



# Reasonable Accommodation: Procedures, Rights, and Responsibilities

A Handbook for Stennis Space Center Applicants, Employees, and Supervisors

## Diversity

>>> we must  
be the change  
we wish to see



# Reasonable Accommodation Procedures, Rights, and Responsibilities

## TABLE OF CONTENTS

### I. BACKGROUND

A	Policy	1
B	Authority	1
C	General Principles	2
D	Rights & Responsibilities	3
E	Types of Reasonable Accommodations	4

### II. REASONABLE ACCOMMODATION PROCEDURES

A	Initiating the Request	5
B	Processing the Request	6
C	Time Limits	8
D	Medical Information	9
E	Reassignment	12
F	Denials of Request	12
G	Information Tracking & Record Keeping	13

### Appendices

A	Key Terms	15
B	Examples of Reasonable Accommodations	17
C	NASA Form 1699 "Confirmation of Request for Reasonable Accommodation"	19
D	NASA Form 1699A "Disposition of Reasonable Accommodation Request"	22
E	NASA Form "1699B "Denial of Reasonable Accommodation Request"	25
F	Selected Reasonable Accommodation Resources	27
G	Standard Form 256 "Self Identification of Disability"	30
H	Information About Mental Health Illnesses	32
I	Procedural Checklists for Reasonable Accommodations	39



## I. Background

### A. Policy

The National Aeronautics and Space Administration (NASA) is committed to fully comply with the reasonable accommodation requirements of the Rehabilitation Act of 1973, as amended. Under that law, NASA will provide reasonable accommodation to qualified applicants and employees with disabilities, unless to do so would cause undue hardship or result in a direct threat to the health or safety of an individual, his or her co-workers, or other individuals in the Agency.

The provision of reasonable accommodations ensures that individuals with disabilities face no barriers that prevent them from applying for positions; performing the essential duties of the job or activity; gaining access to the workplace or the location of the program or activity; enjoying equal benefits and privileges of employment; as well as enjoying full access to all programs, facilities, or activities that are conducted by, or for, the Agency or any of its components.

These requirements cover applicants for, and employees in, part-time and full-time positions. Also covered are co-ops, as well as interns, fellows, visiting scientists, and persons on a detail who are not in a civil service status.

NASA will process all requests for reasonable accommodation and, where appropriate, provide reasonable accommodation in a prompt, fair, and efficient manner.

For definitions of key terms [Benefits and Privileges, Decision Maker, Direct Threat, Essential Functions, Individual with a Disability, Qualified Person with a Disability, Reasonable Accommodation, and Undue Hardship] see Appendix A.

### B. Authority

NASA provides reasonable accommodation under the authority of United States laws and regulations, as well as NASA Policies and Requirements, and Executive Order. These include, but are not limited to:

1. Rehabilitation Act of 1973, as amended
2. Americans with Disabilities Act of 1990 (ADA)
3. NASA Procedural Requirements (NPR) 3713.1A "Reasonable Accommodations Procedures" [This document can be located in the NASA Online Directives Information System (NODIS) Library at <http://nodis3.gsfc.nasa.gov>]
4. Executive Order 13164

## C. General Principles

1. The Rehabilitation Act of 1973, as amended, (29 U.S.C. 701 et seq.) requires Federal agencies to provide reasonable accommodation to qualified employees or applicants with disabilities, unless doing so would cause undue hardship or pose a direct threat. In general, no qualified individual with a disability will be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity conducted by the Federal Government.
2. Workplace barriers prevent individuals from performing jobs they could otherwise do with some form of accommodation. These barriers may be physical obstacles, such as inaccessible facilities or equipment. They also may be procedures or rules, such as those concerning when work is performed, when breaks are taken, or how essential or marginal functions are performed. Reasonable accommodations remove workplace barriers for individuals with disabilities.
3. The Disability Program Manager (DPM) has been designated as the central point of contact for all matters relating to the provision of reasonable accommodation. The DPM will provide input to the Center's Equal Opportunity Manager about decisions regarding reasonable accommodation.
4. The reasonable accommodation must be effective; it must accomplish the purpose for which it is intended as related to the performance of the essential duties of the job.
5. There are modifications or adjustments that are not considered forms of reasonable accommodation. The Center is not required to:
  - a. Eliminate an essential function, i.e., a fundamental duty of the position.
  - b. Lower production standards—whether qualitative or quantitative—that are applied uniformly to all employees; however, the Agency may have to provide reasonable accommodation to enable an employee with a disability to meet the production standard.
  - c. Provide personal use items needed in accomplishing daily activities, i.e., a prosthetic limb, eyeglasses, hearing aids. Items that might otherwise be considered personal, however, may be required as reasonable accommodations where they are specifically designed or required to meet job-related, rather than personal, needs. For example, if an employee does not use a wheelchair at home, but circumstances require greater mobility, the employee may request a wheelchair that stays at the employee's work site at all times.

For more information on reasonable accommodation policy, procedures, guidelines, and other materials, see the Office of Diversity and Equal Opportunity (ODEO) webpage at: <http://www.nasa.gov/centers/stennis/about/organization/odeo/index.html>.

## **D. Rights and Responsibilities**

The process of requesting reasonable accommodation can be seen in terms of general rights and responsibilities of all parties involved, including applicants or employees and supervisors.

### **1. Employee/Applicant**

- a. Must notify the supervisor, or other individual identified by the Center, that an accommodation is needed or have this done by an interested third party.
- b. Must be qualified to perform the essential duties of the job, with or without reasonable accommodations.
- c. Must provide medical documentation of need for an accommodation, when requested.
- d. May refuse an accommodation, understanding that refusal will necessitate further discussion and could result in not receiving an accommodation.
- e. Must document the request using NASA Form 1699 within five days after the need is made known, unless the need for accommodation is on a repeated basis.
- f. May consult with the DPM, Office of Diversity and Equal Opportunity (ODEO), Employee Assistance Program (EAP), or Office of Human Capital (OHC), at any time before, during, or after the request process.

### **2. Supervisor**

- a. Usually acts as the decision maker (DM) in this process.
- b. Must provide reasonable accommodations for the known disabilities of a qualified person within 20 days after the request is made, or the need is made known, in any way or format, unless there are extenuating circumstances.
- c. Must engage in an interactive process or dialogue with the employee or applicant regarding the nature and purpose of the request, if the need for accommodation is not obvious, or if there is more than one reasonable option for an accommodation.
- d. May seek advice from the DPM, ODEO, EAP, or OHC.
- e. Must respond to request in writing using NASA Form 1699A.
- f. Must work with the employee to institute temporary measures to provide accommodations if the agreed upon reasonable accommodation is not immediately available.
- g. May require medical documentation, narrowly tailored to the specific request, that an accommodation is necessary if the disability or the need for an accommodation is not obvious.

h. Must ensure accommodations are effective.

For more information about medical documentation, please refer to Part II, Section D, Medical Information.

To see a facsimile of NASA Form 1699, please see Appendix C.

To see a facsimile of NASA Form 1699A, please see Appendix D.

## **E. Types of Reasonable Accommodation**

There are three broad types of reasonable accommodations. These are modifications or adjustments to:

**1. The job application process.** When applying for temporary or permanent part-time or full-time positions, as well as internships, fellowships, cooperative education placements, and any other opportunities offered by, or for, the Agency, whether at a NASA site or any other satellite location.

**2. The work environment, or to the manner or circumstances under which the job duties are customarily performed.** Employees who need an accommodation to perform the essential duties of the job or activity, or gain access to the workplace or the location of the program or activity. This includes the option of telecommuting, if appropriate. Reasonable accommodation will be provided to qualified employees regardless of whether they have temporary or permanent appointments, work part-time or full-time, or are considered probationary.

**3. The circumstances by which employees enjoy the benefits and privileges of employment.** Employees who require an accommodation to enjoy the same benefits and privileges of employment as other similarly situated employees without disabilities.

## **II. Reasonable Accommodation Procedures**

### **A. Initiating the Request**

#### **1. Starting the Process**

A request for reasonable accommodation can be initiated by the employee with a disability, a family member, health professional, or other representative. The request should be made directly to the employee's immediate supervisor. If this is not practical or possible, the request may also be made to any of the following who could act as the DM: a supervisor or manager in the employee's organizational hierarchy, ODEO, or in the case of an applicant for a position, any NASA employee with whom the applicant has contact in the OHC.

If the request is made by anyone other than the employee or applicant, management will confirm with the person with a disability that he or she, in fact, wants a reasonable accommodation. The individual's immediate supervisor may also initiate the discussion about reasonable accommodation if he or she thinks that one might be appropriate.

A request for reasonable accommodation may be made at any time during the application process or during the period of employment. An individual should request a reasonable accommodation when he or she recognizes there is a workplace barrier that is preventing him or her—because of a disability—from effectively competing for a position, performing a job, or gaining equal access to a benefit of employment. As a practical matter, it is in the employee's best interest to request a reasonable accommodation before performance suffers or conduct problems occur.

