



*To enhance mission performance, TSA is committed to promoting a culture founded on its values of Integrity, Innovation and Team Spirit.*

*NOTE: Pursuant to Section 101 of the Aviation and Transportation Security Act (49 U.S.C. 114(n)), this directive establishes Transportation Security Administration (TSA) policy and supersedes Federal Aviation Administration (FAA) orders, policies, guidance and bulletins regarding reasonable accommodation issued under the FAA Personnel Management System. This directive is TSA policy and must be applied accordingly.*

**REVISION:** This revised directive supersedes TSA MD 1100.73-4, *Reasonable Accommodation Program*, dated January 25, 2006.

**SUMMARY OF CHANGES:** Section 3, Authorities, removed redundant or non-pertinent authorities; Section 4, Definitions, defined “*mitigating measures*,” modified “*decision maker*,” “*disability*,” “*major life activity*,” “*physical or mental impairment*,” and “*substantial limitation*;” Section 5, Responsibilities, removed redundancies and outdated references; Section 7, Procedures, revised and moved to the *Reasonable Accommodation Program Handbook*.

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 organizational elements and field offices, employees, and applicants for employment, with the following limitation: applicants for, and employees occupying, any Transportation Security Officer (TSO) position must be able to demonstrate the statutory requirements for the position, which include physical, medical, auditory, and vision requirements. While this policy does not preclude any applicant or employee from requesting or being considered for reasonable accommodation, notwithstanding the requirements of the Rehabilitation Act, TSO applicants and TSOs who are unable to meet the statutory requirements of the TSO position are not eligible for reasonable accommodation under this policy<sup>1</sup>.
3. **AUTHORITIES:**
  - A. ATSA, Public Law 107-71
  - 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:**
  - A. Agency: TSA including its organizational elements and field offices.

---

<sup>1</sup> In December 2005, a management decision was made to change the title and series of the Transportation Security Screener, SV-019, to Transportation Security Officer (TSO), SV-1802. This reclassification does not affect the position requirements outlined in ATSA or the implementation of this directive.

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

- B. Assistive Technology: An item, piece of equipment, or system that is commonly used to increase, maintain, or improve functional capabilities of individuals with disabilities. Assistive technology includes ergonomic keyboards, screen-enlarging software, TTYs/TDDs (text telephones), split screen reading software, etc.
- C. Decision Maker: The TSA official responsible for processing and granting, or denying, requests for reasonable accommodation. The Reasonable Accommodation Program Manager (RAPM) is the decision maker for all reasonable accommodation requests.
- D. Disability: With respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment. An individual is “regarded as” having a disability if the individual is subjected to a prohibitive act based on an actual or perceived physical or mental impairment (other than impairments that are transitory and minor), whether or not the impairment limits or is perceived to limit a major life activity.

**NOTE:** A temporary, short-term medical condition such as those that are covered in the [Human Capital Management Policy 820-2: \*Light Duty\*](#) is not generally considered a disability.

- E. Essential Function: The fundamental job duties of the employment position an individual holds or desires. The term “essential functions” does not include the marginal functions of the position.
- F. Interactive Process: The process by which the individual requesting reasonable accommodation, appropriate TSA officials (i.e., supervisors/managers), and the RAPM discuss the request for reasonable accommodation, potential alternative accommodations, and the timeframe for providing an accommodation.
- G. Major Life Activity: Major life activities include, but are not limited to: caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working. Major life activities also include the operation of major bodily functions, which include but are not limited to: the immune system, skin, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.
- H. Mitigating Measures: Items such as medication; medical supplies, equipment or appliances; low-vision devices (*except ordinary eyeglasses or contact lenses*); prosthetics including limbs and devices; hearing aids and cochlear implants or other implantable hearing devices; mobility devices; oxygen therapy equipment and supplies; use of assistive technology; reasonable accommodations or auxiliary aids or services; learned behavioral or adaptive neurological modifications; or surgical interventions except for those that permanently eliminate the impairment.
- I. Organizational Element: Any TSA headquarters or field office.
- J. Physical or Mental Impairment:

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

- (1) Physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine; or
- (2) Mental or psychological disorder, such as intellectual disability (formerly known as *mental retardation*), organic brain syndrome, emotional or mental illness, and specific learning disabilities.

K. **Qualified Individual with a Disability:** An individual with a disability who satisfies the requisite skill, experience, education and other job-related requirements of the employment position that such individual holds or desires, and who, with or without reasonable accommodation, can perform the essential functions of such position.

