

**Forest Service Manual  
National Headquarters (WO)  
Washington, DC**

**Forest Service Manual 1700 – Civil Rights**

**Chapter 1760 - Equal Employment Opportunity**

**Amendment:** 1700-2017-1

**Effective date:** August 07, 2017

**Duration:** This amendment is effective until superseded or removed.

**Superseded Directive:**

**Approved by:** Theodore H. Gutman, Director, Civil Rights

**Date approved:** August 03, 2017

**Responsible Staff:**

**Explanation of changes:** Following is an explanation of the changes throughout the directive by section.

**Posting Instructions:** Amendments are numbered consecutively by title and calendar year. Post by document; remove the entire document and replace it with this amendment. Retain this transmittal as the first page(s) of this document. The last amendment to this title was 1700-2016-1 to FSM 1760.

Effective March 25, 2021

**1765:** removed and recoded to FSM 8100 – Anti Harassment – which reorganizes and updates policy and direction now found in FSM 8100.

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### **1760.1 - Authority**

For authorities, see FSM 1701 and FSH 1709.11, section 01.

### **1760.2 - Objective**

To eradicate discrimination in the recruitment, selection, development, and advancement of women, minorities, and individuals with disabilities.

### **1760.3 - Policy**

The Forest Service shall provide equal opportunity in employment at all levels of the organization.

### **1760.4 - Responsibility**

All Line Officers are responsible for coordination and implementation of Equal Employment Opportunity (EEO)/affirmative action programs as they relate to employees under their supervision. Each Line Officer shall, as appropriate, delegate responsibility for various parts of this program to qualified individuals, and include these assignments as performance standards in their annual performance rating (FSM 6140).

## **1761 - Special Emphasis Programs**

Forest Service Managers shall establish and maintain the following special emphasis programs: Federal Women's Program (FWP), Hispanic Employment Program (HEP), and Native American Program (NAP).

### **1761.02 - Objective**

Forest Service special emphasis programs (SEPs) are established to:

1. Increase the participation of women and minorities in all Forest Service programs, benefits, and services.
2. Increase the number of women and minorities at all levels of the Forest Service workforce.
3. Increase the responsibilities of women and minorities so they are employed at all organizational levels and in all occupational series of the Forest Service workforce.

### **1761.03 - Policy**

Special emphasis programs must operate to ensure equal opportunity in employment and participation in all Forest Service programs, benefits, and services.

## **1761.04 - Responsibility**

### **1761.04a - Washington Office**

The Washington Office shall establish Service-wide objectives and specific action items regarding special emphasis program implementation. The Regions, Stations, and Institute shall establish local objectives and action items which are identified through their individual planning efforts and consistent with national direction.

### **1761.04b - Line Officers**

Forest Service Line Officers are required to provide the leadership and resources necessary to ensure that the objectives of the special emphasis programs are met. See FSH 1709.11 for specific staff resources and other requirements.

### **1761.1 - Federal Women's Program**

The Forest Service Federal Women's Program (FWP) is a program designed to assist Managers in identifying and resolving employment and program delivery matters affecting women, and to monitor women's participation in all Agency programs, benefits, and services. See FSH 1709.11 for operating instructions.

### **1761.2 - Hispanic Employment Program**

The Forest Service Hispanic Employment Program (HEP) is a program designed to assist Managers in identifying and resolving employment and program delivery matters affecting Hispanics, and to monitor Hispanic participation in all Agency programs, benefits, and services. See FSH 1709.11 for operating instructions.

### **1761.3 - Native American Program**

The Forest Service Native American Program (NAP) is a program designed to assist Managers in identifying and resolving employment and program delivery matters affecting American Indians, and to monitor American Indian participation in all Agency programs, benefits, and services. See FSH 1709.11 for operating instructions.

### **1761.4 - African American Employees Program**

The Forest Service African American Program (AAP) is a program designed to assist Managers in identifying and resolving employment and program delivery matters affecting African Americans, and to monitor African Americans participation in all Agency programs, benefits, and services. See FSH 1709.11 for operating instructions.

## **1761.5 - Asian Americans/Pacific Islanders Program**

The Forest Service Asian Americans/Pacific Islanders Program (AAPPI) is a program designed to assist Managers in identifying and resolving employment and program delivery matters affecting Asian Americans/Pacific Islanders, and to monitor Asian Americans/Pacific Islanders participation in all Agency programs, benefits, and services. See FSH 1709.11 for operating instructions.

## **1761.6 - Reasonable Accommodation for Employees and Job Applicants**

### **1761.61 - Authority**

1. Rehabilitation Act of 1973, as amended. Section 501 prohibits employment discrimination against persons with physical or mental disabilities in the Federal sector. The Act also requires Federal agencies to make reasonable accommodation for a qualified applicant for employment or an employee with a disability.
2. Americans with Disabilities Act (ADA) of 1990, as amended. This authority prohibits private employers, State and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. Section 501 of the Rehabilitation Act, as amended, adopts a large majority of the ADA Title I - Employment provisions.
3. Americans with Disabilities Act Amendments Act (ADAAA) of 2008. This authority emphasizes that the definition of disability should be construed in favor of broad coverage of individuals to the maximum extent permitted by the terms of the ADA and generally must not require extensive analysis. This Act makes important changes to the definition of the term "disability" by rejecting the holdings in several Supreme Court decisions and portions of EEOC's ADA regulations. The effect of these changes is to make it easier for an individual seeking protection under the ADA to establish that they have a disability within the meaning of the ADA.
4. Genetic Information Nondiscrimination Act (GINA) of 2008. Title II of GINA protects job applicants, current and former employees, labor union members, and apprentices and trainees from discrimination based on their genetic information. Title II of GINA prohibits use of genetic information in the employment context, restricts employers and other entities covered by Title II from requesting, requiring, or purchasing genetic information, and strictly limits such entities from disclosing genetic information. The law incorporates by reference many of the familiar definitions, remedies, and procedures from Title VII of the Civil Rights Act of 1964, as amended and other statutes protecting Federal, State, and Congressional employees from discrimination.

