## TABLE OF CONTENTS

## PAGE

# CHAPTER 1 - INITIATING THE REASONABLE ACCOMMODATION PROCESS

# I. Establishing a Reasonable Accommodation Advisory Team

- A. Reasonable Accommodation Advisory Team
- B. Additional Members
- C. Coordination of Efforts
- D. Training

## II. Requests for Reasonable Accommodation

- A. Initial Request
- B. Who can Submit a Request for Reasonable Accommodation
- C. Identification of Request for Reasonable Accommodation
- D. Confidentiality of Information regarding Requests for and Provision of Reasonable Accommodation

### III. Applicants for Employment

- A. Participation in the Application Process
- B. Hiring Process

## IV. Circumstances for Expedited Processing

- A. Processing Requests for Accommodation
- B. Special Circumstances for Expedited Processing

### ATTACHMENT:

1. Sample Reasonable Accommodation Request Form

### CHAPTER 2 - PROCEDURES FOR ASSESSING A DISABILITY CLAIM

- I. Assessment of the Disability Claim
  - A. Goal of Reasonable Accommodation
  - B. Qualified Individual with a Disability
  - C. Steps in Assessing a Disability Claim

### II. Determination Whether an Employee has a Disability

- A. Definition of a Disablity
- B. Physical Impairment
- C. Mental Impairment

- D. Exceptions
- E. Individualized Assessment of a Disability
- F. Medical Documentation
- G. Major Life Activity
- H. Substantially Limits

## III. Essential Functions of a Position

- A. Essential Functions of the Position
- B. Determining the Essential Functions of a Position

## IV. Interactive Discussions

- A. Purpose of Interactive Discussions
- B. Timing of Discussions
- C. Frequency of Discussions

## V. Disability Analysis

- A. Analysis by the Reasonable Accommodation Advisory Team
- B. Other Information to be considered by the Advisory Team
- C. Timing of Analysis
- D. Required Documentation

### VI. Decision to Accommodate/Not Accommodate

- A. Employee is Determined Not to be an Individual with a Disability
- B. Decisions to Grant an Accommodation
- C. Determination that the Employee Cannot be Accommodated in his/her current position

### ATTACHMENTS:

- 1. Guidance for Requesting Medical Documentation
- 2. Sample Letter for Requesting Medical Documentation
- Permission to Release Medical Information (enclosure to letter)
- 3. Guidance for Determining the Essential Functions of a Position
- 4. Documentation of Essential Functions of Position
- 5. Guidance for the Interactive Process between the Supervisor and Employee
- 6. Sample Letter Denying Request for Accommodation
- 7. Sample Letter Denial of Reasonable Accommodation

PAGE

Request with Offer of Other Assistance

- 8. Sample Letter Approving Request for Accommodation
- 9. Sample Letter Offer of Reassignment as an Accommodation
- 10. Sample Acceptance/Declination of Offer of Reassignment
- 11. Guidance for Interactive Discussion with Employee on Options Available after Non-Accommodation Determination

## CHAPTER 3 - REASSIGNMENT AS AN ACCOMMODATION

- I. Determining when Reassignment is an Appropriate Accommodation
  - A. Consider other forms of Accommodation
  - B. Reassignment as an Accommodation

## II. Eligibility for Reassignment

- A. Current DON Employees
- B. Probationary Employees
- C. Applicants for Employment

### III. Activity Job Search Process

- A. Qualifications Determination
- B. Identification of Vacant Positions
- C. Placement
- D. No Vacant Positions at Activity Level

### IV. HRSC Job Search Process

- A. Information Provided to HRSC
- B. Vacant Position at Activity Level becomes Available
- C. HRSC Responsibilities
- D. No Vacant Positions Identified
- E. Placement
- F. Declination of a Job Placement Offer
- G. Determination that Employee Cannot be Accommodated in a Vacancy
- H. Continuing Placement Efforts
- I. Final Action if Placement Efforts not Successful

## PAGE

### Attachments:

- 1. Sample Documentation of Activity Job Search Efforts
- 2. Sample Certification Letter from Commanding Officer
- 3. Sample Letter to HRSC to Continue Job Search Efforts
- 4. Reasonable Accommodation Information Sheet

## CHAPTER 4 - ALTERNATIVE DISPUTE RESOLUTION (ADR)

- I. Use of ADR in Reasonable Accommodation Determinations
  - A. Definition
  - B. DON ADR Policy
  - C. Reasonable Accommodation Cases

## II. ADR Procedures

- A. ADR Instructions
- B. Initiating the ADR Process
- C. ADR Process

### CHAPTER 5 - APPEAL RIGHTS

- I. ADR
  - A. Use of ADR
  - B. Use of ADR when Request for Accommodation is Denied
  - C. Impact on Employee's Other Avenues of Redress
- II. Request for Reconsideration
  - A. Reconsideration Process
  - B. Impact on Employee's Other Avenues of Redress

### III. Negotiated Grievance

- A. Applicability
- B. Negotiated Grievance Procedures
- C. Impact on Employee's Other Avenues of Redress

### IV. Discrimination Complaints

- A. Discrimination Complaint Procedures
- B. Impact on Employee's Other Avenues of Redress
- V. Notice to Employee of Avenues of Redress

## PAGE

### CHAPTER 6 - REASONABLE ACCOMMODATION RECORDS MAINTENANCE

- I. Reasonable Accommodation Case File
  - A. Contents of the Case File
  - B. Confidentiality of Medical Information

#### II. Records Maintenance

- A. Responsibility for Maintenance
- B. Retention of Records
- C. Records Disposal

### CHAPTER 7 - REPORTING REQUIREMENTS

- I. Reports to the Activity's Major Command
  - A. Denial of Reasonable Accommodation Requests
  - B. No Vacant Positions Identified at the Activity Level during Job Search Process
  - C. No Vacant Positions Identified by the HRSC during Job Search Process
- II. EEOC Agency Self-Assessment Checklist (Management Directive [MD] 715, Part G)
  - A. Establishing a Model EEO Program in Compliance with EEO MD-715
  - B. Annual Self-Assessment Checklist (MD-715, Part G)
- III. Executive Order 13164: Establishing Procedures to
  Facilitate the Provision of Reasonable Accommodation
  - A. Executive Order Tracking Requirements
  - B. Information to be Tracked
  - C. Maintenance of Tracking Information
  - D. Recommended Use of Tracking Information

#### APPENDICES:

- A. Definitions
- B. Reasonable Accommodation Flowchart
- C. Reasonable Accommodation Resources
- D. Reasonable Accommodation Technical References
- E. Applicable Case Law