



U.S. Merit Systems Protection Board
Supporting Statement A for Paperwork Reduction Act Submissions

OMB Control Number: 3124 – 0NEW

Title: Reasonable Accommodation Requests

The U.S. Merit Systems Protection Board (MSPB) is seeking a Paperwork Reduction Act Information Collection Request clearance for information collection instruments as part of MSPB's Reasonable Accommodation Requests Process. The information collection instruments consist of: 1) an Accommodation Request Form, which will provide MSPB employees, applicants for employment, and participants in MSPB programs with a way to submit accommodation requests; and 2) a script outlining basic information gathering questions for accessibility requests from MSPB employees and participants in MSPB programs. Through this collection and approval process, MSPB is complying with normal clearance procedures and meeting our commitments under Executive Order 131164 – Requiring Federal Agencies to Establish Procedures to Facilitate the Provision of Reasonable Accommodation (July 26, 2000).

Justification

1. Circumstances Making the Collection of Information Necessary

It is the policy of MSPB to grant reasonable and effective accommodations to qualified individuals with disabilities, individuals who are pregnant or have a pregnancy-related condition, and/or individuals with a sincerely held religious belief that conflicts with workplace requirements, unless such accommodations would cause an undue hardship or burden on MSPB's operations.

Title V of the Rehabilitation Act of 1973 (Rehabilitation Act), as amended, prohibits discrimination in services and employment on the basis of disability, and Title VII of the Civil Rights Act of 1964 (Civil Rights Act) prohibits discrimination on the basis of race, color, religion, sex (which includes pregnancy), and national origin. These prohibitions on discrimination require Federal agencies to provide reasonable accommodations to individuals with disabilities and/or sincerely held religious beliefs which conflict with work requirements, unless doing so would impose an undue hardship on the agency's operations. The Pregnant Workers Fairness Act requires employers to provide reasonable accommodations to an employee or applicant's known limitations related to pregnancy, childbirth, or other related medical condition.

A request for reasonable accommodation is a statement that an individual needs an adjustment at work, in the application process, or in a benefit or privilege of employment for a reason related to a medical or pregnancy-related condition, or their religious beliefs. In some instances, individuals may request modifications to their workspace, schedule, duties, or other requirements for documented medical reasons that may not qualify as a disability but may necessitate an appropriate modification to workplace policies and practices. See, The Rehabilitation Act of 1973, 29 U.S.C. 701, 791, 794; 29 C.F.R. 1614 (Federal Sector Equal



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Employment Opportunity); 29 C.F.R. 1630 (Regulations To Implement the Equal Employment Provisions of the Americans With Disabilities Act); Executive Order 13164, Requiring Federal Agencies to Establish Procedures to Facilitate the Provision of Reasonable Accommodation (July 26, 2000); Executive Order 13548, Increasing Federal Employment of Individuals with Disabilities (July 26, 2010); the Pregnant Workers Fairness Act (effective June 27, 2023), Pub. L. 117-328, 42 U.S.C. 2000gg; and Providing Urgent Maternal Protections for Nursing Mothers Act (effective December 29, 2022), Pub. L. 117-328, 29 U.S.C. 218d.

Pursuant to the above authorities, MSPB requires the following information to adequately adjudicate reasonable accommodations requests: (1) description of the accommodations requested by applicants for employment, employees, or participants in MSPB programs seeking modification or adjustments; (2) description of the medical and/or pregnancy-related conditions that impact the ability to apply for employment and/or to carry out work related duties and functions; (3) description of bodily functions impacted by the disabling medical and/or pregnancy-related conditions; (4) description of treatment, medication, or other mitigating factors used to treat the disabling medical and/or pregnancy-related conditions; (5) supporting documentation (medical records, doctor's notes) for the request. To be considered for a religious accommodation, MSPB requires the employee or applicant to identify their sincerely held religious belief and explain how it conflicts with an MSPB rule or policy. In some instances, an employee may be asked to supply documentation to support a request for religious accommodation.

