

**DEFENSE LANGUAGE INSTITUTE FOREIGN
LANGUAGE CENTER (DLIFLC) AND UNITED STATES
ARMY GARRISON Presidio of Monterey
(USAG POM)
Equal Employment Opportunity Office**

Reasonable Accommodation Guide

February 2012

**Procedures to Facilitate the Provision of
Reasonable Accommodation**

Reasonable accommodation removes workplace barriers for individuals with disabilities. Reasonable accommodation is available to qualified employees regardless of whether they work part-time, full-time, or are considered probationary. This process enables an applicant to have an equal opportunity to participate in the application process and to be considered for a job.

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I. Purpose

This guide describes policies and procedures and establishes responsibilities for the DLIFLC&POM (and serviced tenants) in the area of Reasonable Accommodation (RA) for individuals with disabilities. Coverage under this guidance is for civilian (Department of Army appropriated and non-appropriated fund) employees and applicants for employment.

In addition to the guidance in place by higher headquarters – the purpose of this guide is intended to supplement such guidance at the operational level.

Objectives are:

- Establish a procedure that will support the prompt, fair and efficient processing of requests for RA.
- Increase awareness of the responsibility to provide opportunities for individuals with disabilities, and
- Ensure that supervisors and managers (to include military personnel who supervise civilians) comply with regulations and Army instructions and policies in place.

II. References

U.S. Army Procedures for Providing Reasonable Accommodation for Individuals with Disabilities (March 17, 2009) http://www.monterey.army.mil/EEO/eo_main.html

Executive Order (EO) 13164, Requiring Federal Agencies to Establish Procedures to Facilitate the Provision of Reasonable Accommodation (July 26, 2000) http://www.eeoc.gov/policy/docs/accommodation_procedures.html

Equal Employment Opportunity Commission (EEOC) Directive 915.003, EEOC Policy Guidance on Executive Order 13164: Establishing Procedures to facilitate the provision of Reasonable Accommodation (October 20, 2000) <http://www.eeoc.gov/policy/docs/benefits.html>

EEOC Guidance on Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act (<http://www.eeoc.gov/policy/docs/guidance-inquiries.html>)

The Rehabilitation Act of 1973, Sections 501 and 505 <http://www.ada.gov/cguide.htm#anchor65610>

Related Resources

POM EEO website http://www.monterey.army.mil/EEO/eo_main.html

TRADOC EEO website <http://www.tradoc.army.mil/eoo/>

III. What is Reasonable Accommodation?

The Rehabilitation Act of 1973, in conjunction with the Americans with Disabilities Act (ADA), requires federal agencies to provide Reasonable Accommodation (RA) to qualified individuals or applicants with disabilities, unless doing so would cause an undue hardship. In general, an accommodation is a change in the work environment or in the way things are customarily done that would enable an individual with a disability to enjoy equal employment opportunities. There are three categories of RA:

- Modifications or adjustments to a job application process to permit an individual with a disability to be considered for a job, such as providing application forms in alternative formats like large print or Braille.
- Modifications or adjustments necessary to enable a qualified individual with a disability to perform the essential functions of the job, such as providing sign language interpreters.
- Adjustments that enable employees with disabilities to enjoy equal benefits and privileges of employment (e.g., removing physical barriers in an office cafeteria).

Definition of “Qualified Individual with a Disability”

The definition of the term above reflects the ADA’s broad remedial purpose to prohibit discrimination against individuals with disabilities who want to work and are qualified to work. Accordingly, the definition:

- requires an individualized assessment of a particular individual’s capabilities;
- focuses on the essential functions of a particular position;
- looks at particular positions, not work in general; and
- considers whether a person can work with RA.