5. Executive Order 13164 of July 26, 2000: Requiring Federal Agencies to Establish Procedures to Facilitate the Provision of Reasonable Accommodation. This Executive Order states that each Federal Agency shall establish effective, written procedures for processing requests for reasonable accommodation by employees and applicants with disabilities. The written procedures may allow different components of an agency to tailor their procedures as necessary to ensure the expeditious processing of requests.
6. Executive Order 13548 of July 26, 2010: Increasing Federal Employment of Individuals with Disabilities. In part, this Executive Order requires Federal agencies to make special efforts to increase the availability of job accommodations.
7. Equal Employment Opportunity Commission (EEOC) Policy Guidance Executive Order 13164: Establishing Procedures to Facilitate the Provision of Reasonable Accommodation dated October 20, 2000. This policy explains the requirements of Executive Order 13164, which requires Federal agencies to establish effective written procedures for processing requests for reasonable accommodation.
8. Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act, Title 29, Code of Federal Regulation, Part 1630. This authority implements Title I of the Americans with Disabilities Act (ADA), (42 U.S.C. 12101, et seq.) requiring equal employment opportunities for qualified individuals with disabilities, as well as, all appropriate sections of the ADA that pertains to the employment of qualified individuals with disabilities.
9. Departmental Manual (DM) 4300-002, Reasonable Accommodation Procedures dated July 5, 2002. DM 4300-002 establishes written procedures to implement reasonable accommodation procedures within USDA agencies. These procedures demonstrate a commitment to a quick means to request and obtain reasonable accommodation.
10. Departmental Regulation (DR) 4300-008, Reasonable Accommodation for Employees and Applicants with Disabilities dated March 9, 2000. DR 4300-008 implements the statute that provides coverage for Federal employees with disabilities and requires an employer to provide reasonable accommodation to qualified applicants or employees with disabilities, except when such accommodation would cause an undue hardship.

## **1761.62 - Objective**

The U.S. Department of Agriculture (USDA), Forest Service reasonable accommodation procedures implement Presidential Executive Order 13164, signed July 26, 2000, "Requiring Federal Agencies to Establish Procedures to Facilitate the Provision of Reasonable Accommodation." Reasonable accommodation for employees and job applicants are established to:

1. Provide written procedures for processing reasonable accommodation requests made by Forest Service employees and applicants with disabilities.
2. Establish criteria for collecting and annually reporting data on the numbers and types of accommodation requests received and processed throughout the Forest Service.
3. Provide reasonable accommodations to qualified applicants and employees with disabilities, except when such accommodation would cause an undue hardship.
4. Clarify the rights and responsibilities of employers and persons with disabilities as they relate to reasonable accommodation and undue hardship.

## **1761.63 - Policy**

It is Forest Service policy to make reasonable accommodation to the known physical or mental limitations of qualified applicants for employment and employees with disabilities unless such an accommodation would impose an undue hardship. Undue hardship can be triggered when a specific accommodation requires significant difficulty or expense. This determination is made on a case-by-case basis and considers the nature of the accommodation, cost of the accommodation, and the financial resources of USDA as a whole.

## **1761.64 - Responsibility**

### **1761.64a - Decision Makers**

Those individuals or offices charged with the responsibility of making decisions regarding various aspects of the reasonable accommodation process. There are six possible decision makers: Human Resource Officers; interviewing officials; First-Line Supervisors; mission area designees; Second-Line Washington Office Supervisors, including Washington Office detached, and Line Officers.

1. Human Resources Officers. Responsible for handling the requests for accommodations from applicants with disabilities during the recruitment process for a particular vacancy announcement. The Human Resources Officer is responsible for coordinating with the mission area designee and Line Officers in the reassignment process.



2. Interviewing Officials. Responsible for executing requests for accommodations from applicants with disabilities with respect to the interview process.

3. First-Line Supervisors. Responsible for processing reasonable accommodation requests received from employees with disabilities and providing effective accommodations. Serves as the decision maker when approving reasonable accommodation for employees with obvious or previously documented disabilities. Accommodation for this group of employees with disabilities can only be denied by a Second-Line Washington Office Supervisor, including Washington Office detached, or a Line Officer. For employees with hidden disabilities: If the First-Line Supervisor does not agree with the recommendations offered by the mission area designee then the final decision maker, as stipulated below in section 1761.64a, paragraphs 5 and 6, is responsible for altering or denying the reasonable accommodation request.

4. Mission Area Designees. Responsible for assuring reasonable accommodation (RA) policy compliance, making disability determinations, offering recommendations, engage in the reassignment process with Human Resources Management (HRM) when applicable, reviewing and maintaining documentation on requests for reasonable accommodation. Throughout the RA process, confidentiality must be maintained in accordance with this directive.

5. Second-Line Washington Office Supervisors, including detached. When the First-Line Washington Office Supervisor, including detached, is unable to approve a request for a reasonable accommodation, serves as the final decision maker and is responsible for altering or denying the reasonable accommodation request.

6. Line Officers in field units. When the First-Line Supervisor is unable to approve a request for a reasonable accommodation, serves as the final decision maker and is responsible for altering or denying the reasonable accommodation request.

If any of the decision makers are unable to fulfill their responsibility, the request will be forwarded to the person designated as acting for the decision maker. In these instances, the timeframes outlined in FSM 1761.66f, exhibit 01 are applicable.

#### **1761.64b - Mission Area Designees**

The mission area designees have overall responsibility to ensure reasonable accommodation requests are provided to qualified employees and are responsible for:

1. Assisting in making a determination, if the person for whom the accommodation is requested is an individual with a disability, when necessary as defined by the Rehabilitation Act, as amended;
2. Consulting with the employee and Manager/Supervisor(s)/Line Officer when necessary;

3. Maintaining, reviewing, and interpreting all documentation, medical and non-medical, to make a determination and report findings to the appropriate decision maker;
4. Consulting with the USDA Medical Professional when making a determination based on medical documentation, if necessary;
5. Successfully completing the USDA Forest Service Mission Area Designee training; and
6. Maintaining confidentiality of all information and medical records used in the accommodation process.

#### **1761.64c - USDA Medical Professional**

The USDA Medical Professional is a Doctor who is a USDA employee or contractor and who is responsible for serving as consultant, reviewer and interpreter of medical documentation in the Reasonable Accommodation process. Such services will be requested by the mission area designee on an as needed basis.

#### **1761.64d - Department Disability Employment Program Manager**

It is the responsibility of the Department Disability Employment Program Manager (DEPM) to:

1. Oversee the mandates for reasonable accommodation policy and procedures;
2. Provide guidance, assistance, and oversight of the disability employment program; and
3. Serve as a consultant, regarding any aspect of these procedures when appropriate.

