

# HIRING INDIVIDUALS with disABILITIES



Human Resources and Chief Human Capital Officer  
TREASURY PEOPLE COUNT

Office of Civil Right and Diversity  
1500 Pennsylvania Avenue, N.W.  
Washington, D.C. 20220

Phone: 202-622-1160  
Website: [www.treasury.gov](http://www.treasury.gov)

Department of the Treasury

# disABILITY



A Manager's Guide  
to  
Employing  
Individuals with disABILITIES



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## Notes



Notes



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## Notes



Notes



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## Introduction

### Overview & Purpose

President Obama signed Executive Order (EO) 13548 to establish the Federal Government as a model employer of people with disabilities. The EO requires all Executive departments and agencies to increase the recruitment, hiring and retention of people with disabilities, including those with targeted disabilities<sup>1</sup>.

The recruitment and hiring of people with disabilities increases the potential pool of highly qualified people from which the Department of Treasury draws its talent. The Treasury Department's participation goal for people with disabilities is 10% of our workforce, with the sub-goal of 2% for people with targeted disabilities. Hiring candidates with disabilities provides gainful employment to the many people with disabilities who can and want to work; helps the Department achieve its mission; and, for hiring managers, it simply makes good business sense to consider candidates with disabilities.

With support of the President of the United States, the Secretary of the Treasury and the Human Capital Advisory Council, achieving this goal is essential to the success of the Department's Diversity and Inclusion Strategic Plan.

<sup>1</sup>The targeted disabilities are: deafness, blindness, paralysis, missing extremities, epilepsy, dwarfism, psychiatric disability and severe intellectual disability.

## Treasury Inspector General for Tax Administration (TIGTA)

<http://www.treasury.gov/tigta/important.shtml#8>  
**(202) 927-7473**

## Department of the Treasury Office of Civil Rights and Diversity

<http://www.treasury.gov/about/organizational-structure/offices/Pages/Office-of-Civil-Rights-and-Diversity.aspx>  
**(202) 622-1160**

## EEO Contacts cont'd

### Office of the Inspector General (OIG)

<http://www.treasury.gov/about/organizational-structure/ig/Pages/about.aspx>

**(202) 927-5023**

### United States Mint (MINT)

[http://www.usmint.gov/about\\_the\\_mint/eo/](http://www.usmint.gov/about_the_mint/eo/)

**(202) 354-7472**

### Comptroller of the Currency (OCC)

<http://www.occ.gov/about/who-we-are/careers/eo/index-eeo.html>

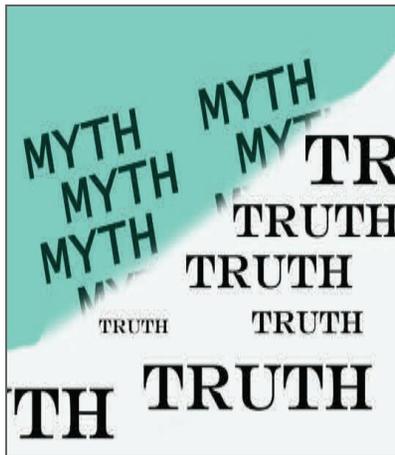
**(202) 874-5360**



“Recognize my disabilities, emphasize my possibilities.”

Achieving success will require continued commitment and partnership between Human Resources personnel, recruiters and hiring managers. Each bureau should continue to commit to the goal that people with targeted disabilities are a minimum of 2% of all hires each year.

## Disability Employment: Myths & Truths



**Myth:** Adjustments to the workplace to accommodate employees with disabilities are difficult and costly.

**Truth:** The average cost of workplace accommodations is \$600. The vast majority of workers with disabilities do not require accommodations.

### ***Non-IRS employees:***

The Department of the Treasury has signed an interagency Agreement with the Computer/Electronic Accommodation Program (CAP). Through this agreement, CAP provides **FREE** assistive technology, devices, and services to Treasury employees with disabilities upon their request. These technologies can be used to maintain, increase, or improve employees' and applicants' ability to perform essential functions of their positions; enjoy the benefits and privileges of employment; or seek employment. In addition, CAP's Technology Evaluation Center (CAPTEC) will assist the Department in identifying the appropriate electronic accommodation.

## Financial Crimes Enforcement Network (FINCEN)

[http://www.fincen.gov/about\\_fincen/eeo/](http://www.fincen.gov/about_fincen/eeo/)  
**(703) 905-5052**

## Financial Management Service (FMS)

<http://www.fms.treas.gov/hrd/index.html>  
**(202) 874-8330**

## Internal Revenue Service (IRS)

<http://hco.web.irs.gov/about/divisionspro/wrd/IDO>  
**(202) 622-5400**

## IRS Office of Chief Counsel (IRS-CC)

<http://ccintranet.prod.irsccounsel.treas.gov/OrgStrat/Offices/FM/HRD/EEO/Pages/default.aspx>  
**(202) 622-8779**

