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GENERAL SERVICES ADMINISTRATION  
Washington, DC 20405

HRM 2300.1 CHGE 3  
December 14, 2021

GSA ORDER

SUBJECT: Policy and Procedures for Providing Reasonable Accommodation for  
Individuals with Disabilities

1. Purpose. This policy updates the General Services Administration's (GSA) procedures on providing reasonable accommodations to employees or job applicants with disabilities, in compliance with all applicable laws and regulations.
2. Background. Executive Order 13164 (July 26, 2000) requires Federal agencies to establish effective written procedures for processing requests for reasonable accommodation by employees and applicants with disabilities. Section 501 of the Rehabilitation Act of 1973, as amended, requires each Federal agency to reasonably accommodate the known disabilities of qualified individuals with disabilities, unless doing so would cause undue hardship on the agency. On September 25, 2008, the Americans with Disabilities Act Amendments Act of 2008 (ADAAA) amended the Americans with Disabilities Act (ADA) of 1990. These amendments became effective on January 1, 2009. The Equal Employment Opportunity Commission (EEOC) final regulations to implement the ADAAA were published in the Federal Register, 76 Fed. Reg. 16977, on March 25, 2011, and are codified at 29 C.F.R. Part 1630. Changes reflected in this policy will implement the provisions of the ADAAA and the EEOC's implementing regulations.
3. Cancellation. This Order cancels and supersedes GSA Order HRM 2300.1 CHGE 2, Policy and Procedures for Providing Reasonable Accommodation for Individuals with Disabilities, dated September 27, 2021.
4. Scope and Applicability.
  - a. This policy applies to all GSA employees and applicants for employment with disabilities requiring reasonable accommodation.
  - b. This policy does not apply to employees of the Office of Inspector General (OIG) which has independent personnel authority. See Section 6 of the Inspector General Act of 1978, (5 U.S.C. App.3), as amended, and GSA Order ADM 5450.39D CHGE 1 GSA Delegations of Authority Manual (Delegations Manual), Chapter 2, Part 1. Similarly, GSA specifically recognizes that the Inspector General (IG) has independent

authority to formulate policies on providing reasonable accommodation for its employees. The OIG in establishing its reasonable accommodation program will consider this Order, to the extent that it does not infringe on the IG's independent personnel authority and does not conflict with other OIG policies.

c. Implementation Action. Implementation under this policy must be carried out in accordance with applicable laws, regulations, and collective bargaining agreements.

#### 5. Policy.

d. It is GSA's policy to fully comply with the reasonable accommodation requirements of the Rehabilitation Act of 1973, as amended, and the ADAAA of 2008. GSA is committed to providing reasonable accommodation in order to ensure that qualified individuals with disabilities enjoy full access to equal employment opportunities at GSA, unless doing so would cause undue hardship on the agency.

e. GSA will provide a reasonable accommodation:

(1) When an applicant with a disability needs an accommodation to be considered for a job;

(2) When an employee with a disability needs an accommodation to enable him/her to perform the essential functions of his/her job or to gain access to the workplace; and,

(3) When an employee with a disability needs an accommodation to enjoy equal benefits and privileges of employment (examples include, but are not limited to, details, training, or telework).

f. GSA will process a reasonable accommodation request and, where appropriate, provide reasonable accommodation in a prompt, fair, and efficient manner. GSA is also dedicated to improving the recruitment, promotion, and retention of qualified persons with disabilities by providing information and resources necessary to support the applicant/employee and to accomplish the agency's mission.

6. Responsible Office. The Office of Human Resources Management (OHRM) manages GSA's Reasonable Accommodation program.

7. Explanation of Changes. Changes incorporate feedback from the U.S. Equal Employment Opportunity Commission (EEOC) to ensure compliance with EEOC regulations.

g. Chapter 1, section 3.b., language amended, The first level supervisor in the employee's immediate supervisory chain will render a written decision on a reasonable accommodation request, except in the event of an extended absence of the first level supervisor; in that event, the second level supervisor shall be the Decision Maker (DM).

h. Chapter 2, section 8.b., language added, “Employees may track the processing of their request for reasonable accommodation by contacting the DM and/or the Local Reasonable Accommodation Coordinator (LRAC). Applicants may contact the LRAC to track the processing of their request for reasonable accommodation.”

i. Chapter 2, section 14., language amended, “The final decision must be in writing and explain in detail the reason for the denial, for example, why accommodation would be ineffective or why it would result in undue hardship to GSA.” and “Denial notices can be provided in an accessible format upon request.”

j. Chapter 2, section 18., language amended, “As soon as the process is completed, *e.g.*, after the DM’s final decision if reconsideration is not sought or after the reconsideration decision is issued if reconsideration is requested, the GSA official in possession of the reasonable accommodation request file will submit the entire record, including copies of the request, the decision containing the identity of the DM, and the supporting documentation to the LRAC.”

8. Signature.

DocuSigned by:  
  
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TRACI DIMARTINI  
Chief Human Capital Officer  
Office of Human Resources Management

# PROCEDURES FOR PROVIDING REASONABLE ACCOMMODATION FOR INDIVIDUALS WITH DISABILITIES

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## CHAPTER 1. GENERAL PROVISIONS

1. Introduction. This Order prescribes the responsibilities and procedures for submitting and responding to requests for reasonable accommodations to qualified employees or applicants with disabilities.

2. References.

- a. [The Rehabilitation Act of 1973 \(29 U.S.C. Section 791\)](#), as amended to date.
- b. [Americans with Disabilities Act Amendments Act of 2008](#).
- c. [Equal Employment Opportunity Commission \(EEOC\) Final Rule Implementing the Americans with Disability Act Amendments Act of 2008 \(March 25, 2011\)](#).
- d. [Titles I and V of the Americans with Disabilities Act of 1990](#).
- e. [Executive Order 13548 of July 26, 2010](#): Increasing Federal Employment of Individuals with Disabilities.
- f. [Executive Order 13163 of July 28, 2000](#): Increasing Federal Employment of Individuals with Disabilities.
- g. [Executive Order 13164](#): Establishing Procedures to Facilitate the Provision of Reasonable Accommodation.
- h. [29 C.F.R. Part 1614](#): Federal Sector Equal Employment Opportunity.
- i. [29 C.F.R. Part 1630](#): Regulations to Implement the Equal Employment Provisions of the ADA.
- j. [Privacy Act of 1974](#), as amended.

3. Roles & Responsibilities.

a. Requester. A qualified employee or applicant including a representative acting on the employee's or applicant's behalf, who requests reasonable accommodation.

The requester will:

(1) In the case of an employee, inform his/her supervisor, the next level supervisor in his/her immediate supervisory chain, or the Local Reasonable Accommodation Coordinator (LRAC) of the need for an accommodation. In the case of an applicant, inform the servicing HR staffing specialist or the Human Resources Services Center (HRSC) Director for the vacancy. The requester can also submit their reasonable accommodation request to [reasonableaccommodation@gsa.gov](mailto:reasonableaccommodation@gsa.gov). Confirm his/her oral request for reasonable accommodation in writing, as soon as possible, if making an oral request. It is strongly encouraged that the requester complete the GSA Form 3676,

Confirmation of Reasonable Accommodation Request (Appendix A).

