DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3000 MARINE CORPS PENTAGON
WASHINGTON, DC 20350-3000

MCO 12810.1
MPC-40
31 JAN 2008

MARINE CORPS ORDER 12810.1

From: Commandant of the Marine Corps
To: Distribution List

Subj: FEDERAL EMPLOYEES' COMPENSATION ACT PROGRAM

Ref: (a) Title 5, United States Code, Part III, "The Federal Employees' Compensation Act (FECA)," January 3, 2005
(b) Title 20, Code of Federal Regulations, Part 10, "Claims for Compensation Under the Federal Employees' Compensation Act," February 14, 1975
(c) Federal Employees Compensation Act (FECA) Procedure Manual, Part 2 (NOTAL)
(d) DOD 1400.25-M, "Department of Defense Civilian Personnel Manual (CPM)," December 1, 1996

1. Situation. To establish Marine Corps policy, procedures, and responsibilities for management of the Federal Employees Compensation Act (FECA) Program in accordance with references (a) through (e).

2. Mission

a. FECA provides compensation and medical care for all civilian employees of all branches of the Government for disability due to personal injuries sustained while in the performance of duty. It also allows employees to receive workers' compensation benefits for a disease/illness as a result of their employment. The Act also provides for the payment of funeral and burial expenses and compensation for dependents if the injury or disease causes the employee's death.

b. Reference (a) provides the statutory basis of entitlement to compensation benefits for Federal employees. Reference (b) fully describes the provisions of the law and contains additional information about the administration of the FECA Program. Reference (c) describes in detail the procedures which the Department of Labor (DOL), Office of Worker's Compensation Program (OWCP), uses to process claims. Reference (d) guides and instructs the Injury Compensation Program Administrators (ICPAs) in the performance of their duties and the requirements of the FECA Program.

DISTRIBUTION STATEMENT A: Approved for public release; distribution is unlimited.

3. Execution

a. Commanders Intent and Concept of Operations

(1) Commander's Intent. This Order applies to all Marine Corps activities/commands employing appropriated fund Civilian Marines. Non-appropriated fund employees are covered by the Longshoreman Act.

(2) Concept of Operations. The Marine Corps is committed to providing a safe and healthy work environment for our civilian Marine employees. When an employee suffers an injury or illness in the performance of his/her duties, the employee will receive appropriate compensation and medical care.

b. Coordinating Instructions. The following responsibilities are assigned.

(1) Commandant of the Marine Corps, Headquarters Marine Corps (HQMC) FECA Program Manager (MPC-40)

(a) Exercise oversight and administration of the Marine Corps FECA Program.

(b) Provide policy, advice, and guidance to FECA Program officials.

(c) Represent the Marine Corps on FECA issues with the Department of Defense (DOD), Department of the Navy, and other outside agencies.

(2) Director, Marine Corps Staff, HQMC; Commanding General (CG), Marine Corps Installations (MCI) East; CG, MCI West; CG, Marine Corps Logistics Command; and CG, Marine Corps Base, Camp Butler

(a) Issue a FECA policy letter to:

1. Establish a FECA Working Committee in accordance with reference (d). Committees at activities/commands with greater than $1 million in claims must meet at least quarterly; those with less than $1 million in claims must meet at least annually.

2. Identify one (1) FECA Program Coordinator in each of the Human Resources Offices (HROs) under their authority.

The FECA Program Coordinator may also perform the responsibilities of the ICPA as identified in paragraph 3b(6).

3. Identify one (1) full-time FECA Fraud Investigator to assist the command in pursuing alleged cases of fraud. If resources are not available for a full-time position, obtain services elsewhere (e.g., entering into a Memorandum of Understanding with a Marine Corps activity/command employing a FECA Fraud Investigator).

4. Establish a limited duty/return to work program for employees receiving workers' compensation benefits.

(b) Implement the FECA Program within their commands in accordance with this Order and all applicable laws, rules, and regulations.

(3) FECA Program Coordinators

(a) Ensure the FECA Program policy is implemented throughout activities under their purview.

