



Advancing & Retaining Federal Employees with Disabilities—The Case for Centralized Accommodation Programs & Funding

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INTRODUCTION

The Federal Government is committed to becoming a model employer for individuals with disabilities. One way a federal agency can demonstrate its support for disability diversity and inclusion is to ensure advancement and retention efforts resonate across the agency at all employment levels. The establishment of a centrally managed and funded reasonable accommodations program serves as a strategic cornerstone to support all phases of employment of people with disabilities, and specifically the advancement and retention of people with disabilities in the federal workplace.

This document provides program and operational guidance regarding the advancement and retention of employees with disabilities and the benefits of a reasonable accommodation process. It contains the following sections:

- ➔ Background
- ➔ Career Development and Advancement
- ➔ Retention of Employees with Disabilities
- ➔ Reasonable Accommodations Policies and Procedures
- ➔ Requesting a Reasonable Accommodation
- ➔ Establishing a Centralized Accommodation Program and Possible Centralized Funding to Support IT
- ➔ Resources

BACKGROUND

FEDERAL AGENCIES AS MODEL EMPLOYERS OF INDIVIDUALS WITH DISABILITIES

[Under Section 501 of the Rehabilitation Act of 1973](#) (Section 501), federal agencies must become model employers of individuals with disabilities. In addition, Section 501 and Executive Order 13164, [Requiring Federal Agencies to Establish Procedures to Facilitate the Provision of Reasonable Accommodation](#) (July 28, 2000), instruct federal agencies to “establish effective written procedures for processing requests for reasonable accommodation by employees and applicants with disabilities.”¹

Under Section 501, it is unlawful for federal agencies to discriminate on the basis of disability in employment, but nondiscrimination alone is not enough. Thus, Section 501 also requires federal agencies to take proactive steps to ensure equal employment opportunity for individuals with disabilities. Under Equal Employment Opportunity Commission (EEOC) [Management Directive 715](#), the proactive steps federal agencies must take include efforts to prevent discrimination before it occurs by evaluating and monitoring their employment practices to identify and detect barriers—to employment, to representation at different grade levels, to awards and to promotions. Where such barriers are identified, the agencies are mandated to eliminate and remedy them.

Updates to Section 501 of the Rehabilitation Act issued in January 2017 served to reaffirm the Federal Government as a model employer of individuals with disabilities and improve efforts to employ workers with disabilities through increased recruitment, hiring, advancement and retention. Specifically, these updates established set representation

¹ Additional relevant Executive Orders include: [Executive Order 13548](#), Increasing Federal Employment of Individuals with Disabilities (July 26, 2010); Executive Order 13583, Establishing a Coordinated Government-Wide Initiative to Promote Diversity and Inclusion in the Federal Workforce (August 18, 2011); [Executive Order 13518](#), Employment of Veterans in the Federal Government (November 9, 2009); [Executive Order 13163](#), Increasing the Opportunity for Individuals with Disabilities to be Employed in the Federal Government (July 28, 2000); [Executive Order 13078](#), Increasing Employment of Adults with Disabilities (March 13, 1998).

goals of 12 percent for individuals with disabilities and 2 percent for individuals with specifically defined “targeted” disabilities. They also require the provision of personal assistance services for federal employees who need assistance in performing activities such as eating or using the restroom.

CAREER DEVELOPMENT AND ADVANCEMENT

In the Federal Government’s efforts to advance the employment of people with disabilities, hiring is only the first step. Training and career development are key to retention and advancement; however, when it comes to receiving such workplace opportunities, federal workers with disabilities generally lag behind their non-disabled counterparts. The federal career structure is based on the standards and the grades that are required to perform the tasks of the position. Many positions have career ladders that will provide advancement up the ranks until they reach the top of the set grade for the career ladder. To successfully reach management positions, it is often required to complete training to move beyond the career ladder grades. Managers should provide opportunities and inclusion into trainings that promote upward mobility and growth beyond the grades typically used for ladders for employees with disabilities. The following concepts for advancement focus on the development and use of career advancement, Individual Development Plans (IDPs), mentoring programs and easily obtainable reasonable accommodations. Below are some suggestions for successful strategies from various agencies to increase representation of employees with disabilities at higher levels:

