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Commander U.S. Naval Forces, Japan

EEO Bulletin: 1

Processing Request for Reasonable Accommodation for Medical Purposes

Reference: Department of Navy, Civilian Human Resources Manual, (CHRM) Subchapter 1606 (Procedures for Processing Requests for Reasonable Accommodation) was issued in September of 2007.

CHRM 1606 issued guidance for Navy activities in processing requests for reasonable accommodation for medical purposes. This bulletin provides a summary of CHRM 1606 and outlines responsibilities for Navy commands, HR and EEO professionals, supervisors, and employees in responding to request for medical documentation. This bulletin should be read in conjunction with the Navy CHRM 1606. CHRM 1606 can be accessed at <https://www.donhr.navy.mil/donchrn/default.asp>

1. Each Command must develop a Reasonable Accommodation Advisory Team (RAAT) to process requests for reasonable accommodation. The team should include (at a minimum):

- Employee's first-level supervisor,
- A Human Resources Specialist (HRS),
- A designated Reasonable Accommodation (RA) point of contact,
- On a case-by-case basis, the team may be augmented by persons from Safety, Legal, and/or Medical offices.

For commands serviced by the Commander U.S. Naval Forces Japan, Human Resources Office, the RA POC is the EEO Program Manager, CNFJ Code N134.

2. The primary functions of the Reasonable Accommodation Advisory Team are to determine:

- If the individual is disabled;
- If the individual can perform the essential functions of the position;
- If an accommodation is necessary;
- Which accommodation options are reasonable; and
- The appropriate accommodation required.

The supervisor is empowered to make the ultimate decision as to what accommodation, if any, will be offered.

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3. The RA POC will provide the expertise on the reasonable accommodation process, and work to ensure requests are processed in a timely and consistent manner.
4. An activity must first attempt to accommodate an employee in his/her current position. However, if the command cannot accommodate and/or modify the position due to an undue hardship, the command must consider reassignment to another position. Activity job searches must be conducted for an employee requesting accommodation, when a determination is made that the employee cannot be accommodated in the current position. The supervisor and the servicing HR Staffing Specialist are to identify existing vacant positions and those that will become vacant within the next 60 calendar days. If the activity job search does not result in a placement, the employee should be asked if he is interested in a job search outside the activity to include consideration for jobs outside the geographical location. The HR Specialist and the servicing Human Resources Service Center will coordinate this expanded job search.
5. When an employee is determined NOT to be disabled or a determination is made that NO accommodation is required, an activity may still provide some form of assistance to the employee based on the desire to be a good employer, NOT out of legal necessity. Maintaining consistency with similar requests is crucial however, to avoiding claims of disparate or unfair treatment.
6. Commands must submit reports to the Command DEEOO (echelon 2) when the following occurs:
 - a. There is a denial of Reasonable Accommodation Request.
 - b. There is no vacant position identified at the Activity level.
 - c. There is no vacant position identified by the Human Resources Service Center (HRSC) during the expanded job search.
7. Command Responsibilities
 - a. Communicate and implement Navy's RA procedures.
 - b. Ensure RA requests are processed within prescribed timeframes.
 - c. Certify in writing that job search has been conducted internally and that reasonable accommodation cannot be provided.
 - d. Submit report to the Command DEEOO (echelon 2) when the following occurs:
 - (1) There is a denial of Reasonable Accommodation Request
 - (2) There is no vacant position identified at the Activity level.
 - (3) There is no vacant position identified by the Human Resources Service Center (HRSC) during the expanded job search.
8. Information/Data to be maintained by servicing EEO Office.
 - a. Number and types of accommodation requests; and whether granted or denied.
 - b. Jobs (series and grade and originating UIC) accommodation being requested.
 - c. Types of accommodations being requested (for each).
 - d. Numbers and types of accommodation approved and denied.
 - e. Numbers and types of accommodation requests relating to benefits or privileges of employment; approved or denied.
 - f. Reasons for denying requests.
 - g. Time taken to process requests.
 - h. Sources utilized in seeking technical assistance.

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9. Time frames for processing reasonable accommodation requests:
 - a. Within 2 days of receiving a request, members of the Reasonable Accommodation Assessment Team must be informed of the request.
 - b. Within 30 calendar days of receiving a request, a determination to accommodate in employee's current position must be rendered.

FOR ADDITIONAL INFORMATION ON THE REASONABLE ACCOMMODATION PROCESS AND COMMAND REQUIREMENTS, PLEASE CONTACT THE CNFJ, EEO OFFICE AT 243-8163/9579.