

EQUAL EMPLOYMENT OPPORTUNITY (EEO) PROGRAMS

**PROCEDURES FOR PROVIDING REASONABLE ACCOMMODATION FOR INDIVIDUALS  
WITH DISABILITIES**

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BY ORDER OF THE DIRECTOR



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**AUTHORITY:** DeCA Equal Employment Opportunity (EEO) Guidance on Processing Requests for Reasonable Accommodation for Individuals with Disabilities is established pursuant to Section 501 of the Rehabilitation Act of 1973, as amended and Equal Employment Opportunity Commission (EEOC) Management Directives 712 and 713 (Comprehensive Affirmative Action Program Plans for Hiring, Placement and Advancement of Individuals with Disabilities), and regulations at 29 CFR Part 1614.

**MANAGEMENT CONTROLS:** The OPR has determined that this Directive does not contain Management Control Provisions that are subject to evaluations, testing, and other requirements of DeCAD 70-2, Management Control Program, and DeCAD 70-3, Management Control Plan, and as specified by the Federal Manager's Financial Integrity Act.

**HOW TO SUPPLEMENT:** This Directive may be further supplemented. Users are invited to send comments to HQ DeCA, ATTN: SSE, 1300 E. Avenue, Fort Lee, VA 23801-1800.

**APPLICABILITY AND SCOPE:** This Directive applies to all Defense Commissary Agency (DeCA) Activities.

**HOW TO OBTAIN COPIES:** Directive will be included on DeCA Intranet at [www.deca.gov](http://www.deca.gov).

**SUMMARY:** This Directive establishes the agency's procedures for providing reasonable accommodation for individuals with disabilities.

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OFFICE OF PRIMARY RESPONSIBILITY (OPR): HQ DeCA/SSE  
COORDINATORS: SSP, CII, DO, GC, RMH, RM AND REGIONS  
DISTRIBUTION: E

TABLE OF CONTENTS

	Para	Page
Section I		
Chapter 1-Introduction		
Policy.....	1-1	1
Purpose.....	1-2	1
Applicability.....	1-3	1
Definitions.....	1-4	1
Responsibilities.....	1-5	2
Chapter 2-Guidelines for Assessing and Providing Reasonable Accommodation		
Overview.....	2-1	3
Reasonable Accommodation Assessment.....	2-2	3
Means of Reasonable Accommodation.....	2-3	4
Factors In Determining Undue Hardship.....	2-4	5
Chapter 3-Acting on Reasonable Accommodation Requests		
Requirements.....	3-1	6
Decision on Request.....	3-2	7
Appendix		
A- Sample Request Form for Reasonable Accommodation.....		A-1
B- Medical Documentation to Support Requests for Reasonable Accommodation.....		B-1
C- Selected Reasonable Accommodation Resources.....		C-1

## Chapter 1

### INTRODUCTION

1-1. **POLICY.** In accordance with Section 501 of the Rehabilitation Act of 1973, as amended and Equal Employment Opportunity Commission (EEOC) Management Directives 712 and 713 (Comprehensive Affirmative Action Program Plans for Hiring, Placement and Advancement of Individuals with Disabilities), and 29 CFR Part 1614, the Defense Commissary Agency (DeCA) will make reasonable accommodation for the known physical or mental limitations of a qualified employee or applicant with a disability, or perceived disability, unless the accommodation would impose an undue hardship on the agency. DeCA is not required to implement an accommodation that would pose an undue hardship on the agency's operations.

1-2. **PURPOSE.** This policy provides guidance on making reasonable accommodation for qualified individuals with disabilities by establishing requirements and providing instructions to respond to requests from employees or applicants for employment.

1-3. **APPLICABILITY.** This policy applies only to DeCA employees and applicants for employment who have a disability as defined in 1-4a below. Not every employee who has sustained a workplace injury and/or is on temporary work restrictions for medical reasons qualifies as an individual with a disability.

