



Reasonable Accommodation, An Interactive Process

Handbook EL-307

Transmittal Letter

- A. Introduction.** Handbook EL-307, *Reasonable Accommodation, An Interactive Process*, is a critical tool for meeting our legal and regulatory responsibilities by providing managers and supervisors with procedures, guidance, and instructions on matters of reasonable accommodation that involve applicants and employees with disabilities.
- B. Explanation.** This issue of Handbook EL-307, *Reasonable Accommodation, An Interactive Process*, contains revisions which ensure that the Postal Service's guidance on reasonable accommodation is compliant with the Americans with Disabilities Act Amendments Act of 2008 (ADAAA), as well as policy set forth in Management Instruction EL-670-2013-6, *Providing Communication Accommodations to Employees and Applicants Who are Deaf or Hard of Hearing*.
- C. Distribution.** This handbook is available electronically on the Postal Service PolicyNet Web site at <http://blue.usps.gov/cpim> and on the Internet Web site at www.usps.com.
- D. Comments.** Submit questions and comments about the content of this document to:
- NATIONAL EEO COMPLIANCE AND APPEALS
LABOR RELATIONS
US POSTAL SERVICE
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WASHINGTON DC 20260-4101
- E. Cancellations.** All previous issues of Handbook EL-307 are obsolete.
- F. Effective Date.** This handbook is effective .

A handwritten signature in black ink, appearing to read "Doug A. Tulino".

Doug A. Tulino
Vice President
Labor Relations

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Exhibits

Exhibit 2-1

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PS Form 6710, *Communication Accommodation Request Form*, is available on the Postal Service PolicyNet website.

□ Go to <http://blue.usps.gov>.

□ In the left-hand column under "Essential Links," click on *PolicyNet*.

□ Click *Forms*.

The direct URL for the Postal Service PolicyNet website is <http://blue.usps.gov/cpim>.

Exhibit 2-2

Confirmation of Request for Reasonable Accommodation

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Exhibit 2-3

Reasonable Accommodation Decision Guide

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Exhibit 2-4

Essential Functions Review Worksheet

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Exhibit 2-5

Sample Reasonable Accommodation Denial Letter

Exhibit 3-1

Accommodation Options for Testing Individuals Who Are Deaf or Hard of Hearing

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Exhibit 4-1

PS Form 3666, *Certification for Postal Service Employment of Individuals with Severe Disabilities*,

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is available on the Postal Service PolicyNet website.

□ Go to <http://blue.usps.gov>.

□ In the left-hand column under "Essential Links," click on *PolicyNet*.

□ Click *Forms*.

The direct URL for the Postal Service PolicyNet website is <http://blue.usps.gov/cpim>.

1 Introduction to Reasonable Accommodation

11 Policy

Postal Service™ policy provides procedures, guidance, and instructions on matters of reasonable accommodation that involve applicants and employees with disabilities in order to assist managers and supervisors in meeting our legal and regulatory responsibilities in the day-to-day decision-making process.

12 Purpose

This handbook establishes procedures that enable Postal Service managers and supervisors to make sound decisions regarding reasonable accommodation for qualified individuals with disabilities during the following:

- a. The processes of recruitment, examination, or hiring; and
- b. The course of their employment, including requests for accommodation to perform a current job or for placement in other jobs.

13 Applicable Laws

131 The Rehabilitation Act

The Rehabilitation Act of 1973, as amended, does the following:

- Prohibits discrimination, based on a disability, against qualified employees and job applicants in the federal government, including the United States Postal Service.
- Imposes an obligation on the Postal Service to find reasonable ways to accommodate qualified individuals with disabilities.
- Requires the Postal Service to consider ways to change the manner of doing a job to allow a qualified person with a disability to perform the essential functions of a particular job, to be considered for a position he or she desires, or to enjoy equal benefits and privileges of employment as employees without disabilities enjoy.

The Americans with Disabilities Act Amendments Act (ADAAA) of 2008

amended the Rehabilitation Act so that it conforms to the ADAAA changes.

132 **The Americans With Disabilities Act**

The Americans with Disabilities Act of 1990, as amended (ADA) covers non-federal employers, but the Rehabilitation Act incorporates broadly the ADA's substantive provisions, and applies them to the Federal workforce, including Postal Service employees and applicants.

133 **The Genetic Information Nondiscrimination Act of 2008 (GINA)**

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits the following:

- a. Discrimination against employees or applicants because of genetic information.
- b. Employers from requesting and disclosing genetic information about their employees except as specifically allowed by this law.

"Genetic information" means information about the following:

- a. Genetic tests.
- b. The genetic tests of family members.
- c. Family medical history, which means the manifestation of a disease or disorder in family members.
- d. Request for or receipt of genetic services.
- e. Participation or family member's participation in clinical research that includes genetic services.
- f. Genetic information of a fetus carried by the individual or a family member or an embryo lawfully held by the individual or a family member receiving assistive reproductive services.

14 **Individuals Eligible for Protection Under the Rehabilitation Act**

141 **Overview**

The Rehabilitation Act protects four categories of people. An individual must be qualified to perform the job and show that he or she fits into one of the following four categories:

- .. A person with a disability.
- .. A person with a record of a disability.
- .. A person associated with a person with a disability.
- .. A person regarded as having a disability.

In addition, the Rehabilitation Act protects all individuals from the following:

- Improper medical inquiries.
- Improper disclosure of medical information.

142 **Determining Who Is a Person With a Disability**

142.1 **Overview**

To determine whether an individual is a person with a disability, two questions must be answered:

- „ Does the person have a physical or mental impairment?
- „ If so, does that physical or mental impairment substantially limit a major life activity?

142.2 **Defining Physical and Mental Impairments**

A physical impairment can include:

- „ Any physiological disorder or condition.
- „ Cosmetic disfigurement.
- „ Anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory, circulatory, cardiovascular, reproductive, digestive, genito-urinary, hemic, lymphatic, skin, immune, and endocrine.

Mental impairments include the following:

- Any mental or psychological disorder, such as an intellectual disability or organic brain syndrome.
- Emotional or mental illness.
- Specific learning disabilities.

Physical and mental impairments do not include the following:

- Normal physical characteristics, such as being overweight but not obese.
- Personality traits within the range of normal, such as poor judgment or a quick temper.
- Other conditions, such as normal pregnancy, that are not the result of a physiological disorder.

142.3 **Defining Major Life Activities**

Major life activities include, but are not limited to, functions such as hearing, seeing, walking, speaking, caring for oneself, performing manual tasks, breathing, eating, sleeping, standing, reading, working, lifting and communicating. Also included is the operation of a major bodily function such as:

- The operation of an individual organ within a body system.
- The operation of a major bodily function such as, but not limited to, functions of the immune, digestive, neurological, circulatory, lymphatic and musculoskeletal systems; and normal cell growth.

There are often times when it is easily determined that an impairment substantially limits a major life activity and is a disability. Examples of these "predictable assessments", identified in 29 CFR 1630.2(j)(3)(iii), include, but are not limited to, the following:

- Deafness, which substantially limits hearing;
 - Blindness, which substantially limits seeing;
 - Autism, which substantially limits brain function;
 - Diabetes, which substantially limits endocrine function; and
 - Epilepsy, which substantially limits neurological function.
-

Where individuals claim that they are limited in the major life activity of working, they must show that their impairment substantially limits their ability to perform either a class of jobs, or a broad range of jobs in various classes, as compared to most people with comparable training, skills, and abilities. Generally, an individual does not meet this requirement by demonstrating a substantial limitation in performing the unique aspects of a specific job for a particular employer.

142.4 Defining “Substantially Limits” Criteria

The “substantially limits” criteria is not a demanding standard. An impairment need not prevent, or significantly or severely restrict, an individual from performing a major life activity. Determining whether an impairment substantially limits a major life activity requires an individualized assessment; in most cases, this does not demand extensive analysis. Other factors to consider in evaluating “substantially limits” include the following:

- ☐ An impairment is a disability if it substantially limits an individual's ability to perform a major life activity, as compared to most people in the general population.
- ☐ Usually, the substantially limits assessment will not require scientific, medical, or statistical analysis.
- ☐ The substantially limits assessment must be made:
 - Without considering the ameliorative effects of mitigating measures (with the exception of ordinary eyeglasses or contact lenses).
 - By considering the non-ameliorative effects of mitigating measures, such as the negative side effects of medication or the rigors of a treatment regimen.
- ☐ An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active.
- ☐ An impairment that substantially limits one major life activity need not substantially limit any other in order to be a disability.
- ☐ The effects of an impairment that is temporary can be substantially limiting. The duration of impairment is but one factor to consider in determining whether an impairment is “substantially limiting.” Typically, impairments that last for a short period are not substantially limiting, but this is not a fixed rule and an individual assessment and determination is necessary always. For example, limitations of short duration can be substantially limiting if the limitation is severe.
- ☐ Not all impairments will be substantially limiting. Consequently, when there is a doubt about the existence of a substantial limitation, it is appropriate to consider the following when comparing an individual's performance of a major life activity to the performance of the same activity by most people in the general population:
 - Scientific, medical, or statistical evidence.
 - The conditions under which the individual performs the major life activity.

- The manner in which the individual performs the major life activity.
- The time it takes the individual to perform the major life activity.

In considering condition, manner, or duration, you must consider the following factors:

- The difficulty, effort, or time required to perform a major life activity.
- Pain experienced.
- The length of time an individual can perform the major life activity.
- The way an impairment affects the operation of a major bodily function.

143 **Determining Who Is an Individual With a Record of a Disability**

An individual has a record of a disability if the individual has a history of, or has been misclassified as, having a mental or physical impairment that substantially limits a major life activity as compared to most people in the general population. The Postal Service will construe broadly, and without extensive analysis, whether an individual has a record of a disability. Examples of individuals with a record of a disability may include the following:

- „ A person who suffered from cancer ten years ago but is now deemed cancer-free.
- „ A recovering drug addict with a record of addiction.
- „ A person misdiagnosed with a mental illness and erroneously classified as having a learning disability.

144 **Determining Who Is an Individual Associated With a Person With a Disability**

The law prohibits discrimination against individuals who are associated with or take care of a person with a disability. The Postal Service may not refuse

to hire a person simply because he or she must take care of a spouse or family member who has a disability. However, the law does not require employers to provide a reasonable accommodation to an individual due to that person's need to provide care for a spouse or family member who has a disability, is receiving medical treatment, or both.

145 **Determining Who Is an Individual Regarded as Having a Disability**

The Rehabilitation Act protects a person who the employer erroneously believes has an impairment that substantially limits a major life activity. For example, an applicant for a letter carrier job who has a limp may be regarded as having a disability if the hiring official concludes without any inquiry that the applicant could not walk a full route. In this case, the applicant may be erroneously regarded as having a disability because there is no individualized basis or medical support for concluding that the applicant cannot perform the major life activity of walking.

An employee may also be regarded as having a disability if the employer believes the employee has an impairment that the employee does not have at all. For example, an employee who is infected with HIV (a treatable virus that is not spread by casual contact, through the air, or from food, water, or other objects) is believed to have AIDS.

146 **Determining Who Is a Qualified Individual With a Disability**

To be protected under the Rehabilitation Act, an individual must also be "qualified" for the job. "Qualified" means that the individual must be able to perform the essential functions of a job safely, with reasonable accommodation if necessary, just like any other employee.

Note: An employee or applicant may not be "qualified" even though he or she can perform the essential functions of a job with or without a reasonable accommodation because he or she may be unable to meet certain "qualification standards" for a job, like having a valid driver's license, passing a test, or meeting certain educational requirements. An employer may deny a job to an individual with a disability based on the failure to meet "qualification standards" just like anyone else, if those standards are job-related and necessary.

147 **Determining Direct Threat**

An individual is not "qualified" for the position if his or her performance in the job would result in a direct threat. "Direct threat" means a significant risk of substantial harm to the health or safety of the individual or others that a reasonable accommodation cannot eliminate or reduce to an acceptable degree. The risk of harm must be more than just speculative or hypothetical. There must be a high probability of verifiable, substantial harm.

To this end, objective, factual, medical or scientific evidence must support a determination that a person poses a direct threat. The determination of whether an employee poses a direct threat must be based on an individualized assessment of that person's actual ability to perform safely the essential functions of the job in light of the following factors:

- „ The nature and severity of the potential harm.
- „ The duration of the risk.
- „ The likelihood that the potential harm will occur.
- „ The imminence of the potential harm.

In assessing the degree of risk, consider the following:

- „ Input from the applicant or employee.
- „ The applicant or employee's experience in similar prior jobs.
- „ The opinions of medical experts, rehabilitation counselors, and physical therapists.
- „ The opinions of engineering or other job specialists, when needed.
- The use or non-use of mitigating measures, and any consequences of such use (for example, medication that causes fatigue and blurred vision).

In determining whether the individual poses a direct threat, the Postal Service must also consider whether there is a reasonable accommodation that would reduce the risk to an acceptable level.

148 **Determining the Essential Functions of a Job**

The essential functions of a job are those functions that define the job. In other words, the job exists to perform those tasks. The essential functions of a job are not the marginal or infrequently performed tasks that the Postal Service could eliminate without altering the fundamental nature of the job. See 223 for the items you must consider in defining the essential functions of the job.

15 Requirements to Provide Reasonable Accommodation

151 **Goal**

The goal of reasonable accommodation is to enable qualified individuals with disabilities to:

- Perform the essential functions of the job.
- Enjoy equal benefits and privileges of employment as employees without disabilities enjoy.

152 **Determining What Is Reasonable**

A reasonable accommodation is one that would be practicable for employers in general in removing workplace barriers for individuals with disabilities who are qualified.

An accommodation is not reasonable when it does any of the following:

- Requires the elimination of legitimate selection criteria.
- Lowers standards of performance or production.
- Creates a job where none exists.
- Violates the seniority provisions of a collective bargaining agreement (absent special circumstances, see 226.4),
- Reallocates or eliminates essential job functions.
- Otherwise substantially changes the fundamental nature of the job. (See Chapter 2 for detailed information.)

153 Determining What Is Undue Hardship

153.1 Overview The law does not require the Postal Service to provide an accommodation, even one that the law deemed generally reasonable if it would impose a specific undue hardship on Postal Service operations.

153.2 Example of Undue Hardship: Expense

The law does not require accommodations that are unduly costly and require expenditure of significant sums of money. Factors establishing hardship based on cost are:

- „ Nature and cost of accommodation.
- „ Overall financial resources of the facility or organization.
- „ Number of employees.
- „ Effect on expenses and resources.

153.3 Example of Undue Hardship: Fundamental Alteration of the Nature or Operation of the Business

Generally, the law does not require accommodations that would change the fundamental nature of business operations. Factors to consider in establishing undue hardship based on fundamental alteration are:

- „ Type of operations conducted.
- „ Composition, structure, and functions of the workplace.
- „ Geographic separateness and administrative or fiscal relationship of the facility in question to the employer.

Impacts of the accommodation upon the fundamental alteration of the operation of the facility are:

- „ The ability of other employees to perform their duties.
- „ The facility's ability to conduct business.

16 Other Laws

161 **Multiple Protections**

Although an individual may not qualify for reasonable accommodation under the Rehabilitation Act, he or she could still be entitled to the benefits of other laws, rules, or regulations. For example, the Rehabilitation Act may or may not cover a pregnant employee, but the Family and Medical Leave Act (FMLA) may entitle her to leave protection, and Title VII of the Civil Rights Act of 1964, as amended, protects her from pregnancy-based discrimination.

Similarly, there may be times when the Rehabilitation Act and other laws, rules, or regulations simultaneously cover an employee. Both the Rehabilitation Act and the Federal Employees' Compensation Act (FECA) may protect an employee who sustains an on-the-job injury that results in the substantial limitation of a major life activity. Persons injured on duty have the same rights to pursue promotional and advancement opportunities as other employees. In addition, the Rehabilitation Act may cover an employee with a serious health condition covered by FMLA if the condition substantially limits a major life activity. An employee's circumstances may meet the criteria for one or more of these three statutes.

162 **Confidentiality**

In accordance with the Rehabilitation Act, the Privacy Act, and Postal Service policy, employees' medical records are to be treated as confidential information (see Management Instruction EL-860-98-2, *Employee Medical Records*). The Privacy Act and the Rehabilitation Act specifically prohibit disclosure of medical information except in certain limited situations. For example, when specific information is needed in order to provide a requested accommodation, responsible officials may give or receive access to the records needed to make that determination. However, except for managers and supervisors with a legitimate need to know, the law generally prohibits an employer from disclosing that an employee is receiving a reasonable accommodation because that usually amounts to a disclosure that the individual has a disability.

