



United States Nuclear Regulatory Commission

Protecting People and the Environment

***U.S. Nuclear Regulatory Commission
Reasonable Accommodations Procedures***

Office of the Chief Human Capital Officer

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TABLE OF CONTENTS

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| U.S. Nuclear Regulatory Commission Policy on Reasonable Accommodations | 1 |
| Guidance Provided to Supervisors, Managers, Reasonable Accommodation Coordinator, Agency Designee, or Agency Employees Connected with Requests for Reasonable Accommodations | 2 |
| 1. Reasonable Accommodations Request Process | 2 |
| Guidance Provided to Supervisors, Managers, Reasonable Accommodation Coordinator, Agency Designee, or Agency Employees for Recognizing a Request for Reasonable Accommodations | 4 |
| 2. Approved Requests | 6 |
| 3. Disapproved Requests | 8 |
| 4. Reassignments | 9 |
| 5. Requests for Reconsideration of the Agency’s Decisions | 10 |
| 6. Reasonable Accommodations and Statutory and Collective Bargaining Claims ... | 10 |
| 7. Information Tracking and Recordkeeping | 11 |
| 8. Reporting | 12 |
| 9. Posting | 12 |
| 10. Timeframes for Processing Requests | 12 |
| 11. Request for Sign Language Interpreting Services | 15 |
| 12. Personal Assistance Services | 17 |
| 13. Costs and Agency Resources | 18 |
| 14. Reasonable Accommodations Resources | 18 |
| Appendix A: Key Terms and Definitions | A-1 |
| Appendix B: Medical Information Confidentiality | B-1 |

U.S. Nuclear Regulatory Commission Policy on Reasonable Accommodations

The term “reasonable accommodations” refers to modifications or adjustments to the work environment, manner, or circumstances under which a position is customarily performed to enable an applicant or employee with a disability to enjoy equal employment opportunities.

The U.S. Nuclear Regulatory Commission’s (NRC’s or agency’s) policy is to fully comply with the reasonable accommodations requirements of Section 501 of the Rehabilitation Act of 1973, as amended (Rehabilitation Act), and the Americans with Disabilities Act Amendments Act of 2008 (ADA). Under the law, Federal agencies must provide reasonable accommodations to qualified employees or applicants with disabilities unless doing so would cause undue hardship to the agency. In accordance with the regulations, the agency must consider all resources available to the agency, as a whole, and external resources (i.e., a centralized fund, the U.S. Department of Defense Computer/Electronic Accommodations Program (CAP)) in determining whether an undue hardship exists. The NRC strives to provide reasonable accommodations to all employees and applicants with disabilities to ensure that individuals with disabilities enjoy full access to equal employment opportunities at the NRC. The agency provides reasonable accommodations under the following conditions:

- An applicant with a disability needs accommodations to be considered for a job.
- An existing employee with a disability needs accommodations to enable him or her to perform the essential functions of the job or to gain access to the workplace.
- An employee with a disability needs accommodations to enjoy equal benefits and privileges of employment.

The NRC is committed to processing requests for reasonable accommodations in a prompt, fair, and efficient manner using an interactive process. Within 5 business days of receipt of the request, the reasonable accommodation coordinator (RAC) or designee will acknowledge and begin reviewing the request. The RAC or designee will keep the requester and requester’s supervisor apprised of the status of the request or the need for any additional information or other reasons for a delay in processing as the nature of the request demands. The RAC or designee will communicate with individuals who have requested a reasonable accommodation early in the interactive process and will continue to do so throughout the process.

Employees may refer to the U.S. Equal Employment Opportunity Commission’s (EEOC’s) Web site at <http://www.eeoc.gov/policy/docs/accommodation.html> for information on enforcement.

Guidance Provided to Supervisors, Managers, Reasonable Accommodation Coordinator, Agency Designee, or Agency Employees Connected with Requests for Reasonable Accommodations

1. Reasonable Accommodations Request Process

Submittal of a Formal Request by the Employee or Applicant. An individual may request reasonable accommodations orally or in writing at any time and need not fill out a specific form to start the interactive process nor have a particular accommodation in mind before making a request. The regulations require that decisionmakers communicate, early in the interactive process and periodically throughout the process, with individuals who have requested reasonable accommodations. Employees may make a request for reasonable accommodations to (1) a supervisor or manager in an employee's chain of command, (2) the RAC or designee, (3) any agency employee connected with the application process, or (4) any other individual designated by the agency to accept such requests. A family member, healthcare provider, or other representative may also submit a request for reasonable accommodations either orally or in writing on behalf of the employee. Applicants may contact any agency employee connected with the application process, not just the staffing specialist assigned to the vacancy, to make a request for reasonable accommodations.

Upon receipt of an accommodation request, management officials or other agency personnel other than the RAC or designee should promptly contact the RAC or designee in the Office of the Chief Human Capital Officer (OCHCO) and forward the request to the RAC or designee.

Once the RAC or designee receives notification of a reasonable accommodations request, he or she will provide the requester with forms that the agency uses in connection with a request. The RAC or designee will inform the requester that the forms are available in alternative formats that are accessible to people with disabilities. In addition, the RAC or designee will explain the following information to the requester:

- The RAC or designee will explain the agency's process, including the interactive process, for determining whether to provide reasonable accommodations.
- The agency may need medical information that is sufficient to (1) clarify the nature of the individual's disability, (2) describe his or her need for reasonable accommodation, and (3) explain how the requested accommodation, if any, will assist the individual to apply for a job, perform the essential functions of a job, or enjoy the benefits and privileges of the workplace.
- The agency has the right to request relevant supplemental medical information.
- The agency has the right to have a medical expert of its choosing review information at the agency's expense.
- The agency is obligated to keep medical information confidential, in accordance with applicable laws and regulations and the limited circumstances under which information may be disclosed.
- The agency will explain the designated maximum amount of time it has, in the absence of extenuating circumstances, to either provide the requested accommodations or deny

the request, and explain that the time limit begins to run when the accommodation is first requested.

- The agency will not be expected to adhere to its usual timeliness if the requester's health professional fails to provide the necessary documentation in a timely manner.
- If a particular reasonable accommodation can be provided in less than the maximum amount of time permitted under the regulations, failure to provide such an accommodation in a prompt manner may result in a violation of the Rehabilitation Act.
- The agency must provide an interim accommodation to allow the individual to perform some or all of the essential functions of his or her job if it is possible to do so without imposing an undue hardship on the agency.
- The RAC or designee will explain how to track the processing of requests for reasonable accommodations.
- If either processing a request for, or providing, reasonable accommodations is delayed, the agency must notify the individual of the reason for the delay, including any extenuating circumstances that justify the delay.
- Individuals who are denied reasonable accommodations have the right to file complaints under Title 29 of the *Code of Federal Regulations* (29 CFR) 1614.106, "Individual Complaints," and the agency encourages the use of voluntary informal dispute resolution.
- The agency will provide the names of the individual points of contact (POCs) and the program office from whom the requester will receive a final decision.