The ADA inquiry into whether a person is a “qualified individual with a disability” looks at whether an individual can perform the essential functions of a particular position, not whether she/he is able to work in general. The ADA *never presumes* that some impairment is so severe as to prevent an individual from working. *The ADA presumes that individuals with disabilities can work!*

A “qualified individual with a disability” is “an individual with a disability who satisfies the requisite skill, experience, education other job-related requirements of the employment position such an individual holds or desires and who, with or without RA, can perform the essential functions of such a position.” Because RA differs in the definitions used in the ADA and the terms used in disability benefits programs, an individual can meet the eligibility requirements for receipt of disability benefits and still be a “qualified individual with a disability” for ADA purposes. Thus, a person’s representations that she/he is “totally disabled” or “unable to work” for purposes of disability benefits are never an absolute bar to an ADA claim.

Definition of “Disability”

Impairment

An impairment is a physiological disorder affecting one or more body systems, or a mental or psychological disorder.

Major Life Activities

Examples of major life activities include caring for oneself, performing manual tasks, walking, hearing, speaking, breathing, learning, and working.

Other examples of major life activities include sitting, standing, lifting, and mental and emotional processes such as thinking, concentrating, and interacting with others.

Substantial Limits

An impairment is substantially limiting if it prohibits or significantly restricts an individual's ability to perform a major life activity as compared to the ability of the average person in the general population to perform the same activity.

- The determination of whether an impairment substantially limits a major life activity depends on the nature and severity of the impairment, the duration or expected duration of the impairment, and the permanent or long-term impact of the impairment.
- An impairment substantially limits an individual's ability to work if it prevents or significantly restricts the individual from performing a class of jobs or a broad range of jobs in various classes.
- Although very short-term, temporary restrictions generally are not substantially limiting. An impairment does not have to be permanent to rise to the level of a disability. Temporary impairments that take significantly longer than normal to heal, long-term impairments, or potentially long-term impairments of indefinite duration may be disabilities if they are severe.
- Chronic or episodic disorders that are substantially limiting when active or have a high likelihood of recurrence in substantially limiting forms may be disabilities.
- An individual who has two or more impairments that are not substantially limiting by themselves but that together substantially limit one or more major life activities has a disability.

Record of a Substantially Limiting Impairment

An individual has a record of a substantially limiting impairment if she/he (1) has a history of a substantially limiting impairment, or (2) has been misclassified as having a substantially limiting impairment.

Regarded as Having a Substantially Limiting Impairment

An individual is regarded as having a substantially limiting impairment if she/he

- has an impairment that does not substantially limit major life activities but is treated by a covered entity as constituting such limitation,
- has an impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment, or
- has no impairment but is treated by a covered entity as having a substantially limiting impairment.

An employer regards an individual as having an impairment that substantially limits the major life activity of working if he/she treats the individual as having an impairment that disqualifies or significantly restricts the individual from working in a class of jobs or a broad range of jobs in various classes.

Responsibility of the Employee or Applicant

The individual must inform the employer that an accommodation is needed. An individual with a disability may request a RA at any time during the application process or during the period of employment. An individual with a disability should request a RA when she/he knows that there is a workplace barrier that is preventing her/him, due to a disability, from effectively competing for a position, performing a job, or gaining equal access to a benefit of employment. The individual is responsible for requesting accommodation before performance suffers or conduct problems occur.

In the event an individual is unable to personally request a RA, a family member, friend, health professional, or other representative designated by the disabled individual may request a RA on her/his behalf. The individual with a disability must confirm with the employer that an accommodation is needed.

IV. Process for Requesting a Reasonable Accommodation

Although this Agency requires a request for RA to be in writing, the employer cannot ignore an initial oral request. The employer must ***engage in an informal interactive process*** to clarify what the employee specifically needs and identify the appropriate RA.

Interactive Process

Communication is a priority and is encouraged throughout the entire RA process. The first step should always be a thorough, frank discussion between the employee and her/his immediate supervisor. On-going communication is particularly important where the specific limitation, problem, or barrier is unclear; where an effective accommodation is not obvious; or where the parties are choosing between different possible RAs. A supervisor/ decision maker may seek advice by requesting a Joint Action Team meeting through the EEO office at any time during the RA process. The Joint Action Team is, primarily, comprised of CPAC, EEO, the Staff Judge Advocate (SJA) staff, and management official(s).

