

Serve DC – The Mayor’s Office on Volunteerism

# Disability Inclusion Initiative Policies & Procedures

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## **Mission**

Serve DC – The Mayor’s Office on Volunteerism encourages individuals with physical or mental disabilities to participate as national and community service participants through National Service programs operating in the District of Columbia.

## **Definition of Disability**

According to the Americans with Disabilities Act (ADA), with respect to an individual, the term "disability" means a physical or mental impairment that substantially limits one or more of the individual’s major life activities; a record of having such an impairment; or being regarded as having such an impairment. "Major life activities" mean functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, etc. Additionally, a "qualified individual with a disability" is an individual with a disability who, with or without reasonable accommodations, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the program.

## **Policy**

Under Federal law, any program that receives federal funds is required to comply with the requirements of the ADA and Section 504 of the Rehabilitation Act. In compliance with the Federal law, all National Service programs prohibit any form of discrimination against persons with disabilities in recruitment, as well as in service. No qualified individual with a disability shall, by reason of disability, be excluded from participation in or be denied the benefits of the program, services, or activities of the program, or be subjected to discrimination by the program. Nor shall the program exclude or otherwise deny equal services, programs, or activities to an individual because of the known disability.

## **AmeriCorps State Disability Inclusion Planning Guide**

AmeriCorps State subgrantees are required to submit the AmeriCorps State Disability Inclusion Planning Guide and set goals toward further inclusion of persons with disabilities. Subgrantees will be required to complete the survey and plan goals at the beginning of each new program year. Other National Service programs can utilize the planning guide through Serve DC’s website.

## **Reasonable Accommodation**

A reasonable accommodation is any modification or adjustment to a program site that will enable a qualified applicant, National Service participant, or National Service-funded employee with a disability to participate in the application process or to perform essential service or job functions. Reasonable accommodation also includes adjustments to assure that a qualified individual with a disability has rights and privileges in service equal to those of individuals without disabilities.

All National Service programs shall make reasonable accommodations in practices and/or procedures when the accommodations are necessary to avoid discrimination on the basis of disability. Accommodations are “reasonable” when they are practical or feasible. The program does not have to provide reasonable accommodations that would impose undue hardship on the operation of the program.

According to the U.S. Equal Employment Opportunity Commission (EEOC): *it is not necessary to provide a reasonable accommodation if doing so would cause an undue hardship. Undue hardship means that an accommodation would be unduly costly, extensive, substantial or disruptive, or would fundamentally alter the nature or operation of the business. Among the factors to be considered in determining whether an accommodation is an undue hardship are the cost of the accommodation, the employer's size, financial resources and the nature and structure of its operation.*

### ***Reasonable Accommodations May Include:***

1. Making existing facilities accessible to and usable by an individual with a disability.
2. Restructuring the job.
3. Modifying the work schedule.
4. Modifying the equipment or devices.
5. Installing new equipment or devices.
6. Providing qualified readers and interpreters.
7. Appropriate modification of the application and examination procedures and training materials.

### ***Reasonable Accommodations Do Not Include:***

1. Eliminating a primary job responsibility.
2. Lowering production standards that are applied to all employees.
3. Providing personal use items, such as prosthetic limbs, wheelchairs, eyeglasses or hearing aids.

### ***Procedure for Requesting Reasonable Accommodation Funds***

Based on funding availability, Serve DC – The Mayor’s Office on Volunteerism offers reasonable accommodation funds to assist National Service program sites operating in the District of Columbia. The following is the procedure for requesting reasonable accommodation funds.

\* Unless otherwise indicated in Serve DC sponsored-event registration instructions, when requesting reasonable accommodations for a Serve DC-sponsored event where a National Service member is serving in the capacity of his or her service program, Serve DC asks that the program site submits their request to Serve DC at least ten business days prior to the event. Any requests for a non-Serve DC sponsored event must include submission of the reasonable accommodation application per the outlined guidelines. If the request is submitted past this date, Serve DC cannot guarantee completion of the request. All requests for reasonable accommodation must be submitted by the National Service program on behalf of a National Service member acting in that capacity.

1. Program Directors of National Service programs must complete the Serve DC Application for Reasonable Accommodation Funds. In addition, the applicant must provide two cost estimates from two different vendors.