Although it is not a requirement in the reasonable accommodation process, ODEO recommends that employees ensure that their SF 256, "Self Identification of Disability" reflects their current disability status. This form is usually completed when employees begin their federal careers, but it should be updated as their personal circumstances change. Please note that the completion of this form is voluntary and is not considered a part of the process for requesting reasonable accommodation.

For more information about this form, and the ramifications of filling it out, please contact the DPM. If an employee chooses to update this form, it can be obtained from ODEO or OHC; or, as a PDF on the Office of Personnel Management (OPM) Web Site at: [http://www.opm.gov/forms/pdf\\_fill/sf256.pdf](http://www.opm.gov/forms/pdf_fill/sf256.pdf). To see a facsimile of SF 256, please see Appendix G.

ODEO has created procedural checklists for employees and supervisors, or other DMs. These checklists are designed to assist employees and supervisors in the reasonable accommodation process. Please see Appendix I.

#### **2. Format of Request**

A request for reasonable accommodation may be made orally or in writing. The person making the request does not have to use particular words. He or she merely

needs to state that an adjustment or change at work or in the application process is needed. The words “reasonable accommodation” specifically do not have to be used.

When a request has been made, the employee should complete NASA Form 1699 “Request for Reasonable Accommodation” and forward it to ODEO within five working days to ensure accurate record keeping and program analysis.

For more information about NASA Form 1699, please refer to Part II Section G, Information Tracking and Record Keeping.

### **3. Assistance Available**

ODEO and the DPM has expertise in the requirements of the Rehabilitation Act of 1973, as amended, possible accommodations, and available resources. Any supervisor, manager, employee, or applicant may consult with ODEO or the DPM for further information or assistance in connection with requesting or processing a request for reasonable accommodation. In addition, employees and supervisors have the opportunity to contact the Employee Assistance Program (EAP) for additional support.

## **B. Processing the Request**

### **1. Decision Maker**

The employee’s first line supervisor, or other DM, should receive and approve requests for reasonable accommodation. The decision for providing the reasonable accommodation can be made, in the case of applicants, by the Human Resources Specialist (HRS) who is responsible for the application. If the request is not received and processed by the supervisor or the HRS, it is forwarded to DPM for process and review.

### **2. Interactive Process**

If the need for an accommodation is not immediately obvious, the employee and his or her supervisor, or other DM, will enter into an interactive process. This discussion is necessary also when there are several options for providing accommodation. When engaging in this process, the employee and the supervisor will consider the employee’s essential duties, the functional limitations imposed by the employee’s disability or medical condition, and the effectiveness of the various options for reasonable accommodation that could mitigate the effects of those functional limitations.

The discussions might also include additional issues that relate to the work environment of the employee, such as the parking lot, the route to the building(s) where the work is done, the employee’s office, the restrooms, as well as places other than the office where the employee typically travels or works. The discussions may also address equal benefits and privileges of working at NASA, as well as official and unofficial office events such as participating in employee activities.

As stated, the DPM can provide technical assistance to the employee, the supervisor, and any other stakeholders. This is especially important where the specific limitation, problem, or barrier is unclear; where an effective accommodation is not obvious; or where the parties are choosing between different possible reasonable accommodations

### **3. Identifying Options**

During the interactive discussions, options will be developed and evaluated to determine the most efficient way of removing any barrier(s). Factors that may be included in the discussion include, but are not limited to, the cost of the accommodation, the effect on the employee's performance, personal preferences of the employee, and time needed to complete the tasks. If necessary, temporary solutions will be agreed to until permanent changes and modifications can be completed.

The critical aspect of the interactive process is coming to an agreement, which sometimes involves compromises and trade-offs. The goal of this negotiation is to agree on an accommodation that is reasonable, practical, and effective in removing barriers.

During these discussions, the individual with a disability does not necessarily have to specify the precise accommodation he or she prefers. He or she does need, however, to describe the problems posed by the workplace barrier.

For examples of various types of Reasonable Accommodation, see Appendix B.

### **4. Choosing the Most Effective Option**

If there are two or more possible options, and one costs more or is more burdensome than another, management may choose the less expensive or easier accommodation as long as it is effective. The option chosen may or may not be the first choice of the employee or supervisor. If more than one accommodation is effective, the preference of the individual with a disability should be given primary consideration. Center management, however, has the ultimate discretion to choose among effective accommodations.

### **5. Providing the Accommodation**

The supervisor, or other DM, should consult with ODEO to determine who will provide the accommodations. For most electronic or computer-based assistive technology, NASA has entered into an agreement with the Computer/Electronic Accommodations Program (CAP) at the Department of Defense. This program provides this technology to employees with disabilities at no cost to NASA.

For all other accommodations, if there is a cost, it is usually the responsibility of the employee's organization.

For more information on CAP and other resources, please see Appendix F.

## **6. Temporary Measures**

If an accommodation is not immediately available, the supervisor, or other DM, will work with the employee to identify and institute temporary measures that will allow the employee to perform the essential duties of the job until the permanent accommodation is provided.

## **7. Disposition of Request**

When a decision is made regarding the request for reasonable accommodation, the supervisor must complete NASA Form 1699A "Disposition of Request" and NASA Form 1699 B, "Denial of Reasonable Accommodation Request," if applicable, and forward it to ODEO within 10 working days.

More information about these forms can be found in Part II section G, Information Tracking and Recordkeeping.

## **C. Time Limits**

### **1. General Guideline**

It is NASA policy that if a request for an accommodation requires no supporting medical information, and no extenuating circumstances apply, the request shall be processed and the accommodation provided in no more than 20 business days from the date that the request was first made known to the supervisor, DM, or other Center official. The Center will strive, however, to process requests and provide reasonable accommodation in less than 20 days, if possible.

This time requirement begins from the day the request is first made, in any format, NOT from the date NASA Form 1699 was completed.

The time necessary to respond to any particular request for accommodations will depend largely on the nature of that accommodation. The time period is considerably reduced when a supervisor is able to grant it.

### **2. Expedited Request**

Special situations may require a request for reasonable accommodation to be expedited where, for instance, the reasonable accommodation is needed to enable an individual to apply for a job, or is needed for a specific activity that is scheduled to occur shortly.

### **3. Extenuating Circumstances**

"Extenuating circumstances" are factors that could not reasonably have been anticipated or avoided in advance of the request for the accommodation. These might include situations where equipment must be back-ordered or other legitimate delays. When processing the request or providing the accommodation, will take longer than anticipated, the DM will inform the individual of the reason for the delay, and keep that individual informed of the date on which the process should be completed, and when he or she will receive the accommodation.

If a delay is necessary, the DM will work with the employee to institute temporary measures to assist the individual with a disability so that he or she is not penalized or suffers harm and is able to perform the essential functions of the job.

## **D. Medical Information**

### **1. General Guidelines**

The DM may only request documentation that is needed to establish that the individual has a disability and that the disability requires a reasonable accommodation. The employee or applicant must be able to provide medical information related to the disability, functional limitation(s), and an explanation of the requested accommodation in situations where the disability or need for accommodation is not obvious.

Failure to provide documentation could result in a denial of reasonable accommodation.

The DM may not request medical information where both the disability and the need for reasonable accommodation are obvious, or if the individual has already provided the supervisor or other decision maker with sufficient information to document the existence of the disability and his or her functional limitations. Furthermore, if an individual has more than one disability, the DM can request information pertaining only to the disability that requires a reasonable accommodation.

If medical documentation is needed, the 20-day decision requirement will be suspended until sufficient documentation is received. When that occurs, the “time clock” resumes.

See Appendix H for Information about Mental Health Impairments.

### **2. Nature of the Documentation**

The DM may request information or documentation regarding the employee’s disability or medical condition. The employee should ask his or her medical professional(s) to provide a letter that includes clear and concise answers regarding:

- a. **The nature, severity, duration, and prognosis** of the individual’s medical condition or disability.
- b. The **extent and nature** of the functional limitations imposed by the disability or condition.
- c. The **activity or activities that are impacted** by the functional limitations of the individual and the extent to which the medical condition or disability limits the individual’s ability to perform those activities of the job.
- d. If possible, the **types of tasks that could be successfully accomplished**, given the functional limitations of the disability, and the nature of the employee’s work.

e. Any **medication the individual is taking**, the side effects of the medication and, for new or modified prescriptions, the time it will take until the medication begins to be effective.

f. Any **special procedures or protocols** the individual must perform that will effect his or her work.

g. Why the individual **requires a reasonable accommodation or the particular reasonable accommodation** that has been requested, as well as how the reasonable accommodation will assist the individual to apply for a job, perform the essential functions of the job, or enjoy a benefit of the workplace.