#### **1761.64e - Agency Disability Employment Program Manager**

It is the responsibility of the Agency Disability Employment Program Manager (DEPM) to:

1. Serve as a mission area designee;
2. Receive the reasonable accommodation request from employees with disabilities or their representative, when necessary;
3. Advise Managers and staff regarding their rights and responsibilities under the authorities listed in section 1761.61;
4. Maintain records for tracking and reporting reasonable accommodation requests and decisions as outlined in section 1761.66l;
5. Maintain confidentiality; and

6. Successfully complete the USDA, Forest Service DEPM training.

#### **1761.64f – Regions and Stations Disability Employment Program Manager**

It is the responsibility of the Regions and Stations Disability Employment Program Manager (DEPMs) to:

1. Advise personnel and applicants for employment on general policy issues related to reasonable accommodation;
2. Train personnel on reasonable accommodation procedures;
3. Receive requests for reasonable accommodation from employees and engage in the interactive process using the Confirmation of Request for Reasonable Accommodation (AD-1163) form;
4. Consult with Management/Supervisors/Line Officers regarding the resolution of accommodations requests;
5. Maintain confidentiality; and
6. Successfully complete the USDA, Forest Service DEPM training.

#### **1761.64g - First-line Supervisors**

It is the responsibility of First-Line Supervisors to:

1. Participate in the interactive process within the allotted timeframe, as outlined in section 1761.66f.
2. Receive, process, authorize, approve, or disapprove the recommended accommodation, if necessary, forward the request to the appropriate official for consideration. (Note: All denials or modifications of reasonable accommodation requests must be approved by a Line Officer in field units or the Second-Line Washington Office Supervisor, including detached units.)
3. Inform the employee that the mission area designee is responsible for collecting medical information if it is needed to make a disability determination. (Note: Supervisors and management officials should not ask for nor receive medical documentation.)
4. Determine the essential functions of the position prior to announcing the position. The Supervisor may seek advice from HRM staff to identify the essential functions of a position.

5. Provide effective reasonable accommodation to qualified employees or applicants with a disability.
6. Document the reasonable accommodation request using the Reasonable Accommodation Information Reporting Form (AD-1164) when an accommodation is granted.
7. Maintain confidentiality and divulge information about the employee's disability in accordance with Confidentiality Requirements section 1761.66j.
8. Consult with the Employee Relations Specialist, DEPM, and/or mission area designee when a reasonable accommodation is requested in conjunction with an anticipated or pending performance-based action.

**1761.64h - Washington Office and Washington Office-Detached Units, Second-Line Supervisors**

It is the responsibility of the Second-Line Supervisors to:

1. Review recommendations from subordinate First-Line Supervisors to deny or modify requested reasonable accommodation, and make final decision on the type of accommodation to provide or to deny an accommodation.
2. Provide effective reasonable accommodation to qualified employees or applicants with a disability.
3. Document the reasonable accommodation request using the Reasonable Accommodation Information Reporting Form (AD-1164) or the Denial of Reasonable Accommodation Request form (AD-1165).
4. Maintain confidentiality and divulge information about the employee's disability in accordance with Confidentiality Requirements section 1761.66j.
5. Consult with the Employee Relations Specialist, DEPM, and/or mission area designee when a reasonable accommodation is requested in conjunction with an anticipated or pending performance-based action.

**1761.64i - Field Units, Line Officers**

It is the responsibility of the Line Officer to:

1. Review recommendations from subordinate First-Line Supervisors to deny or modify requested reasonable accommodation, and make final decision on the type of accommodation to provide or to deny an accommodation.

2. Provide effective reasonable accommodation to qualified employees or applicants with a disability.
3. Document the reasonable accommodation request using the Reasonable Accommodation Information Reporting form (AD-1164) or the Denial of Reasonable Accommodation Request form (AD-1165).
4. Maintain confidentiality and divulge information about the employee's disability in accordance with Confidentiality Requirements section 1761.66j.
5. Consult with the Employee Relations Specialist, DEPM, and/or mission area designee when a reasonable accommodation is requested in conjunction with an anticipated or pending performance-based action.

#### **1761.64j - Employees**

It is the responsibility of the employee who wishes to be considered for an accommodation or their designee to follow these procedures:

1. Bring the request for reasonable accommodation to the First-Line Supervisor, Line Officer, or appropriate DEPM.
2. Participate in the interactive reasonable accommodation process.
3. Provide reasonable supporting medical documentation in accordance with these procedures to the mission area designee, when necessary.
4. Provide relevant information when the reasonable accommodation of last resort (reassignment) is being considered.

#### **1761.65 - Definitions**

Disability. An individual with a disability is a person who:

1. Has a physical or mental impairment that substantially limits one or more of the major life activities;
2. Has a record of such an impairment; or
3. Is regarded as having such an impairment.

Essential Functions. Fundamental job functions of the position an individual with a disability holds or desires. A function is "essential" if, among other things, the reason the position exists is to perform that function; there are a limited number of employees available among whom the performance of that job function could be distributed; or, the function is highly specialized so that the incumbent is hired based on their expertise

or ability to perform it. During the reasonable accommodation process, determination of the essential functions of a position must be documented prior to taking a specific employment action such as hiring, promoting, or firing.

Major Life Activities. Caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. This activity also includes the operation of major bodily functions such as functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions. This is not an exhaustive list, but is representative of the types of activities that are considered major life activities.

Mental Impairment. Any mental or psychological disorder, such as an intellectual disability (formerly termed mental retardation), organic brain syndrome, emotional or mental illness, and specific learning disabilities.

Physical Impairment. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory, cardiovascular, reproductive, digestive, genito-urinary, hemic and lymphatic, skin, or endocrine.

Qualified Individual with a Disability. A person with a disability who satisfies the requisite skill, experience, education, and other job-related requirements of the position, such person holds or desires, and, who, with or without reasonable accommodation, can perform the essential functions of such position.

Reasonable Accommodations. A change in the work environment or in the way things are customarily done that would enable an individual with a disability to enjoy equal employment opportunities. There are three categories of reasonable accommodations:

1. Modifications or adjustments to the application process to permit an individual with a disability to be considered for a job (such as providing application forms in alternative formats, for example, large print or Braille);
2. Modifications or adjustments necessary to enable a qualified individual with a disability to perform the essential functions of the job (such as, providing sign language interpreters); and
3. Modifications or adjustments that enable individuals with disabilities to enjoy equal benefits and privileges of employment (such as, removing physical barriers from buildings and grounds).

