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**PROCEDURES FOR REQUESTING REASONABLE ACCOMMODATIONS FOR  
QUALIFIED INDIVIDUALS WITH A DISABILITY**

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REVIEW DATE: June 24, 2011

**1. PURPOSE AND SCOPE.** The purpose of this circular is to: 1) establish procedures to facilitate the provisions of the Equal Employment Opportunity Commission's (EEOC) "Enforcement Guidance on Reasonable Accommodations and Undue Hardship under the Americans with Disabilities Act (ADA);" 2) assist in providing individuals with qualified disabilities with reasonable accommodations; and 3) record and track requests for reasonable accommodations, their provisions, and the disposition of such requests for the Bureau of Engraving and Printing (BEP/Bureau). It also implements [Executive Order \(EO\) 13164](#) by establishing requirements for processing request for reasonable accommodations and, where appropriate, for providing reasonable accommodations to qualified employees and applicants with disabilities.

**2. POLICY.** It is the policy of the Bureau ("Agency") to provide reasonable accommodations for qualified individuals with a disability, unless a particular accommodation would impose an undue hardship on BEP's activities and/or programs. This circular establishes the procedures for requesting a reasonable accommodation. This circular also:

- a. Implements the statute that provides coverage for federal employees and applicants with a disability;
- b. Clarifies the rights and responsibilities of both BEP and individuals with a disability as they relate to reasonable accommodations and undue hardship; and
- c. Establishes written procedures explaining how BEP will process reasonable accommodation requests.

These procedures do not supersede the requirements of applicable collective bargaining agreements, provided that the negotiated provisions comply with applicable law. Managers should consult with the Employee & Labor Management Relations Division within their respective facility for guidance relating to employees who are represented by a union when a reasonable accommodation is requested by a bargaining unit member.

**3. REFERENCES.**

- a. "The Rehabilitation Act of 1973," [29 United States Code \(USC\) 701](#) *et seq*, as amended, requires an employer to provide reasonable accommodations to qualified individuals with disabilities who are employees or applicants for employment, except when such accommodations would cause undue hardship.

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b. [Executive Order \(EO\) 13164](#), “Requiring Federal Agencies to Establish Procedures to Facilitate the Provision of Reasonable Accommodation,” July 26, 2000, requires Federal agencies to establish effective written procedures for processing requests for reasonable accommodations.

c. Equal Employment Opportunity Commission Policy Guidance on Executive Order 13164, “Establishing Procedures to Facilitate the Provision of Reasonable Accommodation,” [EEOC Directives Transmittal No. 915.003](#), October 20, 2000.

d. “[Equal Employment Opportunity Commission Enforcement Guidance on Reasonable Accommodation and Undue Hardship Under the Americans with Disabilities Act](#),” dated October 17, 2002, clarifies the rights and responsibilities of employers and individuals with disabilities regarding reasonable accommodations and undue hardship.

**4. SUPERSESSSION.** Equal Employment Opportunity Commission’s (EEOC) “Enforcement Guidance on Reasonable Accommodations and Undue Hardship under the Americans with Disabilities Act (ADA)”, dated March 1, 1999, superseded by EEOC notice number 915.002, and dated October 17, 2002.

**5. BACKGROUND.** The Bureau needed to establish a written policy and procedure to assist in providing individuals with qualified disabilities with reasonable accommodations, and to record and track requests for reasonable accommodations, their provisions, and the disposition of such requests of employees and applicants. The Rehabilitation Act of 1973 ([29 USC 701](#)), as amended, was the first national law to address employment protection for individuals with disabilities. In part, the Act required an employer to provide reasonable accommodations to qualified individuals with disabilities who are employees or applicants for employment, except when such accommodations would cause undue hardship.

The EEOC issued enforcement guidance on March 1, 1999, which clarifies the rights and responsibilities of employers and individuals with disabilities regarding reasonable accommodations and undue hardship.

On July 26, 2000, Executive Order ([EO](#)) [13164](#) was signed. The EO required that Federal agencies establish effective written procedures for processing requests for reasonable accommodations. The EO does not create any new enforceable rights for Executive branch employees or applicants for employment.

On October 20, 2000, EEOC issued policy guidance that further explains the effects of the [EO 13164](#). On October 17, 2002, the EEOC issued policy guidance that clarifies the rights and responsibilities of employers and individuals with disabilities regarding reasonable accommodations and undue hardship.

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**6. DEFINITIONS.**

a. **Deciding Official.** An individual who has authority to determine whether a requested accommodation may be provided.

b. **Disability.** An impairment that substantially limits one or more of the major life activities.

c. **Equal Employment Opportunity (EEO) Officer.** The EEO Officer is responsible for monitoring the process to ensure that prescribed time frames are being met. The EEO Officer is also responsible for identifying back-up coverage to continue receiving, processing, and providing reasonable accommodations when Deciding Officials or their designees are unavailable.

d. **Essential Function.** Job duties that are so fundamental to the position that a person cannot do the job without performing them. A function can be "essential" if, among other things:

(1) the position exists specifically to perform that function;

(2) there are a limited number of other employees who could perform the function; or

(3) the function is highly specialized and the individual is hired based on his/her ability to perform the function.

