

# PRIVACY IMPACT ASSESSMENT

(Rev. 2/2020)

(All Previous Editions Obsolete)

Please submit your responses to your Liaison Privacy Official. *All entries must be Times New Roman, 12pt, and start on the next line.* If you need further assistance, contact your LPO. A listing of the LPOs can be found here:

[https://usepa.sharepoint.com/:w:/r/sites/oei\\_Community/OISP/Privacy/LPODoc/LPO%20Roster.docx](https://usepa.sharepoint.com/:w:/r/sites/oei_Community/OISP/Privacy/LPODoc/LPO%20Roster.docx)

<b>System Name: Reasonable Accommodation Management Site (RAMS)</b>	
<b>Preparer: Amanda Sweda</b>	<b>Office: Office of the Administrator, Office of Civil Rights</b>
<b>Date: 06/20/2023</b>	<b>Phone: 202-566-0678</b>
<b>Reason for Submittal: New PIA</b> ____ <b>Revised PIA</b> ____ <b>Annual Review</b> <u><b>X</b></u> <b>Rescindment</b> ____	
<b>This system is in the following life cycle stage(s):</b>	
Definition <input type="checkbox"/> Development/Acquisition <input type="checkbox"/> Implementation <input checked="" type="checkbox"/>	
Operation & Maintenance <input checked="" type="checkbox"/> Rescindment/Decommissioned <input type="checkbox"/>	
<b>Note: New and Existing Systems require a PIA annually, when there is a significant modification to the system or where privacy risk has increased to the system. For examples of significant modifications, see <u>OMB Circular A-130, Appendix 1, Section (c) (1) (a-f).</u></b>	
<b>The PIA must describe the risk associated with that action. For assistance in applying privacy risk see <u><a href="#">OMB Circular No. A-123, Section VII (A) (pgs. 44-45).</a></u></b>	

## **Provide a general description/overview and purpose of the system:**

Site contains data relative to reasonable accommodation requests and contact information for the individuals who submit requests. The site tracks all requests for reasonable accommodation and is used to maintain all the files of reasonable accommodations at EPA as well as respond to annual Equal Employment Opportunity Commission (EEOC) reporting requirements.

## **Section 1.0 Authorities and Other Requirements**

### **1.1 What specific legal authorities and/or Executive Order(s) permit and define the collection of information by the system in question?**

Section 501 Rehabilitation Act of 1973, Executive Order 13164, Establishing Procedures to Facilitate the Provision of Reasonable Accommodation, dated October 20, 2000 as well as Equal Employment Opportunity Commission regulations which include reporting requirements. EEOC requires all federal agencies to report on the number of reasonable accommodations requests, the status of the requests, and if the request was processed within the time limits in the EPA Reasonable Accommodation procedures. RAMS will enable the National Reasonable Accommodation Program Team to maintain all the files of reasonable accommodations at EPA as well as respond to EEOC reporting requirements.

**1.2 Has a system security plan been completed for the information system(s) supporting the system? Does the system have or will the system be issued an Authorization-to-Operate? When does the ATO expire?**

RAMS is using SharePoint platform which is under the EPA's Email and Collaborations Solutions (ECS) that contains Microsoft O365. A system security plan has been completed and it has an ATO.

**1.3 If the information is covered by the Paperwork Reduction Act (PRA), provide the OMB Control number and the agency number for the collection. If there are multiple forms, include a list in an appendix.**

No ICR required

**1.4 Will the data be maintained or stored in a Cloud? If so, is the Cloud Service Provider (CSP) FedRamp approved? What type of service (PaaS, IaaS, SaaS, etc.) will the CSP provide?**

Yes, the site is cloud based and runs on EPA's SharePoint platform. The only service provided by the CSP is the hosting platform for the data the system owners/users (EPA employees) input into RAMS. SharePoint is under EPA's Email and Collaboration Solutions (ECS) that contains Microsoft O365 – SaaS.