The documentation about the disability or functional limitations must come from a health care or rehabilitation professional. Professionals could include, but are not limited to, doctors; chiropractors; psychiatrists; psychologists; nurses; physical, occupational, or speech therapists; practitioners of alternative medicines and practices; licensed mental health professionals; social workers; or rehabilitation counselors.

The supervisor or other decision maker will request only the information that is necessary to establish the existence of a disability and functional limitation(s) related to the disability. In most situations, this does not require access to a person's complete medical record.

To assist the health care or rehabilitation professional, the employee should provide a description of the job, the essential functions he or she is expected to perform, and any other information that is relevant to evaluating the request.

### **3. Confidentiality**

The Rehabilitation Act requires that all medical information be kept confidential. All medical information that is obtained in connection with a request for reasonable accommodation will be kept in the separate file record that is maintained by the Center Medical Clinic for the requested accommodation. This file is separate from the individual's personnel file, which is maintained in the OHC.

Because documentation may contain sensitive information about a person's medical condition, an employee may feel uncomfortable about sharing it with a supervisor or other DM. In such circumstances, the employee or applicant may provide the information to the DPM or SSC's Medical Director to review the documentation. This intermediary then may merely tell the supervisor or other DM that the employee or applicant has a disability rather than sharing all of the details about the medical condition.

Medical information obtained will only be shared with the individuals involved in the various aspects of providing reasonable accommodation. The information will not be disclosed except as follows:

- a. Supervisors, managers, or other DMs who need to know may be told about necessary restrictions on the work or duties of the employee and about the necessary accommodation(s).
- b. First aid and safety personnel may be told if the disability might require emergency treatment.
- c. Government officials may be given only the information necessary to investigate the Center's compliance with the Rehabilitation Act.
- d. Information may, in limited and specific circumstances, be disclosed to workers' compensation offices or insurance carriers.
- e. NASA Equal Employment Opportunity (EEO) officials may be given statistical or anecdotal information to maintain records and evaluate and report on the Center's performance in processing reasonable accommodation requests. In these circumstances, the confidentiality of the individual will be maintained.

#### **4. Additional Documentation**

The DM may request supplemental medical documentation when the information already submitted does not identify the disability, or the functional limitations it causes; or does not clarify how the requested accommodation will assist the employee to perform the essential functions of the job, or enjoy the benefits and privileges of the workplace.

If additional documentation is needed, the supervisor or other DM will explain why the submitted documentation is insufficient; identify the information that is needed; and allow the individual an opportunity to provide the information.

Alternately, the individual can sign a limited release that will allow the Center's Medical Director to contact the individual's doctor or other health professional directly for further information.

In the circumstance where the individual requesting an accommodation is still unable to provide sufficient information in support of the request, the supervisor or other DM may request that the individual be examined by SSC's Medical Director, or a health care professional of the Center's choice and at the Center's expense. Any such medical examination must be limited to determining the existence of a disability and/or the functional limitations that require a reasonable accommodation.

Where a medical examination is warranted, the DM will explain to the individual with a disability that failure to agree to it could result in a denial of reasonable accommodation.

## **E. Reassignment**

### **1. Last Resort**

If the DM determines that no other reasonable accommodation will permit the employee with a disability to perform the essential functions of his or her current position it will consider a reassignment as a “last resort” option.

Reassignment may be made only to a vacant position, whether currently advertised or not. The Agency is not required to create a new position or move employees from their jobs in order to create a vacancy. The new position must be equivalent to the current position in terms of pay, status, and other relevant factors, such as benefits or geographical location. The employee may not receive a promotion but may accept a voluntary downgrade. The employee usually bears any relocation costs associated with a Permanent Change of Station (PCS).

This option is not available for applicants.

### **2. Qualification of Employee**

The employee with a disability must be qualified for the new position. This means that the employee (1) satisfies the requisite skill, experience, education, and other job-related requirements of the position; and (2) can perform the essential functions of the position with or without reasonable accommodation. If the employee is qualified for the position, he or she will be reassigned to the job as a reasonable accommodation and will not have to compete for it.

### **3. Search for Vacancies**

The OHC will conduct a search for available vacancies and will consult with the employee as necessary to determine whether there are limits on the search the employee would like the OHC to conduct; whether the employee is qualified for a particular job; or whether the employee would need a reasonable accommodation to perform the essential functions of a new position. If the employee wishes, OHC can search for vacancies at any NASA facility in the country.

## **F. Denial of Requests**

An organization must provide a reasonable accommodation to a qualified individual with a disability unless doing so would pose an undue burden on the organization or a direct threat of the health and safety of the employee or others. More information about undue hardship or direct threat, can be found in Appendix A.

Should management wish to deny the request for reasonable accommodation, he or she must fill out NASA Form 1699B, “Denial of Reasonable Accommodation Request” and forward it to ODEO within 10 working days. This form can also be found in Appendix E of this document and Appendix B of NPR 3713.1A, “Reasonable Accommodation Procedures.”

**Before denying a request, because of undue hardship, direct threat, or any other reason, the supervisor, or other DM, must consult with ODEO to discuss the circumstances that led to that determination.**

The supervisor, or other DM, must notify the employee of his or her rights and avenues of redress.

**When a decision is made, the supervisor, or other DM, will complete NASA Form 1699A “Disposition of Request for Reasonable Accommodation” and forward it to ODEO within 10 working days.**

If a request is denied or the employee is not satisfied with the proposed modification, the employee should first pursue the issue with higher level management in his or her organization.

If the employee is still not satisfied, he or she can consult with ODEO.

## **G. Information Tracking and Record Keeping**

To enable NASA management to keep accurate records regarding requests for accommodation, the employee must follow up an oral request by completing NASA Form 1699, “Request for Reasonable Accommodation” and forwarding it to ODEO within five working days. This form can be found in Appendix C of this document and Appendix B of NPR 3713.1A, “Reasonable Accommodations Procedures.”

For applicants seeking a reasonable accommodation, the HRS handling the request must give the individual a copy of the form to fill out. If the individual with a disability requires assistance with this requirement, the staff member receiving the request will provide that assistance.

This form need not be completed when an individual needs a reasonable accommodation on a repeated basis, such as a sign language interpreter or a reader. The written confirmation is only required for the first request.

While NASA Form 1699 should be completed following the request, it is not a requirement for the request itself. The Agency will begin processing the request immediately.

Similarly, when a supervisor, or other DM, makes a decision regarding the request, he or she must fill out NASA Form 1699A, “Disposition of Reasonable Accommodation Request” and NASA Form 1699 B, “Denial of Reasonable Accommodation Request,” if applicable, and forward it to ODEO within 10 working days. These forms can be found in Appendix D and E of this document and Appendix B of NPR 3713.1A, “Procedures for Providing Reasonable Accommodation for Individuals with Disabilities.” The forms are also available on the Stennis ODEO Website.

ODEO will maintain records of all requests for reasonable accommodation for either the length of the employee's tenure with NASA, or five years, whichever is longer. The records will include all relevant information and documentation about the request and disposition; track the processing of the requests; and maintain the confidentiality of any medical information received in accordance with applicable law and regulations. This information will be used to evaluate where the Center needs to improve its handling of reasonable accommodation requests. The documentation will also be used if the employee or the supervisor needs to review the process by which the accommodations were provided.

Tracking performance is critical to assess whether the Center has adequately responded to requests for reasonable accommodations. Evaluating program effectiveness includes looking at the number of requests and the time it takes to respond to them, assessing the costs and any differences in the provision of various types of accommodations, and noting any systemic patterns in delays or denials of requests. ODEO will investigate the reasons for any problems that exist and take the steps that are necessary to correct them.

Individual medical records that contain information about a particular individual with a disability are fully subject to the confidentiality restrictions of the Rehabilitation Act. NASA's record keeping systems will contain safeguards to ensure that those restrictions are fully observed. Medical records will be segregated from official personnel files, and kept in the Medical Clinic. Medical information will be disclosed only according to laws and regulations, as previously enumerated. It should be noted that the Equal Employment Opportunity Commission (EEOC) has the right to review all relevant records upon request to evaluate the efficacy of the Center's reasonable accommodation procedures.

## Appendices

### APPENDIX A

#### Key Terms

##### 1. Benefits and Privileges

Benefits and privileges are not related directly to a work product, but are enjoyed by employees of an organization. These include, but are not limited to, the employee activities; Employee Assistance Program (EAP); credit union; cafeterias; health unit; fitness center; transportation services, and social functions. Also included is information that is communicated such as NASA Television, presentations, e-mail, web pages, and exhibits.

##### 2. Decision Maker

The Decision Maker (DM) is the person who determines whether or not a request for reasonable accommodation is granted. In the case of applicants, this shall be the HRS who is handling the vacancy. In the case of employees, the DM will, in most cases, be his or her immediate supervisor. In all other circumstances, the Center's Equal Opportunity Manager, with consultation with the Disability Program Manager (DPM), will be the DM.

