

Reasonable Accommodations Standard Operating Policy, Procedures, and Forms

Effective: June 6, 2021	Applicability: All employees and applicants for employment	Issued By: Equal Employment Opportunity Manager
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Reasonable Accommodation Policy

<p>Effective: May 24, 2021</p>	<p>Applicability: All employees and applicants for employment</p>	<p>Issued By: Equal Employment Opportunity Manager</p>
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Policy Statement

It is the policy of the Museum to ensure equal access and employment opportunities to qualified employees and applicants with disabilities.

The Museum will provide a reasonable accommodation when a qualified Museum employee or applicant with a disability needs it:

- to have an equal opportunity to apply to and compete for an open position;
- to gain access to the workplace;
- to perform essential functions of their job; or
- to enjoy equal access to benefits and privileges of employment that are available to individuals without disabilities.

The Museum is committed to processing requests for reasonable accommodation in a timely, efficient, and fair manner and to maintaining open and frequent communication to ensure employees and managers are aware of accommodation options, the status of requests, and their responsibilities under this Policy and its accompanying Procedures (including, for example, their obligation to cooperate fully and the prohibition from retaliating against any individual for participation in the reasonable accommodation process). The Museum treats all specific requests for reasonable accommodation, and all information and accompanying medical documentation provided during the reasonable accommodation process, as confidential. The Museum will provide a reasonable accommodation for a qualified employee or applicant unless doing so would cause an undue hardship.

This policy implements the requirements set forth under Section 501 of the Rehabilitation Act of 1973 (29 C.F.R. § 1614.203(d)(3)) and Executive Order 13164 by establishing requirements for processing requests for reasonable accommodations.

Applicability

This Policy applies to all Museum employees and applicants for employment.

Additional details on how the Museum implements this Policy can be found in

[Appendix A, the Museum’s Reasonable Accommodation Standard Operating Procedures \(Procedures\).](#)

References and Additional Resources

This Policy provides an overview of guidance found in the Rehabilitation Act of 1973 (Rehab Act), the Americans with Disabilities Act of 1990 (ADA), the Americans with Disabilities Amendments Act of 2008 (ADAA), and Executive Order 13164. Information is also available on the EEOC’s website including, for example, EEOC Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees Under the Americans With Disabilities Act (July 27, 2000), and EEOC Enforcement Guidance on Reasonable Accommodation and Undue Hardship Under the Americans With Disabilities Act (revised October 17, 2002). See Appendix B for a list of additional useful resources.

This Policy creates no new enforceable rights under any law, rule, or regulation. It is intended only for internal management and it provides guidance to Museum employees and applicants. It does not create any right or benefit, substantive or procedural, enforceable at law or equity by any party against the Museum (including its officers, employees, representatives, and other agents) or the United States.

This Policy as well as the Procedures and the accompanying forms will be made available to job applicants and employees in accessible formats. Individuals with disabilities who need a copy in accessible alternative formats (e.g., braille or large print) should notify the Reasonable Accommodation Coordinator (RAC).

Questions

For questions or additional information, please contact the Human Resources Director, the RAC, or the EEO Manager. The RAC may be reached at RAC@ushmm.org.

This Policy supersedes all previous reasonable accommodation policies issued by the Museum.

Reasonable Accommodations Standard Operating Procedures
Appendix A to the Reasonable Accommodation Policy

Effective: June 6, 2021	Applicability: All employees and applicants for employment	Issued By: Equal Employment Opportunity
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I. Policy Statement

The Museum's Reasonable Accommodation Standard Operating Procedures (Procedures) are intended to supplement the Museum's Reasonable Accommodation Policy (Policy) by providing a guide to the Museum's reasonable accommodations process. Additionally, the following implements the requirements set forth under Section 501 of the Rehabilitation Act of 1973 (29 C.F.R. § 1614.203(d)(3)) and Executive Order 13164 by establishing requirements for processing requests for reasonable accommodations.

II. Definitions

The below list of definitions is intended to explain terms used in the Policy and Procedures.

- **Disability:** To be eligible for a reasonable accommodation, an individual must either have a physical or mental impairment that substantially limits a major life activity or must have a record (a history) of a physical or mental impairment that substantially limited a major life activity.¹ Determination of disability for the purposes of Reasonable Accommodation will be based on the Americans with Disabilities Act Amendments Act of 2008 (ADAAA) which requires a broad interpretation of the term "Disability" and generally does not require extensive analysis.
- **Essential Functions:** Essential functions are those job duties that are fundamental to the position that the individual holds or desires. A function can be "essential" if, among other things: the position exists to perform the function; a limited number of other employees are available to perform the function; or the function is highly specialized and the individual is hired based on their ability to perform that function. Determination of whether a particular function is essential must be done on a case-by-case basis in consultation with Human Resources and the Office of General Counsel (OGC).

Evidence of whether a particular function is essential include, for example:

- The Museum's judgment (generally the judgement of a supervisor, manager, and/or office head);

¹ Note that while an individual who is "regarded as" having a disability is protected from discrimination by law, that individual is not entitled to a reasonable accommodation, as the disability does not, in fact, exist.

- A written position description developed before a job is advertised or before a reasonable accommodation request is made;
 - The amount of time spent performing the function;
 - The consequences of not requiring the individual to perform the function; and
 - The work experience of past incumbents in the job or current incumbents in the same or similar jobs.
- **Extenuating Circumstances:** Factors that could not reasonably have been anticipated or avoided in advance of the request for accommodation or limited situations in which unforeseen or unavoidable events prevent prompt processing or delivery of a request for an accommodation (e.g., requests for evaluation of medical documentation, identified software - such as a Screen Reader - is not compatible with existing equipment, requested equipment is backordered and cannot be procured quickly from any supplier).
 - **Health Care Provider:** A person who is licensed to practice in the applicable field of health care that includes the diagnosis and assessment of the particular disability or disabilities in question.
 - **Interactive Process:** An information-gathering approach used by an employer with the employee to evaluate a request for accommodation. It is intended to be a flexible approach that centers on the communication between an employer and the individual requesting reasonable accommodation but may (and often does) involve obtaining relevant information from a supervisor as well as an individual's health care provider. This process begins upon receipt of an oral or written request for reasonable accommodation.

The person who will decide whether to grant or deny a reasonable accommodation (at the Museum, the Reasonable Accommodation Coordinator - RAC) engages in a discussion with the requestor and other relevant individuals (e.g., a supervisor, a requestor's health care provider, Operations, Information Technology, etc.) to collect whatever information is necessary to make an informed decision about whether the requestor is covered as a qualified individual with a disability and, if so, whether a reasonable accommodation is available that will effectively eliminate the barrier identified by the requestor (permitting an equal opportunity to apply for a job, to perform a job, to gain access to the workplace, or to enjoy the benefits and privileges of employment) without causing the Museum an

undue hardship.

- **Interim Accommodation:** A temporary or short-term measure put in place while a request for an accommodation is being considered or until a granted accommodation is available to be provided.
- **Major Life Activities:** Functions that the average person in the general population can perform with little or no difficulty. Major life activities include caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working. Major life activities also include the operation of major bodily functions: immune system, special sense organs and skin, normal cell growth, digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions.
- **Mental Impairment:** Any mental or psychological disorder such as intellectual disability, organic brain syndrome, emotional or mental illness (depression, bipolar disorder, anxiety disorders), schizophrenia, and specific learning disabilities.
- **Physical Impairment:** Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the body systems such as neurological, musculoskeletal, special sense organs, cardiovascular, reproductive, digestive, immune systems, respiratory, genitourinary, hemic, circulatory and lymphatic, skin, normal cell growth, and endocrine system.
- **Qualified Individual with a Disability:** An applicant or employee with a disability who, with or without a reasonable accommodation, can (1) satisfy the requisite skill, experience, education, and other job-related requirements of the position and (2) can perform the essential functions of the position without posing a direct threat (e.g., a significant risk to the health and safety of themselves or others).
- **Reasonable Accommodation:** 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. The Museum provides reasonable accommodation:

- when an applicant 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, teambuilding events).
- **Reassignment:** Reassignment is the reasonable accommodation of last resort. It is not available for applicants for employment but may be provided to an employee who, because of a disability, can no longer perform the essential functions of their current job, with or without reasonable accommodation.

