

## **Questions and Answers on Procedures for Requesting Reasonable Accommodations for Individuals with Disabilities:** (Employee Version)

### ***1. What is a reasonable accommodation?***

A reasonable accommodation is any change in the work environment or in the way activities are customarily done that would enable a qualified individual with a disability to enjoy equal employment opportunities. See Defense Logistics Agency Instruction 1440.01, Procedures for Requesting Reasonable Accommodation for Individuals with Disabilities, Effective August 7, 2015 found at <https://hqc.dla.mil/issuances/Documents/i1440.01.pdf>.

### ***2. What is the definition of a Qualified Individual with a Disability?***

An individual who satisfies the requisite skill, experience, education, and other job-related requirements of the position and who with or without reasonable accommodation can perform the essential functions of the position. 29 CFR 1630.2(m).

An individual with a disability is an individual who has (1) a mental or physical impairment that substantially limits one or more major life activities; (2) a record of such impairment; or (3) is regarded as having such impairment. Individuals who are solely regarded as having a disability are not entitled to reasonable accommodation. 42 USC 12102(1).

Please contact the Disability Program Coordinator (DPC), Ms. Marina Krug, for further explanation on the reasonable accommodation process. Ms. Krug can be reached at X7289.

### ***3. Who can make a request for reasonable accommodation?***

Any employee (permanent, temporary, probationary) or applicant for employment can request reasonable accommodation. The procedures for requesting reasonable accommodation for individuals with disabilities is outlined in Defense Logistics Agency Instruction 1440.01, Effective August 7, 2015 found at <https://hqc.dla.mil/issuances/Documents/i1440.01.pdf>.

### ***4. How do I make a request for an accommodation?***

As a DLA Employee, you may request a Reasonable Accommodation, orally or in writing, from your immediate supervisor, another supervisor, or a manager in your chain of command, or the DPC.

### ***5. How long should it take to evaluate and process a request for a reasonable accommodation?***

Generally, the request shall be processed in no more than 45 business days from the date the request is received. However, the interactive process should begin within 5 workdays of the request. The interactive process is the communication between the DM, DPC, and the employee or applicant that is intended to be interactive and ongoing. In some circumstances, additional medical documentation may be needed in order to process the request. Additionally, in certain circumstances, a request for reasonable accommodation may require a more an expeditious decision. Please consult with the DPC regarding processing timelines.

**6. *What happens if a Reasonable Accommodation is denied?***

If a reasonable accommodation is denied, it must be recorded on DLA Form 1887-1, “Denial of Request” Form. The DLA Form 1887-1 must explain why and provide details regarding why the accommodation was denied.

**7. *If my request for a reasonable accommodation is denied, may I request a reconsideration? Is so, how do I request a reconsideration?***

Yes, you may request reconsideration. Employees/Applicants may request reconsideration of a decision maker’s denial of reasonable accommodation at any time by initiating a request for reconsideration, in writing, to the decision maker. The employee may present additional information in support of the request for reconsideration. If it is again denied, the employee may elevate the request to the decision maker’s supervisor. The decision maker should acknowledge receipt of the request within three (3) business days and should issue a decision within ten (10) workdays.

**8. *If both reconsiderations for reasonable accommodations are denied do I have other avenues of redress?***

Pursuing reconsideration will not affect the time limits for initiating an EEO complaint in accordance with 29 C.F.R. § 1614.105. If an applicant or employee is dissatisfied with the outcome of the reconsideration decision, the individual may file an EEO complaint in accordance with 29 C.F.R. § 1614.105 or union grievance, as appropriate. If an individual chooses to file an EEO complaint, he or she must contact a DLA EEO Counselor within forty-five (45) calendar days from the date of receipt of the written notice of denial (initial or reconsideration). Failure to file a timely EEO complaint may result in a loss of rights to participate in the EEO complaint process.