

SUPPORTING STATEMENT

A. JUSTIFICATION

1. Need for the Information Collection

The information collection requirement is necessary to obtain and record requests for reasonable accommodation, with the intent to measure and ensure Agency compliance with 29 U.S.C. § 791, Employment of Individuals with Disabilities; E.O. 13164, Requiring Federal Agencies to Establish Procedures to Facilitate the Provision of Reasonable Accommodation; EEO MD-715, EEO Reporting Requirements for Federal Agencies.

2. Use of the Information

The information collected will be used by the Reasonable Accommodations Program Manager (RAPM) and the Equal Employment Office Program to track requests for reasonable accommodation to determine whether the agency has implemented timely and effective measures to meet each individual's request. Only one form, CONFIRMATION OF REQUEST FOR REASONABLE ACCOMMODATION (SD FORM 827), will be used to collect information.

3. Use of Information Technology

Employees and applicants will be able to prepare these forms via a fillable PDF and submit the final product electronically through use of the electronic mail system. This will reduce the use of paper and shorten the time in which a respondent will need to complete the form and submit it for processing.

4. Non-duplication

While other components may be collecting this information within the Department, these requests are specific to the employee or applicant applying for job with a WHS-services component. Information from the other components cannot be used because it will not contain enough specificity with which to gauge the degree of compliance with applicable guidance, regulations and statutes.

5. Burden on Small Business

The collection of this information does not impact small businesses.

6. Less Frequent Collection

Pursuant to E.O. 13164, EEO MD-715, and 29 U.S.C. § 79, the agency has a requirement to report their efforts towards reasonable accommodation on an annual basis.

7. Paperwork Reduction Act Guidelines

There are no special circumstances to the collection of this data.

8. Consultation and Public Comments

a. The 60-day Federal Register notice published June 14, 2012 (77 FR 35660). No comments were received.

b. This form has been coordinated with DoD Component Privacy Officer, Cindy Allard, (571) 372-0461; the DoD Chief Information Officer Privacy Impact Assessment POC, Gary Evans, (571) 372-4493; the DoD Component Records Management Officer, Luz Ortiz, (571) 372-0478; and the DoD Clearance Officer and DA&M/WHIS Information Management Control Officer, Patricia Toppings, (571) 372-0485.

9. Gifts or Payment

No gift or payment will be provided to the respondents.

10. Confidentiality

All medical or disability-related information is collected and maintained by the agency's Reasonable Accommodation Program Manager, and kept confidential in accordance with EEOC regulations. Under 29 C.F.R. § 1630.14(b)(1), such information must be collected, maintained, kept in separate files, and treated as confidential medical records. Medical information obtained in association with a reasonable accommodation request shall be treated as a confidential medical record, except where:

(1) supervisors and managers must be told about necessary accommodations that may require restrictions on the work or duties of the employee;

(2) first aid and safety personnel must be told if the person with the disability might require emergency treatment;

(3) government officials investigating compliance with the ADA have requested relevant information;

(4) state workers' compensation laws require employers to disclose information to state workers' compensation offices, state second injury funds, or workers' compensation insurance carriers; and

(5) employers medical information is used for insurance purposes. 29 C.F.R. pt. 1630 app. §1630.14(b) (1997); Pre-employment Questions and Medical Examinations, supra note 27, at 23, 8 FEP Manual (BNA) 405:7201; Workers' Compensation and the ADA, supra note 52, at 7, 8 FEP Manual (BNA) 405:7394.

The SORN covering this collection of information is DWHS P49, "Reasonable Accommodation Program Records." A copy is attached. A Privacy Impact Assessment is also attached..

The disposition of this form and related documentation is in AI 15, Volume II, the authority is NARA, GRS 1, Item 24.

202-43.9 Reasonable Accommodation Request Records 202-43.9.1. General Request Records Agency-wide and departmental procedures for receiving, processing, and appealing requests for reasonable accommodation by employees and applicants. Files may include, but are not limited to: instructions, directives, notices, forms, timetables, guidelines for requesting, processing and approving requests for appealing decisions for reasonable accommodation. Also included are records notifying the Equal Employment Opportunity Commission (EEOC), the agency's collective bargaining representative(s) and the agency's EEO office of the agency's reasonable accommodation request and processing procedures as well as modifications to established procedures.

