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Disabilities - OPM [Office of Personnel Management] Disability Plan Guide

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Suggested Edits to OPM Draft of Plan for Employment of People With Disabilities in the Federal Government

Throughout the paper: Omit bold and underline for “OPM”. Also, general instructions should be consistent: “Agencies should” and “OPM will”

Title Page

Omit: “Model” in title (reflect the change of title throughout the document).

Table of Contents

Change: “Recruitment and Placement” to “Recruitment and Hiring”.

Sections are rearranged as reflected below.

Introduction

Replace first three paragraphs with:

“Since President Clinton took office, the American economy has added nearly 18 million new jobs, and unemployment is the lowest in three decades. The unemployment rate among all working-age adults with disabilities, however, is nearly 75 percent.

The Federal Government is committed to take the lead in charting a public policy for employing people with disabilities that provides clear direction to both the public and private sectors. To this end, the President signed Executive Order 13078 on March 13, 1998, establishing the Presidential Task Force on Employment of Adults with Disabilities. The Task Force’s mission is to create a coordinated and aggressive national policy to bring adults with disabilities into gainful employment at a rate as close as possible to that of the general adult population. The Task Force issued their first report, “Recharting the Course,” on November 15, 1998. Vice President Gore accepted the report on behalf of the Administration at a December 14, 1998 meeting, and directed the U.S. Office of Personnel Management (OPM) to develop a plan to increase the representation of adults with disabilities in the Federal workforce. The plan addresses the following specific goals:

- ▶ Recruitment and Hiring;
- ▶ Reasonable Accommodation;
- ▶ Career Development and Promotion; and
- ▶ Monitoring and Evaluating Progress.”

Omit the fourth paragraph beginning, “In addition, ...”

Fifth paragraph, first sentence: OPM ~~is pleased to~~ provides the ~~Model~~ Plan for government wide....

Last sentence: The ~~Model Plan is the first step to help~~ will assist Federal employers to fulfill this commitment...

Recruitment and Hiring

Goal: ~~Urges~~ [A]ll departments and managers ~~to~~ should widely recruit people with disabilities for positions at all levels of the federal workforce, including GS-13 to 15 and senior executive service levels.

Because it is a long section, it should be broken up as: “Vacancy Announcements” (for the first bullet); “Recruitment Strategies” (after the first bullet); “Special Appointing Authorities” (after the bullet, ‘Federal employers should ensure that managers and supervisors understand and use various hiring programs...’); and “Employment Opportunities for Students” (inserted after the CFR reference on hiring disabled veterans).

Second paragraph: OPM will benchmark best practices in public and private sectors ~~when~~ of successful recruitment efforts of people with disabilities...

Third paragraph, second sentence: These messengers will serve as liaisons ~~of~~ between the ~~Model Plan to~~ and the community...

Fourth paragraph, “... in order to attract people with disabilities from inside and outside the federal government.”

Paragraph, “Schedule B, 5 CFR 213.3202(k) for hiring people who have recovered from mental illness.” This paragraph needs to be modified to reflect the pending Executive Order to be announced by Mrs. Gore.

Omit the third to last bullet: “Before recruiting, Federal employers will review internal human resource policies...”

Second to last bullet, “Federal employees should include language for vacancy announcements...” should be moved up as the first bullet of the entire section.

Last bullet: “Federal employers ~~are also urged to~~ should review their programs to determine if part-time employment opportunities could be created...” -- Could OPM add more to this language, describing options agencies have?

A separate section on Employment Opportunities for Students is not necessary. The key points should be added to the end of this section:

“OPM will continue promoting the Student Educational Employment Program to students, colleges and universities, and Federal managers and supervisors to attract students with disabilities to the federal workforce.”

“OPM will serve as clearinghouse for all students interested in Student Educational Employment Program opportunities.”

“OPM will work with appropriate organizations to identify information on accredited schools and programs with a high concentration of students with disabilities, and provide the information to departments and agencies.”

“OPM will develop cooperative education agreements with schools in order for Federal employers to tailor them for specific uses.”

Also include bullets on PMI and outreach efforts.

Reasonable Accommodation

Goal: Employers should establish agency-wide reasonable accommodation policies and procedures for applicants and employees with disabilities.

Up front language should be added making the point that reasonable accommodation is current law, i.e., “The law requires reasonable accommodation in the workplace and it is the policy of this Administration to ensure reasonable accommodation is available to all employees.”

First bullet, “A reasonable accommodation is an adjustment or alteration ~~made to a job and/or the work environment~~ that enables people with disabilities to ~~perform the duties of the position~~ apply for jobs, to perform job duties, or to enjoy equal benefits and other privileges of employment...”

After the first bullet, insert new bullet: “Agency-wide policies should make it easy and simple to request an accommodation. They should provide for a fair, prompt and balanced review of an accommodation request and a meaningful dialogue between supervisor and employee where necessary.”

In the second bullet, “The concept of reasonable accommodation applies to all aspects of employment, including recruitment, training, promotion, reassignment, and developmental assignments. Departments and agencies should explore ways to insure their personnel are familiar with Federal and agency-specific policies and procedures related to the availability of reasonable accommodations for persons with disabilities. Departments and agencies should also consult the new Enforcement Guidance on Reasonable Accommodation issued by The Equal Employment Opportunity Commission (EEOC), on March 1, 1999. Free copies of this and other EEOC guidance can be obtained by calling 1(800) 669-3362. They can also be reviewed at EEOC’s website, www.eeoc.gov. (Delete the cite to the EEOC Guidelines).

The reasonable accommodation process developed by the federal government workgroup should be cited in the Plan as an example of a good process and should be fully included in the more comprehensive “Employment Guide”.

Career Development

Goal: “~~Encourages~~[A]ll departments and agencies ~~to~~ should give full consideration to employees with disabilities for promotion and inclusion in...”

First bullet: “Federal employers should ensure that persons with disabilities are made aware of, and have an equal opportunity to compete for, promotions, managerial and executive training and other career development opportunities...”

Monitoring and Evaluating Progress

Goal: “Collects and maintains data to monitor the success...”

Second to last bullet, re: federal employers are encouraged to recognize managers and supervisors... should be moved to “Career Development” section.

EXECUTIVE ORDER

AMENDING THE CIVIL SERVICE RULES RELATING TO
FEDERAL EMPLOYEES WITH PSYCHIATRIC DISABILITIES

1 WHEREAS it is the goal of the United States to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for persons with disabilities; and

2 WHEREAS the Federal Government as an employer should serve as a model for the employment of persons with disabilities and utilize the full potential of these talented citizens; and

3 WHEREAS the Civil Service Rules provide that persons with mental retardation, severe physical disabilities or psychiatric disabilities may be hired under excepted appointing authorities; and

4 WHEREAS the authorities governing appointment of persons with psychiatric disabilities were adopted over 20 years ago when attitudes about mental illness were different, which led to stricter standards for persons with psychiatric disabilities than for persons with mental retardation or severe physical disabilities; and

5 WHEREAS persons with mental retardation or severe physical disabilities may be appointed for more than two years and may convert to competitive status after completion of two years of satisfactory service in their excepted positions, while persons with psychiatric disabilities may not; and

6 WHEREAS the Office of Personnel Management and the President's Task Force on Employment of Adults with Disabilities believe that the Federal Government could better benefit from the contributions of persons with psychiatric disabilities if they were given the opportunities currently available to persons with mental retardation or severe physical disabilities;

NOW, THEREFORE, by the authority vested in me as President by the Constitution and the laws of the United States of America, including sections 3301 and 3302 of title 5, United States Code, and in order to permit person with psychiatric disabilities to have the same opportunities given to persons with mental retardation or severe physical disabilities under the Civil Service Rules, it is hereby ordered as follows:

Section 1. Civil Service Rule III (5 CFR Part 3) is amended by adding the following new paragraph to subsection (b) of section 3.1:

“(3) An employee with psychiatric disabilities who completes at least two years of satisfactory service in a position excepted from the competitive service.”

Section 2. The Director of the Office of Personnel Management shall prescribe such regulations as may be necessary to implement this order.

Section 3. This order is effective upon publication in the Federal Register.

THE WHITE HOUSE



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Office of
Personnel
Management**

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Remarks

2 DRAFT Press Releases +
a 1-pager ON EO

DRAFT - Release + Die !

FOR IMMEDIATE RELEASE
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**OPM's Plan for Hiring People with Disabilities Gives Hope and Help
to Job Seekers and Agency Recruiters**

Washington, D.C. – The U.S. Office of Personnel Management today released a “model plan” that offers federal agencies numerous, effective approaches for increasing the employment and advancing the careers of people with disabilities.

Accessing Opportunity: The Plan for Employment of People with Disabilities in the Federal Government is OPM's response to a March 1998 report and subsequent Task Force on the Employment of Adults with Disabilities. Vice President Al Gore charged OPM with developing a comprehensive and workable plan to boost the economic prosperity of the disabled community by making federal employment a reality for greater numbers of people with disabilities.

“I am confident that the attention paid to this issue by the Clinton/Gore Administration will result in real change and real opportunity for many, many more deserving Americans,” said OPM Director Janice R. Lachance. “A limitation of the body or mind does not reduce the potential or drive of the individual.”

Also released by OPM today is *People with Disabilities in the Federal Government: An Employment Guide*, a compendium of laws, tools and guidance for agencies to reference as they recruit, hire, train and promote people with physical or mental challenges. Chapters feature information on hiring options agencies can use to employ people with disabilities, including disabled veterans; integrating people with disabilities into the work force; and, accommodating the workplace and social needs of people with various medical conditions.

In September 1997, people with disabilities comprised 7.2 percent of a downsized federal work force that totaled 1.8 million employees. A decade earlier, employees with disabilities totaled 6.5 percent of the work force.

The percentage of new hires of people with disabilities since 1993 has remained relatively

– more –

stable. In fiscal year 1997, there were 207,000 new hires, of which almost 12,000 (5.7 percent) had a disability.

"The federal government is committed to opening its doors wide -- to provide access into our buildings and into our national programs -- so that each individual can use his or her talents in ways that make a positive difference to America," said Lachance.

OPM's model plan enunciates four goals and provides information on recruitment and hiring tools that agencies across government should keep in mind as concerted efforts begin to recruit and advance the careers of people with disabilities.

GOAL 1: Urges all departments and managers to recruit widely for positions at all levels of the federal workforce, including at the GS-13 to 15 and Senior Executive Service levels.

Agencies may consider forming collaborative efforts and pooling resources to cut college recruitment expenses, as well as recruit candidates listed through Project ABLE (Able Beneficiaries' Link to Employers), a national resume bank of qualified, job-ready individuals receiving Social Security disability benefits. Also, agencies should increase the number and competitiveness of persons with disabilities for career developmental opportunities at the GS-12 through GS-15 levels and for consideration into the Senior Executive Service (SES).

GOAL 2: Helps departments and agencies provide opportunities for students with disabilities to participate in internship and student employment programs. Agencies should use appointment authorities of the Student Educational Employment Program, and OPM will enhance outreach efforts to college students and graduates with disabilities for participation in an expanded Presidential Management Intern Program.

GOAL 3: Encourages all departments and agencies to give full consideration to employees with disabilities for inclusion in developmental opportunities designed to enhance their leadership skills and to advance their careers. Agencies should promote a variety of career development opportunities for employees beginning at the entry level through the executive level of government.

GOAL 4: Collects and maintains data to monitor the success in achieving a higher percentage of adults with disabilities in the federal work force. OPM in its oversight role will monitor federal employer efforts in recruiting and employing people with disabilities.

Included in the model plan are specific roles that OPM will continue to play or add to its existing activities. OPM will:

— more —

- continue to reach out to college and university students with disabilities for participation in the Student Employment Program;
- serve as a clearinghouse for all students interested in Student Employment Program opportunities but who need additional assistance;
- develop materials in alternative formats for students with disabilities that promote the Student Employment Program as a way to pay for college education; and,
- help departments and agencies recruit through the Workforce Recruitment Program for College Students with Disabilities.

— end —

DRAFT - Release + Die!

For Immediate Release
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Contact: (NAME FILL)
(PHONE FILL)

PRESIDENT CLINTON ISSUES EXECUTIVE ORDER EXPANDING HIRING AUTHORITY OF ADULTS WITH PSYCHIATRIC DISABILITIES

Washington, D.C. – Today President Clinton issued an Executive Order to broaden the ability of the federal government to more easily hire adults with psychiatric disabilities. The presidential action is a result of the administration's commitment to develop strategies to encourage more opportunities for people with mental illness.

In January, President Clinton directed the U.S. Office of Personnel Management to explore measures in federal hiring which would eliminate strict standards applied to special non-competitive appointments for adults with psychiatric disabilities.

President Clinton noted that OPM was in a unique position to serve as a model for other employers, since the federal government is the largest employer in the United States, and because OPM provides federal agencies with policy leadership in hiring.

OPM Director Janice R. Lachance, a member of the Presidential Task Force on Employment of Adults with Disabilities, proposed amending the Civil Service rules to broaden the category of people who may noncompetitively acquire status. Currently employees with mental retardation and severe physical disabilities are able to acquire competitive status after two years of service. The Executive Order now permit adults with psychiatric disabilities the same opportunity for noncompetitive conversion. OPM is developing the special hiring authority to allow agencies to appoint these individuals.

The employment initiative will be discussed during *The White House Conference on Mental Health: Working for a Healthier America*. The conference is chaired by Mrs. Tipper Gore and will be held at Howard University, Washington DC, June 7, 1999.

OPM Director Lachance said, "I believe that by eliminating these hurdles, we will go a long way toward eradicating the stigma associated with mental illness. Our nation can only benefit when people are given a chance to contribute," said Director Lachance.

-END-

Initial Recommendations to the President from the Presidential Task Force on Employment of Adults with Disabilities:

The Task Force recommends that: The President direct Office of Personnel Management and other appropriate agencies to explore measures aimed at eliminating the stricter standards currently applied to adults with psychiatric disabilities and to extend to these individuals opportunities currently available to individuals with mental retardation and severe physical disabilities. [page 15]

I. BACKGROUND: Excepted appointing authorities exempt individuals from the competitive appointment process and offer an alternative means to obtain federal employment. The use of excepted appointing authorities can increase the employment opportunities for individuals with disabilities.

There are three primary excepted appointing authorities applicable to individuals with disabilities. Under Schedule A regulations, excepted appointments for positions filled by individuals with mental retardation and individuals with severe physical disabilities were established. Individual hired under these appointing authorities can convert to competitive status in the civil service after completion of two years of satisfactory service in their excepted positions. This conversion authority was authorized by Executive Order 12125. Under Schedule B regulations, agencies are authorized to make appointments of individuals who are at a severe disadvantage because of a psychiatric disability that has caused a significant period of substantially disrupted employment.

The Schedule B appointing authority treats individuals with severe psychiatric disabilities differently from individuals with severe physical disabilities or mental retardation who are eligible for special appointment under Schedule A. First, unlike appointments under Schedule A, these appointments are subject to the basic qualification standards established by OPM. Second, there is a two-year limitation on appointments and no mechanism for conversion to the competitive civil service.

The differences reflect the evolutionary process of developing special Federal employment opportunities for people with disabilities and changing perceptions regarding the nature of what constitutes a permanent disability. For instance, the Schedule A special appointing authorities for persons with disabilities can be traced back to the early 1960's, when Federal agencies were authorized to make temporary limited appointments for the "severely handicapped." In contrast, the Schedule B excepted appointing authority for persons with psychiatric disabilities was established in 1980 to provide persons with past mental illness an opportunity to demonstrate their readiness for employment and to regain recent work experience. This intent was based at least in part upon the belief that individuals who had "recovered" from a psychiatric condition needed only an opportunity to supplement a resume after a period of extended unemployment, and thereafter would be able to compete for employment through the regular competitive process.

Experience has shown, however, that some conditions, such as major depression, from which an individual may appear to have "recovered" can recur in the future, and thus may impose limitations that are as real and life-long as the limitations imposed by physical disabilities. Moreover, even the record of a psychiatric condition from which an individual has in fact recovered may often pose a barrier to employment. Finally, the Rehabilitation Act and the ADA have never distinguished between physical and mental disabilities, but instead recognize that all individuals with disabilities face similar social, economic, and employment barriers.

II. CONCLUSION: Individuals with psychiatric disabilities face many of the same barriers to employment as are encountered by individuals with severe physical disabilities and mental retardation. They, therefore, should be offered the same opportunities, including the opportunity to convert to the competitive service. An executive order (or new legislation) would be needed to make this possible.

President Clinton and Vice President Gore: Increasing Employment of People with Disabilities

5/27 DRAFT

Today, President Clinton and Vice President Gore will take executive action to increase federal hiring of people with disabilities and to ensure federal hiring rules treat mental illness like any other disability. The President will direct federal agencies to implement an employment plan for people with disabilities prepared at the Vice President's request and will sign an executive order eliminating the federal government's stricter hiring standards for psychiatric disabilities, an issue highlighted by Mrs. Gore earlier this year.

Directing Federal Agencies to Implement Plan for Hiring People with Disabilities. On December 14th, the Vice President asked the Office of Personnel Management (OPM) to develop a model plan to increase the representation of adults with disabilities in the federal workforce. Today, the President will direct federal agencies and departments to implement this plan to:

- Recruit widely people with disabilities for positions at all levels;
- Establish agency-wide reasonable accommodation policies and procedures for applicants and employees with disabilities;
- Ensure career opportunities for people with disabilities, including equal opportunity to obtain managerial and executive training and compete for promotions;
- Collect and maintain data to monitor the success in achieving a higher percentage of adults with disabilities in the federal workforce.

This plan, *Accessing Opportunity: The Plan for Employment of People with Disabilities in the Federal Government*, will be released with an employment guide -- a compendium of laws, tools and guidance for agencies to use as they recruit, hire, train and promote people with disabilities.

Signing Executive Order Expanding Hiring Authority for Adults with Psychiatric Disabilities. On January 14th, Tipper Gore announced that OPM would explore measures to eliminate the stricter standards applied to federal hiring practices for adults with psychiatric disabilities. Today, the President will sign an executive order eliminating these outdated, twenty-year-old rules which will:

- Ensure that individuals with psychiatric disabilities are given the same opportunities as persons with severe physical disabilities or mental retardation. The civil service rules will be changed to ensure that people with psychiatric disabilities will be covered by the same appointing authority used for individuals with other disabilities.
- Permits adults with psychiatric disabilities the ability to acquire competitive civil service status after two years of service. This authority will allow adults with psychiatric disabilities the same opportunity for conversion into the competitive civil service as employees with other disabilities.

Implementing Actions Recommended by Presidential Task Force. Both actions to be taken today were recommended by the President's Task Force on Employment of Adults with Disabilities under the leadership of Labor Secretary Alexis Herman, chair, and Tony Coelho, vice chair.

President Clinton Takes Action to Expand Federal Hiring of People With Disabilities

DRAFT

Today President Clinton is issuing an Executive Order to broaden the ability of the Federal government to more easily hire adults with psychiatric disabilities. He is also directing Federal departments and agencies to implement a plan and accompanying guide, prepared by the Office of Personnel Management (OPM), which provides information on recruitment and hiring tools that agencies across the government should follow to recruit and advance the careers of people with disabilities.

Signing An Executive Order Expanding Hiring Authority of Adults With Psychiatric Disabilities. On January 14, 1999, Tipper Gore announced that OPM was to take further steps to hire people with disabilities in the Federal workforce. The Executive Order will ensure that people with mental illness are considered under the same standards as people with physical disabilities. Because individuals with psychiatric disabilities face many of the same barriers to employment, as are encountered by individuals with severe physical disabilities and mental retardation, they should be offered similar opportunities in the workplace. The President signed an Executive Order that will:

- Ensure That Individuals With Psychiatric Disabilities Are Given the Same Opportunities as Persons With Severe Physical Disabilities or Mental Retardation. Through regulation, the Civil Service rules will be changed to ensure that people with psychiatric disabilities will be covered by the same appointing authority used for individuals with severe physical disabilities or mental retardation. This will offer an important alternative means for persons with psychiatric disabilities to obtain federal employment.
- Permits Adults With Psychiatric Disabilities the Ability to Acquire Competitive Civil Service Status After Two Years of Service. This authority will allow adults with psychiatric disabilities the same opportunity for conversion into the competitive civil service as employees with severe physical disabilities and mental retardation.

Directing Federal Agencies and Departments to implement OPM's Plan for Hiring People With Disabilities. The President directed Federal agencies and departments to implement a new OPM plan and guide that offers federal agencies numerous effective approaches for increasing the employment and advancing the careers of people with disabilities.

- Accessing Opportunity: The Plan for Employment of People with Disabilities in the Federal Government is OPM's response to a March 1998 report and subsequent Task Force on Employment of Adults with Disabilities. In December 1998, Vice President Gore charged OPM with developing a comprehensive and workable plan to boost the economic prosperity of the disabled community by making federal employment a reality for greater numbers of people with disabilities. The plan enunciates four goals and provides information on

recruitment and hiring tools that agencies across government should keep in mind as concerted efforts begin to recruit and advance the careers of people with disabilities. Using the plan, Federal agencies and departments are to achieve the following goals: 1) all departments and agencies should widely recruit people with disabilities for positions at all levels of the federal workforce; 2) establish agency-wide reasonable accommodation policies and procedures for applicants and employees with disabilities; 3) ensure that persons with disabilities are made aware of, and have equal opportunity to compete for promotions, managerial and executive training and other career opportunities; and 4) collect and maintain data to monitor the success in achieving a higher percentage of adults with disabilities in the federal workforce.

- *People with Disabilities in the Federal Government: An Employment Guide*, is released with the plan and is a compendium of laws, tools and guidance for agencies to reference as they recruit, hire, train and promote people with physical or mental challenges. Chapters feature information on hiring options agencies can use to employ people with disabilities, including disabled veterans; integrating people with disabilities into the work force; and, accommodating the workplace and social needs of people with various medical conditions.



