



Office of Equal Employment Opportunity (OEEO)



Reasonable Accommodation

Creating an Accessible, Positive, and Welcoming Environment for the CDC Workforce



Please submit all EEO complaints and Inquiries to EEOSC.EEOinfo@hhs.gov.

Attention

The Reasonable Accommodation (RA) team is currently experiencing a high volume of requests and inquiries, which may lead to delays in our response times. If you are seeking an RA and have completed the submission process, we encourage you to reach out to your supervisor or manager for assistance with an interim solution while your request is being processed.

To help answer questions you may have, please take a moment to review our FAQs page. We appreciate your understanding and patience during this time as we work to address all requests as quickly as possible.



This presentation was delivered to CDC Management Officers on March 18, 2025, and contains guidance on temporary reasonable accommodations. This presentation is posted for informational purposes. Please follow the latest guidance provided by CDC.

Reasonable Accommodation Guidance



- Frequently Asked Questions (FAQ): Reasonable Accommodation (RA) and Modified Workplace
 Flexibilities Find answers to frequently asked questions when exploring telework as a reasonable accommodation.
- Accommodation Tracking System (ATS) ☐ To obtain access to ATS, first-time users must complete the Access Request Form ☐ . After access has been granted, users can submit requests for reasonable accommodations and track their progress in ATS. For additional resources, see the ATS FAQs below.
- A Quick Reference Guide has been developed to provide guidance to Supervisors and Managers regarding Religious Accommodations.
- A Quick Reference Guide has been developed to provide guidance for recognizing a Reasonable Accommodation.

CDC adheres to all applicable federal laws, regulations, and guidelines with respect to providing reasonable accommodation (RA) to provide equal employment opportunities to qualified individuals with disabilities. CDC uses a flexible, interactive process that involves both qualified individuals with a disability and CDC officials to identify the appropriate reasonable

accommodation. Where possible and appropriate, CDC will provide reasonable accommodations in a timely and cost-effective manner.

CDC provides reasonable accommodations when:

- An applicant with a disability needs an accommodation for any part of the application or hiring process in order to be considered for a job
- An employee with a disability needs an accommodation to enable them to perform the essential functions of the job or to gain access to the workplace
- An employee with a disability needs an accommodation to enjoy equal benefits and privileges of employment

Where appropriate, CDC processes requests for reasonable accommodation and provides reasonable accommodations in a prompt, fair, and efficient manner. The Equal Employment Opportunity Commission (EEOC) also provides guidance of for enforcement of these accommodations. CDC may take steps, as appropriate, beyond those required by the reasonable accommodation process.

Frequently Asked Questions

What is Reasonable Accommodation?



- A request or statement for an adjustment or change at work, in the application process, or to gain equal access to a benefit of employment.
- The individual must present a nexus between the accommodation requested and their limitations/restrictions in performing an essential function of their position related to a physical or mental disability.
- An ergonomic request is different from an RA request.
 - An example of an ergonomic request is a statement that an individual needs a workstation adjustment, but a disability is not involved.

Reasonable Accommodation can be anything from a change in a person's work schedule to a request for removal of architectural barriers, including reconfigured workspaces. Examples of accommodations include:

- Special equipment, readers, interpreters, or other assistive devices
- Altering the work environment to increase accessibility
- Job restructuring
- Part-time or modified work schedules

Who is Eligible for Reasonable Accommodation?



Any CDC employee with a disability who satisfies the requisite skills, experience, education, and other job-related requirements of the position, and who can perform the essential functions of the position, is eligible for reasonable accommodation.

The ADA Amendments Act of 2008 (ADAAA) defines individuals with a disability as a person who:

- Has a physical or mental impairment that substantially limits one or more major life activities
- Has a record of such an impairment
- Is regarded as having such an impairment

Any request for reasonable accommodation that is submitted will be assessed for eligibility on a case-by-case basis.

Our team of RA specialists is available, as needed, to help employees and management officers process requests.

