so without imposing undue hardship on the agency. For example, there may be a delay in receiving assistive equipment for an employee with a vision disability. During the delay, the decision-maker could arrange for someone to act as a reader. This temporary measure may not be as effective as the adaptive equipment, but it will allow the employee to perform as much of the job as possible until the equipment arrives.

X. Denial of Reasonable Accommodation Request

When the decision-maker determines that a request for reasonable accommodation will be denied, they must fill out the "Denial of Reasonable Accommodation Form" ([Appendix C](#)) in addition to the "Reasonable Accommodation Information Reporting Form" ([Appendix D](#)). The decision-maker must give a copy of the forms to the applicant or employee who requested the accommodation or ask that the Senior NRAC, NRAC, or LORAC provide the forms.

The denial should state the specific reasons for the denial. Reasons for the denial of a request for accommodation may include, but are not limited to, the following:

- 1) The requested accommodation would not be effective;
- 2) Providing the requested accommodation would result in undue hardship. Before reaching the determination, the decision-maker must have explored whether other effective accommodations exist which would not impose undue hardship and therefore could be provided;
- 3) Medical documentation is inadequate to establish that the applicant or employee has a disability and/or needs a reasonable accommodation;
- 4) The requested accommodation would require the removal of an essential function; or
- 5) The requested accommodation would require the lowering of a performance standard.

The "Denial of Reasonable Accommodation Request Form" informs the applicant or employee that they have the right to file an Equal Employment Opportunity (EEO) complaint; that they may have the right to pursue an appeal to the Merit Systems Protection Board (MSPB), if denial of an accommodation becomes part of an appealable adverse action as defined at 5 C.F.R. § 1201.3; that they may have the right to file a complaint with the Office of Special Counsel (OSC), if denial of an accommodation is part of a prohibited personnel practice as defined at 5 U.S.C. §2302; and/or that they may have the right to file a grievance under union collective bargaining procedures.

XI. Reassignment

When the decision-maker determines that an employee who has sought reasonable accommodation can no longer perform the essential functions of their job with or without a reasonable accommodation or medical documentation has been provided indicating that the employee is no longer able to perform an essential job function, reassignment must be considered as a reasonable accommodation option. Reassignment of a non-probationary employee will be considered if no other accommodations are available to enable the individual to perform the essential functions of their current job, or if the only other effective accommodation would cause undue hardship to the Agency.

In considering whether there are positions available for reassignment, the Senior NRAC, NRAC, and LORAC will work with the Office of Human Resources as per HR Bulletin 10-003B, "Reassignment of a Qualified Employee with a Disability." The Office of Human Resources will identify (1) all funded vacant positions within the Agency for which the employee may be qualified, with or without reasonable accommodation; and (2) all funded positions which the Agency has reason to believe will become vacant over the next 60 business days and for which the employee is qualified. The Agency will attempt to identify positions which are equivalent to the employee's current job in terms of pay, status, and relevant factors. When there is no vacant equivalent position, the Agency will consider vacant lower level positions for which the individual is qualified.

Reassignment to a vacant position outside of the employee's commuting area may be available on a case-by-case basis, if the employee is willing to relocate, and if it will not result in undue hardship to the Agency. As with other transfers not required by management, the Agency will not pay for the employee's relocation costs.

The Senior NRAC, NRAC, and LORAC will coordinate as needed with the employee, the employee's supervisors, Program Management Officials, Human Resource Officers, Office of Human Resources or Regional Human Resource Offices, Office of General Counsel (OGC) or Office of Regional Counsel (ORC) throughout the reassignment process.

XII. Information Tracking, Record Keeping and Reporting

The Senior NRAC, NRAC, and LORAC are responsible for ensuring that all reasonable accommodation records are maintained in accordance with the Privacy Act and the Federal Records Act.

The Senior NRAC, NRAC, and LORAC will maintain these records for the period of the applicant's or employee's tenure with the Agency for 3 years after employee separation from the agency or all appeals are concluded whichever is later as per EPA Records Schedule 0068 (Reasonable Accommodation Request Records). The Senior NRAC and NRAC will prepare quarterly reports to the Director of the Office of Civil Rights (OCR) on the accommodations provided that quarter.

OCR will prepare an annual report, to be made available via the Management Directive 715 (MD 715). The report also will contain a qualitative assessment of EPA's reasonable accommodation program for applicants and employees, including any recommendations for improvement of the Agency's reasonable accommodation procedures.

