



**UNITED STATES MARINE CORPS**  
MARINE CORPS RECRUIT DEPOT/EASTERN RECRUITING REGION  
PO BOX 19001  
PARRIS ISLAND, SOUTH CAROLINA 29905-9001

IN REPLY REFER TO:  
DepO 12713.11  
EEO  
NOV 23 2009

DEPOT ORDER 12713.11

From: Commanding General  
To: Distribution List

Subj: PROCESSING REQUESTS BY CIVILIAN EMPLOYEES FOR REASONABLE  
ACCOMMODATION

Ref: (a) Section 501 of the Rehabilitation Act of 1973, as  
amended, 29 U.S.C. 791  
(b) Americans with Disabilities Act of 1990, AS AMENDED  
with ADA Amendments Act of 2008  
(c) Executive Order 13164 of 26 Jul 00  
(d) 29 Code of Federal Regulations 1630  
(e) EEOC Management Directive 715 (MD-715)  
(f) DON Civilian Human Resources Manual, Subchapter 1601,  
Equal Employment Opportunity Program Policy  
(g) DON Civilian Human Resources Manual, Subchapter 1606,  
Procedures for Processing Requests for Reasonable  
Accommodation

Encl: (1) Definition of Reasonable Accommodation Terms  
(2) Tri-Command Request for Accommodation

1. Situation. To establish procedures for processing requests for reasonable accommodation for civilian applicants and employees at the Marine Corps Recruit Depot, Eastern Recruiting Region, Parris Island, SC. This Order is intended to be used as a guide. Every request for reasonable accommodation must be reviewed, analyzed and decided on based upon the individual, attendant circumstances of the request.

2. Mission

a. In accordance with references (a) through (g), it is the policy of the Marine Corps Recruit Depot, Parris Island to provide reasonable accommodation to qualified employees and applicants with disabilities.

NOV 23 2009

b. All Command military and civilian supervisors and managers will provide reasonable accommodation to qualified employees or applicants with disabilities, unless doing so would cause an undue hardship on the Command.

c. It is the policy of the Department of the Navy to reassign a qualified employee with a disability to a vacant, funded position if that employee is unable to perform one or more of the essential functions of the employee's present position either with or without accommodation.

### 3. Execution

a. The Commanding General, Marine Corps Recruit Depot, Eastern Recruiting Region, Parris Island, is the Equal Employment Opportunity Officer (EEOO) and is responsible for ensuring that the requirements of references (a) through (g) are discharged appropriately for all organizations under the cognizance thereof. This includes:

(1) Ensuring that policies for processing reasonable accommodation requests are communicated clearly and implemented within the organizations under his/her cognizance.

(2) Ensuring that officials responsible for making decisions regarding reasonable accommodation requests and processing such requests are trained on program requirements including laws, higher level policies, and case decisions of the Equal Employment Opportunity Commission and the United States courts.

(3) Ensuring that all reasonable accommodation requests are processed and implemented expeditiously.

(4) Making the determination for placement of a current employee if several vacancies within the command are identified as possibilities for reassignment. This determination will be made with the support and assistance from the Command Deputy EEO Officer (DEEOO), Director Human Resources Office (HRO), and command legal counsel as required.

b. The Deputy Equal Employment Opportunity Officer (DEEOO), Human Resources Office, serves as the primary advisor to the EEOO on requirements and processes for reasonable accommodation. The DEEOO is responsible for:

NOV 23 2009

(1) Providing support, advice, and guidance to the EEOO and all personnel under his/her cognizance to execute these responsibilities.

(2) Tracking, monitoring, and reporting the number/types and processing times of reasonable accommodation requests.

(3) Ensuring that appropriate advice, guidance, and training on the processing of reasonable accommodation requests is provided to Command officials.

(4) Serving as the Command's liaison with designated officials of Headquarters Marine Corps, Manpower and Reserve Affairs.

(5) Reviewing all determinations to deny requests for reasonable accommodation in order to ensure compliance with this Instruction, all applicable laws, policies and binding case decisions.

(6) Assisting the Director, Human Resources Office and the command's legal counsel in determining whether or not the command's assessment that a current employee cannot be accommodated in their position of record and the command's subsequent job search efforts were thorough, complete, and in compliance with all applicable laws, policies, and binding case decisions.

