**Chapter 6 . THE DECISION MAKING
PROCESS 6-1. DECISION MAKER**

HUD will process requests for reasonable accommodation and, where appropriate, provide reasonable accommodation in a prompt, fair, and efficient manner. The supervisor, manager or Disability Program Manager (DPM), as Chair of the RAC, under some circumstances, shall serve as "decision maker" for job performance related reasonable accommodation requests, including those that can be granted at "no cost". Job performance related reasonable accommodations are those that will enable an employee to perform the "essential functions" of his/her position. These include, but are not limited to, adjusted work schedules, alternative formatted materials, assistive devices, or job restructuring.

**6-2. TIME LIMIT(S)**

1. **Maximum Time for Processing Request**

HUD recognizes that the time necessary to process a request **will**

depend on the nature of the accommodation requested and whether

it is necessary to obtain supporting information. The maximum time for processing and providing reasonable accommodation

shall

not exceed thirty (30) business days from the date of request, absent any "extenuating circumstances".

1. **Detailed Look at Thirty (30)—day Timeframe**



1. The maximum thirty (30) business day time frame starts

the day that a request for a reasonable accommodation is made

either

**orally, in writing, or via any other mode of communication**

to the

supervisor, manager or DPM. The recipient of the request

shall

immediately start the interactive process. If the

recipient of

the request is someone other than the DPM, he/she must

immediately notify the DPM, in writing, of the request.

1. Barring any extenuating circumstances, a reasonable accommodation request, if granted, shall be provided no

|  |  |
| --- | --- |
| laterpossible, information. | than thirty (30) business days from the date the request is received by a manager, supervisor or DPM or sooner, ifif it can be provided directly by the requesting employee's supervisor and does not require supporting medicalFor record keeping purposes, the DPM must maintain records |

regarding all documents associated with reasonable

accommodation

requests, and ensures that information is accessible to the

ODEEO

staff for reporting.

**3.** If the immediate supervisor cannot approve the

request within seven (7) business days, s/he must forward

the request and

any supporting documents to the second-line supervisor for

review

and a decision. Within twelve (12) business days, the second-line supervisor must forward his/her decision and a

of the reasonable accommodation request to the POH for approval, if appropriate. The POH must make the final for the program office and forward the request, decision

supporting documentation to the DPM, within eighteen (18) business days of the request for reasonable accommodation.

POH shall also notify the individual, in writing within the eighteen (18) business days, of the status of his/her

copy

review and

decision and

The

request.

|  |  |
| --- | --- |
| medical the | 1. The reasonable accommodation processing time frame (maximum 30 business days) is suspended pending the receipt of the

documentation and will resume when the requester receives documentation. |

1. If medical documentation is not needed, a decision shall be
made and the accommodation, if granted, will be provided within

thirty (30) business days from receipt. As soon as the immediate

supervisor, second-line supervisor, POH or DPM determines that a

reasonable accommodation will be provided, that decision shall be

immediately communicated to the individual, in writing, by

the

supervisor or DPM if the DPM received the initial request,

or if

the decision was made by the RAC.

0. Examples of reasonable accommodations that can and should

be

provided in less than the thirty (30) business day time

frame

include, but are not limited to, reasonable accommodations

that

would:

\* enable an applicant with a disability to have an equal opportunity to apply for a job (depending on the timetable for

receiving applications, conducting interviews, taking

tests, and

making hiring decisions);

\* enable an employee who needs a sign language interpreter

**to**

attend a meeting the next business day;

\* enable an employee with a learning disability, who has

difficulty reading, to participate in staff meetings by providing

copies of the agenda ahead of time;

\* provide an employee with diabetes, who sits in an open

area,

privacy to test his/her blood sugar levels by granting

frequent

breaks each day; or

\* allow a mobility-impaired employee, due to difficulty using public transportation during peak rush hour time, to begin and end the workday earlier or later than other employees.

6-3. EXTENUATING CIRCUMSTANCES

1. Definition

"Extenuating circumstances" are unforeseen or unavoidable events or factors that could not reasonably have been anticipated or avoided in advance of the request for accommo-dation that prevent the prompt processing and delivery of an accommodation. If the DPM agrees with the POH that extenuating circumstances are present, the DPM, as reasonably necessary, will extend the time for processing a request for reasonable accommodation and providing the accommodation.

Where extenuating circumstances are present, the supervisor must notify the individual in writing of the reason for the delay, and the approximate date on which a decision, or provision of the reasonable accommodation, is expected. Any further developments or changes should also be communicated promptly to the individual by the supervisor.

1. Examples of Extenuating Circumstances
2. There is an outstanding initial or follow-up request for medical information, or the medical information that has been provided is being evaluated.
3. The purchase of equipment may take longer than thirty (30) business days because of requirements under the Federal Acquisition Regulation and HUD's Procurement, Contract, and Acquisition Policies and Procedures.
4. Equipment may be back-ordered, the vendor typically used for goods or services has unexpectedly gone out of business, or the vendor cannot promptly supply the needed goods or services and another vendor is not immediately available.

4. New staff needs to be hired or contracted for, or an accommodation involves the removal of architectural barriers.