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2 The Reasonable Accommodation Process

21 Questions About Reasonable Accommodation

211 Overview

Qualified individuals with disabilities may require reasonable accommodation during the application process, during the course of their employment with the Postal Service, or both.

Questions concerning reasonable accommodation can arise in several ways:

- „ When an applicant requests reasonable accommodation in the examination or hiring process.
- „ When the hiring official is making a decision regarding whether an applicant will be able to perform the job with or without reasonable accommodation.
- „ When an employee requests reasonable accommodation to perform his or her current job.
- When an employee requests an accommodation to enable him or her to enjoy equal benefits and privileges of employment as employees without disabilities enjoy.

212 Requesting An Accommodation

The Postal Service activates the reasonable accommodation process whenever the following occurs:

- An employee or applicant, or someone acting on behalf of the employee or applicant, makes an oral or written request for reasonable accommodation.
- A manager or supervisor observes the following:
 - An employee with a known physical or mental disability having difficulty performing the essential functions of his or her job.
 - An employee otherwise experiencing workplace problems because of that disability.
- A manager or supervisor reasonably believes that an employee with a known disability may need an accommodation and the disability prevents the employee from requesting reasonable accommodation.

„ To request a reasonable accommodation, an individual may use plain language and need not mention the Rehabilitation Act or use the phrase “reasonable accommodation.” An employee can make a request for accommodation to any of the following:

- His or her supervisor or manager, or any Postal Service supervisor or manager.
- The manager, Human Resources (District).
- The Reasonable Accommodation Committee (RAC) Chair.

A job applicant may make a request for accommodation to any of the following:

- The examiner.
- The selecting official.
- The manager, Human Resources (District).

Employees who are deaf or hard of hearing and seek a communication accommodation can also make a request for accommodation to the District Disability Coordinator. Requests for accommodation, as well as the type of accommodation requested, will determine how individuals make requests and how the Postal Service processes the requests.

213 **Acting Upon a Reasonable Accommodation Request**

When an accommodation request is received, whether orally or in writing, it must be processed promptly, using the guidance contained in this handbook. (see

24, Time frames for Processing Requests for Reasonable Accommodation). An informal dialogue should be conducted with the requestor to determine exactly:

- „ The accommodation requested.
- „ The reason for the request.
- „ The nature of the impairment.
- The major life activity affected.

„ The essential functions of the position.

„ Whether the need for accommodation is time sensitive.

Alternatively, you may refer the request to your district or area RAC for processing, as appropriate (see Chapter 6, Role of the Reasonable Accommodation Committee).

A request for accommodation must be referred to the RAC when an employee has requested an accommodation or modification of his or her work assignment or job duties based on a medical reason, and when one or more of the following is true:

- „ You are not certain if the impairment qualifies as a disability under the Rehabilitation Act.
- You do not believe the employee is a qualified person with a disability.
- „ You have questions concerning the reasonableness of the accommodation requested and whether it poses an undue hardship.
- You believe that the accommodation may not reduce or eliminate a direct threat of harm to the employee or others.
- You observe that an employee with a known disability is having difficulty performing the essential functions of his or her job due to that disability.
- „ You need help finding a way to accommodate the individual.
- „ You believe the Postal Service should deny the request for accommodation.
- „ You are considering separating the employee for inability to perform the functions of his or her position.

In addition, referral to the RAC is appropriate when an appointing official questions the medical suitability of an applicant.

Note: You do not need to refer all requests for accommodation to a RAC. For example, if an employee requests specialized equipment, such as an ergonomic chair, and local management can provide the equipment expeditiously, there is no need for RAC involvement.

You must document all requests for reasonable accommodation, oral or in writing, for the following reasons:

- Local record keeping.
- To ensure that every request receives a timely decision.

Exhibit 2-2, Confirmation of Request for Reasonable Accommodation; and , Exhibit 2-3, Reasonable Accommodation Decision Guide, should be used for documentation purposes. Requests for communication accommodation from employees who are deaf or hard of hearing should be documented on PS Form 6710, Communication Accommodation Request Form. This form is available on the Postal Service PolicyNet website.

[] Go to <http://blue.usps.gov>.

[] In the left-hand column under "Essential Links," click on *PolicyNet*.

[] Click *Forms*.

The direct URL for the Postal Service PolicyNet website is
<http://blue.usps.gov/cpim>.

You must provide a copy of the received Confirmation of Request for Reasonable Accommodation form or PS Form 6710 to the requesting individual to ensure he or she receives a Privacy Act Statement.¹

Exception: Once an employee requests and the Postal Service grants a type of reasonable accommodation that the employee is likely to need on a repeated basis, then the Postal Service does not require documentation for record-keeping purposes each time the employee needs the accommodation(see 26).

Whenever you activate the reasonable accommodation process, a six-step process is followed to determine whether to provide an accommodation to the applicant or the employee. The steps are as follows:

- „ *Step One:* Determine whether an individual has a disability and meets minimum qualification standards.
- „ *Step Two:* Determine the essential functions of the job.
- „ *Step Three:* Identify the abilities and limitations of the individual.
- „ *Step Four:* Identify potential accommodations.

¹When the Postal Service asks customers, employees, or other individuals to provide information about themselves and that information is maintained in a system of records, the Postal Service must provide these individuals an appropriate privacy notice (See Handbook AS-353, Guide to Privacy, the Freedom of Information Act, and Records Management, 3-2.2, *Privacy Notice*).

- „ *Step Five:* Determine the reasonableness of the accommodations and whether implementation would impose an undue hardship.
- *Step Six:* Select and implement an accommodation from identified reasonable alternatives that can be implemented without an undue hardship.

See 22 for a detailed discussion of each step.

This is an interactive process and may require consultation with a number of different people, including the following:

- The individual.
- Medical and safety personnel.
- Human resources and rehabilitation specialists.
- Supervisors and managers.

The Postal Service does not require the six-step interactive process if it is definitively clear that an individual is not a qualified individual with a disability. For example, an individual with a broken leg that the individual expects to heal in the normal time frame and without additional complications is generally not a qualified individual with a disability (see 142).

22 The Interactive Reasonable Accommodation Process

221 Overview

The six-step interactive reasonable accommodation process is described below. The district, area, or Headquarters RAC can assist with any step or with the entire decision-making process. See 213 for a list of circumstances in which a RAC must be consulted.

The Postal Service encourages informal dialogue with the individual seeking accommodation to obtain relevant information throughout the process that is necessary to make an informed decision.

222 Step One: Determine Whether an Individual Has a Disability and Meets Minimum Qualification Standards

The Postal Service is entitled to know that an employee or applicant has a covered disability that requires a reasonable accommodation. You may not ask for documentation to support the existence of a disability when an applicant's or employee's disability is obvious (such as blindness). If you are unsure whether the employee or applicant has a disability or believe he or she does not have a disability, you must contact the RAC. Questions to consider:

- „ Does the individual have a physical or mental impairment?
- „
- „ Does the impairment substantially limit the performance of a major life activity as compared to the performance of that activity by most people in the general population?
- „ Does the impairment substantially limit the operation of a major bodily function or organ?

Next, consider whether the individual can meet the minimum qualifications for the job at issue. Minimum qualification standards must be related to and necessary for the performance of the job. If you question whether a qualification standard is necessary for the performance of the job, you must contact the RAC for guidance.

Being minimally qualified includes the following:

- Meeting the requisite license, required examination(s), skills, experience, education requirements, and other job-related requirements for the position.
- Being able to perform the essential functions of the position, with or without reasonable accommodations, without posing a direct threat.

The existence of a direct threat is a high standard, so you must refer any questions concerning safety should be referred to the RAC for guidance and assistance.

Note: In addition, an individual with a disability may require accommodation in exams and/or training needed to meet job prerequisites (see Chapter 3).

If you have determined that the individual has a covered disability and is minimally qualified, proceed with steps 2 through 6 to determine whether he or she is able to perform the essential functions of the position, with or without accommodation, and what accommodation, if any, is appropriate. The Postal Service encourages informal dialogue with the individual to obtain relevant information throughout the process and considers it necessary to make an informed decision.

If you believe the individual does not have a covered disability, notify the individual in writing that you are referring his or her request to the RAC for further review or assessment.

Contact the manager, Human Resources (District), or the manager, Disability Programs, at Headquarters when you need help making this determination. Alternatively, the RAC can assist you with this step or the entire decision-making process.

223 **Step Two: Determine the Essential Functions of the Job**

Step 2 in the six-step reasonable accommodation process is to determine

the essential functions of the job. The term "essential functions" is defined as the fundamental job duties of the position the individual with a disability holds or desires; the term excludes marginal functions of the position.

A job function may be considered essential for several reasons, including but not limited to, the following:

- „ The position exists to perform that function.
- „ The limited number of employees available to whom the performance of the job function can be distributed.
- „ The function may be highly specialized so that the incumbent in the position is hired for his or her expertise or ability to perform the particular function.

Evidence of whether a particular function is essential includes, but is not limited to, the following:

- „ The employer's judgment regarding a determination as to which functions are essential.
- „ Written job descriptions.
- „ The amount of time spent performing the function.

- „ The consequences of not requiring the incumbent to perform the function.
- „ The terms of a collective bargaining agreement.
- „ The work experience of past incumbents in the job.
- „ The work experience of current incumbents in a similar job.
- „ Actual duties performed by a person holding the job.

In addition, the relative importance of the specific functions for a particular position may differ according to how management implements the position locally. Variable factors may include tour, operation, mail volume, and the age and configuration of the facility. The essential functions of the job are determined on a case-by-case basis. Do not assume that any two Postal Service jobs are necessarily alike even if the same standard position description applies to both positions.

For example:

- „ A mail handler's actual responsibilities may vary depending on his or her tour and the operation, mail volume, and the age and configuration of the facility.
- „ A postmaster's actual functions in a level 18 Post Office™ will differ from those in a level 20 Post Office.

Position descriptions, qualification standards, job preview videos, and job announcements can assist you to determine the essential functions of a job. However, these materials generally describe the requirements of a job generically. You may need to interact with others and go beyond generic descriptions to ascertain the actual essential functions of a specific job in a specific facility.

The Essential Functions Review Worksheet is an optional tool that may help you to do the following:

- Evaluate essential job functions.
- Identify how employees perform essential functions (e.g., physical requirements, vehicles or equipment used).

When you use the worksheet, be sure to gather all relevant information about the job and its key responsibilities, including the position description and qualification standard or job announcement (see [Exhibit 2-4](#)).

224 **Step Three: Identify the Abilities and Limitations of the Individual**

224.1 **Overview**

The next step in the interactive process is determining the physical and mental abilities and limitations of the employee or job applicant as they relate to the essential functions of the job at issue. The individual is best able to tell you what he or she can and cannot do. Therefore, discuss the job with the individual, including the following:

- The nature of the job.
- The essential functions you expect the individual to perform.
- The usual manner in which an individual performs the essential functions.

224.2 **Gaining the Individual's Participation**

Gaining the individual's participation is a key part of the process — that's what makes it interactive. The following are examples of questions that, as

appropriate, you may modify and use to gain the individual's participation in the reasonable accommodation process:

- „ At the present time, an individual performs the essential functions in this manner. Can you tell us or show us how you can achieve the same results?
- „ This position requires the use of this equipment on a regular basis in this manner. Can you show us how you would use it to complete required tasks?
- „ Historically, an individual has done this job using this sequence and method.
Do you feel you could accomplish the same results in this or in another way?
- „ This is the normal arrangement of the work area. Do you have any suggestions regarding changes or modifications that may enable you to perform the job?

224.3 Documentation

In some cases, you may require further documentation to provide more information about the disability and its effects and job restrictions, and to clarify how the requested accommodation will assist the employee to perform essential functions of the job. When a disability, need for accommodation, or both are not obvious or otherwise already known, you must refer the matter to the RAC for further handling.

224.4 Defining Abilities and Limitations: Job Applicants

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It is never appropriate to ask an applicant if he or she has a disability. However, it is always appropriate to ask an applicant to describe or demonstrate how he or she will be able to perform the essential functions of the job, with or without a reasonable accommodation.

You must refer the applicant to the RAC for an in-depth analysis of the applicant's ability to perform the essential functions of the position if, based upon the applicant's response, you must determine any of the following:

- Restrictions would not permit safe performance of the job.
- The Postal Service cannot provide an accommodation to permit safe performance of the job.
- The appointing official is unsure.

224.5 Defining Abilities and Limitations: Employees

For employees requesting reasonable accommodation, consider medical and other information provided by the employee to determine the following:

- Job-related limitations, and
- How to overcome them.

Ask the employee what he or she thinks is needed to enable him or her to perform the job. Alternatively, districts and areas, as well as Headquarters, have RACs to whom you may refer a decision on accommodating an employee if you are unsure about the requesting employee's abilities and limitations.

225 **Step Four: Identify Potential Accommodations**

Once you have identified essential functions of the job as well as the individual's abilities and limitations, you are in a position to determine the following:

- „ Whether the individual can perform the essential functions of the job without an accommodation, and if not;
- „ Whether you can make reasonable accommodations to enable the individual to perform the essential functions of the job.

Consult with a number of people to identify potential accommodations.

1. Consult with the applicant or employee to determine what he or she needs to enable him or her to perform the job.
2. Consult with operations, safety, or medical personnel, as appropriate, to determine whether the employee's proposed accommodation is feasible and whether the Postal Service can make other accommodations. You may offer alternative suggestions for reasonable accommodations and discuss their effectiveness in removing the workplace barrier that is impeding the individual.
3. If in districts, areas, and Headquarters, consult with RACs to identify potential accommodations.

Consult with people from outside the Postal Service, particularly state agencies and nonprofit organizations dedicated to assisting people with disabilities in the workplace. As an example, the national Job Accommodation Network (JAN) can provide information, free of charge, about all aspects of job accommodation. You may contact them in any of the following ways:

- Via telephone at 800-526-7234 (Voice); 877-781-9403 (TTY).

Online at www.askjan.org

226 **Step Five: Determine the Reasonableness of the Accommodations and Whether Implementation Would Impose an Undue Hardship**

226.1 **Overview**

Once you have identified potential accommodations, it is your responsibility to determine whether the potential accommodations are reasonable and, if so, whether implementing them would impose an undue hardship on the Postal Service. The general test for reasonableness is a commonsense test: Determine whether the accommodation seems reasonable or normal under the circumstances; or in other words, whether employers would be inclined, in general, to provide the accommodation.

226.2 **Altering the Essential Functions of the Job**

Sometimes an accommodation involves a job restructuring or altering the non-essential requirements of a particular job. However, the law does not require the Postal Service to change or alter the essential functions of a job. This is because of the following:

- Only “qualified” individuals are entitled to accommodations under the law.
- By definition, an individual with a disability must be able to perform the essential functions of the job, with or without a reasonable accommodation.

In other words, if an individual asked for an accommodation that excuses the performance of an essential function, the Postal Service should deny such an accommodation, not based on reasonableness, but because the individual requesting it is not qualified.

226.3 **Identifying Undue Hardship**

The law does not require reasonable accommodations that would impose an undue hardship on the Postal Service. Reasonableness focuses on what employers in general might view as an ordinary or normal accommodation. “Undue hardship” focuses on specific impacts on the specific employer from which an individual has requested the accommodation. Undue hardship does not make an accommodation unreasonable. It excuses an employer from providing an accommodation that the employer has deemed generally reasonable due to specific burdens it would place on the specific employer - a significant difficulty or expense in providing the accommodation. If the accommodation involves a job restructuring, job reassignment, or work schedule modification, you must determine whether the proposed accommodation would violate the terms of the applicable collective bargaining agreement; and, if so, consult with your area law office.

Factors, among others, to consider in determining whether an undue financial hardship exists are the following:

- „ The nature and cost of the accommodation.
- „ The overall financial resources of the facility.
- „ The number and composition of the workforce at the facility.
- „ The effect on expenses and resources.

In addition, an accommodation can impose an undue hardship when it alters the fundamental nature of the business or operations. Factors to consider in this context include the following:

- „ Type of operations conducted.
- „ Composition and functions of the workforce.
- „ Geographic separateness and administrative or fiscal relationship of the facility to the Postal Service.
- „ Impact on the operations of the facility, specifically compliance with safety rules and policies.
- „ Impact on other employees' abilities to perform their jobs.
- „ Impact on the facility's capability to conduct business.