- (2) Cooperate fully and in good faith engage in the interactive process;
- (3) Respond to the DM's request for relevant information, including medical information requested by the LRAC, in a timely manner; and
- (4) Notify the designated DM and LRAC in writing if representation is obtained and provide representative's contact information.
- (5) May periodically check with the LRAC, by phone or email for information on the status of their reasonable accommodation request.

b. Decision Maker (DM). The GSA official who grants or denies the request for reasonable accommodation. In GSA, subject to alternate arrangements per 3.c. below, there are two DMs who can process a request from an employee. The first level supervisor in the employee's immediate supervisory chain will render a written decision on a reasonable accommodation request, except in the event of an extended absence of the first level supervisor; in that event, the second level supervisor shall be the DM. For applicants, the DM is the Director of the servicing Human Resources Services Center (HRSC). The DM will:

- (1) Be knowledgeable about the procedures for processing requests for reasonable accommodation and contact the LRAC for guidance;
- (2) Contact the LRAC for assistance with explaining GSA's process for requesting accommodation and who will issue the decision to the requester;
- (3) Advise the requester to submit a written confirmation of any oral accommodation request received;
- (4) Provide the LRAC any relevant information to determine the essential duties of the position to assist in determining whether the employee or applicant is an "individual with a disability" and if the requested accommodation would be effective;
- (5) Engage in the interactive process in good faith. Communicate throughout the process with the requester to determine what, if any, accommodations are available. Effective communication is particularly important in cases where the specific limitation or barrier is unclear, where an effective accommodation is not obvious, or where the parties involved are considering different possible reasonable accommodations;
- (6) Consult with the LRAC to determine if medical documentation is needed;
- (7) Make the decision regarding a request for reasonable accommodation in consultation with the LRAC in accordance with the guidance outlined in this Order in addition to all applicable laws and regulations. Consult with OGC before issuing a partial or complete denial of reasonable accommodation;



(8) Work with the LRAC to prepare and issue the final decision letter and the GSA Form 3677 to grant or deny the reasonable accommodation request;

(9) If any part of a request is denied, notify the requester of his/her right to seek informal resolution and reconsideration of that decision by the next higher level supervisor as appropriate;

(10) Ensure that the appropriate accommodations are provided in accordance with the timeframes outlined in Chapter 2, Section 8;

(11) Maintain confidentiality of information received during the reasonable accommodation process; and

(12) Comply with records management and reporting requirements.

c. OHRM will:

(1) Ensure compliance with governing laws and regulations, Executive Orders, and agency policies related to the provision of reasonable accommodation. This may include, among other things, designating alternate decision makers or centralizing decision making for reasonable accommodation requests in OHRM in order to ensure effective and efficient processing; and

(2) Designate a National Reasonable Accommodation Coordinator (NRAC) to advise the LRAC on the provisions of reasonable accommodation, and evaluate and monitor the overall effectiveness of program compliance.

d. National Reasonable Accommodation Coordinator (NRAC). A designated national level program manager and subject matter expert in OHRM with oversight and compliance responsibility for GSA's reasonable accommodation program.

The NRAC provides guidance and assistance to the LRACs, DMs, employees, and other agency officials, and will:

(1) Develop the agency's policies, and procedures on disability issues, as necessary;

(2) Ensure GSA's compliance with its obligations to provide reasonable accommodation;

(3) Maintain a roster of designated LRACs and keep GSA's information up to date;

(4) Oversee the centralized procedures for requesting medical reviews and examinations to ensure program efficiency and proper handling of medical information associated with the GSA's reasonable accommodation procedures;

(5) Review and provide advice to the LRAC on prospective partial or complete denials of reasonable accommodation requests to determine alternate solutions, if any, and program consistency;

(6) Consult with DM, LRAC, and OGC on complex cases, to obtain advice on determinations regarding qualifying individuals and possible accommodations;

(7) Partner with other program offices such as the Office of Civil Rights (OCR), Office of Administrative Services (OAS), Office of GSA IT (GSAIT), and use other resources in an effort to promote adherence of GSA's obligation to provide reasonable accommodation involving informal resolution, assistive technology, IT solutions, and IT accessibility to its employees;

(8) Track and report summary data on all requests for reasonable accommodation and the disposition of those requests annually to the EEOC and other reporting requirements; and

(9) Provide training to the LRACs, employees and supervisors, as needed.

e. Human Resource Service Centers (HRSCs) will:

(1) Designate properly trained Human Resources Specialists to serve as the primary and alternate LRAC. Keep the NRAC informed of the designated LRAC;

(2) Assist the LRAC in identifying positions available as potential reassignments in cases where reassignment is evaluated as a possible accommodation for an employee, and in reviewing the essential functions of those positions; and

(3) The HRSC Director will serve as the DM, and will work with the LRAC on requests from applicants for employment for accommodation during the application process.

f. Local Reasonable Accommodation Coordinator (LRAC). A designated local primary/alternate Human Resources (HR) specialist in the servicing HRSC, either on a full-time or collateral-duty basis, with the appropriate knowledge, skills and abilities responsible for providing advice, and assistance to employees, DMs, and other agency officials on processing reasonable accommodation requests.

The LRAC provides advice and assistance to employees and supervisors on reasonable accommodation requests, and will:

(1) Work with the DM to gather sufficient information to make an informed decision on the request, including determining whether the employee or applicant is a "qualified individual with a disability," whether the requested accommodation would be effective, and/or whether alternative accommodations would be effective;

(2) Assist the requester and DM with processing requests for accommodation by engaging in the interactive process, including completing the appropriate forms (See

Appendix);

(3) Ensure that all requests for accommodation outside the control of the DM, such as requests for assistive technology, facility renovations, and parking, are routed to the appropriate individual, coordinated with appropriate organizations, and are processed in accordance with the timeframes outlined in section 2-8;

(4) Work with the DM and/or others, such as the NRAC and OGC, to determine if medical documentation is needed. For obvious disabilities, typically no medical documentation is required beyond understanding specific limitations and barriers;

(a) For requests from applicants, the LRAC in consultation with the HRSC Director will issue the request for medical documentation and/or exams related to appropriate accommodations.

(b) For requests from employees, the LRAC, in consultation with the DM, will issue the request for medical documentation and/or exams. The LRAC will advise the DM on restrictions and limitations, recommend appropriate accommodations, and consult with the agency's Medical Review Officer (MRO), if needed.

(5) Coordinate prospective denials of requests for accommodation with the NRAC prior to a proposed final decision including partial denials to determine alternate solutions, and program consistency;

(6) For employees: work with DM, HRSC, and requester to identify positions for potential reassignment;

(7) Work with the DM and OGC to obtain legal review for legal sufficiency of a proposed final decision which results in a partial or complete denial of the requested accommodation(s);

(8) Maintain confidentiality of medical information received during the reasonable accommodation processing procedure;

(9) Track and report all requests for reasonable accommodation and the disposition of those requests. Report relevant data to the NRAC as required;

(10) Maintain a reasonable accommodation case file separate from the employee's official personnel folder;

(11) Assist with completing the "Agency Certification of Reassignment and Accommodation Efforts," SF-3112D, when required for employees applying for disability retirement to certify efforts made by the agency to provide reasonable accommodation including job searches, if any, for reassignments;

(12) Work with, or provide supporting information to, the NRAC, OCR, and OGC in addressing responses to litigation, informal and formal complaints, grievances, and

other inquiries involving reasonable accommodation requests; and

(13) Provide training on reasonable accommodation to employees and supervisors, as needed; and

(14) The LRACs will meet with the NRAC on a regular basis to ensure consistency throughout GSA in its processing of requests for reasonable accommodation.

