

235 **Employment of People With Disabilities**

235.1 **Policy**

It is Postal Service policy to provide employment opportunities to qualified applicants with disabilities. This is accomplished through competitive and noncompetitive processes. A qualified individual with a disability is one who, with or without reasonable accommodation, can perform the essential functions of the job in question without posing a direct threat of harm to the individual or others.

235.2 **Reasonable Accommodation**

235.21 **General**

The Postal Service is required to make reasonable accommodation to known physical and mental limitations of qualified individuals with disabilities unless the accommodation would impose an undue hardship on postal operations. Factors to consider in determining whether an undue financial hardship exists include the following:

- a. The nature and cost of the accommodation.
- b. The overall financial resources of the facility.
- c. The number and composition of the workforce at the facility.
- d. The effect on expenses and resources.

An accommodation can impose an undue hardship when it alters the fundamental nature of the business or operations. Factors to consider in this context include the following:

- a. Type of operations conducted.
- b. Composition and functions of the workforce.
- c. Geographic separateness and administrative or fiscal relationship of the facility to the Postal Service.
- d. Impact upon the operations of the facility, specifically compliance with safety rules and policies.
- e. Impact on other employees' abilities to perform their jobs.
- f. Impact on the facility's ability to conduct business.

Refer to Handbook EL-307, *Reasonable Accommodations, An Interactive Process*, for additional information to assist in the case-by-case decision making process.

235.22 **Performance, Attendance, and Conduct Standards**

The Postal Service requires the same performance and standards of conduct from employees with disabilities as it does from other employees after all barriers have been removed.

235.23 **Deaf or Hard of Hearing Applicants and Employees**

Management has an obligation to reasonably accommodate deaf and hard of hearing employees and applicants who request assistance in communicating

with or understanding others in work-related situations. See Handbook EL-307, Exhibit 3-1 and Exhibit 5-1, for examples of accommodation.

235.3 **Competitive Hiring of Persons With Severe Disabilities**

235.31 **Recruitment**

It is the responsibility of installation heads to actively recruit individuals with targeted disabilities into the workforce in order to meet the Postal Service's goals in accordance with Equal Employment Opportunity Commission (EEOC) Office of Personnel Management guidelines. Specific information on these goals and those persons responsible for action items necessary to meet statutory and legal requirements can be found in the *Affirmative Employment Program Plan for Individuals with Disabilities* and the *Disabled Veterans Affirmative Employment Plan*, which are updated yearly.

Targeted disabilities are those identified by the EEOC for emphasis in affirmative employment program planning. The disabilities targeted for emphasis and corresponding codes are:

Blindness	23 and 25
Complete Paralysis	71 through 78
Convulsive Disorders	82
Deafness	16 and 17
Distortion of Limbs and/or Spine	92
Mental Illness	91
Mental Retardation	90
Missing Extremities	28 and 32 through 38
Partial Paralysis	64 through 68

235.32 **Outside Organizations**

Recruitment should include outreach to individuals, organizations, independent living centers, and associations representing individuals with disabilities. Recruitment at universities, colleges, and schools should include outreach to students with disabilities. Recruitment may include, but is not limited to, state Divisions or Departments of Vocational Rehabilitation (DVR), the Department of Veterans Affairs (VA), associations for the deaf, Goodwill Industries, outreach programs for veterans with disabilities, and educational institutions that have a significant number of students who have disabilities.

Installation heads are to provide advance notice of upcoming examinations to these organizations so they can identify qualified persons with disabilities to participate in the competitive process.

235.33 **Reasonable Accommodation in Testing**

See Chapter 3, Reasonable Accommodation in the Examination Process, in Handbook EL-307, *Reasonable Accommodation, An Interactive Process*.

235.4 **Noncompetitive Career Hiring of Persons With Severe Disabilities**

235.41 **Other Agencies**

Most employees with disabilities are appointed from a competitive hiring register. However, if the competitive process itself is a barrier to employment for qualified individuals with severe disabilities, and these individuals would be able to perform at the normal standards of job performance, then noncompetitive authority may be used.

Under this authority, persons with severe disabilities may be appointed directly into the following career or temporary positions:

- a. City Carrier.
- b. Data Conversion Operator.
- c. Distribution Clerk.
- d. Mail Handler.
- e. Mail Processor.
- f. Markup Clerk, Automated.

