



# Memorandum

## U.S. Department of Transportation

Office of the Secretary  
of Transportation

Subject: **ACTION:** Accessible Workplace Programs and  
Activities for Individuals with Disabilities

Date: MAY 12 2009

From: Linda J. Washington  
Assistant Secretary for Administration, M-1

Reply to Attn. of:

Jackie Patillo  
Acting Chief Information Officer, S-80

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Acting Director  
Departmental Office of Civil Rights, S-30

To: Secretarial Officers  
Departmental Officers  
Heads of Operating Administrations

The U.S. Department of Transportation (DOT) is committed to ensuring its programs and activities are accessible to all individuals, including persons with disabilities. We are working to ensure that our sponsored activities, events, and electronic information technology (EIT) meet the required accessibility standards. We are providing the following information to assist you in addressing accessibility matters. Please disseminate this memorandum to all managers, supervisors and event planners.

Under Section 501 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 791), and implementing regulations, DOT must provide reasonable accommodations to the known physical and mental limitations of qualified applicants and employees with disabilities in the workplace, unless it can demonstrate that an undue hardship would be imposed on the operation of the agency's program.

When appropriate, managers and supervisors may need to engage in an interactive process as stated in DOT Order 1011.1, "Procedures for Processing Reasonable Accommodation Requests from Employees and Applicants for Employment with Disabilities," when processing a request for reasonable accommodation. For example, if due to a medical condition an individual has raised an accessibility concern or has requested a change in the work environment or in the way things are customarily done to enable that individual to enjoy equal employment opportunities, this request is the first step in an informal interactive

process. Using the interactive process will help clarify what the individual may need as an appropriate reasonable accommodation. A manager or supervisor may ask the individual relevant questions that will help in making an informed decision about the request. Failure to engage in this interactive process and/or not meeting required timeframes for providing reasonable accommodation could subject DOT to liability and could result in appropriate disciplinary action against the responsible manager or supervisor.

Section 504 of the Rehabilitation Act of 1973, as amended, (29 U.S.C. § 794) requires DOT to ensure that no otherwise qualified individuals with disabilities are excluded from or discriminated against under any DOT-conducted programs or activities solely by reason of their disabilities. DOT-conducted programs and activities must be accessible and usable to qualified individuals with disabilities, including any aid, benefit, or service.

Additionally, Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794d) requires DOT to ensure that EIT purchased, developed, maintained or used by DOT meet the provisions of Section 508 unless an undue burden would be imposed on the agency. The U.S. Access Board's technical standards apply to software applications and operating systems, web-based intranet and internet information and systems, telecommunication products, video and multimedia products, self contained/closed products, desktop and portable computers, and other information technology.

The use of appropriated funds to provide for accessibility expenditures is a proper use of funds when acting under the authority of the Rehabilitation Act of 1973 (29 U.S.C. §§ 791, 794 and 794d) and its regulatory requirements. Each Secretarial and departmental office and Operating Administration is responsible for making provision in its budget to cover assistive technology or work productivity tools that are not available through the Disability Resource Center (DRC); employee and public access to DOT-conducted programs and activities; and accessible EIT.

Proactive steps shall be taken to ensure that DOT programs and activities are accessible to people with disabilities, e.g., scheduling sign language interpreters, providing meeting handouts in alternate formats, captioning videos, and hosting events in locations that are close to public transportation and accessible to people who use wheelchairs. DOT programs and activities include, but are not limited to, DOT sponsored events in and outside of DOT property, such as management-sponsored meetings; special emphasis observances; announcements of reports or major initiatives; conferences, receptions, office social functions, such as retirement celebrations and holiday parties; and training programs. This includes meetings sponsored by DOT employee associations established and recognized under the Departmental Personnel Manual, Chapter 1000-15.

Please remind individuals responsible for planning departmental events that scheduling sign language interpreters and other program modifications, e.g., Communication Access Realtime Translation, known as CART Services, for persons with disabilities is the responsibility of the event sponsor or coordinator. When announcing an event or meeting, include an accessibility statement explaining how individuals with disabilities may request a reasonable accommodation or program modification. The following statement is recommended for inclusion in all event announcements:

**“The U.S. Department of Transportation (or name of the Operating Administration or office) is committed to providing equal access to this meeting (or event) for all participants. If you need alternative formats or services because of a disability, please contact (name of person) at (telephone number) or via email (email address) with your request by close of business (deadline).”**

Sign language interpreters should be requested at least five business days in advance of the event. The event sponsor or coordinator should contact the DRC via email at [drc.interpreters@dot.gov](mailto:drc.interpreters@dot.gov) or (202) 366-9433 to schedule an interpreter. Interpreters must be requested and provided for DOT sponsored events that are open to all employees or the public and for all events at which the Secretary or Deputy Secretary are scheduled to speak. Further, event coordinators should not wait for requests from employees when it is known that employees with severe hearing disabilities are expected to be present. More detailed information about accessible meetings and events is available through the DRC via <http://www.drc.dot.gov>, (202) 493-0625, and TTY (202) 366-5273.

The DRC can assist DOT event planners by providing advice on how to make an event accessible. In addition, the DRC provides interpreting services for events sponsored by DOT as well as advice on job-related reasonable accommodations for DOT employees and applicants. If the need for a reasonable accommodation is identified by a participant and the DRC is not able to provide the accommodation, the sponsor should provide the accommodation. Otherwise, the event should be postponed or delayed until the accommodation can be made available to ensure equal access for all participants and guests. The DRC also may provide reasonable accommodations, including interpreting services, for DOT employees attending approved externally sponsored events, such as work-related conferences and training programs, if the external sponsor is unwilling or unable to do so.

For additional information, you may contact Caffin Gordon, Associate Director, Policy and Quality Control Division, Departmental Office of Civil Rights at (202) 366-9367, TTY (202) 366-8538, or [caffin.gordon@dot.gov](mailto:caffin.gordon@dot.gov).

cc: Director, Departmental Office of Human Resource Management  
Operating Administrations' Chief Counsels, Civil Rights, and  
Human Resources Directors