A reassignment is made only to a vacant and funded position that the Museum has authorized to be filled at the time of the accommodation request, that the Museum intends to fill, and for which the employee is qualified and can perform the essential functions of the new position. Where feasible, reassignment is to an equivalent position, but if no equivalent position is available, reassignment may be to a lower level position that is as close as possible to the employee's current position. If the employee is qualified for such a position and the Museum chooses to offer it as an accommodation, the employee will be reassigned to the new job and will not have to compete for it.

The Museum is not required to create a new position to accommodate an individual with a disability.

- **Request for Reasonable Accommodation:** A statement made regarding a physical or mental impairment that requires an adjustment or change needed at work, in the application process, or to have equal benefits or privileges of employment. A request can be made either orally or in writing at any time. It does not have to include any special word such as "reasonable accommodation," "disability," "Rehabilitation Act," or "ADA."
- **Targeted Disability:** A disability that is designated as a targeted disability or health condition by the U.S. Office of Personnel Management. See Exhibit B, Additional Resources, [or the OPM website](#) for more information.

- **Undue Hardship:** Undue hardship means that an employer would incur significant difficulty or expense in providing a certain reasonable accommodation. The law does not require the Museum to provide a reasonable accommodation that causes an undue hardship. Determination of undue hardship is always made on a case-by-case basis, considering such factors as the nature and net costs of the accommodation, the overall financial resources of the Museum, and the impact of the accommodation on the operations of the Museum, including the impact on the Museum’s ability to conduct business and fulfill its mission. Most undue hardship assessments involve non-financial considerations, such as the timely performance of job duties and the ability to effectively serve the public or other Museum stakeholders. The Museum will consider the resources of the Museum as a whole, not simply the budget of a specific office, when determining whether an accommodation imposes an undue hardship. However, when assessing resources as a whole, the Museum does not need to include any funding Congress designates for a specific purpose that does not include the provision of reasonable accommodation or any money restricted by donors for a specific purpose that does not include the provision of reasonable accommodation.

III. Roles and Responsibilities

Requestor (Employee or Applicant)

- Initiates a request for reasonable accommodation as needed. Generally, an applicant or employee must inform the Museum of a need for an adjustment or change concerning some aspect of the application process, the job, or a benefit of employment for a reason related to a medical condition but need not use specific words (e.g., “disability,” “reasonable accommodation,” “ADA,” “Rehabilitation Act,” etc.);
- Cooperates throughout the reasonable accommodation process (failure on the part of the employee or applicant to cooperate in the interactive process may result in a denial of the reasonable accommodation request);
- Promptly provides all completed forms and any requested medical information about the disability, limitations, and need for accommodation to the RAC;
- Submits any requests for reconsideration of a reasonable accommodation decision to the HR Director within ten (10) business days of receiving a denial of their request; and
- Is familiar with the Policy and Procedures.

Reasonable Accommodation Coordinator (RAC)

- Processes all requests for reasonable accommodations under this Policy and Procedure;
- Acts as the deciding official, determining whether a request for reasonable accommodation will be approved;
- Researches options for reasonable accommodations and makes recommendations;
- Consults with the Office of General Counsel as needed, including before determining the essential functions of a position, before requesting supplemental medical documentation, and before granting or denying a request for reasonable accommodation;
- Participates in ongoing communication with all parties involved in the reasonable accommodation process;
- Protects the confidentiality of medical information collected to support accommodation requests (including the medical information received by the RAC and the information shared by the RAC);
- Works with necessary units within the Museum (e.g., Operations, Procurement, Information Technology) to obtain equipment or services needed as accommodations;
- Makes determinations on reasonable accommodation requests;
- Tracks requests and decisions on reasonable accommodations in a confidential database;
- Ensures that all required forms are completed and securely maintained; and
- Coordinates with the EEO office to complete reporting requirements and obtain technical assistance.

Director of Human Resources (HR Director)

- Oversees the Reasonable Accommodation process administered under this Policy and Procedures;
- Reviews requests for reconsideration of the RAC's decision filed by applicants or employees;
- Issues final decisions on request for reconsideration;
- Consults with the Office of General Counsel as needed, including before making a final decision on a request for reconsideration;
- Designates another employee as a backup for the RAC when the RAC is on leave or otherwise unavailable;
- Designates another employee as a backup for the HR Director when the HR Director is on leave or otherwise unavailable; and
- Safeguards any confidential information received in connection with the reasonable accommodation process.

Equal Employment Opportunity Manager (EEO Manager)

- Responsible for the Reasonable Accommodation Policy and Procedures;
- Ensures that employees, supervisors, managers, and HR staff receive sufficient training about relevant laws and reasonable accommodation requirements, the Policy, and the Procedures;
- Provides technical assistance upon request about reasonable accommodation resources;
- Provides tracking requirements to the RAC;
- Reports information about the Museum’s reasonable accommodation program to the EEOC based on the data collected by the RAC;
- Monitors the Museum’s compliance with applicable laws and reasonable accommodation requirements and makes recommendations for improvement in consultation with EEO counsel; and
- Safeguards any confidential information received in connection with the reasonable accommodation process.

Office of General Counsel (OGC)

- Provides legal advice and counsel throughout the reasonable accommodation process to Management Officials, the HR Director, and the RAC.

Management Official (including, for example, supervisors, Branch Heads, Division Directors, Office Heads, and HR Staff except for the RAC or HR Director)

- Forwards all requests for accommodations, whether received in writing or orally or from a requestor or persons acting on the requestor’s behalf to the RAC, as soon as practicable but no later than within 3 business days of receipt of the request;
- Participates in the interactive process as requested (e.g., by identifying essential functions and reporting whether an accommodation enables the employee to perform those functions);
- Does not accept or open any medical documentation from employees or applicants and should direct the requestor to provide the medical documentation to the RAC; and
- Is familiar with the Policy and Procedures.

IV. Reasonable Accommodation Requests – Overview

Generally, an applicant or employee must inform the Museum of a need for an adjustment or change concerning some aspect of the application process, the job,

or a benefit of employment for a reason related to a medical condition.² An individual need not have a particular accommodation in mind before making a request. An applicant or employee may request a reasonable accommodation at any time, orally or in writing.

The reasonable accommodation process begins as soon as a request is made either orally or in writing. A request does not have to include any special word such as “reasonable accommodation,” “disability,” “Rehabilitation Act,” or “ADA.” An employee or applicant does not have to specify a particular accommodation, although it is helpful if they can suggest one or more accommodations they believe will be effective. It is sufficient for the individual requesting accommodation to state that some sort of change or assistance is required based on a medical condition to begin the reasonable accommodation process.

If a management official directly receives a reasonable accommodation request from an employee or applicant, that individual should forward the request to the RAC as soon as practicable and within 3 business days of receipt. If the nature of the initial communication is unclear, the management official should contact the RAC. If necessary, the RAC will ask the employee or applicant whether they are requesting a reasonable accommodation.

