

Reasonable Accommodations (RA) Fact Sheet

The EEOC is committed to providing reasonable accommodations to its employees and applicants for employment to ensure that individuals with disabilities enjoy equal access to all employment opportunities. Section 501 of the Rehabilitation Act of 1973 requires federal agencies to provide reasonable accommodation for qualified employees or applicants with disabilities, unless to do so would cause undue hardship. This Policy, and the accompanying Procedures, fully comply with the Rehabilitation Act of 1973, Executive Order 13164 (requiring federal agencies to establish procedures to facilitate the provision of reasonable accommodation), and EEOC regulations at 29 C.F.R. § 1614.203(d)(3) (clarifying the written procedure requirement)

What are Reasonable Accommodations (RAs)?

A reasonable accommodation is any change in the workplace or in the way things are customarily done that provides an equal employment opportunity to an individual with a disability.⁽²⁾

Who is an individual with a disability?

An individual meets the Americans with Disabilities Act definition of “disability” that would qualify them for reasonable accommodations if they have “a physical or mental impairment that substantially limits one or more major life activities (sometimes referred to in the regulations as an “actual disability”).” If a disability is not obvious to an employer, they can ask for medical documentation from a health care provider to confirm the need for an accommodation.

Individuals who solely are “regarded as” having a disability but do not have a disability, are not qualified to receive reasonable accommodations.

When is an individual qualified for Reasonable Accommodation?

A qualified individual with a disability is an individual who:

- satisfies the skills, experience, education, and other job-related requirements of the position
- can perform essential functions of the job, with or without a reasonable accommodation

What are essential functions of a job?

Essential functions are job duties that are fundamental to the position, as opposed to marginal or occasional duties that may be

performed by the worker. Factors for determining essential functions of a job include:

- position exists specifically to perform the essential functions
- the number of other employees available to perform the same job duties
- expertise or skills required

Are there limitations to an employer’s obligation to provide reasonable accommodations?

Yes, An employer has a responsibility to provide accommodations unless doing so would cause undue hardship to the employer, or in cases of direct threat.

Undue Hardship: When an accommodation is expensive, difficult, disruptive to the work environment, or will fundamentally change the nature of the position.

Direct Threat: A significant risk of threat to the safety of the employee or others that cannot be eliminated or lessened by reasonable accommodation.

Types of Reasonable Accommodations?

- Modify a job
- Modify a policy
- Modify a facility for accessibility
- Modify tests and training materials
- Provide a product, equipment, or software
- Modify or design a product

- Modify a work schedule
- Obtain a service
- Reassign to a vacant position

How does an individual request an RA?

In accordance with HRO (18-04) Reasonable Accommodation (RA) Policy & Procedures for the PA National Guard, RAs are requested by informing the employee's supervisor, someone in the employee's chain of command, or the State Equal Employment Manager, that an RA is necessary for the employee to perform essential functions of a job.

Agencies are only required to provide RA to an individual:

- when an individual with a disability needs an accommodation to have an equal employment opportunity in the application process;
- when an employee with a disability needs an accommodation to perform the essential functions of the job held or desired 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).

Undue Hardship Determinations:

The process of determining whether providing reasonable accommodations is an undue hardship is the same process used to determine whether a personal assistance service poses an undue hardship.

Contact for questions:

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Additional Resources:

The Job Accommodation Network (JAN)
800-526-7234
www.askjan.org

ADA National Network
800-949-4232
www.adata.org

This document will be made available in an alternative format upon request.