



**DEFENSE HEALTH AGENCY**  
7700 ARLINGTON BOULEVARD, SUITE 5101  
FALLS CHURCH, VIRGINIA 22042-5101

January 26, 2021

MEMORANDUM FOR ALL DEFENSE HEALTH AGENCY EMPLOYEES

SUBJECT: Reasonable Accommodation for Individuals with Disabilities Policy

The Defense Health Agency (DHA) is committed to providing reasonable accommodation 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 updated policy is to increase the awareness of managers and supervisors responsible for providing expanded opportunities for individuals with disabilities in the DHA workforce.

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. A “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, and employment practice, or the work environment, that makes it possible for a “qualified individual with a disability” to enjoy an equal employment opportunity, unless to do so would cause an undue hardship.

A “qualified individual with a disability” refers to a disabled individual who meets the job-related skills, experience and education requirements, and who, with or without a 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 of that individual’s major life activities, a history of such 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.

Reasonable accommodation apply to DHA civilian employees and applicants who have a physical or mental impairment that substantially limits one or more of an employee’s major life activities. Substantial limitations are evaluated in terms of the severity of the limitation and the length of time it restricts a major life activity. Major life activities include, among other activities, caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, concentrating, interacting with others, and working. 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. The DHA supports the use of reasonable accommodation(s) in the workplace, especially the employment of individuals with disabilities.

The DHA employee must inform the agency a reasonable accommodation is needed. Requests for reasonable accommodation do not have to be in writing; an employee may request accommodations in a face-to-face conversation or using any other method of communication. Once requested, the employee must complete and submit a request for reasonable accommodation DHA Form 31 to his/her supervisor, unless *extenuating circumstances* prevent submitting. “Extenuating circumstances” are unforeseen or unavoidable events or factors that could not reasonably have been anticipated or avoided, i.e., the employee is incapacitated or unable to complete and submit the request. In this instance, a representative or the supervisor may fill out the form and submit to the servicing the Equal Employment Opportunity office on behalf of the requesting employee.

The maximum time for processing and providing reasonable accommodation decisions to an applicant or employee shall not exceed 30 business days from the date of DHA’s 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. For example, further clarification needed on medical condition(s) to better accommodate the employee.

If the first line supervisor cannot approve or make a decision on the reasonable accommodation(s) request (DHA Form 31) then, he/she must forward the request, and any supporting documents, to the second-line supervisor in the chain of supervision for review and make a decision within 7 business days. The DHA Disability Program Manager (DPM) will conduct a follow-up if it does not receive a response to approve or disapprove of the request within 14 business days.

Supervisors approving requests for office equipment or computer/electronic equipment, will be required to apply on-line to Department of Defense Computer/Electronic Accommodations Program (CAP) at [www.CAP.mil](http://www.CAP.mil) for approval and availability of funds. If CAP is unable to fund requests, supervisors will provide the DHA DPM documentation of denial of funding, and work with DHA DPM to fund a request. Finally, supervisors will implement a request if approved.

Approval or disapproval of request will be the responsibility of the manager or supervisor only. Prior to action, forward the DHA Form-31 to the DHA DPM for review. The DHA DPM and Office of General Counsel (OGC) will provide guidance only in the process. If the supervisor cannot approve accommodation(s), forward the reasons for disapproval to the DHA DPM for consultation with OGC or the servicing legal office.

Once a requested action is approved or rejected, the supervisor will retain the original (with documentation), and forward a copy (without documentation) of the DHA Form 31 to the requester, and the DHA DPM for retention. The supervisor will notify the DHA DPM by e-mail or letter when accommodation(s) have been completed. The DHA DPM will file correspondence in the case file closing out the reasonable accommodation.

Managers and supervisors will be trained annually on their responsibilities pertaining to procedures for reasonable accommodation. Training may be accessed through the Joint Knowledge Online (JKO) at [www.jko.jfcom.mil](http://www.jko.jfcom.mil) for course: JS-US330, Reasonable Accommodations Training Course (1 hour).

Executive Order 13164 requires all Federal Agencies to establish procedures on handling requests for reasonable accommodation, and should anticipate the expenses of reasonable accommodation and include those expenses in their agency-wide budget planning and requests for each fiscal year. The DHA will establish reasonable accommodation funding, managed by the DHA Disability Program Manager (DPM).

The reasonable accommodation request DHA Form 31 and Reasonable Accommodation, DHA AI 1020.01 which set procedures, responsibilities, and implement guidance for administering the DHA Reasonable Accommodation Program in accordance with federal guidelines can be found at <https://info.health.mil/cos/EODM/DocumentsInfo/Forms/AllItems.aspx>.

If you have questions or concerns regarding the Reasonable Accommodation Program or the reasonable accommodation request procedures, you may contact Equal Opportunity Diversity Management Division at [dha.ncr.eeo.mbx.eodm@mail.mil](mailto:dha.ncr.eeo.mbx.eodm@mail.mil).

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