Determination of the essential functions of a position must be done on a case-by-case basis so that it reflects the job as actually performed, and not simply the components of a generic position description.

e. **Extenuating Circumstances.** Factors that could not reasonably have been anticipated or avoided in advance of the request for accommodation. Extenuating circumstances may dictate that BEP exceed normal time frames for processing requests for accommodations.

f. **Individual with a Disability.** A person who has a physical or mental impairment that substantially limits one or more of that person's major life activities, has a record of impairment, or is regarded as having such an impairment.

g. **Major Life Activity.** Basic activities that the average person in the general population can perform with little or no difficulty. Examples include caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

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h. **Qualified Individual with a Disability.** An individual with a disability who satisfies the requisite skill, experience, education, and other job-related requirements of the employment position and who, with or without reasonable accommodation, can perform the essential functions of such position.

i. **Interactive Process.** Communicating, collaborating, allowing or involving the exchange of information between an employee and management that enables a qualified individual with a disability to apply for a job, perform job duties, or enjoy benefits and privileges of employment.

j. **Reasonable Accommodation.** An adjustment or alteration that enables a qualified individual with a disability to apply for a job, perform job duties, or enjoy benefits and privileges of employment. There are three (3) categories of reasonable accommodation:

(1) modifications or adjustments to a job application process to permit a qualified individual with a disability to be considered for a job. An example of this category of reasonable accommodation would include providing application forms in alternative formats such as large print or Braille;

(2) modifications or adjustments to enable a qualified individual with a disability to perform the essential functions of the job. An example of this category of reasonable accommodation would include providing sign language interpreters; and

(3) modifications or adjustments that enable employees with disabilities to enjoy equal benefits and privileges of employment. An example of this category of reasonable accommodation would include removing physical barriers to entry in the workplace.

k. **Reassignment.** A form of reasonable accommodation that is of last resort, absent undue hardship, is provided to employees (not applicants) with a disability, who can no longer perform the essential functions of their job, with or without reasonable accommodation. Reassignments are made only to vacant positions and to employees who are qualified for the new position. If the employee is qualified for the position, he/she can be noncompetitively reassigned to the job.

l. **Receiving Official.** The official designated to receive a request for reasonable accommodation from an employee or applicant (or an individual acting on his/her behalf). The Receiving Official determines and monitors the request until it is closed out. Within BEP, the immediate supervisor of the requesting employee or the EEO Officer will be the Receiving Official. A request from an applicant may be handled by the applicant's BEP District of Columbia Facility (DCF) Office of Human Resources/Western Currency Facility (WCF) Human Resources Division contact or the EEO Officer.

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m. **Request for Reasonable Accommodation.** A statement that an individual needs an adjustment, modification, or change at work, in the application process, or in a benefit of employment for a reason related to a medical condition. A reasonable accommodation request may be submitted orally or in writing by the employee or applicant or by someone associated with the employee or applicant.

n. **Requester.** An employee or applicant with a disability, or an individual acting on his/her behalf, who requests reasonable accommodations.

o. **Undue Hardship.** A request for accommodation requiring significant expense or difficulty when considered in light of factors such as the agency's size, financial resources, and the nature and structure of the position will be taken into consideration when evaluating whether a request presents an undue hardship.

Determinations of undue hardship will be made on a case-by-case basis. Only the Associate Director, Management of BEP can declare a request for a reasonable accommodation an "Undue Hardship."

## 7. REQUESTING A REASONABLE ACCOMMODATION.

a. The requesting employee's immediate supervisor or the BEP EEO Officer has been designated to receive requests for reasonable accommodations for current employees. Applicants may request reasonable accommodations from any BEP DCF Office of Human Resources/(WCF Human Resources Division contact with whom the applicant has contact in connection with the application process or from the BEP EEO Officer, who will determine who will be responsible for handling the request (the Deciding Official), forward the request to the Deciding Official, and monitor the request through closure. The Deciding Official maybe the Office Chief or Associate Director where the accommodations has been requested.

b. The requests for accommodation may be made either orally or in writing. **A written request is not required.** Employees or applicants may be asked to follow up an oral request with a written confirmation. This is necessary to track, monitor and report on the type, cost and quality of reasonable accommodations made by BEP. A sample request form is provided in [Attachment A](#) and can be found on Insite.

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c. The request need not use special terminology, such as "reasonable accommodation," "disability," or "Rehabilitation Act." A qualified individual with a disability may request a reasonable accommodation even if he/she has not previously disclosed the existence of a disability. However, the requester may be required to submit medical documentation to the BEP DCF Health Unit Doctor/BEP WCF Health Unit Doctor to support the request for a reasonable accommodation if the disability is not clear and obvious, or the employee has not already provided reasonable medical documentation. The Deciding Official may request that the BEP DCF Health Unit doctor/BEP WCF Health Unit doctor evaluate the reasonable accommodation recommended by the employee's or applicant's health care professional.

d. Examples of accommodations for applicants during the application process may include making the facilities accessible, acquiring assistive devices or technology, modifying exams or training materials, and providing readers or interpreters. The BEP Office of Human Resources official application intake officer will submit the applicant's request for reasonable accommodation to the DCF Office of Human Resources Chief/WCF Human Resources Division Manager for processing.

e. A family member, friend, health care professional, or other representative may request a reasonable accommodation on behalf of an employee or applicant with a disability. The request shall be made to the same persons in 3a and 3d of this circular with whom the employee or applicant would have made the request to. To the extent possible, an individual with a disability should be contacted by the requesting employee's immediate supervisor or BEP DCF Office of Human Resources/Western Currency Facility WCF Human Resources Division if the requester is an applicant to confirm that he/she in fact wants a reasonable accommodation. The individual may refuse to accept an accommodation that is not needed or wanted.