##### 3. Direct Threat

A direct threat exists when the employee poses a significant risk or high probability of substantial harm to self or others. The burden of proof is on the employer to demonstrate that the employee poses a direct threat to the health or safety of himself/herself or others. The employer must consider whether reasonable accommodation can eliminate or reduce such a risk to an acceptable level. The perception of threat must be based on objective facts, not fears or stereotypes.

##### 4. Essential Functions

The essential functions of a job are those job duties that are so fundamental that the individual cannot successfully do the job without being able to perform them. A function is considered to be "essential" if the position exists specifically to perform that function, there are a limited number of other employees who could perform the function if it were assigned to them, or the function is specialized and the individual is hired based on his or her ability to perform it.

The essential duties of the position should be included in the written description before advertising or interviewing applicants. The essential duties are determined by the actual work of the employee, or in the employee's performance evaluation. Not all aspects of an employee's job duties will be found in a generic position description.

##### 5. Individual with a Disability

An individual with a disability is a person who has a physical or psychiatric impairment that substantially limits one or more major life activities; has a record of such an

impairment; or is regarded as having such an impairment. Major life activities include, but are not limited to, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and caring for one's self. (For information about mental health impairments, see Appendix H.)

#### **6. Qualified Individual with a Disability**

A qualified individual with a disability is one who, with or without reasonable accommodation, can perform the essential functions of the employment position. The individual satisfies the requisite skill, education, experience, and other job-related requirements of the position. The individual must be able to perform these duties without endangering his or her health and safety or the safety of others within the work environment.

#### **7. Reasonable Accommodation**

A reasonable accommodation is a change or modification in the job requirements, work environment, equipment or instruments used, or the way things are customarily done, that would enable an otherwise qualified individual with a disability to enjoy the same employment opportunities and benefits of employment as employees and applicants without disabilities. Reasonable accommodations will be provided to qualified applicants and employees with disabilities.

A reasonable accommodation does not include the elimination of an essential job function, acceptance of lower production standards, or items of a personal nature unless they are required to meet job-related duties or responsibilities, such as a wheelchair used only at the job site.

#### **8. Undue Hardship**

An undue hardship means that a specific accommodation would require significant difficulty or expense. This determination, which must be made on a case-by-case basis, considers factors such as the nature and cost of the accommodation requested, and the impact of the accommodation on safety and other operations of the organization.

## **APPENDIX B**

### **Examples of Reasonable Accommodations**

Reasonable accommodations that NASA may provide include, but are not limited to:

1. Making existing facilities accessible—providing accessible parking spaces and routes to the buildings, accessible entrances to buildings; and modifying workplaces, buildings, bathrooms, and common areas.
2. Restructuring jobs—reallocating or redistributing marginal job functions; altering when and/or how a function is performed.
3. Allowing part-time or modified work schedules—adjusting arrival or departure times, providing periodic breaks, altering when certain functions are performed, allowing an employee to use leave, or providing additional unpaid leave.
4. Telecommuting—allowing the employee to telecommute, if this can be done without imposing an undue burden on the organization or its functions.
5. Acquiring or modifying equipment—adapting equipment or tools, providing auxiliary aids, providing enabling or assistive technology.
6. Changing training materials, or policies—providing alternatives to training, or policies; providing usable training materials; providing effective communication access.
7. Providing qualified and effective readers, interpreters, or other forms of communication facilitation.
8. Instituting flexible leave policies—permitting the use of accrued paid leave, or unpaid leave for disability related activities such as, obtaining medical treatment, obtaining repairs on a wheelchair, accessible van, prosthetic device, or training a service animal.
9. Reassignment to a vacant position—a “last resort” when an employee who, because of a disability, can no longer perform the essential functions of his or her current position, with or without reasonable accommodation, and is qualified for an existing position. In such cases, the employee does not have to compete for the position.

**APPENDIX C**

**NASA Form 1699 “Confirmation of Request for Reasonable Accommodation”**



National  
Aeronautics and  
Space  
Administration

## Confirmation of Request for Reasonable Accommodation

### 1. REQUESTER INFORMATION

APPLICANT'S OR EMPLOYEE'S NAME	APPLICANT'S OR EMPLOYEE'S TELEPHONE NUMBER
APPLICANT'S OR EMPLOYEE'S HOME ADDRESS	APPLICANT'S OR EMPLOYEE'S OFFICE
TODAY'S DATE	DATE OF REQUEST

2. REASONABLE ACCOMMODATION REQUESTED *(Be as specific as possible, e.g., adaptive equipment, reader, Interpreter)*

3. REASON FOR REQUEST

IF REASONABLE ACCOMMODATION IS TIME-SENSITIVE, PLEASE EXPLAIN:

RETURN FORM TO DISABILITY PROGRAM MANAGER

*(Disability Program Manager shall assign number)*

4. SIGNATURE OF REQUESTER	5. LOG NUMBER
6. NAME OF RECEIVING OFFICIAL <i>(If other than DPM)</i>	7. SIGNATURE OF RECEIVING OFFICIAL <i>(If other than DPM)</i>

NASA FORM 1699 APR 08 PREVIOUS EDITION IS OBSOLETE.

## PRIVACY ACT STATEMENT

Pursuant to the Privacy Act of 1974, 5 U.S.C. §552a, the following statement is furnished to individuals supplying information for individuals requesting a reasonable accommodation with NASA.

**AUTHORITY:** Sections 501, 504, and 508 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 791, 794, 794d.

**PURPOSES AND ROUTINE USES:** The principal purpose for collecting this information is for NASA to be able to make a determination whether individuals are entitled a reasonable accommodation. This information is being collected and maintained by NASA. Information collected in connection with a request for reasonable accommodation is confidential and may be shared with Agency officials or Agency contractors only when those other individuals need to know the information to make determinations on a reasonable accommodation request, or to assist the Decision Maker in making such a determination. The information collected may also be used for standard routine uses 1-6 inclusive as set forth in Appendix B of NASA's Annual Notice and Amendments to Systems of Records.

**EFFECT OF NONDISCLOSURE:** Supplying the information is voluntary on your part.

However, individuals not supplying the requested information will not be able to have the request for a reasonable accommodation processed.

**APPENDIX D**

**NASA Form 1699A “Disposition of Reasonable Accommodation Request”**



National  
Aeronautics and  
Space  
Administration

# Disposition of Reasonable Accommodation Request

1. REASONABLE ACCOMMODATION  
(Check one)

- APPROVED  
 DENIED (If denied, attach a copy of NF 1699B)

## 2. REQUESTER INFORMATION

NAME	TELEPHONE NUMBER
------	------------------

IF EMPLOYEE, PLEASE PROVIDE OFFICE	IF APPLICANT, PLEASE PROVIDE ADDRESS
------------------------------------	--------------------------------------

3. DATE OF REASONABLE ACCOMMODATION REQUEST	WHO RECEIVED THE REQUEST?
---	---------------------------

4. DATE REASONABLE ACCOMMODATION REQUEST REFERRED TO DECISION MAKER (i.e., immediate supervisor, office head, Disability Program Manager, human resources specialist, Center EO Officer)	NAME OF DECISION MAKER
--	------------------------

5. DATE REASONABLE ACCOMMODATION APPROVED OR DENIED	6. DATE REASONABLE ACCOMMODATION PROVIDED (if different from date approved)
---	---

7. IF TIME FRAMES OUTLINED IN THE REASONABLE ACCOMMODATION PROCEDURES WERE NOT MET, PLEASE EXPLAIN WHY

## 8. JOB HELD OR DESIRED

a. JOB HELD (including occupational series, grade level, and office)

b. JOB DESIRED BY INDIVIDUAL REQUESTING REASONABLE ACCOMMODATION (including occupational series, grade level, and office)

9. REASONABLE ACCOMMODATION NEEDED FOR (Check one):

<input type="checkbox"/> APPLICATION PROCESS	<input type="checkbox"/> ACCESSING A BENEFIT OR PRIVILEGE OF EMPLOYMENT (e.g., attending a training program or social event)
<input type="checkbox"/> PERFORMING JOB FUNCTIONS OR ACCESSING THE WORK ENVIRONMENT	

10. TYPE(S) OF REASONABLE ACCOMMODATION REQUESTED (e.g., Adaptive equipment, staff assistant, removal of architectural barrier)

11. TYPE OF REASONABLE ACCOMMODATION PROVIDED (if different from what was requested)

12. WAS MEDICAL INFORMATION REQUIRED TO PROCESS THIS REQUEST? IF YES, EXPLAIN WHY

13. SOURCES OF TECHNICAL ASSISTANCE, IF ANY, CONSULTED IN TRYING TO IDENTIFY POSSIBLE REASONABLE ACCOMMODATIONS (e.g., job accommodation network, disability organization, Disability Program Manager)	
14. COMMENTS	15. LOG NUMBER
SIGNATURE OF DECISION MAKER	SUBMITTED BY
TELEPHONE NUMBER	ACKNOWLEDGMENT OF RECEIPT

**PRIVACY ACT STATEMENT**

Pursuant to the Privacy Act of 1974, 5 U.S.C. §552a, the following statement is furnished to individuals supplying information for individuals requesting a reasonable accommodation with NASA.