Substantially Limits. The term “substantially limits” must be interpreted consistently with the findings and purposes of the ADA Amendments Act of 2008. An impairment that substantially limits one major life activity need not limit other major life activities in

order to be considered a disability. An impairment that is episodic or in remission, is a disability if it substantially limits a major life activity, when active.

Undue Hardship. Can be triggered when a specific accommodation requires significant difficulty or expense. This determination is made on a case-by-case basis and considers the nature of the accommodation, cost of the accommodation, and the financial resources of USDA as a whole.

## **1761.66 - Reasonable Accommodation**

### **1761.66a - Requesting an Accommodation (Employee)**

The process for an employee to request a reasonable accommodation is as follows:

1. Reasonable accommodations may be requested by:
  - a. The employee;
  - b. Family member, health professional, immediate supervisor, or other representative; or
  - c. Means of an employment application.

A request for reasonable accommodation may be made orally or in writing at any time. Written requests for reasonable accommodation are not required to initiate this process. A request can be a statement that a person needs an adjustment or a change at work or in the application process.

The term “reasonable accommodation” or mention of the Rehabilitation Act is not required to be considered a reasonable accommodation request.

2. Requests may be submitted to:
  - a. The employee’s immediate Supervisor;
  - b. A Supervisor or Manager in the immediate chain of command;
  - c. The Equal Employment Opportunity Office;
  - d. The Regions, Stations, or National DEPM; or
  - e. A mission area designee.

3. Confirmation of Requests. Although not required, an employee may be asked to fill out the Confirmation of Request for Reasonable Accommodation form (AD-1163), see exhibit 01 to assist in the process and for record keeping purposes only. If an employee

makes an oral request, the date of the oral request is the beginning of the timeframe for processing a reasonable accommodation. If an employee does not fill out the written confirmation, it will be done by the Supervisor/Manager or DEPM taking the request. If the latter, the DEPM will notify the Supervisor or Manager of the employee's request.

4. Requests of a Repeated Nature. Requests of a repeated nature such as sign language interpreters, real time captioning, readers, or personal assistants do not require the person to submit a written request for record keeping purposes each time the accommodation is needed. Once a reasonable accommodation request is approved, the employee may obtain the accommodation by notice to an appropriate person or office.

5. Requests made by others on behalf of an individual with a disability. A family member, health professional, or other representative may request a reasonable accommodation on behalf of a person with a disability. The Agency must make efforts to confirm with the person who has a disability that the employee in fact wants a reasonable accommodation.



**1761.66a - Exhibit 01**

**CONFIRMATION OF REQUEST FOR REASONABLE ACCOMMODATION**

Applicant or Employee Name: Michelle A. Garcia

Telephone Number: (555) 111-1111

Employee Only: Occupational Series 301 Grade 12

Applicant or Employee E-mail address:

Date of Request: mm/dd/yyyy

Employee's agency:

1. Accommodation Requested (be as specific as possible)
2. Reason for Request
3. If accommodation is time sensitive, please explain:

This request form shall be given to your immediate supervisor or Mission Area/Agency Disability Employment Program Manager. This form is necessary for recordkeeping purposes only and will not delay the processing of your initial request.

Today's Date: mm/dd/yyyy

**AD-1163  
4/2002**

## **1761.66b - Requesting an Accommodation (Applicant for Employment)**

The process for a job applicant to request a reasonable accommodation is as follows:

1. All vacancy announcements must list a contact for reasonable accommodation requests made by applicants.
2. Requests for reasonable accommodation may be made by:
  - a. The applicant; or
  - b. Family member, health professional, or other representative.
3. It is the applicant's responsibility to inform HRM or announcement contact of their need for any reasonable accommodation. Requests for reasonable accommodation under these procedures may be made orally or in writing by an applicant or applicant's representative. Requests should identify the accommodation(s) needed, if known. Although an applicant with a disability may request a reasonable accommodation at any time during the application process, the applicant should, to the greatest extent possible, make the request as soon as they are aware of a barrier in the process.
4. Requests may be given to:
  - a. Human Resources Management (for the application process);
  - b. The point of contact listed in the vacancy announcement (for the application process); or
  - c. The interviewing official.
5. Confirmation of Requests. Request confirmations must be prepared in writing, time permitting. The applicant may be asked to fill out the Confirmation of Request for Reasonable Accommodation form (AD-1163), but is not required to do so. If a person makes an oral request, the date of the oral request initiates the timeframe for processing a reasonable accommodation. If an applicant does not fill out the written confirmation, it will be done by the Agency Official receiving the request.

## **1761.66c - Reasonable Accommodation Process**

The reasonable accommodation process is intended to be an interactive and collaborative process between the employee with a disability (or their representative) and management. The interactive process is extremely important. The aforementioned parties should engage in an interactive discussion regarding the nature and extent of the requestor's need for an accommodation where the specific limitation, problem, or barrier is not readily apparent; where an effective accommodation is not obvious; or where the parties shall choose between

different possible accommodations. Often times the person with the disability will be able to provide information on the type of accommodation needed. Two-way communication is imperative throughout the process.

Most accommodation requests can be handled between the qualified person with a disability and the First-Line Supervisor. However, either or both parties are encouraged to include others in the interactive process, if necessary, to reach an agreement on an effective accommodation.

#### **1761.66d - Determining if the Person Requesting the Accommodation Has a Disability and Requests for Medical Information**

The Forest Service is entitled to know that an employee or applicant has a covered disability that requires a reasonable accommodation. It is requested that during the reasonable accommodation process, Managers and Supervisors do not handle medical documentation. However, if an employee has provided medical documentation then the Manager or Supervisor should not review it, but instead, immediately forward the medical documentation to the mission area designee for processing. In accordance with Title II of GINA the Forest Service and other entities covered by this legislation are prohibited from using genetic information in the employment context and are restricted from requesting, requiring, or purchasing genetic information. Such entities are strictly limited from disclosing genetic information.

