



DEPARTMENT OF THE ARMY
UNITED STATES ARMY GARRISON RHEINLAND-
PFALZ
UNIT 23152
APO AE 09607-3152

IMRP-ZA

22 JUL 2020

MEMORANDUM FOR ALL US ARMY GARRISON RHEINLAND-PFALZ (USAG RP)
PERSONNEL

SUBJECT: Command Policy Letter #8, Reasonable Accommodation Policy

1. References:

- a. AR690-12, Equal Employment Opportunity and Diversity, Appendix C, 12 December 2019
- b. The Rehabilitation Act of 1973.
- c. The Americans with Disabilities Act of 1990, Title 42, United States Code 12101.
- d. Executive Order 13164.
- e. Equal Employment Opportunity Commission, Management Directive 715.
- f. The Americans with Disabilities Act Amendments Act of 2008.

2. The U. S. Army Garrison Rheinland-Pfalz is committed to providing reasonable accommodation(s) to its employees and applicants for employment in order to assure that qualified individuals with disabilities, permanent or temporary, as required by Federal laws, enjoy full access to equal employment opportunities. The intent of this policy, is to increase the awareness of managers and supervisors responsible for providing expanded opportunities for individuals with disabilities in the USAG-RP workforce. Further, this policy implements a maximum amount of time for processing and providing reasonable accommodation decisions to qualified applicants and employees.

3. Section 501 of the Rehabilitation Act of 1973, as amended, requires employers to make "reasonable accommodation to the known physical or mental limitations of qualified applicants and employees with disabilities, unless the agency can demonstrate that the accommodation would impose an undue hardship on the operation of its program." Reasonable accommodation," is defined as a change in the work environment, or in the way things are customarily done in the performance of a job, or a change in an employment practice, that makes it possible for a "qualified individual with a disability" to enjoy equal employment opportunity, unless to do so would cause an undue hardship."

4. "Qualified individual with a disability" refers to disabled individuals who meet the job-related skill, experience and education requirements, and who, with or without reasonable accommodation(s), can perform the essential functions of the position held or desired. Individuals with disabilities are those who have a physical or mental impairment that substantially limits one or more major life activities, a history of such an impairment, or is regarded as having such impairment. The term "essential functions" means the fundamental job duties of the employment position that the individual with disability holds or desires.
5. The use of reasonable accommodation(s) removes workplace barriers that would otherwise prevent qualified individuals with disabilities from competing for jobs or gaining access to the benefit of employment. USAG-RP supports the use of reasonable accommodation(s) in the workplace, especially the employment of individuals with disabilities.
6. Managers and supervisors will be trained annually on their responsibilities and the procedures for reasonable accommodation. Executive Order 13164 requires all Federal Agencies to establish procedures on handling requests for reasonable accommodation(s). USAG-RP personnel will follow established procedures outlined in the **AR 690-12, Appendix C**.
7. A request for reasonable accommodation(s) may be made orally or in writing by an employee or applicant, or the employee or applicant's family member, health care professional or authorized representative. The individual making the request need only indicate the necessity for assistance based on a medical condition. The use of special words is not required (e.g. "reasonable accommodation," "disability," or "rehabilitation"). An employee's oral or written request for reasonable accommodation(s) by the agency.
8. It is recommended that the employee requesting accommodation complete a request for Reasonable Accommodation (Individual Request Form) that is available at the EEO office. The employee should submit their request to his/her supervisor or other agency official who is authorized to receive reasonable accommodation requests. However, if the requesting employee does not complete the form it is the responsibility of the supervisor or other responsible agency official to complete the form and forward it to the USAG-RP Disability Program Manager (DPM) located on Kleber Kaserne, Building 3213, Room 129 or by email at Madonna.I.lachman.civ@mail.mil
9. The employee must articulate the accommodation(s) needed and participate in the interactive process with their supervisor. Medical documentation may be required from the applicant or employee. The USAG-RP DPM will assist in collection of the medical documentation. The Deciding Official or Supervisor has the right to have it reviewed by a medical expert at Occupational Health.

10. Supervisors/Deciding Officials are responsible for receiving and acting on requests for reasonable accommodation at the lowest level of management feasible, when in agreement as to the type(s) of accommodation. The supervisor should forward completed and signed forms to the EEO Office USAG-RP DPM for record and tracking. The USAG-RP DPM will assign a log number and share it with the supervisor along with a suspense date for a decision on the request.

11. Supervisors/Deciding Officials must engage in the interactive communications process with the employee, assess the essential job functions, and request pertinent medical documentation, if appropriate. If the immediate supervisor cannot approve the request, he/she must forward, within **five (5) business days** from date of receipt to the second-level supervisor in the requestor's chain of supervision for review and approval/disapproval.

12. If the reasonable accommodation is determined to require review by a medical expert the USAG-RP DPM will forward the Medical Documentation received from the Deciding Official/Supervisor to Occupational Health Office.

13. The reasonable accommodation decisions to an applicant or employee shall not exceed **thirty {30} business days** from the date of receipt of the written request, absent any "extenuating circumstances." For clarification purposes, "extenuating circumstances" are unforeseen or unavoidable events or factors that could not reasonably have been anticipated or avoided that prevent the prompt processing and delivery of an accommodation decision. Some examples of extenuating circumstances may include:

- a. Waiting for a response to a request for medical information
- b. Purchase of equipment
- c. Equipment ordered may be back-ordered
- d. Removal of architectural barriers

14. If the Deciding Official determines the employee is unable to complete the essential functions of the job, the Deciding Official will coordinate Appendix C "Reassignment Effort" with the CPAC/MER specialist.

15. If the Deciding Official/Supervisor cannot approve accommodation(s), he/she will forward reason(s) for disapproval to the USAG-RP DPM, who will forward for consultation with the Agency Representative/servicing legal office. Once accommodation decision processing is completed, and the request is approved or disapproved, the Deciding Official/Supervisor will forward a signed copy of decision to employee. The Deciding Official/Supervisor will implement the request if approved and follow-up to ensure that the provided accommodation is effective.

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16. The USAG-RP point of contact for reasonable accommodation issues may be reached at DSN 314-541-2200.



VANCE J. KLOSINSKI
COL, SF
Commanding

ATT:

Request for Reasonable Accommodation Form

Appendix C Procedures for providing reasonable accommodations for individuals with disabilities