Disposition: Destroy/Delete 3 years after superseded or when no longer needed for reference, whichever is later. GRS 1, Item 24a

202-43.9.2. Employee Case Files- Individual employee files that are created, received, and maintained by EEO reasonable accommodation or diversity/disability program or employee relations coordinators, immediate supervisors, Computer/Electronic Accommodation Program (CAP) administrator, or HR specialists containing records of requests for reasonable accommodation and/or assistive technology devices and services through the agency or CAP that have been requested for or by an employee. This series also includes, but is not limited to request approvals and denials, notice of procedures for informal dispute resolution or appeal processes, forms, correspondence, e-mails; records of oral conversations, medical documentation, and notes. [Note: These records are neither part of an employee's Official Personnel File (OPF) nor part of a supervisor's unofficial personnel file.

Disposition: Destroy/Delete 3 years after employee separation from the agency or all appeals are concluded, whichever is later. GRS, Item 24b

11. Sensitive Questions

The form will ask the respondent to provide a description of the reasonable accommodation being requested, and the reason for their request. In so doing, the respondent is being asked specific detailed information about a medical condition that may or may not be sensitive in nature. The respondent will be told that the information collected will not result in any adverse determinations about his or her rights, privileges, or benefits under any Federal program, with the exception of making a determination on whether the employee is eligible to receive a reasonable accommodation.

12. Respondent Burden, and its Labor Costs

The burden estimate reported in Item 13 of the OMB Form 83-I was determined by an estimation of the amount of time needed to complete the form, and the number of respondents that the agency anticipates will submit a request for reasonable accommodation over a period of one (1) year.

The estimated annualized burden to respondents is approximately 15 minutes per person, with a total of 60 persons per year: Thus resulting in 15 hours per year.

PUBLIC RESPONDENTS (APPLICANTS, CONTRACTORS AND FOREIGN NATIONALS)

Number of Respondents:	20
Frequency of Responses:	1
Total Annual Responses:	20
Burden Per Response:	15 minutes
Total Burden Hours:	5 hours
Estimated hourly rate	\$40.66 (hourly rate of GS 12 step 5)
Average Cost Per Respondent:	\$10.17 (\$40.66 / 4)
Total Respondents Cost:	\$203.40

DoD RESPONDENTS (CURRENT DOD FEDERAL CIVILIAN EMPLOYEES)

Number of Respondents:	40
Frequency of Responses:	1
Total Annual Responses:	40
Burden Per Response:	15 minutes
Total Burden Hours:	10 hours
Estimated hourly rate	\$40.66 (hourly rate of GS 12 step 5)
Average Cost Per Respondent:	\$10.17 (\$40.66 / 4)
Total Respondents Cost:	\$406.80

13. Respondent Costs Other Than Burden Hour Costs

There are no start-up, O&M, or capital costs to respondents.

14. Cost to the Federal Government

The estimated hours per action is based on the time required for the Government to receive, review, analyze, and respond to the information submitted by the respondent for reasonable accommodations.

PUBLIC RESPONDENTS (APPLICANTS, CONTRACTORS AND FOREIGN NATIONALS)

Total Annual Responses:	20
Burden Per Response:	8 hours

Total Burden Hours:	160 hours
Assumed hourly rate of ER specialist	
GS-13 Step 5	\$48.35
Average Cost Per Form:	\$7,736

DoD RESPONDENTS (CURRENT DOD FEDERAL CIVILIAN EMPLOYEES)

Total Annual Responses:	40
Burden Per Response:	8 hours
Total Burden Hours:	320 hours
Assumed hourly rate of ER specialist	
GS-13 Step 5	\$48.35
Average Cost Per Form:	\$15,472

Total Government Cost:	\$23,208
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15. Reasons for Change in Burden

New collection.

16. Publication of Results

The results of the information collection will not be published for statistical use.

17. Non-Display of OMB Expiration Date

The agency is not requesting approval to omit display of the expiration date of OMB approval on the instrument of collection.

18. Exceptions to "Certification for Paperwork Reduction Submissions"

There are no provisions of Item 19.a of OMB Form 83-I, that cannot be certified.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

The collection of information does not employ any statistical methods.