#### 1-4. **DEFINITIONS.**

a. **AN INDIVIDUAL WITH A DISABILITY** is one who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such an impairment; or is regarded as having such an impairment. To be substantially limited in performing manual tasks, an individual must have an impairment that prevents activities that are of central importance to most people's daily lives. The impairment's impact must be permanent or long-term.

b. **PHYSICAL OR MENTAL IMPAIRMENT** is any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine; or any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

c. **MAJOR LIFE ACTIVITIES** are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

d. **HAS A RECORD OF SUCH AN IMPAIRMENT** means having a history of, or has been classified (or misclassified) as having a mental or physical disability that substantially limits one or more major life activities.

e. **REGARDED AS HAVING SUCH AN IMPAIRMENT** is defined as having a physical or mental impairment that does not substantially limit major life activities, but is treated by an employer as having such a limitation; has a physical or mental impairment that substantially limits major life activities only as a result of the attitude of an employer toward such an impairment; or has none of the impairments defined above but is treated by an employer as having such a limitation.

f. A QUALIFIED INDIVIDUAL WITH A DISABILITY is one who, with or without a reasonable accommodation in a place of employment, can perform the essential functions of the job in question without endangering the health or safety of the individual and others; and who, depending on the appointing authority being used, meets the experience and/or education requirements of the position in question (which may include passing a written test), or meets the criteria for appointment under one of the special appointing authorities for individuals with disabilities.

g. AN UNDUE HARDSHIP means that a specific accommodation would require significant difficulty or expense. This determination, which must be made on a case-by-case basis, considers factors such as the nature and cost of the accommodation needed and the impact of the accommodation on the operations of the agency.

h. THE ESSENTIAL FUNCTIONS OF A JOB are those duties that are so fundamental to the position that the individual cannot do the job without being able to perform them. A function can be “essential” if, among other things, the position exists specifically to perform that function; there are a limited number of other employees who could perform the function if it were assigned to them; or the function is specialized and the incumbent is hired based on his/her ability to perform it.

#### 1-5. RESPONSIBILITIES.

a. THE DIRECTOR OF DeCA is responsible for ensuring that a policy is in place to provide reasonable accommodation for qualified employees or applicants with a disability in accordance with applicable laws, regulations and applicable bargaining unit agreements.

b. THE DIRECTOR OF EQUAL EMPLOYMENT OPPORTUNITY (EEO), or designated staff personnel, is responsible for providing policy guidance and assistance to DeCA managers concerning reasonable accommodation issues. Region Equal Employment Managers (REEMs) will provide advice and assistance to region and store personnel concerning the appropriate action with respect to requests for workplace accommodations from employees and applicants with disabilities.

c. THE DIRECTOR OF HUMAN RESOURCES, REGION HUMAN RESOURCES CHIEFS or designated personnel staff are responsible for reviewing DeCA vacancies to ensure that the knowledge, skills and abilities identified are related to the essential functions of the job; ensuring that barriers are removed from the hiring process; accepting requests from applicants and making the initial determinations as to whether an accommodation will be granted after communicating with the applicant. These determinations will be made in consultation with the appropriate management official(s) on a case-by-case basis.

d. DeCA MANAGERS are responsible for ensuring that selections of qualified individuals with disabilities are made in a fair, equitable and non-discriminatory manner and that reasonable accommodations for individuals with disabilities are implemented.

e. EMPLOYEES AND APPLICANTS are responsible for providing specific and detailed information on, as deemed appropriate by the agency, on the nature of their disabilities and qualifications with regard to the requirements of the job, so that an assessment can be made of possible means for reasonable accommodation. (Examples of means of reasonable accommodation are provided in Chapter 3).

## Chapter 2

### GUIDELINES FOR ASSESSING AND PROVIDING REASONABLE ACCOMMODATION

2-1. **OVERVIEW.** Reasonable accommodation is a logical and practical change or adjustment to a job or work environment that makes it possible for an otherwise qualified employee with a disability to perform the essential functions of the job in question. Accommodations are determined on a case-by-case basis, taking into consideration the needs of the applicant or employee, his/her specific disability, the essential functions of the position in question, the work environment, and the reasonableness of the proposed accommodation. In all cases, the employee or selectee must be consulted and his/her input should be taken into consideration prior to an accommodation being made. Most accommodations are inexpensive. Many accommodations are practical and simple to accomplish. Some individuals with disabilities do not need or require reasonable accommodation because they have made adjustments to their disability so that no accommodation is needed or desired. An accommodation must be work-related and not involve personal needs such as providing eyeglasses, hearing aids or transportation to and from work. The responsibility to provide reasonable accommodation does not end when the individual with a disability is placed in a job. The accommodation must also be considered in training, other merit staffing employment processes, and benefits of all other aspects of the job.