Guidance Provided to Supervisors, Managers, Reasonable Accommodation Coordinator, Agency Designee, or Agency Employees for Recognizing a Request for Reasonable Accommodations

Request Received. When determining whether an employee is requesting an accommodation, please keep in mind that an employee only needs to express a need for a change in his or her working condition or in the way something is ordinarily done because of a medical reason. A request does not require any special wording, such as “reasonable accommodation,” “disability,” or “Rehabilitation Act,” and may be made verbally or in writing. Further, an individual does not need to have a particular accommodation in mind before making a request for an accommodation. Although requests are not required to be in writing, the agency encourages all requesters to submit a request for reasonable accommodations using NRC Form 726, “Confirmation for Request for Reasonable Accommodation,” to the RAC or designee in OCHCO through e-mail to Reasonable_Accommodations.Resource@nrc.gov or you may contact RAC at 301-287-0739 or via email Kimberly.Meyer-Chambers@nrc.gov.

The agency encourages, but does not require, employees to discuss their requests with their supervisor, who may be able to easily support a very simple accommodations request (e.g., a request for a different work schedule). If the employee does not discuss a request with his or her supervisor, the RAC or designee will discuss the requested accommodations with the employee’s supervisor as part of the interactive process to determine the employee’s limitations as they relate to his or her ability to perform the essential functions of his or her position and possible effective accommodations.

The agency encourages, but does not require, individuals who apply for employment at the NRC to submit the request through the supporting human resource specialist listed on the vacancy announcement or anyone connected with the particular application process, who will then forward the request to the RAC or designee.

Contractors may submit reasonable accommodations requests related to accessibility only. The contractor is responsible for submitting all other requests related to reasonable accommodations to his or her employer (the contracting organization). The contractor’s employer (the contracting organization) is responsible for providing reasonable accommodations for its employees because the NRC is not their employer.

The RAC or designee will begin the review process within 5 business days of receipt of a request. Employees may make requests for permanent or temporary accommodations.

Types of requests include, but are not limited to, the following:

- assistive technology
- sign language interpreters
- transcription services
- workstation modifications
- materials in alternative formats
- special software
- work schedule modifications
- removal of architectural barriers

Medical Review (if required). When a disability or need for reasonable accommodations is not immediately obvious or otherwise already known, the RAC or designee may require the individual to provide sufficient medical documentation on the requester's impairment, including functional limitations. Medical documentation is sufficient if it (1) discusses the nature of the individual's disability, (2) describes his or her need for a reasonable accommodation, and (3) explains how the requested accommodation, if any, will assist the individual to apply for a job, perform the essential functions of a job, or enjoy the benefits and privileges of the workplace.

The RAC or designee will review the request to determine whether additional medical information is required. The agency has the right to request relevant supplemental medical information if the information in the first submission is insufficient. The agency also has the right to have a medical expert of its choosing review medical information at the agency's expense.

If the RAC or designee determines that additional medical information is necessary, he or she may either request the additional medical documentation from the requester when appropriate or request that the employee sign a limited medical release, or do both. Once the medical release is provided, the RAC or designee will either submit a list of questions to the requester's health care professional or have the agency's contracted physician from Federal Occupational Health (FOH) contact the requester's health care provider.

Once the RAC or designee receives all of the medical information, when appropriate, he or she will prepare a request for a medical review by the NRC's contracted physician. Once the contracted physician completes the medical review, he or she will send a written assessment to the RAC or designee, who will share this information with the requester and, when appropriate, with the supervisor for further discussions as part of the interactive process to help determine an effective accommodation. If an accommodation is approved, the RAC or designee will begin coordination to implement the request.

For cases that do not require additional medical documentation or an FOH review, the RAC or designee will facilitate the interactive discussion between the supervisor and the requester to determine an effective accommodation solution; attempt to reach agreement; and, where appropriate, approve or deny the request and take appropriate steps to implement the established accommodation solution within 15 business days, if possible. The requester will receive final approval of the request for reasonable accommodations in writing.

The medical review is intended to substantiate (1) the functional limitations and needs of the requester to perform the essential functions of his or her job duties, (2) the benefits and privileges of the workplace, or (3) the need for an accommodation in the application process. The agency's requests for medical information will adhere to the requirements in EEOC's "Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees under the Americans with Disabilities Act (ADA)," dated July 27, 2000 (available at <https://www.eeoc.gov>). The requester may be asked to sign a release form to designate FOH to review the medical information. In accordance with EEOC's guidance, the agency's request for information shall be limited to information that is sufficient to substantiate that the individual has a disability and needs the reasonable accommodation requested.

Failure by the requester to provide sufficient medical documentation or to cooperate with the NRC's efforts to obtain such documentation may result in delay or denial of the reasonable accommodations request. The agency will not be expected to adhere to its usual timelines if an

individual's health professional fails to provide the necessary documentation in a timely manner. Appendix B provides information about the confidentiality of medical information.

Office of the General Counsel Review (if required). If an initial determination has been made to deny the request, the RAC or designee will request a review by the Office of the General Counsel (OGC) before communicating any final decision to the requester. If an additional review is deemed necessary, the RAC or designee will work with the FOH physician, the supervisor, and the requester to obtain and review any additional information. If, upon consultation with OGC, the RAC or designee makes the determination to deny the request, he or she will notify the requester in writing. Depending on the nature of the reasonable accommodations request, the RAC or designee may opt to consult with OGC even if a denial is not anticipated.

2. Approved Requests

The RAC or designee in OCHCO is responsible for processing all reasonable accommodations requests, facilitating the interactive dialogue between the supervisor and requester, and making the decision to approve or deny requests. Once all medical information has been received and reviewed, as applicable; the supervisor and the requesting employee have engaged in an interactive discussion; and a determination has been made to approve the reasonable accommodations request, the RAC or designee will notify the requester in writing of the approval, if applicable, and take the requisite steps to coordinate implementation of the request.

Depending on the nature of the request, the RAC or designee will first seek to identify existing equipment, software, and information technology (IT) peripherals that are already available within the NRC. If they are not available within the NRC, the RAC or designee will then determine whether the required item or items are available through the CAP. The CAP is a program administered by the U.S. Department of Defense. The NRC uses this vehicle to procure assistive technology, devices, software, and services for NRC employees. If the CAP does not have the required item(s) or if the request is received when support by the CAP is unavailable (usually in the fourth quarter between July and September), the RAC or designee will coordinate with the appropriate authority to obtain the required items through the most expeditious and cost-effective vendor available. Once items are received, the RAC or designee will coordinate installation through the Office of the Chief Information Officer (OCIO), Office of Administration (ADM), or other offices as appropriate. Approval for items processed through the CAP frequently takes between 2 to 4 weeks. The CAP will only approve requests for individuals who have medical documentation that indicates a diagnosed condition. Items procured without the assistance of the CAP frequently take as long as 8 weeks to receive. If a requested item cannot be obtained through the CAP or if an accommodation is needed in the interim while requested items are being procured and shipped, the RAC or designee will facilitate the interactive discussion between the supervisor and the requester on interim accommodations.