There must be a strong fact-based analysis underlying the undue hardship determination. The Postal Service does not accept generalizations or speculation about the effects or costs of accommodations.

226.4 **Determining the Impact on Collective Bargaining Agreements**

The Postal Service may reject an accommodation that would require the Postal Service to violate the terms of a collective bargaining agreement.

If the accommodation involves a job restructuring, job reassignment, or work schedule modification, you must determine whether the proposed accommodation would violate the terms of the applicable collective bargaining agreement and, if so, consult with your area law office.

226.5 **Minimizing Safety Hazards**

Remember, like the requirement that an individual with a disability be able to perform the essential functions of a position, an essential element of being qualified for every position is the performance of the position without posing a direct threat to health or safety of the individual or others. In some situations, the disability of an applicant or an employee may subject the employee, applicant, or others to a direct threat. You must determine whether an accommodation would reduce the risk of harm to an acceptable level. If no accommodation can adequately reduce or eliminate the direct threat, then the employer can deny employment to the job applicant or take other appropriate action concerning the employee because he or she is not qualified. Before concluding that a person poses a direct threat with or without reasonable accommodation, you must verify that you based your conclusion on the following:

- Current, recognized scientific or medical data.
- An individualized assessment of the situation and the individual in question (see [147](#)).

Where you believe that the employee or applicant poses a direct threat with or without an accommodation, you must refer the individual to the RAC before making an employment decision or accommodation decision.

²²⁴ **Step Six: Select and Implement the Accommodation From Identified Reasonable Alternatives That Can Be Implemented Without an Undue Hardship**

You must consider the individual's preferences and the effectiveness of each accommodation and its cost. Select the accommodation most appropriate for both the operation and the individual. The chosen accommodation need not be the best or most expensive, or even the one preferred by the individual. As long as the accommodation is reasonable and enables the individual to perform the essential functions, it is acceptable. The employer makes the ultimate decision as to what accommodations, if any, it will adopt.

Once you select an accommodation, it is important that an appropriate party be responsible for implementing the accommodation. See the following examples:

- If equipment is involved, then the appropriate party must install it properly and train the employee on its proper use.
- If a schedule change or policy modification is involved, then the appropriate managers or supervisors may need to know of the change to carry it out effectively.

In addition, it is important for an individual's manager or supervisor to check that the accommodation is working and to encourage the employee to communicate any issues that may arise with his or her accommodation.

You must do the following once the accommodation is in place:

- Keep the lines of communication open to help ensure that the accommodation remains effective and enable the employee to be a productive part of the workplace.
- Monitor the accommodation in case it becomes effective for any number of reasons such as, the employee's limitations change, workplace equipment changes, the job duties change or the accommodation becomes an undue hardship for the employer.
- Periodically check on the ongoing effectiveness of accommodations and tell employees, who are receiving accommodations, to let their RAC, supervisor, or manager know if there are changes or problems with the accommodation.

23 Accessibility of Facilities

As prescribed by federal law, the Postal Service's policy is to provide accessibility for all individuals with disabilities, employed or to be employed, by making any required alterations to specific buildings where they work. Handbook RE-4, *Standards for Facility Accessibility* contains detailed guidance on facility accessibility for individuals with disabilities.

24 Time Frames for Processing Requests for Reasonable Accommodation

The time needed to process a request depends on the nature of the accommodation needed and whether it is necessary to obtain substantiating information regarding the impairment of the individual, the need for accommodation, or both. You must process requests for accommodation and provide the accommodation as promptly as possible given the facts and circumstances. For example, the RAC must conduct an interactive meeting with the requesting individual within 30 calendar days of receipt of the request.

You must be able to provide the decision as soon as reasonably possible after the conclusion of the interactive process when the following applies:

- The need for accommodation is clear.
- The requested accommodation is simple and straightforward,
- No extenuating circumstances apply.

Unnecessary delay in rendering a decision can result in a violation of the law. Expedited processing may be necessary where:

- „ The reasonable accommodation process is needed to enable an individual to apply for a job. For example, an applicant with a permanent disability resulting from a back injury requests a special chair with back support for a scheduled typing performance test.
- „ The accommodation is needed for a special activity that is scheduled to occur shortly. For example, you select an employee who is deaf or hard of hearing to participate in a focus group and the employee requests an onsite American Sign Language interpreter.
- „ An employee with a known disability has a recurring, predictable need for accommodation. For example you supply large print for an employee whom you have granted this accommodation previously).

When a disability, need for reasonable accommodation, or both are not obvious or otherwise known, an employee or applicant may be required to provide documentation. If you deem this step necessary, you should consult with a RAC. Necessary requests must be made promptly and directed to an appropriate medical professional to do the following:

- Explain the nature of the disability,
- Explain the need for reasonable accommodation, or
- To clarify how the requested accommodation will assist the employee to perform the essential functions of the job.

If request medical information is requested, a decision to adopt or deny the requested accommodation must be made as soon as possible, i.e., after information has been received and evaluated and the request for accommodation has been discussed with the employee, absent extenuating circumstances. When extenuating circumstances exist, you may extend the time for processing a request, as necessary. Notify the individual of the following:

- The reason for the delay.
- The approximate date on which a decision is expected.
- Whether you can take temporary measures to assist him or her.
- Further developments or changes.

Extenuating circumstances are limited situations in which unforeseen or unavoidable events prevent the prompt processing of a request or of providing accommodation. The following are examples of extenuating circumstances:

- „ The purchase of equipment may take a month or longer.

- „ The employee with a disability needs to try working with equipment on a trial basis to ensure that it is effective before the Postal Service buys it.
- „ A medical expert is evaluating medical information provided by the individual.
- Additional medical information is necessary in order to determine whether a disability exists or if an accommodation is feasible, including where appropriate, examination by a specialist.

Keep in mind that the Postal Service has the option to use a trial period if the effectiveness of an accommodation is in doubt. In such cases, the employee is informed:

- The Postal Service will implement the accommodation for a trial period only.
- If it does not work, the RAC will discuss the next step, which could include a different accommodation or denying accommodation.

25 Denying a Requested Accommodation

251 Overview

If your decision is to deny an individual's request for accommodation, go through the following steps:

1. You must refer the request to the RAC.
2. The RAC will review the request and refer the matter to the area Law Department for legal opinion.
3. If the area Law Department agrees with the decision to deny the request, you must notify the individual of the decision in writing as soon as possible.
4. Retain a copy of your written decision. (See 24, as well as Exhibit 2-5, Sample Denial letter.)

The denial must:

- „ Be given in writing and in plain, specific language.
- „ Give the reasons for denial.
- „ Identify the individual or office that made the decision.
- „ Provide the following:
 - Notification of the individual's right to file an equal employment opportunity (EEO) complaint.
 - Notification of any other appeal rights to which the individual may be entitled.
 - Description of procedures available for informal dispute resolution.

You may make this determination only after you have done the following:

- a. Made an individualized assessment of the situation and the individual in question, and
- b. Consulted with your RAC and area Law Department.

252 **Reasons for Denial**

Reasons for the denial of a request for an accommodation may include the following:

- „ Medical documentation or other evidence is inadequate to establish that the individual has a disability because the impairment does not substantially limit any major life activity.
- „ The applicant or employee is not a qualified individual with a disability.
- „ The evidence is inadequate to establish that the individual needs accommodation in order to perform essential job function(s).
- „ The requested accommodation will do the following:
 - Require elimination of essential job functions.
 - Not be effective.
 - Violate seniority provisions of a collective bargaining agreement (see 2264).
 - Result in undue hardship to the Postal Service.

- Not adequately eliminate or minimize the direct threat of harm to an acceptable level.
- Require unsuitable changes to vehicles, vehicle assignments, or automated mail processing machines (see subchapter 55). The deciding official denied the requested accommodation and alternative accommodations the deciding official considered were ineffective.

253 **Informal Dispute Resolution**

The objective of any informal dispute resolution process is to permit quick and thorough reconsideration of a denial.

Individuals with disabilities may appeal the decision that denies their request for reasonable accommodation within 10 business days of the denial. You must inform the individual of his or her right to seek reconsideration from either of the following:

- The next person in your chain of command or
- the Manager, Human Resources (District), as appropriate.

The individual may furnish additional information to support the request. You must review thoroughly such requests for reconsideration and provide a response within 10 business days unless medical review requires additional time. If you do not reverse the denial, you must advise the individual of the following:

- The decision and the basis for it.
- Any other appeal rights, including the right to file an EEO complaint.

26 **Record Keeping**

261 **Completing the Reasonable Accommodation Decision Guide**

Complete the U.S. Postal Service Reasonable Accommodation Decision Guide ([Exhibit 2-3](#)) to document decision making upon activation of the reasonable accommodation process. The form will serve as a guide for decision makers conducting an interactive meeting with an applicant or employee who has requested a reasonable accommodation. The Postal Service does not require this form to document the following:

- .. A recurring job accommodation need for a specific employee.
- .. Job modifications made for persons who have medical restrictions but are not disabled within the meaning of the Rehabilitation Act.
- .. Requests for communication accommodations by employees who are deaf or hard of hearing. The Postal Service handles these requests under a different process. See Management Instruction EL-670-2013-6, *Providing Communication Accommodation to Employees and Applicants*

Who are Deaf or Hard of Hearing.

You must place written documentation in a folder bearing the name of the applicant or employee. This includes the following:

- Request for reasonable accommodation.
- Confirmation of Request for Reasonable Accommodation.
- Essential Functions Worksheet.
- Reasonable Accommodation Decision Guide.
- Memos.
- Notes.
- Medical information provided or relied upon in the decision-making process.
- Other related information.

To finalize the process, forward the entire reasonable accommodation folder to the office responsible for retention of the official Employee Medical Folder (EMF).

262 **Filing the Reasonable Accommodation Folder**

You must retain the reasonable accommodation folder with the EMF for one of the following, whichever is longer:

- As long as the employee is with the Postal Service.
- Until the deciding official adjudicates any appeals.

Upon request, you may provide the file or portions of the file to personnel who require the information and have a need to know for his or her review. See Handbook AS-353, *Guide to Privacy, the Freedom of Information Act, and Records Management*, for more information about the Privacy Act System of Records 100.700 and accounting for disclosures of records protected by the Privacy Act.

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Exhibit 2-2 Confirmation of Request for Reasonable Accommodation

Confirmation of Request for Reasonable Accommodation		
A. Instructions		
<p>Supervisor, manager, examiner, or selecting official: Use this form to document a request for reasonable accommodation from an applicant or employee. In addition, you may ask the applicant or employee to furnish his or her request in writing along with appropriate substantiating documentation, if necessary. Refer to <u>Handbook EL-307, Reasonable Accommodation, An Interactive Process</u>, and complete the <u>Reasonable Accommodation Decision Guide</u> to document decision making related to this request.</p> <p>Applicant: Complete this form and return it to the examination administration office, selecting official, or local manager, Human Resources.</p> <p>Employee: Complete this form and return it to your supervisor, manager, or any other management official whom you reasonably believe has authority to implement a reasonable accommodation.</p>		
B. Identifying Information		
1. Employee or Applicant Name		2. Employee Identification Number (if applicable)
3. Position Title		4. Telephone Number
5. Home Address		6. Office Telephone
7. Facility Name	8. Facility Finance Number	9. Date of request
C. Accommodation Requested		
<p>Instructions: Be as specific as possible, e.g. adaptive equipment, reader, etc.</p>		
D. Reason for Request		
E. Time -sensitive Accommodation (If applicable)		
<p>Explain:</p>		
<p>Privacy Act Statement: Your information will be used to decide reasonable accommodation. Collection is authorized by 39 U.S.C. 401, 410, 1001, 1005, and 1206. Providing the information is voluntary, but if not provided, we may not process your request. We may disclose your information as follows: in relevant legal proceedings; to law enforcement when the U.S. Postal Service (USPS) or requesting agency becomes aware of a violation of law; to a congressional office at your request; to entities or individuals under contract with USPS (service providers); to entities authorized to perform audits; to labor organizations as required by law; to federal, state, local or foreign government agencies regarding personnel matters; to an employee's private treating physician and to medical personnel retained by the USPS to provide medical services in connection with an employee's health or physical condition related to employment; to the Equal Employment Opportunity Commission; and to the Merit Systems Protection Board or Office of Special Counsel. For more information regarding our privacy policies visit www.usps.com/privacypolicy.</p>		

Exhibit 2-3 Reasonable Accommodation Decision Guide

Reasonable Accommodation Decision Guide

A. Instructions

This form is required to document decision-making upon activation of the reasonable accommodation process. It will serve as a guide for conducting an interactive meeting with an employee or applicant who requests reasonable accommodation.

This form is **NOT** required to document the following:

- A recurring job accommodation need for a specific employee.
- Job modifications made for persons who have medical restrictions but are not disabled within the meaning of the Rehabilitation Act.
- Requests for communication accommodations by employees who are deaf or hard of hearing. Instead, use PS Form 6710, *Communication Accommodation Request Form*. (Refer to Handbook EL-307, *Reasonable Accommodation, An Interactive Process*, Chapter 5).

B. Identifying Information

1. Is the request for an employee or applicant? <input type="checkbox"/> Employee <input type="checkbox"/> Applicant		2. Name of Employee or Applicant	
3. Home Address			
4. Home Telephone Number		5. Cellphone Number	
6. Employee's Work Location			
a. Facility Name		b. Facility Telephone Number	
c. Facility Address			
7. Date reasonable accommodation request was received:			
8. Reason for activating the reasonable accommodation process:			
For items 9–15, select all that apply.			
9. <input type="checkbox"/>	Employee requests reasonable accommodation for current job. Current Job Title _____		
10. <input type="checkbox"/>	Employee requests reasonable accommodation for desired job. Desired Job Title _____		
11. <input type="checkbox"/>	Employee with known disability is observed having difficulty performing essential functions because of disability.		
12. <input type="checkbox"/>	Employee or applicant requests reasonable accommodation for a component of selection process (e.g. exam, interview, and training).		
13. <input type="checkbox"/>	Applicant's medical assessment indicates he or she may be a person with a disability.		
14. <input type="checkbox"/>	Employee or applicant requests reasonable accommodation for equal employment opportunities (e.g., removing physical barriers in a break room, testing facility).		
15. <input type="checkbox"/>	Referred By (Attach completed Referral Form)		
	a. Name	b. Date of Referral	
	c. Title		

Whenever the reasonable accommodation process is activated, you must go through the six-step interactive process to determine whether to provide an accommodation to the employee or job applicant. **Conduct the interactive meeting within 30 calendar days from the receipt of the request.**

Accommodation Request (Describe the accommodation request or need. Be as specific as possible.)

Date(s) interactive meeting scheduled or held with individual

List names of all persons present during the interactive meeting(s):

C. Six-Step Interactive Process

Step 1. Determine whether an individual has a disability and meets the minimum qualification standards.

For reasonable accommodation under the Rehabilitation Act, an individual has a disability if he or she has a physical or mental impairment that substantially limits one or more major life activities or a record of such an impairment. The following questions may help determine whether an individual has a disability.

1. Is documentation required to substantiate that the employee or applicant has a disability?

Note: -If impairment is obvious or substantiating documentation is already on file, medical documentation is not required.

☐ Yes (Enter date employee or applicant was informed to provide documentation to support his or her limitations.)

Date:

☐ No (Explain why documentation is not required.)

2. Does the employee or applicant have a physical or mental impairment?

Yes ☐

No ☐

If yes, what is the impairment?

Does the impairment substantially limit a major life activity?