While the RAC will process all requests for reasonable accommodations, supervisors and managers often will need to be consulted about specific requests to ensure that any accommodation proposed will enable the individual to perform the essential functions of their job.

A family member, health professional, or other representative may request an accommodation on behalf of a Museum employee or applicant for employment. For example, (1) a doctor’s note outlining medical restrictions for an employee that affects the employee’s ability to perform a certain job function or (2) a call from an employee’s spouse notifying a supervisor that the employee is undergoing emergency surgery and will be out may constitute a request for an accommodation, thus triggering the interactive process.

V. How to Request a Reasonable Accommodation

For **applicants**, information about contacting the RAC will be in the vacancy announcement and posting. Applicants may also request accommodations from another Museum official connected with the

² If, however, a Management Official knows that a disability, such as an intellectual disability, prevents a person from asking for a reasonable accommodation, and it appears that one may be needed, the Management Official should contact the RAC and request that the RAC ask the individual if an accommodation is needed.

application process (e.g., Human Resources) who should forward that request to the RAC as soon as practicable, but no later than within 3 days of receipt.

Museum **employees** should generally request a reasonable accommodation directly from the RAC but are not required to do so. If an employee prefers to submit the request to someone other than the RAC, the employee may submit their request to the HR Director, the EEO Manager, their supervisor or another Museum management official in their immediate chain of command. If an employee makes a reasonable accommodation request to someone other than the RAC, the recipient must forward the request to the RAC as soon as practicable, but no later than within 3 business days of receipt.

When an employee or third party makes an oral request, the RAC must ensure completion of the ["Confirmation of Request"](#) Form. An individual does not have to fill out the Confirmation of Request Form in order for the interactive process to begin but will either be asked to complete the Confirmation of Request Form or the RAC must fill out the Form on the requestor's behalf.

An individual may request reasonable accommodation regardless of whether they have previously received or been denied an accommodation. In some situations, a new request may indicate that circumstances have changed (e.g., the disability has worsened or an employee has been assigned new duties that require an additional or different reasonable accommodation). If a management official receives the request, they must forward it to the RAC. The RAC may not refuse to process a request for reasonable accommodation, and a reasonable accommodation may not be denied, based on a belief that the accommodation should have been requested earlier (e.g., during the application process or upon beginning a new position).

When an employee requests a type of accommodation that will be needed on a repeated basis (e.g., a sign language interpreter or reader), the requestor is not required to submit a new reasonable accommodation request each time the accommodation is needed.

Once the accommodation is approved for the first time, an employee may obtain the accommodation by notifying the RAC that the accommodation is needed.

VI. What is a Reasonable Accommodation?

A reasonable accommodation enables an individual to apply for a job, perform a job, or have equal access to the workplace and employee benefits including office common areas and office events.

Some examples of reasonable accommodations include:

- modifying work schedules;
- altering how or when job duties are performed;
- removing and/or substituting a marginal function;
- modifying an employee's office space;
- providing telework beyond that generally provided under the Museum's Telework Policy;
- making changes in workplace policies (e.g., through granting additional breaks or providing additional unpaid leave);
- providing assistive technology, including information technology and communications equipment or special furniture;
- reconfiguring a work space through, for example, removing an architectural barrier;
- providing materials in alternative formats (e.g., Braille, large print); and
- providing a reassignment to another available position at the same or lower level in some circumstances.

Some examples of actions that are not reasonable accommodations include:

- removal of an essential job function
- rescinding discipline for misconduct or performance-based actions
- provision of personal use items such as a hearing aid that is needed on and off the job

VII. Reassignment as a Reasonable Accommodation

Reassignment is the accommodation of last resort. When an employee needs, or may need, a reassignment:

- The RAC should explain that reassignment will only be considered if no other accommodations are available to enable the individual to perform the essential functions of their current job, or if the only effective accommodation (other than reassignment) would cause undue hardship. The RAC must also explain that reassignment means that an employee may be placed in a vacant funded position that is authorized to be filled and that the Museum intends to fill and for which the employee is qualified and can perform the essential functions of the job. Note that reassignment is not available to applicants for employment but only to Museum employees.
- If the RAC determines that there is no other reasonable accommodation to permit an employee to perform the essential functions of the

employee's current position, the RAC must ask if the employee would like the RAC to search for a possible reassignment. If the employee wants the RAC to check for any vacancies, the RAC must do so.

- Reassignment is to an equivalent position when possible, but if no equivalent position is available, reassignment may be to a lower level position that is as close as possible to the employee's current position.
- In considering whether there are positions available for reassignment for which the employee is qualified with or without reasonable accommodation, the RAC will work with both Human Resources staff and the employee requesting reassignment to identify:
 - vacant funded positions within the Museum (not just the employee's current office) that are currently advertised;
 - currently authorized and funded vacant positions that are no longer being advertised but for which no hiring decision has yet been made; and
 - vacant funded positions that have been authorized to be filled that have not yet been advertised but are intended to be advertised within 30 days.
- Upon completion of searching for vacancies that fall within the above three categories, the search is over. If the RAC determines after consultation with the appropriate Management Official that the employee is qualified for a particular vacancy, it may be offered to the employee as an accommodation. If the RAC does not find an appropriate vacancy, the results will be conveyed to the employee.
- Reassignment may be made to a funded vacant position that has been authorized to be filled outside of the employee's commuting area if the employee is willing to relocate. As with other transfers not required by management, the Museum will not pay for relocation costs or expenses incurred as a result of a reassignment as a reasonable accommodation.

VIII. Processing a Reasonable Accommodation Request

The Museum will process requests for reasonable accommodation, where

appropriate, in a prompt and efficient manner in accordance with the time frames set forth in the Procedures.

Sometimes the Museum may be able to address an employee's disability-related needs outside the reasonable accommodation process and *may* take steps, solely at its discretion, beyond those required by law.

The RAC is responsible for processing requests for reasonable accommodation. The HR Director will designate another Human Resources staff member to act as a backup for the RAC to process requests when the RAC is on leave or otherwise unavailable.

While the RAC has responsibility for processing requests for reasonable accommodation, the RAC should work closely with an employee's supervisor, particularly for requests involving job performance or essential duties. For example, the RAC may need to consult with an employee's supervisor to gather relevant information necessary to respond to a request and to assess whether a particular accommodation is effective. No reasonable accommodation involving performance of the job will be provided without first informing an employee's supervisor.

The RAC should also consult with the Office of General Counsel throughout the process.

IX. What is the Interactive Process?

Generally, after a request for accommodation has been made, the RAC will begin the interactive process to determine what, if any, accommodation should be provided. This means that the individual requesting the accommodation and the RAC must communicate with each other about the precise nature of the problem that is generating the request, how a disability is prompting a need for an accommodation, and what accommodation(s) may be effective in meeting an individual's needs.

Upon notification of the request, the RAC will contact the applicant or employee as soon as practicable, and typically no later than 7 business days of receipt of the request unless extenuating circumstances exist, to begin discussing the accommodation request. The RAC may ask the individual for reasonable documentation about their disability and functional limitations. The RAC is entitled to know that the individual has a covered disability for which they need a reasonable accommodation. Such information may not be necessary if the disability is apparent (*e.g.*, the requestor is blind or has paralysis) or if the disability is already known to the Museum (*e.g.*, a prior request substantiated that a disability existed and there has been no change in the individual's medical condition or essential functions).

Ongoing communication is a priority throughout the entire process, but particularly when the specific limitation, problem, or barrier is unclear; where an effective accommodation is not obvious; or where the requestor is seeking a reasonable accommodation that is different from the effective accommodation(s) identified by the RAC. The RAC should update the requestor throughout this process.