The National Reasonable Accommodation Program based at EPA Headquarters in the Office of Civil Rights maintains current information about the status of each request. The employee or manager can contact the Senior NRAC or NRAC at any time to inquire about the status of a request. The Senior NRAC, NRAC, or the applicable LORAC documents each step of the reasonable accommodation process in writing to both the employee and the decision-maker with the due date and next steps. If you are not sure who is your LORAC or wish to contact the Senior NRAC or NRAC, please refer to the staff list. (<https://www.epa.gov/node/38461/view##staff>).

XIII. Relationship to Statutory, Administrative, and Collective Bargaining Claim

These procedures are in addition to statutory, administrative and collective bargaining protections for persons with disabilities and remedies they provide for the denial of requests for reasonable accommodation. Requirements governing the initiation of statutory, administrative and collective bargaining claims, including time frames for filing such claims, remain unchanged.

An individual who chooses to pursue statutory, administrative or collective bargaining claims for denial of reasonable accommodation must:

- (1) For an EEO complaint, initiate informal counseling within 45 calendar days from the date of receipt of the written final Agency decision. To initiate counseling. Headquarters applicants and employees should contact OCR; Regional applicants and employees should contact their Regional EEO Officer; and Laboratory applicants and employees should contact their Area Director of Civil Rights;
- (2) For an appeal to the MSPB, file within 30 calendar days of an appealable adverse action as defined in 5 C.F.R. §1201.3;

- (3) For a complaint to OSC, file with OSC if a denial of accommodation is part of a prohibited personnel practice as defined in 5 U.S.C. §2302; or
- (4) For a collective bargaining claim, file a written grievance in accordance with the provisions of the appropriate Collective Bargaining Agreement.

If an OCR employee has had any involvement in the processing of a request for accommodation, that staff member must recuse him/herself from the processing of an EEO counseling contact or complaint in connection with that request.

XIV. Training

In order to encourage compliance with Executive Order 13164 and the Rehabilitation Act of 1973, EPA will develop a reasonable accommodation training course for supervisors and managers. The Senior NRAC, NRAC, and LORAC will be responsible for the development of the course, as well as for resource materials and manuals to assist employees and supervisors in their responsibilities regarding reasonable accommodation under the Rehabilitation Act.

XV. Inquiries

Any person wanting further information concerning these procedures may contact the Senior NRAC, NRAC, and LORAC in the Office of Civil Rights at (202) 564-7272.

XVI. Distribution

The Reasonable Accommodation procedures are posted on EPA's Intranet and Internet sites. Employees are notified of the reasonable accommodation program during new employee orientation. A paper or electronic copy is available upon request from the Senior NRAC, NRAC, LORAC, Civil Rights or EEO offices, and Human Resource Offices. In addition, the Senior NRAC, NRAC, or LORAC will provide the procedures in alternative formats when requested by or on behalf of any EPA applicant or employee.

XVII. Disclaimer

The procedures described in this document supersede all previous procedures concerning reasonable accommodation. The statements in this document are intended solely as general guidance on internal Agency procedures for processing requests for reasonable accommodation. This document is not intended, nor can be relied upon, to create any rights or obligations enforceable by any party, employee or applicant, in litigation.

In extraordinary situations, EPA officials may act at variance with these procedures based on the specific facts and circumstances presented. These procedures may be revised from time to time to reflect changes in statutes, regulations, case law, EOC guidance, or the like; changes in EPA's approach to processing requests for reasonable accommodation; or EPA organizational changes.

APPENDIX A

SELECTED REASONABLE ACCOMMODATION RESOURCES

U.S. Equal Employment Opportunity Commission

<https://www.eeoc.gov/>

The U.S. Equal Employment Opportunity Commission (EEOC) is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information, as well as providing a reasonable accommodation.

The EEOC provides guidance to federal agencies and individuals on all aspects of the federal government's equal employment opportunity program including reasonable accommodation.