For reasonable accommodations requests that require a modification or reconfiguration of a workspace or additions to the NRC infrastructure, the RAC or designee will coordinate changes with the employee's supervisor, OCIO, and ADM staff responsible for the new configuration as needed. It is essential that this coordination occur because it could affect staff who may be required to relocate or who may otherwise be affected by any reconfiguration of office space. ADM's involvement will be required for office reconfigurations and installations of furniture and equipment. OCIO's involvement will be required for relocating computers and telephones or for redirecting network printer support to the requester or nearby staff.

Reasonable Accommodations for Furniture and Workplace Modifications. Reasonable accommodations requests for furniture must be processed through ADM with coordination from the RAC or designee who will submit NRC Form 30, "Request for Administrative Services." To process requests, ADM must have the information on the "core features" of the furniture item needed to satisfy requests. ADM will provide furniture items, either from the NRC's warehouse stock items or through a special purchase order, that comply with the "core features" to address the functional limitations identified; these may or may not be the actual items requested. If requests cannot be immediately satisfied from the NRC's warehouse stock items, ADM will keep the supervisor, the employee, and the RAC or designee informed of the status of the special purchase and the expected date of delivery.

Reasonable Accommodations for IT Hardware and Software. Reasonable accommodations requests for IT hardware and software require OCIO involvement. The RAC or designee must use NRC Form 30 to submit any requests for IT hardware and software as a reasonable accommodation to OCIO. Hardware and software that will be new to the NRC infrastructure must proceed through security and functional testing. Testing and approval frequently take 4 to 6 weeks or longer. OCIO and the RAC or designee will make every effort possible to identify hardware and software that have already been approved. If requests cannot be immediately satisfied from OCIO stock items, OCIO will keep the supervisor, the employee, and the RAC or designee informed of the status of the special purchase and the expected date of delivery.

Ergonomics versus Reasonable Accommodations. Obtaining IT equipment or furniture as an ergonomic request follows a different process with different requirements than that for reasonable accommodations requests. The Ergonomics Program is an optional program that is not required by law or regulation. The purpose of the Ergonomics Program is to evaluate an employee's workstation and work habits to determine whether modifications could or should be made to improve the employee's comfort, work performance, and productivity. On the other hand, the purpose of the Reasonable Accommodations Program is to determine whether modifications are needed because of an individual's disability. A request for IT equipment or furniture will be treated as a reasonable accommodations request and processed under the reasonable accommodations procedures when such a request is made because of a disability. However, if the request is made simply for comfort, work performance, or productivity notwithstanding a disability, the Ergonomics Program will review such a request. Recommendations from the Ergonomics Program to make modifications to an employee's workstation in response to an ergonomics request do not convey an entitlement to the employee for the recommended modification, and the NRC is not mandated or obligated to purchase the recommended item or make the recommended modification unless the request also meets the requirements for a reasonable accommodation. In addition, the RAC or designee does not approve equipment or furniture purchases and cannot compel the purchase of such under the Ergonomics Program, unless the purchase is separately required as a reasonable accommodation. Guidance on how to request ergonomic equipment appears on OCIO's Web site <https://drupal.nrc.gov/ocio/26331> under "Purchase IT Supplies and Services." Information on the NRC's Ergonomics Program appears on OCHCO's internal Web site at <https://www.internal.nrc.gov/HR/ergonomics.html>.

Individuals with disabilities and the agency's decisionmakers can consult the following resources to identify and evaluate possible accommodations:

- "EEOC Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act," dated October 17, 2002

<https://www.eeoc.gov/policy/docs/accommodation.html>)

- “Enforcement Guidance: Preemployment Disability-Related Questions and Medical Examinations,” dated October 10, 1995 (<https://www.eeoc.gov/policy/docs/preemp.html>)
- “EEOC Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees under the Americans with Disabilities Act (ADA),” dated July 27, 2000 (<https://www.eeoc.gov/policy/docs/guidance-inquiries.html>)
- “Policy Guidance on Executive Order 13164: Establishing Procedures to Facilitate the Provision of Reasonable Accommodation,” dated October 20, 2000 (https://www.eeoc.gov/policy/docs/accommodation_procedures.html)
- “Job Applicants and the Americans with Disabilities Act,” modified December 20, 2017 (<https://www.eeoc.gov/facts/jobapplicant.html>)
- “The Family and Medical Leave Act, the Americans with Disabilities Act, and Title VII of the Civil Rights Act of 1964,” modified July 6, 2000 (<https://www.eeoc.gov/policy/docs/fmlaada.html>)
- “Veterans and the Americans with Disabilities Act (ADA): A Guide for Employers” (https://www.eeoc.gov/eeoc/publications/ada_veterans_employers.cfm)
- “Understanding Your Employment Rights under the Americans with Disabilities Act (ADA): A Guide for Veterans” (https://www.eeoc.gov/eeoc/publications/ada_veterans.cfm)
- Job Accommodation Network (<https://www.askjan.org/>)
- Computer/Electronic Accommodations Program (<https://www.cap.mil/>)

3. Disapproved Requests

If the RAC or designee in OCHCO denies a request for reasonable accommodations, the requester will receive written notification in an accessible format that explains the reason for the denial, identifies available internal appeal or informal dispute resolution processes, provides instructions on how to file a complaint of discrimination under 29 CFR 1614.106, and explains the right, under 29 CFR 1614.105, “Pre-Complaint Processing,” to contact an Equal Employment Opportunity (EEO) counselor or the Office of Small Business and Civil Rights (SBCR), or both, within 45 days of the denial regardless of whether the requester participates in an informal dispute resolution process. The notification will also include the contact information of the individual or program office that made the final decision. This explanation will include specific reasons for the denial (e.g., *why* the request would not be appropriate or *why* it would result in undue hardship to the agency). Individuals whose accommodation requests have been denied have the right to file an EEO complaint under 29 CFR 1614.106 and invoke other statutory processes as appropriate and as discussed in Section 6 below.

The employee is encouraged to use voluntary informal dispute resolution processes to obtain prompt reconsideration of denials of accommodation requests. As appropriate, the denial will

include an alternate accommodation. The following examples provide reasons for denying reasonable accommodations requests:

- The requested accommodation is not appropriate or effective.
- The requested accommodation would cause a direct threat to health or safety. Direct threat means that an individual with a disability poses a significant risk of substantial harm to himself or herself or to others and that accommodations that would lower the risk of harm below that level do not exist.
- Medical documentation is inadequate to establish that the requester has a disability or needs accommodations, or the requester has failed to provide the requested documentation.
- The requested accommodations would require the removal of an essential function of the requester's position. If this is the case, the denial must identify the essential function and explain why that function would need to be removed.
- The requested accommodations would require the lowering of a performance or production standard related to an essential function of the requester's position. The denial in this scenario must identify the specific performance or production standard that would need to be lowered and the resulting impact of lowering the standard.
- Providing the requested accommodation would result in undue hardship. Undue hardship means that the agency finds that a specific accommodation would result in significant difficulty or expense or would fundamentally alter the nature of the agency's operations. Denial of a request for reasonable accommodation based on cost as an undue hardship should be extremely rare because, for purposes of reasonable accommodations, the agency's budget as a whole is considered versus that of a specific office. Before the RAC or designee reaches this determination, he or she must explore whether other effective accommodations exist that would not impose undue hardship and therefore could be provided. When evaluating budgetary or administrative concerns to determine whether undue hardship exists, the RAC or designee, in consultation with the supervisor and OGC, will follow the standards in the regulations and in EEOC's "Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act." In addition, every effort will be made to rely on internal and external resources for providing accommodation solutions, including the CAP; Maryland State Department of Education, Division of Rehabilitation Services; Maryland Department of Disabilities; Maryland Technology Assistance Program; Job Accommodation Network; and special agency funding. For more information about funding solutions for reasonable accommodations or for any questions on the cost associated with an accommodation, contact the RAC or designee in OCHCO.