## EEO Office—Contact Information

### Alcohol and Tobacco Tax and Trade Bureau (TTB)

<http://www.ttb.gov/eo/index.shtml>

(202) 927-0911

### Bureau of Engraving and Printing (BEP)

<http://www.moneyfactory.gov/eoadr.html>

(202) 874-9364

### Bureau of Public Debt (BPD)

<http://www.publicdebt.treas.gov/careers/policies.htm>

(304) 480-6527

### Departmental Offices/Treasury (DO)

<http://home.do.treas.gov/hr/eo/>

(202) 622-4134

### *IRS employees:*

The Internal Revenue Service has the “**Information Resources Accessibility Program (IRAP)**.” Much like CAP, IRAP delivers technical guidance and support to determine the appropriate assistive technology, devices, and services for IRS employees with disabilities upon their request. The IRAP Accessibility Lab, located in the New Carrollton Federal Building, contains representative equipment which IRAP personnel use for testing compatibility with products, testing new IRS software accessibility, and performing in-house troubleshooting.

In addition, IRS has the “**Alternative Media Center (AMC)**,” which provides multiple alternative media preparation and delivery services to IRS employees with disabilities, i.e., video captioning, hard copy Braille, large print, etc.

**Myth:** People with disabilities will file complaints.

**Truth:** Studies show that disability complaints are infrequent. People with disabilities want jobs not lawsuits, and they are no more of a “legal liability” than other employees. Employees with disabilities should be held accountable to the same job standards as any other employee. Supervisors who can successfully manage people can successfully manage people with disabilities.

**Myth:** Employees with disabilities are poor performers.

**Truth:** Individuals with disabilities are generally motivated, capable and dependable employees. In one national study, almost ninety percent of workers with disabilities received “good” or “excellent” performance ratings from their managers. Managers also felt that most employees with disabilities did their jobs as well as—or better than—other employees in similar jobs.

# Special Authorities for Hiring People with Disabilities

## Special Hiring Authorities

Hiring managers look for a diverse group of talented applicants to fill their jobs. People with disabilities represent a largely untapped source of skilled and motivated applicants, who can be converted to the competitive service without competition. People with disabilities may apply and be considered for Treasury jobs in a number of ways (e.g., special hiring authorities, competitive examining and student hiring authorities). The focus of this overview is on three special hiring flexibilities available to Federal managers for hiring people with disabilities.

1. **Schedule A, 5 CFR 213.3102(u)** — The authority for appointment of persons with severe intellectual, physical, or psychiatric disabilities.
2. **30% or More Disabled Veteran, 5 CFR 316.302** — The authority for appointment of veterans with a service-connected disability of 30% or more.
3. **Veterans' Recruitment Appointment (VRA), 5 CFR 307** — The authority that allows agencies to appoint eligible veterans without competition at grades GS-11 and below.

## Advantages to using special hiring authorities

- Streamlined hiring process — special authorities may be used without the usual requirements for:
  - public notice (advertising) on USAJOBS, the Federal government's job board
  - rules for competitive examining (the standard process for Federal hiring)

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## Glossary cont'd

**Voluntary Modification.** An adjustment or alteration granted outside of the reasonable accommodation process without requiring the individual to establish that he/she has a disability. Such a modification is particularly appropriate where the modification is easy and inexpensive, i.e., a request for an ergonomic computer mouse or a screen glare protector. Provisions of a voluntary modification does not mean that the Department considers the individual to be an individual with a disability as defined herein or regarded as such.

**Workforce Recruitment Program (WRP).** A jointly managed program by the Department of Labor's Office of Disabilities Employment Policy (ODEP) and the Department of Defense which provides a pool of qualified college students with disabilities to the Federal and private sector.

**World Services for the Blind.** An organization which provides employers with prescreened and trained individuals with sight impairments, **FREE** of charge.

- Valuable flexibility — the ability to:
  - conduct targeted recruitment
  - convert individuals to permanent, competitive service appointments without further competition

**Note:**

For all three of these special hiring authorities, bureaus may engage in outreach and targeted recruitment. The bureau's Selective Placement Coordinator (SPC), Disability Program Manager (DPM), or Recruiter -- typically housed in the bureau's EEO and/or HR office -- can assist hiring managers in reaching out to appropriate recruitment sources. *(For more detail, see page 16 of this guide "5 Easy Steps to Recruiting and Hiring Applicants with Disabilities.")*

### Schedule A Appointment: Excepted Service Hiring Authority for Persons with Disabilities, 5 CFR 213.3102(u)

This special hiring authority allows managers to noncompetitively hire qualified people with severe intellectual, physical, or psychiatric disabilities who have documentation from a licensed medical professional or other entity.