PROMOTE CAREER ADVANCEMENT:

- ➔ Develop career enhancement/leadership development opportunities including reviewing employee development programs to ensure that no barriers exist for people with disabilities.
- ➔ Educate employees with disabilities about the importance of the IDP and encourage their managers to work with employees to complete them.
- ➔ Develop, implement and track the number of employees who complete IDPs and enroll in mentoring programs.
- ➔ Develop Career Pathways projects and other strategies to facilitate upward mobility for employees at lower grade levels and for those on the cusp of management positions.
- ➔ Develop, promote and provide mentoring opportunities that are inclusive of employees with disabilities.
- ➔ Ensure that advertisements for training/workshops for career development include language offering the provisions of reasonable accommodations.
- ➔ Determine whether management slots can be set aside for individuals with disabilities and inform supervisors of the need to nominate employees with disabilities.
- ➔ Consider the use of “set-aside” slots for employees with disabilities for agency senior leadership or outside leadership trainings.
- ➔ Encourage direct marketing of career opportunities and leadership development programs to current employees before opening them to the public and encourage a diverse pool of candidates to apply.
- ➔ Provide means of obtaining employee concerns on a regular basis through various modalities such as video phones, email and anonymous surveys.
- ➔ Ensure that employees with disabilities are nominated and represented at Annual Reviews and Strategic Planning meetings.

- ➔ Promote training and detail opportunities to people with disabilities to facilitate skill development and opportunities for advancement.
- ➔ Ensure that all learning opportunities are accessible and inclusive of employees with disabilities.
- ➔ Collaborate with the Section 508 office to provide technical assistance and guidance on creating accessible documents and programs.
- ➔ Ensure that employees with disabilities have equal opportunity to apply for career development and training.
- ➔ Ensure availability of reasonable accommodations to support details, promotions and training opportunities.
- ➔ Ensure reasonable accommodation process is clear and easy to request when registering for professional development opportunities.

OFFER MENTORING PROGRAMS:

- ➔ Establish and implement formal mentoring/training programs for employees with disabilities modeled on, or in conjunction with other mentoring programs.
- ➔ Monitor the composition of participants in training and mentoring programs and report on participation rates.
- ➔ Increase participation rates of employees with disabilities in the Management Development Institute, “New Manager Training,” and “Leadership” training program for non-supervisors who aspire to be leaders.
- ➔ Target marketing for leadership development programs for current employees with disabilities.
- ➔ Match new employees with peers for support during the on boarding process.
- ➔ Educate the current workforce about reasonable accommodation processes, options and resources through mandatory training.
- ➔ Establish a model mentoring structure for connecting senior managers and senior leadership with employees with disabilities throughout the employment lifecycle.
- ➔ Establish a central list of senior leaders and managers who are willing to volunteer one hour per month to meet with a current employee with a disability as an information interview.
- ➔ Consider an e-mentoring program to support and increase access to employees in field offices/remote sites.
- ➔ Identify opportunities to expand use of the Workforce Recruitment Program (WRP) e-Mentoring Program to current employees and wounded service members.
- ➔ Create opportunities for mentoring and networking across mission areas and sub-agencies.

RETENTION OF EMPLOYEES WITH DISABILITIES

As federal agencies continue to recruit and hire employees with disabilities, employers state they have a revolving door of employees leaving the federal sector. Retaining qualified and trained employees makes good business and fiscal sense. However, if the employee does not feel he or she is valued, empowered or have the career opportunities they felt others had, they may move to another agency. The lack of available accommodations to support career advancement opportunities has been another reason employees with disabilities sought out other employment options. By incorporating the advancement and mentoring strategies listed above, employees may feel more included and remain on board for a longer time.

