



DEPARTMENT OF THE NAVY

NAVAL SERVICE TRAINING COMMAND
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NSTCINST 12700.1

N1

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NSTC INSTRUCTION 12700.1

From: Commander, Naval Service Training Command

Subj: STANDARD OPERATING PROCEDURES FOR REASONABLE
ACCOMMODATION REQUESTS

Ref: (a) Section 501 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 791
(b) Title I of the Americans with Disabilities Act Amendments Act of 1998
(c) DON Civilian Human Resources Manual, Subchapter 1606, Procedures for Processing Requests for Reasonable Accommodation
(d) NETC Guide for Processing Reasonable Accommodations for Managers and Supervisors

Encl: (1) [Reasonable Accommodation Process Flowchart](#)

1. Purpose

a. To establish the process by which civilian Naval Service Training Command (NSTC) employees request reasonable accommodations to apply for and/or perform the essential functions of a position and enjoy equal benefits and privileges of employment.

b. To establish the process by which NSTC managers and supervisors respond to, coordinate, and enact the resulting decisions of reasonable accommodation requests.

2. Background. In accordance with references (a) through (d), the Department of Navy (DON) has developed policy and issued guidance for providing reasonable accommodation for qualified individuals with disabilities. Reasonable accommodations remove workplace barriers encountered by individuals with disabilities and allow the agency to expand its pool of qualified workers and meet its obligation to provide equal employment opportunities for all. Reasonable accommodations may be requested to modify a job requirement, an employee practice, or the work environment to apply for and/or perform the essential functions of a

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position, as defined in reference (a), and enjoy equal benefits and privileges of employment.

3. Policy

a. Enclosure (1) outlines the process all participants shall follow when requesting and responding to a reasonable accommodation request.

b. Reasonable accommodation requests may be made by current employees, applicants, or their agents, which include family members, friends, a healthcare professional, or other representatives.

c. Requests for reasonable accommodation do not need to be made in writing. Requests may be made in "plain English" and do not require any specific terminology, such as "reasonable accommodation," in order to be a valid request.

d. Requests must identify an adjustment or change in work, employee practice, or work environment that is related to a disability. The employee is required to provide information and, when requested, medical documentation of the condition necessitating the accommodation. Medical documentation should be dated within 90 days of the request, and it should reflect the individual's capabilities and limitations. Medical documentation should also address the specific accommodation required.

e. The agency may ask for medical information about a current employee's disability if it is in support of an employee's reasonable accommodation request and the disability is not already known or if the inquiry is job-related and consistent with business necessity. If medical information is requested, the supervisor must also request a Health Insurance Portability and Accountability Act (HIPAA) consent to release medical documentation to the Naval Education and Training Command (NETC) Human Relations Officer (HRO). All medical information must be kept confidential, and supervisors and managers may not reveal that an accommodation has been granted.

f. The supervisor or management official cannot request information about whether an applicant for a position has a disability prior to an offer of employment being made. An inquiry about a selected employee's disability can only be made post-offer if it is required of all entering employees in the same job category.

g. Reasonable accommodation requests should be considered on a case-by-case basis.

h. An employer is not required to approve an accommodation request if it will impose an undue hardship on the command or activity. The deciding official must provide evidence of undue hardship in light of the following:

- (1) The nature and cost of the accommodation,
- (2) The overall financial resources of the facility,
- (3) The number of employees at the facility,
- (4) The type of operations in which the facility is engaged, and
- (5) The impact the accommodation will have upon operations of the facility.

i. A Reasonable Accommodation Advisory Team shall be established to review and determine whether an employee qualifies for a reasonable accommodation for a disability as defined in reference (a) when assistance is needed by the supervisor/deciding official in processing a reasonable accommodation request. The Advisory Team shall include at a minimum:

- (1) The NETC HRO/Disability Program Manager (DPM), and
- (2) An NETC HR Specialist and/or Employee Relations Specialist.

j. The Advisory Team shall consult with facilities, safety, medical, legal, Office of Workers Compensation Program, and other pertinent experts as needed and depending on the complexity of the request.

k. All requests shall be processed as expeditiously as possible.