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f. Generally, requests for reasonable accommodations involving telework should reflect the procedural requirements of BEP Personnel Manual, Chapter 300, [Section 4, 16 - c, Telework Program, Telework as a Reasonable Accommodation](#), which states in part, “reasonable accommodation is any change in the work environment or in the way work is customarily performed that enables an employee with a disability to fulfill his/her job requirements. A person has a disability if he/she has a physical or mental impairment that substantially limits one or more major life activities. BEP recognizes that not all employees with disabilities need or want to work at home and not all jobs can be performed at home. Telework may be appropriate when the employee’s disability prevents him/her from successfully performing the job at the principal office and the job, or parts of the job, can be performed at an alternative site as reasonable accommodation. However, while an employee may demonstrate the existence of a legitimate medical condition, management may limit or deny telework based on the unsuitability for telework, or the undue hardship the telework arrangement will place on the organization. All requests for reasonable accommodation must be made in accordance with BEP’s policy on the “Procedures for Requesting Reasonable Accommodations for Qualified Individuals with a Disability.””

g. Communication is a priority throughout the entire process. Individuals involved in the provision of reasonable accommodations should take a proactive approach in searching out and considering possible accommodations, including consulting appropriate resources for assistance. As needed, the Deciding Official and the employee requesting accommodations should discuss the employee’s specific needs and identify the appropriate reasonable accommodations.

## **8. WRITTEN CONFIRMATIONS.**

a. A written confirmation will be sent to the requestor within a reasonable period of time, normally within five (5) business days of receipt of a request by the employee’s immediate supervisor, the Deciding Official, or a BEP DCF Office of Human Resources/WCF Human Resources Division contact if the request is from an applicant. Confirmations will be made by memorandum, e-mail or fax. A sample written confirmation is provided in [Attachment B](#). While the written confirmation should be made within five (5) business days of receipt of the request, confirmation is not a requirement for the request itself. Processing the request will begin as soon as it is received, whether or not the confirmation has been provided.

b. The confirmation merely verifies receipt of the request, not the decision on the accommodation.

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c. A written confirmation will not be provided each time an individual needs the same reasonable accommodation on a recurring basis (e.g., the assistance of sign language interpreters or readers). The written form is required only for the first request although appropriate notice must be given each time the accommodation is needed.

## 9. RESPONSIBILITIES.

a. Deciding Officials have the principal responsibility for identifying possible accommodations and for determining whether an accommodation will be provided. In those cases where the disability, the need for accommodation, and the type of accommodation that should be provided are clear and obvious or the employee has already provided medical documentation, extensive discussions and medical documentation is not necessary. Resources which are available to help both the Deciding Official and the individual requesting the accommodation to identify possible accommodations are listed in [Attachment D](#). Ongoing communication is particularly important where the specific limitation, problem, or barrier is unclear; where an effective accommodation is not obvious; or where the parties are considering different possible reasonable accommodations.

b. The Deciding Official for the potential type of accommodation may be as follows:

(1) The DCF Office of Human Resources Chief/WCF Human Resources Officer responsible for the recruitment and/or selection process, if the request for accommodation is from an applicant;

(2) The Associate Director of the employee or applicant making the request, if the accommodation requested is for removal of a physical barrier, accessible parking, or materials in alternative formats; or

(3) The DCF Office Chief/WCF Division Manager or his/her designee, where the accommodation requested involves a personnel action or provision of adaptive equipment (e.g., a reader or sign language interpreter, etc).

c. A Deciding Official may not grant an accommodation request involving telework unless the Deciding Official obtains the concurrence of the Associate Director (Management).

d. The EEO Officer will be responsible for monitoring the process to ensure that prescribed time frames are being met and for identifying back-up coverage to continue receiving, processing, and providing reasonable accommodations when Deciding Officials are unavailable. Absent extenuating circumstances, the time frames should not be suspended or extended because of the unavailability of the Deciding Official.

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**10. REASSIGNMENT AS AN ACCOMMODATION.**

a. Reassignment should only be considered as a reasonable accommodation if a determination is made that no other reasonable accommodations are available to enable the individual to perform his or her current job, or if the only effective accommodation would cause undue hardship. However, if both the Deciding Official and the employee voluntarily agree that reassignment is preferable to remaining in the current position with some form of reasonable accommodation, then the Bureau may reassign the employee.

b. In considering whether there are positions available for reassignment, it is the responsibility of the individual requesting the accommodation to work with the Deciding Official, and the DCF Office of Human Resources/WCF Office of Human Resources Division. The DCF Office of Human Resources/WCF Office of Human Resources Division should be consulted as needed, to identify all funded positions which may become vacant over the next 30 (thirty) days and whether the employee is qualified for that position with or without a reasonable accommodation.

Once the individual requesting the accommodation has sought assistance from the Office of Human Resources to identify available vacant positions, BEP will first focus on positions which are equivalent to the employee's current job in terms of pay, and other relevant factors. If there are no vacant equivalent position for which the individual is qualified, BEP will consider vacant lower level positions for which the individual is qualified. The employee will not be considered for pay retention if the reassignment to a lower level position is permanent. If no positions have been identified by the Office of Human Resources, the BEP EEO Officer must provide a signed statement indicating a search was made for vacancies throughout the Bureau but was unsuccessful in identifying funded vacancies for which the employee may be qualified. The BEP EEO Officer shall consult with the Office of Human Resources and the Office of Chief Counsel to discuss possible equivalent position vacancies in other Treasury bureaus for which the individual is qualified. Reassignment may be made to a vacant position outside of the employee's commuting area if the employee is willing to relocate. As with other transfers for the employee's convenience and not required by management, BEP will not pay for the employee's relocation costs.

c. Reassignment is available only to employees, not to applicants for employment.

