



DEPARTMENT OF THE ARMY
WATERVLIET ARSENAL
1 BUFFINGTON STREET
WATERVLIET, NY 12189-4000

TAWV-EE

27 July 2023

MEMORANDUM FOR ALL WATERVLIET ARSENAL (WVA) EMPLOYEES

SUBJECT: Reasonable Accommodation of Disabilities and Personal Assistance Services (PAS) – Policy Memo No. 23

1. References:

a. The Rehabilitation Act of 1973, 29 U.S.C. § 701, et seq., Sections 501, 505, and 508 (codified at 29 U.S.C. §§ 791, 794a, and 798 respectively).

b. Rehabilitation Act, 29 C.F.R. § 1614.203(d)(5).

c. Equal Employment opportunity Commission Questions and Answers: Federal Agencies' Obligation to Provide Reasonable Accommodation and Personal Assistance Services (PAS) under Section 501 of the Rehabilitation Act, September 18, 2017 (<https://www.eeoc.gov/laws/guidance/questions-answers-federal-agencies-obligation-provide-personal-assistance-services>)

2. Our agency is committed to assuring equal employment opportunities and equal access to services, programs, and activities which includes providing reasonable accommodation to a qualified individual with a disability to enable such individual to perform the essential functions of the position for which he/she is applying or in which he/she is employed. We will provide for and promote the prompt, fair, and efficient processing of requests for reasonable accommodations, as well as ensure that managers and supervisors of these employees comply with the mandates of the Rehabilitation Act of 1973, as amended.

3. A Reasonable Accommodation (RA) is defined as: a change in the work environment in the way things are customarily done that would enable an individual with a disability (IWD) to enjoy equal employment opportunities. There are three categories of RA:

a. Modifications or adjustments to a job application process to permit an IWD to be considered for a job;

b. Modifications for adjustments necessary to enable a qualified IWD to perform the essential functions of the job; or

c. Modifications or adjustments that enable IWDs to enjoy equal benefits and privileges of employment.

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4. This policy applies to all employment practices and actions. It includes, but not limited to recruitment, job application process, hiring, training, disciplinary actions, rate of pay, or other compensation, advancement, transfer, classification, reassignment, and promotions.
5. Upon receiving a request from an employee for RA and/or PAS, supervisors will contact the Equal Employment Manager (see paragraph 12 below), who will coordinate further services with an available Disability Program Manager as needed. Working in conjunction with the Equal Employment Manager, the Disability Program Manager will advise the supervisor in properly responding to such requests.
6. Requests for PAS are required to be approved, modified or denied within 30 business days from the date of the request.
7. When it is necessary to obtain medical information to determine the eligibility of the requesting employee, the decision maker must coordinate requesting medical documentation with the WVA EEO Office prior to providing the medical request to the employee.
8. The decision maker must notify the EEO Office before a RA request can be denied. The EEO Office will, in turn, coordinate the request with the Legal Office. The decision maker must notify the employee requesting RA, in writing, of the denial. The explanation for the denial must clearly state the specific reason(s) for the denial. All denials must inform the individual that she/he has a right to file an EEO complaint.
9. The RA request form and RA policy can be found in WVA SharePoint under the Equal Employment Opportunity folder.
10. Expiration: This policy will remain in effect until rescinded or superseded.
11. Proponent: The proponent for the is policy is the Equal Employment Manager for WVA, Lisbeth Lowe, at ext. 4608 or lisbeth.lowe.civ@army.mil.

ALAIN G. FISHER
Colonel, LG
Commanding