Yes ☐

No ☐

If yes, what major life activity(s), including major bodily functions, are affected? (Select all that apply)

- | | | | |
|--|--|---|--|
| <input type="checkbox"/> Bending | <input type="checkbox"/> Reading | <input type="checkbox"/> Bladder | <input type="checkbox"/> Lymphatic |
| <input type="checkbox"/> Breathing | <input type="checkbox"/> Seeing | <input type="checkbox"/> Bowel | <input type="checkbox"/> Musculoskeletal |
| <input type="checkbox"/> Caring For Self | <input type="checkbox"/> Sitting | <input type="checkbox"/> Brain | <input type="checkbox"/> Neurological |
| <input type="checkbox"/> Concentrating | <input type="checkbox"/> Sleeping | <input type="checkbox"/> Cardiovascular | <input type="checkbox"/> Normal Cell Growth |
| <input type="checkbox"/> Eating | <input type="checkbox"/> Speaking | <input type="checkbox"/> Circulatory | <input type="checkbox"/> Operation of an Organ |
| <input type="checkbox"/> Hearing | <input type="checkbox"/> Standing | <input type="checkbox"/> Digestive | <input type="checkbox"/> Reproductive |
| <input type="checkbox"/> Learning | <input type="checkbox"/> Thinking | <input type="checkbox"/> Endocrine | <input type="checkbox"/> Respiratory |
| <input type="checkbox"/> Lifting | <input type="checkbox"/> Walking | <input type="checkbox"/> Genitourinary | <input type="checkbox"/> Special Sense Organs & Skin |
| <input type="checkbox"/> Reaching | <input type="checkbox"/> Working | <input type="checkbox"/> Hemic | <input type="checkbox"/> Other: (describe) |
| <input type="checkbox"/> Interacting With Others | <input type="checkbox"/> Performing Manual Tasks | <input type="checkbox"/> Immune | |

3. Is the medical condition permanent or temporary?

☐ Permanent

☐ Temporary

If temporary, what is the expected duration?

Note: A temporary illness such as a cold or flu is not a disability. However, a short-term illness or impairment that causes severe limitations. If it is determined that the employee or applicant has a disability, complete Steps 2 through 6 of the interactive process. If employee or applicant does not have a disability, skip to Step 6.

The interactive process is intended to ensure that genuine, open communication takes place between the requester, the requester's supervisor or manager, committee members, and expert resources and that the request receives a full and thorough assessment. Communication should include the following: clarifying the request, obtaining and exchanging information regarding accommodation needs, exploring possible accommodations, and discussing effective alternatives.

Step 2. Determine the essential functions of the job.

The essential job functions are those functions that define the job. In other words, the job exists to perform those tasks. The essential functions of a job are not the marginal or infrequently performed tasks that you could eliminate without altering the fundamental nature of the job. *See 222 of Handbook EL-307 for items you should consider in defining the essential functions.*

1. What function(s) has the employee or applicant's immediate supervisor described as essential for the job?

2. Was the Essential Functions Review Worksheet used to help you evaluate essential job functions?

Yes ☐

Attach the completed Essential Functions Review Worksheet

No ☐

What specific information did you rely upon to determine the essential job functions?

Step 3. Identify the abilities and limitations of the individual.

1. What are the medical restrictions? Are restrictions temporary or permanent?

2. What job function(s) is the employee or applicant having trouble performing based on the medical restriction(s)?

Step 4. Identify potential accommodations.

1. Did the employee or applicant request a specific accommodation?

☐ Yes What accommodation(s) did the employee or applicant request?

☐ No Ask the employee or applicant what he or she needs to perform the job and write his or her response here.

☐ Check here if individual was asked for accommodation suggestions but had none.

2. Will the requested accommodation enable the employee or applicant to perform the essential job functions?

☐ Yes (*Move to Step 5.*)

☐ No If No, describe other potential accommodation(s) that would allow the employee or applicant to perform the essential job functions. (*Note: You may need to consult with other professionals to help identify potential accommodations. Possible sources of assistance include the following: (1) other operations supervisors or managers; or (2) Postal Service subject matter experts, such as medical personnel, safety specialists, labor relations, law department, Disability Compliance Specialist.*)

☐ Check here if no effective accommodation was identified and go to Step 6, #2.

Step 5. Determine the reasonableness of the accommodations and whether implementation would impose an undue hardship.

The proposed accommodation is effective in allowing the individual to perform the essential job functions and does NOT: (*check all that apply*)

☐ Reallocate or eliminate an essential job function

☐ Lower standards of performance or production

☐ Violate a provision of a collective bargaining agreement

☐ Impose an undue hardship on the Postal Service

Step 6. Select and implement an accommodation from identified reasonable alternatives that the Postal Service can implement without an undue hardship.

Instructions: Complete #1 or #2, as applicable. Do not complete both.

1a. <input type="checkbox"/> YES, Accommodation granted	1b. Date	1c. Cost
--	----------	----------

1d. Provide a brief description of the accommodation

1e. Check the type of accommodation:

- | | |
|--|--|
| <input type="checkbox"/> Workplace modification | <input type="checkbox"/> Modified work schedule |
| <input type="checkbox"/> Job restructuring | <input type="checkbox"/> Modified exam/test process |
| <input type="checkbox"/> Modified equipment | <input type="checkbox"/> Leave |
| <input type="checkbox"/> Modified workplace policy | <input type="checkbox"/> Job Reassignment (<i>attach documentation to verify the search for vacant funded positions</i>) |

1f. Confirmation (*attach supporting documentation*)

I, _____ (Mgr./Supv.) confirm the approved accommodation was implemented for _____ (Employee) on _____ (Date).

2a. ☐

NO, Accommodation denied

Manager/Supervisor: You must refer a denied request for accommodation to the Reasonable Accommodation Committee (RAC) for review, consideration for job reassignment as a last resort, or both (See Handbook EL-307, Chapter 6, section 64). Complete the RAC referral form and send to RAC.

RAC: You must consult with the Area Law Department before making a final determination to deny a request for accommodation.

2b. Check the reason for denial: (*check all that apply*)

- ☐ Medical documentation or other evidence is inadequate to establish that the individual has a disability.
- ☐ The applicant or employee is not a qualified individual with a disability.
- ☐ The evidence is inadequate to establish that the individual needs accommodation in order to perform essential job functions.
- ☐ No vacant funded positions available (*attach documentation to verify the search for vacant funded positions*).
- ☐ The requested accommodation would result in an undue hardship.
- ☐ Other (explain):

D. Privacy Act Statement and The Genetic Information Nondiscrimination Act of 2008

Privacy Act Statement: Your information will be used to decide reasonable accommodation. Collection is authorized by 39 U.S.C. 401, 410, 1001, 1005, and 1206. Providing the information is voluntary, but if not provided, we may not process your request. We may disclose your information as follows: in relevant legal proceedings; to law enforcement when the U.S. Postal Service (USPS) or requesting agency becomes aware of a violation of law; to a congressional office at your request; to entities or individuals under contract with USPS (service providers); to entities authorized to perform audits; to labor organizations as required by law; to federal, state, local or foreign government agencies regarding personnel matters; to an employee's private treating physician and to medical personnel retained by the USPS to provide medical services in connection with an employee's health or physical condition related to employment; to the Equal Employment Opportunity Commission; and to the Merit Systems Protection Board or Office of Special Counsel. For more information regarding our privacy policies visit www.usps.com/privacypolicy.

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

E. Official Completing Decision Guide

Name of Official Completing Decision Guide	Date
--	------

Title

Place the Decision Guide in a sealed envelope, bearing the name of the applicant or employee, along with the request for reasonable accommodation and all related documents. Forward to the local Occupational Health Services office for retention in the official Employee Medical File (EMF).

Exhibit 2-4 Essential Functions Review Worksheet

Essential Functions Review Worksheet

The Supervisor/Manager completes this form to make an evaluation of the essential job functions. The term "essential functions" is defined as the fundamental job duties of the position the individual with a disability holds or desires; the term excludes marginal duties. In determining essential functions, consider all relevant information and data about the job and its key responsibilities including but not limited to the position description and qualification standards. Essential job functions are determined on a case-by-case basis. The relative importance of the functions for a particular position may differ according to how the position is implemented locally. Variable factors may include tour, operation, mail volume, and the age and configuration of the facility. Do not assume that any two Postal Service jobs are necessarily alike.

Part 1. Employee and Occupation Information

1. Employee Name		2. EIN
3. Position Title	4. Installation/Office Name:	5. Tour

Part 2. Job Duties

1. Complete the following tasks:

- List the job duties as listed on the standard job description. Refer to <https://jdonline.usps.gov/jdonline/>,
- For each duty, indicate percentage of time spent daily performing that duty.
- Answer YES or NO to questions in columns a through h.

Duties and Responsibilities	% time spent daily	a. Does this duty need to be done?	b. Does the position exist primarily to perform this duty?	c. Is this employee the only employee to whom this duty can be assigned?	d. Would eliminating this duty fundamentally change the job?	e. Is specialized expertise or judgment required?	f. Would there be any significant consequence if this duty were not performed?	g. Did the previous incumbent in the position perform this duty?	h. Is this duty or function "ESSENTIAL" to the position?
1.									
2.									
3.									
4.									
5.									
6.									
7.									
8.									
9.									
10.									
11.									
12.									
13.									
14.									
15.									

2.	
Essential Function (as listed in column "h")	Equipment, machinery, or vehicle required

Part 3. Qualification Standards

Complete the following tasks:

- List the Knowledge, Skill, and/or Ability (KSA) requirements of the position as listed on the Qualifications of the standard job description.
- For each KSA, evaluate the frequency with which this qualification is demonstrated in the performance of "ESSENTIAL" job functions from Part 2, item 1 (**use Frequency Ratings Table below**).
- Check (✓) the box under the corresponding FREQUENCY column.

[illegible]

Frequency Ratings Table = Time required for performance or demonstration of the qualification standards as specific to this position.

Constantly = $\frac{3}{4}$ or more of the tour

Frequently = $\frac{1}{2}$ to $\frac{3}{4}$ of the tour

Occasionally = $\frac{1}{4}$ to $\frac{1}{2}$ of the tour

Intermittently = less than 1/4 of the tour

Never = no part of the tour

Part 4. Functional Requirements

Complete the following tasks:

- Circle the items that represent the functional and environmental requirements for the job as it is performed currently.
- Evaluate the frequency for each requirement as appropriate (use Frequency Ratings Table, Pg. 2).
- Check (✓) the box under the corresponding FREQUENCY column.

Functional Requirements	Frequency					Environmental Factors	Frequency				
	C	F	O	I	N		C	F	O	I	N
Heavy lifting, 45–70 lbs.						Outside					
Moderate lifting, 15–44 lbs.						Outside and inside					
Light lifting, under 15 lbs.						Excessive heat					
Heavy carrying, 45 lbs. and over						Excessive cold					
Moderate carrying, 15–44 lbs.						Excessive humidity					
Light carrying, under 15 lbs.						Excessive dampness or chilling					
Straight pulling						Dry atmospheric conditions					
Pulling hand over hand						Excessive noise, intermittent					
Reaching above shoulder						Constant noise					
Use of fingers						Dust					
Both hands are required or compensated by the use of acceptable prosthesis						Fumes, smoke, or gases					
Walking						Solvents					
Standing						Grease and oils					
Crawling						Radiant energy					
Kneeling						Electrical energy					
Repeated bending						Slippery or uneven walking surface					
Climbing, legs only						Working around machinery with moving parts					
Climbing, use of leg and arms						Working around moving objects or vehicles					
Both legs required						Working on ladders or scaffolding					
Operation of a crane, truck, tractor, or motor vehicle						Working below ground					
Ability of rapid mental and muscular coordination						Unusual fatigue factors: (<i>Specify</i>)					
Ability to use firearms						Working with hands in water					
Other: (<i>Specify</i>)						Explosives					
						Vibration					
						Working closely with others					
						Working alone					
						Protracted or irregular hours of work					
						Other: (<i>Specify</i>)					

Name of Supervisor/Manager completing this worksheet:	Date
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Exhibit 2-5 Sample Reasonable Accommodation Denial Letter



[Date]

[Employee Name]

[Address]

[City, State, Zip]

Dear [insert name]

This letter responds to your request for accommodation. The purpose of reasonable accommodation is to enable qualified individuals with disabilities to perform the essential functions of a particular job. You requested *[insert type of accommodation requested]*.

Your request is denied because *[insert reason and alternative accommodations considered, if appropriate. For example: Although you have a disability, you are not a qualified individual with a disability within the meaning of the Rehabilitation Act. The Act requires that an individual with a disability be able to satisfy the requisite skills, experience, and other job-related requirements of the position in issue. Our discussion with you and your medical provider, and with representatives from Safety and Operations, establish that your restrictions do not permit you to meet the job requirements of lifting, reaching, bending, carrying, and walking. Further, no reasonable accommodation would enable you to perform those functions. The accommodation you requested would eliminate an essential function of the job. Despite our efforts in interactive meetings with representatives from the Health Unit, Safety Office, and Human Resources, other alternatives explored were equally unsuccessful.]*

You may appeal this denial within 10 business days by making a written request for reconsideration to the HR Manager, [insert mailing address]. You may provide additional information to support your request. You will be notified of the appeal decision in writing.

You have the right to file an EEO complaint pursuant to 29 CFR 1614. In order to do so, you must contact 1-888-EEO-USPS (Federal Relay Service 1-800-877-8339) within 45 days from the date of the notice of denial of reasonable accommodation.

Signature of Decision Maker [Supervisor, Manager, or RAC Chairperson]

[Typed Name of Decision Maker]

[Title]

cc: RAC file

Reasonable Accommodation, An Interactive Process

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3 Reasonable Accommodation in the Examination Process

31 Special Needs of Test Applicants

Postal Service applicants and employees with disabilities may seek accommodations in order to take an examination. For convenience, we have used the term applicant throughout this chapter to refer to any individual, including Postal Service employees, taking any type of Postal Service examination.

Most of the hundreds of thousands of job applicants and current employees taking various Postal Service examinations annually do not need accommodation in the testing process. However, for some individuals with disabilities, the examination may serve as an artificial barrier to the demonstration of the knowledge, skills, and abilities required for performance of the essential functions of the job. In these instances, the Postal Service endeavors to provide reasonable accommodation to individuals with disabilities to enable their participation in the competitive examination process.

You must consider accommodations on a case-by-case basis. When the Postal Service becomes aware of an applicant's disability, you must pursue flexible interactive dialogue with the applicant to do the following:

- Ensure compliance with applicable statutes and
- Fulfill the Postal Service's commitment to ensuring equal employment opportunity regardless of disability.

Some routine activities that may require additional time and special attention include the following:

- Issuing test materials.
- Giving instructions.
- Answering questions.

Applicants with service animals (e.g., guide dogs) require special attention to provide for the physical needs of the animals.

32 Postal Service Examination Policy for Applicants With Disabilities

321 Overview

Examinations include all written, oral, performance, and other tests.

Consistent with applicable statutes and its own policy of providing equal employment opportunity, the Postal Service will provide reasonable accommodation in examinations for the known disabilities of individuals when the following applies:

- a. An individual requests such assistance and
- b. To the extent the accommodation does not impose an undue hardship on the Postal Service.

The Postal Service provides such accommodation on a case-by-case basis and

the field office staff responsible for conducting the examination determines the type of accommodation..

This policy provides a framework for those individuals who must make decisions concerning reasonable accommodation in the testing process for applicants with disabilities. This framework takes into account the following:

- The nature and severity of the disability.
- The type of examination or selection process the Postal Service is administering.
- The resources available to the local Postal Service hiring or examination office.

This policy is tempered in each situation by the following:

- The specific needs of the applicant with a disability.
- The essential functions of the job applied for.
- The nature and purpose of the test or selection procedure.
- The limitations of local resources.

Postal Service policy is to treat all applicants fairly and equitably.

You must recognize that this

is a request for reasonable accommodation if the following occurs:

- A disability reduces an applicant's opportunity to demonstrate that he or she possesses the knowledge, skills, and abilities needed to perform the essential functions of the job sought, and
- The applicant makes it known that he or she needs assistance because of an impairment.

Such a request requires your

attention and action. You must follow the six-step process described in 22. Bear in mind that the Postal Service will not provide accommodations which would impose an

undue hardship on Postal Service operations.

322 **Maintaining the Competitive Nature of the Examination**

The Postal Service gives examinations to measure job-related knowledge, skills, and

abilities. One use of test scores is to compare the performance of individual competitors to make employment decisions. You must

ensure that accommodations do not affect an individual's score to the extent that it cannot be compared meaningfully to the scores of other competitors. Therefore, the Headquarters Manager, Human Resources, must approve any proposed accommodations or changes in the testing process that may affect the meaning or interpretation of test scores.

. This ensures that the competitive nature of the selection process and the validity of the test are not compromised.

323 **Preserving the Examination's Effectiveness as a Measurement Tool**

Postal Service management designed tests and other selection procedures to measure the

knowledge, skills, and abilities needed to learn or perform a job. Therefore, if the proposed accommodation fundamentally alters what you are assessing, the Postal Service will not change the test or method of administration.