L. **Reasonable Accommodation:** An adjustment or alteration that enables a qualified individual with a disability an equal opportunity to apply for a job, perform job duties, or enjoy benefits and privileges of employment. There are three categories of reasonable accommodations:

- (1) Modifications or adjustments to a job application process to permit an individual with a disability to be considered for a job, such as providing application forms in alternative formats (i.e., large print or Braille).
- (2) Modifications or adjustments necessary to enable a qualified individual with a disability to perform the essential functions of the job, such as providing assistive technology to allow a visually impaired employee to use a computer.
- (3) Modifications or adjustments that enable an employee with a disability to enjoy equal benefits and privileges of employment, such as removing physical barriers in an organization's office space or facilities.

**NOTE:** Individuals who only meet the "regarded as" definition of an individual with a disability are not entitled to reasonable accommodation.

M. **Receiving Official:** TSA official(s) designated to receive requests for reasonable accommodation from employees or applicants. For employees, the receiving official is the RAPM or a supervisor/manager in the employee's immediate chain of supervision, typically his or her first level supervisor. For applicants, the receiving official is any TSA official with whom the applicant has had contact during the application or hiring process.

**NOTE:** In the event a request for reasonable accommodation is received by a TSA official who is not a designated receiving official. The request must be forwarded to the appropriate receiving official.

N. **Request for Reasonable Accommodation:** A verbal or written statement indicating that an individual needs an adjustment or a change at work, or modification in the application process, for a reason related to a medical condition. A request does not have to use any special words, such as "*reasonable accommodation*," "*disability*," or "*Rehabilitation Act*."

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

- O. **Substantial Limitation:** An impairment that substantially limits the ability of an individual to perform a major life activity. Impairment need not prevent, or significantly or severely restrict, the individual in performing a major life activity in order to be considered “*substantially limiting*.” When considering if a person is “*substantially limited*,” the ameliorative effects of a mitigating measure are not considered.
- P. **Undue Hardship:** With respect to the provision of an accommodation, significant difficulty or expense incurred by an agency, considered in light of factors that include the nature and cost of the accommodation, the impact of the accommodation on the operations of the agency.

**5. RESPONSIBILITIES:**

- A. Assistant Administrator for the Office of Human Capital (OHC) 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 TSA’s RAPM within OHC who has direct administrative responsibility for the Reasonable Accommodation Program, Agency-wide.
  - (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, to resolve requests for reasonable accommodation.
  - (4) Developing and maintaining a record keeping system to track and report the types and cost of reasonable accommodations provided Agency-wide.
  - (5) Complying with all reporting requirements, including but not limited to, preparing and submitting an annual summary report of TSA’s reasonable accommodation data to the Office of Civil Rights and Civil Liberties (CRCL), Department of Homeland Security (DHS), through the TSA Office of Civil Rights and Liberties (OCRL).
  - (6) Serving as a liaison between TSA and DHS in matters concerning reasonable accommodation of disabilities for applicants and employees.

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

- C. Assistant Administrators and Office Directors 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. Director, OCRL is responsible for conducting appropriate reviews of complaints relating to reasonable accommodation and allegations of unlawful discrimination on the basis of disability.
  - E. Office of Chief Counsel (OCC) is responsible for providing legal advice on TSA's equal employment opportunity and reasonable accommodation related policies and determinations.
  - F. Supervisors/Managers are responsible for:
    - (1) Promptly forwarding all requests for accommodation from employees to the RAPM.
    - (2) Actively engaging in the interactive process in good faith.
    - (3) Ensuring timely implementation of approved accommodations.
  - G. Human Capital Personnel responsible for the Recruitment/Selection Process are responsible for promptly forwarding all requests for accommodation from applicants for employment to the RAPM.
  - H. Employees/Applicants for Employment are responsible for:
    - (1) Communicating requests for reasonable accommodation of disabilities 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.
    - (5) Learning and maintaining skills necessary for using assistive technology provided as a reasonable accommodation.
- 6. POLICY:** TSA shall receive and review each request for reasonable accommodation in a timely manner. Absent undue hardship, TSA will provide reasonable accommodation to qualified employees and applicants with disabilities. However, 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.
- 7. PROCEDURES:** See [TSA Handbook to TSA MD 1100.73-4 Reasonable Accommodation Program](#).

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

**8. EFFECTIVE DATE AND IMPLEMENTATION:** This directive is effective immediately upon signature.

**APPROVAL**

*Signed*

*3/24/2010*

\_\_\_\_\_  
Richard A. Whitford  
Assistant Administrator for Human Capital

\_\_\_\_\_  
Date

Distribution: Assistant Secretary, Deputy Administrator, Associate Administrator,  
Assistant Administrators, Area Directors, Federal Security Directors, and all  
TSA Employees  
Point-Of-Contact: Reasonable Accommodation Program/Employee Relations Programs  
Division/OHC [ReasonableAccommodation@dhs.gov](mailto:ReasonableAccommodation@dhs.gov)