Initiating a Request for Reasonable Accommodation

An employee/applicant of DLIFLC&POM or her/his representative must inform her/his supervisor or Civilian Personnel Advisory Center (CPAC) (hereinafter referred to as employer) that she/he needs an adjustment or change at work for a reason related to a medical condition. This is only the first step in the process. *The supervisor ensures that the individual complete a RA request form for recordkeeping. The supervisor provides a copy to the EEO office NLT 5 business days of the date of request. The form is provided at Appendix B.*

Authority to Approve the Request for Accommodation

A requesting individual's supervisor or designated decision maker, or the CPAC/hiring official, in the case of an applicant, will make all final decisions concerning the approval for an accommodation.

Time Period for Granting or Denying a Request for Accommodation

Absent extenuating circumstances, a request for accommodation should be processed and approved **within 30 business days** of receipt of request made. This time period does not

include the time it would take to receive special equipment or waiting to receive information from the requestor/healthcare provider but does include the date of ordering the equipment.

An employer must respond expeditiously to a request as lack of action amounts to a denial.

Reasonable accommodation procedures for employees (See Appendix D - Flow Chart)

- When a disability and the type of accommodation are obvious and do not require medical documentation, a verbal request will suffice to begin the process for the supervisor to approve or deny the request for RA.
 - If an accommodation is within the capability of the organization to provide, the supervisor will take action to make the required accommodation, unless a specific accommodation causes an undue hardship.
 - Supervisors will inform the EEO office within 5 business days after accommodation is received (See Appendix B – Confirmation of Request for RA).
- If a disability is not readily apparent or the type of accommodation needed is unknown, the supervisor will advise the employee to submit a written request with current, specific medical documentation that fully shows the nature, extent, severity, and duration of the disability to support the request for accommodation (See Appendix B). All supporting medical documentation must be in English.
- First-line supervisors or deciding officials will consider and approve requests for RA whenever possible.
- Actions on requests for RA should be completed as quickly as possible.
- If a request for RA is denied, the supervisor will prepare Form E (Denial of Accommodation Request) with an explanation of the reason or reasons for denial. Appendix E must:
 - Use plain language and provide as much specific information as possible.
 - Identify the employee or office that made the decision.
 - Be coordinated with the EEO office before being given to the employee.
 - Be coordinated with the agency representative/labor counselor for legal review prior to the proposed denial of the RA.
 - Inform the individual that she/he has a right to file an EEO pre-complaint within 45 calendar days after the denial if the individual believes that she/he has been discriminated against on the basis of her/his disability. (See Appendix A – Contact Information)

Information Tracking

Documents must be able to identify at least the following information:

- The number of RAs, by type, that have been requested for the application process and whether those requests have been granted or denied;
- The jobs (occupational series, grade level, and agency component) for which RAs have been requested;
- The types of RAs that have been requested for each of those jobs;
- The number of RAs, by type, for each job that have been approved, and the number of accommodations, by type, that have been denied.
- The reason(s) for denial of requests for RA;
- The amount of time taken to process each request for RA;

- The sources of technical assistance that have been consulted in trying to identify possible RAs.

V. Roles and Responsibilities

Commanders at all levels:

- Promote the RA process.
- Provide necessary resources to support the RA process.

Employee/Applicant:

- Provide a request for RA (orally or in writing) to first-line supervisor, deciding official or CPAC/hiring official in case of an applicant.
- Must participate in the interactive process (if unable to do so designate someone else).
- Must comply with the process in place.