For example, an extension of time is frequently proposed as a testing accommodation. If the test is intended to measure performance speed, then it is not appropriate to

allow more time. Such an accommodation would render the test score useless as an indicator of true ability when compared to the scores of those who took the test under stricter time limits.

33 Determination of Reasonable Accommodation for Applicants With Disabilities

331 Overview

You must determine accommodations on a case-by-case basis. Therefore, an approved or recommended accommodation is applicable only to one individual. However similar the circumstances, you must consider a request for accommodation from another individual separately.

Because individuals with disabilities (even those with the same type of disability) can, and often do, differ greatly in their needs and capabilities, any attempt to list all the different types of reasonable accommodations that you might conceivably develop for each type of mental or physical disability would be futile. You must consider each request on a case-by-case basis and evaluate it on its own merits. Examples of accommodations that may prove helpful are listed in [332.23](#).

Whether the accommodation is determined locally or in consultation with Headquarters, the process is the same; interacting with the applicant to obtain the information needed for a reasonable and appropriate decision.

The primary concern in determining the appropriateness of a modified test administration is whether the proposed change compromises the accurate assessment of an applicant's job skills or abilities. The goal is to provide applicants with disabilities an equal opportunity to demonstrate their qualifications without undermining the validity or competitive equity of the testing process.

332 Applicant's Responsibilities

332.1 Requesting a Reasonable Accommodation for Examinations

An applicant who needs an adjustment to or change in the testing process because of limitations caused by a disability must request such accommodation immediately upon receiving his or her schedule for a testing session. An applicant can make a request to one of the following:

- The testing vendor.
- The examiner.
- The selecting official.
- The manager, Human Resources (District).

the testing vendor, the examiner, selecting official, or Manager, Human Resources (District).

Note: Applicants who are deaf or hard of hearing and are current Postal Service employees who have a Communication Accommodation Plan

(Plan) on file need only advise the testing vendor, the examiner, selecting official, or Manager, Human Resources of their specified communication accommodation. If necessary, the applicant can contact the District Disability Coordinator for direction or assistance. If a current Postal Service employee who is deaf or hard of hearing applies for a position and does not have a Plan in place, the employee needs to follow the procedure described in 212.

Applicants are responsible for making a request for accommodation as soon as soon as the applicant knows the need for accommodation. The applicable Postal Service employee activates the reasonable accommodation process whenever an employee or applicant, or someone acting on the individual's behalf, makes an oral or written request for reasonable accommodation.

332.2 Documentation Required

An applicant requesting a reasonable accommodation may need to provide documentation sufficient to establish both of the following:

- „ He or she, in fact, does have a disability as defined by federal law.
- „ The disability interferes with valid assessment of the knowledge, skills, and abilities covered by the test.

Relevant documentation may include the following:

- „ Information on how the disability or impairment would affect performance on the examination (i.e., the specific test behaviors affected by the disability).
- „ The specific accommodation the applicant is requesting.
- „ Current documentation supporting the existence of a disability from a bona fide expert source (e.g., a licensed professional, a state department of rehabilitation, an approved agency).

The applicant must provide additional information upon request when the applicable postal employee needs information to determine whether a disability exists for which accommodation is required or to identify appropriate accommodation. The applicant's failure to provide the required information in a timely manner may delay responses to requests for accommodation.

The need to provide documentation substantiating the existence of a disability may be unnecessary depending on the type of accommodation requested. For example, if an applicant or employee who is deaf or hard of hearing requests a sign language interpreter as a testing accommodation, the Postal Service can provide the interpreter without requiring the individual to provide evidence of the following:

- The disability or
- How the disability interferes with valid assessment.

333 **Postal Service Responsibilities**

333.1 Overview

The Postal Service is responsible for ensuring the competitive nature and validity of the selection process while at the same time providing reasonable accommodation to applicants with known disabilities when applicants request such accommodation.

Examiners, including testing vendor staff, or district Human Resources staff should ensure that applicants are given an opportunity to request a testing accommodation by one of the following methods:

- a. Online or
- b. By contacting one of the following:
 - (1) The testing vendor.
 - (2) The examiner.
 - (3) The district Human Resources staff.
 - (4) The district manager, Human Resources.

„ Any person who accepts applications or has contact with applicants must be able to recognize requests for accommodations. An applicant does not have to use any special words such as "reasonable accommodation" or

"Rehabilitation Act." You must refer applicants requesting reasonable accommodation to the examiner or person responsible for the examination or selection process.

Throughout this process, the Postal Service must engage in an interactive process to clarify what the applicant needs and identify an appropriate reasonable accommodation.

In cases where the competitive nature and validity of the test are not likely to be affected (e.g., site accessibility), the examiner or district Human Resources staff member works out what accommodation, if any, to provide. When there is a question as to whether providing a requested accommodation would preclude the valid assessment of the applicant's qualifications, the examiner or district Human Resources staff member must forward the request to the Headquarters manager of Human Resources for final determination.

Once the applicant's makes his or her desire for a testing accommodation is known, the testing vendor, examiner, district Human Resources staff, or district manager of Human Resources must do the following:

- „ Contact the applicant to discuss the testing process and the job(s) to ensure that the applicant is familiar with what is required.
- „ Obtain any needed documentation from the applicant regarding the disability and the need for accommodation.
- „ Determine if you can provide an accommodation without further consultation (i.e., the accommodation would not affect the competitive nature or validity of the examination).
- „ If accommodation is feasible, offer it to the applicant.
- „ Note the accommodation provided on the Time Record Sheet when the examination is administered.
- „ If you cannot determine an accommodation for a locally administered test, submit all requisite documentation to the Headquarters manager of Human Resources. Upon receipt of a response from Headquarters, offer a recommended accommodation (if any) to the applicant and submit approval (Authorization to Modify Test Administration) with the Time Record Sheet when you give the examination.
- „ If the applicant does not accept the accommodations that you can provide, document the rejection and the reasons for the rejection.
- „ If reasonable accommodation is possible but the Postal Service cannot provide that accommodation on the regularly scheduled test date, you may schedule the applicant for an alternate test date as soon as practicable.
- „ Ensure that you make appropriate arrangements to provide the needed accommodation. For example, you would provide a table for a wheelchair applicant rather than a student desk.

See [Exhibit 3-1](#) for detailed information on possible testing accommodations for applicants who are deaf or hard of hearing.

333.2 Accommodations That Do Not Affect the Competitive Nature or Validity of the Selection Process

333.21 Overview

You or the test vendor can make some accommodations locally without consultation if they do not affect the competitive nature or validity of the selection process.

See [333.22](#) and [333.23](#) for examples of accommodations that you can usually make locally without prior approval from Headquarters.

333.22 Accessibility Accommodations of Testing Site

A request for accommodation that involves accessibility of the testing site includes, but is not limited to, the following:

- Access to the test site.
- Assistance inside the testing site.
- Providing alternative seating arrangements as needed (e.g., you may need to seat an individual in a wheelchair at a table rather than at a student desk).

In some cases, it may be necessary to schedule a separate session to ensure that you test the applicants in an accessible site.

333.23 Other Testing Accommodations

The following are other types of accommodations that you may provide without consultation with Headquarters. The testing vendor must document any accommodation provided on the Time Record Sheet consistent with the Directions for Conducting (DFC).

- „ Alternate test dates.
- „ Individual sessions.
- „ Individual monitors.
- „ Frequent breaks (between test parts only).
- „ Special lighting.
- „ Special seating arrangements.
- „ Sign language interpreter only for oral components of exam and administration (additional detailed information regarding possible testing accommodations for deaf or hard-of-hearing persons is provided in [Exhibit 3-1](#) and in the DFC for the specific test).
- „ Use of hand signals or flash cards to give driving instructions during road tests.
- Communication accommodations for non-signing applicants who are deaf or hard of hearing to relay administrative instructions for testing (e.g., UbiDuo, written communication).
- „ Miscellaneous personal assistance (e.g., turning pages, marking answers).

Implementation of any one or a combination of these measures may be appropriate for individual applicants depending on the following:

- Their needs.
- The nature of the selection procedures or examination material used.
- The essential functions of the job sought.

If the requested accommodation is not on the above list, see 333.3.

333.3 Accommodations That May Affect the Competitive Nature or Validity of the Selection Process

The Headquarters manager, Human Resources, must review and approve a proposed accommodation that may affect the competitive nature or the validity of the selection process . This includes any deviation from standardized testing procedures prescribed in the examination DFC.

In circumstances where there is a question about whether providing a proposed accommodation would interfere with the valid assessment of the

applicant, the examiner or district Human Resources staff member must consult the Headquarters manager of Human Resources. Supporting documentation must describe the specific accommodation requested and be sufficient to establish the following:

- „ The applicant, in fact, has a disability as defined by federal law.
- „ The disability interferes with the valid assessment of the knowledge, skills, or abilities covered by the test.
- „ An appropriate professional or expert source provides a diagnosis, if any.

334 Accommodations That May Not Be Reasonable or Impose An Undue Hardship in Examinations

The Postal Service provides reasonable accommodation in examinations to applicants with disabilities except in cases of undue hardship. You must determine undue hardship on a case-by-case basis (see [153](#)). The following may either be unreasonable or an undue hardship with respect to examinations:

- „ The purchase or rental of specialized equipment or services on a one-time basis for a limited use by a very few applicants at great expense.
- „ The postponement of announcing or administering an examination to a large number of applicants to accommodate the needs of an applicant with a disability.

Note: This does not prohibit establishing an alternate date for those persons with disabilities.

- „ For employee applicants, any action in violation of seniority provisions of the applicable collective bargaining agreement.

335 Other Selection Process Accommodations

335.1 Overview

Although most requests for accommodation in the Postal Service selection processes involve written tests, it is important to realize that other types of assessment procedures commonly used by the Postal Service may present serious difficulties for certain individuals. See 335.2 through 335.5 for other frequently used examination types and examples of the kinds of accommodation that you may need. We do not intend this listing to be all-inclusive but only representative of the range of acceptable accommodations, which you might consider in particular situations.

335.2 Interviews

Interviews may pose problems for some individuals who are deaf or hard of hearing and for those with certain kinds of speech challenges. You must make every effort to determine the communication abilities of these individuals. The Postal Service will provide a qualified sign language interpreter for external applicants who are deaf or hard of hearing and use American Sign Language (ASL) or another form of sign language as their primary means of

communication. The same applies for current postal employees who use ASL or another form of sign language as their primary means of communication and have a Communication Accommodation Plan in place. In addition, it may be appropriate for review committee members to provide a written copy of interview questions to applicants who are deaf or hard of hearing to read at the point the question is asked in the interview (see Exhibit 3-1). Members must be sure the presented written question does not also contain benchmarks or scoring guidelines.

335.3 Performance Tests

The Headquarters manager of Human Resources must approve any modifications or adjustments to performance examination material.

Examiners or their designees must consider the physical needs of the applicant with a disability taking performance tests as they do for written tests. Because performance tests generally approximate tasks found on the job, you must carefully analyze any modification or adjustments to test material or the procedures used

to administer these tests before implementation.

Only consider those accommodations that do not compromise the competitive nature and validity of the testing process.

335.4 Applications, Supplemental Applications, and Employment Questionnaires

Applicants with disabilities may need assistance when completing applications, experience supplements, or other questionnaires. You must alert Human

Resources and the testing vendor to the possibility of requests for such requests for such assistance and accommodate as appropriate

335.5 End-of-Training Examinations

You must submit request for accommodations for end-of-training examinations that you cannot resolve at the local level to the Headquarters manager,

Human Resources , who will coordinate with appropriate functional departments.

Exhibit 3-1

Accommodation Options for Testing Individuals Who Are Deaf or Hard of Hearing (p. 1)**Accommodation Options for Testing Individuals
Who Are Deaf or Hard of Hearing**

Be familiar with options for test administration to applicants who are deaf or hard of hearing. The most appropriate accommodation will depend upon several factors, such as whether the individual uses and is fluent in sign language, the accuracy and fluency of speech reading skills, and how much hearing loss the individual has experienced. For signing applicants who are deaf or hard of hearing, the Postal Service will provide an in-person qualified sign language interpreter during critical elements of the selection process, such as interviews and instructions for testing.

American Sign Language (ASL) is a gestural language that has a different vocabulary, syntax, and structure than English. Inasmuch as there are different types of sign language, an individual with a hearing impairment who uses sign language may not use ASL but rather a different sign language; therefore, it is important to keep the effectiveness of the accommodation in mind when arranging for a qualified interpreter.

For non-signing individuals, the Postal Service will provide communication accommodations during these same critical elements of the selection process, after consultation with the individual as to the nature of such accommodation. Unlike for signing applicants, there is no accommodation that is presumed appropriate. You must consider communication accommodations such as UbiDuo, other communications tools or devices or written communications.

Consider the accommodation requested by the individual and, as appropriate, consider offering the individual the following additional options:

- „ Use preferential seating near the examiner so that the test applicant is able to read lips without obstruction.
- „ Use an in-person interpreter for the administrative instructions portion of the session. If an examination has a following oral instruction subtest, such as Part D on Exam 460 Rural Carrier, there are two options:
 - Offer the applicant a written version of the "Oral Instructions" subtest, or
 - Offer to have an interpreter available to interpret the subtest.
- „ Use hand signals or flash cards to give driving instructions during road tests.
- „ Offer other accommodations that you and the applicant have determined to be appropriate.

Exhibit 3-1

Administering Examinations When Using a Sign Language Interpreter for the Deaf (p. 2)

**Administering Examinations
When Using a Sign Language Interpreter for the Deaf (p. 2)**

Follow the procedures listed below when testing any applicant who requests an interpreter for an examination. All individuals, including interpreters, exam administrators, examiners, and examination monitors administering or involved in monitoring an examination during which applicants are using an interpreter, must review these procedures:

- „ A qualified sign language interpreter must be able to provide effective interpretation of the examination in the specific sign language used by the signing applicant. If possible, you must use interpreters who the Registry for Interpreters for the Deaf has certified, have passed a state quality assurance test, or have a similar certification or qualification.
- „ You must provide the interpreter up to two (2) hours to review the DFC, the Answer Sheet, and any subtests with an oral instruction component, such as Part D of the 460 Rural Carrier Examination, before the examination for the purpose of preparing to interpret.
- „ The Postal Service will compensate the interpreter for the time spent reviewing. The interpreter conducts such reviews under the procedures outlined in the DFC covering conditions that ensure security of test materials.
- „ The examiner is responsible for coordinating with the interpreter a time, date, and place to review the examination material.
- „ You must test applicants who are using an interpreter for Part D of the 460 Rural Carrier Examination in a separate area or room to minimize distraction that other applicants may cause when leaving the examination.
 - For Part D of the examination, the interpreter must wait at each designated pause until every applicant who is using the interpreter indicates that he or she is ready to proceed with the next instruction.
 - You will decide locally, and in consultation with the interpreter, the method of determining when the applicants are ready. The following suggestions are recommended when an interpreter is used:
 - o Instruct all applicants to look at the interpreter when they are ready for the next instruction; or
 - o Instruct all applicants to hold up a green card when they are ready to move on to the next instruction.
 - Applicants using an interpreter for Part D are not required to adhere to the same time restrictions as those imposed on other applicants.

Where to Get Help

Only the Headquarters manager, Human Resources, can approve requests for an examination time limit change or deviation from the DFC. You may want to use additional resources in your community for more information about accommodating people who are deaf or hard of hearing. These resources include the following:

- Local associations for people who are deaf and adults with loss of hearing.
- Local community colleges with interpreter programs.
- Associations of speech and hearing sciences.

- State independent living centers or vocational rehabilitation offices.
- Other national resources, such as the following:
 - The Job Accommodation Network:
 - Via telephone at 800-526-7234 (Voice) or 877-781-9403 (TTY) and
 - Online at www.askjan.org.
 - Registry of Interpreters for the Deaf at 703-838-0030 (Voice) or 571-257-3957 (Videophone).

For further assistance in identifying alternative communication accommodations for individuals who do not use sign language, you may contact your respective District Disability Coordinator, who is the point of contact for employees who are deaf or hard of hearing on communication accommodation matters. If you do not have the name and contact information for the Disability Coordinator serving your district, contact the Manager, Human Resources.