4. Reassignments

The agency is required to provide reassignment to a vacant funded position as a reasonable accommodation if it determines that no other reasonable accommodation would permit an employee to perform the essential functions of his or her position. Reassignments as reasonable accommodations are required after the NRC has determined that no other reasonable accommodations will permit the employee with a disability to perform the essential

functions of his or her position. Reassignments as a reasonable accommodation may be provided to employees (not applicants) who, because of a disability, can no longer perform the essential functions of the job with or without reasonable accommodations. Reassignments are made only to vacant funded positions and only provided to employees who are qualified for the new position, absent undue hardship. If the employee is qualified for the position, he or she may be reassigned to the job without competition.

By definition, reassignments may be made only to a position of equal or lower grade. Reassignments do not include giving an employee a promotion. An employee must compete for any vacant position that would constitute a promotion. Conversely, an employee would not have to compete for a vacant position that is of equal or lower grade as long as he or she is qualified for it.

The NRC is not obligated to approve a reasonable accommodations request for reassignment in order to change supervisor if the cause is based on an employee's failure to get along with a supervisor because of a personality conflict. An employee's failure to get along with a supervisor or coworker because of a personality conflict is not equivalent to a substantial limitation in a major life activity and, therefore, does not meet the regulatory definition of a disability. However, as an alternative, a change in supervisory methods may be necessary as a reasonable accommodation in these cases.

5. Requests for Reconsideration of the Agency's Decisions

The NRC will provide a written denial notice at the time a request for accommodation is denied. The written notice will explain the reasons for the denial and notify the job applicant or employee of any available internal appeal or informal dispute resolution processes.

Requesters may request prompt reconsideration of denials of requests for reasonable accommodations. He or she should first consult with the RAC or designee to request any additional clarification about the basis for the denial. The requester must submit a request for reconsideration to the RAC or designee in writing within 5 business days after receipt of the denial notification. The request should include any updated information new to the case, if appropriate. The RAC or designee will provide the requester with a decision within 10 business days of the receipt of the request for reconsideration. If the requester is not satisfied with the RAC's or designee's response, he or she may appeal the decision using the administrative processes outlined below.

A requester whose reasonable accommodations request has been denied may also pursue statutory or collective bargaining claims, including filing a grievance under the NRC's negotiated grievance procedure or filing a complaint with EEOC. Pursuing a request for reconsideration as identified above does not satisfy the requirements for bringing a statutory or collective bargaining claim, which is discussed in Section 6 below.

6. Reasonable Accommodations and Statutory and Collective Bargaining Claims

These reasonable accommodations procedures are in addition to the statutory and collective bargaining protections associated with the denial of reasonable accommodations requests for a person with a disability. These reasonable accommodations request procedures do not change the requirements that govern the filing of such EEO complaints or a grievance, including the filing deadlines. Applicants and employees whose accommodation requests have been denied have the right to file an EEO complaint and to invoke other statutory processes, as appropriate.

An individual who opts to pursue such claims must follow the procedures below to file an EEO complaint or grievance.

Equal Employment Opportunity Complaint. Contact an NRC EEO counselor within 45 days from the date of receipt of the written notice of denial. Staff members involved in requests for reasonable accommodations must recuse themselves from any involvement in the processing of an EEO counseling contact or complaint in connection with that request, where appropriate, or if such involvement creates a conflict of interest. Questions may be referred to the SBCR staff at (301) 415-7380 or EEOPROGRAMS.resource@nrc.gov. For further information on procedures for filing EEO complaints, please refer to Management Directive 10.161, "Civil Rights Program and Affirmative Employment and Diversity Management Program," dated July 22, 2014. Questions for SBCR may be sent to EEOPROGRAMS.resource@nrc.gov.

Alternative Dispute Resolution Program. Since January 2000, EEOC regulations have required Federal agencies to make an alternative dispute resolution (ADR) program available at both the precomplaint (informal or EEO counseling) stage and formal complaint stage of the discrimination complaint process. The ADR process supplements existing EEO discrimination complaint procedures in an effort to resolve employment discrimination claims. The NRC encourages the use of voluntary informal dispute resolution processes to allow individuals with disabilities to obtain prompt reconsideration of denials of accommodation requests. The NRC is committed to using ADR in cases determined appropriate for ADR as a tool to resolve employment discrimination claims at the earliest stage possible. In compliance with EEOC regulations, the NRC has developed an ADR program that is confidential, informal, nonadjudicative, and nonadversarial to assist employees, managers, and supervisors in reaching mutually acceptable and voluntary resolutions to employment discrimination claims. SBCR administers the NRC's ADR program through an ADR coordinator. The program is available to all NRC employees and applicants for employment. Refer questions to the SBCR staff at (301) 415-7380 or EEOPROGRAMS.resources@nrc.gov.

Negotiated Grievance Procedure. File a written grievance in accordance with the provisions of Article 46 of the Collective Bargaining Agreement between the NRC and the National Treasury Employees Union. The negotiated grievance procedure does not cover applicants and contractors.

7. Information Tracking and Recordkeeping

The NRC will keep records that it may use to determine whether the agency is complying with the nondiscrimination and affirmative action requirements imposed under Section 501 of the Rehabilitation Act and will ensure that records are available to the Commission upon request. Applicants and employees can track the process of requests for reasonable accommodations orally or in writing by (1) contacting the RAC or designee and requesting a status on the approval of the reasonable accommodation or (2) submitting a written request to the RAC or designee requesting a status on the approval of the reasonable accommodation.

The NRC shall maintain a system of records that record and track the following information:

- the specific reasonable accommodation
- the job (occupational series, grade level, and agency component) sought by the requesting applicant or held by the employer

- whether the accommodation was needed to apply for a job, perform the essential functions of a job, or enjoy the benefits and privileges of employment
- whether the request was granted or denied
- the identity of the deciding official
- the basis of the denial
- the number of days taken to process the request
- details on all requests for reasonable accommodation to allow the agency to identify, among other things, the number and types of reasonable accommodations that have been requested in the application process or by employees and whether those requests have been granted or denied (see NRC Form 726B, "Reasonable Accommodation Information Reporting Form")

The above recordkeeping is a necessary component of the NRC's efforts to ensure that the agency is processing requests for reasonable accommodations in accordance with the nondiscrimination requirements of Section 501 of the Rehabilitation Act.