When a third party (*e.g.*, an individual's doctor or spouse) requests accommodation on behalf of an applicant or employee, the RAC should, if possible, confirm with the applicant or employee that they want a reasonable accommodation before proceeding. Where this is not possible, for example, because the employee has to undergo emergency surgery, the RAC will begin to process the third party's request and will consult directly with the individual needing the accommodation as soon as practicable.

The RAC may also need to consult with other Museum personnel (*e.g.* Information Technology, Operations, the EEO manager, or others staff) or outside sources to obtain information necessary for making a determination about the request. The Museum expects that all Museum employees will give a high priority to responding quickly to the RAC's request for information or assistance.

A management official who believes that an employee no longer needs a reasonable accommodation should contact the RAC (not the employee). The RAC will decide if there is a reason to contact the employee to discuss whether they have a continuing need for reasonable accommodation. The RAC should also follow-up with requestors periodically to check in on how the accommodation granted is working.

X. Requests for Medical Information

Medical documentation may be required to support the request for an accommodation. When a requestor's disability and/or need for accommodation are not apparent or already known to the RAC, the requestor will be required to provide reasonable documentation regarding the disability, the requestors functional limitations, the expected duration of the impairment and how the reasonable accommodation would benefit the requestor. The Medical Inquiry form is available [here](#). A disability is apparent or already known when it is clearly visible or the requestor previously provided medical information showing that the condition meets the legal definition of a disability and that it will continue for a long duration or permanently.

The requestor of an accommodation should forward medical documentation directly to the RAC. A management official who receives medical information directly from a requestor should forward that information directly to the RAC and notify the requestor that they have done so and that any future medical

information should go directly to the RAC.

At a minimum, documentation must include:

- Diagnosis of medical condition;
- Prognosis (the nature, severity, and duration of the impairment);
- Affected major life activities;
- Impact of condition on performance of the job; and
- Requested accommodation and how the accommodation will help the individual perform the job, apply for the job, or have an equal benefit of the workplace.

The Museum will not request information unrelated to the disability.

The Museum may have medical information provided by an individual or their health care provider reviewed by a medical professional of the Museum's choosing, at the Museum's expense and in consultation with OGC.

If the initial information provided by the requestor's health care provider or volunteered by the requestor is insufficient for the RAC to determine whether the individual has a "disability," to design an appropriate and effective accommodation, and/or to otherwise support the request for an accommodation, the RAC will explain what additional information is needed and why. In determining whether documentation is sufficient, the Museum will be guided by applicable law and EEOC guidance.

The Museum may deny a reasonable accommodation request if the individual fails to provide sufficient documentation or refuses to cooperate in the Museum's effort to obtain documentation requested by the RAC. If an individual has already submitted medical documentation in connection with a previous request for accommodation, the individual should immediately inform the RAC. The RAC will then determine, in consultation with OGC, whether additional medical information is needed to process the current request.

XI. Confidentiality Requirements

Under law, information obtained in connection with the reasonable accommodation process must be kept confidential. This means that the existence of an accommodation request, details of the request, whether the request has been approved or denied, and information about functional limitations of the requestor, all must remain confidential.

All medical information that the Museum obtains in connection with a request for reasonable accommodation must be kept in files separate from the employee's personnel file. Whether this information is kept in a file drawer or

in a computer file, it must be stored so that only the RAC and designated backup(s) have access to it.

Any other Museum employee who obtains or receives such information is strictly bound by these confidentiality requirements. Management Officials should not accept or open any medical documentation from employees or applicants and should direct the requestor to provide the medical documentation to the RAC. Requestors should submit medical documentation to the RAC.

The RAC may share certain information with an employee's supervisor or other Museum staff as necessary to make appropriate determinations on a reasonable accommodation request. For example, Information Technology staff may need certain information to advise about equipment. When the RAC must reveal the name of the individual requesting reasonable accommodation, the RAC will inform the recipient about these confidentiality requirements.

The information disclosed by the RAC must be no more than is necessary to obtain assistance/advice from other Museum employees. In many situations, the RAC will not need to reveal the name of the requestor or the underlying medical diagnosis giving rise to the need for an accommodation. As long as the name of the requestor or any other identifying information is not revealed, even if sharing information about functional limitations, confidentiality is maintained.

In addition to disclosures of information needed to process a request for accommodation, other disclosures of medical information are permitted as follows:

- supervisors and managers who need to know may be told about necessary restrictions on the work or duties of the employee and about the necessary accommodation(s);
- first aid and safety personnel may be told *if* the disability might require emergency treatment or assistance in evacuation;
- worker's compensation officials may receive medical information in order to process or evaluate claims for this benefit; and
- government officials may be given information necessary to investigate compliance with the Rehabilitation Act.

XII. Time Frames for Processing Requests

The time limit for either providing and/or denying an accommodation starts as soon as the accommodation is first requested. The Museum will process requests for accommodation and provide reasonable accommodations in as short a time frame as practicable. However, the time necessary to process a request will depend on the nature of the accommodation requested and whether it is necessary to obtain supporting information.

The RAC should generally contact the requesting individual to acknowledge the receipt of the request as soon as practicable and generally within 7 business days.

If the request is made to someone other than the RAC, such as a Human Resources Business Partner, the EEO Manager or a supervisor, that individual must forward the request to the RAC as soon as practicable and generally within 3 business days of receipt to allow timely processing of the request.

The RAC must have a designated back-up to receive and process requests for accommodation when the RAC is unavailable. The HR Director should ensure that Management Officials know who has been designated as back-up.

- **Expedited Request:** In certain circumstances, a request for accommodation must be processed in an expedited manner. Therefore, the RAC needs to move as quickly as practicable to, if appropriate, provide a reasonable accommodation. Expedited processing may be necessary where the accommodation is needed to enable an individual to apply for a job or for a specific Museum activity scheduled to occur shortly.
- **30 Business Days:** If a request for an accommodation can be processed without supporting medical information and there are no extenuating circumstances, the RAC will either provide a requested accommodation or deny the request, within the 30 business day timeframe from the date the accommodation is first requested. The full 30 business days may be needed to engage in the interactive process and collect all relevant information about possible accommodations. There should be no delay beginning this process. Where an accommodation can be provided in less than the maximum time frame, failure to provide an accommodation in a prompt manner may result in a violation of the Rehabilitation Act.
- **30 Business Days Plus Time for Medical Documentation:** If medical information is needed to determine whether the requestor has a disability, the limitations of that disability, or to determine what reasonable accommodations may be effective, the RAC will give the requestor an [Authorization Form](#) and an [Inquiry Form](#) as soon as practicable and generally before the expiration of the 30 days. The requestor should make every effort to ensure that the medical documentation is received by the RAC within 14 business days from employee's receipt of the request for documentation.

If the RAC must request medical information or documentation from a requestor's health care provider, the time limits will stop on the day that the RAC makes a request to the individual to obtain medical information or sends out a request for information/documentation. The time limits will resume on the day that the information/documentation is received by the RAC.

The Museum will not be expected to adhere to its usual time frames if an individual's health professional fails to provide needed documentation in a timely manner.

XIII. Extenuating Circumstances & Interim Accommodations

Extenuating Circumstances are circumstances that could not reasonably have been anticipated or avoided in advance of the request for accommodation, or that are beyond the Museum's ability to control. When extenuating circumstances are present, the 30-business day time frame for processing a request for reasonable accommodation and providing the accommodation will be extended as reasonably necessary to deal with the extenuating circumstance. The RAC will notify the individual of the reason for the delay and when the RAC expects to conclude processing the request. As discussed below, the RAC will also determine if an interim accommodation is possible.