4 Employment and Placement Procedures

41 Policy

It is Postal Service policy to provide equal employment opportunities to qualified applicants with disabilities. We accomplish this through our competitive and noncompetitive hiring processes. A qualified individual with a disability is one who, with or without reasonable accommodation, can perform the essential functions of the job in question without presenting a direct threat to the health and safety of the individual or others. The Postal Service requires the same performance, attendance, and standards of conduct from employees with disabilities as it does from other employees.

42 Recruitment

Actively recruiting individuals with targeted disabilities as defined by the EEOC into the workforce promotes the goal of increasing the employment of individuals with disabilities in the federal government and ensures that the federal government continues to serve as a model employer of individuals with disabilities.

Recruitment should include outreach to individuals, organizations, independent living centers, and associations representing individuals with disabilities. Recruitment at universities, colleges, and schools should include outreach to students with disabilities. Recruitment may include, but is not limited to the following:

- State Divisions or Departments of Vocational Rehabilitation (DVR).
- The Department of Veterans Affairs (VA).
- Associations for the deaf.
- Goodwill Industries.
- Outreach programs for veterans with disabilities.
- Educational institutions that have a significant number of students who have disabilities.

You must provide advance notice of upcoming examinations to those organizations so they can identify qualified individuals with disabilities to participate in the competitive process.

43 Competitive Selection and Placement of Individuals With Disabilities

It is Postal Service policy to provide equal employment opportunities to qualified applicants with disabilities. We accomplish this through our competitive and noncompetitive hiring processes.

Many applicants with disabilities are qualified to perform the essential functions of jobs without the need for accommodation. However, if an applicant with a disability who is otherwise qualified cannot perform one or more essential job functions because of his or her disability, the Postal Service must consider whether modifications or adjustment are available that would enable the person to perform these functions.

Employers must engage in an interactive process (see 22) to do the following:

- Determine whether the individual in fact has a disability.
- Identify essential functions of the job, the applicant's abilities and limitations, possible accommodations, and the reasonableness of accommodations proposed.

Example: The score of a compensable veteran with a service-connected disability was reached on a hiring worksheet for the job of city carrier. His preemployment eligibility and suitability reviews were favorable. During his interview, he identified a need for accommodation. His left arm had been amputated below the shoulder, but he was very proficient in the use of an artificial arm and hand.

A site visit was arranged where the essential functions and requirements of the job were explained and demonstrated to him. He was encouraged to discuss how he would perform the tasks associated with the job. He then demonstrated that he could perform the essential functions and requirements although with some difficulty. The Postal Service extended him a conditional job offer and scheduled him for a medical assessment.

The medical assessment indicated that an accommodation would be required for his missing left arm and hand. Another meeting was scheduled with the applicant, his prospective supervisor, and a counselor from the local VA Rehabilitation Center to assist in the accommodation efforts.

He again demonstrated his ability to perform job functions and recommended a modification to his prosthetic appliance that would enable him to handle and manipulate the mail for sorting with the required speed, accuracy, and proficiency. The VA counselor agreed to assist in development of the recommended retrofit to the prosthetic device. When the modification to the prosthesis developed and provided by the VA was complete and its safety and effectiveness demonstrated, he received a career appointment as a city carrier.

44 Noncompetitive Selection and Placement of Individuals With Disabilities

441 Overview

The Postal Service appoints most employees with disabilities from a competitive hiring register. However, when the competitive process itself is a barrier to employment for qualified individuals with severe disabilities, and these individuals would be able to perform at or above the normal standards of job performance, you may use a special noncompetitive authority may be used.

The Postal Service must certify state DVR and VA organizations that wish to participate in the referral of applicants for noncompetitive hiring consideration. These organizations must submit a certification package to the manager, Human Resources (District), and to the vice president, Employee Resource Management, for review and approval. The package must include the following information:

- „ Description of the services and programs offered.
- „ The various screening methods used to identify potential Postal Service applicants.

Once the Postal Service approves a certification package for a vocational rehabilitation agency, that agency has the authority to identify and screen applicants for Postal Service positions when the Postal Service requests referrals. In essence, the agency provides the Postal Service with an alternative means of assessing an applicant's qualifications. The Postal Service considers an applicant referred by a certified agency to have successfully met the Postal Service's selection requirements. Therefore, a certified agency must ensure that each applicant referred meets selection standards and has the ability to perform satisfactorily as a Postal Service employee.

442 Job Information for Rehabilitation Counselors

The recruitment of individuals with severe disabilities requires partnership with the VA and state DVR offices. Vocational rehabilitation counselors must make a site visit and tour the Postal Service facility. Seeing Postal Service operations up close provides counselors with a better understanding of our work environment and job requirements. Viewing a demonstration of the functional and physical requirements for an entry-level job assists the counselor to screen applicants and identify individuals who are likely to succeed in Postal Service jobs.

Give counselors any of the following materials that are available:

- „ A standard position description and qualification standard.
- „ An Essential Functions Review Worksheet.
- „ A job preview video.
- „ Information on probationary timelines and performance standards and requirements.

443 **Noncompetitive Hiring Process**

You must take the following steps when hiring using the noncompetitive authority:

- a. The Postal Service manager requests the state DVR or VA to certify three names for consideration and one additional name for each additional vacancy. This certification must be consistent with the process outlined by the state DVR or VA in its certification package, and include completed PS Form 2591, *Application for Employment*, and PS Form 3666, *Certification for Postal Service Employment of Individuals with Severe Disabilities*.
- b. Then, you give certified applicants a tour of the Postal Service facility during a prehire orientation. The visit should provide sufficient information to assist the applicants in making an informed decision about whether they are interested in Postal Service employment.
- c. Interviewers then engage in an interactive process to identify the essential functions of the job and the abilities and limitations of the applicant. Otherwise, the interview process for an individual with a disability is essentially the same as an interview conducted with an applicant who does not have a disability.
- d. The selecting official considers the referred applicants and makes a tentative selection in accordance with the eligibility and suitability guidelines outlined in Handbook EL-312, *Employment and Placement*. The selecting official then returns a list of those applicants not selected for the job to the state DVR or VA, as appropriate.
- e. After making a conditional job offer, the selecting official (or designee) schedules the selected applicant for a medical assessment and gives Occupational Health Services a copy of PS Form 3666 and any other documentation concerning the applicant's disability and the job offered (see 45).
- f. When the applicant completes the medical assessment and the medical professional determines the applicant is medically suitable, the selection official (or designee) schedules a meeting with the applicant, rehabilitation counselor, disability coordinator (if any), and immediate supervisor or designated operations manager to discuss requirements. Some examples of these requirements might be:

- (1) Agreed-upon accommodations for training and job performance.
- (2) Confidentiality issues.
- (3) How best to integrate the new employee into the unit.
- (4) How the immediate supervisor or designated operations manager will communicate expectations to the applicant.
- (5) Continuous assessment during the probation period.
- (6) Documentation requirements.

Attach notes from this meeting to the Reasonable Accommodation Decision Guide (see Exhibit 2-3) and forward to the office responsible for the retention of the official Employee Medical Folder (EMF).

444 **Probation Period for Individuals Hired Under the
Noncompetitive Process**

If it becomes reasonably clear at any point during the probationary period that an employee with a severe disability hired under the noncompetitive process is having difficulty performing the job, the immediate supervisor

must ask the VA or state DVR counselor to help the employee to overcome problems and deficiencies in performance.

The supervisor must schedule a meeting with the appropriate counselor and the employee at the earliest possible opportunity to see if they can correct the performance deficiency. Often, an early dialogue can lead to a satisfactory solution to the performance problem. A simple job modification or a different method of communication may be all that the employee needs to perform the essential functions of the job effectively.

If the employee is still unable to perform essential functions of the job satisfactorily, with or without reasonable accommodation, the employee's immediate supervisor must initiate separation during the probation period. When the immediate supervisor makes a decision to terminate the employment, the Postal Service installation head or designee must notify the VA or state DVR. This enables the VA or state DVR to make other arrangements for rehabilitation,

assistance, or other employment. Throughout this process, the supervisor or manager must consult with any of the following when he or she needs assistance:

- Human Resources.
- The Reasonable Accommodation Committee (RAC).
- Labor Relations.

45 Medical Assessment

451 Overview

Once an applicant receives a bona fide conditional offer of employment, whether selected under a competitive or noncompetitive process, the hiring official must refer the applicant for a medical assessment.

Note: Never make medical inquiries or schedule a medical assessment before making a bona fide conditional job offer.

452 Information Furnished for Medical Assessment

The hiring official must provide the office performing the medical assessment with the following items:

- .. Copy of PS Form 3666 for an individual selected under the noncompetitive process.
- .. Position description, qualifications standards, if any, and functional and environmental requirements or an Essential Functions Review Worksheet, if available.
- .. Any further documentation supporting the existence of a disability and accommodation needs.
- .. Usual paperwork furnished for preemployment medical assessments as described in Handbook EL-312, *Employment and Placement*.

452 **Function of the Medical Assessment**

The medical assessment provides the hiring official with information necessary to make an informed hiring decision. It identifies an applicant's physical or mental medical restrictions or limitations that could affect the applicant's ability to perform the job offered in a safe and effective manner. If the medical assessment process identifies restrictions or limitations or suggests a job modification, it does not necessarily indicate the presence of a disability, and it does not constitute a recommendation for or against hiring.

Exhibit 4-1 (p. 1)

PS Form 3666, *Certification for Postal Service Employment of Individuals with Severe Disabilities*

This form is available online on the Postal Service PolicyNet website.

[] Go to <http://blue.usps.gov>.

[] In the left-hand column under "Essential Links," click on *PolicyNet*.

[] Click *Forms*.

The direct URL for the Postal Service PolicyNet website is <http://blue.usps.gov/cpim>.

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Reasonable Accommodation, An Interactive Process

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5 Reasonable Accommodation After Appointment

51 Orientation and Training

Follow the usual orientation and training procedures for qualified individuals with disabilities and provide reasonable accommodation as appropriate. Seek the advice and assistance of the following:

- Internal employee development and training specialists.
- Reasonable Accommodation Committees (RACs).
- Human Resources staff.
- External specialists in the Department of Veterans Affairs (VA), state Department of Vocational Rehabilitation (DVR), or the national Job Accommodation Network (JAN).

52 Bids, Promotions, and Reassignments

Once individuals with disabilities enter the regular workforce, or if individuals become disabled during their employment with the Postal Service, they have all bid and promotion rights afforded any employee under the applicable collective bargaining agreement.

You activate the reasonable accommodation decision process is initiated each time you are considering an employee with a disability for a different job (either through bid, application, or other procedures). Engage in the same case-by-case interactive process described in 22 to do the following:

- „ Determine whether the individual has a disability and meets minimum qualifications.
- „ Identify the essential functions of the job in question.
- „ Determine the employee's abilities and limitations.
- „ Identify and evaluate potential accommodations.
- Determine the reasonableness of the accommodations.
- Select and implement the accommodations.

Focus first on the employee's ability to perform the desired job. If you conclude that the employee can perform the essential functions of the job, with or without accommodation, then you must focus on accommodations that the selection process might require e.g., examination and training. This sequence is important because training processes range from those

performed on-site or close to the home installation (e.g., scheme training) to those performed at a distant location for several weeks (e.g., bulk mail and maintenance training).

The Postal Service is not obligated to train an employee for a job he or she will be unable to do even if the Postal Service could accommodate the disability during the

selection process. However, you must make such a determination only after you have done the following:

- Completed an individualized assessment of the situation and the individual in question.
- Consulted with your area law office.

Document the process and conclusions reached on the Reasonable Accommodation Decision Guide (see [Exhibit 2-3](#)).

Example 1: An individual who is deaf or hard of hearing assigned to a mail processing clerk job may require certain safety equipment, such as warning lights, to supplement auditory alarms. If the employee is later reassigned or promoted to a job requiring more personal contact, the employee may need different accommodations, such as manual communication (e.g., using hand signs). In this example, the individual's limitations remain the same throughout the process; it is the job and the requirements, imposed upon his or her performance, that have changed.

Example 2: A letter carrier develops heart disease and has to undergo surgery. After he returns to work, he bids on a carrier vacancy that requires less walking. As the senior bidder, he is awarded the job. However, after one (1) week in the new job, the employee requests reassignment to a vacant clerk position because he says that the route requires him to walk more than he anticipated and given his heart condition and newly diagnosed emphysema, he does not feel up to it. In this example, the job and the performance requirements remained the same but the individual's limitations changed. Since he relates the need for the reassignment due to a medical condition, you must consider his request for reasonable accommodation and process it using the six-step interactive process described in Chapter 2.

53 Disabilities Inquiries and Medical Examinations

Where no request for reasonable accommodation has been made by the employee or someone acting on his or her behalf, the Rehabilitation Act limits an employer's ability to make disability related inquiries to that person or to medical personnel who may have access to such information. Prohibited inquiries are those likely to elicit information about an employee's disability (e.g., "what prescriptions are you taking?" "have you ever received workers' compensation payments?"). You cannot ask such questions of any of the following:

- An employee.
- The employee's coworkers.
- The employee's family members.
- The employee's health care providers.
- Postal Service medical personnel.

However, you may make disability related inquiries and require medical examinations if one of the following occurs:

- You have a reasonable belief, based on objective and reliable

evidence, that a medical condition may impair an employee's ability to perform essential job functions.

- An employee may pose a direct threat to his or her own health or safety or that of others due to a medical condition.

This same standard applies to requests for a fitness-for-duty exam. For example, if you observe the employee having difficulty performing the job (e.g., asking other people to read tags, swap job duties, and move tags closer to his or her face as if to see them better), these facts give you reason to believe that the employee's ability to perform his or her job may be

impaired and you may seek a fitness-for-duty exam. However, you may not require a medical examination or test (e.g., vision test) simply to confirm a suspicion of the existence of a disability.

You can make inquiries to medical personnel, based in whole or in part on information you receive from another person, if the information leads you to believe that a medical condition may impair an employee's ability to perform essential job functions.

- You can ask if an employee has been drinking or ask about his or her *current* illegal use of drugs, as these are not likely to elicit information about a disability.
- You cannot ask questions about past addiction to illegal drugs or questions about whether an employee has participated in a drug treatment program because past drug addiction is a disability, generally.

When a supervisor, manager, postmaster, or member of a RAC is in possession of medical information regarding an employee, it is confidential information and he or she can disclose only in limited circumstances. You may only disclose to individuals who have a genuine, work-related need to know the information. Furthermore, you must limit the disclosure to the information that the individual needs. For example, if an employee diagnosed with degenerative disc disease produces medical documentation that indicates that he may lift no more than 25 pounds, you may disclose the lifting limitation to his supervisor so she may accommodate it; but you may not disclose the diagnosed condition itself.

54 Employee's Request for Reasonable Accommodation in Current Job

541 Overview

Requests for accommodation, as well as the type of accommodation requested, will determine how an individual will make such a request and how the Postal Service will process such a request. For all employees, including employees who are deaf or hard of hearing who seek reasonable accommodation *other than* communication accommodation, the employee or someone acting on the employee's behalf may make an oral or written request for reasonable accommodation. To request an accommodation, an employee may do the following:

- Use plain language and not mention the Rehabilitation Act or use the phrase "reasonable accommodation."
- Only let you know that he or she requires a change at work because of a physical or mental impairment.

A family member, friend, or other representative may request reasonable accommodation on behalf of an employee with a disability. However, the Postal Service should deal directly with the employee during the interactive

process.

The employee may make a request for reasonable accommodation to one of the following:

- His or her supervisor or manager, or any Postal Service supervisor or manager.
- The manager, Human Resources (District).
- The RAC.

When you receive an accommodation request, you are responsible for processing that request using the guidance contained in 22. Alternatively, districts and areas have Reasonable Accommodation Committees to whom you can refer the request. (If unsure, check with the Manager, Human Resources (District) or the Manager, Disability Programs, at Headquarters.) In addition, if you observe an employee with a known impairment having difficulty performing essential functions of his or her job because of the impairment, you should initiate the interactive process.

The Postal Service has specific procedures in place to accommodate employees who are deaf or hard of hearing and who request communication accommodations. Each employee deaf or hard of hearing and seeks a communication accommodation must submit an oral or written request for a communication accommodation to one of the following:

- His or her immediate supervisor or manager. The supervisor or manager will forward the request to the respective District Disability Coordinator.
- His or her respective District Disability Coordinator. The District Disability Coordinator will forward the communication accommodation request via PS Form 6710, *Communication Accommodation Request Form*, to the applicable RAC for review.
- The RAC Chair.