The two tracks for processing reasonable accommodation requests are as follows:

1. If the person has an obvious disability or previously documented medical condition that qualifies the employee as a person with a disability and the accommodation request is related to the known disability, the accommodation request must be considered immediately without the need for further medical documentation. For record keeping purposes, the Supervisor or Manager will complete the Reasonable Accommodation Information Reporting form (AD-1164), in exhibit 01. A copy of the form will be provided to the requestor, the Washington Office mission area designee, as well as, maintained within the office files of the Supervisor or Manager.
2. If the employee does not have an obvious disability or previously documented medical condition that qualifies the employee as a person with a disability, the employee may be required to provide sufficient and reasonable documentation of their medical condition to the mission area designee. At all times during the reasonable accommodation process, it is the responsibility of the employee or applicant requesting the accommodation to provide appropriate medical information related to the functional impairment at issue and the requested accommodation where the disability and/or need for accommodation is not obvious. The mission area designee will determine, in consultation with the Medical Professional, as necessary, whether the requestor is a person with a disability.

The mission area designee will request relevant supplemental medical information if the information submitted by the employee or applicant does not clearly explain the nature of the disability, or the need for the reasonable accommodation, or does not clarify how the requested accommodation will assist the employee in performing the essential functions of the job, or enjoy the benefits and privileges of the workplace. The timeframe for providing reasonable accommodation, as outlined in section 1761.66f, is suspended when an employee is notified of the need to provide medical documentation. When the employee provides appropriate medical documentation the timeline resumes where it left off.

In the case of an applicant, the individual will be asked to provide documentation to determine if there is a disability or how the accommodation will help with the application process.

The mission area designee will request that the person provide information or documentation about their disability and/or functional limitations. The information may be obtained from the appropriate professional such as a Doctor, Specialist, Social Worker, or Rehabilitation Counselor. Only information that is relevant to making a decision about reasonable accommodation is to be requested. Complete medical records may not be requested. Information should contain the following information:

1. The nature, severity, and duration of the person's disability;
2. The activity or activities that the impairment limits;
3. The extent to which the impairment limits the person's ability to perform the activity or activities; and/or
4. Why the person requires reasonable accommodation or the particular reasonable accommodation requested, as well as, how the reasonable accommodation will help a person apply for a job, perform the essential functions of the job, or enjoy the benefits of the workplace.

If, in response to the Agency's initial request for information, the applicant or employee provides information that is insufficient to demonstrate the person's disability, the mission area designee and/or decision maker will explain to the requestor that the information is insufficient. The Agency will:

1. Explain why the medical documentation is insufficient;
2. Identify what additional information is needed and why it is necessary for the reasonable accommodation request; and
3. Allow the person an opportunity to provide the information before requesting a medical examination.

The person may then ask the health care provider or other appropriate professional to provide the missing medical documentation. Alternatively, the mission area designee will submit a list of specific questions to the person's health care provider after the employee has signed a limited medical release. The mission area designee will be advised, by the Physician, of the person's medical condition and any additional relevant information about the person's functional limitations. If, after a reasonable period of time, there is still insufficient information to demonstrate that the person has a disability and needs a reasonable accommodation, the decision maker may request that a Physician chosen by the mission area designee review the medical information and/or examine the person, at the Agency's expense. Failure to provide appropriate documentation or to cooperate in the Forest Service's efforts to obtain such documentation can result in the reasonable accommodation being denied

**1761.66d - Exhibit 01**

**REASONABLE ACCOMMODATION INFORMATION REPORTING FORM**

Name of Individual Requesting Accommodation: Andrew E. Simmons

Agency and Office of the Requesting Individual: \_\_\_\_\_

1. Reasonable Accommodation (check one)

       Approved - Name & Title of Deciding Official: Randall B. Johnson, Director

Denied (attach form AD-1165 "DENIAL OF REASONABLE ACCOMMODATION REQUEST")

2. Date accommodation requested and date referred, if applicable:

\_\_\_\_\_

3. Name & position of individual to whom request was made: Jon R. Thompson, Branch Chief

4. Date accommodation approved or denied:

mm/dd/yyyy

5. Date accommodation provided: mm/dd/yyyy

6. If time frames outlined in the Reasonable Accommodation Procedures were not met, please explain why:

7. Job held or desired by individual requesting accommodation (include occupational series, grade level and office):

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1761.66d – Exhibit 01--Continued

**REASONABLE ACCOMMODATION INFORMATION REPORTING FORM**

8. Accommodation required for:

\_\_\_\_\_application process

\_\_\_\_\_performing job functions or accessing work environment

\_\_\_\_\_accessing a benefit or privilege of employment (e.g., attending training, social event)

9. Type(s) of accommodation requested:

10. Type(s) of accommodation provided:

11. Was medical information required to process this request? If yes, explain why:

12. Cost, if any, of accommodation:

13. Sources of technical assistance, if any, consulted (Job Accommodation Network, family member, rehabilitation counselor, other)

\_\_\_\_\_  
Randall B. Johnson, Director  
Name & Title of Deciding Official

\_\_\_\_\_  
Signature of Deciding Official

\_\_\_\_\_  
mm/dd/yyyy  
Date

\_\_\_\_\_  
Sandy M. Johnson  
DEPM Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
mm/dd/yyyy  
Date

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11/2011

### **1761.66e - Processing a Reasonable Accommodation Request**

If a written or oral request is made to a Forest Service employee who determines they do not have the authority to provide the accommodation, the request must be forwarded as soon as possible, but in no more than 5 business days, to the appropriate Agency Official.

### **1761.66f - Timeframes for Processing Requests and Providing Reasonable Accommodation**

The Agency will process requests for reasonable accommodations and provide accommodations, when appropriate, as soon as reasonably possible. All parties, however, should recognize that the time necessary to process a request will depend on the nature of the accommodation requested and whether it is necessary to obtain supporting information and/or medical documentation. Absent extenuating circumstances, the requested accommodation should be granted, modified, or denied within the timelines indicated below (ex. 01):

1. The process to consider a reasonable accommodation request from an applicant or employee should begin immediately upon receipt by the appropriate official by way of an oral or written request from the person asking for the accommodation or their representative. However, the process must begin no more than 5 business days from the date of the oral or written request.
2. There are circumstances under which it is necessary to expedite the processing of reasonable accommodations requests. Expedited processing might be necessary in order to enable an individual to apply for a job or where a specific agency activity is scheduled to occur shortly.
3. In situations where the person has an obvious disability or previously documented medical condition that qualifies the employee as a person with a disability, the First-Line Supervisor, in consultation with the employee, shall determine if the accommodation is effective. If it is effective, the accommodation will be provided within 30-calendar days from the date of the written or oral request. However, if a particular reasonable accommodation can be provided in less time than is authorized under these procedures, the failure to respond promptly to the request may result in a violation of the Rehabilitation Act.
4. In situations where the person does not have an obvious or previously documented medical condition that qualifies the employee as a person with a disability, the person to whom the request is made shall forward the request to either the field DEPM or the Agency's mission area designee within three business days from the date of the written or oral request. If the person to whom the request is made forwards the request to a field DEPM, the DEPM shall forward the request to the mission area designee within 2 business days.



