Procedures for Requesting Reasonable Accommodations for Individuals with Disabilities

References:

1. Rehabilitation Act of 1973, as amended
3. Executive Order 13164, dated July 26, 2000
4. Title 29, CFR, Part 1614.203(b)
5. Title 29, CFR, Part 1630

1. PURPOSE: The purpose of this Instruction is to provide guidance to DLA employees requesting reasonable accommodations in the workplace and to managers approving/disapproving those requests. This Instruction establishes and implements policies, processes, and procedures for providing reasonable accommodations to individuals with disabilities as defined by the Rehabilitation Act of 1973, as amended. Title 29 of the Code of Federal Regulations (CFR), Part 1614.203(c)(1), requires agencies to make reasonable accommodation to the known physical or mental limitations of an applicant or employee who is a qualified individual with a disability, unless the agency can demonstrate that the accommodation would impose an undue hardship on the operation of its program.

2. APPLICABILITY: This Instruction applies to Headquarters (HQ) DLA and DLA Primary Level Field Activities (PLFAs).

3. POLICY: It is DLA policy to fully comply with the reasonable accommodation requirements of the Rehabilitation Act of 1973, as amended. Under the law, federal agencies must provide reasonable accommodation to qualified individuals (employees or applicants) with disabilities, unless to do so would cause undue hardship. DLA is committed to providing reasonable accommodations to its employees (permanent, temporary, probationary, etc.) and applicants for employment in order to ensure that individuals with disabilities enjoy full access to equal employment opportunity at DLA.

4. RESPONSIBILITIES: Responsibilities are described below and prescribed in greater detail in the procedures.

a. Individual requests accommodation for his/her disability. The request may be verbal, but if it is made by a DLA employee, the employee must confirm his/her verbal request by completing the DLA Form 1887. If the requestor is an applicant for employment, the servicing Human Resources Specialist must complete the DLA Form 1887 on behalf of the applicant. The applicant cannot complete the DLA Form 1887.
Bargaining unit employees should refer to their applicable collective bargaining agreement for any additional requirements.

b. If the individual fails to provide a written confirmation, the servicing Disability Program Coordinator (DPC) must be informed. Disability Program Coordinators.

c. If the DPC directs that processing continue, the DPC completes forms on the individual’s behalf.

d. The DLA Official who will be responsible for processing the request is named the “Decision-Maker” and can be one of three individuals: a Human Resources Specialist (for applicants); an employee’s first-line supervisor; and/or an employee’s second-line supervisor.

e. The DLA Decision-Maker and the individual confer with each other to clarify the nature of the individual’s limitation and the necessary accommodation.

f. If the individual’s disability is not known or apparent to the DLA Decision-Maker, the Decision-Maker then determines whether the DPC must obtain corroborating medical information.

g. The DPC determines if the resulting medical information is sufficient to make a decision regarding the disposition of the request.

h. If there is sufficient information, then the DLA Decision-Maker is informed.

i. If the information is sufficient to make a decision on the disposition of the request, then the DPC informs the individual.

j. If there is insufficient information, then the DPC requests that the individual provide additional documentation.

k. If the individual fails to provide the requested information, then the DPC informs him/her of possible denial of request.

l. The individual may either obtain the requested information or sign a medical release to permit DLA to obtain the requested information directly from his/her healthcare provider.

m. If the individual does not provide or authorize the provision of the requested medical information, then the DPC may request that the individual be examined by a physician chosen by DLA and at DLA expense.

n. If the individual does not agree to be examined by a physician chosen by DLA, then the DLA decision-maker is directed to inform the employee that the request may be denied.

o. If the individual agrees to be examined by a physician chosen by DLA, the DPC will determine if the information is sufficient to make a decision on the disposition of the request.

p. The physician informs the DLA decision-maker of either an affirmative or a negative determination.

q. The DLA decision-maker grants or denies the request for reasonable accommodation.

r. If the DLA decision-maker grants the request, he or she informs the individual.

s. The DLA decision-maker provides the accommodation.

t. The DLA decision-maker completes and submits to the DPC the DLA Form 1887-2, “DLA Reasonable Accommodation Information Reporting Form”.
u. The DPC forwards pertinent program data as defined in the Procedures to the DLA Disability Program Manager (DPM).

v. The DPM forwards pertinent program data as defined in the Procedures to the EEOC in accordance with EEOC Federal Agency EEO Program Status Report (MD 715).

w. If the DLA decision-maker denies the request, he/she completes Denial of Request Form, DLA Form 1887-1, and forwards to the individual.

x. The individual may request reconsideration from the decision-maker upon receipt of a denial.

y. If the request is again denied, the individual may request reconsideration by the second-line supervisor.

z. The individual may also file a complaint regarding the denial through the EEO discrimination complaint process; or the Merit Systems Protection Board appeal process if the denial is joined with an otherwise appealable action such as a removal for medical inability to do the job; or local grievance procedure, including collective bargaining procedures.

aa. When the request, reconsideration, and appeal processes are complete, whether an accommodation is ultimately granted or denied, the DLA decision-maker completes and submits the DLA Form 1887-2, "DLA Reasonable Accommodation Information Reporting Form" to the DPC.

bb. The DPC forwards pertinent program data as defined in the Procedures to the DLA DPM.

cc. The DPM forwards pertinent program data as defined in the Procedures to the EEOC.


Director, DLA Enterprise Support