

CONFIDENTIALITY REQUIREMENTS

Under the Rehabilitation Act, medical information obtained in connection with a reasonable accommodation request must be kept confidential. All medical information, including information about functional limitations and reasonable accommodation needs, must be kept in files separate from the employee's personnel file. It also means that any employee who obtains or receives such information is strictly bound by these confidentiality requirements.

DISCLOSURE OF INFORMATION

The information may be disclosed only as follows:

1. Supervisors, managers, or advisory personnel who have a need to know will be told about necessary restrictions on the work or duties of the employee and about the necessary accommodation(s). Medical information will only be disclosed on a need to know basis.

2. Emergency Management, First Aid or Safety officials and personnel may be informed, when appropriate, if the disability might require emergency treatment.

3. Appropriate government officials may be given information necessary to investigate the agency's compliance with the Rehabilitation Act.

4. The information may in certain circumstances be disclosed to the workers' compensation office of insurance carriers.

Whenever medical information is disclosed, the individual disclosing the information must inform the recipients about the confidentiality requirements.

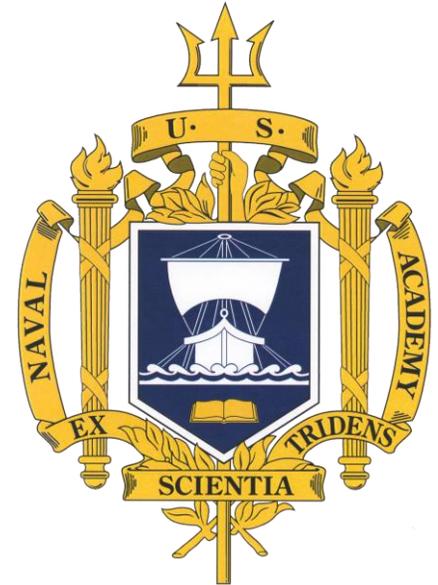
DO INDIVIDUALS WHO USE DRUGS ILLEGALLY HAVE RIGHTS UNDER THE ADA?

Anyone who is currently using drugs illegally is not protected by the Americans with Disabilities (ADA) and may be denied employment or fired on the basis of such use. The ADA does not prevent employers from testing applicants or employees for current illegal drug use.



For Additional Information Contact our
Equal Employment Opportunity Office
(410) 293-3558

UNITED STATES NAVAL ACADEMY EQUAL EMPLOYMENT OPPORTUNITY (EEO)



REQUESTING REASONABLE ACCOMMODATIONS:

AN EMPLOYEE'S GUIDE

REASONABLE ACCOMMODATION

Reasonable accommodation is a change in the work environment or in the way things are customarily done that would enable an individual with a disability to enjoy equal employment opportunities.

RESOURCES

To obtain additional information on available accommodations contact:

USNA EEO

410-293-3558

DoD computer/electronic accommodations program (CAP)

<http://www.cap.mil>

Job accommodation network (JAN), U.S. Department of Labor

<http://askjan.org/>

INDIVIDUAL WITH DISABILITY (IES)/ DISABLED INDIVIDUAL

An individual with a disability /Disabled Individual is one who:

1. Has a physical or mental impairment which substantially limits one (1) or more of such person's major life activities;
2. Has a record of having such an impairment; or
3. Is regarded as having such impairment.

MAJOR LIFE ACTIVITIES

Functions, such as caring for one's self, performing manual tasks, walking, seeing, breathing, learning, sleeping, and working.

REASONABLE ACCOMMODATION PROCEDURES

1. An employee or someone acting on their behalf (family member, health professional, or other representative) may submit a request for reasonable accommodation. This request must be submitted to the employee's supervisor/manager.
2. The request for reasonable accommodation must contain the following information:
 - a. Information on the requested accommodation (i.e., services of interpreter, ergonomic chair, computer equipment, etc.);
 - b. Where the disability and/or functional impairments are not obvious, the employee must provide appropriate medical documentation.
3. Employees are encouraged to submit request for reasonable accommodations in writing.
4. RA requests will be processed within 30 calendar days upon submitting a request.

DENIAL OF REQUEST

When a request for reasonable accommodation is denied, the employee will be notified in writing. The written request will notify the employee of the reason(s) for the denial. If a specific request is denied but an alternate form of

accommodation is offered in its place, the employee will be informed of the offer of an alternate accommodation. The denial will also provide the employee with information on the right to:

1. Participate in the Alternative Dispute Resolution (ADR) Process;
2. File a request for reconsideration; or
3. File an informal Equal Employment Opportunity (EEO) complaint to include the timeframes and point of contact for filing such a claim.

ALTERNATIVE DISPUTE RESOLUTION (ADR) PROCESS

1. An employee may voluntarily elect to utilize the ADR process to resolve the denial of their reasonable accommodation request.
2. An employee must submit their request to utilize the ADR Process to the EEO Office within 14 calendar days of receipt of their denial notice.
3. If the issue(s) are not resolved in the ADR process, the initial denial will remain in effect. The employee will have 14 calendar days from the conclusion of the ADR process to submit a request for reconsideration. In lieu of filing a request for reconsideration, the employee may file an informal EEO complaint within 45 calendar days of the alleged discriminatory matter. **ADR is highly encouraged for resolving reasonable accommodation cases.**