5. The mission area designee shall request any needed additional medical documentation from the appropriate source within 5 business days, after consulting with the employee.
6. The mission area designee shall consult with the USDA Medical Professional within 5 business days from receipt of requested medical documentation, if necessary. A decision on whether the employee is or is not a person with a disability is made on a case-by-case basis.
7. The mission area designee will then inform the employee, First-Line Supervisor, and Forest Service DEPM of the decision, within five business days. The mission area designee may provide a recommendation to the employee and Manager on the most appropriate accommodation to assist the employee in accomplishing the essential functions of the position.
8. In situations where medical documentation is necessary, the 30-calendar day period for the First-Line Supervisor to determine if the accommodation is effective and to provide the accommodation begins on the date the mission area designee issues a decision.
9. Timeframes associated with the reassignment process are described in section 1761.66h.

It may be necessary to extend the above-mentioned timeframes. Extenuating circumstances are factors that could not reasonably have been anticipated or avoided in advance of the request for an accommodation. When these circumstances occur, the time for processing a request and providing the accommodation will be extended as reasonably necessary. All Forest Service employees are expected to act as quickly as possible to determine eligibility and provide needed accommodation. Below are a few examples of extenuating circumstances:

1. The purchase of equipment may take longer than 30-calendar days.
2. The employee with a disability needs to try out equipment before purchase can be made.
3. New staff needs to be hired, contracted, or an accommodation that involves the removal of architectural barriers.

Key decision makers will ensure that adequate backup or acting designations are made, to ensure that the reasonable accommodation process is not delayed due to their absence from the office. In the event of an extenuating circumstance, the employee's Supervisor shall notify the employee of the reason for the delay and the approximate date which a decision and/or provision of the reasonable accommodation is expected. The Supervisor shall investigate whether temporary measures can be taken to assist the employee. A provisional accommodation may be provided even when the delay is caused by the need to obtain or

evaluate medical documentation to determine if the employee has a covered disability. This in no way obligates the Forest Service to continue or offer further accommodations if the determination is made that the employee does not have a covered disability.

**1761.66f - Exhibit 01**

**Reasonable Accommodation Timeline**

<b>Activity/Requestor</b>	<b>Receiver</b>	<b>Responsible</b>	<b>Timeline</b>
<b>Applicant, employee or their representative makes an oral or written request for reasonable accommodation</b>	Selecting Official First-Line Supervisor DEPM Mission area designee	Selecting Official First-Line Supervisor DEPM Mission area designee	<b>Reasonable accommodation begins immediately, but no more than 5 business days after the request</b>
<b>Special circumstances in which it is necessary to expedite processing, include:</b> <ul style="list-style-type: none"> <li>• applying for a job or</li> <li>• where a specific agency activity is scheduled to occur shortly</li> </ul>	Selecting Official First-Line Supervisor DEPM Mission area designee	Selecting Official First-Line Supervisor DEPM Mission area designee	<b>Expedite the processing of reasonable accommodation requests</b>
<b>If a disability is obvious or previously documented medical condition, or accommodation relates to limitations</b>	First-Line Supervisor	First-Line Supervisor	<b>Determines appropriate accommodation &amp; provides it within 30-calendar days</b>
<b>If a hidden or unseen disability that is not previously documented</b>	Selecting Official First-Line Supervisor	Mission area designee or Field DEPM	<b>3 business days from the oral or written request</b>
<b>Forward request</b>	Field DEPM	Mission area designee	<b>2 business days</b>
<b>Receives and reviews documents. Notifies employee if additional documentation is needed from the appropriate source</b>	Mission area designee	Mission area designee	<b>5 business days</b>
<b>After employee provides additional medical documentation or consults with USDA Medical Professional, if needed, make decision on whether the employee has disability</b>	Mission area designee	Mission area designee	<b>5 business days</b>
<b>Inform of decision on whether the person is a qualified individual with a disability</b>	Employee Applicant HRM First-Line Supervisor Region or Station DEPM	Mission area designee	<b>5 business days</b>
<b>Provide Accommodation</b>	First-Line Supervisor Second-Line Supervisor and/or Line Officer	First-Line Supervisor Second-Line Supervisor and/or Line Officer	<b>30-calendar days</b>

### **1761.66g - Granting a Reasonable Accommodation Request**

As soon as a decision to provide a reasonable accommodation is made, that decision must be immediately communicated to the requestor. The Reasonable Accommodation Information Reporting form (AD-1164) must be completed by the decision maker. A copy of this completed form must be given to:

1. The person making the request,
2. The person's immediate Supervisor, and
3. The Forest Service DEPM.

If the accommodation cannot be provided immediately, the decision maker shall inform the requestor of the projected timeframe for providing the accommodation.

### **1761.66h - Requests for Reassignment (Non-competitive Placement) as Reasonable Accommodation**

Reassignment is the accommodation of last resort. A reassignment will only be considered if no accommodations are available that would enable the individual to perform the essential functions of the current job or if the only effective accommodation would cause undue hardship for the Agency.

Reassignment is available only to qualified employees with disabilities, not applicants, and includes reassignment to an appropriate position, or non-competitive placements including change to a lower grade or reduced tour of duty. Reassignment may be made only to a vacant funded position. Reassignments must not create new positions nor displace employees from their jobs. If reassignment is being considered, the mission area designee should explain to the employee why the employee cannot be accommodated in the current position. There is no obligation for the employer to assist the individual to become qualified; thus, the employer does not have to provide training so that employee acquires necessary skills to take a job. The gaining Supervisor, however, would have to provide an employee with a disability who is being reassigned with training that is normally provided to anyone hired for or transferred to the position.

