

## **Regulatory Requirements of Section 501 of the Rehabilitation Act**

The regulations implementing Section 501 (29 C.F.R. Part 1614) require that the USDA:

- Provide affirmative action, nondiscrimination, and equal opportunity in employment for all qualified individuals with disabilities,
- Maintain a continuing affirmative program to promote equal opportunity and to identify and eliminate discriminatory practices and policies,
- Provide sufficient resources to its equal employment opportunity program to ensure an efficient and successful operation,
- Provide for the prompt, fair, and impartial processing of complaints as set forth by the EEOC and in Departmental Manual (DM) 4300-001,
- Conduct a continuing campaign to eradicate every form of prejudice or discrimination from USDA's personnel policies, practices and working conditions,
- Communicate USDA's equal employment opportunity policy and program and its employment needs to all sources of job candidates,
- Review, evaluate, and control managerial and supervisory performance in such a manner as to ensure a continuing affirmative application and vigorous enforcement of the policy of equal opportunity,
- Provide orientation, training, and advice to managers and supervisors to assure their understanding and implementation of the equal employment opportunity policy and program,
- Take appropriate disciplinary action against employees, who engage in discriminatory practices,
- Make reasonable accommodation to the known physical or mental limitations of qualified applicants and employees with disabilities unless the accommodation would impose an undue hardship on the operation of the agency or program,
- Reassign, non-probationary employees who develop physical or mental limitations that prevent them from performing the essential functions of their positions even with reasonable accommodation,
- Provide recognition to employees, supervisors, managers and units demonstrating superior accomplishments in equal employment opportunity,

- Establish a system for periodically evaluating the effectiveness of USDA's overall equal employment opportunity effort
- Provide maximum feasible opportunity for employees to enhance their skills through on-the-job training, work-study programs, and other training measures so that they may perform at their highest potential and advance in accordance with their ability,
- Inform employees and recognized labor organizations of the affirmative and equal employment opportunity policies and programs and enlist their cooperation,
- Participate at the community level with universities and other public and private groups in cooperative action to improve employment opportunities and community conditions that affect employability,
- Make written materials available to all applicants and employees informing them of the variety of equal employment opportunity programs and administrative and judicial remedial procedures available to them. Prominently post such written materials in all personnel and EEO offices and throughout the workplace,
- Ensure that all agency employees provide full cooperation to EEO Counselors and agency EEO personnel in the processing and resolution of pre-complaint matters and complaints,
- Cooperate fully with the EEOC in the course of appeals, including granting the Commission routine access to records,
- Publicize to all employees and post at all times the names, business telephone numbers and business addresses of the EEO Counselors, a notice of the time limits and necessity of contacting a Counselor before filing a complaint and the telephone numbers and addresses of the EEO Director, EEO Officer, and Special Emphasis Program Managers, and
- Investigate individual and class complaints of employment discrimination and retaliation prohibited by the Rehabilitation Act.