8. Reporting

The agency will submit the information collected above annually to SBCR as a part of the its EEOC compliance requirements.

9. Posting

The agency will post procedures for processing reasonable accommodations requests and personal assistance services (PASs) on its public Web site and will make such procedures available to all job applicants and employees in written and accessible formats.

10. Timeframes for Processing Requests

The NRC will process requests for reasonable accommodations and provide accommodations, where appropriate, in as short a timeframe as reasonably possible. If a reasonable accommodation cannot be provided immediately, the agency must provide an interim accommodation whenever possible. Interim accommodations may be necessary to avoid, for example, a worsening of symptoms, exacerbation of a medical condition, or pain. Interim accommodations allow the requesting individual to perform some or all of the essential functions of his or her job when all of the facts and circumstances known to the agency make it reasonably likely that the individual will be entitled to a reasonable accommodation and when it is possible to do so without imposing undue hardship on the agency.

The maximum length of time to either provide a requested accommodation or deny the request for reasonable accommodations absent extenuating circumstances is 30 days, counted from when the accommodation is first requested. However, if an accommodation can be afforded in less than the maximum timeframe, failure to provide an accommodation in a prompt manner may result in a violation of the Rehabilitation Act.

Although the NRC recognizes that the time necessary to process a request will depend on the nature of the accommodation requested and the necessity to obtain supporting information, Table 1 lists guidelines that the agency will strive to meet to provide expeditious reasonable accommodations.¹

Table 1 Reasonable Accommodations Timeline

| Action | Number of Business Days |
|---|--|
| Acknowledgement of the initial request | 1 to 5 days after receipt of request |
| Start of an interactive discussion between the supervisor, the requesting employee, and the RAC or designee | 1 to 5 days after receipt of request |
| Initial review of the request to determine whether additional medical documentation is needed | 1 to 5 days after receipt of request |
| Decision to approve or deny noncomplex requests (no medical documentation or other outside review is needed) | 1 to 5 days after receipt of request |
| Implementation of an approved noncomplex request (no medical documentation or other outside review needed, no furniture or software purchase is needed, and no furniture or software installation is needed) | 5 to 10 days after date of request approval |
| Request for additional medical documentation, if needed | 6 to 10 days after receipt of request |
| Additional medical documentation deadline | 10 to 15 days after date of request for additional medical documentation |
| Receipt of medical documentation and forwarding of documentation, if needed, to FOH for medical review | 1 to 5 days after receipt of medical documentation |
| FOH review and completion of written assessment (the time may vary depending on the nature of medical issue presented or whether FOH needs more information) | 4 to 5 weeks after receipt of request for medical review |
| Continuation of the interactive discussion to determine an “effective” accommodations solution among the supervisor, requesting employee, RAC or designee, and other appropriate internal and external stakeholders, where applicable | 5 to 10 days after receipt of FOH assessment |

¹ The timeline in Table 1 is meant solely as a guide to help facilitate the expeditious processing of reasonable accommodations requests. If the agency has made reasonable efforts to promptly process a reasonable accommodations request(s), a missed deadline shall not, in and of itself, constitute a violation of this policy.

| Action | Number of Business Days |
|---|---|
| Decision to approve or deny accommodations and issuance of a written notification to the requesting employee | 5 to 10 days after receipt of FOH assessment |
| Implementation of approved accommodations solution for noncomplex cases (no software or furniture needs to be purchased or installed) | 5 to 10 days after receipt of written approval |
| Decision on the approval of complex cases (software testing, furniture installation, specialized IT equipment, workplace renovation to the physical building structure) | 2 to 8 weeks for accommodation solution to be purchased and installed |
| Submittal of request for reconsideration by the requesting employee if the request is denied | 5 days after receipt of denial |
| The RAC's or designee's consideration of the request for reconsideration and issuance of the decision to the requester in writing | 10 days after receipt for a request for reconsideration |
| Request for third-party appeal | Any time after receipt of denial in accordance with EEOC and CBA guidelines |
| Maximum timeframe for processing requests absent extenuating circumstances | 25 days |
| Maximum timeframe for providing the approved accommodation absent extenuating circumstances | 10 days |

In addition, reasonable accommodations requests can be expedited in appropriate cases. Expedited processing might be necessary if, for example, reasonable accommodations are needed to enable the requester to apply for a job or if reasonable accommodations are needed for a specific NRC activity, such as a meeting, that is scheduled to occur shortly.

Extenuating Circumstances. “Extenuating circumstances” cover situations in which unforeseen or unavoidable events prevent prompt processing and delivery of accommodations. These are factors that could not reasonably have been anticipated or avoided in advance of the request for accommodations. When extenuating circumstances are present, the time for processing a request for reasonable accommodations and providing the accommodations will be extended as reasonably necessary. The NRC’s policy is to limit time extensions based on extenuating circumstances to situations in which such extensions are strictly necessary. The unavailability of a particular staff member is not considered an “extenuating circumstance” and will not be considered sufficient to justify a delay in processing or providing an accommodation. All NRC staff members are expected to act as quickly as reasonably possible in processing requests and providing accommodations.

The following are examples of extenuating circumstances:

- Medical evidence or additional medical evidence is needed for cases in which the disability or need for the particular accommodation is not obvious.
- The purchase of equipment may take longer because of requirements under Federal acquisition regulations.
- Equipment may be backordered, the vendor that is typically used for goods or services has unexpectedly gone out of business, or the vendor cannot promptly supply the needed goods or services and another vendor is not immediately available.
- The employee with a disability needs to work with equipment on a trial basis to ensure that it is effective before the agency purchases it.
- New staff members need to be hired or contracted, or the implementation of accommodations involves the removal of architectural barriers.

If extenuating circumstances are present, the RAC or designee must notify the individual as soon as possible of the reason for the delay and approximate date on which a decision on, or provision of, the reasonable accommodations is expected.

When all facts and circumstances known to the agency make it reasonably likely that the individual will be entitled to an accommodation but the accommodation cannot be provided immediately, the agency will provide the individual with an interim accommodation that allows him or her to perform some or all of the essential functions of the job, absent undue hardship. Any further developments or changes should also be communicated promptly to the individual. If the implementation of accommodations that have been approved is delayed, the RAC or designee will provide interim accommodations to allow the requester to perform some or all of the essential functions of the job, absent undue hardship. Providing the requested accommodations on a temporary basis or providing alternative accommodations could be done (1) if it does not interfere with the operations of the NRC and (2) if the employee is clearly informed that it is being provided only on a temporary, interim basis.

For example, the receipt of adaptive equipment for an employee with a vision disability may be delayed. During the delay, the supervisor might arrange for other employees to act as readers. This temporary measure may not be as effective as the adaptive equipment, but it will allow the employee to perform as much of the job as possible until the equipment arrives.

If a delay is attributable to the need to obtain or evaluate medical documentation and if the agency has not yet determined whether the individual is entitled to accommodations, the individual should be instructed to forward the appropriate medical documentation to the agency.