You should consult with your HR office, who will help you navigate through the hiring process. This includes activities such as obtaining and reviewing required documentation (hiring managers are not permitted to review confidential medical documentation), explaining the regulations and ensuring compliance with regulations. Benefits and rules for recruiting and hiring under Schedule A:

## Special Hiring Authorities, cont'd

1. **Advertising is not required.** Excepted Service Positions, including those for which the Disability Authority will be used, do not have to be advertised.
2. **Targeted Recruitment.** You can conduct targeted recruitment and make selections from among the targeted group. [Keep in mind that competition has to be fair and open.]
3. **Making Selections.**
  - a. If no veterans' preference candidates apply, then the HR office has discretion to decide how to evaluate and refer candidates for selection.
  - b. If veterans' preference candidates apply, then there are rules (very similar to those for competitive service jobs) that must be followed for referring and selecting candidates.
4. **Eligibility.** Applicants with disabilities must:
  - a. Meet the required qualifications for the position, with or without reasonable accommodation.
  - b. Provide proof that that they are individuals with a severe intellectual, physical, or a psychiatric disability.

NOTE: Proof of disability, also known as "**Schedule A letter**", must show that the applicant is an individual with a severe intellectual, physical, or psychiatric disability. Schedule A letters must be obtained from a licensed medical professional (e.g., a physician or other medical professional duly certified by a State, the District of Columbia, or a U.S. territory, to practice

**Selective Placement Coordinator.** An individual who assists in recruiting, hiring, and accommodating individuals with disabilities.

**Substantially Limited.** As it relates to a major life activity, is the inability to perform a major life activity, or significant restrictions as to the condition, manner or duration with which a person performs a major life activity compared to the average person.

**Targeted Disabilities.** One or more of the following disabilities: deafness, blindness, paralysis, missing extremities, epilepsy, dwarfism, psychiatric disability and severe intellectual disability.

**Undue Hardship.** An action requiring significant difficulty or expense when considered in light of factors such as the Department's size, financial resources, and the nature and structure of the position. Determination of undue hardship is always made on a case-by-case basis, considering factors such as the nature and cost of the reasonable accommodation needed and the impact of the reasonable accommodation on the operations of the Department.

**Vocational Rehabilitation & Employment Services (VR&E).** A rehabilitation service for members of the military with service-connected disabilities that provides employers seeking to hire qualified individuals with disabilities access to a nationwide network of job-ready candidates.

## Glossary cont'd

**Reassignment.** Reasonable accommodation of last resort, that, absent undue hardship, is provided to employees (not applicants) who, because of a disability, can no longer perform the essential functions of their job, with or without a reasonable accommodation. Reassignments are made only to funded vacant positions at the same grade or lower and for employees who are qualified to fill the vacant position. If the employee is qualified for the position, he/she will be reassigned to the job and will not have to compete.

**Request for Reasonable Accommodation.** A statement that an individual needs an adjustment or change at work, in the application process, or in a benefit or privilege of employment for a reason related to a medical condition. A reasonable accommodation request may be submitted orally or in writing, by the employee or applicant or by someone associated with the employee or applicant.

**Receiving Official.** Treasury personnel designated to officially receive a request for reasonable accommodation from an employee or applicant (or any individual acting on his/her behalf).

**Schedule A, Title 5 C.F.R. 213.3102(u).** Special appointment authority for persons with severe physical, intellectual or psychiatric disabilities. To be eligible for this excepted service appointment, an individual must provide proof of disability.

medicine.); a licensed vocational rehabilitation specialist (i.e., state or private); or any Government agency or a U.S. territory that issues or provides disability benefits.

### 5. Type of Appointment.

- a. Appointments may be made on a permanent or temporary basis.
  - (1) For temporary appointments, after the employee has completed 2 years of satisfactory service, the manager may non-competitively convert the employee to the competitive service.

### 30% or More Disabled Veteran 5 CFR 316.302 (b)(4)



## Special Hiring Authorities cont'd

This special hiring authority allows any veteran with a 30% or more service-connected disability to be non-competitively appointed.

A hiring manager can use this authority to make temporary (not to exceed 1 year) or term (more than 1 year, but not more than 4) appointments in the competitive service. There is no grade level restriction.

When using this authority to appoint on a permanent basis, the applicant must be placed on a time limited appointment of at least 60 days and may be converted thereafter to a permanent appointment at management's discretion.

### **Veterans' Recruitment Appointments (VRA): Excepted Service appointments to positions otherwise in the competitive service (see 5 CFR 307).**

This special hiring authority allows agencies to appoint eligible veterans without competition. Benefits and rules for recruiting and hiring under VRA:

1. **Advertising.** Not required.
2. **Targeted Recruitment.** You can conduct targeted recruitment and make selections from among the targeted group.
3. **Veterans' Preference.** Veterans' Preference rules apply. (Not all veterans are entitled to veteran preference.)
4. **Eligibility.** Veterans with disabilities must:
  - a. Meet the required qualifications for the position, with or

**Job Accommodation Network (JAN).** A **FREE** consulting service designed to increase the employability of individuals with disabilities.

**Individual with a Disability.** A person who has a physical or mental impairment that substantially limits one or more of that person's major life activities, has a record of such impairment, or is regarded as having such an impairment.

**Major Life Activities.** Basic activities that the average person in the general population can perform with little or no difficulty, i.e., caring for oneself, performing manual tasks, walking, seeing, standing, hearing, speaking, breathing, reading, eating, sleeping, communicating, bending, lifting, concentrating, learning, working, and the operation of major bodily functions.