Cynthia A. Rice

05/27/99 07:45:36 PM

Record Type: Record

To: Lisa M. Brown/OVP @ OVP
cc: J. Eric Gould/OPD/EOP
Subject: Shorter description of the two actions

Here's a shorter description that the one pager I just sent you:

We are nearly ready to announce two executive actions to help increase the employment of people with disabilities in the federal workforce. The first will be a directive to federal agencies to implement an employment plan for people with disabilities prepared by the Office of Personnel Management at the Vice President's request. The directive will ensure agencies 1) recruit widely people with disabilities for positions at all levels; 2) establish agency-wide reasonable accommodation policies and procedures for applicants and employees with disabilities; 3) provide career opportunities for people with disabilities, including equal opportunity to obtain managerial and executive training and compete for promotions; and 4) collect and maintain data to monitor the success in achieving a higher percentage of adults with disabilities in the federal workforce. The second action will be an executive order, to be followed by regulations, which will change the civil service rules to ensure that people with psychiatric disabilities 1) will be covered by the same appointing authority which facilitates hiring of individuals with other disabilities and 2) will be allowed to acquire competitive civil service status after two years of service as individuals with other disabilities now can. These stricter standards for mental disabilities were put in place over 20 years ago, and Mrs. Gore, in a speech at Dartmouth in January, announced that OPM would examine ways to eliminate these disparities.

Summary of Proposed Executive Order Expanding Hiring Authority of Adults With Psychiatric Disabilities and OPM's Plan for Hiring People With Disabilities in the Federal Government

Executive Order

In January, the President directed The Office of Personnel Management (OPM) to explore measures in federal hiring which would eliminate strict standards applied to special non-competitive appointments for adults with psychiatric disabilities. The proposed Executive Order would broaden the ability of the federal government to more easily hire adults with psychiatric disabilities. The action is a result of the administration's commitment to develop strategies to encourage more opportunities for people with mental illnesses.

OPM will propose amending the Civil Service rules to broaden the category of people who may convert to competitive status. Currently employees with mental retardation and severe physical disabilities are able to acquire competitive status after two years of service. The Executive Order will permit adults with psychiatric disabilities the same opportunity to convert to competitive status after two years.

Because individuals with psychiatric disabilities face many of the same barriers to employment, as are encountered by individuals with severe physical disabilities and mental retardation, they should be offered the same opportunity to convert to the competitive service. The Executive Order will make this possible.

Model Plan and Guide

Executive Order 13078, signed March 13, 1998, established the Presidential Task Force on Employment of Adults With Disabilities. The goal of the multi-agency task force was to create a coordinated national policy to incorporate individuals with disabilities into the workplace at a rate as close as possible to the general population. The Vice President accepted the Task Forces first report, *Recharting the Course* on December 14, 1998 and directed OPM to develop a plan to increase the representation of adults with disabilities in the Federal workforce.

OPM prepared *Accessing Opportunity: The Plan for Employment of People with Disabilities in the Federal Government*, a plan that offers federal agencies numerous, effective approaches for increasing the employment and advancing the careers of people with disabilities. The plan enunciates four goals and provides information on recruitment and hiring tools that agencies across government should keep in mind as concerted efforts begin to recruit and advance the careers of people with disabilities. In an attached cover letter, the President directs Federal agencies and departments to implement the plan in an effort to achieve the following goals: 1) all departments and agencies should widely recruit people with disabilities for positions at all levels of the federal workforce; 2) establish agency-wide reasonable accommodation policies and procedures for applicants and employees with disabilities; 3) ensure that persons with disabilities are made aware

of, and have equal opportunity to compete for promotions, managerial and executive training and other career opportunities; and 4) collect and maintain data to monitor the success in achieving a higher percentage of adults with disabilities in the federal workforce.

Also released by OPM is *People with Disabilities in the Federal Government: An Employment Guide*, a compendium of laws, tools and guidance for agencies to reference as they recruit, hire, train and promote people with physical or mental challenges. Chapters feature information on hiring options agencies can use to employ people with disabilities, including disabled veterans; integrating people with disabilities into the work force; and, accommodating the workplace and social needs of people with various medical conditions.

APR -7 1999

People With Disabilities in the Federal Government

AN EMPLOYMENT GUIDE



**United States
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ES DO-05
March 1999

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INTRODUCTION

The Federal Government must strive to create and maintain a sound, diverse, and cooperative work environment. Equal opportunity in employment for all people, regardless of race, color, sex, age, religion, national origin, sexual orientation, or disability should be the common goal across government. However, persons with disabilities are often overlooked as a source of employable talent.

On March 13, 1998, President Clinton addressed the underemployment of people with disabilities by signing Executive Order 13078 establishing a National Task Force on Employment of Adults with Disabilities. The Task Force was charged with creating a coordinated and aggressive national policy to bring working-age individuals with disabilities into gainful employment at a rate approaching that of the general adult population.

This guide and its companion piece, *"Accessing Opportunity: A Model Plan for Employment of People with Disabilities in the Federal Government,"* was developed in support of the Task Force's efforts and recommendations. The purpose of this guide is to provide guidance, information, and references to aid Federal employers in their efforts to hire and advance employees with disabilities.

LEGAL FRAMEWORK

There are several laws which support and encourage the employment, retention, and advancement of people with disabilities.

1) **Section 501 of the Rehabilitation Act of 1973** prohibits discrimination on the basis of disability in Federal employment. The law:

- Requires employers to make "reasonable accommodations" to employ disabled individuals. Such accommodations may involve restructuring the job, modifying work schedules, adjusting or modifying examinations, providing readers or interpreters, and acquiring or modifying equipment and/or facilities (including the use of adaptive technology such as voice recognition software).
- Prohibits selection criteria and standards which tend to screen out disabled persons, unless such procedures have been determined through a job analysis to be essential for the job in question.
- Requires Federal agencies in the Executive branch to develop affirmative employment action programs for hiring, placement, and advancement of persons with disabilities. Affirmative action should be an integral part of ongoing agency personnel management programs. Persons with disabilities should be employed in all grade levels and occupational series commensurate with their qualifications. Federal employers should ensure that their policies do not unnecessarily exclude or limit persons with disabilities because of job structure or design, or because of architectural, transportation, communication, procedural, or attitudinal barriers.

2) **The Vietnam Era Veterans' Readjustment Assistance Act of 1974**. In furtherance of the policy of promoting "the maximum of employment and job advancement opportunities within the Federal Government for disabled veterans and certain veterans of the Vietnam era and of the post-Vietnam era who are qualified for such employment and advancement," this act placed into law the provisions of the executive order that authorized the noncompetitive appointment of Vietnam era veterans under Veterans' Readjustment Appointment (VRA). The act also ensures that all veterans are considered for employment under merit system rules and requires a separate affirmative action plan for the hiring, placement, and advancement of disabled veterans. (Please note, however, that this law does not provide any preferences to disabled veterans or to veterans of the Vietnam era.)

- 3) **The Civil Service Reform Act of 1978** requires "fair and equitable" treatment in all aspects of personnel management without regard to political affiliation, race, color, religion, national origin, sex, marital status, age, or disabling condition, and with proper regard for privacy and constitutional rights.
- 4) **The Americans with Disabilities Act (ADA) of 1990** covers employers in the private sector but was amended in 1992 to make certain provisions of the Act applicable to the Federal government. The sections of the ADA that are applicable to the Federal government can be found at 42 U.S.C. §§ 12111 *et. seq.* and 42 U.S.C. §§ 12201-204 and 12210.
- 5) **The Veterans Education and Employment Program Amendments of 1991** require expanded job opportunities for veterans and disabled veterans through the Veterans Readjustment Appointment (VRA) Authority.
- 6) **The Architectural Barriers Act**, enforced by the Architectural and Transportation Barriers Compliance Board (the Access Board), requires that buildings and facilities be accessible to people with disabilities if they were designed, built, or altered with certain Federal funds, or leased for occupancy by Federal agencies after 1968. When individuals with disabilities are unable to use a building because there are no accessible parking spaces, no curb ramps, no ramps at the entrance, no accessible rest rooms, no accessible drinking fountains, no raised lettering on signs, or other barriers exist, they may file a complaint with the Access Board.
- 7) **The Pregnancy Discrimination Act** amended Title VII of the Civil Rights Act of 1964 to prohibit sex discrimination on the basis of pregnancy, childbirth, or related medical conditions. This amendment requires that employers treat pregnancy and related conditions as any other short-term disability.
- 8) **Title 5, United States Code, Sections 3312 and 3318** require that any disqualification, non-selection, or passover of a veterans' preference eligible applicant for medical reasons must be approved by the Office of Personnel Management before the position can be filled. This includes an agency medical disqualification of a 30 percent or more disabled veteran for assignment to another position in a reduction in force.

ROLES AND RESPONSIBILITIES

The following Federal and State entities have responsibilities concerning the employment of people with disabilities:

Equal Employment Opportunity Commission (EEOC)

The EEOC is responsible for regulating and enforcing the Federal program for equal employment opportunity, oversight of the development and implementation of Federal agencies' affirmative action programs, and adjudicating claims of disability discrimination in the Federal government. Instructions on affirmative action plans for the disabled may be found in EEOC's Management Directives 712 and 713.

EEOC's Management Directive 713 requires that Federal agencies submit Annual Affirmative Action Program Plans and accomplishment reports. This directive is pursuant to the EEOC's obligation and authority under Section 501 of the Rehabilitation Act of 1973.

EEOC is also responsible for approving or disapproving each agency wide affirmative action program plan; rating the accomplishments of each agency; and communicating results of evaluations to each agency with instructions for submission of a revised agency wide plan if required. EEOC will work closely with Federal Government personnel to assist in creating and implementing effective affirmative employment programs.

Guidelines on reasonable accommodation and non-discrimination of people with disabilities are published by the EEOC. In addition, EEOC issues an annual report on employment of individuals with disabilities in the Federal Government to the Congress of the United States.

U.S. Office of Personnel Management (OPM)

OPM provides nationwide program leadership, development, and coordination for the employment of people with disabilities, including veterans with service-connected disabilities. This includes providing direction, guidance, and technical support to agency heads, directors of personnel, agency personnel offices and officials; developing recruitment policy and appointing authorities; providing information on employment methods and program development to departments and agencies; developing publications for use in promoting employment; developing, monitoring, and modifying examining procedures to facilitate the employment

consideration of qualified applicants with disabilities; and developing medical policy and realistic medical and suitability standards.

OPM takes the lead role in promoting reemployment of employees with or recovered from compensable injuries or illnesses, and fostering research and demonstration projects on disability related issues. Further, OPM maintains consistent liaison with national offices of Federal, private organizations, community agencies, and other organizations concerned with the employment of people with disabilities.

President's Committee on Employment of People with Disabilities

The President's Committee on Employment of People with Disabilities (PCEPD) is a small Federal agency whose mission is to communicate, coordinate, and promote public and private efforts to enhance the employment of people with disabilities. The PCEPD provides information, training, and technical assistance related to the employment of people with disabilities. Some of the projects and resources developed by the PCEPD include:

- The Job Accommodation Network (JAN), a toll-free information service on workplace accommodations and the employment provisions of the Americans with Disabilities Act. Anyone may call JAN at (800) 232-9675 or (800) 526-7234. One can also obtain information from the JAN Website at <http://www.jan.wvu.edu/english/homeus.htm>.
- The Workforce Recruitment Program (WRP) for college students with disabilities, a joint venture with the Department of Defense which identifies college and university students with disabilities seeking summer and permanent jobs. Federal employers may access the candidate database by calling the PCEPD's Job Accommodation Network (JAN) at 1-800-526-7234.
- Education Kits containing fact sheets on timely disability employment issues. An Education Kit and a list of available publications may be requested by calling (202) 376-6200.
- The PCEPD's Website on the Internet <http://www.pcepd.gov> which provides visitors direct access to their publications, speeches, press releases, statistical data, workplace laws, and other related topics affecting the employment of persons with disabilities.

Federal Employers

Federal agency managers and supervisors are responsible for the employment and advancement of people with disabilities. This includes recruitment, hiring, training, career development, mentoring support and providing reasonable accommodations when requested.

Career development and promotion opportunities, training, awards, and other similar programs should be an integral part of an agency's responsibilities towards employees with disabilities. Further, Federal employers should make reasonable accommodations, when requested, to the known physical or mental limitations of a qualified employee with a disability, unless the agency can demonstrate that the accommodation(s) would impose an undue hardship on the operation of its program.

Federal employers are encouraged to establish procedures to ensure that the employment and advancement of people with disabilities meet affirmative action program objectives, diversity planning, emphasis, and accountability. Action should be taken to eliminate discrimination against applicants or employees with disabilities due to barriers in agency facilities. Federal employers should also ensure that there are no personnel or management policies, practices or procedures which restrict hiring, placement and advancement of people with disabilities.

It is illegal for a Federal agency to discriminate in employment against qualified individuals with disabilities. Anyone who believes he or she has been subjected to discrimination on the basis of disability may file a complaint with the employing agency's equal employment opportunity (EEO) office. Departments and agencies should refer to EEOC's MD-110 and 29 CFR, Part 1614, for additional guidance on the EEO complaint process.

State and Other Rehabilitation Service Resources

Vocational rehabilitation counselors are available at State Vocational Rehabilitation Agencies (SVRAs) and their local offices. They can be easily reached by phone. The extent and types of services offered may vary from State to State, but most SVRA counselors are able to do some or all of the following:

- Explain disabilities;
- Prepare certification documents;
- Refer qualified applicants and provide follow-up assistance for placements made;
- Provide assistance when individuals with disabilities employed under excepted appointing authorities are upgraded or downgraded or when problems arise in

regard to these employees;

- Evaluate the rehabilitation needs of Federal employees who become disabled and advise managers and supervisors about services available;
- Purchase special equipment that individuals with disabilities need to perform their jobs;
- Locate readers for persons who are visually impaired, interpreters for persons who are hearing impaired, and personal assistants for individuals with disabilities;
- Advise about modification(s) needed to overcome architectural, transportation, and communication barriers;
- Participate in training programs for Federal employees, managers and supervisors relating to subjects such as reasonable accommodations, modification of jobs or worksites, and other related subjects;
- Arrange for Federal employees, managers, and supervisors to tour rehabilitation centers, workshops, campus facilities for students with disabilities, and independent living centers.

While State vocational rehabilitation agencies are a primary source of rehabilitation services, a number of other organizations can also be helpful. For example:

- U.S. Department of Education, Rehabilitation Services Administration;
- U.S. Architectural and Transportation Barriers Compliance Board;
- U.S. Department of Transportation;
- U.S. Department of Veterans Affairs, Vocational Rehabilitation Program;
- President's Committee on Employment of People with Disabilities and their Job Accommodation Network (JAN);
- General Services Administration;
- Local and State Committees on Employment of People With Disabilities;
- University medical centers and counseling programs;
- Gallaudet University (Washington, DC); and
- Advocacy organizations for persons with disabilities.

Also, employees with disabilities within the agency are another vital resource. Many of them are active in advocacy groups, serve on agency advisory committees, and are experts on various aspects of disability and rehabilitation.

DEFINITIONS

Person with a disability: The Rehabilitation Act of 1973, as amended, defines a "person with a disability" as an individual who:

- Has a physical or mental impairment which substantially limits one or more of such person's major life activities (such as: caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working). A "physical or mental impairment" means:
 - 1) Any physiological disorder, or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, cardiovascular, reproductive, digestive, respiratory, genito-urinary, hemic and lymphatic, skin, and endocrine; or
 - 2) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
- Has a record of such an impairment (this means that the person has a history of, or has been classified -or misclassified- as having a mental or physical impairment that substantially limits one or more major life activities); or
- Is regarded as having such an impairment; this includes individuals who are perceived to have disabilities.

Qualified person with a disability: A qualified person with a disability refers to a person with a disability who, with or without reasonable accommodation, can perform the essential functions of the position in question without harming themselves or others.

Invisible (hidden) disabilities: These are disabilities that are not readily apparent, such as migraine headaches, chronic fatigue syndrome, epilepsy, kidney disease, diabetes, cancer, chronic depression, and learning disabilities.

Targeted disabilities: Targeted disabilities, as defined by the Equal Employment Opportunity Commission (EEOC), are disabilities "targeted" for emphasis in affirmative action planning. These are: deafness, blindness, missing extremities, partial paralysis, complete paralysis, convulsive disorders, mental retardation, mental illness, and genetic or physical condition affecting limbs and/or spine. EEOC

recognizes that some disabilities that are not targeted are nevertheless just as severe or more severe than some disabilities that are targeted.

Drug addicts and alcoholics: Drug addicts and alcoholics are classified as "people with disabilities" under Section 504 of the Rehabilitation Act of 1973. However, the Americans with Disabilities Act of 1990, amended the Rehabilitation Act definition of an individual with disabilities to **exclude** "individuals currently engaging in the illegal use of drugs" regardless of whether it can be shown to adversely affect job performance or safety. Federal employers are no longer required to offer a firm choice or last chance agreement[s].

Human Immunodeficiency Virus (HIV)-Infected people: Before June 1998, only people with full-blown AIDS were covered under the Americans with Disabilities Act. As a result of a Supreme Court ruling in June 1998, people infected with HIV are also covered, even those with no overt symptoms of the disease. Protection under the disabilities law begins the moment they become infected.

REASONABLE ACCOMMODATION

Federal departments and agencies are required, **when requested**, to make reasonable accommodation to the physical or mental limitations of an applicant or employee who is a qualified person with a disability unless the accommodation would impose an undue hardship on the agency. An undue hardship is defined as an action requiring significant difficulty or expense when considered in light of factors such as the employer's size, financial resources, and the nature and structure of the operation.

A reasonable accommodation is an adjustment or alteration made to a job and/or the work environment that enables people with disabilities to perform the duties of the position. There are many types of accommodations such as worksite modifications; adjusting work schedules; restructuring jobs; acquisition or modification of equipment or devices; obtaining accessible technology or other workplace adaptive equipment; providing interpreters, assistive devices, readers, personal assistants; and reassigning or retraining employees.

Accommodations are determined on a case-by-case basis, taking into consideration the applicant or employee, his/her specific disability and the existing limitations, the essential duties of the particular job, the work environment, and the reasonableness of the proposed accommodation. In all cases, the applicant or employee should be consulted before an accommodation is made. Accommodations are highly individualized and what may be successful for one individual with a disability may not be appropriate for another. The value and nature of a particular accommodation may be clarified by considering questions such as:

- Is the accommodation necessary for the performance of duties?
- What effect will the accommodation have on the agency's operations and on the employee's performance?
- To what extent does the accommodation compensate for the person with a disability's limitations?
- Will the accommodation give the person the opportunity to function, participate, or compete on an equal basis with co-workers?
- Are there alternatives that would accomplish the same purpose?

In determining undue hardship, consider the following factors:

- Overall size of the agency, with respect to the number of employees, number and type of facilities, and size of budget;

- Type of agency operation; and
- Nature and cost of the accommodation.

Reasonable accommodations are as varied as the needs of the individuals involved, the type of position in question, and ingenuity of the agency. Some examples are provided below:

Special Testing

Federal employers may not use any test or other selection criterion that screens out or tends to screen out people with disabilities, unless the test is job-related for the position in question and there is no alternative. They are required to select and administer tests to insure that the scores of applicants or employees who have disabilities that impair sensory, manual, or speaking skills accurately reflect the ability of the applicant to do the job in question rather than disabilities of the applicant. The following factors merit additional attention:

Modifying Written Examinations: The objective is to eliminate any artificial barriers which would prevent persons with disabilities from demonstrating their capabilities in the examination process. Modification of examination procedures can include modifying test administration methods. Consideration should be given to scheduling individual or small group testing, allowing extra time, and using examiners specifically trained for this task. Accommodations may include: braille, large-print, or tape-recorded tests for persons who are visually impaired; reading to individuals who are blind or persons with reading disabilities; writing for persons who have difficulties using their hands; providing sign language interpreters to explain test procedures and directions for taking tests; and waiving verbal portions of some tests for individuals who are hearing impaired.

Modifying exam content: If an applicant's disability causes some part of a test to be unusable or inappropriate, it may be necessary to modify exam content or to develop alternate materials which measure the same knowledge, skills, and abilities that do not screen out people with disabilities. OPM has modified certain examinations for persons who are hearing and visually impaired and may be able to offer advice about types of modifications.

Accessible Examination Facilities: Examinations must be offered in accessible facilities. If a thorough review of an examination facility reveals the presence of barriers (stairs, inaccessible parking, etc.), steps should be taken to remove those barriers or, when this is not feasible, to arrange for use of an alternate location.

Many people with disabilities, even those with severe disabilities, do not need special testing. As a rule, persons who are visually or hearing impaired will require special testing. Others for whom special arrangements often are made include persons with neurological disorders such as cerebral palsy or multiple sclerosis, persons whose arms or hands are paralyzed or spastic, persons with brain damage, and persons with learning disabilities such as dyslexia.

Restructuring Jobs

Job restructuring is one of the principal means by which qualified people with disabilities can be accommodated. Job restructuring, however, does not alter the essential function of the job. Federal employers should identify which factors make a job incompatible with an individual's disability and, if possible, eliminate them so that the capabilities of the person may be used to the best advantage. This may involve changing job content by isolating and eliminating non-essential duties through reassignment, or altering the method of task accomplishment.

Two things must occur before job restructuring:

- Federal employers must understand the capabilities of individuals and identify limitations prior to job restructuring. The person with a disability should be consulted first. Supplemental information can be obtained through consultation with specialists in the field of vocational rehabilitation.
- Careful job analysis to determine the exact demands of positions must also precede job structuring. Inputs by those with intimate knowledge of the tasks involved, such as supervisors and persons who currently perform the tasks or have performed them in the past, should be included in the analysis process. This enables the most accurate differentiation to be made between basic functions and those which are non-essential and can be reassigned.

The restructuring and job analysis processes should also be used in creating positions, modifying existing position descriptions, developing recruitment strategies, determining selection criteria, designing performance plans, determining training needs, and other human resource initiatives.

Modifying Worksites

Changes in the work environment enable people with disabilities to more effectively perform job duties. Alterations may consist of: rearranging files or shelves for

accessibility to wheelchair users; braille labeling for the visually impaired; raising or lowering equipment to provide comfortable working heights; installing special holding devices on desks, machines, or benches; using adaptive technology such as voice recognition systems; or providing special heating or air conditioning units for persons who are sensitive to environmental temperature.