Reasonable accommodations on the basis of disability and pregnancy-related conditions typically fall into the following categories: (1) Modifications or adjustments to a job application process that enable a qualified applicant with a disability to be considered for a position; (2) modifications or adjustments to the work environment, or to the manner or circumstances under which the position held or desired is customarily performed, that enable a qualified individual with a disability to perform the essential functions of that position; (3) modifications or adjustments that enable a qualified employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by other similarly-situated employees without disabilities; and (4) modifications to agency operating procedures to enable a qualified individual with a disability full access to agency functions. Examples of religious accommodations include, but are not limited to, a Catholic employee needing a schedule change so that he can attend church services on Good Friday; a Muslim employee needing a break schedule that will permit daily prayers at prescribed times; or an employee needing accommodation of a religious belief that working on the Sabbath is prohibited.

MSPB's Office of Equal Employment Opportunity is responsible for processing requests for reasonable accommodations from applicants for employment, employees, and participants in MSPB programs who seek an accommodation due to a disability, medical, pregnancy-related, or religious reasons, as well as processing requests based on documented medical reasons that may not qualify as a disability but that may necessitate an appropriate modification to workplace policies and practices. For participants in MSPB programs who



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are not applicants for employment or MSPB employees, MSPB's Accessibility Program Manager, within the Office of Information Resources Management, is responsible for processing these requests.

The request and any related records provided to support the request; any evaluation conducted internally, or by a third party under contract with MSPB; the decision regarding whether to grant or deny a request; and the details and conditions of the reasonable accommodation are all included in this collection.

2. Purpose and Use of the Information Collection

The MSPB Accommodation Request Form will be used by MSPB to make determinations on accommodation requests by employees, applicants, or participants in MSPB programs. The individual or other authorized party, such as a spouse, will fill out the form and submit it to MSPB. Additionally, MSPB's Reasonable Accommodation Coordinator and Director of the Office of Equal Employment Opportunity will have access to the Accommodation Request form for employment-related requests to review the information submitted and make a determination on whether to grant the accommodation request.

Participants in MSPB programs who are not applicants for employment or MSPB employees may submit requests for accommodations for medical reasons to MSPB's Accessibility Program Manager either verbally or in writing without a form. These individuals may be requested to provide information verbally (script concurrently submitted with this Supporting Statement). This information will be reviewed to determine whether to grant the accommodation request.

3. Use of Automated Collection Procedures

The Accommodation Request form is in a fillable electronic format that can also be printed out to be manually completed. A link to the forms will be available on MSPB's public facing website with our Reasonable Accommodation Policy and on MSPB's internal SharePoint site. The Accommodation Request form will also be available to prospective employees upon request. Additionally, the forms may also be emailed to respondents upon request. All forms must be submitted to the assigned MSPB Reasonable Accommodation Coordinator, which will then be provided to MSPB's Director of the Office of Equal Employment Opportunity for employment-related accommodation requests. All information for agency program-related accommodations will be submitted to the MSPB Accessibility Program Manager. Because this information is collected without a form, there is no automated collection procedure, however, individuals may submit the information electronically via email or verbally.

4. Duplication of Information



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The requested information is unique to each individual request, and MSPB is unaware of any other sources of similar information.

5. Impact on Small Businesses

The collection of information does not impact small business.

6. Consequences of Not Conducting Collection

Not collecting this information would inhibit MSPB's ability to meet the Rehabilitation Act of 1973, 29 U.S.C. 701, 791, 794; 29 C.F.R. 1614 (Federal Sector Equal Employment Opportunity); 29 C.F.R. 1630 (Regulations To Implement the Equal Employment Provisions of the Americans With Disabilities Act); Executive Order 13164, Requiring Federal Agencies to Establish Procedures to Facilitate the Provision of Reasonable Accommodation (July 26, 2000); Executive Order 13548, Increasing Federal Employment of Individuals with Disabilities (July 26, 2010); the Pregnant Workers Fairness Act (effective June 27, 2023), Pub. L. 117-328, 42 U.S.C. 2000gg; and Providing Urgent Maternal Protections for Nursing Mothers Act (effective December 29, 2022), Pub. L. 117-328, 29 U.S.C. 218d.