The RAC or designee will coordinate with the appropriate parties on more complex requests, such as those needing additional medical review when the disability or need for the accommodation is not obvious, those that overlap into the performance and conduct arena, or those for which internal or external stakeholders are relied upon to provide the request (e.g., the installation of pushbuttons for doors). In general, OCHCO needs approximately 5 business days for the initial review of such requests.

11. Request for Sign Language Interpreting Services

Hearing-Impaired Employees. All hearing-impaired employees are responsible for requesting interpreter services if needed for any meetings or training that they plan to attend, absent NRC/officewide events, extenuating circumstances, and confidential meetings requested by other offices. A hearing-impaired employee should make all interpreter service requests 2 weeks in advance (when possible) with all meeting or training details. Attempts will be made to fill all requests as best as possible, depending on the availability of an interpreter.

All requests for sign language interpreting services should include the event title; date; starting time; ending time; location; description; and any agenda, handouts, or supporting materials. **The information given helps the interpreter services to provide the best service for the meeting or training. Incomplete information in the request may cause a delay in assigning an interpreter(s).**

The requester should enter any changes or updates to requests through the SharePoint calendar. If a new request is added or if a request is changed or updated within 48 hours or less of the start of the request, the requester should enter the request or change into the calendar immediately and send an e-mail to scheduledsls@gmail.com and to the RAC or designee at [Reasonable Accommodations.Resource@nrc.gov](mailto:Reasonable_Accommodations.Resource@nrc.gov). When the notice is within 48 hours or less, interpreters may not always be available, and the requester may need to consider rescheduling the meeting if possible or using an alternative accommodation.

If a meeting or training is expected to last longer than 60 minutes, arrangements must be made for at least two interpreters to provide sufficient rest periods, including a “sign-free” lunch break if necessary. A break during a meeting or event does not constitute a rest period for the interpreter if he or she is expected to continue working (e.g., hearing-impaired and hearing parties may wish to communicate during the break and may want the interpreter to facilitate the exchange).

Other NRC Staff and Individual Offices. The individual office or event organizer should request interpreter services for NRC/officewide events, such as, but not limited to, NRC/office all-hands meetings and the Regulatory Information Conference. The individual office or event organizer is responsible for submitting a request to the RAC or designee at least 2 weeks in advance of the event. This may not always be possible; however, the RAC or designee will make every effort possible to accommodate requests. However, when the notice is within 48 hours or less, interpreters may not always be available, and the requesting office or event organizer may be forced to consider rescheduling the meeting if possible or using an alternative accommodation.

The requesting office’s POC should request interpreter services for confidential meetings (i.e., with the Office of the Inspector General, SBCR, OGC, and OCHCO). The requesting office’s POC should contact the RAC or designee to make arrangements for such meetings. When the requesting office’s POC contacts the RAC or designee, the name of the individual requiring the interpreting services should not be provided. However, the date, starting time, ending time, and location of the meeting should be given.

Requests for interpreter services for a job applicant should be requested through the RAC or designee either by the job applicant, a human resources specialist, or the requesting office’s POC.

If a meeting is expected to last longer than 60 minutes, arrangements must be made for at least two interpreters to provide sufficient rest periods, including a “sign-free” lunch break if necessary. A break during a meeting or event does not constitute a rest period for the interpreter if he or she is expected to continue working (e.g., hearing-impaired and hearing parties may wish to communicate during the break and may want the interpreter to facilitate the exchange). The agency’s requests for sign language interpreting services should be sent to the RAC or designee through e-mail to [Reasonable Accommodations.Resource@nrc.gov](mailto:Reasonable_Accommodations.Resource@nrc.gov).

Last-minute requests or changes to previous requests made by the NRC staff (i.e., those within 48 hours or less) should be sent through e-mail to scheduledsls@gmail.com with a courtesy copy to the RAC or designee at [Reasonable Accommodations.Resource@nrc.gov](mailto:Reasonable_Accommodations.Resource@nrc.gov). In addition, all requests for sign language interpreting services should include the event title; date; starting time; ending time; location; description; and any agenda, handouts, or supporting materials.

NRC employees or contractors who know sign language or who are taking a sign language class are not considered acceptable substitutes for professional contract interpreters.

Escorting Sign Language Interpreters or Transcribers. Escorting unbadged interpreters is the responsibility of the requester of the interpreting services. If the requester is a hearing-impaired employee, he or she will be responsible for entering the interpreter into the NRC visitor’s system and providing the appropriate escort. If an NRC staff member submits the request for sign language interpreting services to support an NRC/officewide event (as explained above), the NRC staff member will be responsible for entering the interpreter information into the NRC visitor’s system and providing the appropriate escort. The RAC or designee will let the requester know if an interpreter needs to be escorted and will only provide escorting services in emergency situations, whereby the requester or requesting office cannot find any other backup escort.

Work Events outside of the Workplace. The agency will provide an interpreter for hearing-impaired employees who, as a part of their job, attend a meeting or event outside of the workplace. Requests for work events outside of the workplace are submitted in the same manner as that for hearing-impaired employees who request interpreting services, as stated above.

Interpretation of Telephone Calls. Assistance is available for staff when a sign language interpreter is unavailable. For those staff who require assistance, the Maryland Relay Service is available by dialing 7-1-1. More information is available at <https://doit.maryland.gov/mdrelay/Pages/default.aspx>. In addition, a videophone at 240-428-3217 has replaced the telecommunications device for the deaf to assist disabled callers from the public and disabled employees.

12. Personal Assistance Services

Section 501 of the Rehabilitation Act requires Federal agencies to provide PASs to employees who, because of targeted disabilities, require assistance in order to be at work or to participate in work-related travel unless doing so would impose undue hardship. PASs are services that help individuals with disabilities perform activities of daily living that otherwise prevent them from being able to work, including, for example, assistance with removing and putting on clothing, eating, and using bathroom facilities. However, such services do not include medical care and do not need to be provided by someone who has medical training or qualifications.

Requests for PASs, the process for determining whether such services are required, and the agency's right to deny such requests when provision of the services would pose an undue hardship are the same as the requests for reasonable accommodations outlined in Section 1 of this document.

13. Costs and Agency Resources

Before denying an accommodation based on cost, officials who decide requests for accommodations or who make hiring decisions must consider all resources available to the agency as a whole, with the exclusion of those designated by statute for a specific purpose that does not include reasonable accommodation. The RAC must train officials who are responsible for granting or denying requests on how to arrange for the use of agency resources to provide the particular accommodation, including any centralized funding the agency may have for that purpose.

14. Reasonable Accommodations Resources

EEOC (<https://www.eeoc.gov>) provides reasonable accommodations resources.