Interim Accommodation may also be provided in certain circumstances.

For example, the RAC may provide an interim accommodation if they have received sufficient information in the interactive process to believe it is reasonably likely that an employee will be entitled to a reasonable accommodation, even while awaiting additional information needed to make a final decision.

If there is a delay in providing an accommodation that has been approved, the RAC will investigate whether interim accommodations can be taken to assist the employee. These measures could include providing a reasonable accommodation on a temporary basis or temporarily providing a less effective form of reasonable accommodation. For example, there may be a delay in receiving adaptive equipment for an employee with a vision disability. During the delay, the RAC might arrange for readers. This temporary measure may not be as effective as the adaptive equipment, but it will allow the employee to perform as much of the job as possible until the equipment arrives. In addition, when there is a delay and in consultation with OGC, the RAC may provide measures that are not reasonable accommodations within the meaning of the law (e.g., temporary removal of an essential function) if (1) the measures do not interfere with the operations of the

employee's unit and (2) the employee is clearly informed in writing that they are being provided the measure only on a temporary, interim basis.

Additionally, if a delay is attributable to the need to obtain or evaluate medical documentation and the Museum has not yet determined that the individual is entitled to an accommodation, the Museum may provide an interim accommodation on a temporary basis. In such a case, the RAC will notify the individual in writing that the accommodation is being provided on a temporary basis pending a decision on the accommodation request.

XIV. Resolution of the Reasonable Accommodations Request

The RAC or official who grants or denies a request for accommodation will know how to arrange for the use of Museum resources to provide the accommodation, including any centralized fund the Museum may have for that purpose.

Granting an Accommodation Request

As soon as the RAC determines that a reasonable accommodation will be provided, the RAC should contact the supervisor to discuss implementation of the decision. The final decision should be promptly communicated to the individual in writing by the RAC ([Approval of Request](#), [Denial of Request](#)). If the accommodation cannot be provided immediately, the RAC must inform the individual of the projected time frame for providing the accommodation and whether the Museum will provide an interim accommodation that allows the individual to perform some or all of the essential functions of their job.

Alternative Accommodations

In granting an employee or applicant's request for an accommodation, the Museum may choose among reasonable accommodations as long as the chosen accommodation is effective. Thus, as part of the interactive process, the Museum may offer alternative suggestions for reasonable accommodations and discuss their effectiveness in removing the workplace barrier that is impeding the individual with a disability.

If there are two possible reasonable accommodations, and one costs more or is more burdensome than the other, the Museum may choose the less expensive accommodation as long as it is effective (i.e., it would remove a workplace barrier, thereby providing the individual with an equal opportunity to apply for a position, to perform the essential functions of a position, or to gain equal access to a benefit or privilege of employment). Similarly, when there are two or more effective accommodations, the Museum may choose the one that is easier to provide. In

either situation, the Museum does not have to show that it is an undue hardship to provide the more expensive or more difficult accommodation. If more than one accommodation is effective, the preference of the individual with a disability should be given consideration. However, the Museum has the ultimate discretion to choose between effective accommodations.

Denial of Accommodation Request

When a requested accommodation is denied, either in whole or in part, the decision memorandum will explain the specific reason(s) for the denial and/or the reason(s) any alternative accommodation was determined to be effective.

If the RAC, after consultation with OGC, has determined that the request for accommodation will be denied either because the requester is not a qualified individual with a disability, no reasonable accommodations are available to allow the individual to perform the essential functions of their job, and/or the reasonable accommodations would cause the Museum undue hardship, the RAC will provide a job applicant or employee who is denied a reasonable accommodation with a written notice at the time of the denial using the "Denial of Request" form and will make it available in an accessible format when requested. The explanation for the denial should be written in plain language, clearly stating the reasons for the denial.

As appropriate, the denial will explain:

- The reasons the accommodation would not be effective.
- The reasons that providing the accommodation would result in undue hardship.³
- Medical documentation is inadequate to establish that the individual has a disability or needs a reasonable accommodation.
- Requested medical documentation was not provided.
- The accommodation would require the removal of an essential function.
- The requested accommodation would require the lowering of a performance or production standard.

³ Requests for accommodation are not denied for reasons of cost and individuals with disabilities are not excluded from employment due to the anticipated cost of a reasonable accommodation, if the resources available to the Museum as a whole, excluding those designated by statute or by donors for a specific purpose that does not include reasonable accommodation, would enable it to provide an effective reasonable accommodation without undue hardship.

The written denial will include any internal appeal rights or informal dispute resolution processes available and associated time frame(s). In addition, the written denial will explain that employees or applicants whose accommodation requests have been denied have the right to file an EEO complaint, pursuant to 29 C.F.R. § 1614.106, include instructions on how to file an EEO complaint, and explain that the individual must initiate contact with the EEO Manager within 45 days of the denial, regardless of whether the individual participates in an informal dispute resolution process.

XV. Reconsideration and Alternative Dispute Resolution

Reconsideration by the HR Director: An individual dissatisfied with the resolution of a reasonable accommodation request can ask the HR Director to reconsider the RAC's decision. The individual may present additional information in support of their request. The individual must make a request for reconsideration within 10 business days of receiving a denial. The HR Director will respond to the request for reconsideration in writing within 15 business days unless extenuating circumstances apply.

Alternative Dispute Resolution: An individual dissatisfied with the RAC's decision may also ask to participate in the Museum's Conflict Resolution Program, which provides voluntary mediation.

*Seeking a request for reconsideration or participating in Alternative Dispute Resolution will **not extend the time limits** for initiating administrative or statutory claims (e.g., the time limits for bringing a claim under the Museum's EEO complaint process or for federal employees to bring a claim before the Merit Systems Protection Board (if applicable)).*

XVI. Appeal Rights and Statutory Remedies

These Procedures do not satisfy the requirements of or stop the time limits for bringing a formal claim under the EEO complaint process and/or before the Merit Systems Protection Board (Federal employees only) Requirements governing the initiation of these statutory claims remain unchanged, including the time frames for filing such claims.

An individual who chooses to pursue statutory remedy for denial of reasonable accommodation **must:**

- For an EEO complaint: contact the EEO Manager within 45 days from the date of receipt of the written notification which must be provided at the same time the RAC communicates the denial.
- For adverse actions over which a federally-funded employee believes that

the Merit Systems Protection Board has jurisdiction: initiate an appeal to the MSPB within 30 days of the appealable adverse action as defined in 5 C.F.R. § 1201.3.

These Procedures create no new enforceable rights under any law, rule or regulation. They are intended only for internal management and it provides guidance to Museum employees and applicants. They do not create any right or benefit, substantive or procedural, enforceable at law or equity by any party against the Museum (including its officers, employees, representatives, and other agents) or the United States.

XVII. Personal Assistance Services

Personal Assistance Services (PAS) provide assistance with performing activities of daily living that an individual would typically perform if he or she did not have a targeted disability and is not otherwise required as a reasonable accommodation.

The Museum chooses to use its Reasonable Accommodation procedures to process PAS requests. The process for determining whether personal assistance services are required, as well as the Museum's right to deny such requests when provision of the services would pose an undue hardship or a direct threat to safety, is the same as for reasonable accommodations. Please refer to the [Equal Employment Opportunities Commission \(EEOC\)'s website](#) for additional guidance.