#### 2-2. **REASONABLE ACCOMMODATION ASSESSMENT.**

a. DeCA is required to make reasonable accommodation for a qualified individual with a disability unless it can demonstrate that the accommodation would impose an undue hardship on the operation of the agency. These determinations must be made on a case-by-case basis. Most accommodations are not costly, nor do they adversely affect the operation of the agency. All reasonable alternatives will be explored to determine if the identified reasonable accommodation is suitable for the employee and does not impose an undue hardship on the agency. A request does not have to use any special words, such as "reasonable accommodation," "disability," or "Rehabilitation Act." An individual with a disability may request a reasonable accommodation whenever she or he chooses, even if she or he has not previously disclosed the existence of a disability. The reasonable accommodation process begins as soon as the request for accommodation is made. The first step in determining an appropriate accommodation is to consult with the employee with a disability and solicit recommendations and suggestions as to what accommodations would best assist him/her in performing the job. When providing auxiliary aids (e.g. large screen monitor, tape recorder, TDD, etc.), the DeCA manager should give preference to the request of the individual with the disability, unless the request would impose an undue hardship on DeCA. Accommodation needs to be made to the known physical or mental limitations. The employee or applicant is required to reveal his/her disability to DeCA officials. DeCA is not obligated to make an accommodation for a job interview, or for an existing job, until the applicant or employee has communicated his/her needs.

b. The efficiency of a specific accommodation may be clarified by considering the following questions:

- (1) Is the accommodation necessary for the performance of essential duties of the job?
- (2) What effect will the accommodation have on DeCA's operation and will it enhance the employee's job performance?
- (3) To what extent does the accommodation assist the employee and applicant with a disability with his/her limitations?
- (4) Will the accommodation give the employee the opportunity to function, participate, and/or compete on an equal basis with his/her colleagues?
- (5) Are there alternatives that would accomplish the same purpose? (for example, a different brand name product other than the one recommended by the individual with a disability or the agency.)

**2-3. MEANS OF REASONABLE ACCOMMODATIONS.**

a. Examples of the kinds of actions which may constitute reasonable accommodation are listed at 29 CFR 1614.203(c). Reasonable accommodation may include, but is not limited to the following:

- (1) Making facilities and equipment readily accessible to and usable by individuals with disabilities (e.g., employees and applicants);
- (2) Ensuring compliance with Section 508 of the Rehabilitation Act of 1973 (as amended) which requires access for persons with disabilities to electronic and information technology.
- (3) Job restructuring, including part-time, modified work schedules, telecommuting or flexiplace;
- (4) Acquisition or modification of equipment or devices;
- (5) Appropriate adjustment or modification of examinations;
- (6) Provision of readers and interpreters;
- (7) Accommodations for meetings, conferences, training and seminars (e.g., sign language interpreters, large print, captioned videos, readers or assistive devices); and
- (8) Providing break periods for disabled employees with trouble standing for long periods of time.

b. Reassignment. If the agency determines that no other reasonable accommodation will permit the employee with a disability to perform the essential functions of his/her current position or if all other possible accommodations would impose undue hardship, then reassignment is a last resort

accommodation that must be considered. When a reassignment is being sought, the first-level supervisor should consult with the human resources office to assess what vacancies exist that the disabled employee requesting a reassignment may be qualified for and should also consult with the manager of the work force component where the vacancy exists. The supervisor is also required to consult with the affected individual to determine whether the employee desires limits on the search for a new position. In their search, the supervisor must concentrate on positions in which the individual is qualified to perform the essential functions of the job with or without reasonable accommodation. Reassignment may be made only to a vacant position. DeCA is not required to create new positions or move an employee from a job in order to create a vacancy. The employee must be qualified for the vacant position. Reassignment may be made to a vacant position outside of the employee's commuting area if the employee is willing to relocate. As with other transfers not required by management, DeCA will not pay for the employee's relocation costs, unless it is in the best interest of the agency.

(1) Reassignment should be made to a position equivalent to the one presently held in terms of pay and other job status.

(2) The agency may offer an individual a lower graded position if there is no accommodation that would enable the employee to remain in the current position and there are no positions vacant for which the employee is qualified (with or without an accommodation). If an employee is changed to lower grade as an accommodation of a disability, pay retention will be authorized.