These resources specifically regarding reasonable accommodation are found at:

Disability Discrimination (<https://www.eeoc.gov/disability-discrimination>)

Enforcement Guidance on Reasonable Accommodation and Undue Hardship under the ADA (<https://www.eeoc.gov/laws/guidance/enforcement-guidance-reasonable-accommodation-and-undue-hardship-under-ada>)

Computer/Electronic Accommodation Program (CAP) – www.cap.mil

EPA has had a memorandum of understanding (MOU) with the Department of Defense (DoD) and the Computer/Electronics Accommodation Program (CAP) since September 20, 2001. Effective October 1, 2020 (FY21) CAP is no longer funded to procure or provide Assistive Technology (AT) and AT devices to Non-DoD agencies. CAP will gladly conduct assessments, provide information, referrals and assist Non-DoD agencies in determining the appropriate AT and AT devices to purchase by their agency. In order for an EPA employee to receive assistance from CAP, they must have an approved reasonable accommodation at EPA. AT can be used to maintain, increase, or improve an individual's job performance, and are available to accommodate people with all types of disabilities. This includes both physical disabilities, as well as hidden cognitive disabilities.

Job Accommodation Network (JAN)

<https://askjan.org>

The Job Accommodation Network (JAN) is funded by the U.S. Department of Labor, Office of Disability Employment Policy and serves as source of free, expert, and confidential guidance on workplace accommodations and disability employment issues. JAN helps both the supervisor/decision-maker and employee (or separately) with resources, information, and accommodation solutions throughout the reasonable accommodation process (prior, during, and after). JAN is particularly useful when the employee and/or the decision-maker isn't sure of possible accommodations. Assistance is available both over the phone and online.

APPENDIX B

CONFIRMATION OF REQUEST FOR REASONABLE ACCOMMODATION FORM

1. Today's Date _____ 2. Date of Request _____

3. _____ 4. _____
Applicant's or Employee's Name Applicant's or Employee's Telephone No.

5. _____
Employee's Office, Grade and Occupational Series

6. _____
Employee's Supervisor's Name and Telephone Number

7. _____
Name and Telephone Number of Agency Official to which Request was originally made

8. TYPE OF ACCOMMODATION REQUESTED: (For example, workplace modified for wheelchair usage; assistive technology for vision impairment; personal assistance services (PAS) for a person with a targeted disability. If specific equipment or other effective accommodation known, please specify)

9. REASON FOR REQUESTING REASONABLE ACCOMMODATION: (Identify impairment requiring a change in the work place or application process)

10. IS THIS REQUEST LIKELY TO BE REPEATED?: (check) YES NO

11. NAME OF DECISION-MAKER*: _____

12. SIGNATURES

Employee or Applicant

Agency Official Receiving Request*

Please send the completed form to the National Reasonable Accommodation Coordinators (NRACs) and/or the applicable Local Reasonable Accommodation Coordinator (LORAC) for tracking and processing.

*This signature is not required. By signing this form, the Agency official who received the request is ONLY acknowledging that they are aware that a request has been made. The Appendix D documents the decision and accommodation provided.

Privacy Notice: Requesting a reasonable accommodation is a voluntary process. Due to the confidential nature of reasonable accommodation as well as the requirements of the Privacy Act, only those persons listed on this form, or others in the performance of their official duties on a "need to know" basis, shall have access to this information or be involved in any discussion related to this employee's request. **Statutory Authority:** Section 501 Rehabilitation Act of 1973, Executive Order 13164, Establishing Procedures to Facilitate the Provision of Reasonable Accommodation, dated October 20, 2000 as well as Equal Employment Opportunity Commission (EEOC) reasonable accommodation regulations and guidance. **Purpose and use:** The information collected on this form is used to facilitate the reasonable accommodation process for individuals with disabilities. **Routine Use:** In some limited cases, EPA must work with external partners to provide information about a reasonable accommodation request and/or record of a reasonable accommodation or to aid in an investigation for an EEO complaint. EPA General routine uses A, B, C, F, I, J, K apply. Please refer to Amendment to General Routine Uses for information about routine use <https://www.federalregister.gov/documents/2008/01/14/E8-445/amendment-to-general-routine-uses>. **Consequence for Not Supplying Personally Identifiable Information (PII):** If an employee or applicant does not provide the necessary information, including medical information (Sensitive PII) then a decision-maker may deny the reasonable accommodation request.

APPENDIX C

DENIAL OF REASONABLE ACCOMMODATION REQUEST FORM

(Must complete numbers 1-3; complete number 4, if applicable)

1. Name of Individual requesting reasonable accommodation:

2. Type(s) of reasonable accommodation requested:

3. Detail explanation for the denial of reasonable accommodation. The explanation should provide the reason for denying the request (e.g., person is not a qualified individual with a disability, the accommodation would cause undue hardship, the accommodation would be ineffective or require lowering of performance or production standards, etc.) as well as a detailed explanation for why the requester does not meet the necessary elements for receiving reasonable accommodation (e.g., why the medical documentation provided is inadequate to establish a disability, or how an accommodation would cause undue hardship, etc.)