PAS Program Management

The RAC manages requests for PAS. Once an employee's request is approved, the RAC provides assistance to an employee and their supervisor in identifying and implementing PAS and works directly with them to ensure the needs of the employee and their position are met.

XVIII. Information Tracking and Reporting

The RAC will track and report information on the provision of reasonable accommodations throughout the Museum. An applicant or employee may review the processing of their request for reasonable accommodation by contacting the RAC.

The RAC will provide information to the EEO Manager to allow for the preparation of an annual report to evaluate the Museum's performance in responding to requests for accommodation. The report will include:

- the specific reasonable accommodation;
- the job (occupational series, grade level, and agency component) sought by requesting applicant or held by the employee;

- the number of accommodations requested by employees and applicants;
- whether those requests were granted or denied;
- the types of accommodations requested;
- the number of requests for reasonable accommodations, by type, that relate to the benefits or privileges of employment, and whether those requests have been granted or denied;
- whether the accommodations were needed to apply for a job, perform the essential functions of a job, or enjoy the benefits and privileges of employment;
- the identity of the deciding official
- the reasons for denial of requests for accommodation;
- the amount of time taken to process each request for accommodation; and
- the sources of technical assistance consulted in trying to identify possible reasonable accommodations.

The Museum will keep records that may be used to determine compliance with the nondiscrimination and affirmative action requirements imposed under Section 501 of the Rehabilitation Act, and to make such records available to EEOC upon EEOC's request. EEOC tracks statistics on the employment by federal agency of people with disabilities.

In addition, the report will provide a qualitative assessment of the Museum's reasonable accommodation program, including any recommendations for improvement of the Museum's reasonable accommodation policies and procedures.

XIX. Distribution

These Procedures will be distributed electronically to all employees upon issuance. They will also be posted on the Museum's public website, intranet and available in the EEO Office and the Office of the HR Director and the RAC. New employees, existing employees, and supervisors will also be informed of these procedures as part of their compliance training. The Museum will make these Procedures and the accompanying forms available to job applicants and employees in accessible formats. Individuals who need a copy of these Procedures in accessible formats (e.g., braille or large print) should notify the RAC.

These Procedures supersede all prior Reasonable Accommodations Procedures issued by the Museum.

Reasonable Accommodation Resources

Appendix B to the Reasonable Accommodations Policy

Equal Employment Opportunity Commission (EEOC)

www.eeoc.gov

The EEOC provides resource materials on their website, including but not limited to [EEOC Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees under the Americans with Disabilities Act](#) (July 27, 2000), and [EEOC Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act](#) (March 1, 1999). Both documents address frequently-asked questions regarding provision of reasonable accommodation and related issues, including when and what type of medical documentation may be solicited by an agency in support of an accommodation request, the confidentiality protections applicable to accommodation requests and medical information, and the circumstances in which undue delay in providing reasonable accommodation may violate the Rehabilitation Act.

Computer/Electronic Accommodations Program (CAP) and non-DoD Agencies

703-614-8416 (Voice)

571-384-5629 (Videophone)

www.cap.mil

Effective October 1, 2020 (FY21) CAP will no longer be funded to procure or provide Assistive Technology (AT) and AT devices to Non-DoD agencies. CAP will gladly conduct assessments, provide information, referrals and assist Non-DoD agencies in determining the appropriate AT and AT devices to purchase by their agency.

Job Accommodation Network (JAN)

800-526-7234 (Voice)

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

JAN can provide information, free-of-charge, about many types of reasonable accommodations.

ADA Disability and Business Technical Assistance Centers (DBTACs)

1-800-949-4232 (Voice)

www.ilusa.com/links/dbtac.htm

The DBTACs consist of 10 federally funded regional centers that provide information, training, and technical assistance on the ADA. Each center works with local business, disability, governmental, rehabilitation, and other professional networks to provide current ADA information and assistance, and places special emphasis on meeting the needs of small businesses. The DBTACs can make referrals to local sources of expertise in reasonable accommodations.

Registry of Interpreters for the Deaf

(301) 608-0050 (Voice/TTY)

<https://rid.org>

The Registry offers information on locating and using interpreters and transliteration services.

RESNA, the Rehabilitation Engineering and Assistive Technology Society of North America

(703) 524-6686 (Voice)

<https://www.resna.org/>

RESNA can refer individuals to projects in all 50 states and the 6 territories offering technical assistance on technology-related services for individuals with disabilities.

Services may include:

- information and referral centers to help determine what devices may assist a
- person with a disability (including access to large data bases containing
- information on thousands of commercially available assistive technology
- products),
- centers where individuals can try out devices and equipment,
- assistance in obtaining funding for and repairing devices, and
- equipment exchange and recycling programs.

****The Museum is providing these links as examples of resources that may be of interest. The Museum has not reviewed all of the content linked, and it does not endorse any particular person, product, service, or view contained in the content. There may be other resources that also serve your needs.***

AUTHORIZATION FOR RELEASE OF MEDICAL INFORMATION FORM
(Completed by Employee or Authorized Representative)

Employee Name: _____

Phone Number: _____

Date of Birth: _____

Name(s) of health care professional(s): _____

Addresses of health care professional(s): _____

Telephone of health care professional(s): _____

I authorize the release of all pertinent medical information maintained by my healthcare professional(s), as well as responses to all inquiries included in any attached documents, to the Reasonable Accommodation Coordinator or designee and medical advisor at my employing agency, the United States Holocaust Memorial Museum (USHMM). I further authorize my healthcare professional(s) to respond to telephonic inquiries made by the Reasonable Accommodation Coordinator or designee and USHMM's medical advisor to obtain necessary clarification regarding the information provided. Authorization is also provided to my healthcare professional(s) to obtain clarification from the Reasonable Accommodation Coordinator or designee and USHMM's medical advisor on any aspect of the USHMM's request for information in order to fully respond.

This authorization applies only to medical information related to my request for reasonable accommodation. I authorize release of medical information related to the following treatment/condition/dates of treatment only to enable USHMM to consider my request:

I understand that USHMM will use my medical information for official purposes only. I also understand that USHMM will maintain its confidentiality and restrict access to

it as required by federal law, and will allow disclosure of it only as authorized by federal law and USHMM policy.

This authorization will be effective for a 12-month period from the date of signature and can only be renewed upon subsequent written authorization from me. I understand that I have a right to revoke this authorization by providing written notice to my healthcare professional(s). However, I understand that revoking this authorization will not affect any disclosures made or actions taken before the written revocation is received. I understand that I have a right to retain a copy of this authorization.

I further understand that signing this authorization is voluntary and that my treatment or payment for my treatment cannot be conditioned on the signing of this authorization.

Signature: _____

Date: _____

Print Name of Employee or Representative: _____

Genetic Information: The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. 'Genetic information' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services."

Confidentiality: All medical information obtained in connection with the request for reasonable accommodation will be kept in files separate from the personnel file. Further, medical information will be kept confidential, subject to limited exceptions. Information requested may be disclosed to those making the decision whether to grant a reasonable accommodation. Those individuals will be informed of the limits on further disclosure of the information. Specifically, individuals who have access to information necessary to make a decision about whether to grant a requested accommodation may generally not disclose this information except: (1) supervisors who need to know may be told about necessary restrictions on the work or duties of the employee and about the necessary accommodations; (2) First aid and safety personnel may be told if the disability might require emergency treatment; (3) information may be provided if necessary to assess the Museum's compliance with,

or potential violation of, applicable law; (4) the information may, in certain circumstances, be disclosed to workers' compensation offices or insurance carriers; and (5) Museum EEO manager may be given the information to maintain records and evaluate and report on the agency's performance in processing reasonable accommodation requests.