#### 2-4. **FACTORS IN DETERMINING UNDUE HARDSHIP.**

a. The following are some factors that should be considered when determining whether an accommodation requested by an employee or an applicant would impose an undue hardship on DeCA's operational activities:

(1) The overall size of the DeCA component with respect to the number of employees, number and type of facilities and size of budget e.g., a Region or a store.

(2) The type of DeCA operation, including composition and structure of the workforce;

(3) The nature and cost of the accommodation; and

(4) The impact of the accommodation on the operation of the facility that is making the accommodation. This may include the impact on the ability of other employees to perform their duties and the impact on the facility's ability to conduct business. The agency will not claim undue hardship based on employees' (or customers') fears or prejudices toward the individual's disability, nor can undue hardship be based on the fact that provision of a reasonable accommodation might have a negative impact on the morale of other employees. The agency may be able to show that providing a particular accommodation would be unduly disruptive to its other employees or to its ability to conduct business.

### Chapter 3

#### ACTING ON REASONABLE ACCOMMODATION REQUESTS

3-1. **REQUIREMENTS.** When an employee or applicant makes a request for reasonable accommodation, the following requirements apply:

a. The request may be in writing or oral; however, oral requests should be followed up in written form and can be in the form of an e-mail. If an employee or applicant needs assistance in writing or stating the request, assistance must be provided by the agency. (A sample request is provided in Appendix A.) The reasonable accommodation process begins, however, as soon as the initial request is received. All requests for and provision of reasonable accommodation must be kept confidential and should not be discussed with anyone who is not authorized to know.

b. The employee, or anyone acting on his/her behalf (i.e., family members, health professional, friend, etc.), provides the request to his/her supervisor, manager or any other agency official. The applicant should provide the request to the staffing specialist or personnel employee responsible for the fill of a particular vacancy.

c. To ensure that all effective accommodation has been considered, decision makers will talk to the individual requesting the accommodation:

- (1) When the specific limitation, problem, or barrier is unclear;
- (2) When the need for an accommodation is not obvious; or
- (3) Where the parties are choosing between different possible reasonable accommodations.

3-2. **DECA'S DECISION ON THE REQUEST.**

a. Upon receipt of the initial request for reasonable accommodation, the employee's supervisor or the designated personnel management specialist(s) (in the case of an applicant) will review the request and issue a written decision to the employee or applicant within 14 calendar days of receipt, absent extenuating circumstances. The actual delivery of the accommodation should be provided within 30 calendar days of date when the request was approved, absent extenuating circumstances. Extenuating circumstances include, but are not limited to, out of stock items, manufacturing back order or any factors that could not be reasonably anticipated or avoided in the advance of the request. If medical documentation is required by the agency, the decision may be delayed for a reasonable amount of time. Supervisors should understand; however, that failure to respond promptly to a request for reasonable accommodation might result in a violation of the Rehabilitation Act

b. Where there is a delay in either processing a request for or providing a reasonable accommodation, the individual must be notified, either verbally or in writing, of the reason for the delay.

Individuals will also be informed, to the extent possible, of an approximate date when the agency expects to complete the process. If there is any reason for the delay, the agency must investigate whether there are temporary measures that could be taken to assist the individual with a disability. An agency may not request medical information where: (a) both the disability and the need for reasonable accommodation are obvious; or (b) the individual has already provided the agency with sufficient information to document the existence of the disability and his/her functional limitations.

c. The agency should expedite requests in such cases as enabling an individual to apply for a job or to participate in a specific agency activity that is scheduled to occur shortly.

d. The supervisor and/or the personnel management specialist will consider the following in determining whether an accommodation can be made:

- (1) The employee's or applicant's specific disability and the existing limitations;
- (2) The essential duties of the particular job;
- (3) The work environment; and
- (4) The reasonableness of the proposed accommodation.

e. The supervisor or personnel management specialist can consult with other management officials (e.g., second level supervisor, the applicable EEO Office, Office of General Counsel, Resources Business Area, etc.) when making decisions. Requests involving computer technology should be coordinated with information technology personnel. (Refer to Appendix C for Reasonable Accommodation Resources.)

f. If the supervisor or personnel management specialist cannot make a decision on the initial request for accommodation because medical information is needed, he or she may request such information as defined in 5 CFR 339.104 and Appendix B. If an individual fails to provide necessary documentation where it has been properly requested, subject failure could result in a denial of reasonable accommodation.

