

Written Confirmation of Request for Accommodation, VA Form 0857a and Authorization for Limited Release of Medical Information, VA Form 0857d

A. Justification

1. The collection of information to determine whether an applicant for a position at the Department of Veterans Affairs is a qualified individual with a disability may be entitled to receive reasonable accommodations during the application or interview process is outlined in sections 501 and 505 of the Rehabilitation Act of 1973 as amended by the Americans with Disabilities Act Amendments Act of 2008. For example a deaf applicant may need an interpreter if he or she is selected for an interview. The Department will need to verify disability status, based on information provided by the applicant and the applicant's medical or psychological professional, that the individual is qualified to receive the requested accommodation.

2. HR staffing specialist and local reasonable accommodation coordinators receive requests from applicants seeking an accommodation during the application or interview process. The information requested, specifically the information requested through the applicant's medical or psychological provider, is used to determine whether the individual's disability substantially limits a major life activity which is generally construed to be an activity of daily living; in the previous question, for example, the major life activity associated with the applicant's disability would be hearing. In order to qualify for a reasonable accommodation during the application or interview process, the applicant must have a disability which is substantially limited by a major life activity in order to qualify to receive the accommodation. Once the applicant's eligibility has been verified the agency, through the HR staffing specialist or the local reasonable accommodation coordinator, can provide the accommodation to the applicant.

3. Currently applicants submit paper request forms to the HR specialist staffing the vacant position.

4. Currently VA has no other means to collect specific information on individuals with qualifying disabilities who may need accommodations during the application or interview process. Now VA does not have any sort of data tracking system in place which would allow it to determine whether an individual with a disability may qualify for accommodation. Even if there were such a system, the Department would still need specific information from individual applicants who request accommodation regarding why he/she may be unable to apply for VA vacancies through the current process.

5. This collection does not impact small-business or other small entities.

6. If the information required to determine whether an applicant is entitled to an accommodation is not collected, VA won't be able to provide benefits for those who are entitled. VA will not be in compliance with the law if VA is unable to provide

accommodations to those who qualify; the result will be that fewer people with severe disabilities will be employed by VA, which will impact the diversity of our work force.

7. The applicant must receive the accommodation before the vacancy closes to complete the process. The medical information should be provided as soon as possible in order to allow the accommodation to be provided before the closing date. And once the medical information is provided, the agency has eight calendar days to respond to the request. In many cases, there is insufficient time to apply for and be granted accommodation within the timeframe allowed all applicants for the process.

8. The notice of proposed information collection was published in the Federal Register on February 10, 2010 at page 6792. The department received comments from the Equal Employment Opportunity Commission regarding revisions to the forms.

9. No payment or gift is provided to respondents

10. VA Directive 5975.1, Processing Reasonable Accommodation Request for Employees and Applicants with Disabilities guarantees confidentiality of any disability-related medical information to applicants, and it also limits the medical information being requested to that information which can shed light on the major life activity which is substantially limited. It also limits medical information to that which is directly related to the applicant's ability to perform the essential functions of the job for which they are applying. Medical information is also protected by the Privacy Act of 1974.

11. As stated previously in most cases information regarding the applicant's disability status must be verified by documentation provided by medical or psychological professionals in order to make the determination whether the applicant may be qualified for an accommodation. In the cases where medical information is required, individuals are made aware of agency policy that information collected related to their request is confidential. All applicants seeking accommodations will complete the request forms, thus giving their consent.

12. Approximately 100 people with severe disabilities are hired for positions at the Department of Veterans Affairs each year. Of these approximately 35 may require accommodations during the application and/or interview process. The time to complete is 30 minutes. ($35 \times 30 \text{ minutes} / 60 = 18 \text{ burden hours}$)

13. This information collection does not involve any recordkeeping costs.

14. There is no cost to the federal government for processing these documents.

15. This is a new data collection.

16. VA does not intend to publish this data.

17. VA seeks an exemption for displaying the expiration date in order to minimize its cost for collecting, process and using the information.

18. This submission does not contain any exceptions to the certification statement.

B. Statistical Methods

The data collection does not employ statistical methods.