Please provide a signed copy to your healthcare professional as well as a copy to USHMM's Reasonable Accommodation Coordinator by email at RAC@ushmm.org.

**APPROVAL OF EMPLOYEE REQUEST FOR REASONABLE ACCOMMODATION
 FORM**

(Completed by Reasonable Accommodation Coordinator (RAC))

Section 1.	
DATE REQUEST RECEIVED:	
DATE REQUEST APPROVED:	
EMPLOYEE'S NAME:	
EMPLOYEE'S TITLE:	
EMPLOYEE'S EMAIL:	
EMPLOYEE'S TELEPHONE NUMBER:	
EMPLOYEE'S OFFICE/DIVISION:	
RAC'S NAME:	
RAC'S EMAIL:	
RAC'S TELEPHONE NUMBER:	
Section 2.	
TYPE OF ACCOMMODATION(S) REQUESTED, IF STATED.	
Section 3.	
ACCOMMODATION(S) GRANTED.	
ACCOMMODATION(S) START DATE(S):	

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Section 4.	
HUMAN RESOURCES SECTION (To be completed by HR)	
Request Number:	

Genetic Information: The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. 'Genetic information' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services."

Confidentiality: All medical information obtained in connection with the request for reasonable accommodation will be kept in files separate from the personnel file. Further, medical information will be kept confidential, subject to limited exceptions. Information requested may be disclosed to those making the decision whether to grant a reasonable accommodation. Those individuals will be informed of the limits on further disclosure of the information. Specifically, individuals who have access to information necessary to make a decision about whether to grant a requested accommodation may generally not disclose this information except: (1) supervisors who need to know may be told about necessary restrictions on the work or duties of the employee and about the necessary accommodations; (2) First aid and safety personnel may be told if the disability might require emergency treatment; (3) information may be provided if necessary to assess the Museum's compliance with, or potential violation of, applicable law; (4) the information may, in certain circumstances, be disclosed to workers' compensation offices or insurance carriers; and (5) Museum EEO manager may be given the information to maintain records and evaluate and report on the agency's performance in processing reasonable accommodation requests.

**CONFIRMATION OF EMPLOYEE REQUEST FOR REASONABLE
 ACCOMMODATION FORM**

(Completed by Individual Requesting Accommodation)

Section 1.	
DATE:	
EMPLOYEE'S NAME:	
EMPLOYEE'S TITLE:	
EMPLOYEE'S EMAIL:	
EMPLOYEE'S TELEPHONE NUMBER:	
EMPLOYEE'S OFFICE/DIVISION:	
REQUESTOR'S NAME (<i>If not employee</i>):	
REQUESTOR'S EMAIL:	
REQUESTOR'S TELEPHONE NUMBER:	
REQUESTOR'S OFFICE/DIVISION:	
Section 2.	
TYPE OF ACCOMMODATION(S) REQUESTED, IF KNOWN. (Be as specific as possible, e.g., assistive technology, reader, interpreter, schedule change.)	
Section 3.	
REASON(S) FOR REQUEST.	

If accommodation is time sensitive, please explain:

Section 4.

IS THIS REQUEST LIKELY TO BE REPEATED?

YES (If Yes, how often?)

NO

Section 5.

HUMAN RESOURCES SECTION (To be completed by HR)

Request Number:

Genetic Information: The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. 'Genetic information' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services."

Confidentiality: All medical information obtained in connection with the request for reasonable accommodation will be kept in files separate from the personnel file. Further, medical information will be kept confidential, subject to limited exceptions. Information requested may be disclosed to those making the decision whether to grant a reasonable accommodation. Those individuals will be informed of the limits on further disclosure of the information. Specifically, individuals who have access to information necessary to make a decision about whether to grant a requested accommodation may generally not disclose this information except: (1) supervisors who need to know may be told about necessary restrictions on the work or duties of the employee and about the necessary accommodations; (2) First aid and safety personnel may be told if the disability might require emergency treatment; (3)

information may be provided if necessary to assess the Museum's compliance with, or potential violation of, applicable law; (4) the information may, in certain circumstances, be disclosed to workers' compensation offices or insurance carriers; and (5) Museum EEO manager may be given the information to maintain records and evaluate and report on the agency's performance in processing reasonable accommodation requests.

Please return the form, or submit any questions, to USHMM's Reasonable Accommodation Coordinator by email at RAC@ushmm.org.

**DENIAL OF EMPLOYEE REQUEST FOR REASONABLE ACCOMMODATION
 FORM**

(Completed by Reasonable Accommodation Coordinator (RAC))

Section 1.	
DATE REQUEST RECEIVED:	
DATE REQUEST DENIED:	
EMPLOYEE'S NAME:	
EMPLOYEE'S TITLE:	
EMPLOYEE'S EMAIL:	
EMPLOYEE'S TELEPHONE NUMBER:	
EMPLOYEE'S OFFICE/DIVISION:	
RAC'S NAME:	
RAC'S EMAIL:	
RAC'S TELEPHONE NUMBER:	
Section 2.	
TYPE OF ACCOMMODATION(S) REQUESTED, IF STATED. (Be as specific as possible, e.g., assistive technology, reader, interpreter, schedule change.)	
Section 3.	
REASON(S) FOR DENIAL.	
<input type="checkbox"/> Requestor is not a qualified individual with a disability <input type="checkbox"/> Accommodation would cause an undue hardship <input type="checkbox"/> Accommodation other than requested accommodation was provided. Specify accommodation: <input type="checkbox"/> Requested accommodation would require the removal of an essential function <input type="checkbox"/> Requested accommodation would require the lowering of a performance or production standard <input type="checkbox"/> Accommodation ineffective. Explain:	

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<input type="checkbox"/>	Failure by the requestor to provide appropriate documentation or to cooperate in Museum's efforts to obtain such documentation. Explain:
<input type="checkbox"/>	Other:
Additional explanation:	
You have the right to:	
a) File a request for reconsideration pursuant to the Reasonable Accommodation Policy and Procedures b) File a request for an informal Alternative Dispute Resolution (ADR) c) File an EEO complaint	
Section 4.	
HUMAN RESOURCES SECTION (To be completed by HR)	
Request Number:	

Genetic Information: The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. 'Genetic information' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services."

Confidentiality: All medical information obtained in connection with the request for reasonable accommodation will be kept in files separate from the personnel file. Further, medical information will be kept confidential, subject to limited exceptions. Information requested may be disclosed to those making the decision whether to grant a reasonable accommodation. Those individuals will be informed of the limits

Contains Confidential Medical Information. Please Safeguard.

on further disclosure of the information. Specifically, individuals who have access to information necessary to make a decision about whether to grant a requested accommodation may generally not disclose this information except: (1) supervisors who need to know may be told about necessary restrictions on the work or duties of the employee and about the necessary accommodations; (2) First aid and safety personnel may be told if the disability might require emergency treatment; (3) information may be provided if necessary to assess the Museum's compliance with, or potential violation of, applicable law; (4) the information may, in certain circumstances, be disclosed to workers' compensation offices or insurance carriers; and (5) Museum EEO manager may be given the information to maintain records and evaluate and report on the agency's performance in processing reasonable accommodation requests.

