

## **REASONABLE ACCOMMODATIONS FOR EMPLOYEES WITH DISABILITIES**

*Applicable to U.S. appropriated fund civilian employees*

The Rehabilitation Act of 1973 (29 USC § 791 et seq.) prohibits discrimination against qualified individuals with disabilities in all aspects of the Federal employment process. Among other requirements, it requires agencies to reasonably accommodate qualified individuals with disabilities who experience barriers applying for jobs, performing job duties, accessing the physical environment, or enjoying the benefits and privileges of Federal employment equal to those of individuals without disabilities.

The individual must be qualified for the position. In other words, they must have the requisite skill, experience, education, and other job-related requirements of the employment position and must be able, with or without reasonable accommodations, to perform the essential functions of the position.

Determinations about whether an employee is disabled, and appropriate reasonable accommodations are made on a case-by-case basis based on the individual's functional limitations, the essential functions of the position, and mission requirements.

### **What is a Disability?**

“Disability” has a different definition for the reasonable accommodation process than for other programs such as Schedule A disability hiring authority, disabled veteran ratings/benefits/leave, eligibility for a disability parking placard from the base/state bureau of motor vehicles, or disability retirement. This difference means that documentation requirements are different for reasonable accommodation too (see paragraph below, “What are the Medical Documentation Requirements?”)

A “disability” for reasonable accommodation purposes is a physical or mental impairment that substantially limits one or more of the major life activities of the individual requesting the accommodation.

### **What is a Reasonable Accommodation?**

A reasonable accommodation can be a modification to the job itself, to the work environment, or to a policy or practice. Examples include, but are not limited to, installing a ramp, approving telework, an alternate work schedule, or breaks throughout the day, and providing sign language interpreters, equipment (e.g., speech-to-text software, headphones, air purifier) or materials in alternative formats (e.g., hard copy materials in electronic format or large print).

## **What is not a Reasonable Accommodation?**

Employers do not have to provide an accommodation that would pose an undue hardship on the operation of the agency. Undue hardship focuses on the resources and circumstances of the Air Force in relationship to the cost or difficulty of providing a specific accommodation and refers to reasonable accommodations that are unduly extensive, substantial, or disruptive, or those that would fundamentally alter the nature or operation of the business or organization. When considering whether the expense of a potential accommodation constitutes an undue hardship, the budget of the entire Air Force is considered. Examples of requests that cannot be granted as a reasonable accommodation are requests to remove essential job functions or mission-based production requirements, or to assign an employee a different supervisor in their current position.

## **Is Reassignment a Reasonable Accommodation?**

Assignment to a vacant position is an accommodation of last resort when an employee cannot be effectively accommodated in their current position. This process is described in DAFI 36-2710, Equal Opportunity Program (linked below under “References”).

## **How does an Employee Request a Reasonable Accommodation?**

An employee with a disability initiates the reasonable accommodation process by making an oral or written request to their supervisor or manager in their chain of command at any time or by submitting the request electronically at the Reasonable Accommodation Request automated portal located here:

[Electronic Reasonable Accommodation Request Form](#)

Electronic submission provides simultaneous notification of the request to the supervisor, the individual requesting the accommodation, and the Disability Program Manager (DPM).

Other individuals may make requests on the employee’s behalf when the employee is aware of and supports initiation of the process. A supervisor must initiate the reasonable accommodation interactive process without being asked when the supervisor (a) knows that the employee has a disability (b) knows, or has reason to know, that the employee is experiencing workplace problems because of a disability, and (c) knows, or has reason to know, that the disability prevents the employee from requesting a reasonable accommodation. Employees, their representatives, and management officials can also contact the Ramstein DPM in the Civilian Personnel Office (CPO) at DSN 314-478-6714/7143 or at [86fss.fsec.us-emr@us.af.mil](mailto:86fss.fsec.us-emr@us.af.mil). Management officials who believe that they are required to unilaterally initiate the reasonable accommodation process should contact the DPM before doing so.

### **\*\*\* IMPORTANT NOTE\*\*\***

There is no required format for requests made outside of the Electronic Reasonable Accommodation Request Form, and such requests are not required to contain special words or phrases, such as “reasonable accommodation.” An employee need not have a particular accommodation in mind prior to

making a request. 29 CFR § 1614.203(d)(3)(i)(D). Supervisors who are uncertain as to whether an employee needs or is requesting a reasonable accommodation should consult the DPM.

### **What are the Confidentiality Requirements?**

Medical information and information related to an individual's disability or reasonable accommodation request are confidential. Management should ensure that they are maintained separately from the employee's other personnel records. Requests for medical documentation will be narrowly tailored to the purpose of establishing the existence of a disability that is related to the accommodation request and to the purpose of establishing the need for accommodation(s). Once an accommodation is approved, individuals who provide the accommodation are entitled only to the information necessary for them to understand how to provide it effectively to the individual with the disability.

### **How are Reasonable Accommodations Determined?**

Reasonable accommodations are determined on a case-by-case basis. The **interactive process** is the process by which the supervisor and the employee identify accommodations that could enable the employee to perform the essential functions of the job effectively while considering the employee's disability-related limitations. There is no formal structure for this process, which requires open and transparent communication and a shared understanding of the essential functions of the job and the employee's disability-related limitations. Employees and management are encouraged to reach out to the DPM during the **interactive process**. The employee's supervisor is the decision authority for all requests for reasonable accommodation unless the request is elevated to a higher level of approval. Although a supervisor is not required to provide the employee's preferred accommodation, he or she should consider it in good faith when deciding what would be effective for both the employee and the Air Force. Once an accommodation is implemented, the supervisor and employee should monitor the effectiveness of the accommodation and re-engage in the **interactive process** if it does not appear to be effective, if there are objective concerns regarding undue hardship, or if the employee raises new needs.

