



California's protection & advocacy system

Disability Discrimination Fact Sheet: Federal Government Employees

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Disability Discrimination

The Section 504 of the Rehabilitation Act of 1973 prohibits disability-based employment discrimination by the federal government. Discrimination includes unequal treatment, retaliation and harassment against employees and job applicants with disabilities, as well as the failure to provide reasonable modifications (“reasonable accommodations”) to an employer’s practices, policies or workplace conditions in order to accommodate an employee’s or applicant’s disability. Whether an accommodation or modification is reasonable depends on the specific situation and the type of job involved. Reasonable accommodations and modifications cannot impose an undue hardship (significant difficulty or expense) on the employer. A sample letter to request a reasonable accommodation, and a sample support letter from a treating professional, are below.

Below are some resources to learn more about disability discrimination and reasonable accommodations in employment:

- The U.S. Equal Opportunity Commission (EEOC) website:
<http://www.eeoc.gov/laws/types/disability.cfm>
- The Job Accommodations Network website, for information about reasonable accommodations in employment:
<http://askjan.org>
- The Legal Aid at Work website, for resources and legal representation: <https://legalaidatwork.org/>

Self-Advocacy

If you believe that you have been discriminated against, you can file an administrative complaint (or “charge”) with a field office of the Equal Employment Opportunity Commission (EEOC). You must file an administrative complaint, and obtain a “right to sue letter” from the EEOC before you can file a lawsuit for disability discrimination in federal court.

As a federal employee, you must contact an Equal Employment Opportunity (EEO) Counselor at the agency where you work within 45 days from the day the discriminatory act occurred. The EEO Counselor will give you the choice of participating in EEO counseling or an Alternative Dispute Resolution program. If you cannot settle the dispute through either of these options, you then have 15 days to file a formal complaint with the EEO office. More detailed information on the process can be found here: https://www.eeoc.gov/federal/fed_employees/complaint_overview.cfm

Litigation

Violations of the laws discussed above may also be enforced through private lawsuits. Please be aware that statutes of limitations restrict the timeframe for filing litigation, and that you could potentially lose claims if you do not act within the applicable statute of limitations. If you are interested in pursuing litigation, you should consult with an attorney as soon as possible.

Sample Letter to Request a Reasonable Accommodation

[Date]

Dear [_____]:

I am writing to request [a] reasonable accommodation[s] for my disability/disabilities. I [am an employee of/am applying for a position at] [name of agency]. Because of my disability, I need the following accommodations: [list accommodations]. My [physician/psychiatrist/psychologist/therapist/social worker/occupational therapist /other individual (describe)] has deemed these accommodations/modifications necessary in light of my disability. Please see the attached letter from [doctor or professional's name].

Federal and state law require that employers accommodate employees and applicants who have disabilities. Please respond to this request by [date]. Feel free to contact me at [your phone number and/or e-mail address] if you have any questions. Thank you.

Sincerely,

[Your name]

[Your address]

Sample Support Letter

[Date]

Dear [_____]:

I am the [physician/psychiatrist/psychologist/therapist/social worker/occupational therapist] for [Name], and am familiar with his/her condition. [S/he] has a disability that causes certain functional limitations. These limitations include [list functional limitations that require the requested accommodation].

[The requested accommodation] is necessary for [Name] to [work at/apply for employment at] [Employer]. [Describe how the accommodation will assist or support the individual].

Thank you for providing this reasonable accommodation for [Name].

Sincerely,

[Name and Title] We want to hear from you! Please complete the following survey about our publications and let us know how we are doing! [\[Take the Survey\]](#)

For legal assistance call 800-776-5746 or complete a [request for assistance form](#). For all other purposes call 916-504-5800 (Northern CA); 213-213-8000 (Southern CA).

Disability Rights California is funded by a variety of sources, for a complete list of funders, go to <http://www.disabilityrightsca.org/Documents/ListofGrantsAndContracts.html>.