

Reasonable Accommodation Procedures

Section 1. General

- A. The Agency is committed to providing reasonable accommodation consistent with the law in order to ensure that individuals with disabilities enjoy full access to equal employment opportunities at EPA.
- B. The Agency endeavors to be a model employer for people with disabilities, and to recruit and hire employees with disabilities, in accordance with controlling law and regulation.
- C. The Parties should work together to make employees aware of their rights and work within the reasonable accommodation procedures to process requests for reasonable accommodations in a confidential manner recognizing the importance of timeliness.

Section 2. Procedures

- A. Making a request for reasonable accommodation:
 - 1. A request for reasonable accommodation is an employee or applicant expressing the need for an adjustment or change at work, for a reason related to a medical condition.
 - 2. Employees may request a reasonable accommodation, either orally or in writing, from their supervisor (who will be the decision-maker in most circumstances), another supervisor in their immediate chain of command, or the National Reasonable Accommodation Coordinator (NRAC), or, if applicable, the Local Reasonable Accommodation Coordinator (LORAC).
 - 3. A family member, health professional, or authorized representative may request an accommodation on behalf of an applicant or EPA employee. When a request for accommodation is made by a third party on behalf of an applicant or employee, the Agency official (for applicants) or the supervisor for the employee, Senior NRAC, NRAC, and LORAC who are processing the request may confirm the individual's authority to represent the applicant or employee with a disability.
 - 4. At the time of making an initial request, employees may, but are not required to, identify a specific accommodation. The NRAC (or LORAC) is available to provide employees with ideas or resources to help identify potential accommodations.
- B. Time frames for processing a request:
 - 1. The Agency will process requests for reasonable accommodation and provide accommodations in as short a time frame as is reasonably possible. The time

necessary to process a request may depend on the nature of the accommodation requested, the number of requests relative to staffing levels, and whether it is necessary to obtain supporting information.

2. When a disability and/or need for reasonable accommodation is not previously documented or the disability is not obvious to the decision-maker, employees may be required to provide medical information (including follow up requests for additional information) within a reasonable period (generally, up to 45 business days). Failure to timely supply medical information may result in a denial of the requested accommodation.
 - a. In accordance with EEOC guidance, the Agency may request medical documentation in order to make an informed decision about a reasonable accommodation.
 - b. An employee's medical information related to a reasonable accommodation will be submitted by employees to the NRAC/ LORAC in accordance with agency policy.
 - c. Employees may request, and the Agency may grant for good cause shown, extensions to deadlines for medical requests.
 - d. Medical information and documentation will be maintained as confidential records by the Agency and shared consistent with Agency Policy, law, and regulation.
3. Some accommodations may require coordination with other federal agencies, for example, facility access or modification to the building, or other circumstances beyond the Agency's control, such as delays in a vendor's supply chains. When such circumstances arise, the Agency will endeavor to provide periodic updates to the employee.

C. Processing requests for reasonable accommodation:

1. Once an employee makes a request, the employee, NRAC or LORAC and/or supervisor will work together to document the request in writing if the request was made verbally. This may be done on an Agency form (Appendix B) or by email. This written documentation is to be sent to the NRAC or LORAC if the NRAC and LORAC were not already notified of the request.
2. The Agency will review the medical documentation (if medical documentation is requested) and issue a Determination of Disability (DOD) Letter. The DOD Letter will state if the person is an individual with a disability, and if so, the request will continue with the interactive process.

D. Interactive Process

1. At the time of making an initial request, employees may, but are not required to, identify a specific accommodation.

2. Employees and management are expected to engage in ongoing, cooperative communications (a flexible interactive process) regarding the request and in identifying and implementing effective reasonable accommodation(s). This is especially important when the specific limitation, problem, or workplace barrier is unclear. An employee may ask for and/or the Agency may offer an interim reasonable accommodation during the interactive process.
 3. The employee requesting the reasonable accommodation may have a Union representative participate in interactive process meetings (i.e., meetings between the LORAC/NRAC, decisionmaker, and the employee). The agency may have the NRAC/LORAC, decisionmaker, and LER in interactive process meetings. If the Agency determines a subject matter expert is a necessary participant in the interactive process, the Agency will provide the rationale for a Subject Matter Expert (SME) to the employee and their representative (if there is one) in advance of the meeting. All attendees, including SMEs are expected to treat the interactive process in accordance with controlling confidentiality law and regulation.
 4. Consistent with the law, it may be appropriate for the Agency to revisit accommodations or request updated medical information to support an employee's reasonable accommodation.
- E. Reassignment: A reassignment per a reasonable accommodation will be consistent with law and regulation
1. Voluntary Reassignment
 - a. The Agency and the employee may mutually agree to explore a voluntary reassignment outside the scope of the Agency's Reasonable Accommodation Procedure even though all RAs have not been considered or fully implemented. Exploration of a voluntary reassignment does not foreclose an accommodation within the current position. The employee must qualify for any positions discussed and the positions must be vacant.
 2. Reassignment as Last Resort
 - a. Reassignment is considered if a non-probationary employee with a disability can no longer perform the essential functions of their current job and management has determined through the interactive process that:
 - i. there are no effective reasonable accommodations that will enable the employee to perform the essential functions of their current position, or
 - ii. other reasonable accommodations would impose an undue hardship.
 - b. If reassignment is offered, employees who elect to participate in a reassignment search must submit identifying parameters for the search (such as geographic location).

F. Decisions on Accommodation Requests

1. Approval or denial of reasonable accommodation requests will be made in writing and provided to the employee. For approved reasonable accommodations which are ongoing episodic, and/or irregular in nature, which do not include a notification process, the Decision Maker will determine the notification process with input from the employee.

FOR THE AGENCY

FOR THE UNION

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