MEDICAL INQUIRY FORM
IN RESPONSE TO EMPLOYEE'S ACCOMMODATION REQUESTS
 (Completed by Healthcare Professional)

Section 1.		
DATE:		
EMPLOYEE'S NAME:		
Section 2. Questions to help determine whether an employee has a disability.		
<p>Under the Rehabilitation Act, as amended, an employee is entitled to reasonable accommodation if the employee has a disability (i.e., a physical or mental impairment that substantially limits one or more major life activities as defined by Equal Employment Opportunity Commission (EEOC) regulations) or a record of disability. The following questions may help determine whether an employee has a disability:</p>		
Does the employee have a physical or mental impairment?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
If yes, what is the impairment?		
Is the impairment permanent?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
If <i>not</i> permanent, how long will the impairment likely last?		
<p>Answer the following questions based on what limitations the employee has when his or her condition is in an active state and not when using mitigating measures (e.g., medication, equipment, hearing aid, assistive technology, auxiliary aid). If, however, the mitigating measure is ordinary eyeglasses or contact lenses, please answer the following questions in the corrected state when using such eyeglasses or contact lenses.</p>		
Does the impairment substantially limit one or more of the major life activities listed below as compared to most people in the general population? <i>Note: An impairment need not prevent or severely or significantly limit a major life activity.</i>	<input type="checkbox"/> YES	<input type="checkbox"/> NO

If yes, what major life activity(s) is/are affected?		
<input type="checkbox"/> Lifting <input type="checkbox"/> Sleeping <input type="checkbox"/> Walking <input type="checkbox"/> Sitting	<input type="checkbox"/> Standing <input type="checkbox"/> Reaching <input type="checkbox"/> Thinking <input type="checkbox"/> Toileting <input type="checkbox"/> Breathing	<input type="checkbox"/> Hearing <input type="checkbox"/> Seeing <input type="checkbox"/> Speaking <input type="checkbox"/> Learning <input type="checkbox"/> Working <input type="checkbox"/> Concentrating <input type="checkbox"/> Reproduction <input type="checkbox"/> Caring For Self <input type="checkbox"/> Interacting With Others <input type="checkbox"/> Performing Manual Tasks
<input type="checkbox"/> Other (describe):		
Does the impairment substantially limit the operation of a major bodily function as compared to most people in the general population? <i>Note: An impairment need not prevent or severely or significantly limit a major life activity.</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> NO
If yes, what bodily function is affected?		
<input type="checkbox"/> Immune <input type="checkbox"/> Digestive <input type="checkbox"/> Bowel <input type="checkbox"/> Brain	<input type="checkbox"/> Hemic <input type="checkbox"/> Bladder <input type="checkbox"/> Special Sense	<input type="checkbox"/> Circulatory <input type="checkbox"/> Endocrine <input type="checkbox"/> Reproductive <input type="checkbox"/> Lymphatic <input type="checkbox"/> Respiratory <input type="checkbox"/> Musculoskeletal <input type="checkbox"/> Genitourinary Neurological <input type="checkbox"/> Cardiovascular <input type="checkbox"/> Special Sense Organs and Skin <input type="checkbox"/> Normal Cell Growth
<input type="checkbox"/> Other: (describe)		
Section 3. Questions to help determine whether an accommodation is needed.		
<p>An employee with a disability is entitled to an accommodation only when the accommodation is needed because of the disability. The following questions may help determine whether the requested accommodation is needed because of the disability. Please answer the following questions based on what limitations the employee has when the employee's condition is in an active state UNLESS the employee is using mitigating measures (e.g., medication, equipment, hearing aid, assistive technology, auxiliary aid) that change, diminish, or eliminate the limitations. If mitigating measures are used, answer the following questions based on what limitations the employee has when using mitigating measures.</p>		
What limitation(s) is interfering with job performance?		

What job function(s) is the employee having trouble performing because of the limitation(s)?

How does the employee's limitation(s) interfere with the employee's ability to perform the job function(s)?

Section 4. Questions to help determine effective accommodation options.

If an employee has a disability and needs an accommodation because of the disability, the employer must provide a reasonable accommodation, unless the accommodation poses an undue hardship. The following questions may help determine effective accommodations:

Do you have any suggestions regarding possible accommodations to effectively assist the employee in doing the employee's job?

How would your suggestions effectively assist the employee in doing the employee's job?

Section 5. Additional Comments (if any)	
Healthcare Professional's Name: Phone: Address:	
<i>(Office Stamp is accepted)</i>	
Healthcare Professional's Signature: Date:	
Section 6. Human Resources Section.	
Request Number:	

Genetic Information: The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. 'Genetic information' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services."

Confidentiality: All medical information obtained in connection with the request for reasonable accommodation will be kept in files separate from the personnel file. Further, medical information will be kept confidential, subject to limited exceptions. Information requested may be disclosed to those making the decision whether to grant a reasonable accommodation. Those individuals will be informed of the limits on further disclosure of the information. Specifically, individuals who have access to information necessary to make a decision about whether to grant a requested accommodation may generally not disclose this information except: (1) supervisors

who need to know may be told about necessary restrictions on the work or duties of the employee and about the necessary accommodations; (2) First aid and safety personnel may be told if the disability might require emergency treatment; (3) information may be provided if necessary to assess the Museum's compliance with, or potential violation of, applicable law; (4) the information may, in certain circumstances, be disclosed to workers' compensation offices or insurance carriers; and (5) Museum EEO manager may be given the information to maintain records and evaluate and report on the agency's performance in processing reasonable accommodation requests.

Please return the form, or submit any questions, to USHMM's Reasonable Accommodation Coordinator by email at RAC@ushmm.org.

NOTIFICATION OF EXTENDED TIMEFRAME
 (Completed by Reasonable Accommodation Coordinator (RAC))

Section 1.	
DATE OF NOTIFICATION:	
EMPLOYEE'S NAME:	
EMPLOYEE'S TITLE:	
EMPLOYEE'S EMAIL:	
EMPLOYEE'S TELEPHONE NUMBER:	
EMPLOYEE'S OFFICE/DIVISION:	
RAC'S NAME:	
RAC'S EMAIL:	
RAC'S TELEPHONE NUMBER:	
Section 2.	
CIRCUMSTANCE CAUSING EXTENDED TIMEFRAME:	
<input type="checkbox"/> Request for medical documentation <input type="checkbox"/> Purchase of equipment <input type="checkbox"/> Architectural barrier <input type="checkbox"/> Potential job reassignment <input type="checkbox"/> Other:	
PLEASE EXPLAIN:	
ANTICIPATED RESOLUTION DATE, IF KNOWN:	
Section 3.	
Is there a temporary measure that will be applied? (if so, please specify measure and expected duration)	

Section 4.	
HUMAN RESOURCES SECTION (To be completed by HR)	
Request Number:	

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NOTICE THAT REASONABLE ACCOMMODATION IS NO LONGER REQUIRED
 (Completed by Reasonable Accommodation Coordinator (RAC))

Section 1.	
DATE NOTICE ISSUED:	
DATE NOTICE RECEIVED: (HR to complete)	
EMPLOYEE'S NAME:	
EMPLOYEE'S TITLE:	
EMPLOYEE'S EMAIL:	
EMPLOYEE'S TELEPHONE NUMBER:	
EMPLOYEE'S OFFICE/DIVISION:	
RAC'S NAME:	
RAC'S EMAIL:	
RAC'S TELEPHONE NUMBER:	
Section 2.	
TYPE OF REASONABLE ACCOMMODATION NO LONGER REQUIRED.	
Section 3.	
REASON THAT REASONABLE ACCOMMODATION IS NO LONGER REQUIRED.	
PLEASE NOTE ANY EXTENUATING CIRCUMSTANCES (e.g., that might require the reasonable accommodation in the future).	
ACCOMODATION END DATE:	

Section 4.	
HUMAN RESOURCES SECTION (To be completed by HR)	
Request Number:	

Genetic Information: The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. 'Genetic information' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services."

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