**Medical Records.** Documentation by a health care professional identifying the individual's disability and his/her limitations due to the disability.

**Proof of Disability.** Documentation stating that the individual indeed has a disability. Documentation must be obtained from a licensed medical professional (e.g., physicians), licensed state or private vocational rehabilitation specialists, or any Government agency that issues or provides disability benefits.

**Reasonable Accommodation.** An adjustment or alteration that enables a qualified person with a disability to apply for a job, perform job duties, or enjoy benefits and privileges of employment. Please see discussion on page 22.

# Glossary

**Computer/Electronic Accommodation Program (CAP).**

Through a partnership between the Department of the Defense and the Department of the Treasury, CAP provides **FREE** assistive technology and services to Treasury employees with disabilities.

**Deciding Official.** An individual who has authority to determine whether a requested accommodation will be provided.

**Direct Threat.** A significant risk of substantial harm to the health or safety of self or others that cannot be eliminated or reduced by a reasonable accommodation.

**Disability.** An impairment that substantially limits one or more of the major life activities as defined in §501 of the Rehabilitation Act 1973, the Americans with Disabilities Act (ADA) and 29 CFR Part 1630.

**Disability Program Manager.** An individual who assists in recruiting, hiring, and accommodating individuals with disabilities.

**Employee Assistance & Recruiting Network (EARN).** A **FREE** resource that assists employers in locating and recruiting qualified workers with disabilities. EARN also provides technical assistance on general disability employment related issues.

**Essential Functions.** The fundamental duties of the position the individual with a disability holds or desires. A function can be “essential” if, among other things, the position exists specifically to perform that function; there are a limited number of other employees who could perform the function; or the function is specialized and the individual is hired based on his/her ability to perform it.

without reasonable accommodation.

- b. Provide documentation that they are a disabled veteran who was separated from military service under honorable conditions.

**5. Special rules for VRA.**

- a. May be used only for positions through GS-11 (or equivalent).
- b. If a candidate is selected for a VRA, and has less than 15 years of education, s/he must agree to participate in a training or educational program established by the bureau.

**6. Making Selections.**

Eligible candidates may be appointed without competition. However, if there are two or more qualified candidates, they must be considered in accordance with OPM regulations on the excepted service, which include application of veterans' preference.

**7. Type of Appointments.**

- a. Excepted service appointments.
- b. Appointments are for a 2-year period. Generally, after the employee has completed two years of satisfactory service, the manager may non-competitively convert the employee to a permanent career-conditional or career appointment in the competitive service.

## How to Fill a Vacancy Quickly



### 5 Easy Steps to Recruiting Applicants with Disabilities:

1. **Contact EEO/HR.** Hiring managers should first contact their bureau's Human Resources Professional, Selective Placement Coordinator (SPC) or Disability Program Manager (DPM) about filling a vacancy.

The hiring manager should coordinate with his/her HR specialist to determine if an appropriate position description already exists.

If not, they can work together to develop a position description that identifies the competencies needed to perform the essential duties of the job. The manager, with help from the HR specialist, should ensure the job analysis identifies necessary competencies the ideal candidate should possess, based on the essential duties of the position.

2. **Identify Potential Candidates.** A skilled SPC/DPM, after consulting his/her resources, will be able to identify potential candidates for these special hiring authorities who appear to meet the qualification requirements of the position.

The SPC/DPM or other specialist also can send the position description to networks of job placement contacts, such as those listed below. These organizations may pre-screen applicants and refer candidates for consideration. Examples are:

- Employer Assistance and Recruiting Network (EARN)
- Department of Labor's Workforce Recruitment Program



### Employer Assistance & Recruiting Network (EARN)

[www.askearn.com](http://www.askearn.com)

Toll Free Hotline: (855) ASK EARN or (855) 275-3276

### Job Accommodation Network (JAN)

[www.askjan.org](http://www.askjan.org)

Telephone: (800) 526-7234 or TTY/DD Relay (877) 781-9403

### Operation Warfighter (OWF)

[www.militaryhomefront.dod.mil](http://www.militaryhomefront.dod.mil)

### Vocational Rehabilitation & Employment Services (VR&E)

<http://askjan.org/cgi-win/TypeQuery.exe?902>

### Workforce Recruitment Program (WRP)

[www.wrp.gov](http://www.wrp.gov)

### World Services for the Blind

[www.lwsb.org](http://www.lwsb.org)

Telephone: (501) 664-7100 or 1-800-248-0734

### Wounded Warriors Project

[www.woundedwarriorproject.org](http://www.woundedwarriorproject.org)



## Resources

### America's Heroes at Work

[www.americasheroesatwork.gov](http://www.americasheroesatwork.gov)

Telephone: (800) 526-7234 or TTY/DD Relay (877) 781-9403

### Americans with Disabilities Act (ADA) Technical Assistance Center Hotline

[www.adata.org](http://www.adata.org)

Telephone: (800) 949-4232

### American Association of People with Disabilities

[www.aapd.com](http://www.aapd.com)