EEOC's Publication Center has many free documents on the Title I employment provisions of the ADA, including both the statute (42 U.S.C. 12101 et seq. (1994)) and the regulations at 29 CFR Part 1630, "Regulations To Implement the Equal Employment Provisions of the Americans with Disabilities Act." In addition, EEOC has published a great deal of basic information about reasonable accommodations and undue hardship. The two main sources of interpretive information are the following:

- (1) the interpretive guidance that accompanies Title I, "General Provisions," of the regulations (also known as the "appendix" to the regulations); 29 CFR 1630.2(o); 29 CFR 1630.2(p); and 29 CFR 1630.9, "Not Making Reasonable Accommodation"
- (2) "A Technical Assistance Manual on the Employment Provisions (Title I) of the Americans with Disabilities Act," EEOC-M-1a, issued January 1992, which includes a 200-page resource directory of Federal and State agencies and disability organizations that can provide assistance in identifying and locating reasonable accommodations

The following provide other resources and information about reasonable accommodations and potential accommodation solutions:

- "EEOC Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act" (<https://www.eeoc.gov/policy/docs/accommodation.html>)
- "Enforcement Guidance: Preemployment Disability-Related Questions and Medical Examinations" (<https://www.eeoc.gov/policy/docs/preemp.html>)
- "EEOC Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employee under the Americans with Disabilities Act (ADA)" (<https://www.eeoc.gov/policy/docs/guidance-inquiries.html>)

- “Policy Guidance on Executive Order 13164: Establishing Procedures to Facilitate the Provision of Reasonable Accommodation” (https://www.eeoc.gov/policy/docs/accommodaiton_procedures.html)
- “Job Applicants and the Americans with Disabilities Act” (<https://www.eeoc.gov/facts/jobapplicant.html>)
- “The Family and Medical Leave Act, the Americans with Disabilities Act, and Title VII of the Civil Rights Act of 1964” (<https://www.eeoc.gov/policy/docs/fmlaada.html>)
- “Veterans and the Americans with Disabilities Act (ADA): A Guide for Employers” (https://www.eeoc.gov/eeoc/publications/ada_veterans_employers.cfm)
- “Understanding Your Employment Rights under the Americans with Disabilities Act (ADA): A Guide for Veterans” (https://www.eeoc.gov/eeoc/publications/ada_veterans.cfm)
- CAP (<https://www.cap.mil/>)
- Job Accommodation Network (800-526-7234 (voice), 877-781-9403 (teletypewriter)) (<https://www.askjan.com/>)

APPENDIX A KEY TERMS AND DEFINITIONS

Computer/Electronic Accommodations Program. A program administered by the U.S. Department of Defense (DoD) that the U.S. Nuclear Regulatory Commission (NRC or the agency) uses to procure assistive technology, devices, software, and services for its employees. Note that some items and services are available only to DoD employees.

Direct Threat. Significant risk of substantial harm to a disabled individual or other. Reasonable accommodations that would lower that risk do not exist.

Disability. A physical or mental impairment that substantially limits one or more major life activities.

Essential Functions. Those duties that are so fundamental to a particular position that the individual holds or desires such that he or she cannot successfully fulfill the requirements of a position without being able to perform them. A function can be “essential” if, among other things, the position exists specifically to perform that function, a limited number of employees can perform the function, or the function is so specialized that the individual is hired based on his or her ability to perform it.

Federal Occupational Health. A nonappropriated agency within the Program Support Center of the U.S. Department of Health and Human Services that works in partnership with Federal organizations nationally and internationally to design and deliver comprehensive occupational health solutions exclusively to Federal employees.

Interactive Process. The ongoing interactive discussions that take place among the RAC or designee, the supervisor, and the requester to identify and provide effective accommodations solutions for the purpose of resolving requests for reasonable accommodations.

Job Accommodation Network. An organization that provides advice on reasonable accommodations solutions.

Major Life Activity. Functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, standing, eating, lifting, bending, learning, reading, concentrating, thinking, communicating, sitting, reaching, interacting with others, breathing, learning, and working and major bodily functions involving the immune system, normal cell growth, digestive system, bowel, bladder, nervous system, brain, circulatory system, respiratory system, endocrine system, hemic system, lymphatic system, musculoskeletal system, special sense organs and skin, genitourinary system, reproductive system, and cardiovascular system. This list is not all-inclusive but is representative of the types of activities that are considered major life activities.

Personal Assistance Services. Services that assist with performing activities of daily living that an individual would typically perform if he or she did not have a disability and that are not otherwise required as a reasonable accommodation (e.g., assistance with removing and putting on clothing, eating, and using the restroom).

Personal Assistance Service Provider. An employee or independent contractor whose primary job functions include providing individuals with targeted disabilities assistance with daily personal life activities while at work and on job-related travel.

Qualified Individual with a Disability. An individual with a permanent or temporary disability who satisfies the requisite skill, experience, education, and other job-related requirements of the position that the individual holds or desires to hold and who can perform the essential functions of the position with or without reasonable accommodations.

Reasonable Accommodations. Modifications or adjustments to the job application process that enable a qualified applicant with a disability to be considered for a desired position, modifications or adjustments to the work environment or the manner or circumstances under which the position held or desired is customarily performed that enable a qualified individual with a disability to perform the essential functions of that position, or modifications or adjustments that enable an employee with a disability to enjoy equal benefits and privileges of employment like those that other similarly situated employees without disabilities enjoy.

Reasonable Accommodation Coordinator (RAC). The NRC Office of the Chief Human Capital Officer representative who serves as the central point of contact for requests for reasonable accommodations and who provides assistance to employees and supervisors in considering such requests. The RAC or designee also tracks requests and produces reports on reasonable accommodations activities within the NRC. The RAC may also designate others to act as the RAC.

Reassignment. A form of reasonable accommodations that, absent undue hardship, may be provided to employees (not applicants) who, because of a disability, can no longer perform the essential functions of the job with or without reasonable accommodations. Reassignments are made only to vacant funded positions and are only provided to employees who are qualified for the new position. If the employee is qualified for the position, he or she may be reassigned to the job without competition. By definition, reassignments may only be made to a position of equal or lower grade.

Requester. An employee, contractor, family member, NRC staff member, medical provider, or other employee representative who expresses the need for a change in the working environment because of a medical condition for the purposes of obtaining a reasonable accommodation from the NRC.

Substantial Limitation of a Major Life Activity. The inability to perform a major life activity that the average person in the general population can perform, or significantly restricted as to the condition, manner, or duration under which an individual can perform a particular major life activity as compared to the average person in the general population.

Targeted Disability. A disability that is designated as a “targeted disability or health condition” on the U.S. Office of Personnel Management’s Standard Form 256, “Self-Identification of Disability,” or that falls under one of the first 12 categories of disabilities listed in Part A of Question 5 of the Equal Employment Opportunity Commission’s Demographic Information on Applications form.

Undue Hardship. A significant difficulty or expense incurred by the NRC. The agency considers the following factors in determining whether accommodations pose an undue hardship on a case-by-case basis:

- the nature and net cost of the reasonable accommodation on the operations of the agency

- the overall financial resources of the facility involved
- the number of persons employed at such facilities and the effect on expenses and resources
- the overall financial resources of the agency
- the type of operation of the agency, including the composition, structure, and function of the workforce and the geographic dispersion and relationship of the facility to the agency
- the impact of the accommodations upon the operation of the facility

APPENDIX B MEDICAL INFORMATION CONFIDENTIALITY

Under the Rehabilitation Act of 1973, as amended (Rehabilitation Act), medical information obtained in connection with the reasonable accommodations process must be kept confidential.