Work locations should be reviewed by supervisors; Disability Employment Program Managers, SVRA counselors; building managers; and persons with disabilities to identify needed worksite modifications.

Accessible Facilities

Reasonable accommodation is different from architectural accessibility and program accessibility. For buildings not covered by existing accessibility statutes, provisions of accessibility may be an aspect of reasonable accommodation. In such cases, reasonable accommodation might include physical modification of facilities or relocation of particular offices or jobs so that they are in facilities or parts of facilities that are accessible to and usable by people with disabilities.

Accommodations that may need to be made involve eliminating barriers in the physical design of the environment. This is a broader concern than modification of the worksite environment. It consists of eliminating major obstacles in the way of people with disabilities getting to and from the worksite. Physical and/or structural changes should be made in order to create as barrier-free an environment as practicable. Eliminating architectural barriers through such means as ramps, wider doorways, elevators, work platforms, and handrails often make the work facility more usable by all employees, not just those with disabilities.

Adjusting Work Schedules

Some people with disabilities possess great productive potential which is not utilized because they cannot meet the requirements of a standard 40-hour work week. By taking advantage of the flexibility of alternative work schedules, accommodations can be made for various disabilities. For example, people with mobility impairments may find it difficult to maneuver during peak periods on public transportation systems and may require an earlier or later work day. In another instance, employees requiring medical treatments may need a flexible schedule on certain days of a week. Employees requiring shorter hours may be accommodated by use of a part-time schedule or a job sharing arrangement.

Assistive Devices

Many assistive devices are available to people with disabilities. Such devices can ensure successful job performance, enabling people with disabilities to perform tasks they would not otherwise be able to do or to increase the quantity, quality, or efficiency of their work. Before purchasing any special equipment, the individual requesting a reasonable accommodation should be consulted as to what is needed and/or wanted.

In certain cases, the Department of Veterans Affairs or State vocational rehabilitation office may provide the assistive device to the individual requesting a reasonable accommodation.

Federal employers are authorized to purchase equipment if it is determined that the use of the equipment is necessary in transaction of the official business of the agency. In determining whether the purchase of a device should be authorized, consideration should be given to how well the employee could perform the job without the equipment and whether the principal benefit would be better job performance by the employee.

Readers and Interpreters

Readers: Many Federal employers have found that the best way of providing reading assistance to employees who are blind or have visual impairments is to have other employees provide this service as needed. In most cases, this amounts to a relatively small fraction of an employee's workday. Federal employers have the administrative authority to assign employees to provide reading services on a part-time or "as required" basis. This service can be classified under "other duties as assigned."

Federal employers may also hire readers for blind employees. Generally, a reader will be assigned to provide reading assistance to a specific employee. For this reason, the blind or visually-impaired employee should be involved in the selection process.

Providing reading assistance to a blind or visually-impaired employee in no way relieves the agency of the responsibility to provide clerical, secretarial, and/or administrative support to that employee in those instances where the employee's position entitles or requires such assistance. In most cases, the person providing clerical, secretarial, or administrative support will also provide reading assistance.

Interpreters: Much of the day-to-day communication may be accomplished by employees who have learned basic sign language. Many co-workers of persons who are deaf or have hearing impairments have taken it upon themselves to learn sign language and some Federal employers offer courses for their employees. When employees have gained sufficient skill in sign language, they may provide day-to-day communication services for their co-workers who are deaf or those who have hearing impairments.

Federal employers have the authority to assign other employees to provide these services on a part-time or "as required" basis. Individuals may also be hired to provide interpreter assistance on a full-time, part-time, or intermittent basis.

There are some instances where employees would not be expected to possess the high degree of interpreting skills which might be necessary for the individual who is deaf or hard of hearing to communicate effectively. Thus, service contracts may be used to obtain interpreting services from outside sources in situations such as conferences, training courses, meetings, or court appearances.

Federal employers may make excepted appointments of readers, interpreters, and other personal assistants 5 CFR 213.3102(II). This and other special hiring authorities applicable to persons with disabilities are explained in later sections of the handbook (see section on hiring options).

Flexible Leave Policies

Federal employers have the authority to adopt flexible leave policies that will accommodate people with disabilities. While the administration of the leave system is subject to certain laws and regulations, departments and agencies can adopt flexible leave policies that will accommodate people with disabilities. Instances may include the following:

(1) When extreme weather conditions make it difficult for mobility-impaired employees to get to or from work. For example, employees are generally expected to report for work after snow removal has been accomplished. However, in many cases, snow removal equipment makes travel by mobility-impaired individuals even more difficult by creating snow drifts at the curb cuts. Federal employers can adopt separate leave policies for situations such as this but should identify in advance employees who would be covered by the extended policy.

(2) When temporary building conditions adversely affect performance or health,

such as extremes of heat or cold which could affect persons with neurological disorders or respiratory ailments.

Leave policies may also include granting extended leave without pay for illness or disability. Whatever flexibility is used, they should be carefully detailed to prevent misunderstanding and should be consistently applied for all appropriate employees.

Reassigning, Retraining and Detailing Employees

In cases of current Federal employees who become disabled after employment, or whose disabilities are aggravated during their careers, Federal employers have a responsibility to make every effort for their continued employment. An employee who, because of illness or injury, is unable to continue to perform the duties of his or her current position may have other options available than applying for disability retirement. The first step should be to explore the possibility of accommodating the disabled employee in his or her accustomed position. Minor job modifications or changes in the physical environment are often all that is needed to allow a disabled employee to continue working productively. If that is not enough, then retraining, reassignment, or use of a detail should be considered.

Reassignment: The employee's work experience and education may indicate that he or she can perform satisfactorily in another position. Under certain circumstances, an exception may be made to normal qualification standards to facilitate reassignment. Reassignment need not necessarily be limited to positions of the same grade or series. The possibility that the employee would be willing to accept reassignment to a lower grade position (with save pay) with less strenuous physical or mental demands should be explored.

Retraining: Federal employers should consider retraining disabled employees for positions for which they have the basic qualifications and capabilities. Although there are initial expenses involved, the result will justify the expenditure if the employee and the position are matched carefully beforehand.

Details: In instances where the employee's ability to perform the duties of an available position are in question, or to encourage an employee to accept a voluntary reassignment, the use of a temporary detail assignment may help. If performance in the position is acceptable, consideration can then be given to making the reassignment permanent.

Disability Retirement

Before an employee can qualify for disability retirement, the employee's agency must attempt to reasonably accommodate the employee. The specific type of accommodation can vary depending on the position and the medical condition. If the employee cannot be accommodated in his or her current position, the agency must consider reassignment, with accommodation if needed, to a vacant position at the same grade or pay level and in the same commuting area. If an employee refuses to accept a reasonable accommodation in the current or reassigned position, the employee loses eligibility for disability retirement. Agencies may also consider the possibility that the employee would be willing to voluntarily accept reassignment to a position at a lower grade (with save pay) or outside the commuting area. However, the employee is under no obligation to accept such an offer.

Eliminating Transportation Barriers

One of the most difficult problems people with disabilities face is transportation to the worksite. Federal employers can do a great deal to help people with disabilities solve their personal transportation problems. Such assistance can consist of helping employees form car pools, helping people with disabilities locate co-workers with whom they may car pool; or allocate parking spaces to employees with disabilities.

Drivers who provide transportation to Federal employees with disabilities may make use of parking privileges for people with disabilities who ride with them. The General Services Administration has ruled that Federal employers are to give these persons the same priority in assignment of parking spaces that they give persons with disabilities.

Minimal Cost Accommodations

In many cases, the cost of a job or work environment accommodation can be minimal. A few examples are as follows:

- To accommodate a person who uses a wheelchair, reasonable accommodations may include the ability to access the building, the office, and files. The desk must be the right height to accommodate the wheelchair. This may be accomplished by raising the desk using wooden blocks to prop it up, and then moving furniture so that the employee may freely move around the office. Files can be placed to make them easily accessible.

- An individual with arthritis experiencing difficulty with maintaining stamina during the workday may be accommodated by providing flexibility in work hours, and a recliner to allow change in body positions to cut down on fatigue.
- Visual aids, screen readers, and enlargers; voice activated software; and braille computers may assist people who are blind or visually impaired. Initial contact should start with the office responsible for information technology (IT) management.

The concept of reasonable accommodation also applies to recruitment, training, promotion, reassignment, and developmental assignments. For example, merit promotion vacancy announcements could be brailled or taped to provide equal access to employees or applicants who are blind or visually impaired. In order to give people with disabilities opportunities to attend formal training programs, Federal employers are authorized to use training funds to provide special services, such as interpreters, readers, and braille or taping of course materials.

HIRING OPTIONS

Agency personnel offices work with State vocational rehabilitation agencies (SVRAs), the Department of Veterans Affairs, Gallaudet University and other various organizations to locate and identify qualified people with disabilities. In addition, many Federal employers participate in focused job fairs and campus recruitment visits to identify qualified people with disabilities. Hiring may be accomplished through the competitive hiring process or, if the qualifications are met, through the use of excepted service appointment authorities.

Federal employers may use a variety of hiring options to bring people with disabilities into their workforce. Descriptions of key options are listed below.

Competitive Appointments

Most Federal employees obtain jobs competitively. Applicants apply directly to the hiring departments and agencies for most positions. Federal employers use a variety of assessment tools in evaluating applicants and conducting hiring. If passing a written test is required, special testing arrangements are available, if requested. Once this process is completed, an agency may select from a list of qualified people from the appropriate list of eligible candidates to fill vacancies. The agency may then interview and make a selection for the vacancy. Special interview "reasonable accommodation" arrangements may be made, if requested.

Time-limited Appointments

An agency may fill a position using a temporary or term appointment when the need for an employee's services is not permanent. Temporary appointments are made not to exceed one year, with one 1-year extension. The work must not be permanent in nature. In contrast, term appointments are made for a period of more than one year but not to exceed four years.

Term appointments are appropriate when there is project work, extraordinary workload, scheduled abolishment, reorganization, contracting out of the function, uncertainty of future funding, or the need to maintain permanent positions for placement of employees who would otherwise be displaced from other parts of the organization.

Student Employment Programs

The Student Educational Employment Program helps Federal employers find the right people to fill current and future hiring needs. The program also gives students the opportunity to get hands-on experience in their chosen career field. The program has two major components; Student Temporary Employment and Student Career Experience.

Student Temporary Employment opportunities range from summer jobs to positions that can last as long as the student is enrolled. The Federal job does not have to be related to the student's academic field of study.

Student Career Experience opportunities include formal periods of work and study while the student attends school. This requires a commitment by the student, the school, and the Federal employer. Work experience is directly related to the student's academic field of study. After successfully completing the educational and work requirements, the student is eligible for permanent job opportunities.

Presidential Management Intern (PMI) Program

The PMI Program is designed to attract to the federal service outstanding graduate students from a wide variety of academic disciplines who have an interest in, and commitment to, a career in the analysis and management of public policies and programs. Individuals eligible to be nominated for the PMI Program are graduate students completing a master's or doctoral-level degree from an accredited college or university during the current academic year.

Students are nominated for the PMI Program by the appropriate dean, director or chairperson of their graduate academic program. All nominees are evaluated by an OPM-developed structured assessment process. Selection as a PMI finalist is based on review of the PMI application and the structured assessment process.

PMIs receive an initial two-year appointment. During the two-year internship, PMIs experience structured orientation and graduation training programs facilitated by OPM, as well as seminars, briefings, conferences, on-the-job training, rotational assignments, and other developmental opportunities arranged by participating Federal employers.

After successfully completing the two-year program, PMIs may be eligible for conversion to a permanent position and further promotional opportunities.

Appointment Under Special Authorities

The Federal Government's hiring options include excepted service special appointing authorities for people with disabilities. Federal employers are authorized to use these authorities when considering certain people with disabilities (those who have a severe physical, cognitive or emotional disability or a history of having such disabilities or are perceived as having such disabilities). The authorities provide a unique opportunity to demonstrate the potential to successfully perform the essential duties of a position with or without reasonable accommodation in the workplace.

- **Schedule A, 5 CFR 213.3102(t) for Hiring People with Mental Retardation.** This authority is used to appoint persons with cognitive disabilities (mental retardation) who meet the eligibility requirements. Upon completion of 2 years of satisfactory performance the employee may qualify for conversion to the competitive service.
- **Schedule A, 5 CFR 213.3102(u) for Hiring People With Severe Physical Disabilities.** This authority is used to appoint persons with severe physical disabilities who (1) under a temporary appointment have demonstrated their ability to perform duties satisfactorily; or (2) have been certified by a counselor from a State vocational rehabilitation agency (SVRA) or the Department of Veterans Affairs Vocational Rehabilitation Office as likely to succeed in performance of duties. Upon completion of two years of satisfactory service under this authority, the employee may qualify for conversion to the competitive service.
- **Schedule B, 5 CFR 213.3202(k) for Hiring People Who Have Recovered from Mental Illness.** This authority permits appointments at Grades GS-15 and below when filled by individuals who: (1) are placed at a severe disadvantage in obtaining employment because of a psychiatric disability evidenced by hospitalization or outpatient treatment and have had a significant period of substantially disrupted employment because of the disability; (2) are certified to a specific position by a State vocational rehabilitation counselor or a Department of Veterans Affairs counseling psychologist (or psychiatrist) who indicates that they meet the severe disadvantage criteria stated above, that they are capable of functioning in the position to which they will be appointed, and that any residual disability is not job related. Employment under this authority may not exceed 2 years following each significant period of mental illness.

In addition, Federal employers can use the following authority to provide assistance to employees with disabilities:

- **Schedule A, 5 CFR 213.3102(II) for Hiring Readers Interpreters, and Other Personal Assistants.** This authority permits appointments of readers, interpreters, and personal assistants for employees with severe disabilities when filled on a full-time, part-time, or intermittent basis. Upon completion of at least one year of satisfactory service under this authority, the employee may qualify for conversion to the competitive service.

Disabled Veterans

- **30 Percent or More Disabled Veterans.** Federal employers may give a noncompetitive temporary appointment of more than 60 days (see 5 CFR 316.302(b)(4)) or a term appointment (see 5 CFR 316.402(b)(4)) to a veteran:
 - retired from active military service with a disability rating of 30 percent or more; or
 - rated by the Department of Veterans Affairs (VA) within the preceding year as having a compensable service-connected disability of 30 percent or more.

There is no grade level limitation for this authority, but the appointee must meet all qualification requirements, including any written test requirement.

The agency may convert the employee, without a break in service, to a career or career-conditional appointment at any time during the employee's temporary or term appointment.

- **Disabled Veterans Enrolled in VA Training Programs, 5 CFR 315.604.** Disabled veterans eligible for training under the Department of Veterans Affairs' (VA) vocational rehabilitation program may enroll for training or work experience at an agency under the terms of an agreement between the agency and VA. The veteran is not a Federal employee for most purposes while enrolled in the program, but is a beneficiary of the VA. The training is tailored to individual needs and goals so there is no set length. If the training is intended to prepare the individual for eventual appointment in the agency rather than just work experience, the agency must insure that the training will enable the veteran to meet qualification requirements for the position.

Upon successful completion, the VA and the host agency give the veteran a Certificate of Training showing the occupational series and grade level of the position for which trained. The Certificate of Training allows any agency to appoint the veteran noncompetitively under a status quo appointment which may be converted to career or career-conditional at any time.

Certification

An individual who is physically disabled is considered to have met OPM qualification standards for either a temporary competitive service appointment or an excepted service Schedule A appointment when an appropriate certification is received from a State vocational rehabilitation agency (SVRA) or the Department of Veterans Affairs. The certification is prepared by a counselor on the basis of job-site inspection, analysis of job tasks, and evaluation of the proposed appointee's abilities and disabilities. The certification must state that in the counselor's judgement the proposed appointee is able to perform the duties of the position and is physically qualified to do the work safely. The certification must be supported by a medical report and a narrative statement documenting the counselor's conclusions. Factors to be discussed include training, education, work history, modification of job or worksite if needed, and limitations of the proposed appointee.

The certification required for an excepted service Schedule A appointment of an individual who is mentally retarded need only state that the individual has the ability to perform the duties of the position; is physically able to do the job safely; and can maintain himself or herself in the work environment. No medical report is required.

The certification required for appointment of individuals with psychiatric disabilities under an excepted Schedule B appointment must include documentation of a history of mental illness which includes periods of hospitalization or outpatient treatment within the previous two years; a statement by a psychologist or psychiatrist as to the individual's capability to function in the work setting; and a statement indicating that the individual is currently unemployed or has had a significant period of substantially disrupted employment within the previous two years.

Any certificate issued under the authority of an SVRA or Department of Veterans Affairs counselor and other related medical records must be maintained in a medical folder, rather than the official personnel folder (OPF) for persons with disabilities.

DEALING WITH DIFFERENT DISABILITIES

Mobility Impairments

Countless injuries, diseases, and conditions can cause mobility impairments that affect an individual's ability to find and keep a job. Some disabilities are acquired at birth. Others stem from accidents or illnesses later in life. Basic mobility, coordination and balance, strength and endurance, and other aspects of body function may be affected.

Many people who have mobility impairments use adaptive equipment of one kind or another. Mobility aids are especially common, and the most ordinary are canes, crutches, walkers, and wheelchairs. Artificial limbs (arms and legs), and body braces are also used.

Persons who have mobility impairments can hold physically demanding jobs. They need not be confined to desk jobs. These individuals can be very independent, not necessarily relying on others for assistance in daily activities. They may or may not do things differently or more slowly than others. One may wish to consider the following suggestions when interacting with individuals who have mobility impairments:

- When scheduling a job interview or meeting, make sure the location is wheelchair accessible.
- Do not hold the person's wheelchair or assume the individual wants to be pushed; always ask first.
- A wheelchair is considered part of the person's personal space. Offer assistance but do not insist. If the person needs help, he or she will accept the offer and tell exactly what will be helpful.
- Put yourself at the wheelchair user's eye level, whenever possible.
- Do not be surprised if the person transfers from a wheelchair to a piece of furniture or gets out of the wheelchair to move about. Not all wheelchair users are paralyzed; many can walk with the aid of canes, braces, or crutches.
- If a person uses crutches, a walker, or some other assistive equipment, offer assistance with coats, bags, or other belongings.

- Ensure non-slip floor coverings for the safety of a person who uses crutches and extra maneuvering space.
- Do not be sensitive about using words like "walking" or "running." People in wheelchairs use the same words.
- Treat a person who has a mobility impairment as a healthy person. A functional limitation does not mean the person is sick.
- Keep in mind that most people with disabilities have the same activities of daily living as anyone else. They maintain households, shop, go to restaurants, travel, marry, raise children, and, in general, occupy their time in the usual ways.

Blindness and Visual Impairments

The term "blindness" should be reserved for complete loss of sight, even with the best corrective lenses. For lesser disabilities, "visual impairment" is a better description. In visually impaired persons overall sight may not be affected, only the edges or a part of the visual field may be obscured, or there may be no central vision although side or peripheral vision still exists. A person's visual acuity may also change under different light conditions.

Most blind persons get around on their own by using a guide dog or cane. Visually impaired persons may not need mobility aids. For many jobs, vision simply is not necessary. Successful employment of blind and visually impaired individuals depends upon thorough job analysis, enlightened employer acceptance, and proper management support. One may wish to consider the following suggestions when interacting with individuals who have blindness or visual impairments:

- If the person seems to need assistance, offer one's services. If a person who is blind needs guidance through a door or to a chair, let the person take one's arm and follow the motion of one's body. Guide his or her hand or arm to the back of the chair. If one approaches steps, mention how many and the direction.
- Speak directly to the individual who is blind or visually impaired. Speak in a normal tone of voice.
- Introduce other people in the room or have them introduce themselves. This will assist the individual in orienting himself or herself to the room and its occupants.

- Never touch or distract a service guide dog without first asking the owner.
- When giving directions, do not use references a person cannot see. "Over there" is not a good way of describing a location. When using directional words, use them with the orientation of the person who is blind or visually impaired.
- Tell the individual when one is leaving the room.
- When guiding a person into a new or strange surrounding, one may want to describe special features or decorations.
- One should be prepared to read aloud information that is written, or ask the person if he or she would like a reader.
- When interviewing or meeting with people with visual impairments, ensure a well lit area and avoid sharp contrasts of light and dark areas.
- If offering a seat, place the individual's hand on the back or arm of the chair and let him or her sit down by him or herself.

Deafness and Hearing Impairments

Electronic devices can often compensate for partial hearing impairment. Individuals who are hard of hearing usually speak clearly and communicate in the usual manner. They may be placed in almost any type of position, except those for which acute hearing is a safety requirement.

Extra time and interest may be required during oral communications settings, such as interviews and meetings. Communication problems should not be regarded as indicative of more extensive impairments and should not be allowed to obscure an applicant's knowledge, skills and abilities. In complex situations, it is desirable to obtain the services of a professional sign language interpreter.

Many persons who are deaf or hard of hearing can speak understandably. Those that do not speak well may communicate by sign language, writing notes, using gestures, and demonstrating concepts or problems. One may wish to consider the following suggestions when interacting with individuals who are deaf or hard of hearing:

- When speaking with someone who is deaf or hard of hearing, face the person directly. Gain his or her attention before starting a conversation by a gentle touch.
- When speaking to persons who are deaf or hard of hearing, use meaningful facial expressions and gestures to emphasize one's intent and attitude. This substitutes for voice tone. Try to find a quiet place away from computers, telephones, and other sources of noise.
- Not all people who are deaf or hard of hearing know or use sign language. Do not assume they need an interpreter.
- If using a sign language or oral interpreter, speak directly to the person who is hearing impaired, not the interpreter. Face the light, speak clearly, in a normal tone of voice, and keep one's hands away from one's face.
- If one cannot understand the person with a hearing impairment, do not be afraid to ask him or her to repeat. If this approach does not work, one can ask if it would be helpful to communicate by writing or using a computer terminal.