**11. REQUESTS FOR MEDICAL INFORMATION.**

a. The BEP is entitled to know that an employee or applicant has a covered disability that requires a reasonable accommodation. In some cases the disability and need for accommodation will be obvious or otherwise already known to the Deciding Official. In these cases, further medical information will not be sought. However, when

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a disability and/or need for reasonable accommodation is not obvious or otherwise already known to the Deciding Official, the bureau may require that the individual provide reasonable documentation about the disability and his or her functional limitations.

b. In order to evaluate a request for reasonable accommodation, the Deciding Official must consult with the DCF Labor-Management Relations Division Manager/WCF Labor-Management Relations Staff Manager and/or the Office of Chief Counsel regarding the request for medical documentation or information before the request is made to the employee or applicant.

c. When a determination is made to seek medical documentation, the documentation will be requested to substantiate whether the individual has a disability, the nature, extent and duration of the disability, and the appropriate accommodation for that disability. Documentation unrelated to the disability claimed will not be requested. Requests for medical information will follow the requirements set forth in applicable regulations as well as EEOC's *Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees Under the Americans with Disabilities Act* (available on EEOC's internet site at [www.eeoc.gov/policy/docs/guidance-inquiries.html](http://www.eeoc.gov/policy/docs/guidance-inquiries.html)).

d. The Deciding Official (for current employees) or Human Resources employee (for outside applicants) will seek information or documentation about the disability and/or functional limitations from the individual, and/or ask the individual to obtain such information from an appropriate professional, such as a doctor, social worker, or rehabilitation counselor. The Deciding Official, in consultation with the DCF Employee & Labor-Management Relations Division Manager/WCF Labor-Management Relations Staff Manager and/or the Office of Chief Counsel, may direct the requester to submit medical documentation directly to the Bureau Medical Director/Doctor or to another physician chosen by BEP, instead of submitting such documentation to the Deciding Official. All requests for information should describe the nature of the job, the essential functions the individual is expected to perform, and any other relevant information.

e. Once the medical documentation is received, the Deciding Official, in consultation with the DCF Labor-Management Relations Division Manager/ WCF Labor-Management Relations Staff Manager and/or the Office of Chief Counsel, may direct the requester to submit medical documentation directly to a physician chosen by BEP. If the information provided by the health professional (or the information volunteered by the individual requesting the accommodation) is insufficient to enable a determination, the Deciding Official may ask for further information. When this is necessary, the Deciding Official and/or physician chosen by BEP will explain to the individual seeking the accommodation, in specific terms, why the information provided is insufficient, what additional information is needed, and why it is necessary for a determination of the reasonable accommodation request.

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f. Alternatively, the individual requesting the accommodation may agree to sign a limited release, giving BEP the authority to submit a list of specific questions to the individual's health care professional or for the Bureau's health professional to contact the individual's doctor.

g. If, after a reasonable period of time, the individual requesting the accommodation has not provided sufficient medical information to demonstrate that the individual has a disability and needs a reasonable accommodation, BEP may request that the individual be examined by a physician chosen by BEP. Such an exam would be performed at BEP's expense.

h. In some cases, the individual requesting the accommodation will supply medical information directly to the Deciding Official without being asked. In these cases, the Deciding Official, in consultation with the DCF Employee & Labor-Management Relations Division Manager/WCF Labor-Management Relations Staff Manager and/or the Office of Chief Counsel, may direct the requester to submit medical documentation directly to the Bureau Medical Director/Doctor or to another physician chosen by BEP, instead of submitting such documentation to the Deciding Official. The Deciding Official will consider such documentation and if additional information is needed, the Deciding Official will work with the DCF Labor-Management Relations Manager/WCF Labor-Management Relations Staff Manager, the Office of Chief Counsel, the Bureau Medical Director/Doctor or with another physician chosen by BEP to determine what additional information is necessary as set forth in this section.

i. If BEP determines medical information submitted must be reviewed by a medical expert, BEP will choose the medical expert. The cost of the review will be at the expense of BEP.

j. Failure of the individual to provide appropriate documentation or to cooperate in the effort to obtain such documentation may result in a denial of the reasonable accommodation.

k. All medical information, including information about functional limitations and reasonable accommodation needs, obtained in connection with a request for reasonable accommodations must be kept confidential. The information shall be kept in files separate from the individual's personnel file. In addition, employees who obtain or receive such information are strictly bound by these confidentiality requirements. The information may be disclosed only to the following individuals:

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(1) To the extent necessary, Supervisors, Managers, Labor-Management Relations Division, Office of Chief Counsel, Office of Human Resources, EEO Office and others who need to know (including the Deciding Official who requested that the medical information be obtained). Details regarding restrictions on the work or duties of the employee or necessary accommodation(s) may be shared, but medical information should only be disclosed when absolutely necessary.

(2) First aid, Health Unit and safety personnel, when appropriate, if the disability might require emergency treatment.

(3) Government officials when the information is necessary to investigate the Department of the Treasury or BEP compliance with the Rehabilitation Act.

(4) In certain circumstances, to workers' compensation offices or insurance carriers.

I. Whenever medical information is disclosed, the individual disclosing the information must inform the recipients about the confidentiality requirements associated with it.