4. Responsibilities

a. Employees, applicants, or their agents shall:

(1) Immediately notify their first-level supervisor when it is determined that some form of reasonable accommodation is required in order to perform the essential function(s) of their position of record;

(2) Actively participate in the interactive discussion portion of the reasonable accommodation process; and

(3) Provide medical documentation, if requested, to the supervisor, deciding official, or Reasonable Accommodation Program Manager (RAPM).

b. Supervisors shall:

(1) Recognize and respond promptly to requests for reasonable accommodation made by current employees, applicants to positions for which he or she is the selecting official, and agents of employees and applicants;

(2) Respond to requests for information associated with reasonable accommodation requests as soon as possible, but absent extraordinary circumstances, no later than 15 calendar days from the date of receipt of the request for information;

(3) Promptly seek guidance from the DPM and forward all documents provided by the employee as part of a reasonable accommodation request to the DPM;

(4) Notify the NSTC N1 Office of any reasonable accommodation requests and provide updates as necessary to meet tracking and requirements review obligations;

(5) Serve as the Deciding Official in cases where the supervisor has authorization to make such decisions on behalf of the organization;

(6) Maintain an open line of communication with the employee seeking an accommodation and engage in on-going, informal discussion(s) with the employee during the reasonable accommodation process; and

(7) Consider the use of Alternative Dispute Resolution techniques at any stage in the reasonable accommodation process to resolve any conflicts at the lowest level.

c. Deciding Officials shall:

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(1) Implement the DON policy to provide reasonable accommodation to qualified employees and applicants with disabilities;

(2) Determine whether the request for reasonable accommodation can be granted without the need of DPM and Advisory Team review. If the request can be granted, implement the accommodation; and

(3) Issue an acceptance or denial of reasonable accommodation letter to the employee if an accommodation request is accepted or denied after review by the Reasonable Accommodation Advisory Team.

d. NETC DPM will:

(1) Facilitate the operation of the reasonable accommodation program by reviewing requests for accommodation for employees and applicants for completeness, initiating the interactive process with the requesting employee and management official, and evaluating the necessary actions required to promptly, effectively, and reasonably accommodate qualified employees with disabilities;

(2) Advise management officials regarding their roles and responsibilities with regard to the reasonable accommodation process and assists them in promptly responding to requests for accommodation;

(3) Assist management officials in assessing reasonable accommodation requests to determine whether an employee or applicant meets the definition of a qualified individual with a disability;

(4) Review acceptance/denial of reasonable accommodation request letters for deciding officials to provide to employees, applicants, or agents. The letter shall advise the employee of his or her right to seek reconsideration, invoke Alternate Dispute Resolution, file a grievance under a negotiated grievance procedure, or file an EEO complaint;

(5) Advise on the reassignment of an employee to an equivalent or non-equivalent vacant, funded position in instances where a valid reasonable accommodation request cannot be met; and

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e. As a member of the Reasonable Accommodation Advisory Team, will review the reasonable accommodation request and documentation to determine whether the employee is entitled to a reasonable accommodation or if an accommodation would cause an undue hardship to the command or activity.

f. The NSTC Office of General Counsel (OGC) shall:

(1) Review and certify for legal compliance case files in cases where a denial of a request for reasonable accommodation is necessary;

(2) Provide legal advice and guidance to the Reasonable Accommodation Advisory Team, DPM, supervisor, and deciding official; and

(3) Participate as a member of the Advisory Team, as needed.

g. NSTC N1 Reasonable Accommodation Liaison shall:

(1) Track reasonable accommodation requests;

(2) Ensure all requirements of the reasonable accommodation process are met; and

(3) Provide reasonable accommodation case reports to NETC as needed.

5. Point of Contact. The NSTC RAPM may be contacted at commercial phone: (847) 688-2682 extension 146 or DSN: 792-2682. The NSTC RAPM shall be contacted when a reasonable accommodation request is made to ensure proper tracking and for NETC DPM contact information.



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List 3 and 4