First-line supervisor:

- Receive, process and document RA requests **within 30 business days of receipt** and use appropriate forms (Appendices B, E, F).
Note: In cases of extenuating circumstances, more time may be needed and must be properly documented.
- Authorize to approve and provide RA or forward RA to the appropriate deciding official for consideration as soon as possible.
- Participate in the interactive process.
- Determine whether an individual is a qualified disabled person.
- Research options in support of RA – where applicable – e.g., Computer Electronic Accommodation Program (CAP), Job Accommodation Network (JAN), etc.
- Contact EEO to request Joint Action Team Meeting for advise – if needed.
- Maintain confidentiality.
- Consult with CPAC-Management Employee Relations (MER) in case of anticipated or pending performance action.
- Provide a copy of all forms to the EEO office (and CPAC if applicable).
- Provide all denials to SJA for legal review.
- Consider whether RA denials violate the Collective Bargaining Agreement (CBA) and contact CPAC to negotiate with Union representative as applicable.

Decision Maker:

- The decision maker is an agency official within the employee's chain of command, usually an employee's first-line supervisor.
- In case of an applicant, the decision maker will usually be the hiring official, an agency official in the selecting official's chain of command, or a CPAC designated staff member. (Also see roles/responsibilities of first-line supervisor).

EEO Manager:

- Is the functional proponent for the POM EEO Program providing oversight of the Individuals with Disability Program to include RA procedures for individuals with disabilities.

EEO Specialist/Disability Program Manager:

- Provide guidance, assistance, and oversight.
- May receive the RA request.
- Advise management and staff regarding their rights and responsibilities.
- Maintain records of tracking and reporting RA requests and decisions.
- Coordinate and conduct Joint Action Team meetings.

CPAC – MER:

- Provide advisory service to commanders, managers, supervisors, employees, and applicants to include;
- Review RA requests received from applicants for employment.
- Consider and approve RA requests for applicants, where applicable.
- Provide guidance and assistance to supervisor/decision maker on RA requests.
- Serve as an advisor in Joint Action Team meetings.
- Provide assistance in RA denials that involve the Union.

Agency Attorney/Labor Counselor:

- Provide legal advice and assistance to military and civilian managers/supervisors regarding civilian personnel, labor relations, and EEO-related issues to include;
- Provide advice on RA issues to decision makers, EEO staff *at the earliest possible stage of the RA process*.
- Ensure management's actions comply with applicable laws, directives, regulations, and guidance.
- Ensure management's actions are legally defensible and otherwise appropriate.
- Provide legal advice during Joint Action Team meetings.
- Conduct legal review for proposed denials of RA and inform supervisors and EEO (and CPAC if applicable) of final recommendation.

Union:

- Pursuant to law and regulations of appropriate authority, the Agency will provide EEO to all bargaining unit employees to include proposed denials of RA where applicable.
- Management and the Union confirm their commitment to maintain an effective working environment and agree to ensure a workplace free of discrimination.

Medical Officer:

- Serve as a consultant
- Serve as an advisor in Joint Action Team meetings - where applicable.
- Review and interpret medical documentation to determine if the individual requesting RA is an individual with a disability as defined in regulatory guidance.

VI. Medical Information

If the disability and/or need for accommodation are not obvious or already known by the employer, employees or applicants for employment must provide relevant medical information related to the disability.

Medical information may be requested if the initial medical information submitted:

- Does not clearly explain the nature of the disability or the need for RA.
- Does not clarify how the RA will assist the employee to perform the essential functions of the job or enjoy the benefits and privileges of the workplace.

Documentation

- An employer may ask an individual for documentation when the disability and/or the need for accommodation are not obvious or the document is in a language other than English. The employer is entitled to know that the individual has a covered disability for which she/he needs a RA.
- If an individual has more than one disability, an employer can request information pertaining only to the disability that requires a RA.
- The ADA does not prevent an employer from requiring an individual to go to an appropriate health professional of the employer's choice (at the employer's expense) if the individual provides insufficient information from her/his treating physician to substantiate that she/he has an ADA disability and needs a RA. The employer must explain why the documentation is insufficient and allow the individual an opportunity to provide the missing information in a timely manner.
- Documentation is insufficient if it does not specify the existence of an ADA disability and explain the need for RA.
- An employer **cannot ask for documentation** when: (1) both the disability and the need for RA are obvious, or (2) the individual has already provided the employer with sufficient information to substantiate that she/he has an ADA disability and needs the RA requested.