Invisible (Hidden) Disabilities

There are many invisible disabilities such as asthma, arthritis, heart disease, environmental illness, AIDS, chronic fatigue, psychiatric or mental illnesses, attention deficit hyperactivity disorder, and learning disabilities.

If an applicant brings the condition to the prospective employer's attention, one may ask whether the condition might have an impact on his or her work and if there are any necessary accommodations. During an interview setting, if the applicant mentions seizures due to epilepsy or symptoms related to other invisible disabilities, the selecting official may ask whether the symptoms are under control and, if not, what fellow co-workers in the office need to know in the event of occurrence. This information, however, is not usually needed until after a person is hired.

A person who has recovered from a heart attack may be able to resume arduous work to which he or she previously was accustomed or may be so weakened that even administrative work is too stressful. Managers and supervisors do not need to be overcautious, as fitness for duty can be determined only by a medical specialist.

Some people with learning disabilities have adapted to their limitations, through classes, counseling sessions, or through life itself. Many can compensate for their problems so well that it is barely noticeable. A strong match between the person's strengths and the work to be performed is particularly important to the learning disabled individual. A careful job analysis is essential in determining the task and competency requirements of the job. Rehabilitation counselors can be very helpful to candidates by assisting them in assessing their strengths and finding jobs that utilize their strong points.

For additional information regarding a description of invisible disabilities, please see the resources section of this handbook.

Mental Retardation

Many people with mental retardation have average or superior abilities in some respects. While it is true that some people who are mentally retarded may not be able to think, reason or remember as well as other people, it is important to remember that they are proficient in some ways and deficient in others. Mental retardation should not be confused with mental illness or behavioral and emotional problems. The effect of the disability can be lessened, and skills and abilities increased, through rehabilitation, special education and experience on the job.

People who have mental retardation usually want to be independent and responsible for their own support. When appropriately placed and supervised, they can be assets to a workforce. The object should be to reduce the need for learning details, exercising judgment, and finding new solutions to problems.

Success on the job often depends upon the willingness of others to devote reasonable time and interest to helping the individual adjust initially and meet new challenges as they arise. One of the greatest obstacles to equal employment opportunity for these individuals is persistent lack of employer confidence in, and lowered expectations of their capabilities. One may wish to consider the following suggestions when interacting with individuals with mental retardation:

- For the most part, one should talk to the individual in the same manner as anyone else, but be more specific.
- In an interview setting, ask questions and occasionally repeat responses to insure effective communication.

- Provide information as to where things are located, such as time clock, lockers, restroom, cafeteria, drinking fountain, supply room, etc.
- Take care to explain about working hours, proper dress for the job, work station location, rate of pay, reporting official, and transportation options.

People with Psychiatric Disabilities and Mental Illness

People with psychiatric disabilities have skills, experiences and abilities that are not affected by their illness. For the purposes of employment, a person with a psychiatric disability is one who has experienced a mental or emotional difficulty that currently is under control to the extent that the individual is able to function effectively and satisfactorily in a specific job. The qualifications of people with psychiatric disabilities must be given the same consideration as those of other applicants. One may wish to consider the following suggestions when interacting with individuals who have a psychiatric disability:

- Talk to the individual as one would to anyone else.
- Through personal demeanor, show that one trusts the individual's ability to control his or her behavior.

Muscular or Neurological Limitations

Muscular or neurological disabilities may affect motor ability and/or speech. Intelligence is not affected. Some involuntary or halting movement or limitation of movement in one or more than one appendage may be observed, as well as some lisping, indistinct speech or flatness of tone due to lack of fine motor control of the tongue and lips. The severity and functional effects of the disability vary from person to person. Unless the person is severely disabled, or has the involvement of other disabilities, no accommodation may be needed during an interview setting or meeting.

If the person's speech is difficult, one should ask him or her to repeat what was said. Some people who have severe cerebral palsy, for example, find it more effective to communicate by writing, typing or using communication boards or electronic devices.

INTEGRATING PEOPLE WITH DISABILITIES INTO THE WORKFORCE

The President's Committee on Employment of People with Disabilities has a six-step process for integration. It consists of:

- 1) **Commitment** - Let the people in the agency know of the commitment to employ, advance and retain people with disabilities. Workforce diversity includes people with disabilities.
- 2) **Recruitment** - Let the Personnel/Human Resource office and Disability Employment Program Managers know that one is aggressively seeking job candidates with disabilities. Send agency vacancy announcements to disability-related organizations and Federal employers. State the agency's interest in receiving applications from people with disabilities on the job announcement.
- 3) **Interviewing** - Look at the essential functions and competency requirements of the job, the qualifications of the individual, and the availability of reasonable accommodations. Do not let the disability distract from evaluating the candidate's qualifications.
- 4) **Placement** - Test accommodations and adaptations once the person is on the job. Ask the employee with a disability to help in the process.
- 5) **Training** - Any employee's success hinges on proper orientation and training. Insure that all such agency programs are available and accessible to employees with a disability. This includes training programs that may lead to upward mobility and career advancement.
- 6) **Awareness/Sensitivity** - Train managers, supervisors, and employees about disability myths and misconceptions. An educated workforce will be better able to ensure the success of employees with disabilities.

Interviewing

Interviewing people with disabilities is the same as interviewing people who are not disabled. In general, the selecting official should ask all applicants about their qualifications, experience, and skills for doing the job.

However, there are some guidelines that are specific to people with disabilities. Unless an individual is seeking appointment under one of the special excepted appointment authorities, a selecting official should **only** ask questions about the person's ability to do the job. The office should make sure that all questions are job-related. The focus of the interview should be on the individual's ability to successfully perform the essential functions of the job and demonstrating the competencies or knowledge, skills, and abilities needed to perform the job. "Essential functions" are the tasks that are fundamental and intrinsic to the job. Understanding essential functions and the competencies required to perform those functions is particularly important to prepare for applicant interviews.

If the person indicates that he or she has a disability which makes it difficult to perform particular functions of a job, or if the selecting official believes that a person's disability may make it difficult to perform certain job functions, the selecting official may ask job-related follow-up questions, such as: describe how you can perform the job. The answer to such questions will indicate whether a reasonable accommodation is needed to enable the individual to perform the essential functions of the job. Allow the applicant to request reasonable accommodation. **It is the responsibility of the job applicant to inform the employer of any accommodation needs.** However, employers should not make a general assumption that an individual with a disability will be unable to do a certain part of the job, or that a reasonable accommodation will be needed.

Career Development

One of the major problems facing people with disabilities is underutilization of their knowledge, skills, and abilities. Developmental details and reassignments can be used as a means of providing on-the-job training which will enhance opportunities for promotion. In addition, it is easy to fall into the trap of isolating employees with disabilities from others. Make sure employees with disabilities have opportunities not only to work with others on group projects, but, when appropriate, to take on leadership roles.

Federal employers should ensure that employees with disabilities are given full consideration for inclusion in upward mobility programs, and that they are aware of career counseling. Recognize that people with disabilities have career goals. Agency managers should sit down with employees and talk about goals. Identify role models and mentors for disabled employees or encourage them to do so. Every effort should be made to ensure that disabled employees reach their maximum potential.

Performance Evaluation

People with disabilities should be held accountable for their work performance. Supervisors are responsible for communicating performance expectations to their employees and monitoring and appraising their work. When the individual with a disability begins a job, he or she should be given a clear description of the job, and the specific duties. Employees should be provided with encouragement and feedback regarding their work performance. It is important to ensure that when evaluating a person with a disability, aspects of their physical or mental disability are not held against them. They should be evaluated for their ability to do a job with the appropriate accommodations. For example, it would be inappropriate to negatively evaluate an individual who uses a wheelchair for not attending a meeting, when the meeting was held in a physically inaccessible building.

If an employee with a disability cannot perform satisfactorily after a full and fair trial period, then his or her employment should be terminated. No supervisor or manager owes a job to any person with a disability. The goal and the only obligation is equal employment opportunity. The same job-related performance criteria should be applied to disabled employees that is applied to all other employees. If it becomes necessary to terminate the appointment of a disabled employee, the Human Resources or Personnel Office will help in making this decision and taking appropriate action.

Awards

People with disabilities should have equal opportunity to receive incentive awards (special achievement/act or performance), quality step increases and all other agency-sponsored or non-agency sponsored awards. Efforts should not be limited to special awards programs geared specifically to those who are disabled.

Training

Give employees with disabilities an equal chance to benefit from training and development opportunities. Ensure that classes are held in accessible facilities, and as necessary, that materials are available in large print for persons who are visually impaired, interpreters are provided for participants who are hearing-impaired, or other accommodations are made. Any training which would provide growth opportunities that will allow disabled employees to advance in their careers should be encouraged. Such training could include developmental detail assignments, lateral reassignments, and leadership training.

PROMOTING THE EMPLOYMENT OF PEOPLE WITH DISABILITIES

Communication is the key to increasing organizational understanding and support for the employment of people with disabilities. The positive portrayal of employees with disabilities can greatly affect the public's perception, and enhance self worth of affected employees. What one says and writes can enhance their dignity and promote positive attitudes about their abilities. There are a number of target groups to be reached: the disabled community, the rehabilitation establishment, the agency workforce, students, and community groups.

Communicating messages or events such as planned initiatives, programs or exhibits, employee success stories, activities and accomplishments, and training and career development opportunities will enhance the employment and advancement of people with disabilities. One of the most effective and efficient media for some messages are internal memorandum or personal contact with the organization head, managers, supervisors and employees. Messages may also be integrated into existing media, such as an agency newsletter.

Other communications media may also be considered:

- Agency publications
- Bulletin boards
- Press releases
- Film or slide-tape presentations
- Local newspapers
- Local radio and television stations
- Chambers of Commerce
- Trade and technical magazines
- Community organizations newsletters
- Flyers
- Web sites

An agency's public affairs office may be able to assist in preparing professional copy or in maximizing one's communication tools. Outside organizations such as the President's Committee on Employment of People with Disabilities, Veterans' service organizations (VSOs), Federally Employed Women, State Vocational Rehabilitation Centers, and local news media may be able to help in the preparation of materials.

Experience has shown that programs and initiatives require dedicated and sustained support from departmental and agency leadership to achieve success. Thus, a clearly articulated commitment of agency leadership to achieving the goal of greater inclusion for adults with disabilities in the Federal workforce is critical to transforming such an aim into reality at the agency level.

APPENDIX 1: STATISTICAL INFORMATION

The Office of Personnel Management (OPM) published a *Statistical Profile of People with Disabilities in the Federal Workforce* in 1998. Copies of the report can be obtained by calling OPM's Office of Diversity at (202) 606-1059. Some of the findings are listed below:

- Despite downsizing and employment changes, the representation of persons with disabilities in the Federal Government since 1992 has remained fairly stable near 7% of the workforce. In 1997, the approximately 127,076 employees with disabilities represented 7.2% of the Federal Executive Branch workforce.
- The average pay of Federal employees with disabilities lags below the overall average Federal employee pay. A higher proportion of Federal employees with disabilities are in lower grade occupations.
- Nearly two thirds of our Federal employees with disabilities are in professional, administrative and technical occupations. This is a positive factor given that, in 1992, 40% of Federal employees with disabilities were in blue-collar and clerical occupations; jobs with more limited pay and advancement opportunities. However, other employment indicators merit further scrutiny.
- Of the 195,903 new hires in FY 1997, only 11,847, or 5.7% were people with disabilities.
- Over half (55%) of all new FY 1997 hires with disabilities were hired into blue-collar and clerical occupations. While these occupational groups have constituted traditional employment vehicles for persons with disabilities, these employment pipelines offer limited career advancement opportunities and will continue shrinking due to changes in Federal agency operations.
- From FY 1992 thru FY 1997, there has been some decline in the use of special non-competitive hiring authorities, such as Schedule A, for severely physically handicapped and mentally retarded persons, and Schedule B, for persons recovered from mental illness. During FY 1997, five special hiring authorities for persons with disabilities accounted for 11 percent of all new hires of employees with disabilities.

APPENDIX 2: FEDERAL RESOURCES

- 1) **President's Committee on Employment of People with Disabilities (PCEPD)**
1331 F Street, NW Phone: (V) (202) 376-6200
Washington, DC 20004-1107 (TDD) (202) 376-6205

Website: <http://www.pcepd.gov> EMAIL: info@pcepd.gov

- 2) **President's Committee Job Accommodation Network (JAN)**
918 Chestnut Ridge Road, Suite 1 Phone: (V) (800) 526-7234
West Virginia University - PO Box 6080 (TDD) (800) 232-9675
Morgantown, WV 26506-6080

Website: <http://www.pcepd.gov> and click on JAN or go directly to JAN at
<http://janweb.icdi.wvu.edu/english/homeus.htm>

- 3) **Equal Employment Opportunity Commission**
1801 L St. NW (Federal Sector Programs) Phone: (V) (800) 669-4000
Washington, DC 20507 (TDD) (800) 669-6820
(FAX) (513) 489-8692

For specific Federal employment questions, call the "ATTORNEY OF THE DAY" at (202) 663-4691.

- 4) **Department of Labor: Office of Federal Contractor Compliance Programs (OFCCP)** [administers Federal contractor compliance for affirmative action in the employment of people with disabilities]
Department of Labor Phone: (V) (888) 376-3227
Frances Perkins Building, (V) (202) 219-9475
200 Constitution Avenue NW (TDD) (202) 208-0452
Washington, DC 20210

Website: <http://www.dol.gov/dol/esa>>

- 5) **U.S. Office of Personnel Management**
[for Federal employment information]
1900 E St, NW. Phone: (V) (202) 606-2700
Washington, DC 20507 (TDD) (912) 744-2299

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

APPENDIX 3: STATE VOCATIONAL AND REHABILITATION AGENCIES

State Vocational and Rehabilitation Agencies provide a number of services for persons with disabilities. Services include counseling, evaluation, training, and job placement. For more information, call or write the office nearest you. Internet addresses for each agency can be accessed at:

www.nchrtm.okstate.edu/nchrtm_links/state_VR.html

ALABAMA

Dept. of Rehabilitation Services
P.O. Box 11586
Montgomery, AL 36111-0586
(334) 281-8780
Toll free: (800) 441-7607

ALASKA

Division of Vocational Rehabilitation
801 W. 10th St., Suite 200
Juneau, AK 99801-1894
Voice/TDD: (907) 465-2814
Toll Free: (800) 478-2815

ARIZONA

Rehabilitation Services Admin. (930A)
1789 West Jefferson, N.W. (2nd Floor)
Phoenix, AZ 85007
(602) 542-3332
Voice/TDD: (602) 542-6049

ARKANSAS

Department of Education
Arkansas Rehabilitation Services
Div. of Vocational & Technical Education
P.O. Box 3781
Little Rock, AR 72203
(501) 296-1616
Toll Free: (800) 330-0632

CALIFORNIA

Department of Rehabilitation
830 K Street Mall
Sacramento, CA 95814
Voice/TDD: (916) 445-3971

COLORADO

Division of Vocational Rehabilitation
110 16th Street, 2nd Floor
Denver, CO 80202
Voice/TDD: (303) 620-4153

CONNECTICUT

State Department of Social Services
Bureau of Rehabilitation Services
Division of Client Services
10 Griffin Road North
Windsor, CT 06095
(860) 298-2000
Toll Free: (800) 537-2549
TDD: (860) 298-2231

DELAWARE

Department of Labor
Division of Vocational Rehabilitation
4425 North Market Street
P.O. Box 9969
Wilmington, DE 19809-0969
(302) 761-8300
Voice/TDD: (302) 761-8349

DISTRICT OF COLUMBIA

Department of Human Services
D.C. Rehabilitation Services Administration
800 9th Street, S.W., Fourth Floor
Washington, D.C. 20024
(202) 645-5703

FLORIDA

Dept. of Labor and Employment Security
Division of Vocational Rehabilitation
2002 Old St. Augustine Road, Building A
Tallahassee, FL 32399-0696
(850) 488-6210
Voice/TDD: (850) 488-2867

GEORGIA

Department of Human Resources
Division of Rehabilitation Services
2 Peachtree Street, N.W., 23rd Floor
Atlanta, GA 30330-3166
Voice/TDD: (404) 657-3000

GUAM

Department of Vocational Rehabilitation
122 Harmon Plaza, Room B-201
Harmon Industrial Park, GU 96911
011-671-475-4645
001-671-475-4635 (Consumer Information)

HAWAII

Department of Human Services
Division of Vocational Rehabilitation
and Services for the Blind
P.O. Box 339
Honolulu, HI 96809
(808) 586-5355
(808) 586-5366

IDAHO

Division of Vocational Rehabilitation
650 West State-L. B. Jordan Bldg, Rm 150
Boise, ID 83720-0096
Voice/TDD: (208) 334-3390
Toll Free: (800) 856-2720

ILLINOIS

Department of Rehabilitation Services
623 East Adams Street
Springfield, IL 62794
(217) 785-0218
Toll Free: (800)ASK-DORIS
TDD: (217) 782-5734

INDIANA

Division of Disability, Aging and
Rehabilitation Services
402 West Washington Street, Rm W-451
P.O. Box 7083
Indianapolis, IN 46207-7083
(317) 232-1147
Toll free: (800) 545-7763
TDD Toll free: (800) 962-8408

IOWA

Department of Education
Div. of Vocational Rehabilitation Services
510 East 12th Street
Des Moines, IA 50319
Voice/TDD: (515) 281-4311
Toll free: (800) 532-1486

KANSAS

Dept. of Social and Rehabilitation Services
300 S.W. Oakley-Biddle Building, 1st Floor
Topeka, KS 66606
(913) 296-3911
TDD: (913) 296-7029

KENTUCKY

Department of Vocational Rehabilitation
209 St. Clair
Frankfort, KY 40601
Voice/TDD: (502) 564-4440
Toll free: (800) 372-7172
TDD: (502) 564-6742

LOUISIANA

Department of Social Services
Louisiana Rehabilitation Services
8225 Florida Blvd.
Baton Rouge, LA 70806-4834
(504) 925-4168
Toll free: (800) 737-2958
Voice/TDD: (504) 925-4179

MAINE

Department of Labor,
Division of Vocational Rehabilitation
35 Anthony Avenue
Augusta,, ME 04333-0150
(207) 624-5300
Toll free: (800) 332-1003
Voice/TDD: (207) 624-5322

MARIANA ISLANDS

Vocational Rehabilitation Division
Comm. of Northern Mariana Islands
P.O. Box 1521
Saipan, Mariana Islands 96950
011-670-234-6538

MARYLAND

State Department of Education
Division of Rehabilitation Services
2301 Argonne Drive
Baltimore, MD 21218
(410) 554-9385
TDD: (410) 554-9412

MASSACHUSETTS

Massachusetts Rehabilitation Commission
4 Point Place, 27-43 Wormwood Street
Boston, MA 02210
(617) 727-2172
TDD: (617) 727-9063

MICHIGAN

Michigan Rehabilitation Services
Michigan Jobs Commission
P.O. Box 30010
Lansing, MI 48909
(517) 373-3390
Toll free: (800) 605-6722
TDD: (517) 373-4035

Family Independence Agency
Disability Determination Service
P.O. Box 30011
Lansing, MI 48909
(517) 373-7830
(517) 373-4533
Toll free: (800) 366-3404

MINNESOTA

Michael Coleman, Assistant Commissioner
Department of Economics and Security
Rehabilitation Services Branch
390 North Robert Street, 5th Floor
St. Paul, MN 55101
(612) 296-1822
TDD: (612) 296-3900

MISSISSIPPI

Nell C. Carney, Executive Director
Department of Rehabilitation Services
Vocational Rehabilitation Division
1281 Highway 51
P.O. Box 22806
Madison, MS 39110
(601) 853-5100
Toll free: (800) 443-1000

MISSOURI

Don Gann, Assistant Commissioner
State Department of Education
Division of Vocational Rehabilitation
3024 W. Truman Blvd.
Jefferson City, MO 65109
Voice/TDD: (573) 751-3251

MONTANA

Dept. of Public Health & Human Services
Disability Services Division
P.O. Box 4210
Helena, MT 59604-4210
Voice/TDD: (406) 444-2590

NEBRASKA

State Department of Education
Div. of Vocational Rehabilitation Services
P.O. Box 94987
Lincoln, NE 68509
(402) 471-3649
Voice/TDD: (402) 471-3659

NEVADA

Nevada Rehabilitation Division
505 East King Street, Room 502
Carson City, NV 89710
Voice/TDD: (702) 687-4440

NEW HAMPSHIRE

State Department of Education
Division of Adult Learning & Rehabilitation
78 Regional Drive, Bldg. 2
Concord, NH 03301
Voice/TDD: (603) 271-3471

NEW JERSEY

Div. of Vocational Rehabilitation Services
135 East State Street, CN 398
Trenton, NJ 08625-0398
(609) 292-5987
Voice/TDD: (609) 292-2919

NEW MEXICO

Department of Education
Division of Vocational Rehabilitation
435 St. Michaels Drive, Bldg. D
Santa Fe, NM 87505
Toll free: (800) 235-5387
Voice/TDD: (505) 827-3500

NEW YORK

New York State Education Department
Office of Vocational and Educational
Services for Individuals with Disabilities
One Commerce Plaza, Room 1606
Albany, NY 12234
(518) 474-2714
Toll free: (800) 222-JOBS
TDD: (518) 486-3773

NORTH CAROLINA

Department of Human Resources
Div. of Vocational Rehabilitation Services
P.O. Box 26053
Raleigh, NC 27611
(919) 733-3364
Voice/TDD: (919) 733-5924

NORTH DAKOTA

Department of Human Services
Division of Vocational Rehabilitation
Dacotah Foundation Bldg.
600 S. Second Street, Suite IB
Bismarck, ND 58504-5729
(701) 328-8950
Toll free: (800) 755-2745
TDD: (701) 328-8968

OHIO

Rehabilitation Services Commission
400 East Campus View Blvd.
Columbus, OH 43235-4604
Voice/TDD: (614) 438-1210
Toll free: (800) 282-4536, ext. 1210