4. Training. GSA will train all of its employees about its reasonable accommodation procedures to ensure that they have sufficient information to understand their roles and obligations in the reasonable accommodation process.

a. OHRM will ensure that training requirements are met and implemented throughout GSA.

b. Managers and Supervisors are expected to adhere to the requirements to participate in the GSA's EEO training which will provide a basic understanding of legal requirements for providing reasonable accommodation under the ADA and The Rehabilitation Act of 1973 for individuals with disabilities.

## CHAPTER 2. REASONABLE ACCOMMODATION PROCEDURES

1. Requests for Reasonable Accommodation. A request for reasonable accommodation is an oral or written statement that an individual is in need of a modification or adjustment to the work environment, to the application process, or to access to a benefit or privilege of employment because of limitations imposed on the individual by a medical condition. A request does not have to use any special words, such as "reasonable accommodation," "disability," or "Rehabilitation Act." The reasonable accommodation process begins as soon as the oral or written request is made as defined below. A requester may seek a reasonable accommodation whenever he/she chooses, even if he/she has not previously disclosed the existence of a disability.

a. An individual's request must be considered if it is made either orally or in writing to his/her immediate supervisor, or the next level supervisor in his/her immediate supervisory chain, or the LRAC.

b. An applicant for employment at GSA may request a reasonable accommodation orally or in writing from the staffing specialist of the servicing HRSC, or any agency employee with whom the applicant has contact in connection with the application process.

c. A family member, friend, health care professional or other representative may request a reasonable accommodation on behalf of a GSA employee or applicant either orally or in writing. The request should be forwarded to the same GSA official to whom the employee or applicant would make the request. To the extent possible, an individual with a disability should be contacted to confirm that he/she in fact wants a reasonable accommodation.

2. Written Confirmation of Oral Requests. To enable GSA to keep accurate records regarding requests for accommodation, applicants and employees seeking a reasonable accommodation should follow up an oral request by completing the GSA Form 3676, *Confirmation of Reasonable Accommodation Request*, located at Appendix A. The form should be submitted to the DM or LRAC in accordance with this Order.

a. If the requester requires assistance to obtain or complete the form, the DM or LRAC will assist the requester.

b. While the written confirmation should be made as soon as possible following an oral request, it is not a requirement for the request itself. GSA will begin processing the request as soon as it is made, whether or not the written confirmation has been provided.

c. When an employee has need of a reasonable accommodation on a repeated basis such as the assistance of a sign language interpreter or reader, the confirmation form is required only for the first request. However, the requester must give appropriate

advance notice to his/her immediate supervisor in writing (e.g., email or memo) of the pertinent details of the request for each subsequent time the accommodation is needed. If an accommodation is needed on a regular basis (e.g., for a weekly staff meeting), the supervisor should make the appropriate arrangements without requiring a repeated request in advance of the occasion. See Appendix D - Reasonable Accommodation Resources - regarding services and equipment available for reasonable accommodation requests.

### 3. The Interactive Process.

a. When an individual makes an oral or written request for reasonable accommodation, the manager should ordinarily begin to engage in the interactive process with the individual after receiving notice of the request. The interactive process is the communication between the DM and the requester, in consultation with the LRAC, to determine how best to respond to the employee's request. During this process, an individualized assessment will be conducted to review essential and collateral job functions, the employee's limitations, and possible accommodations. The interactive process may require more than one discussion, and may involve trying and evaluating the effectiveness of more than one accommodation. The LRAC will also explain the reasonable accommodation process to the employee at this time.

b. Ongoing communication and cooperation are important, especially when a specific limitation, problem, or barrier is unclear or when the disability or an effective accommodation is not fully understood. Thus, it is recommended that substantive interactive discussions be documented, with at least the date, time, participants, and key points noted by the DM and/or LRAC.

c. In the case of an applicant for employment, the servicing HR staffing specialist and/or LRAC will engage in the interactive process with the applicant.

d. Once a job offer has been made, if an accommodation is requested, the interactive process with the new employee with a known disability (post-offer but pre-onboarding) should be conducted by the new supervisor, in consultation with the LRAC to discuss and identify possible accommodations, and ensure that the agreed to accommodation is in place when the new employee starts.

e. In some instances, the requester will suggest a specific type of reasonable accommodation that he/she thinks will be effective. However, both the DM and the requester should work together in good faith to explore available and effective reasonable accommodation options throughout this process.

### 4. Types of Accommodations.

a. Overview. The possible types of reasonable accommodations are vast and an exhaustive list cannot be provided in this document. Refer to Appendix D for a list of resources to aid in this process. DMs and LRACs are encouraged to think creatively

when considering possible accommodations, because there are often several types of effective reasonable accommodations available for most requests. The DM should grant an effective accommodation, which may not necessarily be the specific accommodation the requester has proposed. These are some of the common types of accommodations:

- Modification of work schedules;
- Allowance of breaks or approval of leave;
- Allowance of telework beyond that normally provided by the agency policy or collective bargaining agreement;<sup>1</sup>
- Change how or when “non-essential” job duties are performed; and
- Adjustments to office space.

b. Who Arranges Accommodations. The DM in coordination with the LRAC should arrange accommodations. Some accommodations require additional coordination with other GSA offices and external resources.

c. Who Pays for Accommodations. The employee’s office bears primary responsibility for the funding of reasonable accommodations. While some alternate funding resources exist, in the event that there is not sufficient funding, or if the time to deliver is anticipated to be too long, the office should fund the purchase.

d. Requests Involving Assistive Technology. The LRAC, in consultation with the DM, may need to coordinate with the appropriate GSA offices to ensure proper procurement, inventory, and implementation of assistive technologies and/or information technology and/or communication equipment for use by employees as accommodations.

e. Requests for Reader or Sign Language Interpreters, or Other Assistive Staff. If current staff can provide an effective accommodation, the DM will consider that option. If not, the DM will request the assistance of the individuals or offices responsible for procuring these types of services in processing the request such as through normal procurement procedures. Each individual office is responsible for funding such services and should consider using the GSA Schedule as a vehicle to locate available vendors where appropriate. Consult the LRAC for more information.

f. Requests for the Removal of an Architectural Barrier(s), and Reconfigured Workspaces. The DM and the LRAC will coordinate with the individual or office responsible for the function.

g. Requests for Special Furniture. The DM and the LRAC will coordinate with the individual or office responsible for procuring special furniture. This includes chairs, height adjustable workstations, and height adjustable desktop devices that sit on top of regular desks.

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<sup>1</sup> If an employee is approved for a full-time telework arrangement, the employee needs to be coded as a Full-Time Teleworker in the appropriate GSA tracking systems.

h. Requests for Accessible Parking. If parking is being requested as a reasonable

accommodation, it is important to review the applicable GSA policies and requirements for providing parking at GSA owned facilities. The DM will coordinate the request for accessible parking with either (1) the appropriate property manager responsible for the building where the accommodation is being requested, or (2) with the appropriate individual who issues the parking permits as defined in the applicable parking policy.

i. Requests for Accessible Travel and Transportation. If premium transportation is being requested as a reasonable accommodation in accordance with 41 CFR 301-10.123 and the Federal Travel Regulation which states in summary an agency may authorize certain accommodations due to a medical disability if certified by a competent medical authority. Such certification may be subject to recertification annually. Follow the procedures of this policy when assessing such requests for accommodation.

j. Requests for Reassignment. Reassignment will be considered as an accommodation as a last resort, and only if no accommodations are available to enable the requester to perform the essential functions of his/her current job, or if the only effective accommodation would cause undue hardship. The interactive process is especially critical when reassignment is being considered.