g. A decision denying the proposed accommodation (that is a decision unfavorable to the employee) must be in writing and must be reviewed by the second level supervisor prior to issuance. The decision must specify the reasons for the denial (e.g., why medical documentation is inadequate to establish that the individual has a disability or needs reasonable accommodation; why the requested accommodation would not be effective; or why the accommodation would pose an undue hardship).

h. The written notice of denial must inform the individual that he or she has the right to file an EEO complaint and may have rights to pursue Merit System Protection Board (MSPB) and union grievance procedures. The notice also explains EEOC's procedures available for informal dispute resolution. Also, the individual has the right to enter into the informal dispute resolution process by requesting to use the agency's alternative dispute resolution (ADR) process. Contacts with an EEO counselor or to request ADR must be made within 45 calendar days of the date the individual was notified of the denial.

i. If an individual wishes reconsideration he or she should first ask the decision maker to reconsider the decision. The individual may present additional information in support of his/her request. The decision maker will respond for reconsideration within 7 calendar days. If the decision maker does not reverse the decision, the individual can ask the next person in the decision maker's chain of command. That person will respond within 14 calendar days. Requests for reconsideration should be made within 14 calendar days of the individual's receipt of the written notice of denial.

Pursuing any of the informal dispute resolution procedures identified above, including seeking reconsideration from the decision maker and appealing to the next person in the decision maker's chain of command, does not affect the time limits for initiating statutory and collective bargaining claims. An individual's participation in any or all of these informal dispute resolution processes does not satisfy the requirements for bringing a claim under EEO, MSPB or union grievance procedures.

j. All decisions (e.g., denials and approvals) should include the following:

- (1) Date supervisor received accommodation request;
- (2) Nature/type of disability;
- (3) Type of accommodation requested;
- (4) Job held by individual or position applied for;
- (5) Whether the accommodation was approved or denied;
- (6) Number of days to provide accommodation, if granted;
- (7) Date of decision; and
- (8) Reasons for the denial.

k. The Computer/Electronic Accommodations Program (CAP).

(1) CAP provides assistive technology accommodations and services to persons with disabilities to Department of Defense (DoD) and other Federal agencies at no cost to the requesting organization. CAP's mission is to ensure people with disabilities have equal access to the information environment and opportunities in the DoD and throughout the Federal Government. CAP accomplishes this by:

(a) Buying accommodations to make computer and telecommunications systems accessible to employees with disabilities, as required by Public Laws;

(b) Funding sign language interpreters, readers, and personal assistants for employees attending long term conferences (2 days or more); and

(c) Providing expertise in solving accessibility problems through the use of software, hardware, and other assistive technology.

(2) Successful employment can be achieved by reviewing the current position, identifying the potential barriers and providing the appropriate accommodations. It is also important to ensure that the employee and supervisor also evaluate the worksite. CAP accommodation specialists can assist in:

(a) Identifying the accommodations that are compatible with workstation, computer and telecommunication systems to meet the individual's needs

(b) Identifying alternative approaches and accommodations that may be more suitable for the individuals in the specific work environment

(c) Ensuring that the employee is involved in completing the request for assistive technology and services.

(3) Individuals with disabilities and their supervisors should always be involved in seeking the most suitable accommodation or alternative approaches with the goal of performing competitively with the employee's peers.

(4) Managers and supervisors are responsible for submitting CAP requests for accommodation. The procedures for submitting a CAP request are as follows:

(a) Identify specific disability information;

(b) Complete a detailed justification of how accommodation will enhance productivity at current job;

(c) Medical documentation is required for low vision and ergonomic relation dexterity disabilities only; and

(d) Identify computer hardware and software configuration.

(5) Type of funded service required (**Only for 1 or 2 day training sessions/conferences**):

(6) Available services are: Reader, Interpreter, Personal Assistant, and Computer-Aided Note taking.

