

**Subpart G—Prohibition Against Discrimination in Board Programs and Activities Because of a Physical or Mental Disability**

- 268.701 Purpose and application.
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AUTHORITY: 12 U.S.C. 244 and 248(i), (k) and (l).

SOURCE: 59 FR 16098, April 6, 1994, unless otherwise noted.

**Subpart A—General Provisions and Administration**

**§ 268.101 Authority, purpose and scope.**

(a) *Authority.* The regulations in this part (12 CFR part 268) are issued by the Board of Governors of the Federal Reserve System under the authority of sections 10(4) and 11(i), (k) and (l) of the Federal Reserve Act (partially codified in 12 U.S.C. 244 and 248(i), (k) and (l)).

(b) *Purpose and scope.* This part sets forth the Board's policy, program and procedures for providing equal opportunity to Board employees and applicants for employment without regard to race, color, religion, sex, national origin, age, or physical or mental disability. It also sets forth the Board's policy, program and procedures for prohibiting discrimination on the basis of physical or mental disability in programs and activities conducted by the Board. It also specifies the circumstances under which the Board will hire or decline to hire persons who are not citizens of the United States, consistent with the Board's operational needs, the requirements and prohibitions of the Immigration Reform and Control Act of 1986, as amended, and other applicable law.

**§ 268.102 Definitions.**

The definitions contained in this section shall have the following meanings throughout this part unless otherwise stated.

(a) *ADEA* means the Age Discrimination In Employment Act (29 U.S.C. 621 et seq.).

(b) *Agent of the class* means a class member who acts for the class during the processing of the class complaint under § 268.305 of this part.

(c) *Agreement of resolution* means the agreement referred to in § 268.305(f)(3) of this part.

(d) *Auxiliary aids* as used in subpart G of this part means services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in, and enjoy the benefits of, programs or activities conducted by the Board. For example, auxiliary aids useful for persons with impaired vision include readers, Braille materials, audio recordings, telecommunication devices and other similar services and devices. Auxiliary aids useful for persons with impaired hearing include telephone handset amplifiers, telephones compatible with hearing aids, telecommunication devices for deaf persons (TDD's), interpreters, note takers, written materials, and other similar services and devices.

(e) *Board* means the Board of Governors of the Federal Reserve System.

(f) *Class* as used in § 268.305 of this part means a group of Board employees, former employees or applicants for employment who allegedly have been or are being adversely affected by a personnel policy or practice of the Board that discriminates against the group on the basis of their race, color, religion, sex, national origin, age or disability.

(g) *Class complaint* means a written complaint of discrimination filed on behalf of a class by the agent of the class alleging that:

- (1) The class is so numerous that a consolidated complaint of the members of the class is impractical;
- (2) There are questions of fact common to the class;
- (3) The claims of the agent of the class are typical of the claims of the class; and
- (4) The agent of the class, or, if represented, the representative, will fairly and adequately protect the interests of the class.