Telephone: (800) 840-8844 or (703) 457-0046

### Computer/Electronic Accommodations (CAP)

[www.cap.tricare.mil](http://www.cap.tricare.mil)

Telephone: (703) 681-8813 or TTY (703) 681-3978

### Bender Consulting Service

[www.benderconsult.com](http://www.benderconsult.com)

Telephone: (412) 787-8567 or TTY/DD Relay (800) 654-5988

### Department of Labor—Office of Disability Employment Policy (ODEP)

[www.dol.gov/odep/](http://www.dol.gov/odep/)

Telephone: (866) 633-7365 or (202) 376-6200

- Department of Defense's Wounded Warriors Project
- Operation War Fighter
- Lions World Services for the Blind
- Vocational Rehabilitation and Employment's Non-Paid Work Experience

The pre-screened applications are sent to the HR specialist for review vis-à-vis the qualification requirements, and any necessary rating. The HR specialist can then refer qualified applicants to the hiring manager in accordance with applicable regulations.

3. **Consider Candidates.** The hiring manager reviews resumes, conducts interviews, contacts references, and makes a selection. The hiring manager may consider candidates through other hiring processes, too.
4. **Extend Conditional Job Offer.** Forward the selection decision to your HR specialist, who will extend a conditional offer of employment. The offer is contingent upon receipt of any required documentation for employment, e.g., background check, proof of educational achievements or a license/certification.
5. **Make Final Job Offer and Coordinate Any Request for Reasonable Accommodation.** The HR specialist makes the official job offer, and negotiates the starting date upon receipt of the required documentation. The hiring manager should coordinate with the SPC/DPM and the HR Specialist to address any requests for reasonable accommodation before the new employee's first day.

## Interviewing Applicants with Disabilities

- Interviewing individuals with disabilities is the same as interviewing individuals who do not have disabilities; you will be asking questions to determine their skills and qualifications for the job.
- Concentrate on the individual, not on the disability.
- Always focus on the individual's technical and professional knowledge, skills, education, experience and interest in doing the job.
- Ask only job-related questions that speak to the functions of the job for which the applicant is applying.
- If the applicant has a known disability, either because it is obvious or was revealed by the applicant, you may ask the individual to describe how s/he will perform the essential functions of the job.
- If the disability is not obvious or revealed, **DO NOT** ask the individual **any** questions regarding his/her disability until a tentative offer for employment has been extended; this includes questions concerning reasonable accommodations. *The applicant is responsible for informing you of any accommodation needs.*
- Prior to a job offer, medical examinations are prohibited under the Americans with Disabilities Act (ADA). However, a job offer may be conditional based on the results of a medical examination if all employees entering the position are required to take an examination.

### Can I ask an applicant to identify their disability?

**NO!** In most situations it is illegal for an employer to ask applicants about his/her disability until a tentative offer for employment has been extended. Unless the applicant chooses to disclose information about his/her disability, an employer may not ask any questions about the disability.

### If the disability is already known or obvious, may I ask how the applicant will perform the essential function of the job with or without an accommodations?

**Yes!** If an applicant has an obvious disability that may prevent him/her from doing an important part of the job, you may ask him/her to show or describe how she would perform that job function. You also may ask if she will need help to do the job (or a "reasonable accommodation"). **But be careful not to ask for details about the disability.**

### If a medical exam is required for the position, may I take away the conditional job offer solely because the medical exam shows that the person has a disability?

**No!** You may not take away a job offer solely because a person has a disability. If you believe that the disability will prevent the person from performing the essential functions of the job or raises a safety issue, you should not automatically take away the conditional job offer. Instead, you should explore alternate ways to perform the job, such as, allowing the person to take extra breaks to check his/her blood sugar. You may only withdraw the job offer if there is no accommodation that would allow the person to perform the essential functions of the job without posing a direct threat or causing an undue hardship.

## Frequently Asked Questions

### How many people are there in the U.S. with disabilities?

According to the Census Bureau, about 19.5 million non-institutionalized Americans between the ages of 16 to 64 have a disability. Statistical information about individuals with disabilities can be obtained from the [U.S. Census Bureau](https://www.census.gov/people/disabilityemptab) at <https://www.census.gov/people/disabilityemptab>

### Who should I contact to recruit applicants with disabilities?

Contact your Selective Placement Coordinator, Disability Program Manager, EEO Office and/or your Human Resources personnel.

### Where can I find qualified individuals with disabilities seeking employment?

There are several resources to locate individuals with disabilities who are seeking employment. See the “Resources” section of this guide on page 36 for a snapshot of the many recruitment and consulting businesses offering assistance in employing individuals with disabilities.

### Who should I contact when I receive a reasonable accommodation request?

Contact your bureau EEO Officer. See the “Contacts” section of this guide on page 44.

### Where can I find a copy of my Reasonable Accommodations Policy and Procedures?

Reasonable accommodation policy and procedures are available on Treasury and the bureaus’ intranet and internet sites.