OKLAHOMA

Department of Rehabilitation Services
3535 NW 58, Suite 500
Oklahoma City, OK 73112
(405) 951-3400

OREGON

Department of Human Resources
Division of Vocational Rehabilitation
Human Resources Bldg.,
500 Summer St., N.E.
Salem, OR 97310-1018
(503) 945-5880
TDD: (503) 378-3933

PENNSYLVANIA

Office of Vocational Rehabilitation
Labor and Industry Building
7th and Forster Streets
Harrisburg, PA 17120
(717) 787-5244
Voice/TDD: (717) 783-8917
Toll free: (800) 442-6351

PUERTO RICO

Administration for Vocational Rehabilitation
P.O. Box 191118
San Juan, PR 00919-1118
(809) 725-1792

RHODE ISLAND

Department of Human Services
Office of Rehabilitation Services
40 Fountain Street
Providence, RI 02903-1898
(401) 421-7005
TDD: (401) 421-7016

SOUTH CAROLINA

Vocational Rehabilitation Department
1410 Boston Avenue
P.O. Box 15
West Columbia, SC 29171
(803) 896-6504
Voice/TDD: (803) 896-6635

SOUTH DAKOTA

Department of Human Services
Division of Rehabilitation Services
East Highway 34, Hillsview Plaza
c/o 500 E. Capitol
Pierre, SD 57501-5070
Voice/TDD: (605) 773-3195
Toll free: (800) 265-9684

TENNESSEE

Rehabilitation Services
Department of Human Services
Citizens Plaza State Office Bldg.
400 Deaderick Street, 15th Floor
Nashville, TN 37248-0060
Voice/TDD: (615) 313-4714

TEXAS

Texas Rehabilitation Commission
4900 North Lamar
Austin, TX 78751
(512) 483-4001
Toll free: (800) 628-5115

UTAH

Utah State Office of Rehabilitation
250 East Fifth South
Salt Lake City, UT 84111
Voice/TDD: (801) 538-7530
Toll free: (800) 473-7530

VERMONT

Vocational Rehabilitation Division
103 South Main Street
Waterbury, VT 05671-2303
Voice/TDD: (802) 241-2186

VIRGIN ISLANDS

Virgin Islands Dept. of Human Services
Div. for Disabilities and Rehabilitation
Services
1303 Hospital Ground, Hansen Complex
St. Thomas, VI 00802
(809) 774-0930

VIRGINIA

Department of Rehabilitation Services
4901 Fitzhugh Avenue
P.O. Box 11045
Richmond, VA 23230
(804) 367-0316
Voice/TDD: (804) 367-0315
Toll free: (800) 552-5019

WASHINGTON

Department of Social and Health Services
Division of Vocational Rehabilitation
P.O. Box 45340
Olympia, WA 98504-5340
Voice/TDD: (360) 427-2135
Toll free: (800) 637-5627

WEST VIRGINIA

Division of Rehabilitation Services
State Capitol Complex
P.O. Box 50890
Charleston, WV 25305-0890
(304) 766-4600
Voice/TDD: (304) 766-4970
Toll free: (800) 642-3021

WISCONSIN

Department of Workforce Development
Division of Vocational Rehabilitation
2917 International Lane, 3rd Floor
P.O. Box 7852
Madison, WI 53707-7852
(608) 243-5600
TDD: (608) 243-5601

WYOMING

Department of Employment
Division of Vocational Rehabilitation
1 East Herschler Building
Cheyenne, WY 82002
(307) 777-7385
Voice/TDD: (307) 777-7389

APPENDIX 4: REFERENCES AND REGULATIONS

I. General Medical Personnel Guidance

Law:

- A. The Americans with Disabilities Act of 1990 - 42 U.S.C. §§ 12101 et seq.
- B. The Rehabilitation Act of 1973, as amended, 29 U.S.C. § 701, et seq.; See also, 29 U.S.C. §§ 791(g), 794(d) (Incorporating standards of Americans with Disabilities Act into the Rehabilitation Act)
- C. The Family and Medical Leave Act of 1993, Pub. L. 103-3, Feb. 5, 1993, 107 Stat. 6, et seq. Title I of the Act applies to non-Federal employees and certain Federal employees and is administered by the Department of Labor. Title II of the Act applies to most Federal employees and is administered by the Office of Personnel Management.

Regulation:

- A. 5 CFR 339, Medical Qualification Determinations, March 8, 1989
- B. 29 CFR 1614, Equal Employment Opportunity Commission

NOTE: Part 1614 of the Federal sector Equal Employment Opportunity (EEO) complaint processing regulations replace part 1613, with the objective of promoting greater administrative fairness in the investigation and consideration of Federal sector EEO complaint by creating a process that is quicker and more efficient. Every Federal employee and applicant for Federal employment has the right to use the administrative EEO discrimination complaints process.

- C. For most Federal employees, 5 CFR Part 630, Subpart L, Family and Medical Leave.

NOTE: The final rule became effective on January 6, 1997.

- D. For certain Federal employees, including Postal Service employees, 29 CFR Part 825, The Family and Medical Leave Act of 1993.

NOTE: The final rule became effective on February 6, 1995.

Information:

- A. Equal Employment Opportunity Commission (EEOC)

1. EEOC - ADA Enforcement Guidance: Preemployment Disability Related Questions and Medical Examinations, October 10, 1995

NOTE: This document provides the EEOC's position under the Americans with Disabilities Act of 1990, on preemployment disability-related questions and medical examinations.

2. EEOC - EEOC Enforcement Guidance: The Americans with Disabilities Act and Psychiatric Disabilities, March 25, 1997

NOTE: This guidance is designed to facilitate the full enforcement of the ADA with respect to individuals alleging employment discrimination based on psychiatric disabilities; respond to questions and concerns expressed by individuals with psychiatric disabilities regarding ADA; and answer questions posed by employers about how principles of ADA analysis apply in the context of psychiatric disabilities.

3. EEOC - The Family and Medical Leave Act, The Americans with Disabilities Act, and Title VII of the Civil Rights Act of 1964

NOTE: This fact sheet was prepared by the Equal Opportunity Commission's (EEOC) Office of Legal Counsel. It is intended to provide technical assistance on some common questions that have arisen about the Americans with Disabilities Act of 1990 (ADA) and Title VII of the Civil Rights Act of 1964 (Title VII) when the Family and Medical Leave Act of 1993 (FMLA) also applies.

B. U.S. Office of Personnel Management (OPM)

1. OPM - Operating Manual - Qualification Standards for General Schedule Positions, August, 1994, prepared by OPM's Washington Service Center

NOTE: This operating manual replaces the Qualification Standards Handbook for General Schedule Positions.

3. OPM - The Role of the Agency Medical Review Officer (MRO¹), March, 1996, prepared by OPM's Staffing Reinvention Office
4. OPM - Guide for Administering Written Employment Examinations to Persons with Disabilities, December, 1994, prepared by OPM's Personnel Resources and Development Center

¹ See Section VI, Information (E, F) for HHS Drug Testing Medical Review Officer Source List and Manual for Federal Workplace Drug Testing Programs

5. OPM - Developing and Conducting the Structured Situational Interview: A Practical Guide, January, 1994, prepared by OPM's Personnel Resources and Development Center
6. OPM - Family-Friendly Leave Policies for Federal Employees: Employee Brochure, November 1997, prepared by OPM's Workforce Compensation and Performance Service
7. OPM - Federal Employee Entitlement Under the Family and Medical Leave Act of 1993, December 1996, prepared by OPM's Workforce Compensation and Performance Service

C. Social Security Administration (SSA)

1. U.S. Department of Health and Human Services, Social Security Administration - Disability Evaluation Under Social Security, January, 1995

NOTE: This new publication replaces the October, 1992 edition of *Disability Evaluation Under Social Security*. It is intended to provide physicians and other health professionals with an understanding of the disability programs administered by the Social Security Administration, how each program works, and the kinds of medical information a health professional can furnish to help ensure sound and prompt decisions on disability claims.

II. Aeromedical-FAA Medical Standards and Certification

Law:

- A. 49 U.S.C. 106 (G), 40113, 44701-44703, 44707, 44709-44711, 45102-45103, 45301-45303.

Regulation:

- A. 14 CFR Part 67, Federal Aviation Regulations, Medical Standards and Certification, recently revised, March, 1996, See 61 Federal Register 11256, March 19, 1996

NOTE: This establishes medical standards for airman (e.g., pilots) who have to hold an FAA issued medical certificate.

Information:

- A. U.S. Department of Transportation, Federal Aviation Administration, Office of Aviation Medicine, FAA Guide for Aviation Medical Examiners, Revised 1992

NOTE: This 1992 revision supersedes previous editions of the FAA Guide which should now be discarded.

III. Conduct or Performance Problems Involving Medical Considerations

NOTE: See Section I, Information (A) for information regarding an Agency's right to order/offer a medical or psychiatric examination.

IV. Excepted Service Appointing Authorities for Persons with Disabilities

Schedule A:

- A. 5 CFR 213.3102(II) - This hiring authority applies to readers, interpreters and other personal assistants for other employees with a severe disability(ies).
- B. 5 CFR 213.3102(t) - This hiring authority applies to persons with mental retardation.
- C. 5 CFR 213.3102(u) - This hiring authority applies to persons with severe physical disabilities.

Schedule B:

- A. 5 CFR 213.3202(k) - This hiring authority applies to persons who are mentally restored.

Veteran Specific:

- A. 5 CFR 316.402(b)(5) - This hiring authority applies to 30 percent or more Disabled Veterans.

Information:

- A. OPM - People with Disabilities in the Federal Government - A Statistical Profile, July, 1998, prepared by OPM's Office of Diversity
- B. OPM - Guide for Administering Written Employment Examinations to Persons with Disabilities, (PRDC-94-11), December, 1994, prepared by OPM's Personnel Research and Development Center

NOTE: This publication replaces the 1980 Guide for Administering Examinations to Handicapped Individuals for Employment Purposes.

V. Disability Retirement (CSRS and FERS)

Regulation:

- A. CSRS - 5 CFR Part 831, Civil Service Retirement System, Disability Retirement, September 22, 1993

Information:

- A. CSRS - Documentation in Support of Disability Retirement Application, July, 1984
B. CSRS - OPM Pamphlet Information for Disability Annuitants, March, 1995
C. CSRS - Application for Immediate Retirement, January, 1990

Regulation:

- A. FERS - 5 CFR Part 844, Federal Employees Retirement System - Disability Retirement, 1995

Information:

- A. FERS - Documentation in Support of Disability Retirement Application, August, 1987
B. FERS - OPM Pamphlet Information for FERS Disability Annuitants, October, 1995
C. FERS - Application for Immediate Retirement, March, 1988

VI. Drug and Alcohol Testing²

Executive Order:

- A. Drug-Free Federal Workplace, Executive Order 12564, 51 Federal Register 32,889 (1986)

NOTE: Executive Order 12564 requires that the Head of each Executive Agency establish a program to test for the use of illegal drugs by employees in safety or security-sensitive positions.

Law:

² See Section IX, Information (A) for information regarding the role of OPM in the adjudication of medical objections to preference eligibles who test positive on a preemployment drug screen.

- A. Section 503 of the Supplemental Appropriations Act of 1987, Pub. L. 100-71, 101 Stat. 468, codified at 5 U.S.C. § 7301 note (1987)
- B. The Omnibus Transportation Employee Testing Act of 1991, Pub. L. No. 102-143, Title V, 105 Stat. 952 (1991)

NOTE: This Act requires that a program be established to test for the use of alcohol or controlled substances. This program is mandated for Federal Aviation Administration (FAA) employees whose duties include responsibility for safety-sensitive functions and for any other Federal employee whose position requires a Commercial Drivers License (CDL) under Federal Highway Administration (FHWA) regulations.

- C. Drug Abuse Prevention, Treatment and Rehabilitation Act of 1972, 42 U.S.C. § 290ee-1 et seq., as amended by the Alcohol, Drug Abuse, and Mental Health Administration Reorganization Act, 42 U.S.C. § 290dd et seq., Pub. L. 102-321, 106 Stat. 367 (1992) (codified at 42 U.S.C. § 201 note)
- D. Federal Employee Substance Abuse Education and Treatment Act of 1986, Pub. L. 99-570, Title VI, 100 Stat. 3207-157 (1986)

NOTE: This Act requires agency programs to provide prevention, treatment, rehabilitation, and education services to Federal civilian employees with respect to drug and alcohol abuse.

Regulation:

- A. 5 CFR Part 792, Federal Employees' Health and Counseling Programs
- B. 49 CFR Part 382, Controlled Substances and Alcohol Use and Testing

NOTE: This regulation is issued by the Federal Highway Administration (FHWA) and contains the requirements applicable to positions requiring Commercial Drivers' License (CDL).

- C. 49 CFR Part 40, Procedures for Transportation Workplace Drug and Alcohol Testing Programs

NOTE: This regulation is issued by the U.S. Department of Transportation (DOT) and contains the technical procedures designed for use when testing is required pursuant to 49 CFR Part 382.

Mandatory Guidelines:

- A. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration - Mandatory Guidelines for Federal Workplace Drug Testing Programs, Federal Register Vol. 59, No. 110, June 9, 1994

NOTE: This establishes mandatory scientific and technical guidelines for Federal civilian drug testing programs pursuant to Executive Order 12564.

Information:

- A. National Institute on Drug Abuse - Model Plan for a Comprehensive Drug-Free Workplace Program, 1990
- B. U.S. Department of Transportation - Alcohol & Drug Rules - An Overview, February, 1994
- C. U.S. Department of Health and Human Services - Substance Abuse and Mental Health Services Administration - Basic Information on Breath Alcohol Testing for Implementation of the DOT Rules, February, 1995
- D. U.S. Department of Health and Human Services - An Overview of HHS Division of Workplace Programs (Federal Drug and Alcohol Program Oversight Responsibility)
- E. U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration - Medical Review Officer Manual for Federal Workplace Drug Testing Programs, 1997

NOTE: This manual applies to Federal agency drug testing programs that come under Executive Order 12564 and the Department of Health and Human Services (HHS) Mandatory Guidelines. The Department of Transportation (DOT) and Nuclear Regulatory Commission (NRC) programs have drug testing program requirements that may differ from those required by HHS. Therefore, Medical Review Officers (MROs) must be aware of those differences in reviewing results for other Federally regulated programs.

- F. U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration - Medical Review Officer (MRO) Source List, March 3, 1996

VII. Hearing Conservation

Regulation:

- A. 29 CFR 1910.95, Occupational Noise Exposure Standard, U.S. Department of Labor, Occupational Safety and Health Administration

Information:

- A. U.S. Department of Labor, OSHA Guideline Occupational Noise Exposure Compliance Assistance Guideline, 1991
- B. U.S. Department of Labor, Occupational Safety and Health Administration, Hearing Conservation, (OSHA Publication 3074), 1995

NOTE: This program is initiated as part of a comprehensive Occupational Safety and Health Program when workers are exposed to excessive/high noise levels that could cause hearing loss.

VIII. Infectious Diseases (HIV/AIDS, Hepatitis, Tuberculosis, etc.) Involving Employee Relations

Regulation:

- A. 29 CFR Part 1910.1030, Occupational Exposure to Bloodborne Pathogens, U.S. Department of Labor, Occupational Safety and Health Administration (OSHA)

NOTE: A bloodborne pathogen's protection program is initiated as part of a comprehensive Occupational Safety and Health Program when workers are potentially exposed to infectious blood or body fluids as part of their employment.

Information:

- A. OPM - HIV/AIDS Policy Guidelines, August 30, 1995, prepared by OPM's Office of Employee Relations

NOTE: These guidelines replace FPM letter 792-21, "Acquired Immune Deficiency Syndrome (AIDS) in the Workplace."

- B. U.S. Department of Health and Human Services, Social Security Administration - A Guide to Social Security and SSI Disability Benefits for People with HIV Infection, May, 1997
- C. U.S. Public Health Service, Centers for Disease Control, Morbidity and Mortality Weekly Report, September 8, 1995/Vol. 44/No. RR-11, Essential Components of a Tuberculosis Prevention and Control Program, Screening for Tuberculosis and Tuberculosis Infection in High-Risk Populations
- D. U.S. Department of Labor, Occupational Disease - Claims for Pulmonary Tuberculosis, FECA Bulletin No. 95-20, June 21, 1995

- E. U.S. Public Health Service, Centers for Disease Control, Morbidity and Mortality Weekly Report, October 28, 1994/Vol. 43/No. RR-13 1994, Guidelines for Preventing the Transmission of Mycobacterium Tuberculosis in Health Care Facilities

IX. Medical Disqualifications of Veterans Preference Eligibles (TP, CP, CPS, XP)

Law:

- A. 5 U.S.C., Sections 3312 and 3318, Preference Eligibles

Regulation:

- A. 5 CFR 339.306 Medical Qualification Determinations
B. 5 CFR 351.702(d) Reduction in Force

Information:

- A. Interagency Advisory Group, Memorandum for Directors of Personnel, dated March 14, 1997, "OPM Adjudication of Medical Disqualifications to Preference Eligibles"

NOTE: This is a reminder that in accordance with Title 5, United States Code, Sections 3312 and 3318, and 5 CFR 339, Medical Qualification Determinations, any disqualification, non-selection, or passover of a veterans' preference eligible applicant for medical reasons must be approved by the Office of Personnel Management (OPM) before the position can be filled.

- B. OPM - Procedures Guide in Processing Medical Objections to Preference Eligibles, March, 1996, prepared by OPM's Staffing Reinvention Office
C. OPM - Typical Reasons for Not Sustaining Agency Medical Passover Requests, March, 1996, prepared by OPM's Staffing Reinvention Office

X. Medical Records

Law:

- A. Privacy Act of 1974, 5 U.S.C. 552a

Regulation:

- A. 5 CFR Part 293, Subpart E, Employee Medical File System Records, prepared by OPM's Office of Workforce Information

- B. 5 CFR Part 297, Privacy Procedures for Personnel Records, prepared by OPM's Office of Workforce Information
- C. 29 CFR 1910.1020(d)(II) (1990) Access to Employee Exposure and Medical Records, U.S. Department of Labor, Occupational Safety and Health Administration
- D. 29 CFR 1904 (June 1986), A Brief Guide to Recordkeeping Requirements for Occupational Injuries and Illnesses, U.S. Department of Labor, Bureau of Labor Statistics
- E. 42 CFR Part 2, Confidentiality of Alcohol and Drug Abuse Patient's Records (This regulation applies only to Employee Assistance Program (EAP) records)

Information:

- A. OPM/GOVT-10 "Employee Medical File System Records," 57 Federal Register, 35,722, (August 10, 1992), prepared by OPM's Office of Workforce Information
- B. OPM Medical Record Procedures, (covered in OPM's Operating Manual) The Guide to Personnel Recordkeeping, prepared by OPM's Office of Workforce Information
- C. U.S. Department of Labor, Occupational Safety and Health Administration, Access to Medical and Exposure Records, (OSHA Publication 3110), 1993

XI. Mental Health Issues

NOTE: See Section I, Regulation (A), for specific information regarding an Agency's right to order/offer a medical or psychiatric examination.

XII. OWCP Issues

Law:

- A. 5 U.S.C. 8101 et seq. The Federal Employees Compensation Act, as amended

Regulation:

- A. 20 CFR Parts 1 to 25, Federal Employees Compensation Act
- B. 5 CFR Parts 353, Restoration to Duty from Uniform Service or Compensable Injury (Interim Regulations, September 1, 1995)

Information:

- A. OPM - Pamphlet Restoration Rights of Federal Employees Who Sustain Job-Related Injuries or Illnesses, January, 1992, prepared by OPM's Staffing Reinvention Office
- B. U.S. Department of Labor - Injury Compensation for Federal Employees (A Handbook for Employing Agency Personnel), (Publication CA-810), February, 1994
- C. U.S. Department of Labor, Questions and Answers About the Federal Employees' Compensation Act, (Publication CA-550), September, 1988
- D. U.S. Department of Labor, Resource Book - Training for Federal Employing Agency Compensation Specialists, 1994

XIII. Pregnancy Related Issues

Law:

- A. Pregnancy Discrimination Act, P.L. 95-555, October 31, 1978, 92 Stat. 2076, 42 U.S.C. § 2000e(k)

Regulation:

- A. 29 CFR § 1604.10(b), See also, 29 CFR Pt. 1604 App. (Questions and Answers on the Pregnancy Discrimination Act)

XIV. Respiratory Protection Program

Regulation:

- A. 29 CFR 1910.134, Respiratory Protection, U.S. Department of Labor, Occupational Safety and Health Administration (OSHA)

NOTE: This program is initiated as part of a comprehensive Occupational Safety and Health Program when workers must wear respirators to protect themselves from actual or potential airborne hazards.

- B. 29 CFR Part 1910.1001, Occupational Exposure to Asbestos, June 29, 1995, U.S. Department of Labor, Occupational Safety and Health Administration (OSHA)
- C. 29 CFR Part 1910.1200, Hazard Communication, March 11, 1994, U.S. Department of Labor, Occupational Safety and Health Administration (OSHA)

XV. Safety and Occupational Health Programs

Law:

- A. Occupational Safety and Health Act of 1970, 84 Stat. 1590, Public Law 91-596, Section 19, Federal Agency Safety Programs and Responsibilities, December 29, 1970

NOTE: This act is to assure safe and healthful working conditions for working men and women by authorizing enforcement of the standards developed under the Act; by assisting and encouraging the States in their efforts to assure safe and healthful working conditions; and by providing for research, information, education and training in the field of occupational safety and health.

Federal Regulation:

- A. 29 CFR 1910.151, Medical Services, U.S. Department of Labor, Occupational Safety and Health Administration
- B. 29 CFR 1910.1450, Occupational Exposure to Hazardous Chemicals in Laboratories, U.S. Department of Labor, Occupational Safety and Health Administration
- C. 29 CFR 1910.1200, Hazardous Communication, U.S. Department of Labor, Occupational Safety and Health Administration
- D. 5 CFR Part 339.205, Medical Evaluation Programs, Medical Surveillance Program

XVI. Veterans and the Civil Service

Information:

- A. OPM - VetGuide, Federal Employment Policy Handbook: Veterans and the Civil Service, December, 1998, prepared by OPM's Employment Service

NOTE: VetGuide explains the special rights and privileges that veterans enjoy in Federal civil service employment. The guide conveniently summarizes in one place material from many laws and regulations that affect the employment of veterans. The guide will help Federal personnel specialist ensure that veterans receive the advantages they have earned.

