

Section 508 Compliance Procedures

Federal Retirement Thrift Investment Board
Effective Date: January 31, 2023

Section 508 Compliance Procedures

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1.0 OVERVIEW

The Federal Employees' Retirement System Act of 1986 (FERSA) authorized the Federal Retirement Thrift Investment Board (FRTIB), an independent agency of the U.S. Executive Branch, to administer the Thrift Savings Plan (TSP), one of the three components of the Federal Employees' Retirement System (FERS). The TSP is a defined contribution plan for U.S. Federal civilian employees (including those covered by the Civil Service Retirement System (CSRS) as well as members of the uniformed services). FRTIB and TSP are collectively referred to as the Agency. The mission of FRTIB is to administer the TSP solely in the interest of its participants and beneficiaries.

The Office of Technology Services (OTS) is the FRTIB office tasked with ensuring that the technology resources and solutions for FRTIB and the TSP are secure, cost effective, and highly available. OTS serves as a strategic partner to FRTIB leadership and drives activities related to information assurance, infrastructure and operations, business applications, and business management in support of the Agency's employees and its overall mission.

Section 508 of the Rehabilitation Act of 1973, as amended, along with its implementing regulations, establish guidelines for Information Technology accessibility. It creates opportunities for individuals with disabilities inside and outside the government and encourages the development of technology products and services using accessible design. Section 508 applies when federal agencies develop, procure, maintain, or use information and communications technology (ICT).

This document sets forth FRTIB's procedures related to the administration and management of its Section 508 program.¹ The FRTIB Office in charge of administering and implementing these procedures is OTS.

¹ The Rehabilitation Act's reasonable accommodation and antidiscrimination provisions protecting employees of FRTIB are not governed by these procedures. FRTIB employees seeking a reasonable accommodation in order to perform their duties should instead review FRTIB's Reasonable Accommodation Policies and Procedures, or contact the reasonable accommodation coordinator.

2.0 ROLES AND RESPONSIBILITIES

Section 508 Compliance Coordinator - designated by the Chief Operating Officer (COO) and responsible for coordinating with the Section 508 Third Party Contractor to evaluate, assess, and remediate FRTIB electronic content and communications to ensure it is compliant with Section 508; partnering with other FRTIB offices to assist in meeting their Section 508 goals and objectives; receiving, recording, and timely reviewing Section 508 complaints from FRTIB employees, employees of other federal agencies, participants and beneficiaries, and members of the public concerning accessibility of about FRTIB's electronic content.

Section 508 Third Party Contractor - responsible for evaluating, assessing and remediating electronic content and communications submitted by the FRTIB to ensure Section 508 compliance. The Third Party Contractor will provide written certification of all FRTIB materials assuring remediated materials meet Section 508 accessibility guidelines.

Office of the Chief Financial Officer (Contracting Division) - responsible for ensuring FRTIB procurements comply with Section 508 by developing, updating, and incorporating applicable Section 508 language in solicitations, contracts, blanket purchase agreements (BPAs), and task orders for all ICT procurements.

Office of Communications and Education (OCE) - responsible for ensuring that all web-based and TSP training content managed by OCE complies with Section 508.

Office of Technology Services - responsible for reviewing, approving, and tracking licenses for accessibility software provided by the agency, and providing Section 508 testing on all ICT placed on the FRTIB IT infrastructure or used to conduct FRTIB business.

Office of Resource Management (Human Resources Division) - responsible for facilitating, with the assistance of the Section 508 Compliance Coordinator, Section 508 training opportunities.

Chief Operating Officer - responsible for determining the appropriate action and remedy for Section 508 Compliance complaints.

Office Directors (or Office Designee) - responsible for partnering with Section 508 Compliance Coordinator to ensure all content (e.g., emails, documents, files) authored, owned, developed, maintained and posted/for publication² is 508 compliant.

Employees - responsible for completing Section 508 training, when required, and adhering to these procedures when developing, procuring, maintaining, or using ICT.

Section 508 Compliance Complainant - Any individual who alleges a Section 508 information accessibility violation by FRTIB and wishes to pursue a Section 508 complaint.