## Interviewing Tips

### When Interviewing an Applicant Who Uses a Wheelchair

- Don’t lean on the wheelchair.
- Get on the same eye level with the applicant if the conversation lasts more than a minute or so.
- Don’t push the wheelchair unless you are asked.
- Keep accessibility in mind. Are objects in your office a barrier to a wheelchair user? If so, move them aside.
- Don’t be embarrassed to use such phrases as, “Let’s walk over to the conference room.”

### When Interviewing an Applicant Who is Blind

- Immediately identify yourself and others present. If the applicant is visually impaired you can say something like “it’s nice to meet you, can I shake your hand?” Or you can touch their hand to indicate that you intend to shake their hand.
- Use verbal cues; be descriptive in giving directions.
- Verbalize chair location, or place the person’s hand on the back of the chair, but do not place the person in the chair.
- Don’t be embarrassed to use such phrases as, “Do you see what I mean?”
- Don’t shout.
- Keep doors either open or closed; a half-open door is a serious hazard.
- Offer assistance with mobility; let the applicant grasp your left arm, usually just above the elbow.

## Interviewing Tips, cont'd

- Do not touch an applicant's cane. Do not touch a guide dog when in a harness. In fact, resist the temptation to pet a guide dog.

### When Interviewing an Applicant Who is Deaf

- You may need to use a visual signal to get the applicant's attention.
- If the applicant is lip reading, enunciate clearly, keep your mouth clear of obstructions, and place yourself where there is ample lighting. Keep in mind that an accomplished lip reader will be able to clearly understand only 30-35% of what you are saying.
- The best method to communicate is use a combination of voice, gestures and facial expressions. (In the future, you may also want consider learning how to fingerspell, or, if you are more ambitious, taking a course in American Sign Language).
- Don't shout.
- If you don't understand what the applicant is telling you, don't pretend you did. Ask the candidates to repeat the sentence(s).
- When scheduling an interview, ask the applicant if you should arrange for a sign language interpreter. There are different types of sign language (i.e., American Sign Language, Signed English, etc.), so ask the applicant which type of signed language is preferred. Keep in mind that the interpreter's job is to translate, not to get involved in any other way. Therefore, always face and speak directly to the applicant, not the interpreter. Don't say to the interpreter, "Tell her...."

The Department established a **Treasury-wide Interpreters Contract** (TWIC), to improve the Department's ability to accommodate our deaf and hard-of-hearing employees, job applicants, customers and visitors. TWIC allows a streamlined process for requesting Sign Language Interpreting (SLI), Communication Access Real-Time Translation (CART), and Video Remote Interpreting (VRI) services.

In addition, the Department developed an online Reasonable Accommodation training for Supervisors and Managers. This online course enhances managers' and supervisors' knowledge of their obligation to provide reasonable accommodations to employees and applicants with disabilities. This online course also helps to ensure that persons with disabilities are afforded the employment opportunities and privileges provided to other employees and applicants.



## Bureau Best Practices, Cont'd

for its leadership in creating a supportive environment and providing federal work-based learning experiences for college students with disabilities.

The **Internal Revenue Service (IRS)**, the Department's largest bureau, maintains the following noteworthy best practices:

- ◇ IRS continues its efforts to maintain a long standing partnership with **World Services for the Blind**. Through this partnership, IRS extends commitments to hire visually-impaired and blind individuals upon successful completion of pre-employment training that utilizes adaptive equipment and assistive technologies. As a result, IRS has hired graduates of the program into various position including: Contract Representative; Tax Examining Technician; and Information Technology. The Equal Employment Opportunity Commission recognized IRS with its Freedom to Compete award for this Initiative.
- ◇ IRS established the **M.O.V.E.D. Program (Motivated Orientation Volunteers for Employees with Disabilities)** to assist new employees with disabilities in getting acclimated to the work environment.
- ◇ IRS developed training modules for managers, employees and key stakeholders on roles and responsibilities in the reasonable accommodation process. The training courses include Understanding the Provisions of the Deaf and Hard of Hearing Settlement Agreement; Disability Etiquette; Mental Illness and Psychiatric Disabilities; Laws and Regulations; Benefits of Using the Schedule A Hiring Authority; and Confidentiality and Disclosure of Medical Information.

- Interviews may pose problems for some deaf and hard of hearing individuals and for those with certain kinds of speech challenges. Do not make assumptions about an applicant's preferred medium of communication. Analyze the needs of the individual in relation to the specific demands of the interview process. In some cases, it may be appropriate for interview committee members to give a written copy of interview questions to deaf or hard of hearing applicants to read prior to the interview.

### When Interviewing an Applicant Who has an Intellectual or Cognitive Disability

- Use simple, concrete language, but don't use baby talk.
- When giving instructions or directions, proceed slowly.
- Be patient, and repeat if necessary.
- Ask the applicant to summarize the information you have given to make sure it was understood.
- Give positive feedback whenever possible and appropriate.