**AUTHORITY:** Sections 501, 504, and 508 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 791, 794, 794d.

**PURPOSES AND ROUTINE USES:** The principal purpose for collecting this information is for NASA to be able to make a determination whether individuals are entitled a reasonable accommodation. This information is being collected and maintained by NASA. Information collected in connection with a request for reasonable accommodation is confidential and may be shared with Agency officials or Agency contractors only when those other individuals need to know the information to make determinations on a reasonable accommodation request, or to assist the Decision Maker in making such a determination. The information collected may also be used for standard routine uses 1-6 inclusive as set forth in Appendix B of NASA's Annual Notice and Amendments to Systems of Records.

**EFFECT OF NONDISCLOSURE:** Supplying the information is voluntary on your part.

However, individuals not supplying the requested information will not be able to have the request for a reasonable accommodation processed.

**APPENDIX E**

**NASA Form 1699B “Denial of Reasonable Accommodation Request”**

	National Aeronautics and Space Administration	<h2 style="margin: 0;">Denial of Reasonable Accommodation Request</h2>		
1. NAME OF INDIVIDUAL REQUESTING REASONABLE ACCOMMODATION				
2. TYPE(S) OF REASONABLE ACCOMMODATION REQUESTED				
3. REQUEST FOR REASONABLE ACCOMMODATION DENIED BECAUSE <i>(May check more than one box):</i>				
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> REASONABLE ACCOMMODATION INEFFECTIVE  <input type="checkbox"/> REASONABLE ACCOMMODATION WOULD CAUSE UNDUE HARDSHIP  <input type="checkbox"/> MEDICAL DOCUMENTATION INADEQUATE  <input type="checkbox"/> REASONABLE ACCOMMODATION WOULD REQUIRE REMOVAL OF AN ESSENTIAL FUNCTION                         </td> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> REASONABLE ACCOMMODATION WOULD REQUIRE LOWERING OF PERFORMANCE OR PRODUCTION STANDARD  <input type="checkbox"/> OTHER <i>(Please Identify)</i>  <hr style="border: 0; border-top: 1px solid black; margin: 2px 0;"/> <hr style="border: 0; border-top: 1px solid black; margin: 2px 0;"/> <hr style="border: 0; border-top: 1px solid black; margin: 2px 0;"/> </td> </tr> </table>			<input type="checkbox"/> REASONABLE ACCOMMODATION INEFFECTIVE <input type="checkbox"/> REASONABLE ACCOMMODATION WOULD CAUSE UNDUE HARDSHIP <input type="checkbox"/> MEDICAL DOCUMENTATION INADEQUATE <input type="checkbox"/> REASONABLE ACCOMMODATION WOULD REQUIRE REMOVAL OF AN ESSENTIAL FUNCTION	<input type="checkbox"/> REASONABLE ACCOMMODATION WOULD REQUIRE LOWERING OF PERFORMANCE OR PRODUCTION STANDARD <input type="checkbox"/> OTHER <i>(Please Identify)</i> <hr style="border: 0; border-top: 1px solid black; margin: 2px 0;"/> <hr style="border: 0; border-top: 1px solid black; margin: 2px 0;"/> <hr style="border: 0; border-top: 1px solid black; margin: 2px 0;"/>
<input type="checkbox"/> REASONABLE ACCOMMODATION INEFFECTIVE <input type="checkbox"/> REASONABLE ACCOMMODATION WOULD CAUSE UNDUE HARDSHIP <input type="checkbox"/> MEDICAL DOCUMENTATION INADEQUATE <input type="checkbox"/> REASONABLE ACCOMMODATION WOULD REQUIRE REMOVAL OF AN ESSENTIAL FUNCTION	<input type="checkbox"/> REASONABLE ACCOMMODATION WOULD REQUIRE LOWERING OF PERFORMANCE OR PRODUCTION STANDARD <input type="checkbox"/> OTHER <i>(Please Identify)</i> <hr style="border: 0; border-top: 1px solid black; margin: 2px 0;"/> <hr style="border: 0; border-top: 1px solid black; margin: 2px 0;"/> <hr style="border: 0; border-top: 1px solid black; margin: 2px 0;"/>			
4. DETAILED REASON(S) FOR THE DENIAL OF REASONABLE ACCOMMODATION <i>(Must be specific, e.g., why reasonable accommodation is ineffective or causes undue hardship)</i>				
5. IF THE INDIVIDUAL PROPOSED ONE TYPE OF REASONABLE ACCOMMODATION WHICH IS BEING DENIED, BUT REJECTED AN OFFER OF A DIFFERENT TYPE OF REASONABLE ACCOMMODATION, EXPLAIN BOTH THE REASONS FOR DENIAL OF THE REQUESTED REASONABLE ACCOMMODATION AND WHY YOU BELIEVE THE OFFERED REASONABLE ACCOMMODATION WOULD BE EFFECTIVE				
IF AN INDIVIDUAL WISHES TO REQUEST RECONSIDERATION OF THIS DECISION, THE INDIVIDUAL MAY TAKE THE FOLLOWING STEPS: <ul style="list-style-type: none"> <li>• First, ask the DM to reconsider the denial within 30 days of the requester's receipt of the denial (NF 1699B). Additional information may be presented to support this request.</li> <li>• If the DM does not reverse the denial:                         <ul style="list-style-type: none"> <li>• And the DM was the individual's supervisor, the individual can ask the next level of management to do so.</li> <li>• And the DM was the next level of management, the individual can ask the Disability Program Manager to do so.</li> <li>• And the DM was the Disability Program Manager, the individual can ask the official designated by the Director of the EO Office to do so.</li> </ul> </li> <li>• The request for review of the non-reversal must be made within 30 days of receipt of non-reversal by the DM.</li> </ul>				
IF A FEDERAL APPLICANT OR EMPLOYEE WISHES TO FILE AN EEO COMPLAINT OR PURSUE MERIT SYSTEMS PROTECTION BOARD (MSPB) AND UNION GRIEVANCE PROCEDURES, HE OR SHE MUST TAKE THE FOLLOWING STEPS: <ul style="list-style-type: none"> <li>• For an EEO complaint pursuant to 29 C.F.R. Part 1614, contact the Equal Employment Opportunity office within 45 days from the date of this notice of denial of reasonable accommodation and request to speak to an EEO Counselor.</li> <li>• For a collective bargaining claim, file a written grievance in accordance with the provisions of the applicable collective bargaining agreement.</li> <li>• Initiate an appeal to the Merit Systems Protection Board within 30 days of an appealable adverse action as defined in 5 C.F.R. § 1201.3.</li> </ul>				
6. LOG NUMBER	NAME OF DECIDING OFFICIAL	SIGNATURE OF DECIDING OFFICIAL		
DATE REASONABLE ACCOMMODATION DENIED	<b>PRIVACY ACT STATEMENT</b>			

**PRIVACY ACT STATEMENT**

Pursuant to the Privacy Act of 1974, 5 U.S.C. §552a, the following statement is furnished to individuals supplying information for individuals requesting a reasonable accommodation with NASA.

**AUTHORITY:** Sections 501, 504, and 508 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 791, 794, 794d.

**PURPOSES AND ROUTINE USES:** The principal purpose for collecting this information is for NASA to be able to make a determination whether individuals are entitled a reasonable accommodation. This information is being collected and maintained by NASA.

Information collected in connection with a request for reasonable accommodation is confidential and may be shared with Agency officials or Agency contractors only when those other individuals need to know the information to make determinations on a reasonable accommodation request or to assist the DM in making such a determination.

The information collected may also be used for standard routine uses 1-8 inclusive as set forth in Appendix B of NASA's Annual Notice and Amendments to Systems of Records.

**EFFECT OF NONDISCLOSURE:** Supplying the information is voluntary on your part.

However, individuals not supplying the requested information will not be able to have the request for a reasonable accommodation processed.

## **APPENDIX F**

### **Selected Reasonable Accommodation Resources**

#### **1. Computer/Electronic Accommodations Program (CAP)**

(703) 681-8813 (Voice)

(703) 681-0881 (TTY)

(703) 681-9075 (Fax)

cap@tma.osd.mil

<http://cap.tricare.osd.mil>

CAP provides assistive technology and services to people with disabilities, Federal managers, supervisors, and IT professionals. CAP increases access to information and works to remove barriers to employment opportunities by eliminating the costs of assistive technology and accommodation solutions.