## **Section 2.0 Characterization of the Information**

*The following questions are intended to define the scope of the information requested and/or collected, as well as reasons for its collection.*

**2.1 Identify the information the system collects, uses, disseminates, or maintains (e.g., data elements, including name, address, DOB, SSN).**

The site is designed to track reasonable accommodation requests throughout their lifecycle at EPA. Specific information captured includes: employee name, mail code address, work phone, work email address, office name, occupational series, pay grade, bargaining unit, accommodation requested, request date, determination date, determination method, explanation of method, status, decision-making official name and title, disability status (is

the person a person with a disability or not a person with a disability in the determination of disability letter), medical information request tracking data (not the medical information itself), medical information recipient name, medical information release form and related tracking data, disability determination tracking and status information, reconsideration tracking data, data concerning communication of decisions, accommodation offer notification and related comments.

There is data entry of information such as date reasonable accommodation request was made or the status of the request. In addition to data entry, attachments of documents will be captured. These documents include email correspondence, determination of disability letter(s), medical documentation (if provided), Appendix B Confirmation of Request for Reasonable Accommodation Form; Appendix C Denial of Reasonable Accommodation Request Form; Appendix D Reasonable Accommodation Information Reporting Form; Appendix E: Checklist for Obtaining Medical information; Authorization to Receive and Review Documentation for Reasonable Accommodation (if needed).

## **2.2 What are the sources of the information and how is the information collected for the system?**

Information collected for a reasonable accommodation comes from the employee or applicant requesting a reasonable accommodation following the reasonable accommodation process outlined in EPA's reasonable accommodation procedures. This information is provided in writing (email or using the RA form Appendix B). The Appendix B is used to document what was asked for as a reasonable accommodation. However, the employee's supervisor, manager, union representative, or other similar persons acting on the employee's behalf such as a colleague or spouse can notify the Senior National Reasonable Accommodation Coordinator (NRAC), the NRAC, or the Local Reasonable Accommodation Coordinator (LORAC, if there is one for that employee's office) to provide the information used for a reasonable accommodation. If medical documentation is needed for the request, this information comes directly from the individual making a request or from their health care provider.

## **2.3 Does the system use information from commercial sources or publicly available data? If so, explain why and how this information is used.**

No.

## **2.4 Discuss how accuracy of the data is ensured.**

Data that is input into the site is added by the Senior NRAC, NRAC, or LORAC based on the information provided by the employee or applicant making a reasonable accommodation request. The Senior NRAC and NRAC will check the data that was input by the Senior NRAC, NRAC, or LORAC when a new case folder is made for a reasonable accommodation request is made. The Senior NRAC or NRAC will also verify accuracy when the case is completed and finished to ensure that the information added to the is accurate and up-to-date.

## **2.5 Privacy Impact Analysis: Related to Characterization of the Information**

*Discuss the privacy risks identified for the specific data elements and for each risk explain how it was mitigated. Specific risks may be inherent in the sources or methods of collection, or the quality or quantity of information included.*

### **Privacy Risk:**

There is a low risk that the requestor will provide too much information containing PII/SPII.

### **Mitigation:**

When the requestor provides too much information: If an employee or applicant gives the Senior NRAC, NRAC, or LORAC or Agency too much information, the Senior NRAC or NRAC will work with the employee to limit this information. This may mean that the Senior NRAC or NRAC returns the unnecessary information and disposes of paper or electronic copies (for example the employee provides their entire medical history which is not needed nor wanted), redacts the information in the record copy of the forms or emails or directs the persons who have the information to delete the attachments or email. If the Senior NRAC or NRAC realizes there is a possible privacy breach, it is reported.

Access Controls. Access controls limit access to the application and/or specific functional areas of the application. These controls consist of privileges, general access, passwords on determination of disability letters or medical documents. Additionally, each user is associated with one or more roles (full control, contribute). Each role provides some combination of privileges to a subset of the application tables. Users are granted only those privileges that are necessary for their job requirements.