Contractors and Commissioned Corps

- Contractors should apply for a reasonable accommodation through their employer. Acceptance of their request depends on their contractual language and other factors related to their specific situation.
- Commissioned Corps (CC)
 - Reasonable Accommodation policy does not apply to CC
 - Commissioned Corps personal (part of uniformed service), and subject to fitness requirements, any assistance needed due to an impairment should be addressed through your supervisor and your Medical Affairs Branch

Definition of a Disability



- A physical or mental impairment that substantially limits one or more major life activities (actual disability)
- A record of such an impairment
- · Being regarded as having an impairment

Qualified Individual with a Disability

- An individual with a disability is qualified if s/he satisfies the required skills, experience, education, and other job-related requirements of the position.
- Must be able to perform the essential functions of the position with or without an accommodation.

Major Life Activities & Impairments (this is not an all-inclusive listing)

- Major Life Activities
 - Caring for one's-self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, sleeping, standing, lifting, bending, reaching, concentrating, thinking, communicating
 - The operation of major bodily functions, including immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive systems
- Impairments
 - Autism, cancer, cerebral palsy, diabetes, epilepsy, HIV/AIDS, multiple sclerosis, muscular dystrophy, major depression, bipolar disorder, PTSD, schizophrenia

What is a temporary (interim) accommodation and what is the process for obtaining one?



A temporary (interim) accommodation is a short-term solution to help employees with disabilities continue working effectively. Temporary accommodations are important because they can prevent worsening symptoms or increased pain. To obtain a temporary accommodation, submit a request to your supervisor. Your supervisor will review your needs and determine what interim solutions can be implemented while your reasonable accommodation is processed.

How long can a temporary accommodation last?



There is no set time for how long a temporary accommodation can be put in place. For example, supervisors may provide an interim accommodation while the RA team processes your request for a reasonable accommodation. This arrangement will continue until a final decision is made as long as it does not create an undue hardship for the agency.

- The types of temporary accommodations vary based on individual needs and requests. Supervisors should engage in open discussions with employees to explore helpful options that allow them to perform their essential job functions while their formal requests are being reviewed. The specific accommodations provided will depend on what you have requested and what alternatives may be suitable.
- For assistance regarding reasonable accommodations, please contact the RA Office at RAInquiry@cdc.govor call 770-488-1525.

Request a Reasonable Accommodation



A reasonable accommodation (RA) request is a statement that an individual needs an adjustment or change at work, in the application process, or to access a benefit or privilege of employment for a reason related to a medical condition.

An individual with a disability may submit an RA request at any time during the application process or during the period of employment, either orally or in writing.

Requests for reasonable accommodation can be submitted through the Accommodation Tracking System \Box (ATS) for efficient tracking and processing. If an individual prefers to submit a request through an alternative method, they can submit a request via Microsoft Forms \Box .

Individuals looking for assistance can also contact the Reasonable Accommodation Team by calling the RA Inquiry Line at (770) 488-1525 or emailing RAInquiry@cdc.gov.

Accommodation Tracking System (ATS)



The Accommodation Tracking System (ATS) is a web-based application that allows CDC employees and managers to easily submit a reasonable accommodation (RA) and to track RA requests electronically. ATS streamlines a complex process and creates transparency for both employees and management. It is a Role-Based system with security-controlled access based on permission levels. ATS allows the Reasonable Accommodation Specialist (RAS) to efficiently process RA requests in a timely manner while reducing redundancies and waste.

To obtain access to ATS, first-time users must complete the Access Request Form \square . After access has been granted, users can submit requests for reasonable accommodations and track their progress in the Accommodation Tracking System \square (ATS).

- ATS System User Guide
- Employee ATS Guide
- Facilities ATS Guide 🔼
- Medical Review Authority (MRA) ATS Guide
- Supervisor ATS Guide

If you experience any technical issues with ATS, please contact the MISO Helpdesk by phone at 404-639-7500 or by email; and/or the RA Office RAInquiry@cdc.gov, 770-488-1525.