## Department of the Treasury's Voluntary Modification and Reasonable Accommodations Policy

The Department is committed to providing a reasonable accommodation to employees and applicants for employment in order to assure that individuals with disabilities enjoy full access to equal employment opportunity (EEO). The Department shall provide reasonable accommodations for the known physical or mental limitations of otherwise qualified employees and applicants with disabilities, unless the Department can demonstrate that a particular accommodation would impose an undue hardship on the operation of its programs. To ensure the Department maintains an effective and efficient workforce, managers are encouraged to provide voluntary modifications, outside of the reasonable accommodation process, when the request is easy and inexpensive to grant.



The Legacy **Bureau of the Public Debt (BPD)\*** was presented the Distinguished Employer Award by the West Virginia Department of Education and the Arts Division of Rehabilitation Services for the Wheeling District. Public Debt was honored in recognition of exemplary practices and leadership in employing people with disabilities and enabling and empowering them to work independently. Public Debt employees made presentations to the counselors at the Division of Rehabilitation Services (DRS) and conducted mock interviews with their clients to prepare them for actual job interviews. Public Debt hired 3 clients of DRS in FY 2011.

Legacy **Financial Management Service (FMS)\*** was one of three federal agencies to receive the "Champion in Leadership Award." FMS was recognized as an agency that has exhibited true leadership in its commitment to include persons with disabilities in its diverse workforce, as well as investing in future members of the workforce. Over the last two years, FMS has partnered with the Maryland Division of Rehabilitation Services in a summer internship program for college students with disabilities. The agency has provided opportunities to 13 individuals within various FMS offices to gain experience in finance, accounting, information technology, business administration, and organizational enhancement. The internship program was sponsored by the Equal Opportunity and Organizational Enhancement Division but has been embraced by FMS leadership and managers throughout the agency who have mentored participants and ensured that they have beneficial experiences. One of last year's participants was hired by FMS using the Schedule A hiring authority, while another went on to work for a federal contractor after graduation. FMS deserves commendation

\*The Bureau of the Public Debt (BPD) and the Financial Management Service (FMS) were consolidated into a single organization, the Bureau of Fiscal Service (BFS).

## Bureau Best Practices

The **United States Mint** in San Francisco has successfully accomplished the goal of the Executive Order 13548 and the Department of the Treasury's Five Year Plan for Increasing Federal Employment of Individuals with Disabilities. Through the commitment and collaboration of the EEO Office, management officials, HR and the California Department of Rehabilitation (DOR), 4 of the new hires (20%) at the San Francisco Mint were talented individuals with targeted disabilities.

The San Francisco Mint has fully leveraged its relationship with the DOR to include services that may continue after a candidate is hired. New employees may receive follow-up services for up to 90 days to assist with any reasonable accommodations that may be necessary to integrate the employee into his/her new job. Sometimes, this may be at no cost to the employer.

Agency management should know that they are not alone when trying to accomplish President Obama's mandate. Organizations are available that are enthusiastically willing and able to partner with Federal Agencies to hire people with disabilities.

The San Francisco Mint has worked hard and made it a positive experience when hiring these individuals with targeted disabilities. They have hired quality, motivated and skilled employees. If Equal Employment Opportunity is just one more idealistic-sounding platitude buried within your agency's Mission Statement, consider the experience of the San Francisco Mint. Follow its example.

## Voluntary Modification

### What is a voluntary modification?

A voluntary modification is an adjustment or alteration granted outside of the reasonable accommodation process without requiring the individual to establish that he/she has a disability. Such a modification is particularly appropriate where the modification is easy and inexpensive, i.e., a request for an ergonomic computer mouse or a screen glare protector. Providing a voluntary modification does not mean that the Department has determined that the individual meets the legal definition of an individual with a disability.

### When should managers choose the voluntary modification process ?

Upon request for an accommodation, a manager or any designated official with responsibility for identifying possible accommodations, may choose to grant a voluntary modification outside of the reasonable accommodation process. When applicable and when the requested accommodation is easy and/or inexpensive, this option allows managers/designated officials to grant a modification **without first establishing that the individual has a disability**. As the Department strives to be an employer of choice, managers or designated officials are encouraged to provide applicants and employees with a modification that will allow them to apply for a job, perform job duties, or enjoy the benefits and privileges of employment.

Typically, a voluntary modification will not require supporting medical documentation. However, if medical documentation is necessary for a voluntary modification, the documentation requirement must be minimal and straightforward in nature. If the medical information provided necessitates interpretation, a medical opinion and/or a medical release, the request shall be considered and processed as a request for a reasonable accommodation.

## Voluntary Modification, cont'd

**NOTE: If a voluntary modification is not granted or if it is not quick and easy with or without minimal medical documentation, the request must be treated as a reasonable accommodation request.**

Making a voluntary modification does not, standing alone, mean and may not be used to imply, that the Department has determined that the individual is an individual with a disability or that an accommodation is needed.

Examples of voluntary modifications that can easily be provided outside of the reasonable accommodation process include:

An applicant requests the vacancy announcement in large print.

An employee asks for four breaks a day to test his/her blood sugar levels.

An employee requests an ergonomic keyboard.