## **Section 3.0 Access and Data Retention by the System**

*The following questions are intended to outline the access controls for the system and how long the system retains the information after the initial collection.*

### **3.1 Do the systems have access control levels within the system to prevent authorized users from accessing information they don't have a need to know? If so, what control levels have been put in place? If no controls are in place why have they been omitted?**

Yes, the site has various control levels to prevent users (the LORACS) from accessing data outside of the area necessary to perform their job function. Users are assigned roles with regional access levels which allows *them* to access only the minimum *amount* of data on those individuals that are within their area of the Agency. The system owners/administrators, the Senior NRAC and NRAC will assign the roles. Each LORAC is designated by their respective office and must have been trained and certified to serve as the LORAC before the Senior NRAC and NRAC will allow access to RAMS. LORACS must be recertified every three years; however, the Senior NRAC and NRAC will monitor access to RAMS every 90 days or make updates as soon as a LORAC no longer serves in that role.

### **3.2 In what policy/procedure are the access controls identified in 3.1,**

**documented?**

The Senior NRAC, NRAC, and LORACs will follow their own Standard Operation Procedures for RAMS Site and Access Controls. The Senior NRAC and NRAC will give access to the LORACS once LORACS have completed privacy and reasonable accommodation training as well as training on using RAMS.

**3.3 Are there other components with assigned roles and responsibilities within the system?**

No.

**3.4 Who (internal and external parties) will have access to the data/information in the system? If contractors, are the appropriate Federal Acquisition Regulation (FAR) clauses included in the contract?**

Only the Senior NRAC and NRAC have full access to the data in RAMS. Senior NRAC, NRAC, and LORACs are EPA employees. The LORACs will have access to the data for those employees in their areas of responsibility. No contractors input the data or use the site.

**3.5 Explain how long and for what reasons the information is retained. Does the system have an EPA Records Control Schedule? If so, provide the schedule number.**

Information is retained according to the EPA Records Schedule 0068 for three years after an applicant makes a request and was not hired or when the employee separates from the agency or all appeals (complaints and litigation) are concluded whichever is later. The information is maintained while the employee is at the Agency so the Senior NRAC, NRAC, and LORAC can assist with the reasonable accommodation or additional requests made by the employee.

**3.6 Privacy Impact Analysis: Related to Retention**

*Discuss the risks associated with the length of time data is retained. How were those risks mitigated? The schedule should align the stated purpose and mission of the system.*

**Privacy Risk:**

The risk is low that information will be retained too long in the site.

**Mitigation:**

EPA retains reasonable accommodation records in accordance with EPA Records Schedule 0068, "Reasonable Accommodation Requests Records", Final 12/31/2013. An employee's reasonable accommodation records are destroyed 3 years after employee separation from the agency or all appeals are concluded whichever is later.

The Senior NRAC and NRAC have access to current paper files that are locked and secure. The Senior NRAC and NRAC will be phasing out the use of paper files and converting paper files to electronic to add to RAMS if needed. The Senior NRAC and NRAC conduct an

annual records management process to verify if a separated employee's file can be disposed and then disposed accordingly. In RAMS, the LORACS only have access to their respective office once the employee (LORAC) has Access Controls. Access Controls. Access controls limit access to the application and/or specific functional areas of the application. These controls consist of privileges, general access, passwords on determination of disability letters or medical documents. Additionally, each user is associated with one or more roles (owner, read/write, read). Each role provides some combination of privileges to a subset of the application tables. Users are granted only those privileges that are necessary for their job requirements.

## **Section 4.0 Information Sharing**

*The following questions are intended to describe the scope of the system information sharing external to the Agency. External sharing encompasses sharing with other federal, state and local government, and third-party private sector entities.*

### **4.1 Is information shared outside of EPA as part of the normal agency operations? If so, identify the organization(s), how the information is accessed and how it is to be used, and any agreements that apply.**

Yes. The Senior NRAC and NRAC disclose limited information to outside EPA parties such as Federal Occupational Health (FOH), and the Equal Employment Opportunity Commission (EEOC) and/or EPA contractors conducting an investigation for an equal employment opportunity (EEO) complaint, or the Computer/Electronic Accommodations Program (CAP) a service provided by the Department of Defense.