OTHER QUALITY APPROACHES AGENCIES CAN TAKE:

- ➔ Conduct studies, identifying and implementing methods of collecting feedback on the needs and interests of employees with disabilities, including hosting regular focus groups and allowing for the submission of anonymous surveys.
- ➔ Conduct exit interviews that include specific questions which will seek to determine if any reason related to the person's disability led to their decision to leave.
- ➔ Provide annual training to employees on disability issues including policy changes, etiquette, availability of training opportunities and accommodations solutions.
- ➔ Monitor and address retention rates, including terminations, awards and representation at various grades.
- ➔ Request information/explanations related to the release of Schedule A hires that were still within their probationary period.
- ➔ Adopt retention plans and strategies based on information obtained from surveys and exit interviews.
- ➔ Analyze and monitor terminations of permanent employees and report these findings to department or agency leadership and Administration on a quarterly basis.
- ➔ Work with the agency organization for employees with disabilities to identify specific strategies for improving the retention numbers and to hear concerns of employees.
- ➔ Adopt disability management and prevention programs (return-to-work programs).
- ➔ Develop and disseminate retention guidance, manual procedures and initiatives related to the retention of employees with disabilities and targeted disabilities.
- ➔ Develop and implement a plan to review proposed terminations to ensure disability accommodations were considered, where appropriate.
- ➔ Improve access to reasonable accommodation procedure and solutions, including a centrally funded accommodation process.

Throughout conversations regarding the advancement and retention of employees with disabilities, the availability of reasonable accommodations was noted as a major requirement for success and inclusion for employees with disabilities. Across federal agencies, the availability and access to reasonable accommodations are a cornerstone for successful recruitment, hiring, advancement and retention of employees with disabilities. The process by which a person requests and acquires accommodations often varies from agency to agency and sometimes even within the agency, yet the appropriate provision of them can be key to retention.

REASONABLE ACCOMMODATIONS POLICIES AND PROCEDURES

As mentioned above, Section 501 and Executive Order 13164 require all federal agencies to establish procedures on handling requests for reasonable accommodation.

Federal agencies' reasonable accommodation procedures must comply with the requirements of the Section 501, which states that they must provide reasonable accommodations to qualified employees or applicants with disabilities unless doing so would cause undue hardship. To facilitate this, EEOC recommends that agencies use an

“interactive process,” which simply means that employers and applicants or employees with disabilities who request accommodations work together to devise the best solution. (www.eeoc.gov/disability)

Federal agencies shall provide reasonable accommodations:

- ➔ When an applicant with a disability needs an accommodation to have an equal opportunity to apply and compete for a job;
- ➔ When an employee with a disability needs an accommodation to perform the essential functions of the job or to gain access to the workplace; and
- ➔ When an employee with a disability needs an accommodation to enjoy equal access to benefits and privileges of employment (e.g., details, trainings, office-sponsored events).

A reasonable accommodation is defined as any change in the workplace or the way things are customarily done that provides an equal employment opportunity to an individual with a disability. While there are some things that are not considered reasonable accommodations (e.g., removal of an essential job function or personal use items such as a hearing aid that is needed both on and off the job), reasonable accommodations cover most adjustments that enable an individual to apply for a job; perform a job; advance in a job; or have equal access to the workplace and employee benefits such as kitchens, parking lots and office events.

Common types of accommodations include:

- ➔ Assistive technology (AT), including information technology and communications equipment or specially designed furniture
- ➔ Sign language interpreters and CART Services
- ➔ A reader or other staff assistant to enable employees to perform their job functions, where the accommodation cannot be provided by current staff
- ➔ Telework beyond that provided by the collective bargaining agreement or the relevant MOU. This is normally referred to as “work from home” as a reasonable accommodation and may fall outside of agency’s telework policy
- ➔ Removing an architectural barrier, including reconfiguring work spaces
- ➔ Accessible parking
- ➔ Making changes in workplace policies
- ➔ Materials in alternative formats (e.g., Braille, large print)
- ➔ Modifying work schedules or supervisory methods
- ➔ Granting breaks or providing leave
- ➔ Altering how or when job duties are performed
- ➔ Removing and/or substituting a marginal function
- ➔ Moving to different office space
- ➔ Reassignment to another job