If a reassignment is considered, the Agency will conduct a 30-calendar day search (ex. 01) for vacancies which are at the employee's current grade level, followed by a 30-calendar day search for vacancies at the current or lower grade levels. If no vacancy exists at the employee's current grade level, then they will be offered the next highest graded vacancy, below the employee's current grade, for which they are qualified. If the employee is willing, a reduced tour of duty may be offered. This search will take into account the employee's qualifications, geographic preferences, and any special needs or considerations identified by the employee prior to initiating the job search.

A variety of reasonable means, including the Workforce Restructuring and Placement System (WRAPS) position data, will be used to identify vacant positions in which to place the employee. Unless there are job related reasons specific to the essential functions of the position, the gaining unit Manager shall accept the placement once a position is identified. If the gaining unit retracts the vacancy from consideration for reassignment (except for circumstances beyond the unit's control such as mandated budget reductions, and so forth), the Human Resources Officer for that gaining unit shall document the reasons for retraction and shall ensure that the position is not filled for one year. If the employee is offered a lower graded position, basic pay will be set to preserve the employee's salary to the maximum extent possible, to include granting pay retention, if otherwise eligible. As with other transfers not required by management, the Agency is not obligated to pay for the employee's relocation costs but should pay for an employee's relocation costs if it is clearly in the best interest of the Government.

Once the Agency has offered a legitimate reasonable accommodation reassignment (non-competitive placement) to the employee, the Agency has met its obligation. If the Agency cannot place an employee within 60-calendar days, the request is elevated to USDA for placement opportunities to be sustained for 30-calendar days. The Agency will continue searching for placement opportunities concurrently with USDA's search.

**1761.66h - Exhibit 01**

### Reassignment (Non-competitive Placement) Timeline

Responsibility	Action Required	Timeline
Forest Service HRM	a. Search for Forest Service positions at current grade and location of the employee's preference(s). b. Remind the employee of option to change preferences for positions on the 30 <sup>th</sup> day.	<b>30-Calendar Days</b>
Forest Service HRM	Search for Forest Service positions at employee's grade and below within geographic location(s) identified by employee.	<b>30-Calendar Days</b>
Forest Service HRM	If no positions are found during the 60 day search, notify USDA HR to initiate the USDA-wide search.	<b>2 Business Days</b>
Forest Service HRM  USDA HR	Search for Forest Service positions at employee's grade and below within geographic location(s) identified by employee.  Search for placement opportunities Department-wide.	<b>30-Calendar Days</b>

### **1761.66i - Denying a Reasonable Accommodation Request**

Decision makers shall consult with the Disability Employment Program Manager or mission area designee prior to denying a request for an accommodation or denying the particular accommodation requested.

When an individual's request for an accommodation is denied, the individual shall be notified in writing using the Denial of Reasonable Accommodation Request form (AD-1165) see exhibit 01. Specific reasons for the denial which include: why the medical documentation is inadequate to establish that the individual has a disability or needs reasonable accommodation; why the requested accommodation would not be effective; and/or why the accommodation would pose an undue hardship.

The written notice of denial also informs the requestor that they have the right to file an Equal Employment Opportunity (EEO) complaint and may have rights to pursue a grievance with the Union. The notice also explains procedures available for alternative dispute resolution along with appropriate encouragement to use this process to resolve issues associated with the denial to accommodate.

**1761.66i - Exhibit 01**

**DENIAL OF REASONABLE ACCOMMODATION REQUEST**

Name of Individual Requesting Accommodation: Justine T. Kline

1. Type(s) of reasonable accommodation requested:

2. Request for accommodation denied because (may check more than one)

☐ Accommodation ineffective

☐ Accommodation would cause undue hardship

☐ Medical documentation inadequate

☐ Accommodation would require removal of an Essential Function

☐ Accommodation would require lowering of performance/production standard

☐ Other (please specify)

3. Detailed reason(s) for the denial of the accommodation (Must be specific such as why accommodation is ineffective or causes undue hardship).

4. If the requestor proposed one type of reasonable accommodation and the request is denied, and rejected an offer of an alternative accommodation, explain the reason for denial of the original requested accommodation and how the offered alternative accommodation would be effective.

Andrea D. Hamilton, Assistant Director  
Name & Title of Deciding Official

\_\_\_\_\_  
Signature of Deciding Official

mm/dd/yyyy  
Date reasonable accommodation denied

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## 1761.66i - Exhibit 01--Continued

### Denial of Reasonable Accommodation Request

If a requestor wishes to request reconsideration of this decision, they may take the following steps:

- Ask the decision maker to reconsider the denial and provide additional supporting information.
- If the decision maker does not reverse the denial, and the decision maker is the requestor's Supervisor, the requestor may ask the office Chief/Director to review the request.
- If the decision maker is the office Chief/Director, the requestor can ask the Agency Disability Employment Program Manager to review the request.
- If the decision maker is the Agency Disability Employment Program Manager, the requestor can ask the Departmental Disability Employment Program Manager to review the request

If a requestor wishes to file an EEO complaint, or pursue Merit Systems Protection Board (MSPB) and union grievance procedures if applicable, they shall take the following steps:

- For an EEO complaint pursuant to 29 C.F.R. § 1614, contact an EEO counselor **within 45 days from the date of this notice of denial of reasonable accommodation**; or
- For a collective bargaining claim, file a written grievance in accordance with the provisions of the Collective Bargaining Agreement, or Administrative grievance procedure as appropriate; or
- Initiate an appeal to the Merit Systems Protection Board **within 30 days of an appealable adverse action** as defined in 5 C.F.R. § 1201.3; or
- Utilize the Alternative Dispute Resolution (ADR) process as outlined in Secretary's Memorandum 4710-1 (3/23/00). **Pursuing the ADR process does not relieve the individual from adhering to the other time frames indicated above.**

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## **1761.66j - Confidentiality Requirements Regarding the Reasonable Accommodation Process**

Under the Rehabilitation Act, as amended, medical information obtained in connection with the reasonable accommodation process must be kept confidential. This means that all medical information, including information about functional limitations and reasonable accommodation needs, that the Forest Service obtains in connection with a request for reasonable accommodation must be kept in files separate from the individual's personnel file. It also means that any Forest Service employee who obtains or receives such information is strictly bound by these confidentiality requirements. Confidentiality applies to all aspects of the reasonable accommodation process.