For FOH, EPA has a contractual agreement for FOH services for medical employability. If the employee has undergone the reasonable accommodation process and provided medical documentation but clarification is needed from an independent medical professional, EPA uses FOH services. The Senior NRAC or NRAC requests FOH's assistance and FOH sends the FOH forms to be used. The employee must sign a release form in order for EPA to share any information with FOH and the employee is provided a copy of the form sent to FOH. The EPA contract point of contact for FOH services and the manager do not receive a copy of the forms sent to FOH.

If the EEOC or an outside investigator handling an EEO complaint needs information, the investigator or official contacts the Senior NRAC or NRAC or LORAC with the information needed, included a letter indicating the case number and investigator's name and appropriate badge number. The information requested is provided in accordance with the instructions provided (send by fax, fill out the affidavit form, etc.).

CAP is a resource from the Department of Defense that provides needs assessments or assistive technology to employees with documented disabilities. EPA has a MOU with CAP. An employee can make a request to CAP for assistance. CAP may need medical documentation from the employee to verify that they are a person with a disability. The employee can provide or the Senior NRAC or NRAC can provide at the employee's

request. If the employee requests the Senior NRAC or NRAC to send documentation already on file with EPA, the Senior NRAC or NRAC sends a secure encrypted email (CAP requires this) to CAP and sends a follow-up email to the employee indicating they took this action as the employee had requested.

#### **4.2 Describe how the external sharing is compatible with the original purposes of the collection.**

The purpose of collection is to provide reasonable accommodations for individuals with disabilities. In some limited cases, EPA must work with external partners to provide the reasonable accommodation or to aid in an investigation for an EEO complaint.

#### **4.3 How does the system review and approve information sharing agreements, MOUs, new uses of the information, new access to the system by organizations within EPA and outside?**

The site does not share the information. The Senior NRAC or NRAC will only provide the requested information from the site within the scope of what was needed for 4.1. as per the EPA Reasonable Accommodation Procedures. We do not have information sharing agreements specifically for reasonable accommodations.

#### **4.4 Does the agreement place limitations on re-dissemination?**

All parties are already aware of Privacy Act requirements and responsibilities and do not re-disseminate.

#### **4.5 Privacy Impact Analysis: Related to Information Sharing**

*Discuss the privacy risks associated with the sharing of information outside of the agency.  
How were those risks mitigated?*

##### **Privacy Risk:**

There is a low risk with information being shared outside may go to the wrong person.

##### **Mitigation:**

For any requests for information sharing: The Senior NRAC and NRAC will encrypt and/or password protect (and send a password in a separate email) to the person(s) that the information must be shared. When sending information, the Senior NRAC or NRAC will verify that the person is authorized to receive the information and check email, numbers, address, etc. before sending the information.

EEO investigations: EEO investigators provide official documents and authorizations when information is needed to aid an investigation.

FOH: The Senior NRAC and NRAC initiate the FOH process. The employee is provided the questions ahead of time and signs a medical release form. The Senior NRAC and NRAC only send the information to the FOH officer handling the request.

CAP: In most cases, the employee who makes a request to CAP provides the information themselves. If CAP needs additional information, the employee can request that the Senior NRAC or LORAC provide the limited information needed by CAP. The Senior NRAC and NRAC will not share information with CAP on behalf of the employee unless the employee specifically requests the Senior NRAC and NRAC to do so.

## **Section 5.0 Auditing and Accountability**

*The following questions are intended to describe technical and policy-based safeguards and security measures.*

### **5.1 How does the system ensure that the information is used as stated in Section 6.1?**

The system owners safeguards the data from access by those not authorized to use it, limiting its access to only those who have a business need to use it and have proven by being designated to serve in this role that they have the integrity to perform the duties of their assigned jobs.