The submission of an oral or written request for a communication accommodation initiates the interactive request and approval process. You must document requests for reasonable accommodation for the following reasons:

- Local record keeping.
- To ensure that every request receives a timely decision. (See time frames in 24 and Exhibit 2-2.)

Exception to record-keeping requirements: Once an employee requests and you grant a type of reasonable accommodation that he or she is likely to need on a repeated basis (e.g., an interpreter or computer software that enlarges text), you are not required to document for record-keeping purposes each time the employee needs the accommodation .

542 **Limited Duty, Light Duty, Rehabilitation Assignments, and the Rehabilitation Act**

542.1 **Overview**

The terms "limited duty," "light duty," and "rehabilitation assignment" have very specific and different meanings within the Postal Service. Yet the obligations imposed upon the Postal Service may overlap with or parallel its obligations under workers' compensation laws or a collective bargaining agreement.

542.2 **Reasonable Accommodation for an Employee With an Occupational Illness or Injury Which Is Also a Disability Under the Rehabilitation Act**

The purpose of the Rehabilitation Act is to do the following:

- Prohibit employers from discriminating against applicants and employees because of a disability.
- Provide for reasonable accommodation in the workplace.

The purpose of the Federal Employees' Compensation Act (FECA) is to provide a system for securing prompt and fair resolution of federal employees' claims against employers for occupational illness or injury. While the purpose of these laws do not conflict, the simultaneous application of the laws raises questions in a number of areas.

An employee who has sustained an occupational illness or injury and has an accepted claim under FECA can, but does not necessarily, have a disability within the meaning of the Rehabilitation Act.

. This is because FECA is different in purpose than the Rehabilitation Act and uses different standards for evaluating whether a person has a "disability" or whether the employee is capable of working.

Remember, the Rehabilitation Act defines disability as a physical or mental impairment that substantially limits a major life activity. However, impairments resulting from an occupational illness or injury may not to substantially limit a major life activity, or they may last only a short time, such as a few weeks with little or no impact.

If an employee with an occupational illness or injury requests reasonable accommodation and the need for accommodation is not obvious or already known, the employer may require documentation to substantiate the following:

- .. The existence of a disability as that term is defined in the Rehabilitation Act.
- .. The employee's entitlement to reasonable accommodation.

If the impairment resulting from the occupational illness or injury substantially limits a major life activity , assess whether the employee can perform the essential functions of a position, with or without accommodations, and without posing a direct threat. The fact that an employee has a substantially limiting impairment caused by the occupational illness or injury does not, by itself, indicate that he or she is unable to perform the essential functions of the job or that returning the employee poses a

direct threat. You must go through the following steps:

- Refer to the six-step decision-making process in 22.
- Consult with your injury compensation office.
- Make an individualized determination about what accommodations will enable the employee to perform the job's essential functions.

Reasonable accommodation may include restructuring a position by reallocating or redistributing the marginal functions that the employee cannot perform because of an impairment resulting from a traumatic injury or occupational illness. However, the Postal Service need not eliminate essential functions of the position.

542.3 **Reasonable Accommodation for An Employee Who Requests Light Duty**

The term "light duty" is a contractual term. It refers to temporary work assignments — not positions — requested by eligible employees who have impairments from non-job-related medical conditions. Article 13 of most collective bargaining agreements governs light duty and provides for the assignment of work, if available, to an employee unable to perform his or her regular duties. Therefore, the installation head (or appropriate designee) handles light duty requests pursuant to the terms of the relevant contract, rather than by the RAC or reasonable accommodation decision maker. However, even though a request for light duty usually implies a request to be relieved of essential functions of the employee's regular position, it is important to recognize that an employee with a disability under the Rehabilitation Act may request light duty for the following reasons:

- Believe themselves to be a qualified individual with a disability, and
- Believe light duty to be a reasonable accommodation.

In such instances, the RAC or reasonable accommodation decision maker is the appropriate party to explore accommodation with the employee.

Keep in mind, like FECA and the Rehabilitation Act for individuals with job-related illness or injuries, light duty under Article 13 and a reasonable accommodation under the Rehabilitation Act are separate rights, although they are often sought and considered simultaneously.

543 **Reassignment as a Reasonable Accommodation**

Reassignment is a form of reasonable accommodation that may be required if the following applies:

- No other accommodation will allow the employee to perform the essential functions of the position and
- The proposed reassignment does not violate the seniority provisions of a collective bargaining agreement.

Barring undue hardship, you may be required to reassign the employee as a reasonable accommodation of last resort if you determine that no other reasonable accommodation will permit the employee with a disability to perform the essential functions of his or her current position.

Where reassignment is or may be appropriate, consult with Human Resources personnel. Specific contractual agreements with the labor organizations control reassignment procedures for bargaining unit employees. These procedures require that the employee register his or her request for reassignment to another installation through the eReassign system. For such reassignments, consider the following types of positions:

- „ Authorized positions at the same level in the same commuting area for which the employee is qualified and which are vacant or will be vacant over the next 60 calendar days.
- „ Lower-level positions (if no comparable position is available) in the same commuting area that are authorized and vacant or will be vacant over the next 60 calendar days.

„ Vacant positions (at the same or lower level) outside of the employee's commuting area if the employee is willing to relocate.

Note: The Postal Service is not obligated to pay relocation costs for a change in duty station that is for an employee's benefit (see Handbook F-15, *Travel and Relocation*).

The employee may need reasonable accommodation to perform the essential functions of the new position. You must note efforts to accommodate with reassignment on the Reasonable Accommodation Decision Guide (see Exhibit 2-3).

55 Modification of Vehicles, Vehicle Assignments, and Automated Mail Processing Machines as a Reasonable Accommodation

Headquarters must approve first all of the following:

- All requests to modify vehicles including, but not limited to, the following:
 - Vehicle equipment.
 - Components.
 - Structure.
 - Configuration.
 - Operating characteristics.
- All requests to provide a vehicle that the Postal Service owns or leases as an accommodation when the Postal Service does not provide one currently or the employee does not require one currently.

You must refer a request for an action of this nature to the local manager, Vehicle Maintenance, who will forward it to Delivery Vehicle Operations at Headquarters for a decision.

Headquarters must approve first all requests to modify automated mail processing equipment . You must send this type of request to the local manager, In-Plant Support, who will forward it to the manager, Engineering Change Board at Headquarters.

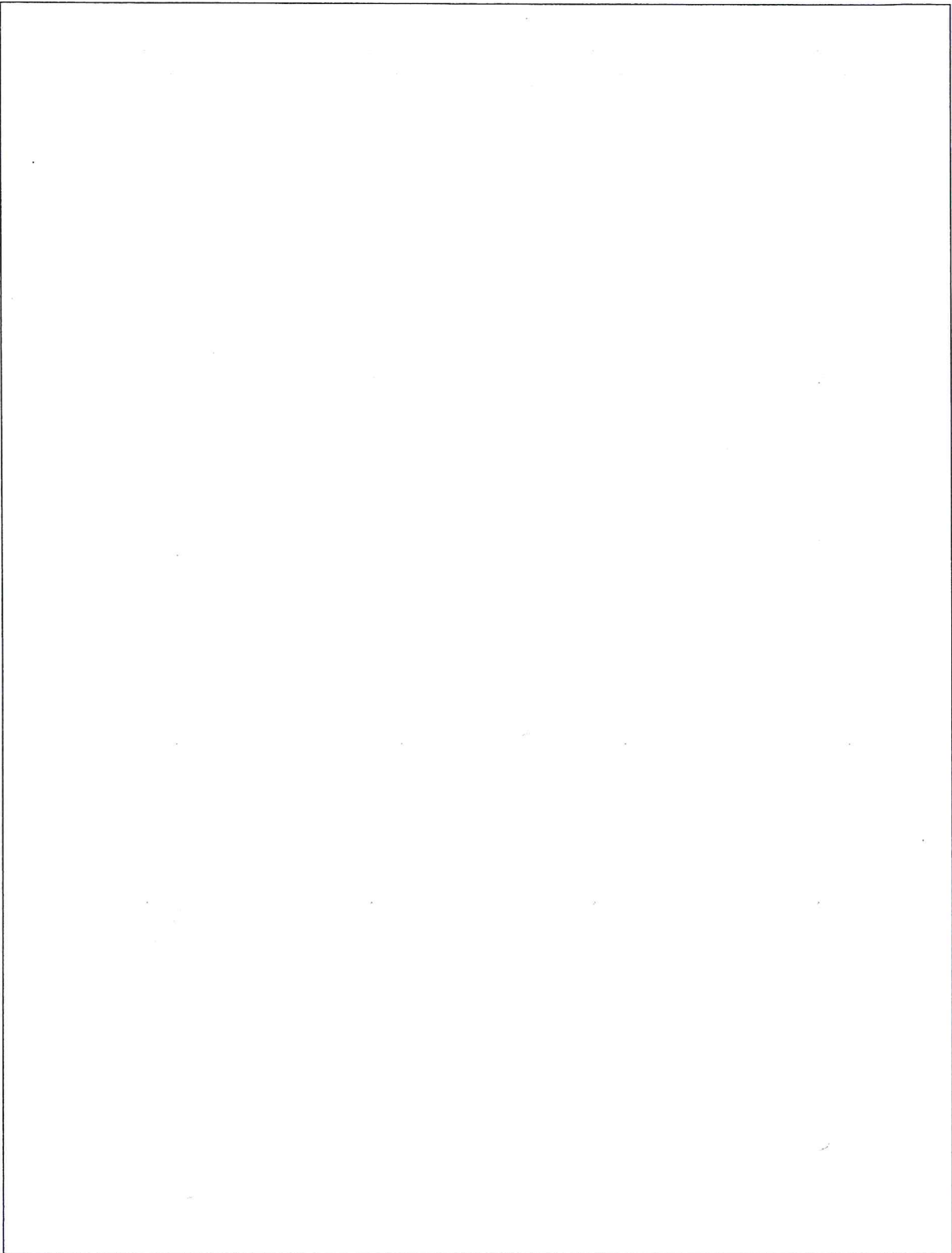
56 Disability Retirement

Employees who meet eligibility requirements may apply through the Human Resources Shared Service Center (HRSSC) for Office of Personnel Management (OPM) disability retirement. The application for disability retirement process begins by doing one of the following:

- Calling the HRSSC at 877-477-3273.
- Visiting the LiteBlue website at liteblue.usps.gov

57 Communication Accommodations for the Deaf and Hard of Hearing

Refer to Management Instruction EL-670-2013-6, *Providing Communication Accommodation for Employees and Applicants Who Are Deaf or Hard of Hearing*, for specific instructions.



6 Role of the Reasonable Accommodation Committee

61 Policy

Each area and district is required to have a Reasonable Accommodation Committee (RAC), a multifunctional task force that helps management to do the following:

- „ Determine the eligibility of employees and applicants for reasonable accommodation.
- „ Assess the availability and feasibility of specific accommodations.

The RAC examines the following:

- Whether an individual applicant or employee qualifies for accommodation under the Rehabilitation Act.
- Working with the individual and management of the affected office,
- Potential accommodations, including transfer or reassignment.

62 Members

A district RAC should include, but is not limited to, the members listed in the table below.

Members of the District Reasonable Accommodation Committee

Position	Recommended Roles and Responsibilities
Manager, Labor Relations (or designee)	<ul style="list-style-type: none">„ Chairs committee.„ Ensures compliance with obligations imposed by law, in consultation with the Law Department (e.g., FMLA, FECA) and collective bargaining agreements.
Human Resources Generalist (or designee)	<ul style="list-style-type: none">„ Brings requests for reasonable accommodation from applicants.„ Brings questions of medical suitability for applicants.„ Receives requests for reasonable accommodation related to a job bid or employee request for reassignment.„ Identifies vacant funded positions when reassignment is necessary.
Manager, Safety, or Manager, Health Resource Management (or designee)	<ul style="list-style-type: none">„ Brings information about possible workplace accommodations.

Members of the District Reasonable Accommodation Committee

Position	Recommended Roles and Responsibilities
Postal Service Medical Doctor (if available)	<ul style="list-style-type: none"> „ Serves as a medical resource. „ Helps to determine: <ul style="list-style-type: none"> – The extent of an applicant's or employee's medical condition and how it impacts the individual's major life activities. – Whether the medical information about a condition implies the existence of a direct threat to the individual or others if the individual performed the job, with or without accommodation. „ Discusses an individual's medical situation with the treating physician with the individual's written authorization.
Occupational Health Nurse or Occupational Health Nurse Administrator	<ul style="list-style-type: none"> „ Serves as a medical resource. „ Gathers medical information relevant to medical suitability and requests for reasonable accommodation. „ May make disability-related inquiries and requests for medical examinations that are job-related and consistent with business necessity.
District Disability Coordinator	Serves as the point of contact for employees who are deaf or hard of hearing and wish to request communication accommodations.
Operations Manager (or designee)	<ul style="list-style-type: none"> „ Provides voice of operations to committee deliberations. „ Helps to determine the operational feasibility of proposed accommodations.

Each member of the RAC must be thoroughly familiar with the contents of this handbook and be trained in reasonable accommodation.

While any member may be the designated chairperson, it is recommended that the Labor Relations professional chair the committee. The RAC may also elect co-chairs. The chairperson is responsible for the following:

- Maintaining a RAC file for each applicant or employee considered by the RAC.
- Storing the file as discussed in 26.
- Convening the RAC as needed to consider requests for reasonable accommodation.

The individual's file must include the following:

- Reasonable accommodation requests.
- All related paperwork, medical and non-medical, including the Reasonable Accommodation Decision Guide.

Note: Not all members must attend each meeting; in the interest of confidentiality, only those needed for evaluation of the situation the RAC is considering must attend.

63 Consultation With the Law Department

At times the RAC will need to consult with its Area Law Office. Consultation is appropriate at any stage; however, the RAC must consult with the law office before making a final determination to do the following:

- Deny a request for accommodation.
- Refuse to hire an individual.

64 Referral to a Reasonable Accommodation Committee

641 Overview

You may refer the following to the RAC:

- All Postal Service employees, including career, non-career, and probationary.
- Employees whose conditions are job-related or are not job-related.
- Employees already in a limited duty, light duty or permanent rehabilitation assignment.

A supervisor or manager must refer a request for accommodation to the RAC when an employee has requested an accommodation or modification of his or her work assignment or job duties based on a medical reason, and one or more of the following is true:

- „ The supervisor is not certain if the impairment rises to the level of a disability under the Rehabilitation Act.
- The supervisor does not believe the employee is a qualified person with a disability.
- „ The supervisor has questions concerning the reasonableness of the accommodation requested and whether it poses an undue hardship.
- The supervisor believes the accommodation will pose a direct threat.
- „ The supervisor needs help finding a way to accommodate the individual.
- The employee is experiencing attendance problems in connection with the impairment, and the supervisor is considering discipline.
- „ The supervisor believes the request for accommodation should be denied.
- „ The supervisor is considering separating the employee for inability to perform the functions of his or her position.
- The supervisor is considering withdrawal of any existing accommodation for the employee.
- The supervisor has an employee for which there is no work available due to existing limitations or restrictions.

In addition, referral to the RAC is appropriate in the following situations:

- When the supervisor observes an individual with an obvious or known disability having difficulty performing the essential functions of his or her job due to that disability, particularly where the supervisor is considering any type of disciplinary or administrative action regarding the employee in connection with this disability. In these cases, the referring manager or supervisor must advise the employee of the referral to the RAC.
- When an appointing official questions the medical suitability of an

applicant.

Note: You do not need to refer all requests for accommodation to a RAC. For example, if an employee requests specialized equipment, such as an ergonomic chair, and local management can provide the equipment expeditiously, there is no need for RAC involvement.

642 **Limited Duty, Light Duty, and Rehabilitation Assignments**

Supervisors and managers do not refer initially most limited duty and temporary light duty requests to the RAC. Instead, the mechanisms provided by Federal Employees' Compensation Act process requests for limited duty and the mechanisms provided by the respective collective bargaining agreements for light duty. Nonetheless, there are circumstances in which an employee in a light duty, limited duty, or rehabilitation assignment can raise issues that warrant referral to the RAC. For example:

- „ When an employee has an illness or injury that, in addition, may qualify as a disability under the Rehabilitation Act and the employee seeks accommodation for that disability, referral to the RAC is appropriate.