All medical information, including information about functional limitations and reasonable accommodations needs, obtained in connection with requests for reasonable accommodations and medical information unrelated to the reasonable accommodations process must be kept in secure files separate from the individual's personnel file. Any U.S. Nuclear Regulatory Commission (NRC) employee who obtains or receives such information is strictly bound by these confidentiality requirements.

Information "regarding the medical condition or history of any employee shall be collected and maintained on separate forms and in separate medical files and be treated as a confidential medical record," in accordance with Title 29 of the *Code of Federal Regulations* (29 CFR) 1630.14, "Medical Examinations and Inquiries Specifically Permitted." The reasonable accommodation coordinator (RAC) or designee will maintain custody of all records obtained or created during the processing of requests for reasonable accommodations, including medical records, and will respond to all requests for disclosure of the records. Agency officials must not store medical records in their own separate files; instead, they must forward them to the RAC for storage. All records will be maintained in accordance with the Privacy Act of 1974 and the requirements of 29 CFR Part 1611, "Privacy Act Regulations."

This information may be disclosed **only** as follows:

- Agency officials and managers who need to know (including the RAC or designee as the deciding official who requested the medical information) may be told about necessary restrictions on the work or duties of the employee and about the necessary accommodations; however, medical information should only be disclosed if such disclosure is strictly necessary.
- First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment.
- Government officials may be given information necessary to investigate the agency's compliance with the Rehabilitation Act.
- The information may, in certain circumstances, be disclosed to workers' compensation offices or insurance carriers.

When medical information is disclosed, the individual disclosing the information must inform the recipients of the information of the confidentiality requirements that are attached to it and must advise them to follow all pertinent procedures according to the regulations and policy.

CONFIRMATION OF REQUEST FOR REASONABLE ACCOMMODATION

| | | |
|----------------------------|---|----------------------------------|
| Employee or Applicant Name | Applicant Employee | Program Office (Division/Branch) |
|----------------------------|---|----------------------------------|

| | | |
|-------------------------|-----------------------|----------|
| Office Telephone Number | Office or Room Number | Mailstop |
|-------------------------|-----------------------|----------|

Employee's Immediate Supervisor

Please provide a brief summary of your request for accommodation (for record keeping purposes only) and forward this form to the Reasonable Accommodations Coordinator (RAC), 3WFN-3A12M. (Be as specific as possible (e.g., adaptive equipment, work space modifications, work schedule modifications, removal of architectural barriers).)

Please provide the reason for the request. Is the request for a temporary or a permanent need? If a temporary need, how long is the request needed?

If the accommodation is time sensitive, please explain.

| | |
|-----------------------|------|
| Requestor's Signature | Date |
|-----------------------|------|

NRC FORM 726A U.S. NUCLEAR REGULATORY COMMISSION

(11-2018)

DENIAL OF REASONABLE ACCOMMODATION REQUEST
(Please complete numbers 1–4. Complete number 5, if it applies)

1. Name of individual requesting reasonable accommodation:

2. Type(s) of reasonable accommodation requested:

3. Request for reasonable accommodation denied because: (may check more than one box)

Accommodation Ineffective

Accommodation Would Cause Undue Hardship

Medical Documentation Inadequate

Accommodation Would Require Removal of an Essential Function

Accommodation Would Require Lowering of Performance or Production Standard

Other (Please identify):

4. Detailed reason(s) for the denial of reasonable accommodation (must be specific (e.g., why the accommodation is ineffective or causes undue hardship)):

5. If the individual proposed one type of reasonable accommodation, which is being denied, and rejected an offer of a different type of reasonable accommodation, explain both the reasons for denial of the requested accommodation and why you believe the chosen accommodation would be effective.

DENIAL OF REASONABLE ACCOMMODATION REQUEST (Continued)
(Please complete numbers 1–4. Complete number 5, if it applies)

6. If an individual wishes to request reconsideration of this decision, she/he may take the following steps:

- (1) First, ask the supervisor or other deciding official to reconsider the decision. Requests for reconsideration should be in writing. Additional information in support of the request for reconsideration can be submitted at this time or within 5 days of submission of the request for reconsideration. The supervisor or other deciding official must provide a written response within 5 business days.
- (2) If the supervisor or deciding official does not reverse the denial, the individual may appeal the decision to the next level manager in the individual's chain of command. The next-level manager must provide the individual a written response within 10 days.
- (3) If an individual wishes to appeal the decision of the next-level manager, she/he may appeal using one of the forums listed in item #7.

7. If an individual wishes to file an Equal Employment Opportunity (EEO) complaint, or pursue Merit Systems Protection Board and union grievance procedures, she/he must take the following steps:

- (1) For an EEO complaint pursuant to 29 CFR Part 1614, contact an EEO counselor in the Office of Equal Opportunity *within 45 days from the date of this notice of denial of reasonable accommodation*; or
- (2) For a collective bargaining claim, file a written grievance in accordance with the provisions of the collective bargaining agreement; or
- (3) Initiate an appeal to the Merit Systems Protection Board *within 30 days of an appealable adverse action* as defined in 5 CFR 1201.3.

Name of deciding official:

Signature of deciding official:

Date reasonable accommodation denied: (MM/DD/YYYY)

REASONABLE ACCOMMODATION INFORMATION REPORTING FORM

Name of Requestor:

Office of Requesting Individual: (Choose from the drop down list or fill in)
Select Office, Region, or Fill in

1. Reasonable accommodation: (Check one box)

Approved

Denied (If denied, attach copy of written denial letter/memo.)

2. Date the reasonable accommodation was requested: (MM/DD/YYYY)

Name of the person who received the request:

3. Date reasonable accommodation request was referred to the decision maker: (The immediate supervisor or other properly designated official (e.g., Office Director, reasonable accommodation coordinator)) (MM/DD/YYYY)

Name of decision maker:

4. Date reasonable accommodation was approved or denied: (MM/DD/YYYY)

5. Date reasonable accommodation approved: (If different from date approved) (MM/DD/YYYY)

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

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

8. Reasonable accommodation needed for: (Check one box)

Application Process

Performing Job Functions or Accessing the Work Environment

Accessing a Benefit or Privilege of Employment (e.g., attending a training program or social event)

**REASONABLE ACCOMMODATION INFORMATION
REPORTING FORM (Continued)**

9. Type(s) of reasonable accommodation requested (e.g., adaptive equipment, staff assistant, removal of architectural barrier):

10. Type(s) of reasonable accommodation provided (if different from what was requested):

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

12. Sources of technical assistance, if any, consulted in trying to identify possible reasonable accommodations (e.g., Job Accommodation Network, disability organization, disability program manager):

13. Comments:

Typed or Printed Name:

Signature:

Telephone Number: (Enter 10 numeric digits)

Date Submitted: (MM/DD/YYYY)

Attach copies of ALL documents obtained or developed in processing this request.