



## Military and Naval Affairs

KATHY HOCHUL  
Governor  
Commander-in-Chief

RAYMOND F. SHIELDS, JR.  
Major General  
The Adjutant General

MNAG-TAG

1 MAR 2022

MEMORANDUM FOR SEE DISTRIBUTION


SUBJECT: Reasonable Accommodation Policy

1. This policy is applicable to all members assigned to the State's Organized Militia, including the New York Army National Guard, New York Air National Guard, New York Naval Militia, New York Guard, and all Federal and State employees of the Division of Military and Naval Affairs.
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 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.
4. Personal Assistance Services (PAS), the process for determining whether PAS are required (including whether the individual has a targeted disability), and Disability Program Manager's right to deny a request for PAS when providing PAS would pose an undue hardship, are the same as those for requests for reasonable accommodation provided in this directive.
5. Commanders, Supervisors, Service Members, Title 32 Technicians, and Title 5 Employees will follow the procedures outlined in the New York National Guard Reasonable Accommodation (RA) Program to request a reasonable accommodation. The RA request form and RA policy can be found at <http://dmna.ny.gov/eo/resources/>.

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6. Medical information pertaining to a RA request will only be given to the reasonable accommodation medical officer and the reasonable accommodation manager.
7. State Employees and Supervisors of State Employees will follow the procedures outlined in the Governor's Office of Employee Relations (GOER) Reasonable Accommodation Policies found at <https://goer.ny.gov/reasonable-accommodation>.
8. 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.
9. Employees may address questions regarding this policy to the following agency personnel:
  - a. Federal Employees, Soldiers, and Airmen will contact the Federal Employee/Human Resource Specialist (EHRS), Mr. Stephen Anthony Clemente, at 518-786-4727.
  - b. State Employees will contact the agency's Designee for Reasonable Accommodation (DRA), Mrs. Tina Lehning, or the alternate DRA, Mrs. Laurie Romer, at 518-786-4830 for reasonable accommodation matters.
  - c. New York Guard and Naval Militia members may also contact the State Employees DRA's at 518-786-4830 for assistance with this policy.
10. This policy supersedes memorandum, MNAG-TAG, 6 July 21, subject: Equal Employment Opportunity/Reasonable Accommodation Policy.



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Major General, NYARNG  
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