- B. The Office of Personnel Management (OPM) administers entitlement to veterans' preference in employment under Title 5, United States Code, and oversees other statutory employment requirements in Titles 5 and 38. (Title 38 also governs veterans' entitlement to benefits administered by the Department of Veterans Affairs (VA).)

XVI. Violence in the Workplace

Information:

- A. OPM - Dealing with Workplace Violence: A Guide for Agency Planners, written by the Office of Workforce Relations, February 1998
- B. U.S. Department of Labor, Occupational Safety and Health Administration - Guidelines for Preventing Workplace Violence for Health Care and Social Service Workers, (OSHA Publication 3148), 1996
- C. U.S. Department of Justice, United States Marshals Service - Security in the Workplace: Improving the Safety of Federal Employees, (USMS Pub. No.61) September, 1995
- D. U.S. Department of Justice - Combating Workplace Violence: Guidelines for Employers and Law Enforcement, International Association of Chiefs of Police (publication funded by Office of Justice Programs, Bureau of Justice Assistance)
- E. U.S. Department of Justice, National Institute of Justice - Understanding and Preventing Violence, February, 1994
- F. U.S. Department of Justice, National Institute of Justice - Psychoactive Substances and Violence, February, 1994
- G. U.S. Department of Justice, National Institute of Justice - The Cycle of Violence, September, 1992
- H. ADA Information Brief, Volume 1, Number 4, Violence and Workers with Psychiatric Disabilities: Myths and Facts³

Worldwide Web Information:

- A. Partnership Against Violence Network (PAVNET). The Departments of Justice, Agriculture, Education, Housing and Urban Development, and Labor. A database of programs dealing with violence. Access through the Web at www.pavnet.org.

³

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<THIS DOCUMENT HAS NOT CHANGED>

Career Development

Goal: “~~Encourages~~ [A]ll departments and agencies ~~to~~ should give full consideration to employees with disabilities for promotion and inclusion in...”

First bullet: “Federal employers should ensure that persons with disabilities are made aware of, and have an equal opportunity to compete for, promotions, managerial and executive training and other career development opportunities...”

Monitoring and Evaluating Progress

Goal: “Collects and maintains data to monitor the success...”

Second to last bullet, re: federal employers are encouraged to recognize managers and supervisors... should be moved to “Career Development” section.

Suggested Edits to OPM Draft of Plan for Employment of People With Disabilities in the Federal Government

Throughout the paper: Omit bold and underline for “OPM”. Also, general instructions should be consistent: “Agencies should” and “OPM will”

Title Page

Omit: “Model” in title (reflect the change of title throughout the document).

Table of Contents

Change: “Recruitment and ~~Placement~~” to “Recruitment and Hiring”.

Sections are rearranged as reflected below.

Introduction

Replace first three paragraphs with:

“Since President Clinton took office, the American economy has added nearly 18 million new jobs, and unemployment is the lowest in three decades. The unemployment rate among all working-age adults with disabilities, however, is nearly 75 percent.

The Federal Government is committed to take the lead in charting a public policy for employing people with disabilities that provides clear direction to both the public and private sectors. To this end, the President signed Executive Order 13078 on March 13, 1998, establishing the Presidential Task Force on Employment of Adults with Disabilities. The Task Force’s mission is to create a coordinated and aggressive national policy to bring adults with disabilities into gainful employment at a rate as close as possible to that of the general adult population. The Task Force issued their first report, “Recharting the Course,” on November 15, 1998. Vice President Gore accepted the report on behalf of the Administration at a December 14, 1998 meeting, and directed the U.S. Office of Personnel Management (OPM) to develop a plan to increase the representation of adults with disabilities in the Federal workforce. The plan addresses the following specific goals:

- ▶ Recruitment and Hiring;
- ▶ Reasonable Accommodation;
- ▶ Career Development and Promotion; and
- ▶ Monitoring and Evaluating Progress.”

Omit the fourth paragraph beginning, “In addition, ...”

Fifth paragraph, first sentence: OPM ~~is pleased to~~ provides the ~~Model~~ Plan for government wide....

Last sentence: The ~~Model Plan is the first step to help~~ will assist Federal employers to fulfill this commitment...

Recruitment and Hiring

Goal: ~~Urges~~ [A]ll departments and managers ~~to~~ should widely recruit people with disabilities for positions at all levels of the federal workforce, including GS-13 to 15 and senior executive service levels.

Because it is a long section, it should be broken up as: “Vacancy Announcements” (for the first bullet); “Recruitment Strategies” (after the first bullet); “Special Appointing Authorities” (after the bullet, ‘Federal employers should ensure that managers and supervisors understand and use various hiring programs...’); and “Employment Opportunities for Students” (inserted after the CFR reference on hiring disabled veterans).

Second paragraph: OPM will benchmark best practices in public and private sectors ~~when of~~ successful recruitment efforts of people with disabilities...

Third paragraph, second sentence: These messengers will serve as liaisons ~~of~~ between the ~~Model Plan to~~ and the community....

Fourth paragraph, “... in order to attract people with disabilities from inside and outside the federal government.”

Paragraph, “Schedule B, 5 CFR 213.3202(k) for hiring people who have recovered from mental illness.” This paragraph needs to be modified to reflect the pending Executive Order to be announced by Mrs. Gore.

Omit the third to last bullet: “Before recruiting, Federal employers will review internal human resource policies...”

Second to last bullet, “Federal employees should include language for vacancy announcements...” should be moved up as the first bullet of the entire section.

Last bullet: “Federal employers ~~are also urged to~~ should review their programs to determine if part-time employment opportunities could be created...” -- Could OPM add more to this language, describing options agencies have?

A separate section on Employment Opportunities for Students is not necessary. The key points should be added to the end of this section:

“OPM will continue promoting the Student Educational Employment Program to students, colleges and universities, and Federal managers and supervisors to attract students with disabilities to the federal workforce.”

“OPM will serve as clearinghouse for all students interested in Student Educational Employment Program opportunities.”

“OPM will work with appropriate organizations to identify information on accredited schools and programs with a high concentration of students with disabilities, and provide the information to departments and agencies.”

“OPM will develop cooperative education agreements with schools in order for Federal employers to tailor them for specific uses.”

Also include bullets on PMI and outreach efforts.

Reasonable Accommodation

Goal: Employers should establish agency-wide reasonable accommodation policies and procedures for applicants and employees with disabilities.

Up front language should be added making the point that reasonable accommodation is current law, i.e., “The law requires reasonable accommodation in the workplace and it is the policy of this Administration to ensure reasonable accommodation is available to all employees.”

First bullet, “A reasonable accommodation is an adjustment or alteration ~~made to a job and/or the work environment~~ that enables people with disabilities to ~~perform the duties of the position~~ apply for jobs, to perform job duties, or to enjoy equal benefits and other privileges of employment...”

After the first bullet, insert new bullet: “Agency-wide policies should make it easy and simple to request an accommodation. They should provide for a fair, prompt and balanced review of an accommodation request and a meaningful dialogue between supervisor and employee where necessary.”

In the second bullet, “The concept of reasonable accommodation applies to all aspects of employment, including recruitment, training, promotion, reassignment, and developmental assignments. Departments and agencies should explore ways to insure their personnel are familiar with Federal and agency-specific policies and procedures related to the availability of reasonable accommodations for persons with disabilities. ~~Departments and agencies should also consult the new Enforcement Guidance on Reasonable Accommodation issued by The Equal Employment Opportunity Commission (EEOC), on March 1, 1999. Free copies of this and other EEOC guidance can be obtained by calling 1(800) 669-3362. They can also be reviewed at EEOC’s website, www.eeoc.gov.~~ (Delete the cite to the EEOC Guidelines).

The reasonable accommodation process developed by the federal government workgroup should be cited in the Plan as an example of a good process and should be fully included in the more comprehensive “Employment Guide”.



**United States
Office of
Personnel
Management**

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SHEET**

Date:

5-11

Number of Pages

**OFFICE OF THE DIRECTOR
1900 E STREET, NW., ROOM 5H09
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FAX Number: (202) 606-2183

Remarks

① Charges to model Plan

② DRAFT EO on Psy. Disabilities w/
Preamble

APR 29 1999

ACCESSING OPPORTUNITY

A Model Plan *for* Employment of People With Disabilities in the Federal Government



United States
Office of
Personnel
Management

Employment
Service

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Washington, DC 20415-9800

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ES DO-04
March 1999

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- INTRODUCTION -

As the 21st century approaches, change is a daily occurrence. Scientific and technological advances are giving rise to new industries and occupations unheard of only a decade ago. As these advances occur, new employment opportunities are becoming plentiful. However, the majority of working-age individuals with disabilities have not shared in this employment prosperity.

The Federal Government should take the lead in recharting a public policy for employing people with disabilities that provides clear direction to both the public and private sectors. The objective is eliminating widespread barriers to gainful employment for people with disabilities.

To this end, the President signed Executive Order 13078 on March 13, 1998, establishing the Presidential Task Force on Employment of Adults with Disabilities. The Task Force's mission is to create a coordinated and aggressive national policy to bring adults with disabilities into gainful employment at a rate as close as possible to that of the general adult population. The Task Force issued their first report, "Recharting the Course," on November 15, 1998. Vice President Gore accepted the report on behalf of the Administration at a December 14, 1998 meeting, and directed the U.S. Office of Personnel Management (OPM) to develop a Model Plan. The Model Plan addresses the following specific goals:

- ▶ Urge departments and agencies to recruit widely for positions at all levels;
- ▶ Help departments and agencies provide opportunities for students with disabilities;
- ▶ Encourage departments and agencies to give full consideration to employees with disabilities for inclusion in developmental opportunities; and
- ▶ Collect and maintain data to monitor success.

In addition, the Model Plan reminds agencies of their responsibilities to provide, when requested, a reasonable accommodation to an applicant or employee who is a qualified person with a disability unless the accommodation would impose an undue hardship on the agency.

OPM is pleased to provide the Model Plan for governmentwide use as part of its ongoing support and commitment to the President's goal of making the Federal Government a model employer for people with disabilities. Experience has shown that governmentwide programs and initiatives require the dedicated and sustained commitment of department and agency leadership. The Model Plan is the first step to help Federal employers fulfill this commitment and become a model employer.

MODEL PLAN

- RECRUITMENT AND PLACEMENT -

GOAL I: *"Urges all departments and managers to recruit widely for positions at all levels of the federal workforce, including GS-13 to 15 and senior executive service levels."*

- Federal employers should develop collaborative efforts among themselves, with OPM, or with community outreach groups in developing targeted recruitment strategies for people with disabilities. By working together, the use of resources would be maximized while attracting highly-qualified persons with disabilities at all levels.

OPM will benchmark best practices in public and private sectors when successful recruitment efforts of people with disabilities is evident. Information will be shared with Federal departments and agencies, other public entities, and interested parties.

OPM will also share information through OPM Service Center "messengers." These messengers will serve as liaisons of the Model Plan to the community and Federal departments and agencies. They will also work closely with Federal Executive Boards, Federal Executive Associations, and Personnel (or Human Resources) Councils to disseminate information about Model Plan efforts and best practices.

- Departments and agencies should explore ways to recruit from all sources when filling positions, including those in the Senior Executive Service and managerial and supervisory positions at the grades GS-13-15, in order to attract candidates from outside the Federal Government.
- Departments and agencies should use a variety of resources and networks available to them in removing barriers to employment and assisting them in actively recruiting people with disabilities. Some of these resources include the following:
 - The Job Accommodation Network (JAN) will help Federal employers receive expert accommodation information easily before, during, or after the recruitment process. JAN is a confidential service which allows any manager or employee to receive individualized information on his or her accommodation issue. It is run by the President's Committee on Employment of People with Disabilities (PCEPD), and may be reached at 1-800-526-7234.

- The Workforce Recruitment Program for College Students with Disabilities (WRP) is one source Federal employers may tap for potential employees. The WRP is managed by the President's Committee on Employment of People with Disabilities (PCEPD) and the Department of Defense. It is a resource used to connect public or private sector employers nationwide with highly-motivated post-secondary students and recent graduates with disabilities. The WRP has two long-term goals: (1) to provide college students with disabilities the opportunity to obtain summer employment which may lead to permanent employment in the Federal or private sector; and (2) to break down attitudinal barriers held by employers and co-workers by demonstrating that people with disabilities can work successfully in a variety of jobs. Employers may access the candidate database by contacting their agency's WRP representative.
- Project ABLE (Able Beneficiaries' Link to Employers) is a national resume bank which provides any employer an easily-accessible applicant pool of qualified job-ready individuals. These individuals receive Social Security disability benefits and have been prepared to work. Employers may request resumes—
 - By telephone: (757) 441-3362;
 - By fax: (757) 441-3374; or
 - By Email: projable@opm.gov.

Federal employers may also access Project ABLE by dialing OPM's Automated Applicant Referral System at (912) 757-3150. A valid agency identification code is needed to access the system; it may be obtained by calling OPM at (912) 744-2085.

For more information on Project ABLE, please contact the Social Security Administration at (410) 965-9040, TTY (410) 966-6210, or through Internet at www.ssa.gov/odhome/odderp/P_Able.htm

- U.S. Department of Veterans Affairs and State vocational rehabilitation offices are also potential recruitment sources. They provide training and other services to individuals with disabilities. For more information and to locate the nearest Veterans Affairs or State office, please refer to the appropriate appendix in *People with Disabilities in the Federal Government: An Employment Guide*. Also, telephone numbers may be found in the government blue pages section of the local telephone directory.
- Department- or agency-wide memorandums are helpful in publicizing efforts to increase the number of people with disabilities in the Federal workforce. Employees will also

appreciate knowing what efforts are currently underway to increase the number of people with disabilities in their own department or agency. To support department and agency efforts, **OPM** is available to provide governmentwide or agency-specific data.

- **OPM** will help educate Federal employers on various recruiting and hiring options available to employ people with disabilities. The first step is issuing *People with Disabilities in the Federal Government: An Employment Guide* as a companion piece to this Model Plan.
- Federal employers should educate and train managers and supervisors on various hiring programs and resources available to them in recruiting and retaining employees with disabilities. An initial survey regarding familiarity with these programs may help identify specific training needs.
- **OPM** will continually remind departments and agencies of the special appointing authorities available to them when employing people with disabilities. These special appointing authorities include:

Schedule A, 5 CFR 213.3102(l) for hiring readers, interpreters, and personal assistants. This excepted authority is used to appoint readers, interpreters, and personal assistants for employees with severe disabilities. After one year of satisfactory service, they may qualify for conversion to permanent status.

Schedule A, 5 CFR 213.3102(t) for hiring people with mental retardation. This excepted authority is used to appoint persons with cognitive disabilities (mental retardation). They may qualify for conversion to permanent status after two years of satisfactory service.

Schedule A, 5 CFR 213.3102(u) for hiring people with severe physical disabilities. This excepted authority is used to appoint persons with severe physical disabilities who have demonstrated satisfactory performance through a temporary appointment, or have been certified as likely to succeed in performing the duties of the job. After two years of satisfactory service, they may qualify for conversion to permanent status.

Schedule B, 5 CFR 213.3202(k) for hiring people who have recovered from mental illness. This excepted authority is used to appoint persons who are certified that they are at a severe disadvantage in obtaining employment because of disrupted employment due to hospitalization or outpatient treatment for psychiatric disabilities. Certification also ensures that they are capable of functioning in the positions for which they will be appointed, and that any residual disabilities are not job-related.

5 CFR 316.302(b)(5) and 5 CFR 316.402(b)(5) for hiring 30 percent or more disabled veterans. These authorities are used to hire veterans who are 30 percent or more disabled under temporary appointments of more than 60 days, or term appointments. The veterans must have retired from active military service with a 30 percent or more disability rating, or be rated by the Department of Veterans Affairs within the preceding year as having a comprehensive service-connected disability of 30 percent or more. The department or agency may convert these individuals to permanent status at any time during the appointment.

5 CFR 315.604 for hiring disabled veterans enrolled in a VA training program. This authority is used to hire disabled veterans eligible for training under the Department of Veterans Affairs (VA) vocational rehabilitation program (38 U.S.C. chapter 31). The veterans may enroll for training or work experience at an agency under the terms of an agreement between the agency and VA. While enrolled in the VA program the veterans are not Federal employees for most purposes, but are beneficiaries of the VA. Upon successful completion, the host agency and VA give the veterans Certificates of Training showing the occupational series and grade levels of the positions for which trained. The Certificates of Training allows any agency to appoint the veterans noncompetitively under a status quo appointment which may be converted to permanent status at any time (The Rehabilitation Act of 1973, as amended, provides that Federal departments and agencies should initiate efforts with State vocational rehabilitation agencies to develop and enter into work experience agreements similar to those available for disabled veterans under 5 CFR 315.604).

- Before recruiting, Federal employers will review internal human resource policies to ensure that every flexibility is considered in areas such as alternative work schedules, job sharing, and dissemination of employment and other information in alternative formats.
- Federal employers should include language for vacancy announcements that states that reasonable accommodations are available to applicants or employees with a disability when such an accommodation is requested.
- Federal employers are also urged to review their programs to determine if part-time employment opportunities could be created to accommodate employees with disabilities.

- EMPLOYMENT OPPORTUNITIES FOR STUDENTS -

GOAL II: *"Helps departments and agencies provide opportunities for students with disabilities to participate in internship and student employment programs."*

- An outstanding program that is currently in place in the Federal Government is the Student Educational Employment Program. The program has two components: Student Temporary Employment and Student Career Experience (5 CFR 213.3202(a) and (b)). Both programs offer valuable, paid work experience to all students--high school, vocational and technical, associate degree, undergraduate, and graduate. Students may be employed year-round and receive a flexible schedule of work assignments. Federal employers should tailor the Student Educational Employment Program to attract students with disabilities to Federal employment.

OPM will continue promoting the Student Educational Employment Program to students, colleges and universities, and Federal managers and supervisors.

OPM will serve as a clearinghouse for all students interested in Student Educational Employment Program opportunities.

OPM will work with appropriate organizations to identify information on accredited schools and programs with a high concentration of students with disabilities, and provide the information to departments and agencies.

OPM will establish master cooperative education agreements with schools in order for Federal employers to tailor them for specific uses.

- Another source of potential employees with disabilities is the Presidential Management Intern (PMI) Program. The PMI Program is a two-year, entry-level career development and training program designed to attract to Federal service master's and doctoral students in a variety of academic disciplines. Students are nominated by their schools, and are invited to participate in an OPM-developed structured assessment process. Finalists are not guaranteed placement; they take an active role in finding a position in the Federal Government. Upon successful completion of the two-year internship, PMI's are eligible for permanent status.

OPM will continue to expand the diversity of academic disciplines in the PMI Program.

OPM will also continue outreach efforts through campus visits and targeting of professional organizations and publications serving the interests of people with disabilities.

- Colleges and universities will be encouraged to identify students with disabilities who meet the criteria of the programs listed above.
- Federal employers are encouraged to use the Workforce Recruitment Program for College Students with Disabilities (WRP) described previously (see Recruitment and Placement) as an excellent source for potential employees. Employers can access the candidate database by contacting the President's Committee at (202) 376-6868.

- CAREER DEVELOPMENT -

GOAL III: *"Encourages all departments and agencies to give full consideration to employees with disabilities for inclusion in developmental opportunities designed to enhance their leadership skills and to advance their careers."*

- Federal employers should ensure that persons with disabilities are made aware of, and have an equal opportunity to compete for, managerial and executive training or other career development opportunities. Self-nominations should be invited and encouraged, as well as nominations made by managers and supervisors.
- Career development and related program review is encouraged to make sure that no barriers exist for people with disabilities. If targeted recruitment is used to broaden the pool of candidates for these programs, include as part of that effort employees with disabilities and organizations that represent their interests.
- Federal employers should establish formal mentoring programs, especially for participants of career development programs. Mentors serve as role models and act as personal advisors and confidants. They help build self-confidence; expand individual awareness, insight, and perspective about the organization; talk about performance expectations; and discuss developmental needs and how to obtain them.
- Development of training and other courses related to disability employment issues are advocated. These courses are helpful to all levels of agency management--from first-line supervisors to the Senior Executive Service. Issues that may be covered include disability culture awareness, eliminating attitudinal barriers, communication between disability and non-disability communities, and transforming organizations to accommodate cultural differences.
- OPM, through the Federal Executive Institute and Management Development Centers, will conduct diversity training initiatives for senior management. This will improve understanding of the issues related to the employment of people with disabilities.

- MONITORING AND EVALUATING PROGRESS -

GOAL IV: “Collects and maintains data to monitor the success in achieving a higher percentage of adults with disabilities in the federal workforce.”

- **OPM** will widely disseminate information on the Federal employment of people with disabilities, such as its *People with Disabilities in the Federal Government--A Statistical Profile* report, to all departments and agencies.
- Departments and agencies are expected to regularly monitor their own workforce data, especially elements concerning workforce composition. Periodic surveying of the workforce, and evaluating the resulting data, will determine progress and successes. In turn, the data may be used to develop internal recruiting strategies and workforce planning initiatives.
- In their performance management programs, Federal employers should review efforts and successes of their managers in diversity hiring. During performance reviews, efforts by the manager or supervisor to achieve diversity in his or her organization are evaluated--including efforts to hire people with disabilities. Open discussions to eliminate employment barriers are encouraged.
- Federal employers are encouraged to recognize managers and supervisors whose recruiting, hiring, and promoting efforts of those with disabilities are commendable.
- **OPM**, in its oversight role, will monitor Federal employer efforts in recruiting and employing people with disabilities.