## **12. TIME FRAMES FOR PROCESSING REQUESTS AND PROVIDING REASONABLE ACCOMMODATIONS.**

### **a. Request Not Involving Extenuating Circumstances.**

(1) If additional supporting medical information is not necessary, the Agency will make every reasonable effort to process the request within 20 business days from the date the medical information is received.

(2) If additional supporting medical information is necessary to determine whether the requesting individual has a disability and/or to identify the functional limitations, the following will apply:

(a) The Deciding Official will inform the EEO Officer that the request will require additional supporting medical information.

(b) If the Deciding Official determines additional medical documentation is needed, the Agency will make every reasonable effort to make a decision on the request for accommodation within 20 business days from the date the relevant information is received.

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b. Request Involving Extenuating Circumstances.

(1) When extenuating circumstances are present, the time for processing a request for reasonable accommodation and providing the accommodation will be extended as reasonably necessary.

(a) The purchase of equipment may take longer than 20 business days because of requirements under the Federal Acquisition Regulations and EEOC Order 360.001, "Acquisition Policies and Procedures."

(2) Where extenuating circumstances are present, the Deciding Official must notify the individual, in writing, of the reason for the delay, and the approximate date on which a decision, or provision of the reasonable accommodation, is expected. Any further developments or changes should also be communicated promptly to the individual.

(3) If there is a delay in providing an accommodation that has been approved, the Deciding Official will determine whether temporary measures can be taken to assist the employee. This could include providing the requested accommodation on a temporary basis or providing a less effective form of accommodation. In addition, the Deciding Official may provide measures that are not reasonable accommodations within the meaning of the law (e.g., temporary removal of an essential function) if:

(a) they do not unreasonably interfere with BEP operations; and

(b) the employee is clearly informed that they are being provided only on a temporary, interim basis with a beginning and end date specified.

For example, there may be a delay in receiving adaptive equipment for an employee with vision impairment. During the delay, the supervisor might arrange for other employees to act as readers. 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.

(4) If a delay is attributable to the need to obtain or evaluate medical documentation and it has not yet been determined that the individual is entitled to an accommodation, BEP may also provide an accommodation on a temporary basis. In such a case, the Deciding Official will notify the individual in writing that the accommodation is being provided on a temporary basis pending a decision on the accommodation request.

(5) Deciding Officials who approve such temporary measures are responsible for assuring that they do not take the place of a permanent accommodation and that all necessary steps to secure the permanent accommodation are being taken.

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**13. EXPEDITED PROCESSING.** In certain circumstances, a request for reasonable accommodation requires an expedited review and decision in a time frame that is shorter than the 20 business days discussed above. Examples of when an expedited reasonable accommodation may be needed include:

a. Enabling an applicant to apply for a job. Depending on the timetable for receiving applications, conducting interviews, taking tests, and making hiring decisions, it may be necessary to expedite a request for reasonable accommodation in order to ensure that an applicant with a disability has an equal opportunity to apply for a job.

b. Enabling an employee to attend a meeting scheduled to occur shortly. For example, an employee may need a sign language interpreter for a meeting scheduled to take place in five (5) business days. Interpreters require a notice of seven (7) business days to secure their services on a regular basis.

**14. GRANTING OR DENYING A REASONABLE ACCOMMODATION REQUEST.**

a. As soon as the Deciding Official determines that a reasonable accommodation will be provided, he/she must issue a written decision (sample form is provided in [Attachment C](#)) to the individual requesting the accommodation, to the EEO Officer, and the Associate Director of the employee, that an accommodation will be provided. If the individual is an applicant, notice will be provided to the Associate Director (Management). If the accommodation cannot be provided immediately, the Deciding Official must inform the individual of the projected time frame for providing the accommodation. The projected time frame notice need not be in writing.

b. Denial of Reasonable Accommodation Request.

(1) As soon as the Deciding Official determines that a request for reasonable accommodation will be denied, he/she must issue a written decision (sample form is provided in [Attachment C](#)) to the individual requesting the accommodation, to the EEO Officer, and the Associate Director of the employee. If the individual is an applicant, notice will be provided to the Associate Director (Management). The explanation for the denial should be written in plain language and should clearly state the specific reasons for the denial.

(2) Where the Deciding Official has denied an accommodation request, but offered to make a different one in its place, the denial notice should explain both the reasons for the denial of the accommodation request and the reasons that the Deciding Official believes the chosen accommodation will be effective.

(3) Reasons for the denial of a request for reasonable accommodation must include specific reasons for the denial and may include the following:

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(a) Why the requested accommodation would not be effective.

(b) Why providing the requested accommodation would result in undue hardship. A determination of undue hardship means that BEP finds that a specific accommodation would result in significant difficulty or expense, or would fundamentally alter the nature of BEP's operations. When evaluating budgetary or administrative concerns to determine if undue hardship exists, BEP will follow the standards outlined in the regulations and in EEOC publication entitled "*Enforcement Guidance on Reasonable Accommodation and Undue Hardship Under the Americans with Disabilities Act.*" Before reaching this determination, the Deciding Official must have explored whether other effective accommodations exist which would not impose undue hardship and therefore can be provided. (All undue hardship denials must be forwarded to the BEP AD Management for review before the Deciding Official issues a written decision denying the accommodation request to the employee or applicant).

(c) Why medical documentation was deemed inadequate or specific enough, or because the documentation is not from a qualified medical provider.

(d) Why medical documentation was deemed inadequate.

(e) How the requested accommodation would require the lowering of a performance or production standard.