(1) To determine whether there is a position available for reassignment, the DM in consultation with the servicing staffing specialist, the LRAC, and the requester will work to identify:

(a) A funded vacant position within GSA for which the requester may be qualified with or without reasonable accommodation, as determined by a human resources official; and

(b) Any funded position which the servicing HRSC has reason to believe will become vacant over the next thirty (30) calendar days from the date the organization commences the search for an appropriate position, and for which the requester is determined to be qualified by a human resources official. An example: If a search begins on September 1, then the positions being considered are those currently vacant, or expected to be vacant between September 1 and October 1; or if it is determined on September 15, that no vacancies currently exist or are anticipated by October 1, then the search is over and the results should be communicated to the employee.

(2) Before the organization commences the search for an appropriate position, the LRAC will ask the requester to indicate in writing whether he/she is willing to accept a reassignment to:

(a) A job series that is different from the series of his/her current position and if so, which job series; or

(b) Locations outside the commuting area, and if so, which locations are preferred; or

(c) A part-time position; or



(d) A lower grade position as a last resort.

(3) GSA will first focus on positions that are equivalent to the requester's current job in terms of pay status, and other relevant factors. Reassignment may be made to a vacant position outside of the employee's commuting area if the requester is willing to relocate. Determination on the appropriateness of paying relocation costs will be made in accordance with GSA policy.

(a) The HRSC will document efforts taken to locate another position(s) for the record and provide documentation to the LRAC. Retention of such documentation should be maintained in the official reasonable accommodation case file.

(b) The LRAC will provide the DM with information about any identified position(s) in writing, and assist the DM in notifying the requester of the appropriate information, if any.

(4) The DM must make every effort to notify the requester in writing of the appropriate position(s) identified within thirty (30) calendar days of receiving the request for reasonable accommodation, absent extenuating circumstances. If the request will be delayed beyond thirty (30) calendar days, the DM or LRAC should keep the requester advised about the status of the request throughout the process.

(5) If a position is found, the employee will receive a written offer, and will have seven (7) calendar days to consider whether to accept the offered reassignment. If an offer of reassignment is made and considered to be an effective accommodation, refusal could be a basis for denial of accommodation. The time for processing the request will freeze for the period of time during which the offer is being considered by the requester.

(6) If the servicing HRSC is unable to identify a suitable position to which the employee can be reassigned, the employee will be advised as to other options such as disability retirement.

## 5. Personal Assistance Services (PAS).

a. Overview. PAS will be provided to employees or applicants who request and need these services due to a targeted disability, unless doing so would impose an undue hardship on the agency.

b. Who Can Perform Personal Assistance Services. PAS must be performed by a Personal Assistance Services Provider (PASP), and that PASP may provide PAS to more than one individual. However, when selecting a PASP, primary consideration must be given to the requester's preferences to the extent permitted by law. The PASP may be asked to perform tasks unrelated to PAS, but only if doing so does not result in the failure to provide the PAS required.

c. The Process for Requesting PAS. The same procedures as listed above for requesting reasonable accommodation and determining whether such accommodations

are required or would pose an undue hardship, will be followed for requesting PAS. No adverse action will be taken against requesters based on their need for, or perceived need, for these services.

6. Requests in Response to a Performance or Conduct Based Personnel Action. In the event a request for reasonable accommodation is first presented in response to a performance or conduct-based personnel action, the decision-making process associated with the performance or conduct-based personnel action will be followed in accordance with Title 5 of the Code of Federal Regulations, Part 432 or Part 752, whichever is applicable. The agency is not required to rescind or withhold disciplinary or performance action. The reasonable accommodation request would be handled in accordance with this policy.

7. Medical Information. When an employee or applicant requests a reasonable accommodation, GSA is entitled to know that the employee or applicant has a covered disability for which he/she is requesting a reasonable accommodation. In some cases, the disability and the need for accommodation will be obvious or otherwise already known to GSA. In these cases, GSA will seek only medical information relevant and necessary to determine the requester's limitations or barriers. However, when a disability and/or need for reasonable accommodation is not obvious or otherwise already known to GSA, the agency may require that the requester provide medical documentation about the disability and his/her functional limitations. The request for medical documentation shall come from the LRAC.

If the requester provides medical information directly to the DM, the DM will forward the medical information to the LRAC to evaluate and make a determination if it supports the reasonable accommodation request. If the LRAC determines no additional medical information is needed, the LRAC will advise the DM promptly to complete the processing of the request. If the LRAC determines additional medical information is needed, the LRAC will seek the additional medical information. The LRAC may consult the NRAC, and OGC in making these determinations, where appropriate. The LRAC may consult with a Medical Review Officer (MRO), such as a medical professional with Federal Occupational Health (FOH), if the requester has given express permission for such consultation.

a. Obtaining and Evaluating Medical Information.

(1) If a determination is made to seek medical information, GSA will request information sufficient to substantiate that the individual has a covered disability and needs the requested reasonable accommodation. GSA will request only the medical information relevant to the request being made. GSA will follow the requirements in the EEOC's "*Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees under the Americans with Disabilities Act*," which is available on the internet at [www.eeoc.gov](http://www.eeoc.gov).

(2) The LRAC will seek information or documentation about the nature of 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 physician, social worker, or rehabilitation counselor. To obtain relevant information, all requests for information should

describe the actual nature of the job and the essential functions the requester is expected to perform, and inquire about how the requested accommodation will assist the individual to apply for a job, perform the essential functions of a job, or enjoy the benefits and privileges of the workplace.

(a) Once the medical documentation is received, it will be evaluated by the LRAC.

(b) If the information provided by the requester or his/her health care professional (such as a physician, social worker, or rehabilitation counselor), is insufficient to enable GSA to determine whether an accommodation is necessary and would be effective, the LRAC may ask for further information. The LRAC should consult with OGC in connection with deciding if the medical information submitted by the requester is sufficient. If it is determined that additional information is required, the LRAC will explain to the requester specifically why the information which has been provided is insufficient, what additional information is needed, and why it is necessary for a decision on the reasonable accommodation request.

(c) If, after a reasonable period of time, there is still insufficient information to demonstrate that the requester has a covered disability and what, if any, accommodation is required, the LRAC may request that the requester give permission for a Medical Review Officer to review the medical documentation or offer the requester a medical examination, at GSA's expense.

b. Consultation Between the LRAC and the DM. The LRAC will determine if the medical documentation demonstrates that a reasonable accommodation would be appropriate and provide the DM with any relevant information about the requester's functional limitations.

c. Failure to Provide Requested Information. The requester's failure to provide appropriate documentation or to cooperate in GSA's efforts to obtain such documentation may result in a denial of reasonable accommodation.

d. Confidentiality Requirements. Under the Rehabilitation Act of 1973, and Executive Order 13164, medical information obtained in connection with the reasonable accommodation process is confidential. This means that all medical information, including information about functional limitations and reasonable accommodation needs, obtained in connection with a reasonable accommodation request will be kept in files, hard copy or electronic, separate from the employee's official personnel file. It also means that any GSA employee who obtains or receives such information is strictly bound by these confidentiality requirements.

e. Disclosure of Confidential Information. The LRAC or the Director of the servicing HRSC will respond to all requests for the disclosure of confidential records obtained in connection with the reasonable accommodation process. This information may be disclosed only as follows to:

(1) Agency officials who have a need to know, including the DM who

requested that the LRAC obtain medical information, may be told about the limitations which the requester's condition imposes, the resulting work restrictions, and the necessary accommodation(s), but medical information is only disclosed on a need-to-know basis.