7. Special Circumstances

There are no special circumstances that would cause the information collected to be conducted in a manner:

- requiring respondents to report information to the agency more often than quarterly;
- requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt;
- requiring respondents to submit more than an original and two copies of any document;
- requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;
- in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- requiring the use of a statistical data classification that has not been reviewed and approved by the Office of Management and Budget (OMB);
- that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- requiring respondents to submit proprietary trade secrets, or other confidential



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information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

8. Consultations with Persons Outside the Agency

A 60-day Federal Register Notice inviting public comments was published on January 16, 2025, 90 FR 4804. MSPB received one comment in response to the 60-day notice and request for comments. The commenter did not provide any substantive comments on the proposed ICR or MSPB's Reasonable Accommodation process or suggest any modifications to the proposed ICR. Therefore, MSPB has made no modifications to this proposed ICR.

A 30-day Federal Register Notice inviting public comments was published on May 30, 2025, 90 FR 23068.

No consultation was conducted with persons outside the agency.

9. Payments or Gifts to Respondents

No payment or gifts of any kind have been provided to any individuals who are connected to this collection.

10. Assurance of Confidentiality

This collection of information is covered under [MSPB-3, Reasonable Accommodations, 90 Fed. Reg. 335 \(Jan. 3, 2025\)](#).

The forms provide the required Privacy Act statement under 5 U.S.C. § 552a(e)(3).

A [Privacy Impact Assessment](#) was approved on November 18, 2024.

11. Justification for any questions of a sensitive nature.

Pursuant to and consistent with the Rehabilitation Act and Equal Employment Opportunity Commission regulations, MSPB is authorized to and required to ask questions regarding the medical condition of the individuals requesting a reasonable accommodation for medical reasons.

12. Estimates of annualized costs for collection of information.

Estimated Annualized Burden Hours and Costs								
Type of Respondent	Form Name / Form No.	No. of Respondents	No. of Responses per Respondent	Total No. of Responses	Avg. Burden per Response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate	Total Annual Respondent Cost



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Applicant for Employment and MSPB Employee	Accommodation Request Form	40	1	40	0.50	20.00	37.9	\$758.00
Participants in MSPB Programs	Script for Accommodations	50	1	50	1.00	50.00	37.9	\$1,895.00
						0.00		\$ -
						0.00		\$ -
						0.00		\$ -
						0.00		\$ -
						0.00		\$ -
Total		90		90		70.00		\$ 2,653

Note: The "Avg. Hourly Wage Rate" for each respondent includes a 1.4 multiplier to reflect a fully loaded wage rate. "Type of Respondent" should be entered exactly as chosen in Question 3 of the OMB Form 83-I

According to the U.S. Department of Labor, Bureau of Labor Statistics website (www.bls.gov) the wage rate category for All Occupations is estimated to be \$37.90 per hour including the wage rate multiplier, therefore, the estimated burden hour cost to respondents is estimated to be \$2,653 annually for both forms.

13. Total costs to respondents or record keepers.

There are no annualized costs to respondents other than the labor burden costs addressed in Section 12 of this document to complete this collection.

14. Estimates of annualized costs to the Federal Government.

Annual Cost to the Federal Government	
Item	Cost (\$)
Contract Costs	\$ -
Staff Salaries* [One GS 14, step 5 employee spending approximately 30% of their time and one GS 15, step 5 spending approximately 60% of their time annually processing reasonable accommodation requests: \$141,356.88 + \$60,086.88]	\$201,443.76
Facilities [cost for renting, overhead, etc., for data collection activity]	0
Computer Hardware and Software [cost of equipment annual lifecycle]	0
Equipment Maintenance [cost of annual maintenance/service agreements for equipment]	0
Travel	0
Total	\$201,443.76

* Note: The "Salary Rate" includes a 1.4 multiplier to reflect a fully loaded wage rate.



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15. Explanation of program changes or adjustments.

Not applicable. This is a new information collection.

16. For collections of information whose results will be published, outline plans for tabulation and publication.

There are no outline plans for tabulation and publication of data for this information collection.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

This collection does not seek approval to not display the expiration date for OMB approval.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

This collection does not seek exception to "Certification for Paperwork Reduction Act Submissions."