



Memorandum

From: Executive Director, Advisory Council on Historic Preservation

To: Staff and Membership of the Advisory Council on Historic Preservation (ACHP)

Date: November 27, 2023

SUBJECT: Reasonable Accommodation for Individuals with Disabilities

Policy. The ACHP will provide reasonable accommodation for the known physical or intellectual limitations of qualified employees and applicants with a disability unless the accommodation would impose an undue hardship on the ACHP.

The ACHP will follow the Department of the Interior's PERSONNEL BULLETIN 21-03, SUBJECT: Processing Requests for Reasonable Accommodation for Individuals with Disabilities (dated October 24, 2022), as applicable.

Roles and Responsibilities. Through an interagency agreement, the Department of the Interior (DOI), Bureau of Safety and Environmental Enforcement (BSEE) provides the Reasonable Accommodation Program Manager for the ACHP. The Reasonable Accommodation Program Manager (RA Program Manager) will help implement the DOI bulletin on reasonable accommodation and coordinate with relevant ACHP staff with any requests for reasonable accommodation that are made for qualified employees or applicants with a disability in accordance with applicable laws, regulations, and bargaining unit agreements. The RA Program Manager will also assist the ACHP in the development, implementation, and operation of the ACHP's disability program, including providing guidance on reasonable accommodation matters related to employees and applicants.

- A. The Office of Administration (OA) and the Office of General Counsel (OGC) are responsible for providing operational human resources services to the ACHP. OA, OGC, or designated staff, are responsible for assisting the RA Program Manager and deciding officials in processing reasonable accommodation requests; determining essential functions of the job; identifying effective accommodations; conducting job analyses on vacant positions, in case of reassignment as a last resort; and removing barriers from the hiring process.
- B. First line supervisors shall serve as deciding officials on requests for reasonable accommodations. Deciding officials will consult with the RA Program Manager and any other officials as appropriate, such as the OA or OGC, who can assist in determining appropriate and effective accommodations. Where the deciding official is not the Office Director, the deciding official shall

coordinate with and keep the Office Director informed as appropriate. Deciding officials are responsible for timely decisions once a reasonable accommodation request is received. The deciding official may solicit subject matter experts - such as a medical officer, human resources officer, civil rights officer, or others, either individually or by committee, for guidance, information, and assistance in identifying appropriate and effective reasonable accommodation solutions. Conferring with appropriate subject matter experts does not relinquish the deciding official's responsibility to render a decision, notify the employee or applicant, or provide the accommodation solution within established timelines. Notwithstanding the timeframes prescribed in the DOI bulletin's procedures, some accommodations can be provided in less time. In instances where reasonable accommodations can be provided in less time than prescribed in the procedures, deciding officials must make every effort to do so. Care must be taken to ensure preservation of confidentiality in processing requests for reasonable accommodation.

- C. Employees and applicants for employment are responsible for bringing their requests for reasonable accommodation to the attention of the appropriate agency official, for timely providing appropriate supporting medical and/or other documentation upon request, and for participating in the interactive process. Employees and applicants may initiate a request for reasonable accommodation either orally or in writing at any time. Employees and applicants may use an alternate dispute resolution approach to working through their requests with deciding officials. Alternative Dispute Resolution (ADR) support shall be provided to assist as needed throughout the reasonable accommodation process, including the reconsideration and appeal phases.

Personal Assistance Services. Any request for PAS as defined and described in the ACHP's PAS Policy shall utilize the decision-making process in the DOI bulletin. Any employee may request PAS from the relevant deciding official, and all deciding officials shall consider such a request for PAS utilizing the same criteria as that for assessing the availability of a reasonable accommodation. The evaluation of whether a requested PAS may pose an undue hardship to the agency shall follow the same consideration as that for a request for reasonable accommodation.

Point-of-Contact. The ACHP points of contact for this policy matter are the OGC (Kelly Fanizzo; kfanizzo@achp.gov) and OA (Ismail Ahmed; iahmed@achp.gov).