(a) GSA personnel should raise any information security or privacy concerns, including lost, missing or stolen personally identifiable information, with the GSA Information Security Officer (ISO) or the Privacy Officer, and/or the Office of General Counsel.

(b) If an employee transfers to another position within GSA (for example, a reassignment, detail, or promotion), the employee should notify his/her new supervisor of any pending or approved accommodations if an accommodation is still needed in the new office and/or position. The new supervisor will confirm any pending or approved accommodations with the LRAC. The LRAC will coordinate the appropriate information to ensure accommodation is maintained, if appropriate. If the new position has different essential functions, the accommodation may need to be re-evaluated.

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

(3) GSA and other Government officials as necessary who investigate and/or litigate the agency's compliance with the Rehabilitation Act;

(4) The Chief Human Capital Officer (CHCO) and his/her designee who are charged with evaluating and reporting on the agency's performance in processing reasonable accommodation requests; and

(5) Workers' compensation offices or insurance carriers in certain circumstances.

Whenever confidential information is disclosed, the individual disclosing the information must inform the recipient of the information about the confidentiality requirements that attach to it. A violation of the medical confidentiality requirements contained in the Rehabilitation Act exposes the agency to liability, even if no other action is taken against the individual whose medical information is disclosed.

## 8. Timeframes for Processing Requests.

a. GSA will process requests for reasonable accommodation and provide accommodations, if granted, in as short a time frame as reasonably possible. GSA 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.

b. Employees may track the processing of their request for reasonable accommodation by contacting the DM and/or the LRAC. Applicants may contact the LRAC to track the processing of their request for reasonable accommodation.

c. If an employee or applicant requests reasonable accommodation from a GSA official other than the appropriate DM, the official will:

(1) Forward the request to the appropriate GSA official, if known, or the LRAC;

(2) Notify the employee or applicant that the request was forwarded to the appropriate GSA official, or the LRAC for processing;

(3) The DM or the LRAC will acknowledge the request within three (3) calendar days of receipt; and

(4) The DM will begin the interactive process within five (5) calendar days of receipt of a request for reasonable accommodation from the requester or the LRAC.

9. Requests That Do Not Require Medical Documentation, or Involve Extenuating Circumstances. The DM will decide these requests, in consultation with the LRAC, as appropriate, and should provide the reasonable accommodation as soon as possible but not to exceed thirty (30) calendar days from receipt of the request, unless extenuating circumstances exist.

10. Decisions on Requests that Require Medical Information. The DM's 30 calendar day time limit begins the day following receipt of the reasonable accommodation request. The DM's 30 calendar day time limit is subject to extension. GSA recognizes that the need for documentation may not become apparent until after the interactive process has begun. The agency will not be expected to adhere to its usual timelines if sufficient medical documentation is not provided in a timely manner.

a. If the LRAC, in consultation with the DM, determines that medical documentation is needed, the 30 calendar day time limit will be held in abeyance.

b. If the LRAC determines that the medical information is not needed, the LRAC shall inform the DM of this as soon as possible but not to exceed three (3) calendar days after the DM notified the LRAC of the request for medical documentation. The DM's original 30 calendar day time limit resumes after the LRAC notifies the DM that he/she can continue processing the request.

c. If the LRAC determines that medical documentation is needed, then as soon as possible, but not to exceed five (5) calendar days from receipt of sufficient medical documentation, the LRAC will inform the DM of the requester's functional limitations, and the requested reasonable accommodation. The DM's original 30-calendar day time limit resumes the day after receiving notification from the LRAC that sufficient information has been received, and of the requester's functional limitations and requested accommodation.

11. Notification of Delays and Temporary Measures. It is GSA's policy that extensions based on extenuating circumstances should be limited to situations where they are strictly

necessary. The DM, in consultation with the LRAC, must notify the requester, in writing, as soon as possible 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, in writing, to the requester.

a. If there is a delay in deciding whether to grant a reasonable accommodation or a delay in providing an accommodation which has been approved, the DM and LRAC must investigate whether temporary measures can be taken to assist the requester, if they do not interfere with the operations of GSA. Such measures could also include providing the requested accommodation on a temporary basis or providing an alternate accommodation.

b. Where a temporary measure is provided, the DM must inform the requester in writing that the measure or accommodation is being provided on a temporary, provisional basis, pending a decision on the accommodation request or, as applicable, approving an accommodation.

c. When a particular reasonable accommodation can be provided in less than the maximum amount of time, failure to provide the accommodation in a prompt manner may result in a violation of the Rehabilitation Act.

12. Expedited/Interim Workplace Adjustment Processing. In certain circumstances, a request for reasonable accommodation will require an expedited review and decision by the DM in a time frame that is shorter than the 30-calendar day time limit. The LRAC, in consultation with the DM, will determine if an expedited/interim adjustment would be appropriate based on the request for accommodation. Where possible, within fifteen (15) calendar days of the initial request, an expedited or interim workplace adjustment should enable the requester to perform the essential functions of the position or enjoy the benefits and privileges of employment without posing a direct threat to anyone's health or safety. If an interim workplace adjustment is not possible, a written explanation to the requester shall be provided. For example:

a. To Enable an Applicant to Apply for a Job. Depending on the timetable for receiving applications and taking tests, there may be a need 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. Therefore, the Director of the servicing HRSC, as applicable, should proceed as quickly as possible to make a decision and, if appropriate, provide the reasonable accommodation.

b. To Enable an Employee to Attend a Meeting Scheduled with Little or No Advance Notice. An employee may need a sign language interpreter for a meeting scheduled to take place in five (5) business days.

13. Final Decision Granting a Reasonable Accommodation Request. As soon as the DM determines that a reasonable accommodation will be provided, he/she will work with the LRAC to complete the GSA Form 3677, *Review of Reasonable Accommodation Request*, located at Appendix B, as well as, the Final Decision Letter, located at Appendix C, and

immediately advise the requester. If the accommodation cannot be provided immediately, the DM will inform the individual in writing of the reason(s) for the delay and the projected time frame for providing the accommodation.