(7) Submit CAP request form either by fax, e-mail or online at [http://www.tricare.osd.mil/requests/Accommodation\\_Services\\_Request.htm](http://www.tricare.osd.mil/requests/Accommodation_Services_Request.htm)

CAP can be reached at:

DoD Computer/Electronic Accommodations Program Office  
TRICARE Management Activity, OASD (HA)  
5111 Leesburg Pike, Five Skyline Place, Suite 810  
Falls Church, VA 22041-3206  
(703) 693-5160 (Voice)/ (703) 681-9075 (FAX)  
(703) 693-5189 (TTY)

l. Executive Order 13164 requires that each agency maintain a system of records to track the processing of requests for reasonable accommodations. A copy of each decision on reasonable accommodation will be provided to the HQ EEO Office and the Regional Equal Employment Opportunity Manager within 30 calendar days of the date of the decision to assist them in tracking this information. All phases of the evaluation process should be properly documented and maintained in a confidential and secure manner.

m. The agency's system of record keeping to track the processing of requests for reasonable accommodation and maintaining the confidentiality of medical information is required in accordance with applicable law and regulations so as to permit the agency to identify the following information:

(1) The number of reasonable accommodations, by type, that have been requested in the application process and whether those requests have been granted or denied;

(2) The jobs (occupational series, grade level, and agency component) for which reasonable accommodations have been requested;

(3) The types of reasonable accommodations that have been requested for each of those jobs;

(4) The number of reasonable accommodations, by type, for each job that have been approved, and the number of accommodations, by type, that have been denied;

(5) The number of requests for reasonable accommodations, by type, that relate to the benefits or privileges of employment, and whether those requests have been granted or denied;

(6) The reasons for denial of requests for reasonable accommodation;

(7) The amount of time taken to process each request for reasonable accommodation;  
and

(8) The sources of technical assistance that have been consulted in trying to identify possible reasonable accommodations.

n. The agency is responsible for maintaining the requesting individuals records for the duration of his/her employment with the agency. The agency is required to retain information or any cumulative records used to track the agency's performance with regard to reasonable accommodation for a period of at least 3 years.

**Appendix A**

**SAMPLE REQUEST FORM FOR REASONABLE ACCOMMODATION**

Date accommodation requested:

Name:

Work Address (If an applicant, list home address):

Telephone Number:

Fax Number:

Job held or desired by individual requesting reasonable accommodation:

Location:

E-Mail address:

Please briefly describe the applicable disability and the need for a reasonable accommodation(s). (Please be as specific as possible in your request.)

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I hereby request the following accommodation for the stated disability: (Please be as specific as possible about the accommodation being requested.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature Date

## Appendix B

### MEDICAL DOCUMENTATION TO SUPPORT REQUESTS FOR REASONABLE ACCOMMODATION

1. Medical documentation provided or obtained in connection with a medical determination related to employment may include the following information:
  - a. The nature, severity, and duration of the individual's impairment;
  - b. The activity or activities that the impairment limits;
  - c. The extent to which the impairment limits the individual's ability to perform the activity or activities; and/or
  - d. Why the individual requires reasonable accommodation or the particular reasonable accommodation requested, as well as how the reasonable accommodation will assist the individual to apply for a job, perform the essential functions of the job, or enjoy a benefit of the workplace.
2. The agency may require that documentation about the disability or functional limitations come from an appropriate professional, such as a doctor, social worker, or rehabilitation counselor. However, the agency may request only the information that is relevant to making the decision about reasonable accommodation. In most situations, this means that the agency may not request access to a person's complete medical records because they are likely to contain information unrelated to the disability at issue and the need for accommodation.
3. If medical information submitted by the employee is deemed insufficient, the agency reserves the right to request supplemental information. The agency is required to explain why the information is insufficient and must specify what is still needed. The agency also reserves the right to have medical documentation reviewed by a medical expert of the agency's choosing at the agency's expense.
4. If an employee's medical condition is in question, the agency has the right to request that an individual requesting reasonable accommodation undergo an examination by a medical expert obtained by the agency at its expense.
5. Where necessary to enable an individual's health professional to provide information regarding that individual's ability to perform a job, the agency should provide information to the health professional that describes the nature of the job, the essential functions the individual will be expected to perform, and any other information that is relevant to evaluating the request.
6. Consistent with the principle that information requested in connection with an employment decision may be disclosed to those making the decision, the agency may share the medical information it obtains, as necessary, with the individuals involved in determining whether to grant a reasonable accommodation. Those individuals must be informed of the limits on further disclosure of the information.
7. Medical information obtained in connection with the reasonable accommodation process must be kept confidential. This means that all medical information, including information about functional limitations and reasonable accommodation needs must be kept in files separate from the individual's personnel file. It also means that any DeCA employee who obtains or receives such information is strictly bound by these confidentiality requirements.