To participate in the referral of applicants for noncompetitive hiring consideration, the VA and/or state DVR must have the services and programs they offer certified by the Postal Service. The certification process requires state DVR and VA organizations that wish to participate in this hiring process to submit a certification package to the district manager of Human Resources who forwards the package to the vice president of Employee Resource Management to review and approve. The package must include a description of the following:

- a. Services and programs to be offered.
- b. Screening methods used to identify potential postal applicants.

235.42 **Potential Applicants**

When the state DVR or VA certification package has been approved, vocational rehabilitation agencies can begin to identify and screen potential postal applicants. The services and programs that vocational rehabilitation agencies and units provide to the Postal Service are essentially an alternative means of assessing applicant qualifications. Therefore, it is critical that all referred applicants receive the most appropriate method of assessment and evaluation to determine that they meet Postal Service selection standards and have the ability to satisfactorily perform as employees. Applicants will be considered to have successfully met the Postal Service's selection requirements as a result of this certification process.

235.43 **Job Information for Rehabilitation Counselors**

The recruitment of individuals with severe disabilities requires partnership with the VA and state DVR offices. Vocational rehabilitation counselors must make a site visit and tour the postal facility. Direct observation of postal operations will provide counselors with a better understanding of our work environment and job requirements. A demonstration of the functional and

physical requirements for each eligible entry-level job will assist the counselor to further screen potential applicants and to identify those individuals who are likely to be successful in available postal jobs.

Counselors should also be provided with the following:

- a. A standard position description.
- b. A list of the essential functions of the job.
- c. A job preview video (if available).
- d. A list of the work behaviors associated with the job (movements such as lifting, walking, standing, etc.).
- e. A list of the knowledge, skills, and abilities (KSAs) an individual must possess to adequately perform the work.
- f. Information on probationary timelines and performance requirements.

235.44 **Initiating the Hiring Process**

The following steps must be taken when a hiring need exists:

- a. The postal manager requests the state DVR to certify three names for consideration and one additional name for each additional vacancy. This certification must be consistent with the process outlined by the state DVR or VA in its certification package and include completed Forms 2591, *Application for Employment*, and 3666, *Certification for Postal Service Employment of Individuals with Severe Disabilities*. See Handbook EL-307, *Reasonable Accommodation, An Interactive Process*, Exhibit 4-1, for a sample of Form 3666.
- b. Certified applicants are then given a tour of the postal facility during a preemployment orientation. The visit should provide sufficient information to assist the applicants in making an informed decision about whether they are interested in postal employment.
- c. Interviewers then engage in an interactive process (see Handbook EL-307, 22) to confirm the essential functions of the job and the abilities and limitations of the applicant. Otherwise, the interview process for an individual with a disability is essentially the same as an interview conducted with an applicant who does not have a disability (see 54, *Preemployment Interview*, and 621, *Preemployment Interview*).
- d. The referred applicants are screened using eligibility and suitability guidelines outlined in Chapter 5, considered, and a selection is made in accordance with Chapter 6. A list of those applicants not selected for the job is then returned to the state DVR or VA, as appropriate.
- e. The selecting official or designee after making a bona fide job offer, schedules the selected applicant for a medical assessment and provides a copy of Form 3666 and any other supporting documentation concerning the applicant's medical history.
- f. Following the selecting official's determination that the applicant is medically suitable for employment, the selecting official schedules a meeting with the applicant, rehabilitation counselor, and immediate supervisor or designated operations manager to discuss requirements (e.g., *Reasonable Accommodation Decision Guide*, reasonable

accommodation issues, and essential job functions) outlined in Handbook EL-307. Documentation of the results of this meeting *must* be attached to the Reasonable Accommodation Decision Guide and retained for 5 years by the employing office.

235.45 **Probationary Period**

If at any point during the probationary period it becomes reasonably clear that an employee with a severe disability hired under the noncompetitive process is having difficulty demonstrating the requisite abilities for the job, the immediate supervisor must request that the appropriate VA or state DVR counselor assist in overcoming problems and deficiencies in performance.

The selecting official should schedule a meeting at the earliest possible opportunity between the interested parties to attempt to correct the performance deficiency. Often an early dialogue can result in a quick solution to the performance problem. A simple job modification or a different method of communication may be the only change necessary to enable the employee to perform the essential functions of the job more efficiently.

If the employee is still unable to demonstrate the requisite skills and abilities for the job, with or without reasonable accommodation, separation should be initiated during the probationary period. The postal installation head or designee must notify the VA or state DVR when a decision is made that the person's employment is to be terminated. This will enable the VA or state DVR to make other arrangements for rehabilitation, employment, or other assistance.