

## **Reasonable Accommodations**

### **Reasonable Accommodation Procedures**

Section 501 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination against individuals with disabilities in the federal sector and requires federal agencies to provide reasonable accommodation to qualified employees or employment applicants with disabilities, unless doing so would cause undue hardship.

The Federal Mediation and Conciliation Service (FMCS) fully complies with the reasonable accommodation requirements of the Rehabilitation Act of 1973. FMCS is dedicated to improving the employment, retention, and advancement of qualified persons with disabilities by providing reasonable accommodation information and resources. To that end, FMCS processes requests for reasonable accommodation and, where appropriate, provide reasonable accommodation in a prompt, fair, and efficient manner.

In addition, as required by the Rehabilitation Act of 1973, FMCS has established a written policy to assist agency employees and managers with processing requests for reasonable accommodation. FMCS's policy contains a comprehensive explanation of reasonable accommodation procedures for submitting or responding to reasonable accommodation requests.

For further information regarding Federal Mediation and Conciliation Service's Reasonable Accommodation policy and procedures, you may direct your email to [NSamuels@FMCS.gov](mailto:NSamuels@FMCS.gov)

#### **Initiating Request for Reasonable Accommodation.**

When an employee or applicant makes a request for reasonable accommodation, either on his/her own behalf, or through a family member, health professional, or other representative acting on the individual's behalf, the following requirements apply:

1. For an employee, the request may be made verbally or in writing to his/her supervisor or manager, the Equal Employment Opportunity Office, or the Disability Program Manager. An applicant makes his/her verbal or written request to the Equal Employment Opportunity Office, the Disability Program Manager, the interviewer from the office having the vacancy for which he/she wants to be considered, or any FMCS Office employee with whom he/she has had contact. A verbal request for accommodation is acceptable when made. For record-keeping purposes only, the employee or applicant may also submit the request in writing. Otherwise, the request for accommodation will be documented by the individual to whom the request was made. The appropriate FMCS Office must not wait until a written request or other recordkeeping form is received before processing a verbal request for reasonable accommodation. Employees and applicants who use assistive technology ( e.g., Braille reader, screen reader, TTY, etc.) may contact the Disability Program Manager and request their preferred format in which to receive materials.
2. The request must state, at a minimum, that the individual needs an adjustment or change at work or in the applicant process for a reason related to a medical condition.

3. All FMCS Offices must not require the requesting individual to use any particular words, as examples the Rehabilitation Act and the phrase "reasonable accommodation," when requesting reasonable accommodation.

4. If a requested accommodation is approved and is of the type that will be needed on a repeated basis ( e.g., sign language interpreter), the individual does not have to submit an additional request each time the accommodation is needed. In such cases, the FMCS Office must provide the accommodation on an as needed basis. The EEOC has issued federal sector decisions holding that in some circumstances where an individual has a recurring, predictable need for accommodation, the agency may be obligated to provide the accommodation as needed, whether or not the individual has requested it.

5. All requests for and provision of reasonable accommodations must be kept confidential. Supervisors and Managers should review EEOC Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act (revised October 17, 2002), Question 42, which provides guidance on ways to respond to other employees' inquiries without violating confidentiality.