

Appendix H – Key Terms

- a. **Department of Defense Computer/Electronic Accommodations Program (CAP).** CAP is a centrally-funded RA program that provides assistive technology and services to Individuals with Disabilities (IWD) federal managers, supervisors, and information technology professionals. For more information visit the CAP web site at www.cap.mil.
- b. **Supervisor.** The supervisor is an Agency official within the employee's chain of command, usually the employee's immediate supervisor. In the case of an applicant, the supervisor will be the selecting official, an Agency official in the selecting official's chain of command, or HC personnel assigned to process the vacancy.
- c. **Individual with a Disability.** An individual who has (i) a mental or physical impairment that substantially limits one or more major life activities, (ii) a record of such impairment, or (iii) is regarded as having such impairment.
- d. **“Qualified” Individual With a Disability.** A “qualified” IWD satisfies the requisite skill, experience, education, and other job-related requirements of the position. The individual can perform the essential functions of the position with or without RA.
- e. **Essential Functions.** Those job duties are so fundamental to the position that the Individual holds or desires that s/he cannot do the job without performing them. A function can be "essential" if, among other things, the position exists specifically to perform that function; there are a limited number of other employees who could perform the function; or the function is specialized, and the individual is hired based on his/her ability to perform it. The determination of the essential functions of a position must be done on a case-by-case basis so that it reflects the job as actually performed and not simply the components of a generic position description.
- f. **Undue Hardship.** If a specific type of RA causes significant difficulty or expense, then FMSHRC does not have to provide that particular accommodation. The determination of undue hardship is made on a case-by-case basis, considering factors that include the nature and cost of the RA needed and the impact of the RA on the operations of the Agency.
- g. **Extenuating circumstances.** Extenuating circumstances are situations that could not reasonably have been anticipated or avoided in advance of the accommodation request or that are beyond the requester's or supervisor's ability to control.
- h. **Reasonable Accommodation.** An RA is any change in the work environment or the way things are customarily done that would enable an IWD to be provided Equal Employment Opportunity (EEO). The request may be made to (1) a supervisor or manager in the individual's chain of command, (2) the office designated by the Agency

to oversee the RA process, (3) any Agency employee connected with the application process, or (4) any other individual designated by the Agency to accept such requests 29 C.F.R § 1614.203(d)(3)(i)(D). Three categories of RA are available for employees or applicants with disabilities:

1. Modifications or adjustments to the application process to permit an IWD to be considered for a job (for example, providing application forms in alternative formats such as large print or Braille).
2. Modifications or adjustments necessary to enable a qualified IWD disability to perform the essential functions of the job (for example, providing a sign language interpreter or teletype [TTY] device).
3. Modifications or adjustments that enable individual IWD to have equal benefits and privileges of employment (for example, removing physical barriers in buildings or providing wheelchairs or motorized scooters to facilitate easy access to buildings).