REQUESTING A REASONABLE ACCOMMODATION

The reasonable accommodation process begins as soon as an employee, applicant or a representative on behalf of an employee requests one. A request does not have to include any special words, such as “reasonable accommodations,” “disability,” “Section 501” or “Rehabilitation Act”. Basically, anytime an employee indicates that he or she is having a problem relates to a medical condition, the employer should consider whether the employee is making a request for accommodation. It is important to understand that an individual with a disability may request a reasonable accommodation at any time, even if he or she has not previously disclosed a disability.

It is important for agencies to ensure their reasonable accommodation policies and procedures are implemented, reviewed and updated on a regular basis. As part of this, they should:

- ➔ Update them to be consistent with the guidelines established by EEOC, including any changes or updates.
- ➔ Post them in a wide variety of places including internal and public websites.
- ➔ Communicate them as part of the application process.
- ➔ Disseminate any changes to the policy, process and point of contact.
- ➔ Address them in training, for instance, during new employees’ orientation, new supervisory training and annual supervisor and manager training as well as in online training modules.
- ➔ Create materials that are available to staff and leadership on these topics.

ESTABLISHING A CENTRALIZED ACCOMMODATION PROGRAM AND POSSIBLE CENTRALIZED FUNDING TO SUPPORT IT

Federal managers are required to act quickly in processing reasonable accommodation requests and providing effective solutions. Establishing an administrative mechanism such as a centralized source of expertise and a centralized accommodation fund usually increases the ability to do this in an expeditious manner.

Establishing an office or location with expertise in the management of a centralized function for assessing, evaluating and providing reasonable accommodations, including AT, ensures the effectiveness of the process. Often, these are typically housed within an agency’s human resources, civil rights, or human capital offices. This office usually contains the Disability Program Managers or the Reasonable Accommodation Committees. Sometimes there is joint management with other offices, such as the Office of the Chief Financial Officer or Chief Information Officer.

This approach supports the consolidation of both subject matter expertise and funding streams for accommodations to help ensure a standard operating procedure throughout each federal agency, thereby minimizing the potential for grievances and civil rights violations. Also, centralizing reasonable accommodation services and supports reduce the administrative burden on direct supervisors and minimizes management concerns regarding extra work or costs associated with hiring individuals with disabilities. Basically, it allows for more efficient contracting or acquiring of accommodations such as interpreters, information technology, and communications equipment, and other AT. In addition to serving as a central accommodation program for information and guidance, these “one-stop” shops typically have the following responsibilities:

- ➔ Maintaining the agency's written reasonable accommodation policy and ensuring that it is effectively communicated to new and existing employees on a regular basis
- ➔ Advising both employees and supervisors on their responsibilities and the interactive process for requesting, receiving and assessing the effectiveness of accommodations
- ➔ Maintaining a “lab” or “demonstration room” that helps facilitate such assessments by providing an opportunity for employees to try out AT and ergonomic equipment
- ➔ Maintaining in-house or contracted qualified sign language interpreters
- ➔ Ensuring accommodations/assistive solutions are compatible with an agency's IT and supports workplace changes and trends
- ➔ Ensuring that accommodations solutions are effective and that they do not pose an undue hardship on the agency
- ➔ Consulting with the U.S. Department of Labor/Office of Disability Employment Policy's Job Accommodation Network (JAN), for free, expert and confidential guidance on workplace accommodations and disability employment issues: www.askjan.org
- ➔ Processing, procuring and providing accommodations as stated above along with additional support with:
 - Publications in alternative formats (braille/large print)
 - Ergonomic furniture
 - Training on AT
 - Modified work stations, such as sit-stand desks
 - Scooters
 - Advising on non-tangible accommodations, such as flexible work arrangements, task reassignment, telework and use of leave

CENTRALIZED ACCOMMODATION FUND

Building a disability inclusive federal workforce requires agencies to ensure all qualified individuals have equal access to seek and obtain employment and advancement in their careers. The establishment and management of a centralized accommodation fund (CAF) serves as key strategies for successful employment outcomes supporting the advancements and retentions of employees with disabilities. Moreover, when employees with disabilities recognizes that an agency has created an environment in which they know that they can ask for accommodations without fear or worry, they will feel more comfortable self-identifying and disclosing their disability. When costs and management of the accommodation are out of the equation for managers and individual offices, it levels the playing field for employees with disabilities.

