



# REASONABLE ACCOMMODATION

In accordance with the Americans with Disabilities Act (ADA) and the Americans with Disabilities Act Amendment Act (ADAAA), DOE is committed to providing reasonable accommodation (RA) to qualified employees and applicants with disabilities and providing religious accommodation to all employees, consistent with applicable laws, Executive Orders, regulations, and Equal Employment Opportunity Commission guidance. RA removes workplace barriers for individuals by changing the work environment or the way activities are usually performed to help a person with a disability or a religious belief apply for a position, perform the duties of a position, or enjoy the benefits and privileges of employment.

[Policy Memorandum #100, Reasonable Accommodation](#), and its corresponding templates outline the Department's process, timeframes, and expectations for responding to requests for RA.

## OVERVIEW OF THE RA PROCESS

### REQUESTING AN RA

- An individual (the "Requestor") may initiate a verbal or written request with their Supervisor or their assigned [Local Reasonable Accommodation Coordinator \(LRAC\)](#) at any time.
- The Requestor does not need to include specific words such as "reasonable accommodation," "disability," or "religion" in their request.
- A third party may request an RA on behalf of an employee with a disability.
- RA request [templates](#) are available on HCnet.

Supervisors must forward RA requests to the LRAC normally **within 2 business days**.

LRACs must confirm receipt of RA requests in writing normally **within 5 business days**.

### INTERACTIVE PROCESS

- The Supervisor, also known as the Designated Management Official (DMO), the LRAC, and the Requestor will begin the interactive process to evaluate the effectiveness and feasibility of the proposed accommodation and its overall impact on the position.
- The LRAC may ask the Requestor relevant questions about the nature of the disability or religious accommodation and the related workplace barriers, and may request supporting medical documentation, if a disability is not readily apparent.
- Active participation, open communication, and ongoing dialogue are critical and required of all parties.

DMOs have **5 business days** to complete an *Essential Functions* template.

Requestors have **45 calendar days** to submit sufficient medical documentation, if needed.

## RA REQUEST DETERMINATION

- The DMO has the discretion to choose the accommodation when more than one effective accommodation has been identified.
- If the RA request is granted, the LRAC will discuss implementation with the Requestor.
- If the RA request is denied, the DMO will clearly state the reason(s) for the denial and provide notice of appeal rights.
- DMOs are encouraged to find the most effective RA, including interim accommodations while they assess the RA request, wait for medical documentation, or expect a delay in implementation of an approved RA. DMOs are expected to follow the guidance of the LRAC and General Counsel.

DMOs must issue RA decisions to the Requestor in writing within **30 calendar days** of the request or of receipt of sufficient medical documentation.

It is expected that RA decisions will be issued in a much shorter timeframe for a simple or less complex request.

## REQUESTOR APPEAL RIGHTS

- If an RA request is denied, or the Requestor believes an alternate accommodation is not effective, the Requestor may submit a request for reconsideration.
- The LRAC will contact the second-line Supervisor of the employee or a higher-level official in the chain of command to serve as the Reconsideration DMO and provide a reconsideration decision.
- The Reconsideration DMO decision is the final step in the formal RA process.
- Unions are responsible for representing the interests of bargaining-unit employees. If an employee has a Union Representative, the employee must provide written designation of representation.

Requestors submit reconsideration requests within **7 business days** of receipt of the RA determination.

LRACs schedule a meeting with relevant parties within **5 business days**.

Reconsideration DMOs issue determinations to the Requestor within **14 business days**.

## REASSIGNMENT AS AN RA OF LAST RESORT (RALR)

- RALR is considered if the DMO determines there are no available RAs permitting the Requestor to perform the essential functions of their position or the available RAs would cause undue hardship.
- The LRAC will document the Requestor's preferences and limitations for reassignment.
- The LRAC and Servicing Human Resources Office/Shared Service Center (SHRO/SSC) will initiate a local search for vacant positions, followed by a DOE-wide search if necessary.
- If no vacant positions are identified, next steps may include a non-disciplinary adverse action proposal for medical inability to perform.

The local search and the Department-wide search each take **30 calendar days**, for a total of **60 calendar days** if both searches are required.

## CONFIDENTIALITY

All aspects of the RA process must be kept confidential. This includes the initial request, the decision, disability, and any medical information that is obtained during the process. The act of requesting an accommodation is considered a protected activity and should not be disclosed except to those with a need to know.

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VISIT US: [HCnet.doe.gov/reasonable-accommodation](https://hcnnet.doe.gov/reasonable-accommodation)



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