### **What if an Employee Is Unsure of the Type of Accommodation they Need?**

An employee's health care provider is often a useful resource in identifying potential accommodations. Health care providers can be most helpful when they understand the employee's functional limitations and the requirements of the employee's position, so employees are encouraged to provide their health care provider copies of the employee's position description and performance plan when having this discussion. Two additional helpful resources are the Job Accommodation Network website (linked under "References" below) which lists various options for accommodation by disability type, and the Office of Personnel Management (OPM) website (also linked below under "References").

### **What are the Timelines for the Reasonable Accommodation Process?**

The interactive process should begin within 10 days of receipt of the initial request for reasonable accommodation by the supervisor. When the supervisor is not the decision authority, the supervisor will submit the request to them within 5 calendar days of the supervisor making a recommendation for the accommodation. Supervisors will provide a written decision in the shortest time practicable, but no later

than 30 calendar days from receipt of the initial request. (See section below regarding the process and timeframes when denying a reasonable accommodation.)

Timelines may be modified due to extenuating circumstances, such as the need for additional medical documentation. Requests will not be delayed due to leave, TDY, or other absence or obligation of anyone involved in the process. Management will notify the employee if time frames cannot be met, along with the reasons for the delay and an approximate date by which the decision is expected. Supervisors will consider temporary measures or interim accommodations until a decision has been made.

### **What are the Medical Documentation Requirements?**

When a disability is not obvious, the employee's supervisor, the decision authority, or the DPM may request medical documentation in support of a reasonable accommodation request if information in the initial submission/request is insufficient or if none was provided. Documentation provided for the purposes of Schedule A disability hiring authority or other purposes may not be sufficient for the purposes of reasonable accommodation. **Documentation is sufficient when it describes the disability, including its nature, severity, duration, and the extent to which it limits the employee's ability to engage in major life activities.**

The employee is required to submit documentation within 20 calendar days of the request. Failure to provide the information may result in denial of the request.

### **What are the Requirements Before a Reasonable Accommodation Request can be Denied?**

Any decision to deny a reasonable accommodation request must first be reviewed and coordinated through the DPM. Denials must include the specific reasons for the denial and identify the employee/office that made the decision. Denials of reasonable accommodation requests will be issued in writing no later than 10 calendar days of the decision to deny the request. The employee will be advised of the right to initiate the equal opportunity complaint process in the denial notice.

### **How is Funding Handled for Reasonable Accommodations?**

For qualifying equipment purchases, organizations are encouraged to utilize the Department of Defense's Computer/Electronic Accommodation Program (linked below under "References"). Effective Dec. 15th, 2022, the Air Force implemented a central fund for reasonable accommodations. Approved requests are reimbursed through this fund, which provides senior leaders with greater insight into the types of reasonable accommodations being requested and funded and will increase accessibility and opportunities for individuals with disabilities. Organizations should coordinate with their local DPM, follow local procurement procedures, and utilize Emergency Special Program code "7F."

### **What are Personal Assistive Services?**

Employees with targeted disabilities (i.e., the types of disabilities that tend to pose the largest barriers to employment as identified by OPM and the Equal Employment Opportunity Commission) are eligible for Personal Assistive Services to assist them with basic activities of daily living that would otherwise not

necessarily be required as a reasonable accommodation. Personal Assistive Services are provided during the workday or during work-related travel and include assistance with activities such as eating, dressing, using the restroom, or getting in or out of a vehicle. To learn more, please reference Chapter 12 of AFI 36-2710, Equal Opportunity Program (linked below under “References.”) To make a request for Personal Assistive Services, contact the Ramstein DPM in the Civilian Personnel Office (CPO) at DSN 314-478-6714/7143 or at [86ss.fsec.us-emr@us.af.mil](mailto:86ss.fsec.us-emr@us.af.mil).

## **REFERENCES:**

Deputy Secretary of Defense Memorandum on Access for People with Disabilities (31 Oct 2008):  
[https://www.access-board.gov/files/aba/dod\\_memo\\_aba.pdf](https://www.access-board.gov/files/aba/dod_memo_aba.pdf)

DAFI 36-2710, Equal Opportunity Program (18 Jun 2020) - Personal Assistance Services (Chapter 12) and Reasonable Accommodation procedures (Chapter 13): <https://www.e-publishing.af.mil/> (To find policies specific to civilian personnel, click "Publications and Forms" at the top of the page, then click "Air Force," then "Departmental," then "36 Personnel." Finally, type your search term [e.g., "Equal Opportunity"] in the "Filter" field.)

myFSS article #9542 Reasonable Accommodations Request, Portal Implementation & Central Fund:  
<https://myfss.us.af.mil/USAFCommunity/s/knowledge-detail?pid=kA08300000004wUCAQ>

29 CFR 1630: <https://www.ecfr.gov/>

Job Accommodation Network: <https://askjan.org/>

OPM List of Resources: <https://www.opm.gov/policy-data-oversight/disability-employment/reasonable-accommodations/>

Department of Defense's Computer/Electronic Accommodation Program: <https://cap.mil/>