The development of a CAF can be approached in a variety of ways. Offices within an agency can pool their resources to cover the cost of accommodations. As such, they help eliminate concerns and assumptions that line managers and others might have about people with disabilities being more expensive to employ. This despite the fact that according to data collected by JAN almost half of accommodations cost nothing, while the rest cost an average of \$500.

In some agencies, the CAF serves employees nationwide, while others provide only limited accommodation funding assistance to field bureaus and offices, if needed. In the case of a comprehensive CAF, funding may be collected from different offices or divisions based on size; the more employees an office or division employs, the more they

contribute to the CAF or via overhead/operational funds. Some agencies have centralized the funds by adding the requirements for accommodations as a line-item in a specific office's budget to streamline the process due to multiple locations, diverse employment processes, and positions. The agency remains responsible for providing reasonable accommodations to employees with disabilities whether it deems a centralized process is needed or not, and whether it deems funds are available or not.

ORIGINS AND EVOLUTION OF CENTRALIZED ACCOMMODATION FUNDING IN THE FEDERAL WORKSPACE

The varied nature and structure of federal agencies necessitates tailored approaches to developing a CAF. Agencies looking to establish or enhance a CAF or their reasonable accommodation processes overall may benefit from learning about their origins in the Federal Government and how they have evolved in recent years.

COMPUTER/ELECTRONIC ACCOMMODATIONS PROGRAM

The Computer/Electronic Accommodations Program (CAP) provides AT and accommodations to support employees with disabilities throughout the executive branch of the Federal Government as well as wounded, ill and injured service members. One of the first examples of a CAF in the Federal Government, CAP was originally established in 1990 to serve U.S. Department of Defense (DoD) civilian employees with disabilities. Later, its scope expanded yet again, this time to cover the military and allow members who are provided AT through the program to retain it even upon separation from service.

Currently, CAP has partnerships with about 70 federal agencies and over time has filled over 150,000 requests for accommodations to the employees. In addition to actual AT, which becomes the property of the employing agency once delivered, CAP provides needs assessments, training on the use of AT, and education on various disability employment issues. Even with this broad scope, CAP remains fully funded by DoD. Its partner agencies do not contribute any funds to the program.

Furthermore, not all accommodations are technology-related and sometimes CAP budget is exhausted part way through the year. There are also many accommodations that fall out of CAP's purview, and it's important for agencies to understand that a partnership with CAP does not fulfill their legal obligation to provide reasonable accommodations to employees with disabilities. By having a CAF and a partnership with CAP, agencies demonstrates its ability and desire to ensure accommodation solutions are readily available to applicants and employees throughout the employment lifecycle.

HOW TO GET STARTED

As stated above, federal agencies are required to ensure reasonable accommodations are provided. The development of a CAF may be developed with specific parameters based on mission, agency's management structure, operational process, and relationships with other funded resources.

Start by identifying the purpose and process for the CAF services, with consideration to agency's employees' needs based on regulatory policies and internal acquisition process. Some agencies have CAF to specifically address the procurement of often-requested assistive technology or specific and recurring services, such as sign language services. It is also important to note that managers are still required to ensure employees with disabilities are accommodated, regardless of whether or not there is a CAF and/or if it has available funds.