(4) The written notice of denial must also inform the individual of his/her appeal rights.

## **15. APPEAL PROCESS.**

a. If an individual wishes reconsideration, he/she will make a request (verbally or in writing), for the Deciding Official to reconsider the decision within 10 (ten) business days of receiving the written denial to provide a reasonable accommodation. Any request for reconsideration received after 10 (ten) business days of the denial will be treated as a new request. The individual may present additional information in support of his/her reconsideration request. The Deciding Official will make every reasonable effort to respond to the request for reconsideration within five (5) business days of receiving the written or verbal request.

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b. If the Deciding Official does not reverse the decision, the individual may appeal the decision. If an employee is covered by a collective bargaining agreement, the employee may either file a grievance in accordance with the applicable contractual grievance procedures, or file an appeal with their Associate Director within 10 (ten) days of receiving a written denial, **but not both**. If an employee is not covered by a collective bargaining agreement, the employee may file an appeal with their Associate Director. Applicants may file an appeal with the Associate Director (Management) within ten (10) business days of the written denial from the Deciding Official. Grievances will be processed in accordance with the requirements of the applicable collective bargaining agreement. If the Deciding Official is the employee's Associate Director, the appeal may be decided by the Deputy Director. The Agency will make every reasonable effort to issue a response to an appeal within ten (10) business days.

c. An individual who chooses to pursue statutory remedies for the denial of a reasonable accommodation must comply with the following:

(1) **EEO Complaint.** Contact an EEO counselor within 45 days from the date of receipt of the written notice of denial;

(2) **Negotiated Grievance Procedure.** File a grievance in accordance with the provisions of the applicable collective bargaining agreement (if the individual is an employee represented by a Bargaining Unit); or

(3) **US Merit System Protection Board (MSPB) Appeal.** Initiate an appeal within 30 days of an appealable adverse action as defined in Code of Federal Regulations ([CFR](#)) [Title 5, 1201.3](#).

## 16. INFORMATION TRACKING AND REPORTING.

a. The BEP EEO Officer will annually evaluate the bureau's reasonable accommodations program. An effective reasonable accommodations program is part of a model EEO program and must be included in the Bureau's MD-715 report. The executive summary of the Bureau's MD-715 report should include a discussion on the following:

(1) accessibility of the reasonable accommodations policy to employees with or without a disability, e.g., posted on the intranet, disseminated in employee handbooks, or available in alternative formats, such as Braille;

(2) the number of reasonable accommodation requests approved; of that, the number of approved within the timeframes set out in Bureau procedures; and

(3) the number of reasonable accommodation requests denied.

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An example of this report is provided as [Attachment E](#). In addition, the report shall provide a qualitative assessment of the BEP's reasonable accommodations program, including any recommendations for improvement of the BEP's reasonable accommodations policies and procedures.

**17. OFFICE OF PRIMARY RESPONSIBILITY.** The Bureau Resolution Center.

**<SIGNED>**  
Larry R. Felix  
Director

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**Attachment A  
REASONABLE ACCOMMODATION REQUEST FORM**

**Request for Reasonable Accommodation**

<b>Employee/Applicant Name</b>	<b>Bureau/Office Location and/Address</b>
<b>Occupational Series and Grade</b> (e.g., GS-301-11)	<b>Office Telephone Number</b>

Describe the medical condition requiring accommodation.

Describe the specific accommodation being requested. (If additional space is needed, attach a separate sheet.)

Explain how the requested accommodation would assist you in: (1) performing the essential duties of your position, (2) using the job application process, or (3) taking advantage of a benefit or privilege offered by the office/bureau.

Requester Signature: \_\_\_\_\_

Date: \_\_\_\_\_

In reviewing your request, it may be determined that medical documentation is needed to support your accommodation request. If that is the case, you will be requested to provide reasonable medical information sufficient to support your request. You may add any additional comments on a separate sheet of paper and attach it to your request form.



DATE June 24, 2008

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**Privacy Act Statement**

**AUTHORITY:** The Rehabilitation Act of 1973, [29 USC 701](#) et seq.; The Americans with Disabilities Act of 1990, [42 USC 12101](#) et seq.; and [Executive Order 13164](#) (July 26, 2000).

**PRINCIPAL PURPOSE:** To assist in providing individuals with qualified disabilities with reasonable accommodations, and to record and track requests for reasonable accommodations, their provisions, and the disposition of such requests for the Bureau of Engraving and Printing.

**ROUTINE USE:** To a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of an individual who is the subject of the record; to any criminal law enforcement authority or other appropriate agency charged with the responsibility of investigating or prosecuting a violation or potential violation of law; in an appropriate proceeding before the court, grand jury, or administrative or regulatory body when records are determined to be relevant to the proceedings; to an actual or potential party to litigation or the party's authorized representative for the purpose of negotiating or discussion on such matters as settlement, plea bargaining, or informal discovery proceedings; to a federal agency or entity that requires information relevant to a decision concerning the hiring, appointment, or retention of an employee, the issuance of a security clearance, the conduct of a security or suitability investigation, or pursuit of other appropriate personnel matters; or to such recipients and under such circumstances and procedures as are otherwise mandated by federal law or regulation.

**DISCLOSURE AND EFFECT ON INDIVIDUALS FOR NOT PROVIDING**

**INFORMATION:** The provision of information on this form is voluntary; however, if you do not provide this information, the Bureau of Engraving and Printing may not provide you an accommodation.

