

1. What is a reasonable accommodation? (Management Version of the Q & A)

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 Standard Operating Procedure 1440.01-01, Effective October 12, 2017

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 Standard Operating Procedure 1440.01-01, Effective October 12, 2017.

4. How do employees make a request for an accommodation?

Employees may make a request for a reasonable accommodation orally or in writing to the first-line supervisor, another supervisor or manager in the immediate chain of command, or the local Disability Program Coordinator (Marina Krug at X7289). It is highly recommended that the request for a reasonable accommodation be made in writing using DLA Form 1887. It is highly recommended that the request for a reasonable accommodation be submitted to the first-line supervisor. If an employee makes a request for a reasonable accommodation orally, it is important that the employee follow-up their oral request by completing DLA Form 1887, or by confirming their request in writing (including by e-mail) to the Disability Program Coordinator.

5. As a supervisor, when I receive the request for a reasonable accommodation what do I do with it and who can assist me with the processing of the request?

When you receive a request for a reasonable accommodation, it is important that you immediately contact the Disability Program Coordinator (DPC) and bring the request form or information to the DPC. The DPC will work with you and coordinate the request with the Office of Counsel and Human Resources, if appropriate, to ensure that we are compliant with all laws, policies, and procedures regarding reasonable accommodations. DPC will provide you with letters of acknowledgment and your rights and responsibilities. If you are a designated decision maker (DM), acknowledge receipt of a request for accommodation, in writing, via an acknowledgment letter, to the employee within 5 days of receipt and forward a copy of the acknowledgement to the DPC. This acknowledgement should be sent even if the applicant/ employee did not document his/her request in writing or on DLA Form 1887. You may request medical documentation only through the DPC, if the disability or limitation is not known or obvious or if required to

determine an effective accommodation. Medical documentation will be maintained by the DPC in the EEO Office. You should not keep any medical documentation in your office or copies of medical documentation related to a reasonable accommodation request. The DPC will inform you of functional limitations and recommended accommodations on a need to know basis.

6. 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. The interactive process is the communication between the DM, DPC, and the employee or applicant to identify the most effective RA possible and is intended to be interactive and ongoing. The interactive process should begin within 3 workdays of the request acknowledgment. In certain circumstances, a request for reasonable accommodation may require a more an expeditious decision. You must process all RA requests as quickly and as reasonably possible. Failure to respond promptly to a request may result in a violation of the Rehabilitation Act of 1973. Please consult with the DPC regarding processing timelines.

7. What happens if I decide to deny a Reasonable Accommodation?

If you decide to deny a request for a Reasonable Accommodation, it must be reviewed by the Office of Counsel prior to issuance to the applicant or employee. As soon as the decision has been made to deny a request for reasonable accommodation, the decision maker should notify the employee of the denial, using DLA Form 1887-1. The DLA Form 1887-1 must explain in detail why the accommodation was denied. If the DM denies a request, they must send a DLA Form 1887-1 to the:

A. Employee, with the goal of doing so within two workdays of the decision and provide a copy of the denial form to the DPC.

B. Applicant with the goal of doing so within one workday of the decision and provide a copy of the denial form to the DPC.

8. If the request for a reasonable accommodation is denied, are there any other avenues of redress?

If an applicant or employee is dissatisfied with the outcome, the individual may file an EEO complaint in accordance with 29 C.F.R. § 1614.105 or pursue Merit Systems Protection Board (MSPB) and/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. Failure to file a timely EEO complaint may result in a loss of rights to participate in the EEO complaint process.