



State of New Jersey
DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
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TAG POLICY LETTER 22-04*

20 July 2022

**REASONABLE ACCOMMODATION, ANTI-DISCRIMINATION ON DISABILITY, AND
PERSONAL ASSISTANCE SERVICES POLICY**

This TAG Policy Letter is applicable to Federal Technicians and Competitive Civil Servants who work for the New Jersey National Guard.

1. Presidential Executive Order 13164, the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendment Act (ADAAA) of 2008 provides for non-discriminatory treatment, an environment free of harassment, and the establishment of written Reasonable Accommodations (RA) procedures for individuals with a disability.
2. The New Jersey National Guard does not condone discrimination or harassment against applicants for employment or federal civilian employees based on disability. The law prohibits discrimination or harassment when it comes to any aspect of employment including hiring, discharge, compensation, job assignment, promotions, training, benefits, and any other term or condition of employment. Employment actions and decisions must be made fairly and without bias. Employment opportunities shall not be denied because of the need to make reasonable accommodations for an individual's disability.
3. Applicants for employment and employees with disabilities will be afforded the opportunity to request a reasonable accommodation to eliminate workplace barriers so a qualified employee or applicant can perform the essential functions of a job or apply for employment within the organization. Employees with targeted disabilities will be afforded the opportunity to request Personal Assistance Services (PAS) to perform activities of daily living during work hours and job-related travel.
4. As appropriate, supervisors, employees and/or applicants will engage in an interactive process to identify viable options for RA and PAS requests. This interactive process may include discussion with the State Equal Employment Manager (SEEM), with HRO professionals, relevant medical professional and others. Approval of RA and PAS requests may also require the employee to provide appropriate supporting medical documentation.
 - a. **DISABILITY DEFINED.** A person may be disabled if:
 - (1) they have a physical or mental condition that substantially limits a major life activity (such as walking, talking, seeing, hearing or learning);
 - (2) they have a history of disability (such as cancer remission); and/or
 - (3) they are believed to have a physical or mental impairment that is not transitory (lasting or expected to last six [6] months or less) and minor even if the individual does not have an impairment.

****This document supersedes TAG Policy Letter 15-6 dated 1 July 2019.***

a. **REASONABLE ACCOMMODATION DEFINED.** Any modification, adjustment or change to the work environment (or in the way, manner or circumstances in which things are usually done) to help a person with a disability apply for a job, perform the duties of a job, or enjoy the benefits and privileges of employment.

3. The Office of Primary Responsibility for this TAG Policy Letter is the SEEM. The contact information is as follows:

New Jersey National Guard
JFHQ-NJNG
Office of Equality, Diversity and Inclusion
EO/EEO
Room 212 B
3650 Saylor's Pond Road
JB-MDL, NJ 08640
(609) 562-0856

4. Advice and assistance in all matters concerning Disability Anti-Discrimination, Reasonable Accommodation, and Personal Assistance Services is provided by the SEEM. All commanders and supervisors will ensure the widest possible dissemination of this policy to their personnel and ensure that this policy is posted on all unit/facility bulletin boards.



LISA J. HOU, D.O.
Brigadier General, NJARNG
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