NASA has entered into an agreement with CAP to obtain assistive technology at no cost to the Agency. Assistive technology includes, but is not limited to:

- a. Computer input devices—Alternative keyboards, pointing devices, voice recognition systems
- b. Computer output devices—Screen readers, large monitors, Braille terminal, scanner/reader software
- c. Telecommunication devices—TTYs and PC based TTY programs; web cameras
- d. Assistive listening devices—Personal amplification devices, amplified handset
- e. Alternative forms of documentation—Braille, large print, electronic

#### **2. Job Accommodation Network (JAN)**

(800)526-7234 (Voice)

(877)781-9403 (TTY)

<http://janweb.icdi.wvu.edu/>

A service of the U.S. Department of Labor, Office of Disability Employment Policy (ODEP) formerly the President's Committee on Employment of People with Disabilities. JAN can provide information, free-of-charge, about many types of reasonable accommodations.

#### **3. U.S. Equal Employment Opportunity Commission**

1-800-669-4000 (Voice) 1-800-669-6820 (TTY) <http://www.eeoc.gov>

The EEOC provides basic information and enforcement guidance on reasonable accommodation and undue hardship. Publications include a technical assistance manual on employment provisions under the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act, which includes a 200-page Resource Directory, including Federal and state agencies, and disability organizations that can provide assistance in identifying and locating reasonable accommodations.

#### **4. DisabilityInfo.gov—Web Site**

<http://www.disabilityinfo.gov>

This Web site contains links to information of interest to people with disabilities, their families, employers, service providers, and other community members.

#### **5. Office of Personnel Management—Federal Employment of People with Disabilities— Web Site**

<http://www.opm.gov/disability>

The Web site provides access to information that is relevant to the recruitment, employment, and retention of individuals with disabilities in the Federal Government. Target audiences are applicants and employees with disabilities, federal managers and supervisors, and human resources professionals.

**APPENDIX G**

**Standard Form 256 “Self-Identification of Disability”**

**SELF-IDENTIFICATION OF DISABILITY**  
 (see instructions and Privacy Act information on reverse)

Last Name, First Name, and MI	Date of Birth (mm/yy)	Social Security Number	ENTER CODE HERE <input type="text"/> <input type="text"/>
<p><b>Definition:</b>          An individual with a disability: A person who (1) has a physical impairment or mental impairment (psychiatric disability) that substantially limits one or more of such person's major life activities; (2) has a record of such impairment; or (3) is regarded as having such an impairment. This definition is provided by the Rehabilitation Act of 1973, 29 U.S.C. 701 et. seq., as amended.</p>		<p><b>Purpose:</b>          Self-identification of disability status is essential for effective data collection and analysis. The information you provide will be used for statistical purposes only and will not in any way affect you individually. While self-identification is voluntary, your cooperation in providing accurate information is critical.</p>	
<p><b>Part I. Targeted/Severe Disabilities</b></p> <p><b>Hearing</b>          18 - Total deafness in both ears (with or without understandable speech)</p> <p><b>Vision</b>          21 - Blind (Inability to read ordinary size print, not correctable by glasses, or no usable vision, beyond light perception)</p> <p><b>Missing Extremities</b>          30 - Missing extremities (missing one arm or leg, both hands or arms, both feet or legs, one hand or arm and one foot or leg, one hand or arm and both feet or legs, both hands or arms and one foot or leg, or both hands or arms and both feet or legs)</p> <p><b>Partial Paralysis</b>          69 - Partial paralysis (because of a brain, nerve or muscle impairment, including palsy and cerebral palsy, there is some loss of ability to move or use a part of the body, including both hands; any part of both arms or legs; one side of the body, including one arm and one leg; and/or three or more major body parts)</p> <p><b>Complete Paralysis</b>          79 - Because of a brain, nerve or muscle impairment, including palsy and cerebral palsy, there is a complete loss of ability to move or use a part of the body, including both hands; one or both arms or legs; the lower half of the body; one side of the body, including one arm and one leg; and/or three or more major body parts</p> <p><b>Other Impairments</b>          82 - Epilepsy          90 - Severe intellectual disability          91 - Psychiatric disability          92 - Dwarfism</p>		<p><b>Part II. Other Disabilities</b></p> <p><b>Hearing Conditions</b>          15 - Hearing impairment/hard of hearing</p> <p><b>Vision Conditions</b>          22 - Visual impairments (e.g., tunnel or monocular vision or blind in one eye)</p> <p><b>Physical Conditions</b>          25 - Missing extremities (one hand or one foot)          40 - Mobility impairment (e.g., cerebral palsy, multiple sclerosis, muscular dystrophy, congenital hip defects, etc.)          41 - Spinal abnormalities (e.g., spina bifida, scoliosis)          44 - Non-paralytic orthopedic impairments: chronic pain, stiffness, weakness in bones or joints, some loss of ability to use part or parts of the body          51 - HIV Positive/AIDS          52 - Morbid obesity          61 - Partial paralysis of one hand, arm, foot, leg, or any part thereof          70 - Complete paralysis of one hand          80 - Cardiovascular/heart disease with or without restriction or limitation on activity; a history of heart problems w/complete recovery          83 - Blood diseases (e.g., sickle cell anemia, hemophilia)          84 - Diabetes          86 - Pulmonary or respiratory conditions (e.g., tuberculosis, asthma, emphysema, etc.)          87 - Kidney dysfunction (e.g., required dialysis)          88 - Cancer (present or past history)          93 - Disfigurement of face, hands, or feet (such as those caused by burns or gunshot wounds) and noticeable gross facial birthmarks          95 - Gastrointestinal disorders (e.g., Crohn's Disease, Irritable bowel syndrome, colitis, celiac disease, dysphagia, etc.)          98 - History of alcoholism</p> <p><b>Speech/Language/Learning Conditions</b>          13 - Speech impairment - Includes impairments of articulation (unclear language sounds), fluency (stuttering), voice (with normal hearing), dysphasia, or history of laryngectomy          94 - Learning disability - a disorder in one or more of the processes involved in understanding, perceiving, or using language or concepts (spoken or written) (e.g., dyslexia, ADD/ADHD)</p> <p><b>Other Options</b>          01 - I do not wish to identify my disability status. (Please read the notes on the next page.) (Note: Your personnel officer may use this code if, in his or her judgment, you used an incorrect code.)          05 - I do not have a disability.          06 - I have a disability, but it is not listed on this form.</p>	

**The Rehabilitation Act of 1973**

The Rehabilitation Act of 1973 (P.L. 93-112) requires each agency in the executive branch of the Federal Government to establish programs that will facilitate the hiring, placement, and advancement of individuals with disabilities. The best means of determining agency progress in this respect is through the production of reports at certain intervals showing such things as the number of employees with disabilities who are hired, promoted, trained, or reassigned over a given time period; the percentage of employees with disabilities in the workforce and in various grades and occupations; etc. Such reports bring to the attention of agency top management, the U.S. Office of Personnel Management (OPM), and the Congress deficiencies within specific agencies or the Federal Government as a whole in the hiring, placement, and advancement of individuals with disabilities and, therefore, are the essential first step in improving these conditions and consequently meeting the requirements of the Rehabilitation Act.

The disability data collected on employees will be used only in the production of reports such as those previously mentioned and not for any purpose that will affect them individually. The only exception to this rule is that the records may be used for selective placement purposes and selecting special populations for mailing of voluntary personnel research surveys. In addition, every precaution will be taken to ensure that the information provided by each employee is kept to the strictest confidence and is known only to those individuals in the agency Personnel Office who obtain and record the information for entry into the agency's and OPM's personnel systems. You should also be aware that participation in the disability reporting system is entirely voluntary, with the exception of employees appointed under Schedule A, SECTION 213.3102(u) (Severely Physically Handicapped); and Schedule B, section 213.3202(k) (Mentally Recovered). These employees will be requested to identify their disability status and if they decline to do so, their correct disability code will be obtained from medical documentation used to support their appointment. No other employees will be required to identify their disability status if they feel for any reason it is not in their best interest to have this information officially recorded outside of medical records. We request only that anyone wishing to have this information entered in the agency's and OPM's personnel systems indicate this to their personnel office, rather than intentionally miscoding themselves, since false responses will seriously damage the statistical value of the reporting system.

In those instances where the employee is or was hired under Schedule A, section 213.3102(t) (Mental Retardation), the Personnel Director or his/her designee (a Vocational Rehabilitation Counselor may also be helpful) will assist the individual in completing this form and ensure that the employee fully understands the meaning of the form and the options available to him/her, as noted above.

Employees will be given every opportunity to ensure that the disability code carried in their agency's and OPM's personnel systems is accurate and is kept current. They may exercise this opportunity by asking their Personnel Officer to see a printout of the code and definition from their records. The code carried on employees in the agency's system will be identical to that carried in OPM's system.