The Interactive Process



• What is the interactive process for reasonable accommodation requests?

The interactive process is the collaborative effort between the supervisor (decision maker) and the employee to determine if the employee is able to perform required (essential) job functions and if the supervisor can make a reasonable accommodation for the employee's disability.

The supervisor and the employee requesting a reasonable accommodation should engage in an informal process (dialogue) to clarify what the employee needs and identify the appropriate reasonable accommodation. The supervisor may ask the employee relevant questions that will enable them to make an informed decision about the request. This includes asking what type of reasonable accommodation is needed.

The exact nature of the dialogue will vary. In some cases, both the disability and needed accommodation may be clear, requiring little discussion. However, if a disability isn't obvious, the supervisor might ask about what specific challenges and <u>functional limitations</u> the employee is facing at work—without needing details about disability or medical condition—to find effective solutions. (Example: What work tasks or functions are you having difficulty performing?).

Err on the side of caution: If a supervisor is unsure if an employee has requested an accommodation, the supervisor should ask the employee for more information on what they need without disclosing any private medical information.

While employees don't have to specify exactly what type of accommodation they want, it's important for them to describe any workplace barriers that make it difficult for them to perform essential job functions. Sharing suggestions can also help guide supervisors in determining suitable accommodations.

Supervisors should work closely with employees to identify potential accommodations and evaluate how effective each option would be in helping them perform their job duties. It's crucial that supervisors remain open-minded during this brainstorming process and consider new ideas that could work well.

Remember: Employees who request accommodations often have valuable insights into what might help them best. Supervisors should always invite these suggestions while ensuring confidentiality according to ADA guidelines—discussing reasonable accommodations only with those who need to know. For further assistance or guidance on this matter, please reach out to the RA Office.

Tips:

Keep an open mind: Accommodations are about doing things differently to help overcome disability-related limitations, so keep an open mind when exploring accommodation options.

Invite the employee to suggest accommodations: The employee who requested the accommodation may have some good accommodation ideas but may be hesitant to bring them up without being asked to do so.

Roles and Responsibilities

Employee/Representative

- Notify the supervisor of any limitations/restrictions that may interfere with the performance of essential duties of their position of record
- Provide appropriate medical documentation from health care provider(s) that clearly identifies medical conditions and limitations/restrictions to the RA Office
- Interact with supervisor/manager and the RA staff; engage in the interactive process while request is being processed
- Must continue to perform the duties assigned in accordance with acceptable performance and conduct requirements

Supervisor/Manager/Decision Maker

- Be able to identify a request for accommodations
- Listen for cues of medical difficulty performing job functions; actively engage your employee
- Submit the request on the employee's behalf

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• Act immediately, and engage employees who request RA; take the request for accommodation seriously

- Discuss with the employee (or representative) only the limitations/restrictions that necessitates the need for the accommodation to assist in the performance of duties
- Examine and determine essential job functions of the position
- Make a timely decision on request(s) (temporary accommodations at the beginning of the process; and final decision at the completion of assessment) the Supervisor (or individual in the chain of command) is the decision-maker

Medical Reviewing Authority (MRA)

- Review and access medical documentation provided for consideration to support RA request
- Provide RA staff with recommended accommodations may include reasonable alternatives
- When needed, request clarification of the medical documentation or recommended accommodations
- Protect employees' privacy and confidentiality

Reasonable Accommodation Staff

- Train and provide guidance to employees, supervisors, and other management officials on RA laws, processes, and procedures
- Accept requests for accommodations (telephone, email, or other means) and enter in ATS
- Consult with Agency designated Medical Review Authority (MRA) in assessing an employee's medical condition or disability and need for reasonable accommodation
- Facilitate the processing of employee requests for reasonable accommodation
- Maintain records and privacy of processed RA requests

Conduct and Performance Standards

Employee Conduct

- A Supervisor/Manager never has to excuse a violation of a uniformly applied, job-related conduct rule that is based on business necessity
 - o does not need to tolerate or excuse violence, threats of violence, stealing or destruction of property
 - may discipline an employee with a disability for engaging in such misconduct that imposes the same discipline as an employee without a disability
 - RA is always prospective; employer is not required to excuse past misconduct even if it is the result of an employee's disability

Production Standards

An employee with a disability must meet the same standards (quantitative or qualitative) as a nondisabled employee in the same job.