DATE June 24, 2008

**Attachment B  
Accommodation Request Confirmation Form  
FOR MANAGEMENT USE ONLY**

<b>CONFIRMATION OF REQUEST FOR REASONABLE ACCOMMODATION</b>	
<b>Employee/Applicant Name</b>	<b>Date of Employee/Applicant Request:</b>
<b>Receiving Official Name and Title:</b>	<b>Receiving Official Telephone Number:</b>
<p>1. Briefly describe the accommodation being requested (<i>Be as specific as possible, e.g., adaptive equipment, reader, interpreter.</i>)</p>          	
<p>2. Identify the essential duties of the position or explain the application requirements that the employee/applicant is unable to perform or satisfy because of the condition.</p>          	
3. Medical Document Needed:	4. If yes, explain why:
<p><b>Please attach Copies of <u>ALL</u> Supporting Documentation Obtained or Developed with this Request</b></p>          	

DATE June 24, 2008

**Attachment C  
DECISION OF REASONABLE ACCOMMODATION REQUEST**

1. Name of individual requesting reasonable accommodation: \_\_\_\_\_

2. Type(s) of reasonable accommodation requested: \_\_\_\_\_

\_\_\_\_\_

3.  Approved Estimated Cost of Accommodation, If Any \$\_\_\_\_\_

5.  Denied (Indicate below reason for denial and attach a detailed explanation)

6. Request for reasonable accommodation denied because; (may check more than one box):

\_\_\_\_\_Accommodation Ineffective

\_\_\_\_\_Accommodation Would Cause Undue Hardship

\_\_\_\_\_Medical Documentation Inadequate

\_\_\_\_\_Accommodation Would Require Removal of an Essential Function

\_\_\_\_\_Accommodation Would Require Lowering of Performance or Production Standard

\_\_\_\_\_Other (Please identify) \_\_\_\_\_

\_\_\_\_\_

7. Detailed reason(s) for the denial of reasonable accommodation (Must be specific, e.g., why accommodation is ineffective or causes undue hardship):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



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**Attachment D**  
**Reasonable Accommodation Resources**

**US Equal Employment Opportunity Commission**

1-800-669-3362 (Voice); 1-800-800-3302 (TT)

The EEOC Publication Center has many free documents on the Title I employment provisions of the ADA, including both the statute, 42 USC 12101 et seq. (1994), and the regulations, 29 CFR 1630 (1997). In addition, the EEOC has published a great deal of basic information about reasonable accommodation and undue hardship. The two (2) main sources of interpretive information are:

- (1) The Interpretive Guidance accompanying the Title I regulations (also known as the "Appendix" to the regulations), 29 CFR pt. 1630 app. 1630.2(o), (p), 1630.9 (1997), and
- (2) A Technical Assistance Manual on the Employment Provisions (Title I) of the Americans with Disabilities Act III, 8 FEP Manual (BNA) 405:6981, 6998-7018 (1992). The Manual includes a 200-page Resource Directory, including federal and state agencies, and disability organizations that can provide assistance in identifying and locating reasonable accommodations.

EEOC also has discussed issues involving reasonable accommodation in the following guidance and documents:

- (1) Enforcement Guidance: Pre-employment Disability-Related Questions and Medical Examinations at 5, 6-8, 20, 21-22, 8 FEP Manual (BNA) 405:7191, 7192-94, 7201 (1995);
- (2) Enforcement Guidance: Workers' Compensation and the ADA at 15-20, 8 FEP Manual (BNA) 405:7391, 7398-7401 (1996);
- (3) Enforcement Guidance: The Americans with Disabilities Act and Psychiatric Disabilities at 19-28, 8 FEP Manual (BNA) 405:7461, 7470-76 (1997);
- (4) Fact Sheet on the Family and Medical Leave Act, the Americans with Disabilities Act, and Title VII of the Civil Rights Act of 1964 at 6-9, 8 FEP Manual (BNA) 405:7371, 7374-76 (1996); and
- (5) Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees Under the Americans with Disabilities Act at 20, 22, 23, 24-5, 8 FEP Manual (BNA) 405:7701, 7711, 7712-14, 7715-16 (2000).

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Policy Guidance on Executive Order 13164: Establishing Procedures to Facilitate the Provision of Reasonable Accommodation

[http://www.eeoc.gov/policy/docs/accommodation\\_procedures.html](http://www.eeoc.gov/policy/docs/accommodation_procedures.html)

Enforcement Guidance: Reasonable Accommodation and Undue Hardship Under the ADA (*as revised, 10/17/02*)

<http://www.eeoc.gov/policy/docs/accommodation.html>

Enforcement Guidance: Disability-Related Inquiries & Medical Examinations of Employees Under the ADA

<http://www.eeoc.gov/policy/docs/guidance-inquiries.html>

Policy Guidance on Executive Order 13145: To Prohibit Discrimination in Federal Employment Based on Genetic Information

<http://www.eeoc.gov/policy/docs/guidance-genetic.html>

Enforcement Guidance on the ADA and Psychiatric Disabilities

<http://www.eeoc.gov/policy/docs/psych.html>

Enforcement Guidance: Workers' Compensation & the ADA

<http://www.eeoc.gov/policy/docs/workcomp.html>

Enforcement Guidance: Pre-employment Disability-Related Questions & Medical Examinations