Your cooperation and assistance in establishing and maintaining an accurate and up-to-date disability report system is sincerely appreciated.

**Privacy Act Statement**

Collection of the requested information is authorized by the Rehabilitation Act as amended (P.L. 93-112). Solicitation of your Social Security Number (SSN) is authorized by Executive Order 9397, which permits agencies to use the SSN as the means for identifying persons with disabilities in personnel information systems. Your SSN will only be used to ensure that your correct disability code is recorded along with other employee information that your agency and OPM maintain on you. Furnishing your SSN or any other data requested for this collection effort is voluntary and failure to do so will have no effect on you. It should be noted, however, that where individuals decline to furnish their SSN, the SSN will be obtained from other records in order to ensure accurate and complete data. Employees appointed under Schedule A, section 213.3102 (t) (Severe Intellectual Disorder), Schedule A, Section 213.3102 (u) (Severely Physically Handicapped) or Schedule A, section 213.3202 (gg) (Persons with psychiatric disabilities) are requested to furnish an accurate disability code, but failure to do so will not affect them. Where employees hired under one of these appointing authorities fail to disclose their disability(ies), however, the appropriate code will be determined from the employee's existing records or medical documentation physically submitted upon appointment.



## APPENDIX H

### Information about Mental Health Impairments

#### How prevalent are mental health impairments?

Approximately 58 million Americans, one in four adults, experience a mental health impairment in a given year. (National Alliance on Mental Illness, 2007). One in seventeen individuals lives with a serious mental health impairment, such as schizophrenia, major depression, or bipolar disorder.

#### What are mental health impairments?

A clinically significant behavioral or psychological syndrome or pattern that occurs in an individual and that is associated with present distress or disability or with a significantly increased risk of suffering death, pain, disability, or an important loss of freedom. This syndrome or pattern must not be merely an expectable and culturally sanctioned response to a particular event i.e. the death of a loved one.

The National Alliance on Mental Illness defines a mental health impairment as: a medical condition that disrupts a person's thinking, feeling, mood, ability to relate to others, and daily functioning. Just as diabetes is a disorder of the pancreas, mental illnesses are medical conditions that often result in a diminished capacity for coping with the ordinary demands of life.

#### What are some common mental health impairments?

**Autism Spectrum Disorders (ASDs)** are complex developmental disorders of brain function. Each can affect a child's ability through signs of impaired social interaction, problems with verbal and nonverbal communication, and unusual or severely limited activities and interest. These symptoms typically appear during the first three years of life. There is no cure for ASDs, but with appropriate early intervention, a child may improve social development and reduce undesirable behaviors.

The ASDs are Autism (the defining disorder of the spectrum), Asperger Syndrome, Pervasive Developmental Disorder Not Otherwise Specified (PDD-NOS), Rett Syndrome, and Childhood Disintegrative Disorder (CDD). The most severe cases are marked by extremely repetitive, unusual, self-injurious, and aggressive behavior. This behavior may persist over time and prove very difficult to change, posing a tremendous challenge to those who must live with, treat, and teach these individuals. The mildest forms of autism resemble a personality disorder associated with a perceived learning disability.

**Attention-Deficit/Hyperactivity Disorder (ADHD)** is an illness characterized by inattention, hyperactivity, and impulsivity. The most commonly diagnosed behavior disorder in young persons, ADHD affects an estimated three percent to five percent of school-age children. Although ADHD is usually diagnosed in childhood, it is not a disorder limited to children -- ADHD often persists into adolescence and adulthood and is frequently not diagnosed until later years.

**Bipolar Disorder, or Manic Depression**, is a medical illness that causes extreme shifts in mood, energy, and functioning. These changes may be subtle or dramatic and typically vary greatly over the course of a person's life as well as among individuals. Over 10 million people in America have bipolar disorder, and the illness affects men and women equally. Bipolar disorder is a chronic and generally life-long condition with recurring episodes of mania and depression that can last from days to months that often begin in adolescence or early adulthood, and occasionally even in children. Most people generally require some sort of lifelong treatment. While medication is one key element in successful treatment of bipolar disorder, psychotherapy, support, and education about the illness are also essential components of the treatment process.

**Borderline Personality Disorder (BPD)** is an often misunderstood, serious mental illness characterized by pervasive instability in moods, interpersonal relationships, self image, and behavior. It is a disorder of emotional dysregulation. This instability often disrupts family and work, long-term planning, and the individual's sense of self-identity.

**Dissociative Disorders** are so-called because they are marked by a dissociation from or interruption of a person's fundamental aspects of waking consciousness (such as one's personal identity, one's personal history, etc.). Dissociative disorders come in many forms, the most famous of which is dissociative identity disorder (formerly known as multiple personality disorder). All of the dissociative disorders are thought to stem from trauma experienced by the individual with this disorder. The dissociative aspect is thought to be a coping mechanism -- the person literally dissociates himself from a situation or experience too traumatic to integrate with his conscious self. Symptoms of these disorders, or even one or more of the disorders themselves, are also seen in a number of other mental illnesses, including post-traumatic stress disorder, panic disorder, and obsessive compulsive disorder.

**Major Depression** is a serious medical illness affecting 15 million American adults, or approximately 5-8 percent of the adult population in a given year. Unlike normal emotional experiences of sadness, loss or passing mood states, major depression is persistent and can significantly interfere with an individual's thoughts, behavior, mood, activity and physical health. Among all medical illnesses, major depression is the leading cause of disability in the United States and many other developed countries. Depression occurs twice as frequently in women as in men, for reasons that are not fully understood. More than one-half of those who experience a single episode of depression will continue to have episodes that occur as frequently as once or even twice a year. Without treatment, the frequency of depressive illness as well as the severity of symptoms tends to increase over time. Left untreated, depression can lead to suicide.

### **What is Obsessive-Compulsive Disorder?**

**Obsessions** are intrusive, irrational thoughts -- unwanted ideas or impulses that repeatedly well up in a person's mind. Again and again, the person experiences disturbing thoughts, such as "My hands must be contaminated, I must wash them"; "I may have left the gas stove on"; "I am going to injure my child." On one level, the sufferer knows these obsessive thoughts are irrational. But on another level, he or she fears these thoughts might be true. Trying to avoid such thoughts creates great anxiety.

**Compulsions** are repetitive rituals such as hand-washing, counting, checking, hoarding, or arranging. An individual repeats these actions, perhaps feeling momentary relief, but without feeling satisfaction or a sense of completion. People with OCD feel they must perform these compulsive rituals or something bad will happen. Obsessive-compulsive disorder occurs when an individual experiences obsessions and compulsions for more than an hour each day, in a way that interferes with his or her life.

**What is Panic Disorder?** A person who experiences recurrent panic attacks, at least one of which leads to at least a month of increased anxiety or avoidant behavior, is said to have panic disorder. Panic disorder may also be indicated if a person experiences fewer than four panic episodes but has recurrent or constant fears of having another panic attack. Doctors often try to rule out every other possible alternative before diagnosing panic disorder. To be diagnosed as having panic disorder, a person must experience at least four of the following symptoms during a panic attack: sweating; hot or cold flashes; choking or smothering sensations; racing heart; labored breathing; trembling; chest pains; faintness; numbness; nausea; disorientation; or feelings of dying, losing control, or losing one's mind. Panic attacks typically last about 10 minutes, but may be a few minutes shorter or longer. During the attack, the physical and emotional symptoms increase quickly in a crescendo-like way and then subside. A person may feel anxious and jittery for many hours after experiencing a panic attack. Chemical or hormonal imbalances, drugs or alcohol, stress, or other situational events can cause panic attacks, which are often mistaken for heart attacks, heart disease, or respiratory problems.

**Posttraumatic Stress Disorder (PTSD)** is an anxiety disorder that can occur after someone experiences a traumatic event that caused intense fear, helplessness, or horror. PTSD can result from personally experienced traumas (e.g., rape, war, natural disasters, abuse, serious accidents, and captivity) or from the witnessing or learning of a violent or tragic event. While it is common to experience a brief state of anxiety or depression after such occurrences, people with PTSD continually re-experience the traumatic event; avoid individuals, thoughts, or situations associated with the event; and have symptoms of excessive emotions. People with this disorder have these symptoms for longer than one month and cannot function as well as they did before the traumatic event. PTSD symptoms usually appear within three months of the traumatic experience; however, they sometimes occur months or even years later.

**Schizophrenia** is a serious mental illness that affects 2.4 million American adults over the age of 18. Although it affects men and women with equal frequency, schizophrenia most often appears in men in their late teens or early twenties, while it appears in women in their late twenties or early thirties. Finding the causes for schizophrenia proves to be difficult as the cause and course of the illness is unique for each person. Interfering with a person's ability to think clearly, manage emotions, make decisions and relate to others, schizophrenia impairs a person's ability to function to their potential when it is not treated.