To establish the baseline for what a CAF may cost you the agency's past history of accommodations provided (equipment and services) and their costs may be secured from the Disability Program Managers, accommodation tracking forms, and the budget office. You may want to re-survey the workforce to identify the current population

with disabilities as a baseline. To ensure a successful CAF for the agency, a strategic plan with financial analysis should include the following criteria and scope to help establish a realistic budget and process:

- ➔ Identify the location and work setting of the population to be served:
 - Department/agency wide, including regional offices
 - Headquarters/specific offices/components
 - Office settings/manufacturing facilities/other
- ➔ Identify eligibility of participants:
 - Applicants requesting accommodation for the hiring process
 - New employees, including interns, term employees and summer employees
 - Workers' compensation claimants
 - Disabled veterans
 - Employees that develop disability conditions
 - Individuals with disabilities (non-employees) participating in special events/projects and working groups
- ➔ Identify the services and equipment to be covered by the CAF:
 - AT (whether a CAP partner or not)
 - Training on AT and upgrades
 - Sign language interpreters services and CART
 - Workplace services: personal assistants, coach support and care providers
 - Ergonomic and safety equipment
 - AT for telework or general home use
 - Support/services for travel
 - Necessary changes to comply with Section 508
 - Accommodations to support individuals with disabilities that need to access agency's programs
 - Accommodations to increase access to workplace program offices: HR, EEO etc.

* Some of these areas, such as ergonomic equipment or compliance with Section 508 may be shared or managed by other program offices in your agency.

Review the results with the Chief Financial Officer, Budget Office and Contract Specialists. Strategies might include surveying the current population; reviewing job descriptions and potential accommodation settings (office/warehouse); and requesting usage of funds from CAP for the past five years (if a partner).

Based on an agency's current reasonable accommodation process, determine if modifications are needed to request an accommodation via the CAF. Considerations may include:

- ➔ Staff to receive the request, process and approve the funds
 - Ensure that the staff has appropriate expertise and training to perform these duties and requirements in line with federal laws

- ➔ Process for procuring the accommodations
 - Contract vehicles
 - Bulk purchases
- ➔ Develop/review the internal form and what signatures would be required
- ➔ Process for conducting and recommended documentation for needs assessments
- ➔ Timeframe for processing requests
- ➔ Procedures to follow and documentation required in the event an accommodation is not approved
- ➔ Ability to transfer funds to other offices or make available for use in the following fiscal year
- ➔ Ability to have in-house inventory/re-use assistive equipment and accommodations
- ➔ Ability to evaluate the funds structure, availability and adjustments annually
- ➔ Ability to incorporate increases to funding based of potential impact of office changes including building construction, moves and new furniture and equipment

The development of a centralized fund to pay for workplace accommodations would level the playing field for applicants and employees with disabilities by removing the concerns about the cost of the accommodation from the manger and supervisors mind.

As employees seek new opportunities, their accommodation needs may change and the funds would be there to support their advancement. If an employee develops a disability due to an injury or illness, he or she could continue to be accommodated and remain on the workforce as a valued employee. There is also an overriding benefit in the message that is sent to all employees. That message is that your agency is a safe and welcoming work environment for all employees throughout their employment lifecycle.

RESOURCES

The U.S. Department of Labor’s Office of Disability Employment Policy (ODEP) manages a number of efforts designed to help employers advance disability employment. These include the award winning Campaign for Disability Employment, Employer Assistance and Resource Network on Disability Inclusion, and the Workforce Recruitment Program, which connects employers with highly motivated college students and recent graduates with disabilities (www.dol.gov/odep).

Computer/Electronic Accommodations Program (CAP) – As noted above, CAP provides AT-related accommodations to employees with disabilities across agencies with which it has partnership agreements. Agencies interested in learning more about CAP should visit www.cap.mil or call its main office at 703-614-8416 (Voice) or 703-681-3978 (TTY).

Job Accommodation Network (JAN) – A service of ODEP, JAN is the leading source for information on workplace accommodations for people with disabilities, including federal employees. Regardless of whether an agency has a CAF, JAN can assist it in improving its accommodation processes as well as advise on accommodations for individual employees, including sources for procuring items. One-on-one consultation is available via phone at 800-526-7234 (Voice) or 877-781-9403 (TTY), or online at AskJAN.org.