- Lowering or changing a job standard is not permitted
- An RA may be required to assist an employee in meeting specific job standards

Medical Documentation



When the disability and/or the need for accommodation is not obvious, the agency may ask the employee for reasonable documentation about his/her disability and functional limitations. The agency is entitled to know that the individual has a covered disability for which s/he needs a reasonable accommodation.

Reasonable documentation means that the agency may require only the documentation that is needed to establish that a person has an ADA disability, and that the disability necessitates a reasonable accommodation.

The Agency may require medical documentation from an appropriate health care or rehabilitation professional. The appropriate professional in any situation will depend on the disability and the type of functional limitation it imposes. Appropriate professionals include, but are not limited to, doctors (including psychiatrists), psychologists, nurses, physical therapists, occupational therapists, speech therapists, vocational rehabilitation specialists, and licensed mental health professionals.

Confidentiality and Privacy



- A request for RA is strictly confidential.
- Any medical documentation obtained in connection with the request is confidential and maintained by the RAS.
- RA documentation must be stored separate from an employee's personnel file.
- The RAS may share certain information, without disclosing a disability, with an employee's supervisor, manager, or other agency official(s), as necessary, to make appropriate determinations on a request.
- All records are maintained in accordance with the Privacy Act, U.S. Equal Employment Opportunity Commission (EEOC), Department of Health and Human.
- All information related to a request for accommodation is confidential and disclosed only on a need-to-know basis.

Individual's Rights: What if my request has been denied?



- Request prompt reconsideration of a decision
- An individual who chooses to pursue statutory or collective bargaining remedies for denial of RA must:
 - File an EEO complaint within 45 days of receipt of the written Denial of RA Request or reconsidered denial
 - File a written grievance in accordance with the Collective Bargaining Agreement; or
 - Initiate an appeal to the MSPB within 30 days of an appealable adverse action as defined in 5 C.F.R. sec. 1201.3

Types of Accommodations (Examples)



- Work Schedule (telework, arrival/departure times, etc.)
- Workstation Modification
- Communications Access Real Time (CART) Translation Services
- Paid or Unpaid Leave
- Special Needs Travel
- Equipment (i.e., ergonomic keyboard, mouse, etc.), Software (i.e., Dragon Naturally, Zoom Text)
- Equipment such as a larger or specialized computer monitor for an employee with a visual impairment
- Motorized scooter to help an employee navigate a large office building or other facilities
- Making existing facilities physically accessible such as installing doors that automatically open and close
- Readers and sign language interpreters
- Screen magnification software, voice activation software
- Reassignment (as the last resort accommodation)
- Personal Assistant Services
- Religious Accommodations
- Service Animals

- 2012 HHS Travel Manual: travelers requesting an upgrade from Coach Class due to a medical reason must obtain approval through the RA process
- Requires a letter from requestor's physician justifying the medical need for this accommodation
- MRA will review the information
- Requests should be submitted at least 30 days prior to travel

Reassignment as a Reasonable Accommodation



- ADA specifically lists "reassignment to a vacant position" as a form of RA
- Reassignment must be provided to an employee who, because of a disability, can no longer perform the essential functions of their current position, with or without reasonable accommodation, unless the employer can show that reassignment would be an undue hardship
 - Undue Hardship: must demonstrate accommodation would be unduly disruptive, extensive, substantial, or will fundamentally alter the nature/operation of a program
 - Required to provide justification of denial
 - Reassignment is a "last resort" accommodation
- Reassignment should be to a position that is equal in pay and status to the one currently held, or as close as possible if an equivalent position is not available
- Reassignment is not restricted to the facility, commuting area, subcomponent, or specific agency or type of work

Personal Assistance Services (PAS)



Personal Assistant Services (PAS): Assist individuals with performing <u>activities of daily living</u> that an individual would typically perform if he or she did not have a disability. These services are not the same as services that help the individual perform job-related tasks, which are provided as <u>a reasonable accommodation</u>.