Confidentiality Requirements Regarding Medical Information

Under the Rehabilitation Act, medical information obtained in connection with the RA process must be kept confidential. This means that all medical information obtained in connection with such requests, including information about an employee or applicant's functional limitations and RA needs, must be kept in a secure location in locked files separate from the employee's official personnel file. Any employee who obtains or receives such information is strictly bound by confidentiality requirements and may disclose this information only as follows:

- Management officials who need to know (including the decision maker who requested that the medical information be obtained) may be told about necessary restrictions on the work or duties of the employee and about the accommodation(s) necessary for the employee to perform his or her duties. However, information about the employee's general medical history should only be disclosed if strictly necessary;
- First aid and safety personnel may be informed, when appropriate, if the employee might require emergency treatment because of the disability;

- Information may be given to government officials or contractors assigned to investigate agency compliance with the Rehabilitation Act.

Whenever medical information is disclosed, the individual disclosing the information must inform the recipients of the information about the confidentiality requirements attached to it. These recipients are also bound by the confidentiality requirements.

VII. Undue Hardship Issues

An employer does not have to provide a RA that would cause an “undue hardship” to the employer.

Undue hardship must be based on an individualized assessment of current circumstances that show that a specific RA would cause significant difficulty or expense.

Factors for Determining Undue Hardship:

- The nature and cost of the accommodation needed.
- The overall financial resources of the facility making the RA, the number of persons employed at the facility, the effect on expenses and resources of the facility.
- The overall financial resources, size, number of employees, and type and location of facilities of the employer (if the facility involved in the RA is part of a larger entity).
- The type of operation of the employer, including the structure and functions of the workforce, the geographic separateness, and the administrative or fiscal relationship of the facility involved in making the accommodation to the employer.
- The impact of the accommodation on the operation of the facility.

Undue hardship is based on the **net cost** to the employer. Determine whether funding is available from an outside source, such as a state rehabilitation agency, to pay for all or part of the accommodation.

An employer cannot 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 RA might have a negative impact on the morale of other employees.

- An employer is not required to modify the work hours of an individual with a disability if doing so would prevent other employees from performing their jobs.
- If an employer is able to show that the lack of a fixed return date causes an undue hardship, then it can deny the leave. *[Undue hardship will derive from the disruption to the operations of the entity that occurs because the employer can neither plan for the individual’s return nor permanently fill the position. An employer cannot claim undue hardship solely because an individual can provide only an approximate date of return.]* The employer has the right to require, **as part of the interactive process**, that the individual provide periodic updates on her/his condition and possible date of return.
- A cost-benefit analysis does not determine whether a RA will cause undue hardship. The hardship is based on the employer’s resources, not on the individual’s salary, position, or status (e.g., full-time versus part-time, salary versus hourly wage, permanent versus temporary).

- An employer cannot claim that a RA imposes an undue hardship simply because it violates a Collective Bargaining Agreement (CBA). *[First, the employer should consider if the RA would violate the CBA. If it does, the ADA requires an employer and a Union, as a collective bargaining representative, to negotiate in good faith a variance to the CBA so that the employer may provide a RA.]*
- An employer cannot claim undue hardship solely because it would be required to make changes to property owned by someone else. *[The employer must make good faith efforts either to obtain the owner's permission or to negotiate an exception to the terms of the contract. If the owner refuses, the employer must still provide another RA, if one exists, that would not cause undue hardship.]*

VIII. Denials for Reasonable Accommodation.

If a request for RA is denied, the individual must be notified in writing of the reasons (See Appendix E). The denial should be as specific as possible and should identify the office and the individual who made the decision. The notice must also include procedures on how to file a complaint through EEO, Merit Systems Protection Board (MSPB) or through a Union Grievance.