„ When an employee seeks to leave a light duty, limited duty, or rehabilitation assignment position and obtain a different job, the RAC must assess the situation to see if the employee can perform in the position desired, with or without reasonable accommodation.

In addition, an employee with a disability may request permanent or long-term light duty, believing it to be a reasonable accommodation. In such a case, the RAC may appropriately explore accommodation with the employee. The RAC's role is limited, however, to the following:

- Evaluating the employee's eligibility for accommodation.
- The availability of accommodation under the law.

The RAC does not make a decision on the availability of light duty because the installation head is responsible for granting or denying light duty, pursuant to the terms of the applicable collective bargaining agreements.

643 **Family and Medical Leave Act Requests**

A request for accommodation may first appear as a request for FMLA-protected leave. For example, if an employee requests long-term leave for a reason related to (or possibly related to) a disability, then the supervisor or manager will do the following:

- Consider this a request for reasonable accommodation and FMLA leave.
- Make a referral to the RAC.
- Advise the employee of the referral.

If the employee elects to pursue his or her rights under the Rehabilitation Act, the RAC need not rely solely on FMLA certification but may make additional medical or disability-related inquiries to determine whether the employee has a covered disability, is entitled to reasonable accommodation, or both.

644 **RAC Role in Medical Suitability Determinations**

When the preemployment medical assessment findings identify physical limitations or restrictions, the appointing official will review the medical findings and contact the manager of the operation or office to determine whether the medical restrictions or limitations would permit safe performance of the job. The appointing official must refer the applicant to the RAC when:

- „ The appointing official concludes restrictions would not permit safe performance of the job;
- „ If no accommodation can be readily provided to permit safe performance of the job;
- „ If the appointing official is simply unsure.

The RAC will perform an in-depth analysis to determine the following:

- „ Whether the individual is able to perform the essential functions of the position;
- „ Whether the individual poses a direct threat that reasonable accommodation cannot reduce to an acceptable level.
- Or both.

The RAC consults with the manager of the operation or office to discuss its findings. Then, the RAC informs the appointing official of its findings and recommendation.

65 The RAC's Decision-Making Process

651 Meeting With an Employee or Applicant: The Interactive Process

The RAC must meet with the employee or applicant in person, if possible. If not, the RAC must contact the individual by telephone to discuss the accommodation request. In addition, the RAC must invite the affected manager or supervisor as he or she may find it helpful to attend this meeting. The RAC will conduct the interactive meeting within 30 days from the chair's receipt of the request.

Before the meeting, the RAC may need to obtain medical documentation regarding the nature and extent of the impairment and its limitations from any of the following:

- The employee or applicant.
- PS Form 2485-A, *Medical Assessment – Focused Examination Report*.
- The appropriate Occupational Health Services office for preemployment medical assessments where the appropriate medical professional identifies the physical limitations or restrictions.

However, keep in mind that the determination whether an impairment substantially limits a major life activity should be construed broadly in favor of expansive coverage. Consequently, in many instances, this determination should not demand an extensive analysis.

Next, the RAC meets with the individual to do the following:

- „ Review medical information, when necessary.
- „ Discuss and evaluate limitations to major life activities.
- „ Discuss essential functions of the position in question and explore whether and how the individual can perform those functions without posing a direct threat.
- „ Elicit input regarding potential accommodations, including alternatives such as reassignment (where necessary, available and appropriate).

In addition, the RAC must advise the employee or applicant of the following:

- The anticipated time frames for processing the particular request for accommodation.
- The confidential treatment of the medical information relayed.

The RAC must maintain ongoing communication with the individual throughout its proceedings, and advise that additional information may be sought later, if the need arises.

The RAC chair or designee must document in the RAC file the meeting with an employee or applicant. Documentation includes the following:

- Recording the efforts to schedule meetings.
- Whether meetings were rescheduled and why.

- The dates the RAC chair or designee held the meetings.
- The name and position of everyone in attendance at each meeting.
- The accommodation(s) requested by or for the employee or applicant.
- Documentation provided in support of accommodation.
- A synopsis of the meeting.

652 **The RAC's Findings**

Once the RAC has completed the interactive process and made all necessary consultations, the RAC must determine

whether the employee or applicant has a disability as defined under the Rehabilitation Act. In making this determination, the RAC must do the following

identify the impairment at issue and determine whether the impairment substantially limits the performance of a major life activity as compared to the performance of that activity by most people in the general population (see 14).

If a disability exists, determine the following:

1. Whether the individual can perform the essential functions of the position held or desired, with or without reasonable accommodation. In making the essential functions determination, the RAC must obtain information on the essential functions of the position in question from the appropriate affected office or site and consider the input of the employee or applicant. At times, a site visit to evaluate the job functions may be necessary.
2. Whether the affected office or site can provide accommodation, including reassignment (for an employee, not an applicant), without undue hardship.

Note: Reassignment is an accommodation of last resort and the RAC should consider it only if no accommodation is possible within the employee's current position. First, the RAC should consider reassignments to vacant, funded, equivalent positions, then reassignments to a lower level position. Reassignment to a higher level position is not a reasonable accommodation. Where consideration of reassignment as an accommodation is called for, the RAC must determine whether the employee is willing to relocate (at his or her own expense) and to where. This information will guide the geographic scope of the search for appropriate positions.

With regard to findings 1 and 2, consultation with the management of the affected office or operation is essential.

The RAC chair or designee must document the findings for the RAC file. Documentation includes the following:

- The date(s) of all RAC member meetings to discuss the request.
- The identity of all RAC members present in each meeting.
- The date and identity of any person consulted that contributed to the RAC findings and the substance of their contribution.
- Whether the RAC determined that the individual is disabled.
- Who was involved in the determination and the rationale for the determination.
- Whether the RAC determined that the individual can perform the essential functions of the position, with or without reasonable accommodation.
- Whether the RAC obtained information on the essential functions of the position.
- Whether the RAC conducted a site visit (the date and who participated) to evaluate the job functions.
- Whether the Postal Service can provide an accommodation without undue hardship.

If the Postal Service cannot provide an accommodation without undue hardship, the RAC chair or designee must consult with the Postal Service law office before it makes a final decision.

66 Final Decision

The RAC must consult the manager of the operation or office affected by the request for reasonable accommodation and he or she must approve the request or determination using the RAC as a consultative source or guide. If the manager decides not to follow the RAC's recommendation to accommodate the individual, the manager must do the following:

- Document his or her reason for that decision.
- Provide the documentation to the RAC. The RAC will forward this documentation to the Law Department for its opinion. Refer to 25 for additional information on denying a requested accommodation.

The RAC chair or designee must document for the RAC file the following:

- The final decision, including the name, title, and date the RAC consulted the manager of the operation or office.
- The identity of the RAC members involved in the consultation.
- The substance of the recommendation, if any, made by the RAC to the manager.
- The manager's decision.

67 Confidentiality

The RAC must treat the medical records it collects as confidential information (see Management Instruction EL-860-98-2, *Employee Medical Records*). The RAC retains such documentation in the RAC file, intact, inside the individual's Candidate folder or EMF. Both the Privacy Act and the Rehabilitation Act prohibit disclosure of such medical information except in certain limited situations, such as the following:

- When there is a need to know in order to provide a reasonable accommodation.
- To manage, evaluate, and report on the Postal Service's EEO and Diversity Programs.

Refer to subchapter 26 for additional information on record keeping.

Glossary

Accessible

The ease with which a site, facility, work environment, service, or program can be approached, entered, operated, participated in, and/or used safely and with dignity by a person with a disability.

Americans with Disabilities Act (ADA)

Legislation that prohibits discrimination based on a person's disabilities. It covers the private sector and state and local governments. The ADA requires such entities to accommodate individuals with disabilities in all phases of government services, public accommodations, transportation, and employment.

Americans with Disabilities Act of 1990, as amended (ADAAA)

An amendment signed into law on September 25, 2008, and effective on January 1, 2009. This amendment significantly broadened the definition of "disability" to ensure that the law would cover more individuals. In addition, it amended the Rehabilitation Act of 1973 so that it conforms to the ADAAA changes.

Bona fide job offer

An offer made to an applicant selected either competitively or noncompetitively after having met the overall eligibility and personal suitability requirements.

Code of Federal Regulations (CFR)

A codification of the rules published in the *Federal Register* by executive departments and agencies of the federal government. See 39 CFR for postal regulations.

Collective bargaining agreements

Communication Accommodation Plan (CAP)

Communica tion Accommod ation

Also referred to as National Agreements or Contracts, these are the Postal Service-wide binding terms and

Competitive employment process

Direct threat

Disability

conditions agreed upon by the Postal Service and labor unions.

Reasonable accommodation designed to enhance effective communication for and with employees who are deaf or hard of hearing.

Documents specific reasonable communication accommodations that the Postal Service will provide for employees and applicants who are deaf or hard of hearing.

The consideration and selection of individuals from a hiring register established because of rankings achieved on a competitive entrance examination.

A significant risk of substantial harm to the safety or health of the individual or others that reasonable accommodation cannot eliminate or reduce to an acceptable level. A significant risk means there is a high probability of substantial harm, not a slightly increased risk. The Postal Service will base the determination that an individual poses a "direct threat" on an individualized assessment of the individual's present ability to perform safely the essential functions of the job. The Postal Service will base this assessment on a reasonable medical judgment that relies on current medical knowledge, on the best available objective evidence, or both. In determining whether an individual would pose a direct threat, the Postal Service considers the following factors: (1) the duration of the risk; (2) the nature and severity of the potential harm; (3) the likelihood that the potential harm will occur; and (4) the imminence of the potential harm.

A physical or mental impairment that substantially limits one or more major life activities of an individual.

Disability retirement An application for annuity filed by an employee claiming permanent, total disability for his or her job.

District Disability

Coordinator (DDC) Serves as the district point of contact for employees who are deaf or hard of hearing. The DDC receives oral and written requests for communication accommodations and explains the process to employees who are deaf or hard of hearing. The DDC is responsible for the following: (1) forwarding a request to the Reasonable Accommodation Committee (RAC); (2) serving as a subject matter expert on the RAC when reviewing the request; and coordinating the implementation of the Communication Accommodation Plan with the employee's supervisor.

Division or Department of Vocational Rehabilitation (DVR) State offices providing rehabilitation assistance for individuals with disabilities.

Equal Employment Opportunity Commission (EEOC) The agency responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or employee because of the person's race, color, religion, sex, national origin, age, physical or mental disability, genetic information or previous complainant status.

Essential functions The major tasks that must be accomplished on a specific job. They are tasks that, if the individual performs incorrectly or omits, will result in failure to attain the basic purpose of the job. Other factors to consider are (1) the amount of time an individual normally spends performing the function, (2) whether the function is uniformly performed by incumbents, (3) the experience of jobholders, and (4) the degree of skills and abilities needed to perform the function (see 222). Essential functions may vary from one installation to another for specific jobs with the same job title and occupation code.

Family and Medical Leave Act (FMLA) The federal law that requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for certain family and medical reasons. Generally, employees are eligible if they have worked for at least one year and for 1,250 hours over the previous 12 months.

Federal Employees' Compensation Act (FECA) A law that provides compensation benefits to civilian employees of the United States for disability due to personal injury (including occupational disease) sustained while in the performance of duty. In addition, damage to or destruction of medical braces, artificial limbs, and other prosthetic devices incidental to a personal injury is compensable. FECA also provides for the payment of benefits to dependents if job-related injury or disease causes the employee's death.

Full duty As used in this text, "full duty" includes marginal as well as essential job functions or may mean performing job functions without any accommodation.

Impairments See physical or mental impairments.

Interactive Process

An informal, fact gathering and information sharing process whereby the individual who seeks reasonable

accommodation and the employer explore available options. In most cases, depending on the disability in issue, the focus will be on the essential functions of the job in question and potential accommodations to enable the individual to perform those functions and not so much on medical evidence to establish a disability. Refer to Chapter 2 for the six steps in the interactive process.

Job restructuring	Altering a job to enable a qualified person with a disability to perform the essential functions.
Light duty	Work, as defined in a specific collective bargaining agreement, provided to an employee who is unable to perform the regularly assigned duties of his or her job due to a non-work-related injury or illness.
Limited duty	As used in this text, the term "limited duty" refers to a temporary assignment for an employee who is unable to perform the regularly assigned duties of his or her job due to an occupational illness or injury.
Major life activities	Functions such as, but not limited to (see 141.2), caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

Glossary

Medical assessment

Preemployment medical examination, medical assessment questionnaire process, or additional information to identify an individual's ability to perform the functions of the job in question without endangering the health and safety of the individual or others.

Mitigating Measures

Treatment or devices such as, but not limited to, medication, assistive technology, prosthetics, equipment, learned behavioral or adaptive neurological modifications, hearing aids/cochlear implants, and mobility devices. You must not consider mitigating measures when evaluating whether a disability exists. The only exception is ordinary eyeglasses or contact lenses.

Noncompetitive employment process

The Postal Service's structured procedure for hiring and placement of qualified persons outside the competitive process (see competitive employment process); e.g., persons with severe disabilities evaluated, certified, and referred by state DVR or VA for employment consideration.

Physical or mental impairments

Privacy Act of 1974

(1) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, cardiovascular, reproductive, digestive, genito-urinary, hemic, and lymphatic, skin, circulatory, immune and endocrine; or (2) any mental or psychological disorder, such as an intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

A federal law that provides privacy protections for personal information maintained by agencies, including the Postal Service. The protections apply to information maintained in a "system of records," which is a file, database, or program from which personal information is retrieved by name or other identifier. The Postal Service maintains Reasonable Accommodation records in the system of records identified as "Privacy Act System of Records 100.700" (Medical Records).

Qualified individuals with a disability

With respect to employment, an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the job in question without endangering the health and safety of the individual or others. A qualified individual with a disability must perform at a level comparable to that of other employees.

Reasonable accommodation

Modification or adjustments to the job application process the work environment, or both to allow individuals protected by the Rehabilitation Act to be considered for positions, perform the essential functions of a position, enjoy benefits and privileges of employment equal to similarly situated employees without disabilities, or all of these.

Multifunctional group that assists management in considering and offering reasonable accommodations to qualified individuals with disabilities. The RAC facilitates interactive discussions with employees and supervisors or managers and assists with the development and implementation of reasonable accommodation solutions, including communication accommodations for employees or applicants who are deaf or hard of hearing.

Reasonable Accommodation Committee (RAC)

Rehabilitation Act of 1973

Rehabilitation Assignment

Prohibits discrimination against qualified employees and job applicants based on a disability in the federal government. The Rehabilitation Act essentially applies the ADA's

employment provisions to federal employers, including the Postal Service.

An assignment into which the Postal Service places an injured employee when the employee's doctor notifies the Postal Service that the employee has reached maximum medical improvement and the employee still has medical restrictions that prohibit the employee from returning to his or her date of injury job. A rehabilitation assignment may or may not include essential functions of the employee's date of injury job.

Restrictions

See work restrictions.

Restructuring

See job restructuring.

Substantially limits

The substantially limits criteria is not a demanding standard and does not require extensive analysis. An impairment need not prevent, or significantly or severely restrict, an individual from performing a major life activity in order to be substantially limiting.

Reasonable Accommodation, An Interactive Process

Targeted disabilities	Disabilities targeted by the EEOC for emphasis in affirmative action program planning. The disabilities and the codes that represent them are as follows: 16 and 17 (deafness), 23 and 25 (blindness), 28 and 32 through 38 (missing extremities), 64 through 68 (partial paralysis), 71 through 78 (complete paralysis), 82 (convulsive disorders), 90 (intellectual disability), 91 (mental illness), and 92 (distortion of limbs, spine, or both).
Undue hardship	The Postal Service is required to make reasonable accommodation to known physical and mental limitations of a qualified individual with a disability unless the accommodation would impose an undue hardship on the operation to which the Postal Service assigned individuals with disabilities. The Postal Service must base undue hardship on an individualized assessment of current circumstances which show that a specific accommodation would cause significant difficulty or expense. In determining undue hardship, you must consider the following factors: (1) the overall size of the operation with respect to the number of employees, number and type of facilities, and size of budget; (2) the type of operation, including composition and structure of the workforce; and (3) the nature and cost of the accommodation.
Department of Veterans Affairs (VA)	An agency of the federal government, formerly called the Veterans Administration, serving the needs of former members of the United States armed forces.
Work restrictions	Specific functions or tasks that a person should not perform (e.g., no heavy lifting over 50 pounds).