- REASONABLE ACCOMMODATION -

- A reasonable accommodation is an adjustment or alteration made to a job and/or the work environment that enables people with disabilities to perform the duties of the position. Federal departments and agencies are required, when requested, to make reasonable accommodation to the physical or mental limitations of an applicant or employee who is a qualified person with a disability unless the accommodation would impose an undue hardship on the agency.¹
- The concept of reasonable accommodation applies to recruitment, training, promotion, reassignment, and developmental assignments. Departments and agencies should explore ways to insure their personnel are familiar with Federal and agency-specific policies and procedures related to the availability of reasonable accommodations for persons with disabilities. The Equal Employment Opportunity Commission (EEOC) is responsible for regulations governing reasonable accommodation and should be contacted by Federal employers needing additional guidance in this matter.
- Reasonable accommodations vary with the needs of the individuals involved, the type of position in question, and the ingenuity of the agency. Accommodations are determined on a case-by-case basis, taking into consideration the applicant or employee, the specific disability and existing limitations, the essential duties of the particular job, the work environment, and the reasonableness of the proposed accommodation. The cost of a job or work environment accommodation can often be minimal. The applicant or employee should always be consulted before an accommodation is made.
- Types of accommodations include worksite modifications; part-time employment; adjusting work schedules; restructuring jobs; acquisition or modification of equipment or devices; obtaining accessible technology or other workplace adaptive equipment; providing interpreters, assistive devices, readers, personal assistants; and reassigning or retraining employees. For more information on this matter, please refer to the appropriate section in OPM's *People with Disabilities in the Federal Government: An Employment Guide*.

¹ An undue hardship is defined as an action requiring significant difficulty or expense when considered in light of factors such as the employer's size, financial resources, and the nature and structure of the operation. As mentioned previously, the Job Accommodation Network (JAN) operated by the President's Committee on Employment of People with Disabilities (PCEPD) is an excellent technical assistance resource in the area of reasonable accommodation.

Perry's mark-up
Lisa - EEOC & OPM are communicating
these are Perry's Master comments on
the latest *Bill*
Plan for Employment of People with Disabilities in the Federal Government

- REASONABLE ACCOMMODATION -

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Apply for jobs, to perform job duties, or to enjoy equal benefits and privileges of employment

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Departments and agencies should also consult new enforcement guidance on Reasonable Accommodation issued by the

Reasonable accommodations vary with the needs of the individuals involved, the type of position in question, and the ingenuity of the agency. Accommodations are determined on a case-by-case basis, taking into consideration the applicant or employee, the specific disability and existing limitations, the *essential functions* of the particular job, the work environment, and the *effectiveness* of the proposed accommodation. The cost of a job or work environment accommodation can often be minimal. The applicant or employee should always be consulted before an accommodation is made.

- Types of accommodations include worksite modifications; part-time employment; adjusting work schedules; restructuring jobs; acquisition or modification of equipment or devices; obtaining accessible technology or other workplace adaptive equipment; providing interpreters, assistive devices, readers; ~~personal assistants~~ and reassigning or ~~terminating~~ employees. For more information, please refer to the appropriate section in OPM's *People with Disabilities in the Federal Government: An Employment Guide*.

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² The EEOC issued a new guidance entitled *EEOC Enforcement Guidance on Reasonable Accommodation and Undue Hardship Under the Americans with Disabilities Act* on March 1, 1999. *move to 10*

Lisa - This is what we'd like to see. - Bill

-INTRODUCTION-

As the twenty-first century approaches, change is a daily occurrence. Scientific and technological advances are giving rise to new industries and occupations unheard of only a decade ago. As these advances occur, new employment opportunities are becoming plentiful. However, the majority of working-age individuals with disabilities have not shared in this employment prosperity.

The Federal Government should lead the way in recharting a public policy for employing people with disabilities that provides clear direction to both the public and private sectors. The objective is eliminating widespread barriers to gainful employment for people with disabilities.

To this end, the President signed Executive Order 13078 on March 13, 1998, establishing the Presidential Task Force on Employment of Adults with Disabilities. The Task Force's mission is to create a coordinated and aggressive national policy to bring adults with disabilities into gainful employment at a rate as close as possible to that of the general adult population. The Task Force issued their first report, "Recharting the Course," on November 15, 1998. Vice President Gore accepted the report on behalf of the Administration at a December 14, 1998, meeting, and directed the U.S. Office of Personnel Management (OPM) to develop the Model Plan by March 1, 1999. The Model Plan addresses four specific goals summarized below: **the following areas:**

- ▶ ~~Urge departments and agencies to recruit widely for positions at all levels;~~ **Recruitment and hiring;**
- ▶ ~~Help departments and agencies provide opportunities for students with disabilities;~~ **Reasonable accommodation;**
- ▶ ~~Encourage department and agencies to give full consideration to employees with disabilities for inclusion in developmental opportunities; and~~ **Developmental opportunities; and**
- ▶ Collection and maintenance of data to monitor success.

OPM is pleased to submit the Model Plan for government-wide use as part of its ongoing support and commitment to the President's goal of making the Federal Government a model employer for people with disabilities. Experience has shown that government-wide programs and initiatives require the dedicated and sustained commitment of department and agency leadership. The Model Plan is the first step to help Federal employers fulfill this commitment and become a model employer.

MODEL PLAN

-RECRUITMENT AND HIRING-

~~GOAL 1: "Urges all departments and managers to recruit widely for positions at all levels of the federal workforce, including GS-13 to 15 and senior executive service levels."~~

Vacancy Announcements

- **Federal employers should include language in federal vacancy notices that explicitly states that reasonable accommodation is available.**

Recruitment Strategies

- Federal employers are strongly encouraged to **should** develop collaborative efforts among themselves, with OPM, or with community outreach groups in developing targeted recruitment strategies for people with disabilities. By working together, the use of resources would be maximized while attracting highly-qualified persons with disabilities at all levels.

OPM will benchmark best practices in public and private sectors when successful recruitment efforts of people with disabilities is evident. Information will be shared with Federal departments and agencies, other public entities, and interested parties.

OPM will also share information through OPM Service Center "messengers." These messengers will serve as liaisons of the Model Plan to the community and Federal departments and agencies. They will also work closely with Federal Executive Boards, Federal Executive Associations, and Personnel (or Human Resources) Councils to disseminate information about Model Plan efforts and best practices.

- Departments and agencies should explore ways to recruit from all sources when filing positions, including those in the Senior Executive Service and managerial and supervisory positions at the grades GS 13-15, in order to attract candidates from outside the Federal

Government.

- Departments and agencies should use a variety of resources and networks available to actively recruit people with disabilities. Some of these resources include the following:
 - The Job Accommodation Network (JAN) will help Federal employers receive expert accommodation information easily before, during, or after the recruitment process. JAN is a confidential service which allows any manager or employee to receive individualized information on his or her accommodation issue. It is run by the President's Committee on Employment of People with Disabilities (PCEPD), and may be reached on 1-800-526-7234.
 - The Workforce Recruitment Program for College Students with Disabilities (WRP) is one source Federal employers may tap for potential employees. The WRP is managed by the President's Committee on Employment of People with Disabilities (PCEPD) and the Department of Defense. It is a resource used to connect public or private sector employers nationwide with highly-motivated post-secondary students and recent graduates with disabilities. The WRP has two long-term goals: (1) to provide college students with disabilities the opportunity to obtain summer employment which may lead to permanent employment in the Federal or private sector; and (2) to break down attitudinal barriers held by employers and co-workers by demonstrating that people with disabilities can work successfully in a variety of jobs. Employers may access the candidate database by contacting their agency's WRP representative.
 - Project ABLE (Able Beneficiaries' Link to Employers) is a national resume bank which provides any employer an easily-accessible applicant pool of qualified job-ready individuals. These individuals receive Social Security disability benefits and have been prepared to work. Employers may request resumes-
 - By telephone: (757) 441-3362;
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- U.S. Department of Veterans Affairs and State vocational rehabilitation offices are also potential recruitment sources. They provide training and other services to individuals with disabilities, especially veterans. For more information and to locate the nearest Veterans Affairs or State office, please refer to the appropriate appendix in *People with Disabilities in the Federal Government: An Employment Guide*. Also, telephone numbers may be found in the government blues pages section of the local telephone directory.
- Department- or agency-wide memorandums are helpful in publicizing efforts to increase the number of people with disabilities in the Federal workforce. Employees will also appreciate knowing what efforts are currently underway to increase the number of people with disabilities in their own department or agency. To support department and agency efforts, *OPM* is available to provide Government-wide or agency-specific data.
- *OPM* will help educate Federal employers on various recruiting and hiring options available to employ people with disabilities. The first step is issuing *People with Disabilities in the Federal Government: An Employment Guide* as a companion piece to this Model Plan.
- Federal employers should educate managers and supervisors on various hiring programs and resources available to them in recruiting and retaining employees with disabilities. An initial survey regarding familiarity with these programs may help identify specific training needs.

Special Appointing Authorities

- *OPM* will continually remind departments and agencies of the special appointing authorities available to them when employing people with disabilities. These special appointing authorities include:

Schedule A, 5 CFR 213.3102(ii) for hiring readers, interpreters, and personal assistants. This excepted authority is used to appoint readers, interpreters, and personal assistants for employees with severe disabilities. After one year of satisfactory service, they may qualify for conversion to permanent status.

Schedule A, 5 CFR 213.3102(t) for hiring people with mental retardation. This excepted authority is used to appoint persons with cognitive disabilities (mental retardation). They may qualify for conversion to permanent status after two years of satisfactory service.

Schedule A, 5 CFR 213.3102(u) for hiring people with severe physical disabilities. This excepted authority is used to appoint persons with severe physical disabilities who have demonstrated satisfactory performance through a temporary

appointment, or have been certified as likely to succeed in performing the duties of the job. After two years of satisfactory service, they may qualify for conversion to permanent status.

Schedule B, 5 CFR 213.3202(k) for hiring people who have recovered from mental illness. This excepted authority is used to appoint persons who are certified that they are at a severe disadvantage in obtaining employment because of disrupted employment due to hospitalization or outpatient treatment for psychiatric disabilities. Certification also ensures that they are capable of functioning in the positions for which they will be appointed, and that any residual disabilities are not job-related.

~~OPM and other appropriate agencies should explore measures aimed at eliminating the stricter standards currently applied to individuals with psychiatric disabilities seeking to qualify for excepted appointments and thereby extending to them those opportunities currently available to individuals with severe physical disabilities and mental retardation.~~

5 CFR 316.302(b)(4) and 5 CFR 316.402(b)(4) for hiring 30 percent or more disabled veterans. These competitive authorities are used to hire veterans who are 30 percent or more disabled under temporary appointments of more than 60 days, or term appointments. The veterans must have retired from active military service with a 30 percent or more disability rating, or be rated by the Department of Veterans Affairs within the preceding year as having a comprehensive service-connected disability of 30 percent or more. The department or agency may convert these individuals at any time during the appointment.

- ~~Before recruiting, Federal employers will review internal human resource policies to ensure that every flexibility is considered in areas such as vacancy announcements, flexible workplace policies, composition of selection panels, and dissemination of employment information in alternative formats.~~

~~-EMPLOYMENT OPPORTUNITIES FOR STUDENTS-~~

~~GOAL H: "Helps departments and agencies provide opportunities for students with disabilities to participate in internship and student employment programs."~~

Employment Opportunities for Students

- An outstanding program that is currently in place in the Federal Government is the

Student Educational Employment Program. The program has two components: Student Temporary Employment and Student Career Experience (5 CFR 213.3202(a) and (b)). Both programs offer valuable, paid work experience to all students—high school, vocational and technical, associate degree, undergraduate, and graduate. Students may be employed year-round and receive a flexible schedule of work assignments. Federal employers should tailor the Student Educational Employment Program to attract students with disabilities to Federal employment.

OPM will continue promoting the Student Educational Employment Program to students, colleges and universities, and Federal managers and supervisors.

OPM will serve as a clearinghouse for all students interested in Student Educational Employment Program opportunities.

OPM will work with appropriate organizations to identify information on accredited schools and programs with a high concentration of students with disabilities, and provide the information to departments and agencies.

OPM will establish master cooperative education agreements with schools in order for Federal employers to tailor them for specific uses.

- Another source of potential employees with disabilities is the Presidential Management Intern (PMI) Program. The PMI Program is a two-year, entry-level career development and training program designed to attract to Federal service master's and doctoral students in a variety of academic disciplines. Students are nominated by their schools, and are invited to participate in an OPM-developed structured assessment process. Finalists are not guaranteed placement; they take an active role in finding a position in the Federal Government. Upon successful completion of the two-year internship, PMI's are eligible for permanent status.

OPM will continue to expand the diversity of academic disciplines in the PMI Program. OPM will also continue outreach efforts through campus visits and targeting of professional organizations and publications serving the interests of people with disabilities.

- Colleges and universities will be encouraged to identify students with disabilities who meet the criteria of the programs listed above.

REASONABLE ACCOMMODATION

Federal employers should establish agency-wide, written reasonable accommodation policies and procedures for applicants and employees with disabilities. Such guidelines should promote policies that make it easy and simple to request an accommodation. They should provide for a fair, prompt and balanced review of an accommodation request; a meaningful dialogue between supervisor and employee where necessary; and a review of medical evidence by a medical professional, where the medical reasons for the accommodation are in dispute.

At a minimum, the reasonable accommodation policies adopted by Federal employers should:

1. Explain how an employee or job applicant initiates a request for reasonable accommodation. If the agency requires an applicant or employee to complete a reasonable accommodation request form, the form must be provided as an attachment to the written procedures.
2. Specify to whom the request must be submitted and from whom the employee will receive a final decision.
3. Designate a time period during which reasonable accommodation requests will be granted or denied, absent extenuating circumstances. If designated time deadlines are not met, responsible agency officials should explain the delay to the employee.
4. Explain the responsibility of the employee or applicant to provide appropriate medical information related to the functional impairment at issue and the requested accommodation.
5. Explain the agency's right to request relevant supplemental medical information if the information submitted does not clearly explain the nature of the disability, the need for the reasonable accommodation, or does not otherwise clarify how the requested accommodation will assist the employee to perform the essential functions of the job or to enjoy the benefits and privileges of the workplace.
6. Explain the agency's right to have medical information reviewed by a medical expert of the agency's choosing at the agency's expense.
7. Provide that reasonable accommodation decisions should be in writing and specify the reasons for denial, when applicable.
8. Provide a "plain English" explanation of certain key legal terms used in the policy (e.g., reasonable accommodations, disability, qualified person) with a

disability, and undue hardship), and reference applicable statutes and regulations as a source of the actual wording of the terms.

9. Provide that reassignment will be considered as a reasonable accommodation if the agency determines that no other reasonable accommodation will permit the employee to perform the essential functions of his or her current position. In the case of reassignment to a lower graded position, the agency has the option of providing pay retention because the action is not for personal cause.

10. Designate a system of record keeping that tracks the processing of requests for reasonable accommodation and maintains the confidentiality of medical information received in accordance with applicable law and regulations.

11. State in the policy that employees have the right to file a complaint in the event that their requests for reasonable accommodation are denied.

12. Clearly and expressly explain the role and responsibility of each agency official or office in the grant or denial of reasonable accommodation requests.

Federal employers should apply the ADA standards for reassignment when reassigning Federal employees with disabilities as a form of reasonable accommodation.

Federal employers should take the following measures to ensure the accessibility of technology for their employees with disabilities: Adopt the Department of Education's Requirements for Accessible Software Design as an interim standard until the Section 508 standards are published; ensure that all hardware and software purchased, modified, or upgraded by such agencies are accessible to people with disabilities; test new and current information technology systems for accessibility and consider upgrading or modifying any inaccessible systems used by employees or job applicants; ensure that all employee information provided on their interdepartmental computer networks as well as public information provided on their Web or Internet sites is accessible to people with disabilities; and ensure that employees with disabilities receive an assessment of technology access needs, and receive the appropriate assistive technology hardware, software, or peripherals to make all information technology systems used on the job accessible.

Federal employers should take the following actions to ensure that interpreters and auxiliary aids are available for training and other public events: Review their policies on provision of interpreters and other auxiliary aids and services for people with disabilities in order to ensure that their written policies state their obligation under the Rehabilitation Act to provide interpreter services and that these policies are followed; ensure that internal training opportunities are offered equally to employees with disabilities and that interpreters or other auxiliary aids and services are planned for and provided; provide sign

language interpreter services for training and other public events and, when requested, provide effective communications through other means such as Computer Assisted Real-time Transcription (CART) or assistive listening systems.

Federal employers should develop and promote part-time employment in the federal government.

-CAREER DEVELOPMENT-

~~GOAL III: "Encourages all departments and agencies to give full consideration to employees with disabilities for inclusion in developmental opportunities designed to enhance their leadership skills and to advance their careers."~~

- Federal employers should ensure that persons with disabilities are made aware of, and have an equal opportunity to compete for, managerial and executive training or other career development opportunities. Self-nominations should be invited and encouraged, as well as nominations made by managers and supervisors.
- Career development and related program review is encouraged to make sure that no barriers exist for people with disabilities. If targeted recruitment is used to broaden the pool of candidates for these programs, include as part of that effort employees with disabilities and organizations that represent their interests.
- Federal employers should establish formal mentoring programs, especially for participants of career development programs. Mentors serve as role models and act as personal advisors and confidants. They help build self-confidence; expand individual awareness, insight, and perspective about the organization; talk about performance expectations; and discuss developmental needs and how to obtain them.

-TRAINING-

- Development of training and other courses related to disability employment issues are advocated. These courses are helpful to all levels of agency management-from first-line supervisors to the Senior Executive Service. Issues that may be covered include disability culture awareness, eliminating attitudinal barriers, communication between disability and non-disability communities, and transforming organizations to accommodate cultural differences.

- OPM through the Federal Executive Institute and Management Development Centers, will conduct diversity training initiatives for senior management. This will improve understanding of the issues related to the employment of people with disabilities.
-

- MONITORING AND EVALUATING PROGRESS -

~~GOAL IV: "Collects and maintains data to monitor the success in achieving a higher percentage of adults with disabilities in the federal workforce."~~

- OPM will widely disseminate information on the Federal employment of people with disabilities, such as its *People with Disabilities in the Federal Government—A Statistical Profile* report, to all departments and agencies.
- Departments and agencies are expected to regularly monitor their own workforce data, especially elements concerning workforce composition. Periodic surveying of the workforce, and evaluating the resulting data, will determine progress and successes. In turn, the data may be used to develop internal recruiting strategies and workforce planning initiatives.
- In their performance management programs, Federal employers should review efforts and successes of their managers in diversity hiring. During performance reviews, efforts by the manager or supervisor to achieve diversity in his or her organization are evaluated—including efforts to hire people with disabilities. Open discussions to eliminate employment barriers are encouraged.
- ~~Federal employers are encouraged to reorganize managers and supervisors whose recruiting, hiring, and promoting efforts to those with disabilities are commendable.~~
- OPM, in its oversight role, will monitor Federal employer efforts in recruiting and employing people with disabilities.



**United States
Office of
Personnel
Management**

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Number of Pages

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Remarks

- ① Charges to model Plan
- ② DRAFT EO on Psy. Disabilities w/
Preamble

CHANGES FROM 4/19 HIGHLIGHTED

APR 29 1999

ACCESSING OPPORTUNITY

A Model Plan *for* Employment of People With Disabilities in the Federal Government



United States
Office of
Personnel
Management

Employment
Service

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ES DO-04
March 1999

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Unheard Change:
delete "model"

- INTRODUCTION -

As the 21st century approaches, change is a daily occurrence. Scientific and technological advances are giving rise to new industries and occupations unheard of only a decade ago. As these advances occur, new employment opportunities are becoming plentiful. However, the majority of working-age individuals with disabilities have not shared in this employment prosperity.

The Federal Government should take the lead in recharting a public policy for employing people with disabilities that provides clear direction to both the public and private sectors. The objective is eliminating widespread barriers to gainful employment for people with disabilities.

To this end, the President signed Executive Order 13078 on March 13, 1998, establishing the Presidential Task Force on Employment of Adults with Disabilities. The Task Force's mission is to create a coordinated and aggressive national policy to bring adults with disabilities into gainful employment at a rate as close as possible to that of the general adult population. The Task Force issued their first report, "Recharting the Course," on November 15, 1998. Vice President Gore accepted the report on behalf of the Administration at a December 14, 1998 meeting, and directed the U.S. Office of Personnel Management (OPM) to develop a Model Plan. The Model Plan addresses the following specific goals:

- ▶ Urge departments and agencies to recruit widely for positions at all levels;
- ▶ Help departments and agencies provide opportunities for students with disabilities;
- ▶ Encourage departments and agencies to give full consideration to employees with disabilities for inclusion in developmental opportunities; and
- ▶ Collect and maintain data to monitor success.

In addition, the Model Plan reminds agencies of their responsibilities to provide, when requested, a reasonable accommodation to an applicant or employee who is a qualified person with a disability unless the accommodation would impose an undue hardship on the agency.

OPM is pleased to provide the Model Plan for governmentwide use as part of its ongoing support and commitment to the President's goal of making the Federal Government a model employer for people with disabilities. Experience has shown that governmentwide programs and initiatives require the dedicated and sustained commitment of department and agency leadership. The Model Plan is the first step to help Federal employers fulfill this commitment and become a model employer.

MODEL PLAN

RECRUITMENT AND PLACEMENT

GOAL I: "Urges all departments and managers to recruit widely for positions at all levels of the federal workforce, including GS-13 to 15 and senior executive service levels."

- Federal employers should develop collaborative efforts among themselves, with OPM, or with community outreach groups in developing targeted recruitment strategies for people with disabilities. By working together, the use of resources would be maximized while attracting highly-qualified persons with disabilities at all levels.

OPM will benchmark best practices in public and private sectors ~~when~~ successful recruitment efforts of people with disabilities ~~is evident~~. Information will be shared with Federal departments and agencies, other public entities, and interested parties.

OPM will also share information through OPM Service Center "messengers." These messengers will serve as liaisons of the Model Plan to the community and Federal departments and agencies. They will also work closely with Federal Executive Boards, Federal Executive Associations, and Personnel (or Human Resources) Councils to disseminate information about Model Plan efforts and best practices.