If a specific RA is denied, but an alternate RA is offered, the notice should explain the specific reason(s) for the denial and the reason that another accommodation is considered as a good alternative.

If the matter has still not been resolved to the requester's satisfaction, she/he might proceed under the Alternative Dispute Resolution (ADR) process. The ADR process recommended for use is mediation. The individual challenging the denial of a RA request may participate in mediation *without* having to file an EEO complaint by requesting an EEO mediator from the EEO office. (See Appendix A for contact information)

APPENDIX A

CONTACT INFORMATION FOR REASONABLE ACCOMMODATIONS

Employees are encouraged to contact their first line supervisors as the first step in requesting reasonable accommodation.

Organization

Name: POM Equal Employment Opportunity (EEO)

Location: 1710 PVT Bolio Rd. Bldg. 518 (Tin Barn)

Website: http://www.monterey.army.mil/EEO/eo_main.html

EEO Officer/Disability Program Manager

Name: Ischa Waltraud Donahue

Phone: 831-242-6141

Fax: 831-242-5814

Email: ischa.donahue@us.army.mil

Alternate Disability Program Manager

Name: Victor Fuentes

Phone: 831-242-6514

Fax: 831-242-5814

Email: victor.fuentes@us.army.mil

APPENDIX B

CONFIRMATION OF REQUEST FOR REASONABLE ACCOMMODATION	
1. INDIVIDUAL INFORMATION	
Applicant or Employee Name (Last, First, MI) _____	Phone _____
Pay Plan, Series, Grade _____	Email _____
Job Title _____	Date of Request _____
Organization _____	
Form Completed by _____	Date Form Completed _____
Phone _____	Email _____
2. ACCOMMODATION REQUESTED <i>(Be as specific as possible, e.g. adaptive equipment, reader, interpreter)</i>	
3. REASON FOR REQUEST	
If accommodation is time sensitive, please explain:	
Return Form to Supervisor	
(EEO/Disability Program Manager will assign number)	
4. Log Number: _____	Date: _____

Note: This form should be completed by the employee making the reasonable accommodation request and provided to his/her supervisor. An applicant should return the form to any Army employee with whom the applicant has had contact in connection with the application process. If a third party is completing the form on behalf of the employee or a management official is documenting an oral reasonable accommodation request, a copy of the completed form will be provided to the employee to confirm receipt of the reasonable accommodation request. Supervisors must provide a copy of this form to the EEO/Disability Program Manager, who will assign a log number and return a copy of the form to the supervisor.

APPENDIX C

KEY TERMS

Essential Functions: The fundamental job duties of the employment position the individual with a disability holds or desires. A function is “essential” if, among other things, the reason the position exists is to perform that function; there are a limited number of other employees available among whom the performance of that job function could be distributed; or, the function is highly specialized so that that the incumbent is hired based on her/his expertise or ability to perform it. Determination of the essential functions of a position must be made on a case-by-case basis.

Major Life Activities: Functions such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. A major life activity also includes the operation of major bodily functions such as functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions. This is not an exhaustive list, but is representative of the types of activities that are considered major life activities.

Extenuating Circumstances: Factors that could not reasonably have been anticipated or avoided in relation to the request for the RA.

Individual with a Disability: A person who has a mental or physical disability **that substantially limits** one or more major life activity; has a record of such impairment; or, is regarded as having such impairment.

“Qualified” Person with a Disability: A qualified person with a disability is an individual with a disability who is otherwise qualified or capable of doing the essential functions of a job with or without RA.

