



**TSA MANAGEMENT DIRECTIVE No. 1100.73-4
REASONABLE ACCOMMODATION PROGRAM**

To enhance mission performance, TSA is committed to promoting a culture founded on its values of Integrity, Respect and Commitment.

NOTE: Pursuant to Section 101 of the Aviation and Transportation Security Act (49 U.S.C. 114(n)), this directive and all related Handbooks, Attachments, and Appendices, establishes Transportation Security Administration (TSA) policy and must be applied accordingly.

REVISION: This revised directive supersedes TSA MD 1100.73-4, *Reasonable Accommodation Program*, dated March 24, 2010.

SUMMARY OF CHANGES: Section 2, Scope, revised to remove policy language; Section 4, Definitions, moved to the handbook; Section 6, Policy, added a statement that all requests are considered on a case-by-case basis, and added a reference to HCM 339-2; and administrative changes are made throughout.

1. **PURPOSE:** This directive provides TSA policy and procedures for processing requests for reasonable accommodation made by qualified job applicants and employees with disabilities pursuant to the Rehabilitation Act of 1973, as amended, where applicable and in accordance with the provisions of the Aviation and Transportation Security Act (ATSA).
2. **SCOPE:** This directive applies to all TSA organizations, employees, and applicants for employment.
3. **AUTHORITIES:**
 - A. The Aviation and Transportation Security Act, Pub. L. 107-71 (ATSA)
 - B. Executive Order 13164, Requiring Federal Agencies to Establish Procedures to Facilitate the Provision of Reasonable Accommodation
 - C. The Rehabilitation Act of 1973, as amended, 29 U.S.C. §§791, 794
4. **DEFINITIONS:** See [TSA Handbook 1100.73-4, Reasonable Accommodation Program](#).
5. **RESPONSIBILITIES:**
 - A. Assistant Administrator for Human Capital (AA/HC) or his or her designee is responsible for:
 - (1) Establishing and overseeing the Reasonable Accommodation Program in compliance with all applicable laws, regulations, executive orders and administrative policies;
 - (2) Designating the TSA's Reasonable Accommodation Program Manager (RAPM) within HC who has direct administrative responsibility for the Reasonable Accommodation Program, TSA-wide; and

- (3) Reviewing and rendering decisions on requests for reconsideration of denied reasonable accommodation requests.

B. RAPM is responsible for:

- (1) Administering the Reasonable Accommodation Program, including receiving, processing, and rendering decisions on requests for reasonable accommodation;
- (2) Providing guidance regarding the reasonable accommodation policy and procedures to employees, applicants for employment, supervisors/managers, and other TSA officials;
- (3) Facilitating the interactive process with individuals requesting reasonable accommodation and all appropriate TSA officials;
- (4) Developing and maintaining a record keeping system to track and report the types and cost of reasonable accommodations provided TSA-wide;
- (5) Complying with all reporting requirements; and
- (6) Serving as a liaison between TSA and Department of Homeland Security (DHS) in matters concerning reasonable accommodation for applicants and employees.

C. Assistant Administrators and equivalent positions are responsible for providing leadership and resource support for, and ensuring compliance with, TSA's policy and procedures for the provision of reasonable accommodation within their respective program offices.

D. Civil Rights Division (CRD), within Civil Rights and Liberties, Ombudsman, and Traveler Engagement (CRL/OTE) is responsible for:

- (1) Conducting appropriate reviews of complaints relating to reasonable accommodation and allegations of unlawful discrimination on the basis of disability; and
- (2) Providing subject matter expertise regarding disability matters, including reasonable accommodation.

E. Chief Counsel (CC) is responsible for providing legal advice on TSA's equal employment opportunity and reasonable accommodation related policies and determinations.

F. Supervisors and managers are responsible for:

- (1) Providing employees information and guidance regarding TSA's reasonable accommodation process;
- (2) Promptly forwarding all requests for accommodation from employees to the RAPM;
- (3) Actively engaging in the interactive process in good faith; and
- (4) Ensuring timely implementation of approved accommodations.

- G. TSA personnel involved in the recruitment and hiring process are responsible for promptly forwarding to the RAPM all requests for accommodation from applicants for employment.
- H. Employees and applicants for employment are responsible for:
 - (1) Communicating reasonable accommodation requests to the appropriate receiving official in accordance with TSA's policy and procedures;
 - (2) Providing sufficient and relevant medical documentation in support of each request for reasonable accommodation in a timely manner;
 - (3) Actively engaging in the interactive process in good faith;
 - (4) Cooperating with TSA's efforts to identify an effective accommodation, including but not limited to, participating in recommended needs assessments and suggesting reasonable accommodation options to explore; and
 - (5) Learning and maintaining skills necessary for using assistive technology provided as a reasonable accommodation.

6. POLICY:

- A. TSA shall receive and review each request for reasonable accommodation in a timely manner.
- B. All requests for reasonable accommodation must be considered on a case-by-case basis.
- C. Absent undue hardship, TSA will provide reasonable accommodation to qualified employees and applicants with disabilities. While not precluded from requesting or being considered for reasonable accommodation, notwithstanding the requirements of the Rehabilitation Act of 1973, TSO applicants and TSOs who are unable to meet the statutory requirements of the TSO positions are not eligible for reasonable accommodation under this directive.

NOTE: Incumbent TSOs who are unable to meet the statutory requirements of the TSO positions may be considered for reassignment in accordance with the Human Capital Management (HCM) Policy 339-2, *Job Search Program for Medically Disqualified Transportation Security Officers Eligible for Reassignment (TSO Job Search Program)*. See [HCM Policy No. 339-2 and TSO Job Search Process guidance](#).

- 7. PROCEDURES:** See [TSA Handbook 1100.73-4, Reasonable Accommodation Program](#).

8. **APPROVAL AND EFFECTIVE DATE:** This policy is approved and effective the date of signature unless otherwise specified.

APPROVAL

Signed

August 22, 2018

Karen Shelton Waters
Assistant Administrator for
Human Capital

Date

EFFECTIVE

September 3, 2018

Date

Distribution: Administrator, Deputy Administrator, Chief of Staff, Executive Assistant Administrators, Chief Administrative Officer, Assistant Administrators, Chief Counsel, Regional Directors, Federal Security Directors, Supervisory Air Marshals in Charge, Business Management Office Directors, Administrative Officers, and Human Resources Specialists

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