<http://www.eeoc.gov/policy/docs/preemp.html>

Compliance Manual Section 902: Definition of the Term Disability

<http://www.eeoc.gov/policy/docs/902cm.html>

FMLA, ADA, and Title VII

<http://www.eeoc.gov/policy/docs/fmlaada.html>

Q&A: Intellectual Disabilities in the Workplace & the ADA

[http://www.eeoc.gov/facts/intellectual\\_disabilities.html](http://www.eeoc.gov/facts/intellectual_disabilities.html)

Q&A: Epilepsy in the Workplace & the ADA

<http://www.eeoc.gov/facts/epilepsy.html>

Q&A: Diabetes in the Workplace & the ADA

<http://www.eeoc.gov/facts/diabetes.html>

Job Applicants and the ADA

<http://www.eeoc.gov/facts/jobapplicant.html>

Telework as a Reasonable Accommodation

<http://www.eeoc.gov/facts/telework.html>

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**The ADA: A Primer for Small Business**<http://www.eeoc.gov/ada/adahandbook.html>**Obtaining and Using Employee Medical Information as Part of Emergency Evacuation Procedures**<http://www.eeoc.gov/facts/evacuation.html>

All of the above-listed documents, with the exception of the ADA Technical Assistance Manual and Resource Directory, are also available through the Internet at

<http://www.eeoc.gov>.**Job Accommodation Network (JAN)**

1-800-526-7234 (Voice/TT)

<http://www.jan.wvu.edu/>.

A service of the President's Committee on Employment of People with Disabilities. JAN can provide information, free-of-charge, about many types of reasonable accommodations.

**ADA & IT Technical Assistance Centers (DBTACs)**

1-800-949-4232 (Voice/TT)

<http://www.adata.org>

The DBTACs consist of 10 federally funded regional centers that provide information, training, and technical assistance on the ADA. Each center works with local business, disability, governmental, rehabilitation, and other professional networks to provide current ADA information and assistance, and places special emphasis on meeting the needs of small businesses. The DBTACs can make referrals to local sources of expertise in reasonable accommodations.

**Registry of Interpreters for the Deaf**

703- 838-0030 (Voice)

703-838-0459 (TTY)

<http://www.rid.org>

The Registry offers information on locating and using interpreters and transliteration services.

**RESNA Technical Assistance Project**

703-524-6686 (Voice) (703) 524-6639 (TTY)

<http://www.resna.org/taproject>

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RESNA, the Rehabilitation Engineering and Assistive Technology Society of North America, can refer individuals to projects in all 50 states and the six (6) territories offering technical assistance on technology-related services for individuals with disabilities. Services may include:

- (1) information and referral centers to help determine what devices may assist a person with a disability (including access to large data bases containing information on thousands of commercially available assistive technology products);
- (2) centers where individuals can try out devices and equipment;
- (3) assistance in obtaining funding for and repairing devices; and
- (4) equipment exchange and recycling programs.

Department of Defense Computer/Electronic Accommodation Program (CAP)  
703-681-3976 (Voice)  
703-681-8814 (T)  
703-681-0881 (TTY)  
[www.tricare.osd.mil/cap](http://www.tricare.osd.mil/cap)

CAP provides assistive technology devices and services for employees with disabilities.









## CIRCULAR

No. 

DATE

**Instructions for Completing Part 1:** Reasonable accommodations requested in the application process.

**Part 1A: - Occupational Series and Grade Level.** Each occupational series and grade (e.g., GS-301-11) must be identified. If there are two (2) or more positions with the same occupational series and grade level, but different types of accommodations were requested, each occupational series and grade must be identified separately.

**Part 1B: - Type of Accommodation.** Identify the type of accommodation requested for each occupational series and grade level identified in Part 1A. The accommodation must relate to job performance. Examples are as follows:

- Job Restructuring
- Leave
- Modified or Part-Time Work Schedule
- Modified Workplace Policies
- Reassignment

**Part 1C: - Total Requests Approved.** For each separate occupational series, grade level and type listed in Parts 1A and 1B, enter the total number of requests approved.

**Part 1D: - Total Requests Denied.** For each separate occupational series, grade level and type listed in Parts 1A and 1B, enter the total number of requests denied.

**Part 1E: - Reason for Denial.** Self explanatory

**Part 1EF: - Total Requests.** This field should equal the sum of Parts 1C and 1D.

**Part 1G: - Processing Time.** Enter the amount of time required to process each request identified in Parts 1A and 1B. If more than one request is entered in a field, enter the average processing time.

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**Instructions for Completing Part 2:** Reasonable accommodations requested that relate to the benefits or privileges of employment. Benefits and privileges of employment include, but are not limited to, employer-sponsored: (1) training, (2) services (e.g., employee assistance programs, credit unions, cafeterias, lounges, gymnasiums, auditoriums, transportation), and (3) parties or other social functions (e.g., parties to celebrate retirements and birthdays, and office outings).

**Part 2A: - Type of Accommodation.** Identify each different type of accommodation requested. The accommodation must relate to a benefit or privilege of employment.

Examples are as follows:

- Sign language interpreters
- Written materials in alternative formats (e.g., Braille, large print or audio - cassette)
- Adaptive equipment
- Modified leave procedures

**Part 2B: - Total Requests Approved.** For each type of accommodation listed in Part 2A, enter the total number of requests approved.

**Part 2C: - Total Requests Denied.** For each type of accommodation listed in Part 2A, enter the total number of requests denied.

**Part 2D: - Total Requests.** This field should equal the sum of Part 2B and 2C.

**Part 3: - Resources of technical assistance consulted in identifying possible accommodations.**

Self-explanatory

**Part 4: Assessment of the Bureau's reasonable accommodations program.**

Self-explanatory