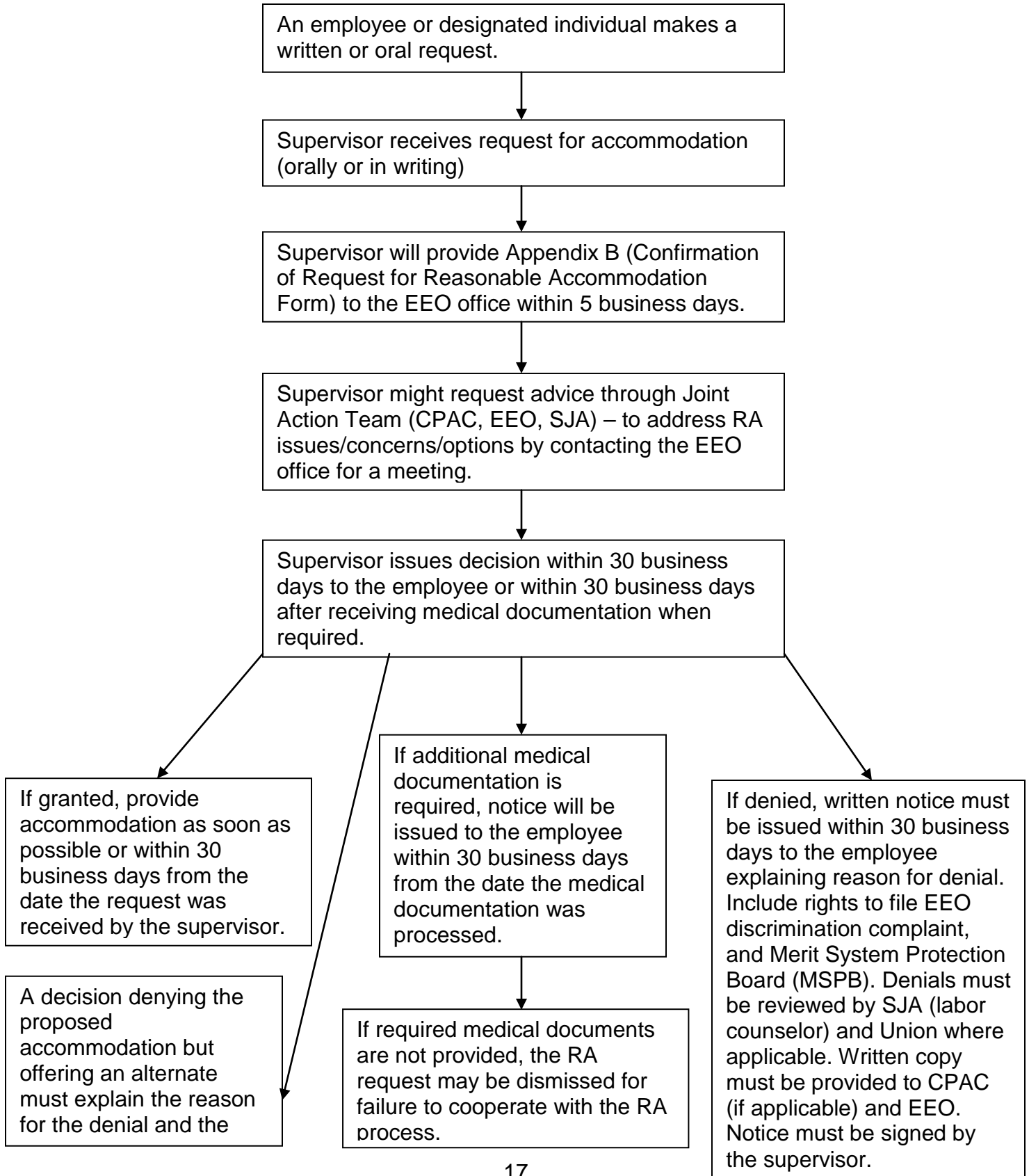
Reasonable Accommodation: A change in the work environment or in the way things are customarily done that would enable an individual with a disability to enjoy equal employment opportunities. There are three general categories of RA:

- Modifications or adjustments to a job application process to permit an individual with a disability to be considered for a job (e.g., providing application forms in alternative formats like large print or Braille);
- Modifications or adjustments necessary to enable a qualified individual with a disability to perform the essential functions of the job (e.g., providing sign language interpreters, special computer keyboards, or voice amplification devices); and
- Modifications or adjustments that enable employees with disabilities to enjoy equal benefits and privileges of employment (e.g., removing physical barriers in an office).