The mission area designee shall maintain all medical records obtained or created during the process of a request for reasonable accommodation and shall respond to all requests for disclosure of the records. Medical information for the reasonable accommodation can only be released on a strict need to know basis. All records will be maintained in accordance with the Privacy Act and information about these records, or any aspect of the process, may be disclosed only as follows:

1. Supervisors and Managers who need to know may be told about the necessary restrictions on the work or duties of the employee and about the necessary reasonable accommodations.
2. First aid and safety personnel may be provided information if the disability might require emergency treatment.
3. Government Officials may be given information necessary to investigate the Agency's compliance with the Rehabilitation Act, as amended.
4. Worker's Compensation offices or insurance carriers may, under appropriate circumstances, be provided information in accordance with EEOC regulations.
5. The USDA Medical Professional when consulting with the individual on the interpretation of medical documents.

Confidentiality also includes the fact that an employee requested or was granted a reasonable accommodation, the nature of the reasonable accommodation, and the cost of the reasonable accommodation.

An employee may request and receive a copy of all relevant documentation and supervisory files related to their reasonable accommodation request.

Whenever information is disclosed, the mission area designee or other designated management official(s) shall inform the recipient of the confidentiality requirements, as well as, the requirement to comply with applicable provisions of the Privacy Act. For bargaining unit employees, information maintained by the Agency may be disclosed to the Union having

exclusive recognition, when the Union has been designated by the employee to represent them in the reasonable accommodation process.

#### **1761.66k - Written Requests for Record Keeping Purposes**

To enable the Forest Service to keep accurate records regarding reasonable accommodation:

1. Employees. Employees seeking a reasonable accommodation, or the receiver of the request, shall follow up with an oral request either by completing the Confirmation of Request for Reasonable Accommodation (AD-1163) form or otherwise confirm the request in writing. While either the employee or receiver of the request may document the request, the receiver is responsible for completing written documentation.
2. Applicants. An applicant seeking reasonable accommodation should contact Human Resources Management or the contact listed in the vacancy announcement. HRM or the announcement contact shall complete the Confirmation of Request for Reasonable Accommodation form and submit it to the Agency's national DEPM.

Although a written document is required for record keeping purposes, the written document is not required to begin processing the request itself. The request, if made orally, must be processed in accordance with timelines outlined in this directive starting on the day of the oral request.

#### **1761.66l - Information Tracking and Reporting**

The mission area designee/Agency DEPMs are responsible for maintaining records, tracking, and reporting all reasonable accommodation decisions. They shall maintain these records according to FSH 6209.11, chapter 40 for the duration of the employee's tenure with the Forest Service or five years after the initial request for an accommodation, whichever is later. The mission area designee shall retain medical information for at least three years after the employee leaves the Forest Service. The mission area designee/Agency DEPM will prepare an annual report to the Departmental Disability Employment Program Manager. The report will contain the following information:

1. The number of reasonable accommodations, by type, that have been requested in the application process and whether those requests were granted or denied.
2. The jobs (occupational series, grade level, and Agency component) for which reasonable accommodations were requested.
3. The types of reasonable accommodations that have been requested for each job series.
4. The number of reasonable accommodations, by type, for each job that was approved, and the number of accommodations, by type, that have been denied.

5. The number of requests for reasonable accommodations, by type, that relate to the benefits or privileges of employment, and whether those requests have been granted or denied.
6. The reasons for denial of requests for reasonable accommodation.
7. The amount of time taken to process each request for reasonable accommodation.
8. Technical assistance sources that were consulted while attempting to identify possible reasonable accommodations.

#### **1761.66m - Reasonable Accommodation Resources**

The following list of resources is provided to assist in the Reasonable Accommodation process. This list is not exhaustive, but merely an example:

1. Family member of the employee with a disability;
2. Rehabilitation counselor;
3. USDA TARGET Center. The TARGET Center is a resource center that provides on-site workplace assessments and demonstrations of assistive technology and ergonomic solutions. These efforts ensure appropriate implementation of reasonable accommodations for USDA's workforce. The USDA TARGET Center can assist by providing demonstrations, assessments, information and referral, equipment loans, alternative formatting, Web accessibility training, and disability legislation education. The TARGET Center is also available to help resolve differences that arise during the interactive process over whether an accommodation is sufficient for the employee to "do the work with access to all privileges of employment." The USDA TARGET Center can be reached at (202) 720-2600 (V/TTY), by e-mail at [target-center@usda.gov](mailto:target-center@usda.gov), or through their web page at <http://www.dm.usda.gov/oo/target/>;
4. Departmental Disability Employment Program Manager;
5. Mission area designee or agency's Disability Employment Program Manager;
6. Agency Employee Relations Office;
7. Job Accommodation Network (JAN). JAN is a service of the Department of Labor, Office of Disability Employment Policy. JAN provides information, free-of-charge, about many types of accommodations. JAN can be reached at 1-800-526-7234 (Voice), 1-877-7819403 (TTY), or via their Web Site at <http://askjan.org/>;
8. Any employee representative; and
9. Union representative.

## **1761.66n - References**

Equal Employment Opportunity Commission (EEOC). The EEOC provides a wealth of resources regarding disability issues and enforcement guidance. In addition to the resources outlined in these Reasonable Accommodation procedures, please use the EEOC for additional assistance. The following is a sample of resources available at <http://www.eeoc.gov>.

EEOC Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees under the Americans with Disabilities Act (July 27, 2000).

EEOC Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act (March 1, 1999).

EEOC Policy Guidance on Executive Order 13164: Establishing Procedures to Facilitate the Provision of Reasonable Accommodation (October 20, 2000).

## **1762 - Special Programs**

Program (as defined in FSM 6130) will be used as an enhancement to special programs in achieving affirmative action objectives and goals. See examples in FSH 1709.11 for detailed information on these programs.

## **1763 - Complaints and Appeals**

See FSM 6170 for specific guidance, processes, and requirements related to employee complaints.

## **1764 - Awards**

The Forest Service will recognize notable achievements in the Civil Rights Program through the awards system. Awards for outstanding civil rights performance can be given to Line Managers, EEO Officials, Supervisors, or employees who excel in carrying out their Civil Rights program responsibilities. See FSM 6144 and FSH 1709.11 for specific requirements and/or examples of outstanding achievements.