



**TITLE: DISABILITY DOCUMENTATION REQUIREMENTS –
PEOPLE WHO ARE BLIND**

1. PURPOSE.

This document prescribes the U.S. AbilityOne Commission (Commission) policy governing disability documentation requirements for people who are blind working for nonprofit agencies (NPAs) participating in the AbilityOne Program.

2. APPLICABILITY.

This policy applies to the Commission, designated Central Nonprofit Agencies (CNAs), and NPAs qualified to participate in the AbilityOne Program.

3. AUTHORITY.

- (a) 41 U.S.C. §§ 8501 – 8506, Javits-Wagner-O’Day (JWOD) Act
- (b) 41 C.F.R. Chapter 51, Committee for Purchase from People Who Are Blind or Severely Disabled

4. DEFINITIONS AND ACRONYMS.

Definitions, abbreviations, and acronyms frequently used throughout this policy system are provided in Policy 51.102, Definitions.

5. RESPONSIBILITIES.

- (a) The Commission:
 - i. Provides guidance and education to NPAs and CNAs regarding all required eye medical documentation, and provides an annual Individual Employment Evaluation (IEE) form to further support such employees (instructions will be included with the form).
 - ii. Conducts inspections that include examining all or random samplings of participating NPAs’ employee files for individuals working on AbilityOne and non-AbilityOne projects. Sampling methodology will follow the guidance provided in Commission Policy 51.404, On-site Compliance Reviews.
 - iii. Ensures that corrective actions are satisfactorily completed by NPAs that are found to have inadequate eye medical documentation.
 - iv. Provides guidance, education and training in understanding medical documentation requirements to CNAs and NPAs.
- (b) CNAs support the Commission in accordance with their Cooperative Agreements, mainly by:
 - i. Ensuring that the NPAs they represent are aware of all required eye medical documentation for people who are blind, through communication, supporting reference documents, and training.



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- ii. Evaluating and providing regulatory assistance to the NPAs they represent regarding eye medical documentation requirements of the AbilityOne Program.
- iii. Ensuring that corrective actions are satisfactorily completed by the NPAs they represent and providing the Commission with timely reports of the results.

(c) NPAs:

- i. Review guidance and education to achieve an understanding of the Commission's eye medical documentation requirements, and maintain a file with all required documents for each direct labor employee in the NPA.
- ii. Ensure all direct labor employee files are available and able to be presented to Commission compliance inspectors or CNA regulatory assistance staff upon request:
 - (a) Files shall include, but are not limited to, any NPA files for temporary employees as well as employees working in enclaves, on mobile crews, on State Use contracts, and on commercial contracts, as well as on AbilityOne contracts.
 - (b) Provide a list of all employees by name that shows which employees are tracked as direct or indirect labor, disabled or non-disabled labor, and AbilityOne or non-AbilityOne status, upon request.
 - (c) Describe for the inspector or reviewer how the files are maintained, and by whom.
- iii. Conduct quality audits of their documentation semi-annually.
- iv. Complete corrective action for inadequate or deficient documentation within the time frame provided by the Commission or CNA following any inspections or reviews, respectively.
- v. Participate in all required education and training opportunities as provided by the CNA or the Commission.

6. POLICY.

- (a) NPAs qualified to participate in the AbilityOne Program shall maintain the highest level of integrity in complying with the Commission's regulation at 41 C.F.R. 4.3(b) regarding the documentation of blindness of direct labor employees.
- (b) Each NPA employing persons who are blind participating in the AbilityOne Program shall maintain a file for each individual containing one of the following:
 - i. A written report, on letterhead or otherwise identifying the professional and the practice, signed and dated, reflecting visual acuity and field of vision of each eye, with best correction, signed by a person licensed to make such an evaluation, or
 - ii. Certification of legal blindness by a State or local governmental entity, on letterhead or an official form, signed and dated.

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- (c) Each NPA employing persons who are blind participating in the AbilityOne Program shall ensure that the annual IEE form is included in the file for each employee who is blind:
- i. The IEE shall be prepared and signed by a person or persons qualified by training and experience to evaluate the work potential, interests, aptitudes, and abilities of people who are blind and shall normally consist of preadmission evaluations and reevaluations prepared at least annually.
 - ii. The IEE shall state whether that individual has engaged or is engaging in competitive employment, and the employee’s interest in placement services.
 - iii. The files of individuals who have worked for the NPA for less than two years shall contain the initial IEE and, where appropriate, the annual IEE. The files of individuals who worked for the NPA for two or more years shall contain, as a minimum, the initial IEE and the most recent annual IEEs.
 - iv. The NPA shall retain an employee’s IEE documentation for at least the two most recent annual evaluation periods. The Commission encourages NPAs to maintain IEEs in employees’ files up to six years, to show the employee’s progression.

7. EXCEPTION TO POLICY.

None.

8. PROCEDURES.

None.

9. SUPERSESION.

This Policy supersedes the Commission Compliance Manual dated June 29, 2007.

APPROVED:  **Date:** 8/11/2020
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