Undue Hardship: A specific accommodation that involves 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, the size and budget of the organization, and the impact of the accommodation on the operations of the agency, in this case, the Army.

Joint Action Team: A team comprised, primarily, of CPAC, EEO, SJA, supervisors/decision makers and others – where applicable - to assist with EEO related issues to include RA requests.

APPENDIX D
Process for Requesting Reasonable Accommodation(s)



**APPENDIX E
DENIAL OF ACCOMMODATION REQUEST**

Log Number _____

1. Individual Requesting Reasonable Accommodation: _____

2. Type(s) of accommodation requested:

3. Request for accommodation denied because (may check more than one box):

- _____ Accommodation would cause undue hardship
- _____ Medical documentation inadequate
- _____ Accommodation would require removal of one or more essential job functions
- _____ Other (Please Identify) _____

4. Detailed Reason(s) for the denial of a requested accommodation (Must be specific, e.g., why accommodation is ineffective or causes undue hardship):

5. If the individual proposed one type of reasonable accommodation which is being denied, but rejected an offer of a different type of reasonable accommodation, explain both the reasons for denial of the requested accommodation and why the chosen accommodation is effective.

6. An individual who disagrees with the denial of an accommodation request is encouraged to initiate an alternative dispute resolution (ADR) through any applicable ADR process established by the Army.

7. If the individual wishes to file an EEO complaint, or pursue Merit Systems Protection Board (MSPB) appeal and union grievance procedures, she/he must take the following steps. The time limits for these steps apply whether or not the individual has initiated ADR:

- For an EEO complaint pursuant to 29 C.F.R. 1614, contact an EEO counselor in the Equal Employment Opportunity office *within 45 days from the date of this notice of denial of accommodation request*; or
- For a collective bargaining claim, file a written grievance in accordance with the provisions of the collective Bargaining Agreement; or
- Initiate an appeal to the MSPB *within 30 days of an appealable adverse action* as defined in 5 C.F.R. § 1201.3.

Printed/Typed Name
Signature of Deciding Official

Date Requested Accommodation Denied

Employee Signature Acknowledging Receipt

Date of Receipt

Agency Representative/Labor Counselor
(Review of denial)

Date

**APPENDIX F
REASONABLE ACCOMMODATION INFORMATION REPORT**

To be completed by first-line supervisor/resolving official who processed the accommodation request. Submit to local EEO/Disabilities Program Manager, EEO Office. (Use additional sheets if necessary)

1. Request for accommodation: (Check one)
 Approved
 Denied (Attach copy of the written denial memo sent to individual.)
2. Date reasonable accommodation requested:
3. Who received the request:
4. Date reasonable accommodation request referred to decision maker (i.e., supervisor, Office Director)
5. Name and position of Decision Maker:
6. Date request approved or denied:
7. Date reasonable accommodation provided (if different from date approved):
8. If time frames outlined in the Reasonable Accommodation Procedures were not met, please explain why.
9. Job held or desired by individual requesting reasonable accommodation (include occupational series, grade level/or equivalent NSPS information and office):
10. Reasonable accommodation needed for: (check one)
 Application process
 Performing Job Functions or Accessing the Work Environment
 Accessing a Benefit or Privilege of Employment (e.g., attending a training program)
11. Type(s) of accommodation requested (e.g., adaptive equipment, staff assistant, removal of architectural barrier).
12. Type(s) of reasonable accommodation provided (if different from what was requested)
13. From what organization was adaptive equipment obtained?
14. Was medical information required to process this request? If yes, explain why.
15. Sources of technical assistance, if any consulted in trying to identify possible reasonable accommodations (e.g., Job Accommodation Network, Computer/Electronic Accommodations Program, disability organization, Disability Program Manager).

Submitted by (Name, Organization, Phone and Email Address):