



DEPARTMENT OF DEFENSE
Defense Commissary Agency
Fort Lee, VA 23801-1800

DIRECTOR'S POLICY

Reasonable Accommodation for Qualified Individuals with Disabilities

DP 500-12
September 30, 2011

Equal Employment Opportunity
OPR: DeCA/CCE

1. PURPOSE. This policy sets forth the Director's support of reasonable accommodations for Qualified Individuals with Disabilities in accordance with Executive Order 13164 dated July 26, 2000.

2. POLICY STATEMENT.

a. The Defense Commissary Agency (DeCA) is committed to maintaining a workplace for all qualified employees and applicants that is based on merit and without regard to limitation not affecting the essential functions of the position. To this end, DeCA will provide reasonable accommodations to employees and applicants who are Qualified Individuals with Disabilities.

b. A Qualified Individual with a Disability is someone who: (1) has a physical or mental impairment that substantially limits one or more major life activities; (2) has a record of such an impairment; or (3) is regarded as having such an impairment, who also is able to perform the essential functions of the position with or without reasonable accommodation. The impairment must also be permanent or long-term. Individuals with temporary disabilities and those who are unable to perform all of the essential functions of their assigned position, with or without accommodation, are not considered Qualified Individuals with a Disability.

c. Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, eating, sleeping, standing, sitting, reaching, lifting, bending, reading, concentrating, thinking, communicating, interacting with others, and working. Bodily functions include lymphatic, musculoskeletal, reproductive, immune system, special sense organs and skin, normal cell growth, digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, and hemic. The burden is on the employee to demonstrate that he or she has an impairment that substantially limits a major life activity. Substantially limits means that the impairment prevents or severely restricts the individual from doing activities that are of central importance to most people's daily lives. Normally, this includes current documentation that describes the nature, severity, and duration of the impairment; the activity or activities that the impairment limits; and the extent to which the impairment limits the employee's ability to perform.

d. Reasonable accommodation is a logical and practical change or adjustment to the nonessential function of a job or work environment that makes it possible for an individual to continue to perform the essential functions of the job in question. Accommodations are determined on a case-by-case basis,

essential functions of the job in question. Accommodations are determined on a case-by-case basis, taking into consideration the needs of the applicant or employee, his or her specific disability, the essential functions of the position in question, the work environment, and the reasonableness of the proposed accommodation. The essential functions of a job are those duties that are so fundamental to the position that the individual cannot do the job without being able to perform them. A key ingredient of establishing reasonable accommodation is the "interactive process." The interactive process describes the continuing communication between the employee who requested accommodation and the DeCA official who will make the decision about the requested accommodation. The DeCA official who will ultimately make the decision on accommodation should take a proactive approach in searching out and considering possible accommodations. This includes consulting appropriate resources for assistance. On-going communication between DeCA officials and the employee/applicant is particularly important where the specific limitation, problem, or barrier is unclear; where effective accommodation is not obvious; or where the parties are considering different possible reasonable accommodations.

3. RESPONSIBILITY.

- a. All DeCA employees and applicants with permanent disabilities seeking reasonable accommodation are responsible for demonstrating their impairment substantially limits a major life activity such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, or working. Additionally, they are responsible to communicate their specific accommodation need(s) to the Agency.
- b. When requesting reasonable accommodations, employees with disabilities and their managers/supervisors are required to participate in an interactive process.
- c. Managers and supervisors shall ensure that all requests for accommodation are handled and processed in a timeframe that is customary and reasonable between the employee and management. Managers and supervisors must keep the employee or applicant informed and the progress of the accommodation request.
- d. All managers and supervisors are hereby required to submit the completed (DeCA Form 55-2) Reasonable Accommodation Requests to Headquarters' Equal Employment Opportunity Office (DeCA/CCE). DeCAF 55-2 is available on FormFinder.
- e. DeCA/CCE will track all reasonable accommodation requests using a database that will be reviewed quarterly for the number and type of reasonable accommodations for employees and applicants.

I expect every manager, supervisor, and employee to respect and value employees with disabilities and to support the DeCA reasonable accommodation process. We must all work together to foster a harmonious and wholesome work environment for all DeCA employees regardless of status.

4. EFFECTIVE DATE. This Policy is effective immediately.


Joseph H. Jeu
Director