**Schizoaffective Disorder** is one of the more common, chronic, and disabling mental illnesses. As the name implies, it is characterized by a combination of symptoms of schizophrenia and an affective (mood) disorder. There has been a controversy about whether schizoaffective disorder is a type of schizophrenia or a type of mood disorder.

Today, most clinicians and researchers agree that it is primarily a form of schizophrenia. Schizoaffective disorder may account for one-fourth or even one-third of all persons with schizophrenia.

**Seasonal Affective Disorder.** This condition is characterized by recurrent episodes of depression – usually in late fall and winter – alternating with periods of normal or high mood the rest of the year. Most people with SAD are women whose illness typically begins in their twenties, although men also report SAD of similar severity and have increasingly sought treatment. Many people with SAD report at least one close relative with a psychiatric condition, most frequently a severe depressive disorder (55 percent) or alcohol abuse (34 percent).

**Tourette’s disorder, or Tourette’s Syndrome (TS)** as it is frequently called, is a neurologic syndrome. The essential feature of Tourette’s are multiple tics that are sudden, rapid, recurrent, non-rhythmic, stereotypical, purposeless movements or vocalizations.

**Dual Diagnosis Services** are treatments for people who suffer from co-occurring disorders -- mental illness and substance abuse. Research has strongly indicated that to recover fully, a consumer with co-occurring disorder needs treatment for both problems -- focusing on one does not ensure the other will go away. Dual diagnosis services integrate assistance for each condition, helping people recover from both in one setting, at the same time. Dual diagnosis services include different types of assistance that go beyond standard therapy or medication: assertive outreach; job and housing assistance; family counseling; even money and relationship management. The personalized treatment is viewed as long-term and can begin at whatever stage of recovery the consumer is in. Positivity, hope, and optimism are at the foundation of integrated treatment.

### **Accommodating Employees with Mental Health Impairments**

People with mental health impairments may develop some of the limitations discussed below, but seldom develop all of them. Also, the degree of limitation will vary among individuals. Be aware that not all people with mental health impairments will need accommodations to perform their jobs and many others may only need a few accommodations. The following is only a sample of the possibilities available. Numerous other accommodation solutions may exist.

#### **Questions to Consider:**

1. What limitations is the employee with a mental health impairment experiencing?
2. How do these limitations affect the employee and the employee’s job performance?
3. What specific job tasks are problematic as a result of these limitations?
4. What accommodations are available to reduce or eliminate these problems? Are all possible resources being used to determine possible accommodations?
5. Has the employee with a mental health impairment been consulted regarding possible accommodations?

6. Once accommodations are in place, would it be useful to meet with the employee with a mental health impairment to evaluate the effectiveness of the accommodations and to determine whether additional accommodations are needed?
7. Do supervisory personnel and employees need training regarding mental health impairments?

**Accommodation Ideas:**

Attendance - Allow flexible work environment:

- Flexible scheduling
- Modified break schedule
- Leave for counseling
- Work from home/Flexi-place

Concentration - Reduce distractions in the work area:

- Provide space enclosures, sound absorption panels, or a private office
- Allow for use of white noise or environmental sound machines
- Allow the employee to play soothing music using an ear-bud and computer or music player
- Plan for uninterrupted work time
- Purchase organizers to reduce clutter
- Increase natural lighting or provide full spectrum lighting
- Allow flexible work environment:
  - Flexible scheduling
  - Modified break schedule
  - Leave for counseling
  - Work from home/Flexi-place
  - Divide large assignments into smaller tasks and goals
  - Use auditory or written cues as appropriate
  - Restructure job to include only essential functions
  - Provide memory aids such as schedulers, organizers, or email applications

Emotions

Encourage the use of stress management techniques to deal with frustration:

- Allow the presence of a support animal
- Allow telephone calls during work hours to doctors and others for needed support
- Allow flexible breaks
- Refer to employee assistance program (EAP)

Fatigue - Allow flexible work environment:

- Flexible scheduling
- Modified break schedule
- Leave for counseling
- Work from home/Flexi-place
- Provide a goal-oriented workload
- Reduce or eliminate physical exertion and workplace stress
- Implement ergonomic workstation design

Memory:

- Allow use of job coach
- Provide mentor
- Provide minutes of meetings and trainings
- Use auditory or written cues as appropriate
- Allow additional training time
- Provide written checklists
- Use a color coding scheme to prioritize tasks
- Use notebooks, planners, or sticky notes to record information
- Provide labels or bulletin board cues to assist in location of items

Organization:

- Use daily, weekly, and monthly task lists
- Use calendar with automated reminders to highlight meetings and deadlines
- Use electronic organizers or mobile devices
- Divide large assignments into smaller tasks and goals
- Use a color coding scheme to prioritize tasks

Panic Attacks:

- Allow the employee to take a break and go to a place where s/he feels comfortable to use relaxation techniques or contact a support person
- Identify and remove environmental triggers such as particular smells or noises
- Allow the presence of a support animal

Sleep Disturbances:

- Allow for a flexible start time
- Combine regularly scheduled short breaks into one longer break
- Provide a place for the employee to rest during break
- Allow the employee to work one consistent schedule
- Provide a device such as a Doze Alert or other alarms to keep the employee alert
- Provide work areas with sunlight or other natural lighting

Stress:

- Refer to counseling and EAP
- Allow telephone calls during work hours to doctors and others for needed support
- Allow the presence of a support animal
- Allow flexible work environment:
  - Flexible scheduling
  - Modified break schedule
  - Leave for counseling
  - Work from home/Flexi-place

Coworker Interaction:

- Encourage the employee to walk away from frustrating situations and confrontations
- Provide partitions or closed doors to allow for privacy
- Provide disability awareness training to coworkers and supervisors

### **Working Effectively:**

Two common issues that JAN receives inquiries on are: (1) what accommodations will work for individuals with mental health impairments when workplaces are implementing substantial changes, and (2) what accommodations will help supervisors work effectively with individuals with mental health impairments. Many accommodation ideas are born from effective management techniques. When organizations are implementing workplace changes, it is important that key personnel recognize that a change in the environment or in supervisors may be difficult. Maintaining open channels of communication to ensure any transitions are smooth, and providing short weekly or monthly meetings with employees to discuss workplace issues can be helpful. Supervisors can also implement management techniques that support an inclusive workplace culture while simultaneously providing accommodations. Successful techniques include the following:

- Provide positive praise and reinforcement,
- Provide day-to-day guidance and feedback,
- Provide written job instructions via email,
- Develop clear expectations of responsibilities and the consequences of not meeting performance standards
- Schedule consistent meetings with employee to set goals and review progress,
- Allow for open communication,
- Establish written long term and short term goals,
- Develop strategies to deal with conflict,
- Develop a procedure to evaluate the effectiveness of the accommodation,
- Educate all employees on their right to accommodations,
- Provide sensitivity training to coworkers and supervisors,
- Do not mandate that employees attend work related social functions, and
- Encourage all employees to move non-work related conversations out of work areas

**For more information see National Alliance on Mental Illness website: [www.nami.org](http://www.nami.org).**

## APPENDIX I

### Procedural Checklists for Requesting and Processing Reasonable Accommodation

These checklists are intended to assist employees and supervisors, or other DMs, in navigating the reasonable accommodation process. For more information on each step, please see the appropriate section of this booklet. NOTE: The medical documentation guidelines are found in Part II, Section D.

#### I. Employee Checklist:

- 1. Make known need for reasonable accommodation
- 2. Fill out NASA Form 1699, submit to supervisor, or other DM
- 3. Provide relevant medical documentation, if requested
- 4. Engage in interactive process with supervisor, or other DM
- 5. Identify all possible options for accommodation with supervisor, or other DM
  - a. Choose the most effective option
  - b. Accept and implement the chosen option
  - c. If option is refused by employee, investigate possible alternatives
- 6. Report to supervisor on effectiveness of the accommodation

*If request is denied, by supervisor or other DM, investigate possible alternatives*

#### II. Supervisor, or Other DM, Checklist:

- 1. Accept notification of need for reasonable accommodation
- 2. Receive and acknowledge NASA Form 1699
- 3. Provide accommodation, if immediately possible; skip to #10
- 4. Request relevant medical documentation, only if necessary
- 5. Engage in interactive process with employee
- 6. Identify all options for accommodation with employee
- 7. Choose most effective option with employee
- 8. Provide reasonable accommodation, if accepted by both parties, within 20 business days, except when extenuating circumstances exist
  - a. Develop temporary measures if the accommodation is not immediately available
- 9. **If request is denied, first review circumstances with ODEO.** Complete NASA Form 1699B and submit to ODEO.
- 10. Fill out NASA Form 1699A, and give to employee
- 11. Provide a copy of NASA Form 1699A to ODEO for record keeping
- 12. Follow up with employee on effectiveness of the accommodation