

Reasonable accommodation

The Rehabilitation Act of 1973 prohibits discrimination against qualified employees with disabilities and imposes an obligation on the Postal Service to find ways to accommodate a qualified individual with a disability where appropriate. The goal of reasonable accommodation is to enable qualified individuals with disabilities to perform the essential functions of the job and to enjoy equal employment opportunities.

USPS Handbook EL-307, Reasonable Accommodation, An Interactive Process explains the Postal Service's obligations and procedures for providing reasonable accommodation. This article will provide some basic information about the reasonable accommodation process.

Accommodations are sometimes referred to as "productivity enhancers." Reasonable accommodations should not be viewed as "special treatment," and they often benefit all employees. For example, facility enhancements such as ramps, accessible restrooms and ergonomic workstations benefit more than just employees with disabilities.

Under the Act, a qualified individual with a disability is someone who has a physical or mental impairment that substantially limits a major life activity, meets prerequisites (skills, experience, education and other requirements) for the job the individual holds or desires, and can perform the essential functions of the position with or without reasonable accommodation. For instance, a carrier who is shorter of stature may be able to case mail without accommodation, but use of an elevated platform makes it easier and more efficient to reach the upper shelves. In this circumstance, the carrier can perform the essential func-



tions of the job, but being provided with this small accommodation makes the job simpler and more comfortable for the carrier, and the carrier therefore more effective.

Examples of a physical or mental impairment include physiological disorders or conditions, cosmetic disfigurement, and/or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory, circulatory, cardiovascular, reproductive, digestive, genitourinary, hemic, lymphatic, skin, immune or endocrine. It can also include conditions such as an intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

Reasonable accommodation is provided when an impairment substantially limits a major life activity, rendering an individual unable to perform the activity, or significantly restricts their performance when compared to the performance of the same major life activity by most people in the general population. Sometimes, reasonable accommodation is not necessary. Many qualified individuals with disabilities can perform their jobs without any accommodation.

The act defines a major life activity as an activity of fundamental significance to most people and includes obvious functions such as hearing, seeing, walking, speaking, caring for oneself,

performing manual tasks, breathing, eating, sleeping, standing, reading, working, lifting and communicating. The "substantially limits" standard is not a demanding one. An impairment need not prevent, or significantly or severely restrict, the individual from performing a major life activity.

If you believe that you are a qualified individual with a disability who requires accommodation in your job, or in a job you seek, make your request orally or in writing to your supervisor, manager or to the district human resources manager. Your request should explain the nature of your limitations and the accommodation you need. This request can also be made by someone on your behalf.

If your disability is not obvious or already known, you may be required to provide documentation from an appropriate professional to clearly explain the nature and/or impact of the impairment and the need for reasonable accommodation, and/or to clarify how the requested accommodation could help you to perform the essential functions of the job. If necessary, a medical expert chosen and compensated by the Postal Service may further review your medical documentation. In all cases, USPS is required to keep your medical records confidential.

If you are an employee who is deaf or hard of hearing and you require com-



munication accommodations, you must submit your request for the accommodation to one of the following: your supervisor or manager, the district human resources manager, or the Reasonable Accommodation Committee chairperson. As part of the accommodation process, USPS must provide resources to assist qualified letter carriers who are deaf or hard of hearing.

NALC recognizes the importance of reasonable accommodation to our members. In addition to the USPS requirements contained in *Handbook EL-307*, NALC negotiated a specific memorandum of understanding (MOU) pertaining to reasonable accommodation for deaf and hard-of-hearing letter carriers. This MOU is found beginning on page 142 of the 2019-2023 National Agreement.

The MOU outlines management's obligations when it comes to accommodating deaf and hard-of-hearing letter carriers. It requires management to provide specified types of assistance depending on the situation and needs of the individual. For example, upon request of the employee, management must provide acceptable interpretation

support during investigatory interviews that might lead to discipline, during discussions with a supervisor regarding job performance or conduct, during some aspects of training including formal classroom instruction, and during employee orientations, safety talks or meetings concerning an employee's on-the-job injury and Office of Workers' Compensation Programs claim.

In conjunction with the *EL-307*, the Postal Service has developed several publications pertaining to reasonable accommodation. *USPS Publication 316, Reasonable Accommodation in the U.S. Postal Service A Guide for Employees and Applicants*, *USPS Publication 317, Manager's Guide to Reasonable Accommodation*, and management instruction *MI-EL-670-2021-4, Providing Communication Accommodations to Employees and Applicants Who Are Deaf or Hard of Hearing* are all available on the NALC website. For these publications and more information on reasonable accommodation, visit nalc.org/workplace-issues/resources/usps-handbooks-and-manuals. **PR**

Difficulty hearing is only one example of a disability that can require reasonable accommodation.