To get a copy of the Serve DC Application for Reasonable Accommodation Funds, please contact the Serve DC National Service Team (202) 727-7925.

#### ***2. AmeriCorps State Subgrantees Only***

AmeriCorps State grantees (sites that receive AmeriCorps funding directly from Serve DC) must also submit a plan to retain the member. The plan will include the following:

- a. A copy of the member service position description
  - b. Retention plan
3. Submit a complete application and two cost estimates to:

Serve DC – The Mayor’s Office on Volunteerism  
Frank D. Reeves Center  
2000 14th Street NW, Suite 101  
Washington, DC 20009  
Fax (202) 727-9942

### ***Review Process for Reasonable Accommodation Funds Request***

1. Serve DC staff will confidentially receive all applications.
2. Serve DC staff will review all applications for completeness and accuracy
3. Serve DC staff will review the request for funding. Serve DC will also consult the Disability Inclusion Advisory Committee when necessary during the review period of an application for reasonable accommodation. A decision will be rendered within five working days.

The following factors will be considered:

- a. Will the reasonable accommodation enable the individual to perform the essential functions of the job?
  - b. Is the accommodation an undue hardship to Serve DC?
    - i. type and cost of the accommodation needed
    - ii. impact of the accommodation funds request upon the disability inclusion funds at Serve DC
    - iii. overall size of the program requesting funds, with respect to the number of AmeriCorps members, and the number, type and location of its facilities
  - c. Is the cost for the reasonable accommodation reasonable?
  - d. Will the accommodation benefit other AmeriCorps members?
  - e. Will the accommodation fundamentally alter the program design?
4. Programs must ensure that proper accommodations are made for the member while the reasonable accommodation is being processed, purchased and developed. Serve DC will follow up with the program and the member to ensure proper temporary accommodations are made within ten (10) working days of the reasonable accommodation request approval
5. If Serve DC approves the funds for reasonable accommodation, the program must submit receipts directly to Serve DC. All reimbursements will be paid within approximately 45 days from receipt. Serve DC will follow up with the program to ensure member satisfaction with the reasonable accommodation.
6. If Serve DC denies the funds for reasonable accommodation, the National Service member or program can file a grievance within 45 business days of the denial of funds to have Serve DC’s decision evaluated by Serve DC’s Review Committee for final determination.

## ***Grievance Procedure for Rejected Reasonable Accommodation Requests***

Serve DC has adopted an internal grievance procedure for prompt and expeditious resolution of complaints for the denial of a reasonable accommodation. Requests for reasonable accommodation funds that have been denied by Serve DC may appeal the decision by filing a grievance with Serve DC within forty five (45) days of the denial of the request.

The following outlines the grievance procedure:

1. Complainant will complete the Serve DC Reasonable Accommodation Grievance Form. The form can be accessed by email from the National Service Team.
  - a. Complainant may also request to have an informal confidential presentation of their grievance prior to the final decision. This may be done in person or through a telephone conference.
2. Submit the form to:

Serve DC – The Mayor’s Office on Volunteerism  
Franklin D. Reeves Municipal Center  
2000 14th Street NW, Suite 101  
Washington, DC 20009  
Fax: (202) 727-9942
3. Serve DC’s National Service Team receives the grievance form and forwards it to the Executive Director.
4. A review of the initial decision shall be conducted within ten (10) working days after the grievance is filed. The Executive Director will review the complainant’s initial request for reasonable accommodation funds, the initial decision rendered by Serve DC, the complainant’s grievance form and, if requested, the informal confidential presentation by the complainant.
5. After full consideration of the grievance, the Executive Director will issue a written decision explaining the reasoning behind the decision. A copy of this decision will be forwarded to the complainant.
6. Serve DC staff shall maintain the confidentiality of all files and records relating to the grievance filed, unless disclosure is authorized or required by law. The decision of the Serve DC’s Executive Director can be further appealed directly to the Corporation for National and Community Service through Serve DC.

Any retaliation, coercion, intimidation, threat, interference, or harassment for the filing of a grievance, or used to restrain a complainant from filing, is prohibited and should be reported immediately to Serve DC.