- Departments and agencies should explore ways to recruit from all sources when filling positions, including those in the Senior Executive Service and managerial and supervisory positions at the grades GS-13-15, in order to attract candidates from outside the Federal Government.

- Departments and agencies should use a variety of resources and networks available to them in removing barriers to employment and assisting them in actively recruiting people with disabilities. Some of these resources include the following:

The Job Accommodation Network (JAN) will help Federal employers receive expert accommodation information easily before, during, or after the recruitment process. JAN is a confidential service which allows any manager or employee to receive individualized information on his or her accommodation issue. It is run by the President's Committee on Employment of People with Disabilities (PCEPD), and may be reached at 1-800-526-7234.

Also note
it is in
the
looking
for PWD

need to
focus on
PWD
? ←

- The Workforce Recruitment Program for College Students with Disabilities (WRP) is one source Federal employers may tap for potential employees. The WRP is managed by the President's Committee on Employment of People with Disabilities (PCEPD) and the Department of Defense. It is a resource used to connect public or private sector employers nationwide with highly-motivated post-secondary students and recent graduates with disabilities. The WRP has two long-term goals: (1) to provide college students with disabilities the opportunity to obtain summer employment which may lead to permanent employment in the Federal or private sector; and (2) to break down attitudinal barriers held by employers and co-workers by demonstrating that people with disabilities can work successfully in a variety of jobs. Employers may access the candidate database by contacting their agency's WRP representative.
- Project ABLE (Able Beneficiaries' Link to Employers) is a national resume bank which provides any employer an easily-accessible applicant pool of qualified job-ready individuals. These individuals receive Social Security disability benefits and have been prepared to work. Employers may request resumes--

- By telephone: (757) 441-3362;
- By fax: (757) 441-3374; or
- By Email: projable@opm.gov.

Federal employers may also access Project ABLE by dialing OPM's Automated Applicant Referral System at (912) 757-3150. A valid agency identification code is needed to access the system; it may be obtained by calling OPM at (912) 744-2085.

SSA list
SSA list
For more information on Project ABLE, please contact the Social Security Administration at (410) 965-9040, TTY (410) 966-6210, or through Internet at www.ssa.gov/odhome/odderp/P_Able.htm

- U.S. Department of Veterans Affairs and State vocational rehabilitation offices are also potential recruitment sources. They provide training and other services to individuals with disabilities. For more information and to locate the nearest Veterans Affairs or State office, please refer to the appropriate appendix in *People with Disabilities in the Federal Government: An Employment Guide*. Also, telephone numbers may be found in the government blue pages section of the local telephone directory.
- Department- or agency-wide memorandums are helpful in publicizing efforts to increase the number of people with disabilities in the Federal workforce. Employees will also

appreciate knowing what efforts are currently underway to increase the number of people with disabilities in their own department or agency. To support department and agency efforts, **OPM** is available to provide governmentwide or agency-specific data.

- **OPM** will help educate Federal employers on various recruiting and hiring options available to employ people with disabilities. The first step is issuing *People with Disabilities in the Federal Government: An Employment Guide* as a companion piece to this Model Plan.
- Federal employers should educate and train managers and supervisors on various hiring programs and resources available to them in recruiting and retaining employees with disabilities. An initial survey regarding familiarity with these programs may help identify specific training needs.
- **OPM** will continually remind departments and agencies of the special appointing authorities available to them when employing people with disabilities. These special appointing authorities include:

Schedule A, 5 CFR 213.3102(l) for hiring readers, interpreters, and personal assistants. This excepted authority is used to appoint readers, interpreters, and personal assistants for employees with severe disabilities. After one year of satisfactory service, they may qualify for conversion to permanent status.

Schedule A, 5 CFR 213.3102(t) for hiring people with mental retardation. This excepted authority is used to appoint persons with cognitive disabilities (mental retardation). They may qualify for conversion to permanent status after two years of satisfactory service.

Schedule A, 5 CFR 213.3102(u) for hiring people with severe physical disabilities. This excepted authority is used to appoint persons with severe physical disabilities who have demonstrated satisfactory performance through a temporary appointment, or have been certified as likely to succeed in performing the duties of the job. After two years of satisfactory service, they may qualify for conversion to permanent status.

Schedule B, 5 CFR 213.3202(k) for hiring people who have recovered from mental illness. This excepted authority is used to appoint persons who are certified that they are at a severe disadvantage in obtaining employment because of disrupted employment due to hospitalization or outpatient treatment for psychiatric disabilities. Certification also ensures that they are capable of functioning in the positions for which they will be appointed, and that any residual disabilities are not job-related.

5 CFR 316.302(b)(5) and 5 CFR 316.402(b)(5) for hiring 30 percent or more disabled veterans. These authorities are used to hire veterans who are 30 percent or more disabled under temporary appointments of more than 60 days, or term appointments. The veterans must have retired from active military service with a 30 percent or more disability rating, or be rated by the Department of Veterans Affairs within the preceding year as having a comprehensive service-connected disability of 30 percent or more. The department or agency may convert these individuals to permanent status at any time during the appointment.

5 CFR 315.604 for hiring disabled veterans enrolled in a VA training program. This authority is used to hire disabled veterans eligible for training under the Department of Veterans Affairs (VA) vocational rehabilitation program (38 U.S.C. chapter 31). The veterans may enroll for training or work experience at an agency under the terms of an agreement between the agency and VA. While enrolled in the VA program the veterans are not Federal employees for most purposes, but are beneficiaries of the VA. Upon successful completion, the host agency and VA give the veterans Certificates of Training showing the occupational series and grade levels of the positions for which trained. The Certificates of Training allows any agency to appoint the veterans noncompetitively under a status quo appointment which may be converted to permanent status at any time (The Rehabilitation Act of 1973, as amended, provides that Federal departments and agencies should initiate efforts with State vocational rehabilitation agencies to develop and enter into work experience agreements similar to those available for disabled veterans under 5 CFR 315.604).

- Before recruiting, Federal employers ^{should} will review internal human resource policies to ensure that every flexibility is considered in areas such as alternative work schedules, job sharing, and dissemination of employment and other information in alternative formats.
- Federal employers ^{should} should include language for vacancy announcements that states that reasonable accommodations are available to applicants or employees with a disability when such an accommodation is requested.
- Federal employers ^{should} are also urged to review their programs to determine if part-time employment opportunities could be created to accommodate employees with disabilities.

- EMPLOYMENT OPPORTUNITIES FOR STUDENTS -

GOAL II: *"Helps departments and agencies provide opportunities for students with disabilities to participate in internship and student employment programs."*

- An outstanding program that is currently in place in the Federal Government is the Student Educational Employment Program. The program has two components: Student Temporary Employment and Student Career Experience (5 CFR 213.3202(a) and (b)). Both programs offer valuable, paid work experience to all students--high school, vocational and technical, associate degree, undergraduate, and graduate. Students may be employed year-round and receive a flexible schedule of work assignments. Federal employers should tailor the Student Educational Employment Program to attract students with disabilities to Federal employment.

OPM will continue promoting the Student Educational Employment Program to students, colleges and universities, and Federal managers and supervisors.

OPM will serve as a clearinghouse for all students interested in Student Educational Employment Program opportunities.

OPM will work with appropriate organizations to identify information on accredited schools and programs with a high concentration of students with disabilities, and provide the information to departments and agencies.

OPM will establish master cooperative education agreements with schools in order for Federal employers to tailor them for specific uses.

- Another source of potential employees with disabilities is the Presidential Management Intern (PMI) Program. The PMI Program is a two-year, entry-level career development and training program designed to attract to Federal service master's and doctoral students in a variety of academic disciplines. Students are nominated by their schools, and are invited to participate in an OPM-developed structured assessment process. Finalists are not guaranteed placement; they take an active role in finding a position in the Federal Government. Upon successful completion of the two-year internship, PMI's are eligible for permanent status.

OPM will continue to expand the diversity of academic disciplines in the PMI Program.

OPM will also continue outreach efforts through campus visits and targeting of professional organizations and publications serving the interests of people with disabilities.

- Colleges and universities will be encouraged to identify students with disabilities who meet the criteria of the programs listed above.
- Federal employers are encouraged to use the Workforce Recruitment Program for College Students with Disabilities (WRP) described previously (see Recruitment and Placement) as an excellent source for potential employees. Employers can access the candidate database by contacting the President's Committee at (202) 376-6868.

- CAREER DEVELOPMENT -

GOAL III: "Encourage all departments and agencies to give full consideration to employees with disabilities for inclusion in developmental opportunities designed to enhance their leadership skills and to advance their careers."

- Federal employers should ensure that persons with disabilities are made aware of, and have an equal opportunity to compete for, managerial and executive training or other career development opportunities. Self-nominations should be invited and encouraged, as well as nominations made by managers and supervisors.
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Need
to
specifically
refer to
Promoting

- MONITORING AND EVALUATING PROGRESS -

GOAL IV: “Collects and maintains data to monitor the success in achieving a higher percentage of adults with disabilities in the federal workforce.”

- **OPM** will widely disseminate information on the Federal employment of people with disabilities, such as its *People with Disabilities in the Federal Government--A Statistical Profile* report, to all departments and agencies.
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- Federal employers are encouraged to recognize managers and supervisors whose recruiting, hiring, and promoting efforts of those with disabilities are commendable.
- **OPM**, in its oversight role, will monitor Federal employer efforts in recruiting and employing people with disabilities.

- REASONABLE ACCOMMODATION -

- A reasonable accommodation is an adjustment or alteration made to a job and/or the work environment that enables people with disabilities to perform the duties of the position. Federal departments and agencies are required, when requested, to make reasonable accommodation to the physical or mental limitations of an applicant or employee who is a qualified person with a disability unless the accommodation would impose an undue hardship on the agency.¹
- The concept of reasonable accommodation applies to recruitment, training, promotion, reassignment, and developmental assignments. Departments and agencies should explore ways to insure their personnel are familiar with Federal and agency-specific policies and procedures related to the availability of reasonable accommodations for persons with disabilities. The Equal Employment Opportunity Commission (EEOC) is responsible for regulations governing reasonable accommodation and should be contacted by Federal employers needing additional guidance in this matter. } reference
EEOC
guidance
- Reasonable accommodations vary with the needs of the individuals involved, the type of position in question, and the ingenuity of the agency. Accommodations are determined on a case-by-case basis, taking into consideration the applicant or employee, the specific disability and existing limitations, the essential duties of the particular job, the work environment, and the reasonableness of the proposed accommodation. The cost of a job or work environment accommodation can often be minimal. The applicant or employee should always be consulted before an accommodation is made.
- Types of accommodations include worksite modifications; part-time employment; adjusting work schedules; restructuring jobs; acquisition or modification of equipment or devices; obtaining accessible technology or other workplace adaptive equipment; providing interpreters, assistive devices, readers, personal assistants; and reassigning or retraining employees. For more information on this matter, please refer to the appropriate section in OPM's *People with Disabilities in the Federal Government: An Employment Guide*.

→ Add Working Group proposal - process in Employment Guide
an example of process in Employment Guide

¹ An undue hardship is defined as an action requiring significant difficulty or expense when considered in light of factors such as the employer's size, financial resources, and the nature and structure of the operation. As mentioned previously, the Job Accommodation Network (JAN) operated by the President's Committee on Employment of People with Disabilities (PCEPD) is an excellent technical assistance resource in the area of reasonable accommodation.

CHANGES FROM 4/19 HIGHLIGHTED

APR 29 1999

ACCESSING OPPORTUNITY

Plan

A Model Plan for Employment of People With Disabilities in the Federal Government



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- ▶ Urge departments and agencies to recruit widely for positions at all levels; Recruitment and hiring
- ▶ Help departments and agencies provide opportunities for students with disabilities; Reasonable accommodation
- ▶ Encourage departments and agencies to give full consideration to employees with disabilities for inclusion in developmental opportunities; and Developmental opportunities; and
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In addition, the Model Plan reminds agencies of their responsibilities to provide, when requested, a reasonable accommodation to an applicant or employee who is a qualified person with a disability unless the accommodation would impose an undue hardship on the agency.

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[Handwritten signature]

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RECRUITMENT AND PLACEMENT

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(3) Department- or agency-wide memorandums are helpful in publicizing efforts to increase the number of people with disabilities in the Federal workforce. Employees will also

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- (2) OPM will help educate Federal employers on various recruiting and hiring options available to employ people with disabilities. The first step is issuing *People with Disabilities in the Federal Government: An Employment Guide* as a companion piece to this Model Plan.

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- OPM will continually remind departments and agencies of the special appointing authorities available to them when employing people with disabilities. These special appointing authorities include:

Schedule A, 5 CFR 213.3102(ii) for hiring readers, interpreters, and personal assistants. This excepted authority is used to appoint readers, interpreters, and personal assistants for employees with severe disabilities. After one year of satisfactory service, they may qualify for conversion to permanent status.

Schedule A, 5 CFR 213.3102(t) for hiring people with mental retardation. This excepted authority is used to appoint persons with cognitive disabilities (mental retardation). They may qualify for conversion to permanent status after two years of satisfactory service.

Schedule A, 5 CFR 213.3102(u) for hiring people with severe physical disabilities. This excepted authority is used to appoint persons with severe physical disabilities who have demonstrated satisfactory performance through a temporary appointment, or have been certified as likely to succeed in performing the duties of the job. After two years of satisfactory service, they may qualify for conversion to permanent status.

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The President has issued Executive Order
granting authority

To reflect what we
are doing w/ Gore

Mrs. Gore's
Announcement
Related.

5 CFR 316.302(b)(5) and 5 CFR 316.402(b)(5) for hiring 30 percent or more disabled veterans. These authorities are used to hire veterans who are 30 percent or more disabled under temporary appointments of more than 60 days, or term appointments. The veterans must have retired from active military service with a 30 percent or more disability rating, or be rated by the Department of Veterans Affairs within the preceding year as having a comprehensive service-connected disability of 30 percent or more. The department or agency may convert these individuals to permanent status at any time during the appointment.

5 CFR 315.604 for hiring disabled veterans enrolled in a VA training program. This authority is used to hire disabled veterans eligible for training under the Department of Veterans Affairs (VA) vocational rehabilitation program (38 U.S.C. chapter 31). The veterans may enroll for training or work experience at an agency under the terms of an agreement between the agency and VA. While enrolled in the VA program the veterans are not Federal employees for most purposes, but are beneficiaries of the VA. Upon successful completion, the host agency and VA give the veterans Certificates of Training showing the occupational series and grade levels of the positions for which trained. The Certificates of Training allows any agency to appoint the veterans noncompetitively under a status quo appointment which may be converted to permanent status at any time (The Rehabilitation Act of 1973, as amended, provides that Federal departments and agencies should initiate efforts with State vocational rehabilitation agencies to develop and enter into work experience agreements similar to those available for disabled veterans under 5 CFR 315.604).

- Before recruiting, Federal employers will review internal human resource policies to ensure that every flexibility is considered in areas such as alternative work schedules, job sharing, and dissemination of employment and other information in alternative formats.
-  Federal employers should include language for vacancy announcements that states that reasonable accommodations are available to applicants or employees with a disability when such an accommodation is requested.
- Federal employers are also urged to review their programs to determine if part-time employment opportunities could be created to accommodate employees with disabilities.

- EMPLOYMENT OPPORTUNITIES FOR STUDENTS -

GOAL II: *"Helps ^{should} Departments and agencies provide opportunities for students with disabilities to participate in internship and student employment programs."*

- An outstanding program that is currently in place in the Federal Government is the Student Educational Employment Program. The program has two components: Student Temporary Employment and Student Career Experience (5 CFR 213.3202(a) and (b)). Both programs offer valuable, paid work experience to all students--high school, vocational and technical, associate degree, undergraduate, and graduate. Students may be employed year-round and receive a flexible schedule of work assignments. Federal employers should tailor the Student Educational Employment Program to attract students with disabilities to Federal employment.

OPM will continue promoting the Student Educational Employment Program to students, colleges and universities, and Federal managers and supervisors.

OPM will serve as a clearinghouse for all students interested in Student Educational Employment Program opportunities.

OPM will work with appropriate organizations to identify information on accredited schools and programs with a high concentration of students with disabilities, and provide the information to departments and agencies.

OPM will establish master cooperative education agreements with schools in order for Federal employers to tailor them for specific uses.

- Another source of potential employees with disabilities is the Presidential Management Intern (PMI) Program. The PMI Program is a two-year, entry-level career development and training program designed to attract to Federal service master's and doctoral students in a variety of academic disciplines. Students are nominated by their schools, and are invited to participate in an OPM-developed structured assessment process. Finalists are not guaranteed placement; they take an active role in finding a position in the Federal Government. Upon successful completion of the two-year internship, PMI's are eligible for permanent status.

~~OPM will continue to expand the diversity of academic disciplines in the PMI Program.~~

OPM will also continue outreach efforts through campus visits and targeting of professional organizations and publications serving the interests of people with disabilities.

- *OPM will encourage*
~~Colleges and universities will be encouraged~~ to identify students with disabilities who meet the criteria of the programs listed above.
- Federal employers are encouraged to use the Workforce Recruitment Program for College Students with Disabilities (WRP) described previously (see Recruitment and Placement) as an excellent source for potential employees. Employers can access the candidate database by contacting the President's Committee at (202) 376-6868.

Goal IV
Employers should establish agency-wide reasonable accommodation policies and procedures for applicants and employees with disabilities.

- REASONABLE ACCOMMODATION -

- A reasonable accommodation is an adjustment or alteration made to a job and/or the work environment that enables people with disabilities to perform the duties of the position. Federal departments and agencies are required, when requested, to make reasonable accommodation to the physical or mental limitations of an applicant or employee who is a qualified person with a disability unless the accommodation would impose an undue hardship on the agency.¹
- The concept of reasonable accommodation applies to recruitment, training, promotion, reassignment, and developmental assignments. Departments and agencies should explore ways to insure their personnel are familiar with Federal and agency-specific policies and procedures related to the availability of reasonable accommodations for persons with disabilities. The Equal Employment Opportunity Commission (EEOC) is responsible for regulations governing reasonable accommodation and should be contacted by Federal employers needing additional guidance in this matter.
- Reasonable accommodations vary with the needs of the individuals involved, the type of position in question, and the ingenuity of the agency. Accommodations are determined on a case-by-case basis, taking into consideration the applicant or employee, the specific disability and existing limitations, the essential duties of the particular job, the work environment, and the reasonableness of the proposed accommodation. The cost of a job or work environment accommodation can often be minimal. The applicant or employee should always be consulted before an accommodation is made.
- Types of accommodations include worksite modifications; part-time employment; adjusting work schedules; restructuring jobs; acquisition or modification of equipment or devices; obtaining accessible technology or other workplace adaptive equipment; providing interpreters, assistive devices, readers, personal assistants; and reassigning or retraining employees. For more information on this matter, please refer to the appropriate section in OPM's *People with Disabilities in the Federal Government: An Employment Guide*.

+ Reference the EEOC guidance

Agency-wide policies should make it easy and simple to request an accommodation. They should provide for a fair, prompt and balanced review of an accommodation request; a meaningful

¹ An undue hardship is defined as an action requiring significant difficulty or expense when considered in light of factors such as the employer's size, financial resources, and the nature and structure of the operation. As mentioned previously, the Job Accommodation Network (JAN) operated by the President's Committee on Employment of People with Disabilities (PCEPD) is an excellent technical assistance resource in the area of reasonable accommodation.

dialogue between supervisor and employee where necessary;

? and a review of medical evidence by a medical professional, where the medical reasons for the dispute accommodation are in dispute.

- CAREER DEVELOPMENT -

GOAL III: *~~Encourages~~ all departments and agencies ^{should} to give full consideration to employees with disabilities for inclusion in developmental opportunities designed to enhance their leadership skills and to advance their careers.*

- Federal employers should ensure that persons with disabilities are made aware of, and have an equal opportunity to compete for, managerial and executive training or other career development opportunities. Self-nominations should be invited and encouraged, as well as nominations made by managers and supervisors.
- Career development and related program review is encouraged to make sure that no barriers exist for people with disabilities. If targeted recruitment is used to broaden the pool of candidates for these programs, include as part of that effort employees with disabilities and organizations that represent their interests.
- Federal employers should establish formal mentoring programs, especially for participants of career development programs. Mentors serve as role models and act as personal advisors and confidants. They help build self-confidence; expand individual awareness, insight, and perspective about the organization; talk about performance expectations; and discuss developmental needs and how to obtain them.
- Development of training and other courses related to disability employment issues are encouraged. These courses are helpful to all levels of agency management--from first-line supervisors to the Senior Executive Service. Issues that may be covered include disability culture awareness, eliminating attitudinal barriers, communication between disability and non-disability communities, and transforming organizations to accommodate cultural differences.
- OPM, through the Federal Executive Institute and Management Development Centers, will conduct diversity training initiatives for senior management. This will improve understanding of the issues related to the employment of people with disabilities.

Switch plus w/ reasonable accommodation as IV + V

- MONITORING AND EVALUATING PROGRESS -

GOAL IV: ~~Collects~~ and maintains data to monitor the success in achieving a higher percentage of adults with disabilities in the federal workforce.

- **OPM** will widely disseminate information on the Federal employment of people with disabilities, such as its *People with Disabilities in the Federal Government--A Statistical Profile* report, to all departments and agencies.
- Departments and agencies are expected to regularly monitor their own workforce data, especially elements concerning workforce composition. Periodic surveying of the workforce, and evaluating the resulting data, will determine progress and successes. In turn, the data may be used to develop internal recruiting strategies and workforce planning initiatives.
- In their performance management programs, Federal employers should review efforts and successes of their managers in diversity hiring. During performance reviews, efforts by the manager or supervisor to achieve diversity in his or her organization are evaluated--including efforts to hire people with disabilities. Open discussions to eliminate employment barriers are encouraged.
- Federal employers are encouraged to recognize managers and supervisors whose recruiting, hiring, and promoting efforts of those with disabilities are commendable.
- **OPM**, in its oversight role, will monitor Federal employer efforts in recruiting and employing people with disabilities.

how do they do that?

Switch to Career development