An employee requests a footrest to elevate his/her legs to decrease swelling in his/her legs and feet.

circumstances, it is the Department's policy to respect employee privacy. It may be effective to reassure the employee asking the question that his/her privacy would similarly be respected if s/he found it necessary to ask for some kind of workplace change for personal reasons.

### What are my obligations when I am aware that an employee has a disability or other medical condition?

**An employee's medical condition must be kept confidential.** All medical information, including information about functional limitations and reasonable accommodation, **must be kept confidential.** The information may be disclosed only to individuals who have a need to know, i.e., supervisors, managers, safety personnel, etc. Medical information should only be disclosed if absolutely necessary and the individual disclosing the information must inform the recipient of the information about the confidentiality requirements.

## Reasonable Accommodations, cont'd

non-procured property (such as a chair, footrest, fan), and/or procedures (such as extra breaks, buddy system for emergency evaluation).

**Note:** Before a denial based on “Undue Hardship” is rendered, the Deciding Official must have explored whether other effective accommodations exist which would not impose undue hardship and therefore could be provided.

### Who pays for the reasonable accommodation?

- The requesting employee’s office pays for most accommodations. Remember, many accommodations are **FREE** from CAP and IRAP.

**Note:** When evaluating budgetary or administrative concerns to determine if “Undue Hardship” exists, the bureau must consider the budget of the Department not the bureau and/or office budget.

### How do you handle other employees in the office who inquire about why/how their coworker receives special privileges?

You may not disclose that the employee is receiving a reasonable accommodation because this usually amounts to a disclosure that the individual has a disability. The ADA specifically prohibits the disclosure of medical information except in certain limited situations, which do not include disclosure to coworkers.

If a supervisor is asked about why a coworker is receiving what is perceived as “different” or “special” treatment, the supervisor may respond by emphasizing the policy of assisting any employee who encounters difficulties in the workplace. The supervisor also may find it helpful to point out that many of the workplace issues encountered by employees are personal, and that, in these

## Reasonable Accommodations

### What is a reasonable accommodation?

A reasonable accommodation is an adjustment or alteration that enables a qualified person with a disability to apply for a job, perform job duties, or enjoy benefits and privileges of employment.

### How do individuals request a reasonable accommodation?

**The reasonable accommodation process begins as soon as the request for accommodation is made either orally or in writing.** The request does not have to use any special words, such as “reasonable accommodation,” “disability”, or “Rehabilitation Act.” An individual with a disability may request a reasonable accommodation whenever he/she chooses, even if he/she has not previously disclosed the existence of a disability. The request does not necessarily mean the employer is required to provide the accommodation.

**The individual’s request must be considered when an employee makes a request verbally or in writing** with his/her immediate supervisor, a supervisor or manager in his/her immediate chain of command, or any office designated to oversee the reasonable accommodation process. When an applicant makes a request, it will be considered if made to any agency employee with whom the applicant has contact in connection with the application process or any other individual designated by the agency.

## Reasonable Accommodations, cont'd

### What should I do when I receive a request for a reasonable accommodation?

- **Do not panic.** Most reasonable accommodation requests are easy to provide and the average cost is only around \$600.

In addition, through the Department's partnership with the Computer/Electronic Accommodation Program (CAP), most electronic assistive technology, devices, and technical guidance is **FREE**. The IRS has a similar program called Information Resources Accessibility Program (IRAP).

- Acknowledge and clarify the request for an accommodation. Make sure you understand the nature of the accommodation requested.
- Contact your bureau's EEO Officer (See Contacts—page 44) to inform him/her that you have received a request for reasonable accommodation.

The EEO Officer will be able to assist you through the process. Requesting a reasonable accommodation is an interactive process. Communication is a priority throughout the entire process. Officials involved in the provision of reasonable accommodation should take a proactive approach in searching out and considering possible accommodations, including consulting appropriate resources for assistance. The employee/applicant requesting the accommodation should also participate, to the extent possible, in helping to identify an effective accommodation. Personnel involved in the interactive process should record their activities.

**Note:** You are not obligated to provide the individual with the accommodation of his/her choice. However, you should offer a suitable alternative that would achieve the same results.

### Can I reassign an employee with a disability as a reasonable accommodation?

**Reassignment** is an accommodation of last resort; it will only be considered if a determination is made that no other reasonable accommodations are available to enable the individual to perform the essential functions of his/her current job, or if the only effective accommodation would cause undue hardship.

Bureaus are not obligated to create a position for the purpose of reassignment.

**Note.** The inability to work for a particular supervisor is not a disability.

### Who will approve or deny the request?

Each bureau has designated a deciding official, who is delegated the principal responsibility for identifying possible accommodations and determining whether an accommodation will be provided. This official may differ depending on whether the request is initiated by an employee or an applicant, or type of accommodation being requested. For example, the official could be:

- the head of office or his/her designee where the accommodation requested involves personnel actions;
- the head of office or the appropriate agency official where the accommodation requested involves a change in policy, practices, and procedures; or
- the employee's immediate supervisor or the head of office, if the accommodation requested is for procured and