RA Process Includes Internal and External Partners



- Office of Safety, Security, and Asset Management (OSSAM)
- Security Services Office (SSO)
- Asset Management Services Office (AMSO)
- Office of Financial Resources (OFR)
- Human Resources Office (HRO)
- CDC 508 Coordinator
- External Entities:
 - Job Accommodation Network (JAN)
 - State of Georgia Vocational Rehabilitation Services
 - S. Equal Employment Opportunity Commission (EEOC)
 - Bobby Dodd Institute
 - GA Tech Tools for Life Assistive Technology Act Program

Funding for Reasonable Accommodation



• There are several sources of funding for RAs. The RA Office utilizes a centralized fund to procure necessary equipment or accommodations for employees upon receipt of an approval from the decision-maker.

- The Office of Safety, Security, and Asset Management's (OSSAM) Asset Management Services Office (AMSO) assists with physical construction that alters a facility.
- The Centralized Fund covers the cost of:
 - Redesign or physical construction (AMSO)
 - Sign Language Interpreters and Communication Access Real-time Translation (CART)
 - Sit/Stand Workstations
 - Scooters; Evacuation/ergonomic Chairs
 - Ergonomic keyboards and mouse
 - Wireless headsets
 - Voice Recognition Software, etc.
- Equipment purchased through the Centralized Fund follows the employee to all future positions at the agency.

Resources

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USDA Target Center ☑

1-202-720-2600, Voice/TTY

Job Accommodation Network (JAN) Contact Information ☑

1-800-526-7234 (Voice)

1-877-781-9403 (TTY)

Job Accommodation Network 🖸

Searchable Online Accommodation Resources

Federal Relay Service

1-800-877-8339, Voice/TTY/Spanish

EEOC Questions and Answers on the Final Rule Implementing the ADA Amendments Act of 2008

Equal Employment Opportunity Commission Enforcement Guidance on Reasonable Accommodation and Undue Hardship under the ADA 🖸

Equal Employment Opportunity Commission Questions & Answers: Federal Agencies' Obligation to Provide Personal Assistance Services Under Section 501 of the Rehabilitation Act 🖸

Information on Performance and Conduct with Regard to Disabilities or Reasonable Accommodations oxdot

Understanding Your Employment Rights under the Americans with Disabilities Act (ADA): A Guide for Veterans 🖸

Veterans and Americans with Disabilities Act (ADA): A Guide for Employers
☐

National PTSD Center ☑

Job Accommodation Network 🗹

Employers Practical Guide to Reasonable Accommodation Under the ADA

Computer/Electronic Accommodations Program ☐

Disability Etiquette (PDF, 2.4 MB)

United Spinal Association ☐

Tools For Life | Center for Inclusive Design and Innovation (gatech.edu)

Bobby Dodd Institute: Illuminating the Possibilities in Disabilities 🗹

Authorities

- Rehabilitation Act of 1973, as amended
 ☐
- Americans with Disabilities Act of 1990, as amended ☑
- Executive Order 13164, Requiring Federal Agencies to Establish Procedures to Facilitate the Provision of Reasonable Accommodation 🔼 🖸
- Civil Rights Act of 1991 ☐
- Architectural Barriers Act
 ☐
- EEOC Regulation 29 CFR Part 1630. Regulations to Implement the Equal Employment Provisions of The Americans with Disabilities Act
- EEOC Regulation 29 CFR Part 1614.203. Rehabilitation Act

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ou may also contact members of the RA Team for assistance by calling the RA Inquiry Line at (770) 488-1525 or sending an mail to RAInquiry@cdc.gov.
st Reviewed: June 24, 2025

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