4. If the individual proposed one type of reasonable accommodation which is being denied, but rejected an offer of a different type of reasonable accommodation, explain both the reasons for denial of the requested accommodation and why you believe the chosen accommodation would be effective.

If the employee would like to pursue alternative dispute resolution, the employee should request it as soon as possible since participating in alternative dispute resolution does not affect the time limits for initiating statutory, administrative and collective bargaining claims. An employee's participation in alternative dispute resolution after a final Agency decision is made does not satisfy the requirements for bringing a claim under Equal Employment Opportunity (EEO), Merit Systems Protection Board (MSPB), Office of Special Counsel (OSC) or union grievance procedures.

If an individual wishes to file an EEO complaint, an MSPB appeal, an OSC complaint or union grievance, they must take the following steps:

- For an EEO complaint, initiate informal counseling within 45 calendar days from the date of receipt of the written final Agency decision. To initiate counseling, Headquarters applicants and employees should contact OCR; Regional applicants and employees should contact their Regional EEO Officer; and Laboratory applicants and employees should contact their Area Director of Civil Rights;
- For an MSPB appeal, file within 30 calendar days of an appealable adverse action as set forth at 5 C.F.R. §1201.3;
- For a complaint to OSC, file with OSC if a denial of accommodation is part of a prohibited personnel practice as defined in 5 U.S.C. § 2302; or
- For a collective bargaining claim, file a written grievance in accordance with the provisions of the Collective Bargaining Agreement.

Name of Deciding Official

Signature of Deciding Official

Date reasonable accommodation denied

Privacy Notice: Requesting a reasonable accommodation is a voluntary process. Due to the confidential nature of reasonable accommodation as well as the requirements of the Privacy Act, only those persons listed on this form, or others in the performance of their official duties on a "need to know" basis, shall have access to this information or be involved in any discussion related to this employee's request. **Statutory Authority:** Section 501 Rehabilitation Act of 1973, Executive Order 13164, Establishing Procedures to Facilitate the Provision of Reasonable Accommodation, dated October 20, 2000 as well as Equal Employment Opportunity Commission (EEOC) reasonable accommodation regulations and guidance. **Purpose and use:** The information collected on this form is used to facilitate the reasonable accommodation process for individuals with disabilities. **Routine Use:** In some limited cases, EPA must work with external partners to provide information about a reasonable accommodation request and/or record of a reasonable accommodation or to aid in an investigation for an EEO complaint. EPA General routine uses A, B, C, F, I, J, K apply. Please refer to Amendment to General Routine Uses for information about routine use <https://www.federalregister.gov/documents/2008/01/14/E8-445/amendment-to-general-routine-uses>. **Consequence for Not Supplying Personally Identifiable Information (PII):** If an employee or applicant does not provide the necessary information, including medical information (Sensitive PII) then a decision-maker may deny the reasonable accommodation request.

APPENDIX D

REASONABLE ACCOMMODATION INFORMATION REPORTING FORM

Name of Individual Requesting Reasonable

Accommodation: _____

1. Reasonable accommodation: (check one)

Approved

Denied (If denied, attach copy of the completed Denial of Reasonable Accommodation Request Form, Appendix C).

Denied under Reasonable Accommodation but granted via other provision (s) outside of the reasonable accommodation process. In this case, it is not considered a reasonable accommodation.

2. Date reasonable accommodation requested: _____

Who received request: _____

3. Name of decision-maker: _____

4. Date reasonable accommodation approved or denied: _____

5. Date reasonable accommodation expected to be provided (if different from date approved):

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

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

8. Reasonable accommodation needed for: (check one)

Application Process

Facility Access

- Performing Essential Job Functions
- Accessing a Benefit or Privilege of Employment (e.g., attending a training program or social event)
- Personal Assistance Services (PAS) [employee with a targeted disability]

9. Type(s) of reasonable accommodation requested (e.g., adaptive equipment, staff assistant, removal of architectural barrier):

10. Type(s) of reasonable accommodation provided:

11. Was medical information required to process this request? Please explain why.

12. Sources of technical assistance, if any, consulted in trying to identify possible reasonable accommodations (e.g., Computer/Electronic Accommodations Program [CAP], Job Accommodation Network [JAN], disability organization):