14. Final Decision Denying a Reasonable Accommodation Request. As soon as the DM determines that a request for reasonable accommodation will be denied, including any partial denials, he/she must consult the LRAC and OGC before issuing the final decision. The LRAC will also consult with the NRAC on all reasonable accommodation denials. The LRAC, NRAC, and OGC will only serve as consultants and concurrence is not required. Once the final determination is made, the DM will work with the LRAC to complete the GSA Form 3677, *Review of Reasonable Accommodation Request*, located at Appendix B, as well as, the Final Decision Letter, sample letter located at Appendix C, and provide these documents to the requester. The final decision must be in writing and explain in detail the reason for the denial, for example, why accommodation would be ineffective or why it would result in undue hardship to GSA. The final decision will also advise the requester that he/she may seek reconsideration as provided below. Denial notices can be provided in an accessible format upon request. The written decision shall state in plain language the specific reason(s) for the denial, such as but not limited to:

a. Undue Hardship. A determination of undue hardship means that GSA finds that a specific accommodation would be significantly difficult or expensive to provide, or would fundamentally alter the nature of the operations of the affected GSA organization. Before reaching this determination, the DM must explore whether other effective accommodations are available and can be provided. GSA will, when evaluating undue hardship, follow the standards enunciated in the EEOC final regulations and in the EEOC "*Enforcement Guidance on Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act,*" both of which are available at: <http://www.eeoc.gov>.

b. Insufficient Medical Documentation. The employee or applicant, when requested, did not provide sufficient medical documentation to establish that he/she has a covered disability, that the disability imposes limitations that require accommodation, or that the requested accommodation addresses the limitations. It is the responsibility of the applicant/employee to provide appropriate medical information requested by GSA when the disability and/or the need for accommodation are not obvious or already known to GSA.

c. Removes Essential Function(s). The requested accommodation would require the removal of an essential function from the position occupied by the employee or from the position for which the applicant applied.

d. Lowers Standards. The requested accommodation would require lowering a performance or production standard.

e. Not Deemed a Qualified Individual with a Disability. GSA has determined the applicant or employee is unable to perform the essential functions of the position, even with an accommodation. In this case, the individual is not a qualified individual with a disability, as defined by the Rehabilitation Act.

f. Direct Threat. The individual poses a “direct threat” to the health and safety of himself/herself or others. In those instances, the DM must consider the limitations of the individual, specifically, the risk posed by the medical condition, the duration of the risk, the nature and severity of the potential harm, the likelihood that the harm will actually occur, and imminence of the potential harm. Direct threat determinations are made on an individualized assessment of the requester’s present ability to safely perform the essential functions of the job. This assessment shall be based on a reasonable medical judgment that relies on the most current medical knowledge and/or on the best available objective evidence.

15. Finality of Decision. The DM’s determination to grant or deny a request is final subject to paragraph 21 below.

16. Reconsideration of the Final Decision.

a. If the employee disagrees with the final decision, he/she has seven (7) calendar days from receipt of the final decision to request in writing reconsideration from the appropriate next level supervisor in the immediate supervisory chain, or his/her designee. The designee must be superior in grade and/or position to the initial DM to reconsider the decision.

b. If an applicant requesting reasonable accommodation disagrees with the final decision, he/she has seven (7) calendar days from receipt of the final decision to request in writing that the Director of the Office of Human Resources Services, OHRM, or his/her designee, reconsider the final decision.

c. The requester seeking reconsideration should provide a copy of the final decision to the DM with his/her request for reconsideration.

d. The requester seeking reconsideration may submit additional information or documentation with the request to support his/her request.

e. The Reconsideration Official shall consult with the LRAC on the reconsideration decision. A reconsideration decision will be issued within fourteen (14) calendar days of receipt of the request, unless additional medical documentation is needed and/or extenuating circumstances exist. In those instances, the reconsideration decision will be issued as soon as possible, after all information is obtained.

17. Avenues for Redress of Reconsideration Decision. GSA’s reasonable accommodation policy does not modify or replace statutory, regulatory or collective bargaining protections and procedures for individuals with disabilities who wish to challenge the denial of a request for reasonable accommodation. If the reconsideration official sustains the initial decision, the requester may seek redress as follows:

a. Equal Employment Opportunity (EEO) Complaint. To file an EEO complaint pursuant to 29 C.F.R. Part 1614, applicants for employment or employees must contact an EEO counselor within forty-five (45) calendar days of receiving the notice of denial of reasonable accommodation. Applicants for employment or employees should contact



GSA's EEO office for further information.

b. Union Grievance. Bargaining Unit employees may file a grievance in accordance with the grievance procedure negotiated in the applicable Collective Bargaining Agreement after receiving a notice of denial of reasonable accommodation. The employee should also inform the Director of servicing HRSC of the filing of a grievance.

c. Administrative Grievance. Non-Bargaining Unit employees may file an administrative grievance with a higher level management official in their supervisory chain within fifteen (15) calendar days of receiving the notice of denial of reasonable accommodation. The employee should also inform the Director of the servicing HRSC of the filing of a grievance.

#### 18. Custody of Records.

a. The servicing HRSC, as applicable, will be the official custodian of the GSA official reasonable accommodation file. As soon as the process is completed, *e.g.*, after the DM's final decision if reconsideration is not sought or after the reconsideration decision is issued if reconsideration is requested, the GSA official in possession of the reasonable accommodation request file will submit the entire record, including copies of the request, the decision containing the identity of the DM, and the supporting documentation to the LRAC. All records will be maintained in accordance with the Privacy Act, and [CIO 1820.2, GSA Records Management Program](#).

b. If an employee goes to another office within GSA (*e.g.*, as a result of a reassignment, detail, or promotion), a copy of the reasonable accommodation file is to be forwarded to the LRAC in the new servicing HRSC. See Chapter 2, Section 7(d) of these procedures for confidentiality and restricted disclosure requirements.

19. Forwarding Reporting Information. Within five (5) calendar days of the issuance of the initial or reconsideration final decision, the completed reasonable accommodation documentation should be forwarded to the LRAC to maintain a case file with the original documents to include the applicable forms for at least three years. Like the reasonable accommodation request file, these copies are subject to confidentiality and restricted disclosure requirements found in Chapter 2, Section 7(d) of this Order. No supporting medical documentation should be maintained by the DM.

#### 20. Annual Data.

a. An annual report will be prepared by OHRM, containing the following aggregate information:

(1) The number of reasonable accommodations requested by type in the application process, and whether those requests were granted or denied;

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

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

(4) The number of reasonable accommodations, by type, for each job that have been approved, and the number of accommodations, by type, that have been denied;

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

(6) The reasons for denial of requests for reasonable accommodation;

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

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

b. This report will provide a qualitative assessment of GSA's reasonable accommodation program, including any recommendations for improvement of GSA's reasonable accommodation policies and procedures.

## Appendix A. GSA Form 3676

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### REQUEST FOR REASONABLE ACCOMMODATION

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#### INFORMATION ON REQUESTOR

NAME	OCCUPATIONAL SERIES, GRADE LEVEL	OFFICE <i>(include correspondence symbol)</i>	
TELEPHONE NUMBER	FAX NUMBER	E-MAIL ADDRESS	

#### REQUEST

DATE	NEED <i>(Check one)</i> <input type="checkbox"/> APPLICATION PROCESS <input type="checkbox"/> PERFORMING JOB FUNCTIONS OR ACCESSING WORK ENVIRONMENT <input type="checkbox"/> ACCESSING A BENEFIT OR PRIVILEGE <i>(e.g., attending a training program or                  social event)</i> <input type="checkbox"/> PERSONAL ASSISTANCE SERVICES
TYPE(S) <i>(e.g., adaptive equipment, staff assistant, removal of architectural barrier)</i>	

REASON(S) *(if accommodation is time sensitive, please explain)*

SIGNATURE OF REQUESTOR	DATE
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## Appendix B. [GSA3677-20.pdf](#)

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### REVIEW OF REASONABLE ACCOMMODATION REQUEST

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Type or print all applicable entries. Attach decision letter to this form. Sign and date. Provide requestor with a copy of the complete package.

NAME OF REQUESTOR	TYPE(S) OF ACCOMMODATION REQUESTED	DATE OF REQUEST
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**DECISION**  
*(Check one and provide date)*

APPROVED    DATE: \_\_\_\_\_    |     DENIED    DATE: \_\_\_\_\_

Specify the type(s) of accommodations approved or denied:

---

If Denied was checked, choose one of the following reasons:

---

If Requestor rejected an offer of an alternative accommodation, explain the reason for the denial of the original requested accommodation and how the offered alternative accommodation would be effective.