3.0 APPLICABLE POLICIES

- Section 508 Compliance Policy

4.0 PROCEDURES

4.1 Section 508 Compliance Evaluation, Assessment and Remediation

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| EA - 1 | Office Director, or Designee, identifies ICT content to be assessed for 508 Compliance and contacts the Section 508 Compliance Coordinator to request an assessment of the content. |
| EA - 2 | Section 508 Compliance Coordinator submits a request to the Section 508 Third Party Contractor to evaluate, assess, and remediate the ICT content. |
| EA - 3 | Section 508 Compliance Coordinator contacts the Office Director or Designee regarding the outcome of the assessment and remediation recommendation of the Section 508 Third Party Contractor. |
| EA - 4 | Section 508 Third Party Contractor performs remediation of the ICT content and delivers it to the Section 508 Compliance Coordinator. Remediation actions may include, but are not limited to, providing text equivalents that would allow people who have vision disabilities and cannot see the images properly to know what's contained in them; ensuring persons with disabilities can fill out online forms using assistive technology or using just the keyboard; and ensuring there is |

² Publication includes public-facing websites, FRTIB's intranet, or distribution via broadcast emails.

adequate contrast between the information on the web page and the background color, making the information more readable by people with limited vision.

EA - 5 Section 508 Compliance Coordinator submits the remediated ICT content to the Office Director or Designee for publication or posting.

4.2 508 Compliance Complaints

- CC-1 The Section 508 Compliance Coordinator receives the complaint from the Section 508 Compliance Complainant.
- CC-2 The Section 508 Compliance Coordinator reviews the complaint³ and notifies the complainant that the complaint has been received.
- CC-3 The Section 508 Compliance Coordinator investigates the complaint. The investigation must determine (1) whether the challenged ICT is covered by Section 508; (2) whether the ICT complies with the Section 508 Standards applicable to the particular technology; (3) whether an exception applies; (4) whether compliance with the Section 508 Standards would require a fundamental alteration in the nature of a product or its components; (5) whether, at the time the ICT was procured, developed, acquired, or used, it was an undue burden to make the ICT accessible⁴; and (6) if the ICT is a commercial off-the-shelf product, whether, at the time the ICT was procured, a more accessible version was available in the commercial marketplace.
- CC-4 Following investigation, the Section 508 Compliance Coordinator will issue a Report of Investigation (ROI) which addresses the components outlined in CC-3 and, if appropriate, recommended remedies. The remedies available include making the ICT accessible and providing other injunctive relief.⁵ The investigation will be completed within 21 business days of receipt of the complaint, absent extenuating circumstances.

³ If the complaint potentially raises Section 501 (e.g. reasonable accommodation) issues and/or Section 504 (e.g. reasonable modification or effective communication) issues, the Section 508 Compliance Coordinator will forward the complaint to the appropriate office(s) for handling under those laws.

⁴ Section 508 requires that undue burden determinations be documented at the time of the purchase/development of the technology, so that documentation should remain on file.

⁵ Compensatory damages are not available under Section 508.

- CC-5 The Section 508 Compliance Coordinator submits the ROI to the COO.
- CC-6 The COO reviews the ROI and Section 508 Compliance Coordinator's recommendations and determines the appropriate action and remedy. If the purchase, acquisition, development or use of ICT is in violation of the Section 508 requirements, the COO, in consultation with the Contracting Division, will determine an expeditious timeline for the purchase or remediation of the ICT to make it accessible, or for provision of the information and data involved in the ICT via an accessible alternative means. The COO's decision will be made in writing within 30 days of receipt of the ROI, absent extenuating circumstances, and shared with the Section 508 Compliance Coordinator.
- CC-7 The Section 508 Compliance Coordinator will inform the complainant of the COO's decision, action to be taken (if any), and any approved remedies, as appropriate.

5.0 AUTHORITIES AND REFERENCES

- 29 U.S.C 794d
- 36 C.F.R. Part 1194
- Appendix A to Part 1194
- FRTIB Section 508 Compliance Policy

6.0 REVISION HISTORY

Date	Version	Author	Comments (briefly summarize change)
08/08/2019	1	Kristin Hanmer , ORM-HR	Initial Version
01/10/2023	2	Kristin Hanmer, ORM, HRD	Updates to reflect transition of 508 Compliance function from ORM to OTS, which was effective 11/6/22

7.0 APPROVAL

Name: _____
Vijay Desai

Title: Director/Chief Technology Officer, OTS

8.0 APPENDICES

Appendix A: Sample Documents

- None

Appendix B: Reference Material

- None

Appendix C: Flowcharts

- None