13. Comments:

Form completed by: _____ Phone: _____

Signature of Decision-Maker and Date

Privacy Notice: Requesting a reasonable accommodation is a voluntary process. Due to the confidential nature of reasonable accommodation as well as the requirements of the Privacy Act, only those persons listed on this form, or others in the performance of their official duties on a "need to know" basis, shall have access to this information or be involved in any discussion related to this employee's request. **Statutory Authority:** Section 501 Rehabilitation Act of 1973, Executive Order 13164, Establishing Procedures to Facilitate the Provision of Reasonable Accommodation, dated October 20, 2000 as well as Equal Employment Opportunity Commission (EEOC)

reasonable accommodation regulations and guidance. **Purpose and use:** The information collected on this form is used to facilitate the reasonable accommodation process for individuals with disabilities. **Routine Use:** In some limited cases, EPA must work with external partners to provide information about a reasonable accommodation request and/or record of a reasonable accommodation or to aid in an investigation for an EEO complaint. EPA General routine uses A, B, C, F, I, J, K apply. Please refer to Amendment to General Routine Uses for information about routine use <https://www.federalregister.gov/documents/2008/01/14/E8-445/amendment-to-general-routine-uses>. **Consequence for Not Supplying Personally Identifiable Information (PII):** If an employee or applicant does not provide the necessary information, including medical information (Sensitive PII) then a decision-maker may deny the reasonable accommodation request.

APPENDIX E

CHECKLIST FOR OBTAINING MEDICAL DOCUMENTATION

This checklist is intended to provide supervisors, employees and their health care professionals a list of the type of information generally necessary to allow the decision-maker to make a determination as to whether an employee should be provided a reasonable accommodation when the disability and/or the need for the reasonable accommodation is not obvious or sufficient medical documentation has not already been provided to the decision-maker. When an employee is asked to provide medical documentation to support a request for a reasonable accommodation, employees are strongly encouraged to provide this checklist to their physician or health care professional as a reference and ask that any documentation provided be in typed form. It is important to remember that the decision-maker needs sufficient information to determine whether: 1) the employee has a disability covered by the Rehabilitation Act of 1973 (i.e., a physical or mental impairment that substantially limits a major life activity); and 2) if a disability is found to exist, what kind of reasonable accommodation(s) would be necessary. Therefore, the following information from a physician or health care professional may be needed to support a request for a reasonable accommodation:

- 6) the identification of the physical or mental impairment experienced by the employee;
- 7) a description of the severity and duration of the impairment and the expected treatment;
- 8) the identification or description of the activities that are affected or limited by the impairment;
- 9) a description of the severity of the limitation the impairment has on these activities;
- 10) a description of how this impairment affects the employee in the workplace, i.e., describe why there is a need for an accommodation;
- 11) if possible, a description of how an accommodation (especially a specifically requested one) would assist the employee in the workplace.

This document is to be used solely as a checklist to assist in obtaining the appropriate information to support a request for reasonable accommodation and is not an exclusive list of the information the decision-maker is entitled to obtain from an employee requesting a reasonable accommodation. For a more complete discussion on this topic, refer to EEOC Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees under the Americans with Disabilities Act (ADA); and EEOC Enforcement Guidance: Reasonable Accommodation and Undue Hardship Under the Americans with Disabilities Act.

Privacy Notice: Requesting a reasonable accommodation is a voluntary process. Due to the confidential nature of reasonable accommodation as well as the requirements of the Privacy Act, only those persons listed on this form, or others in the performance of their official duties on a "need to know" basis, shall have access to this information or be involved in any discussion related to this employee's request. **Statutory Authority:** Section 501 Rehabilitation Act of 1973, Executive Order 13164, Establishing Procedures to Facilitate the Provision of Reasonable Accommodation, dated October 20, 2000 as well as Equal Employment Opportunity Commission (EEOC) reasonable accommodation regulations and guidance. **Purpose and use:** The information collected on this form is used to facilitate the reasonable accommodation process for individuals with disabilities. **Routine Use:** In some limited cases, EPA must work with external partners to provide information about a reasonable accommodation request and/or record of a reasonable accommodation or to aid in an investigation for an EEO complaint. EPA General routine uses A, B, C, F, I, J, K apply. Please refer to Amendment to General Routine Uses for information

about routine use <https://www.federalregister.gov/documents/2008/01/14/E8-445/amendment-to-general-routine-uses>. **Consequence for Not Supplying Personally Identifiable Information (PII):** If an employee or applicant does not provide the necessary information, including medical information (Sensitive PII) then a decision-maker may deny the reasonable accommodation request.