



Civil Rights Directorate

Reasonable Accommodations: Frequently Asked Questions

Q: What is reasonable accommodation?

A: Reasonable accommodation is a change or adjustment to a work environment that permits a qualified applicant or employee with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy the benefits and privileges of employment equal to those enjoyed by employees without disabilities.

Reasonable accommodation may include acquiring or modifying equipment or devices; job restructuring; part-time or modified work schedules; reassignment to a vacant position; adjusting or modifying examinations, training materials, or policies; providing readers and interpreters; making the workplace readily accessible to and usable by people with disabilities.

Q: Who is an individual with a disability?

A: An individual with a disability 1) has a physical or mental impairment that limits one or more of the person's major life activities, 2) has a record of such impairment, or 3) is regarded as having such impairment.

Q: Who is considered a qualified individual with a disability?

A: A qualified individual with a disability has the skills, experience, education, and other requirements of the job the individual holds or desires and can perform the essential functions of the position with or without reasonable accommodations.

Q: Who is responsible for granting Reasonable Accommodations?

A: The requestor's supervisor or someone within the supervisory chain of command (Decision Maker).

Q: What steps Decision Makers or designees take after receiving a request for reasonable accommodation?

A: After the Decision Maker or appropriate Coast Guard official receives a request for accommodation, the next step is for the parties to begin an interactive process. This involves dialog between the individual requesting the accommodation and the Decision Maker to determine specifics about the requested accommodation, alternatives, the need for additional documentation, or information. The employee or applicant requesting the accommodation must cooperate throughout this process.

During this process, the name of the Decision Maker should be provided to the individual requesting the accommodation; and a plan of action the Decision Maker will take during the course of the accommodation deliberation.

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Q: May the Decision Maker request documentation from the individual requesting the reasonable accommodation?

A: Yes. When the disability and/or the need for accommodation is not obvious, the Decision Maker may ask the individual for reasonable documentation about his/her disability and functional limitations. The Decision Maker is entitled to know whether the individual has a qualified disability for which s/he requests a reasonable accommodation. **[Decisions Makers are urged to contact a servicing Civil Rights Service Provider for technical assistance. Medical information is privacy protected and must remain handled accordingly and confidential.]**

Q: Are there situations when the Decision Maker cannot ask for documentation?

A: Yes. A Decision Maker cannot ask for documentation when: 1) both the disability and the need for reasonable accommodation are obvious, or 2) the individual has already provided the Decision Maker or the Coast Guard with sufficient information to substantiate that s/he has an qualified disability and is in need of the requested accommodation.

Q: How long do decisions for Reasonable Accommodations take?

A: Coast Guard procedures require a Decision Maker to make a written decision within fifteen (15) business days of receipt of the request for accommodations; and to knowledge receipt of a request within five (5) business days using form CG-6080 (Confirmation of Request for Reasonable Accommodation).

Q: When would a request for a Reasonable Accommodation get denied?

A: A reasonable accommodation request may be denied for a number of reasons, such as a failure to provide sufficient medical documentation; the requestor is not a disabled individual within the purview of Title VII; the accommodation requested would create an undue financial burden; the accommodation would create an undue administrative burden; and the change or exception would fundamentally alter the nature of the Coast Guard's mission or business.

Q: Do requests for Reasonable Accommodations need to be in writing?

A: No. Employees may request accommodations both orally, and in writing from their first level supervisor or "Decision Maker," servicing Human Resources Specialist (HRS) or Command Staff Advisor (CSA). As stated above, Coast Guard management must confirm receipt in writing by completing the form entitled Acknowledgement of Request for Reasonable Accommodation, CG-6080.

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Q: Who can request Reasonable Accommodations?

A: Any Coast Guard member, family member, healthcare professional, job applicant, or a representative of the member or applicant. When requests are made on behalf of the member or applicant, to the extent possible, the individual with a disability should be contacted to confirm that he/she in fact wishes the accommodation.

Q: What requests are not considered forms of Reasonable Accommodations?

A: The Coast Guard does not have to get rid of an essential function of a job or lower production standards that it has for all employees in the same job category. Also, the Coast Guard in general is not obligated to provide personal use items, such eyeglasses, wheelchair or hearing aids that a person uses both on and off the job.

Q: Does the Coast Guard have to change an individual's supervisor as a form of reasonable accommodation?

A: No. The Decision Maker does not have to change an employee's supervisor as a reasonable accommodation. Although Coast Guard is not required to change an employee's supervisor as a form of reasonable accommodation, a supervisory method may be altered as a form of reasonable accommodation.

Q: Should managers withhold discipline or termination of an employee who, because of a disability, violated a conduct rule that is job-related for the position in question and consistent with business necessity?

A: No. Management must not excuse a violation of a uniformly applied conduct rule that is job-related and consistent with business necessity. Management must not tolerate or excuse violence, threats of violence, stealing, or destruction of property. Management may discipline an employee with a disability for engaging in such misconduct if it would impose the same discipline on an employee without a disability.

Q: What are some examples of reasonable accommodations?

- Making existing facilities readily accessible to and usable by persons with disabilities;
- Acquiring or modifying equipment or devices;
- Adjusting or modifying examinations or policies;
- Adapting computer software/equipment;
- Providing flexible time lines for program completion;
- Providing qualified readers, note takers, and/or sign language interpreters;
- Providing alternative print formats

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Q: Will my personal medical information be protected if I request a reasonable accommodation?

A: Yes. The Decision Maker or any other Coast Guard official who receives information in connection with a request for reasonable accommodation must protect such information to the extent possible and only share information on a need to know basis in order to make determinations about the reasonable accommodation request. (See Chapter 6, Section C, Part 6, COMDTINST M5350.4C for specific rules governing the confidentiality of medical information.)

Q: Is the Coast Guard relieved of its obligation to provide a Reasonable Accommodation for an employee with a disability who fails to take medication, to obtain medical treatment, or to use an assistive device (such as a hearing aid)?

A: No. The Americans with Disabilities Act (ADA), as amended, requires an employer should act to provide reasonable accommodation to remove workplace barriers, regardless of what effect medication, other medical treatment, or assistive devices may have on an employee's ability to perform the job. However, if an employee with a disability, with or without reasonable accommodation, cannot perform the essential functions of the position or poses a direct threat in the absence of medication, treatment, or an assistive device, then s/he is unqualified.

Q: Are there other resources for Reasonable Accommodations?

A: Yes. There are several organizations that the Coast Guard has partnered with in order to provide quality reasonable accommodation services to Coast Guard employees. The Department of Transportation (DOT) Disability Resource Center (DRC), Department of Defense (DoD) Computer Accessibility Program (CAP), and Job Accommodation Network (JAN) are several resources that provides job accommodations and related services to Coast Guard employees. Please contact your local Civil Rights Service Provider at <http://www.uscg.mil/hq/cg00/cg00h/ServiceProviders.asp> for more information.

Q: Does the Coast Guard have central funding for requests like chairs or footstools?

A: Yes. Neither the Disability Resource Center (DRC) nor Computer Accessibility Program (CAP) will fund items such as chairs or footstools. However, these items may be paid for through Coast Guard's central funding and or through local unit or component organizational funds, depending upon the circumstances.

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Q: Who is responsible for maintaining reasonable accommodation records?

A: The Civil Rights Directorate is responsible for collecting, reviewing and analyzing reasonable accommodation activity on a quarterly basis. Annually, an aggregate report, without names, is submitted to the U.S. Equal Employment Opportunity Commission through DHS.