### **5.2 Describe what privacy training is provided to users either generally or specifically relevant to the system/collection.**

Senior NRAC, NRAC, and LORACs are required to take “Staff Who Routinely Handle PII” before using RAMS as well as annual Agency Information Security and Privacy Awareness training. Senior NRAC, NRAC, and LORAC will also follow their own Standard Operation Procedures for handling Sensitive Personally Identifiable Information (SPII) and Determination of Disability letters.

### **5.3 Privacy Impact Analysis: Related to Auditing and Accountability**

#### **Privacy Risk:**

There is a low risk of unauthorized disclosure, unauthorized use, and inappropriate uses of PII related to auditing and accountability. RA information is not audited.

#### **Mitigation:**

Only the Senior NRAC, NRAC, and LORACs (who have limited access to any RA information) have access to the information collected and retained in the site. The Senior NRAC and NRAC perform this job in full-time positions and take regular trainings and are accountable to the Office of Civil Rights and the Office of the Administrator for our actions. LORACS serve in this position as collateral duty at or less than 20% of their time and our accountable to their management as well as the Office of Civil Rights in their performance of these duties. However, LORACS are appointed in this position and expected to be trained and be accountable. If there is a concern about accountability, the Office of Civil



Rights Director will take appropriate actions to resolve the issue. LORACS are regularly trained on privacy as it relates to reasonable accommodation.

## **Section 6.0 Uses of the Information**

*The following questions require a clear description of the system's use of information.*

### **6.1 Describe how and why the system uses the information.**

The site allows the National Reasonable Accommodation Program through the NRACS to track all requests for reasonable accommodation and maintains all the files of reasonable accommodations at EPA. EPA also uses limited information to respond to EEOC reporting requirements.

### **6.2 How is the system designed to retrieve information by the user? Will it be retrieved by personal identifier? Yes X No \_\_\_\_\_. If yes, what identifier(s) will be used. (A personal identifier is a name, social security number or other identifying symbol assigned to an individual, i.e. any identifier unique to an individual. Or any identifier that can be linked or is linkable to an individual.)**

First and last name or case number or location.

### **6.3 What type of evaluation has been conducted on the probable or potential effect of the privacy of individuals whose information is maintained in the system of records?**

Requesting a reasonable accommodation is a voluntary process. Employees are informed by the EPA procedures about reasonable accommodation and give their consent to share the information needed throughout the process. A Privacy Act Statement (PAS) is included on the form and process emails. Reasonable accommodation is a legally mandated requirement that EPA must provide to qualified employees or applicants with disabilities. The EEOC has spelled out the privacy considerations in the EEOC's Reasonable Accommodation guidance. The Senior NRAC and NRAC are full-time employees who specifically work on reasonable accommodations for EPA. LORACS are designated by senior management in their respective region or office to a three-year term. Every three years, their office must designate the LORAC to serve in this collateral role. All new LORACS are trained by the Senior NRAC and NRAC before they may serve in the LORAC role and all LORACs must attend yearly training and be fully retrained every three years. The Senior NRAC and NRAC limit access to RAMS based on this designated role.

### **6.4 Privacy Impact Analysis: Related to the Uses of Information**

*Describe any types of controls that may be in place to ensure that information is handled in accordance with the uses described above.*

#### **Privacy Risk:**

There is a low risk for the information in RAMS to be used for purposes other than it was intended.

**Mitigation:**

RAMS is only accessible and used by EPA employees (Senior NRAC, NRAC, and LORACs) with a need to know for the purposes of carrying out their Agency duties. The Senior NRAC and NRAC are full-time employees who were hired to perform reasonable accommodation tasks. They have PARS and are evaluated on the performance of these duties. They are trained regularly on reasonable accommodations, RA procedures, take training as system owners, etc. LORACs are approved and completely retrained every three years for their RA duties. The Senior NRAC and NRAC tracks who serves as the LORAC.