8. This information may be disclosed only as follows:
  - a. Supervisors and managers who need to know (including the decision maker who requested the information) may be told about necessary restrictions on the work or duties of the employees and about the necessary accommodation, but medical information should only be disclosed if strictly necessary.
  - b. First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment.
  - c. Government officials may be given information necessary to investigate the agency's compliance with the Rehabilitation Act.
  - d. The information may, in certain circumstances, be disclosed to worker's compensation offices or insurance carriers.
9. Whenever medical information is disclosed, the individual disclosing the information must inform the recipients of the information about the confidentiality requirements that attach to it.

## Appendix C

### SELECTED REASONABLE ACCOMMODATION RESOURCES

**\* U.S. Equal Employment Opportunity Commission**

1-800-669-3362 (Voice)      1-800-800-3302 (TT)

<http://www.eeoc.gov>

The EEOC's Publication Center has many free documents on the Title I employment provisions of the Americans with Disabilities Act (ADA), including both the statute, 42 U.S.C. 12101 et seq. (1994), and the regulations, 29 C.F.R. 1630 (1997). EEOC's Publication Center also has excellent resource materials including but not limited to EEOC Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees Under the Americans With Disabilities Act (July 27, 2000), and EEOC Enforcement Guidance: Reasonable Accommodation and Undue Hardship Under the Americans With Disabilities Act (March 1, 1999). Both guidance's address frequently asked questions regarding provision of reasonable accommodation and related issues, including when and what type of medical documentation may be solicited by an agency in support of an accommodation request, the confidentiality protections applicable to accommodation requests and medical information, and the circumstances in which undue delay in providing reasonable accommodation may violate the Rehabilitation Act. These documents can serve as a valuable desk reference for all supervisors, managers, and others who may be responsible for processing accommodation requests.

**\* Computer/Electronic Accommodations Program (CAP)**

(703) 681-3976 (Voice/TTY)      (703) 681-9075

<http://www.tricare.osd.mil/cap>

The Computer/Electronic Accommodations Program (CAP) provides assistive technology accommodations and services to persons with disabilities at the Department of Defense (DoD), at no cost to individual activities. CAP's mission is to ensure people with disabilities have equal access to the information environment and opportunities in the Federal Government.

**\* A Technical Assistance Manual on the Employment Provisions (Title I) of the Americans with Disabilities Act III, 8 FEP Manual (BNA) 405:6981, 6998-7018 (1992).**

The Manual includes a 200-page Resource Directory, including federal and state agencies, and disability organizations that can provide assistance in identifying and locating reasonable accommodations.

**\* Job Accommodation Network (JAN)**

1-800-232-9675 (Voice/TT)

<http://janweb.icdi.wvu.edu/>.

A service of the President's Committee on Employment of People with Disabilities. JAN can provide information, free-of-charge, about many types of reasonable accommodations.

**\* ADA Disability and Business Technical Assistance Centers (DBTACs)**

1-800-949-4232 (Voice/TT)

The DBTACs consist of 10 federally funded regional centers that provide information, training, and technical assistance on the ADA. Each center works with local business, disability, governmental, rehabilitation, and other professional networks to provide current ADA information and assistance, and

places special emphasis on meeting the needs of small businesses. The DBTACs can make referrals to local sources of expertise in reasonable accommodations.

**\* Registry of Interpreters for the Deaf**

(301) 608-0050 (Voice/TT)

The Registry offers information on locating and using interpreters and transliteration services.

**\* RESNA Technical Assistance Project**

(703) 524-6686 (Voice)

(703) 524-6639 (TT)

<http://www.resna.org>

RESNA, the Rehabilitation Engineering and Assistive Technology Society of North America, can refer individuals to projects in all 50 states and the six territories offering technical assistance on technology-related services for individuals with disabilities. Services may include:

- \* Information and referral centers to help determine what devices may assist a person with a disability (including access to large data bases containing information on thousands of commercially available assistive technology products);
- \* Centers where individuals can try out devices and equipment;
- \* Assistance in obtaining funding for and repairing devices; and
- \* Equipment exchange and recycling programs.