---

#### INSTRUCTIONS FOR RECONSIDERATION OF DECISION

If an individual wishes to request reconsideration of this decision, take the following steps:

- Ask the decision maker to reconsider denial. Additional information may be presented to support this request.
- If the decision maker was the individual's supervisor, the individual can ask a higher level manager in the chain of command to review the decision.
- If the decision is not overturned, the individual may file an Equal Employment Opportunity (EEO) complaint, or pursue Merit System Protection Board (MSPB) or union grievance (collective bargaining claim) procedures.

To do this, take the following steps:

- For an EEO complaint pursuant to the Code of Federal Regulations as defined in 29 C.F.R. Part 1614, contact GSA's EEO Office within 45 calendar days from the date of the decision.
- For a collective bargaining claim, file a written grievance according to the provisions of the Collective Bargaining Agreement.
- For a MSPB appeal submit the request within 30 days of an appealable adverse action as defined in 5 C.F.R. Part 1201.3.

SIGNATURE OF DECISION MAKER	NAME OF DECISION MAKER	DATE
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**GENERAL SERVICES ADMINISTRATION**

**GSA 3677 (REV. 11/2020)**

## Appendix C. Sample Final Decision Letter

Date:

MEMORANDUM FOR: Requester's Name  
[Employee Position Title]  
[Organization and Office Symbol]

FROM: [Supervisor Name]  
[Supervisor Position Title]  
[Supervisor Organization & Office Symbol]

RE: Final Decision on Request for Reasonable Accommodation

Dear :

This letter is my final decision on your request for reasonable accommodation pursuant to Section 501 of the Rehabilitation Act of 1973, as amended, date and received on \_\_\_\_\_.

In your request, you asked that the General Services Administration (GSA) provide you with (describe the requested accommodation) because of your (explain the disability and any other relevant information regarding the request.)

In response to your request, GSA (Describe in detail what you and others, if any, did in response to the request, and include any information on delays/extensions, etc.)

(Provided below is a sample)

On (date), I met with you to discuss the specific facts and circumstances surrounding your request. I concluded that medical documentation was needed to support your request and contacted the Office of Human Resources to coordinate the medical documentation. On (date), the Office of Human Resources received the medical documentation.

**INSTRUCTION:** Insert here any sources of technical assistance, if any, consulted in trying to identify possible reasonable accommodations (examples, GSA Center for Information Technology Access (CITA), Job Accommodation Network, Federal IT Accessibility Initiative at web site [www.section508.gov](http://www.section508.gov), etc.)

After considering your request and relevant information, I have decided to (grant/deny/grant with modifications) your request. (Explain further, if request denied or granted with modifications, the specific details of the facts and rationale behind that decision, for example, why accommodation would be ineffective or why it would result in undue hardship.)

If you are dissatisfied with this final decision, you may request reconsideration of my decision within seven (7) calendar days from receipt of this letter from (If employee, the request is made to next higher level management official/supervisor). If applicant, the request is made to the Director of the HRSC, or his or her designee within seven (7) calendar days from receipt.)

If you have additional information to support your request, you should submit it with your request for reconsideration.

If you have any questions regarding the reasonable accommodation process, you may contact [LRAC information].

Sincerely,

Decision Maker

## Appendix D. Reasonable Accommodation Resources

1. General Services Administration (GSA), Office of Administrative Services (OAS), Center for Information Technology Access (CITA). CITA is a resource that provides assistive technology expertise to eliminate information access barriers for persons with disabilities or impairments. A credentialed Assistive Technology Professional and Rehabilitation Engineering Technologist is available to provide expertise to employees, supervisors, and other stakeholders in the reasonable accommodation process.

For guidance with regard to making electronic and information technology (IT) accessible to individuals with disabilities (Section 508 of the Rehabilitation Act of 1973), visit the Federal IT Accessibility Initiative website at [www.section508.gov](http://www.section508.gov).

2. GSA Schedules. GSA has established schedule contracts that include commercially available assistive products and services (e.g., Language Services, provides sign language and braille translation services). Go to the GSA Advantage! web site at [www.gsaadvantage.gov](http://www.gsaadvantage.gov) and select “e-Library” for the schedule listings, descriptions of the products and services available, and award information.

3. Job Accommodation Network (JAN). The JAN is a service funded by the U.S. Department of Labor Office of Disability Employment Policy (ODEP) providing expert, and confidential guidance on workplace accommodations and disability employment issues affecting employment of people with disabilities. JAN can provide free information about many types of reasonable accommodations. Call 1-800-526-7234 (Voice/TT), or visit the web site at [www.askjan.org](http://www.askjan.org).

4. ADA National Network Centers. The ADA National Networks centers consist of ten 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 ADA National Networks can make referrals to local sources of expertise in reasonable accommodations. Call 1-800-949-4232 (Voice/TT), or visit the web page at [www.adata.org](http://www.adata.org).

5. Registry of Interpreters for the Deaf. Call (301) 608-0050 (Voice/TT), or visit the web page at [www.rid.org](http://www.rid.org).

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

a. Information and referral centers to help determine what devices may assist a person with a disability (including access to large databases containing information on thousands of commercially- available assistive technology products);

b. Centers where individuals can try out devices and equipment; or

c. Assistance in obtaining funding for and repairing devices, and equipment exchange or recycling programs. Call (703) 524-6686 (Voice), or (703) 524-6639 (TT), or visit the web page at [www.resna.org](http://www.resna.org).

7. U. S. Equal Employment Opportunity Commission (EEOC). The EEOC provides resource information and policy guidance for processing reasonable accommodation requests and frequently asked questions which are available through the Internet at web site <http://www.eeoc.gov>, or by calling 1-800-669-3362 (Voice) or 1-800-800-3302 (TT). Some relevant guidance and documents include:

- Enforcement Guidance: Pre-employment Disability-Related Questions and Medical Examinations;

- Enforcement Guidance: Workers' Compensation and the ADA;

- Enforcement Guidance: The Americans with Disabilities Act and Psychiatric Disabilities;

- Fact Sheet on the Family and Medical Leave Act, the Americans with Disabilities Act, and Title VII of the Civil Rights Act;

- Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees Under the Americans with Disabilities Act; and

- Enforcement Guidance: Reasonable Accommodation and Undue Hardship for Americans with Disabilities (ADA).