**\*If no SORN is required, STOP HERE.**

*The NPP will determine if a SORN is required. If so, additional sections will be required.*

## **Section 7.0 Notice**

*The following questions seek information about the system's notice to the individual about the information collected, the right to consent to uses of information, and the right to decline to provide information.*

### **7.1 How does the system provide individuals notice prior to the collection of information? If notice is not provided, explain why not.**

Any individual who wants to know whether this system of records contains a record about him or her, should make a written request to the Attn: Agency Privacy Officer, MC 2831T, 1200 Pennsylvania Ave., NW., Washington, D.C. 20460, [privacy@epa.gov](mailto:privacy@epa.gov).

The site does not collect the information directly from a person requesting a reasonable accommodation. When the employee makes a reasonable accommodation request, the request is sent in writing (email) by the Senior NRAC, NRAC, or the LORAC to the employee and the employee's supervisor. If medical documentation is needed in order to process the request, the Senior NRAC or NRAC provides an email in writing that explains what is needed and why. The information that is collected for the reasonable accommodation process is added to RAMS by the Senior NRAC, NRAC, or LORAC.

### **7.2 What opportunities are available for individuals to consent to uses, decline to provide information, or opt out of the collection or sharing of their information?**

Requesting a reasonable accommodation is a voluntary process. Employees are informed by the EPA procedures about reasonable accommodation and give their consent to share the information needed throughout the process. Employees will not have the opportunity to decline to provide information or opt out of the collection or sharing of their information once they go through the reasonable accommodation process. There is a Privacy Act Statement (PAS) on the reasonable accommodation forms as well as process emails.

### **7.3 Privacy Impact Analysis: Related to Notice**

*Discuss how the notice provided corresponds to the purpose of the project and the stated uses. Discuss how the notice given for the initial collection is consistent with the stated use(s) of the*

*information. Describe how the project has mitigated the risks associated with potentially insufficient notice and opportunity to decline or consent.*

**Privacy Risk:**

There is a low risk that a person who requests a reasonable accommodation will not be notified or consent to the use of their information.

**Mitigation:**

Appropriate privacy notices are given to the individuals involved multiple times throughout the reasonable accommodation process. A Privacy Act Statement (PAS) is included on emails about the reasonable accommodation process that covers privacy, statutory authority, purpose and use, routine use, and consequences for not supplying PII. If a person making a reasonable accommodation request does not consent to the process, the case is closed and no further information is collected.

**Section 8.0 Redress**

*The following questions seek information about processes in place for individuals to seek redress which may include access to records about themselves, ensuring the accuracy of the information collected about them, and/or filing complaints.*

**8.1 What are the procedures that allow individuals to access their information?**

Individuals seeking access to information in this system of records about themselves are required to provide adequate identification (e.g., driver's license, military identification card, employee badge or identification card). Additional identity verification procedures may be required, as warranted. Requests must meet the requirements of EPA regulations that implement the Privacy Act of 1974, at 40 CFR part 16.

A person who has a reasonable accommodation file with EPA can contact the Senior NRAC or NRAC in the Office of Civil Rights (OCR) and request copies of their record.

**8.2 What procedures are in place to allow the subject individual to correct inaccurate or erroneous information?**

Requests for correction or amendment must identify the record to be changed and the corrective action sought. Complete EPA Privacy Act procedures are described in EPA's Privacy Act regulations at 40 CFR part 16.

RAMS is not used by anyone except the Senior NRAC, NRAC, and LORACs. If a correction is needed, the necessary action is taken by the Senior NRAC, NRAC, or LORAC, and a follow-up email is provided to the person to indicate the correction was made.

**8.3 Privacy Impact Analysis: Related to Redress**

*Discuss what, if any, redress program the project provides beyond the access and correction afforded under the Privacy Act and FOIA.*

**Privacy Risk:**

None, there is appropriate procedure in place related to redress.

**Mitigation:**

None.