(b) Act as liaison between the FECA Program Manager (MPC-40) and ICPAs located at field activities.

(c) Develop and implement processes for maintenance of FECA case files with field ICPAs.

(d) Provide monthly status of the FECA Program and return to work programs to MPC-40 and activity head/commanders.

(4) Activity heads/commanders

(a) Execute the FECA Program and implement local policy.

(b) Monitor the status of the FECA Program to ensure proper controls, preventative measures, and required administrative actions are receiving adequate attention and effort.

(c) In accordance with reference (d), establish a FECA Working Committee to assist in the management of workers compensation claims and reduction of workplace hazards. The committee membership will be selected from within the activity as follows:

1. Chairperson (designated by the command)

2. Civilian Human Resources Representative

3. Injury Compensation Program Administrator

4. Safety Manager

5. Investigative Services Staff

6. Occupational Health Nurse

(d) Establish a strong return to work program utilizing DOD's Pipeline Management Program.

(5) CHRO Directors

(a) Provide overall management of the FECA Program in accordance with applicable references, this Order, and negotiated Labor Agreements.

(b) Ensure adequate resources are available to support execution of the FECA Program.

(c) Appoint ICPAs who will be located within each CHRO satellite office.

(d) Ensure the ICPA is a panel member of the FECA Working Committee.

(6) ICPAs

(a) Administer the provisions of this Order and local policy in accordance with the references.

(b) Assist supervisors, employees, and survivors of deceased employees in all aspects of the FECA Program.

(c) Serve as the central processing point to distribute necessary forms to supervisors and employees as needed, control suspenses, and review all applicable forms for accuracy prior to forwarding to the OWCP.

(d) Provide training and operational guidance to supervisors and employees concerning their responsibilities within injury compensation program.

(e) Ensure all information related to injury claims is entered in the DOL Electronic Data Interchange (EDI) in accordance with references (c) and (d).

(f) Work with OWCP rehabilitation counselors and field nurses on reemployment referrals and employees' return to work status. Ensure employees on the long-term rolls provide results of annual physicals to evaluate ability to return to work with case nurses, etc. Contact employee's physician to determine if there are any limitations the employee will have and develop a position description to accommodate the limitations for returning them to work in accordance with reference (a).

(g) Seek advice and guidance from the FECA Program Coordinator.

(h) Serve as a panel member on the FECA Working Committee.

(7) Supervisors

(a) Administer the provisions of this Order and local policy in accordance with the references.

(b) Enforce laws, rules, and regulations which govern safety and health, i.e., wearing of required personal protective equipment, clothing, etc. Ensure that employees receive regular safety and FECA training in accordance with the references and local policy.

(c) Notify the local safety office of work related injuries and report them to the ICPA immediately.

(d) Investigate all work related claims for validity.

(e) Maintain close communication with the ICPA to assist in the management and control of compensation costs. Also, maintain frequent contact with employees receiving workers compensation benefits in accordance with reference (a).

(f) Identify/assign light duty to injured employees in accordance with command policy. If nothing is available, explain the reasons to the ICPA in writing.

(8) Employees

(a) Adhere to references (a) through (d) and local policy.

(b) Observe safety and health laws, rules, regulations, and standard operating procedures to include the proper use of personal protective equipment and clothing.

(c) Report all injuries, illnesses, or recurrences immediately to the supervisor.

(d) Cooperate fully in the investigation of the injury/illness and with all FECA Program officials.

(e) Be available for light duty work when in a Continuation of Pay (COP), Leave Without Pay (LWOP) status, or receiving workers' compensation benefits.

(f) Inform supervisor of status changes such as medical or contact information.

4. Administration and Logistics. Reports will be requested on an as needed basis when information is not readily available through EDI. Additional information or assistance in any aspect of this Order may be obtained by contacting the FECA Program Manager, MPC-40, at (703) 784-9382.

5. Command and Signal

a. Command. This Order is applicable to the Marine Corps Total Force.

b. Signal. This Order is effective the date signed.

R. MAGNUS
Assistant Commandant
of the Marine Corps

DISTRIBUTION: PCN 0212550000