## Appendix E. Definitions

- a. Applicant. Someone who is applying for a job with GSA.
- b. Assistive Technology. An item, piece of equipment, or system that is commonly used to increase, maintain, or improve the functional capability of individuals with disabilities. Assistive technology includes but is not limited to ergonomic keyboards, screen-enlarging software, voice dictation software, screen readers, etc.
- c. Day. Calendar day, unless otherwise specified.
- d. Decision Maker (DM). The GSA official who grants or denies the request for reasonable accommodation. In GSA, there are two DMs who can process a request from an employee. The first level supervisor in the employee's immediate supervisory chain will render a decision on a reasonable accommodation request, except in the event of an extended absence of the first level supervisor; in that event, the second level supervisor shall be the DM. For applicants, the DM is the Director of the servicing Human Resources Services Center (HRSC).
- e. Direct Threat. A significant risk of substantial harm to the health or safety of the individual with a disability or others that cannot be eliminated or reduced by reasonable accommodation(s).
- f. Essential Functions. Those job duties that are so fundamental to the position that:
  - (1) The individual holds or desires that he/she cannot do the job without performing them.
  - (2) The function can be "essential" if, among other factors:
    - (a) The position exists specifically to perform that function,
    - (b) There are a limited number of other employees who could perform the function, or
    - (c) The function is specialized and the individual is hired because of his/her ability to perform that function.
  - (3) Determining the essential functions of a position will be done on a case-by-case basis by the supervisor or manager in consultation with OHRM to reflect the job as it is actually performed, and will not solely rely on what is stated in a generic job description.
- g. Extenuating Circumstances. Factors beyond GSA's control which hinder its ability to provide a reasonable accommodation within the required thirty (30) calendar day time frame outlined in this order. Examples of extenuating circumstances include,

but are not limited to:

- (1) Awaiting requested medical information from the requester's health care provider;
- (2) Delays encountered when ordering equipment that may be backordered, the vendor normally used has gone out of business; or
- (3) There are unexpected delays by the vendor.

The extended absence of the DM or other situations within GSA's control are not considered to be extenuating circumstances and should not delay the processing of a request except as specifically described in this policy.

h. Individual with a Disability. An individual who:

- (1) Has a physical or mental impairment that substantially limits one or more major life activities,
- (2) Has a record of such impairment,
- (3) Is regarded as having such impairment.

i. Interactive Process. The process by which the requester seeks a reasonable accommodation, supervisors, managers, and the reasonable accommodation coordinators talk to each other about the request and related issues, including potential alternative accommodations and timeframes for providing an accommodation.

j. Local Reasonable Accommodation Coordinators (LRAC). A designated local primary/alternate Human Resources (HR) specialist in the servicing HRSC, either on a full-time or collateral-duty basis, with the appropriate knowledge, skills and abilities responsible for providing advice, and assistance to employees, DMs, and other agency officials on processing reasonable accommodation requests.

k. Major Life Activities. Major life activities include, but are not limited to, such activities as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working. Major life activities also include the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, and reproductive functions. The operation of a major bodily function includes the operation of an individual's organ within a body system. In determining other examples of a major life activities, the term "major" shall not be interpreted strictly to create a demanding standard for disability. Whether an activity is a "major life activity" is not determined by reference to whether it is of central importance to daily life. Generally, a major life activity is something of fundamental significance to people in the general

population, and not simply an activity important to a particular individual.

l. Medical Review Officer (MRO). Medical professional(s) acting on behalf of GSA to review medical documentation, or to conduct a medical examination when necessary, and to render a medical opinion as it relates to requests for reasonable accommodation. LRAC/NRAC determines if a MRO will be necessary on a case by case basis, and may do so only with the express permission of the reasonable accommodation requester.

m. Mitigating Measures. Any medications, medical supplies, equipment or appliances, auxiliary aids or services, learned behavioral or adaptive modifications, and assistive devices or technology that an individual uses to eliminate or reduce the effects of impairment. The ameliorative effects of ordinary eyeglasses or contacts intended to fully correct the vision of an employee or applicant for employment shall be considered. In addition, when assessing whether an individual's impairment substantially limits a major life activity, the non-ameliorative effects of mitigating measures, such as negative side effects of medication or burdens associated with following a particular treatment regimen may be considered.

n. National Reasonable Accommodation Coordinator (NRAC). A designated national level program manager and subject matter expert in OHRM with oversight and compliance responsibility for GSA's reasonable accommodation program.

o. Personal Assistance Service Provider (PASP). An employee or independent contractor whose primary job functions include provision of personal assistance services (PAS).

p. Personal Assistance Services (PAS). Assistance with performing activities of daily living that an individual would typically perform if he or she 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

q. Physical or Mental Impairment. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin, and endocrine, or any mental or psychological disorder such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities. This includes an impairment that is episodic in nature or in remission if it would substantially limit a major life activity when active, such as cancer or epilepsy. The impairment does not need to prevent, or severely or significantly restrict a major life activity to be considered "substantially limiting".

r. Qualified Individual with a Disability. An individual with a disability is *qualified* if:

(1) He/she satisfies the requisite skill, experience, education, and other job-related requirements of the employment position such individual holds or desires; and

(2) He/she can perform the essential functions of the position, with or without reasonable accommodation.

s. Reasonable Accommodation. Reasonable accommodation is:

(1) Modification or adjustment to the job application process that enables a qualified applicant with a disability to be considered for the position such qualified applicant desires; or

(2) Modification or adjustment to the work environment, or the manner or circumstances under which the position held or desired is customarily performed, that enables a qualified individual with a disability to perform the essential functions of the position; or

(3) Modification or adjustment that enables a covered entity's employee with a disability to enjoy equal employment benefits and privileges of employment as are enjoyed by its other similarly situated employees without disabilities.

t. Reassignment. Reassignment is a form of reasonable accommodation that is considered as a last resort for an employee (not applicant) who, because of disability, can no longer perform the essential function of his/her position, with or without reasonable accommodation. A reassignment is made only to a funded vacant position when the employee meets the qualification requirements for the position. If the employee is qualified for the position, he or she will be non-competitively reassigned provided the position has no higher promotion potential than his or her current position. The provisions of GSA's merit promotion plan will apply if the vacant position being considered as a reasonable accommodation has higher promotion potential.

u. Reconsideration Official. The appropriate official, typically the next level of supervision above the DM, or his/her designee, who will receive the request for reconsideration of a final decision and will respond to the request in accordance with the procedures established herein.

v. Record of Disability. An individual has a "record of disability" if he/she does not currently have a substantially limiting impairment but had one in the past, or was once misclassified as having a substantially limiting impairment.

w. Regarded as Disabled. An individual is "regarded as disabled" if the individual has been subjected to an action prohibited by the ADA (e.g. failure to hire, termination, or demotion) for an actual or perceived physical or mental impairment that is not both transitory and minor, regardless of whether or not the impairment substantially limits or is perceived to substantially limit a major life activity. GSA is not obligated to accommodate an individual who meets the definition of regarded as disabled solely on

the basis that he or she is perceived to have a disability.

x. Requester. A qualified employee or applicant including a representative acting on the employee's or applicant's behalf, who requests reasonable accommodation.

y. Substantially Limits. The inability of an individual to perform a major life activity that most people in the general population can perform; or being significantly restricted as to the condition, manner or duration under which an individual can perform a particular major life activity as compared to the condition, manner or duration under which most people in the general population can perform that same major life activity. However, to be substantially limited consistent with EEOC regulations found at 29 C.F.R., part 1630, the term substantially limits shall be construed broadly in favor of expansive coverage.

z. Targeted Disabilities. A disability that is designated as a "targeted disability or health condition" on the [Office of Personnel Management's Standard Form 256](#).

aa. Transitory and Minor. An impairment that lasts or is expected to last six months or less, but is not minor; or an impairment that is minor, but is expected to last six months or more will be entitled to reasonable accommodation.

bb. Undue Hardship. An undue hardship is an action requiring significant difficulty or expense. If a specific type of reasonable accommodation causes significant difficulty or expense to the agency, GSA is not required to provide that particular accommodation. Determination of undue hardship is made on a case-by-case basis, considering factors that include but are not limited to, the nature and net cost of the accommodation needed, financial resources, size, and the impact of the accommodation on the overall operations of the agency.