(7) Assisting the Director, Human Resources Office and the Command's legal counsel in reviewing the DoN Human Resources Service Center's job search efforts on behalf of a current employee if no suitable, funded, vacant positions in the Command are identified.

(8) Assisting the Director, Human Resources Office, Command legal counsel, and the Human Resources Service Center in providing advice to the Commanding General or his/her designee if one or more of the vacancies within the command are identified as suitable possibilities for reassignment of a current employee of the command.

(9) Reviewing the HRSC's job placement determination, in collaboration with the Director, Human Resources Office and the command's legal counsel, if an employee who is not currently employed within the command is identified for placement in one or more of the command's current vacancies.

NOV 23 2009

(10) Tracking, monitoring, and reporting on all requests for accommodation, job search efforts, and final decisions for consistency and reporting purposes.

(11) Evaluating the quality and timeliness of activity reasonable accommodation procedures on an annual basis.

c. The Director of the servicing Human Resources Office for the Command is responsible for:

(1) Ensuring that sufficient resources are allocated to execute a reasonable accommodation process that is timely and efficient at the command and subordinate organizations.

(2) Coordinating with the DEEOO and the command's legal counsel to review the command's assessment that a current employee cannot be accommodated in their position of record and that the command/activity's subsequent job search efforts were thorough, complete, and in compliance with all applicable laws, policies, and court decisions.

(3) Coordinating with the DEEOO and the command's legal counsel to review the HRSC's job search efforts on behalf of a current employee if no vacancies are identified.

(4) Coordinating with the DEEOO, command legal counsel and the HRSC in providing advice to the Commanding General if one or more of the vacancies within the command are identified as possibilities for reassignment for a current employee of the command or DON.

(5) Reviewing the HRSC's job placement determination, in collaboration with the DEEOO and the command's legal counsel, if an employee not currently employed within the command is identified for placement in one or more of the command's current vacancies.

d. HR Specialists shall:

(1) Coordinate all reasonable accommodation requests with the appropriate Reasonable Accommodation (RA) point of contact.

(2) Process all reasonable accommodation requests in accordance within the provisions of reference (g).

NOV 23 2009

(3) Participate as a member of the Advisory Team when requested and appropriate.

e. The Reasonable Accommodation (RA) POC shall:

(1) Coordinate all reasonable accommodation requests.

(2) Ensure that all reasonable accommodation requests are processed in accordance within the provisions of reference (g).

(3) Involve appropriate personnel or the Advisory Team who will provide recommendations to the supervisor/manager responsible for making the decision on a request for reasonable accommodation.

(4) Ensure that the supervisor engages in on-going, informal interactive discussions with the individual seeking accommodation.

(5) Update the appropriate tracking and monitoring system for reasonable accommodation requests.

(6) Maintain all reasonable accommodation case files in a secure manner.

(7) Safeguard the confidentiality of medical information. Access to this information will be granted on a strictly limited basis.

f. The Command's Legal Counsel is responsible for:

(1) Providing legal advice and guidance to the HR/EEO community on reasonable accommodation.

(2) Providing information to the DEEOO, Director, Human Resources Office, and officials of the Command concerning decisions of the courts that may create new or amended requirements concerning reasonable accommodation.

(3) Coordinating with the DEEOO and the Director, Human Resources Office to review a command's assessment that a current employee cannot be accommodated in their position of record and that the command's subsequent job search efforts were thorough, complete, and in compliance with all applicable laws, policies, and binding case decisions.

NOV 23 2009

(4) Coordinating with the DEEOO and the Director, Human Resources Office to review the HRSC's job search efforts on behalf of a current employee if no vacancies are identified.

(5) Coordinating with the DEEOO, Director, Human Resources Office, and the HRSC in providing advice to the Commanding General if one or more vacancies within the command are identified as possibilities for reassignment for a current employee of the command or the DON.

(6) Reviewing the HRSC's job placement determination, in collaboration with the DEEOO and the HRO director, if an employee not currently employed within the command is identified for placement in one or more of the command's current vacancies.

g. The Advisory Team shall:

(1) Include, at a minimum, the RA POC, HR Specialist and the employee's first-level supervisor. As needed, the Advisory Team will consult with technical experts in safety, medical, legal, etc.

(2) Process all reasonable accommodation requests in accordance with the procedures outlined in this reference (g).

(3) Safeguard the confidentiality of medical information.

h. The Human Resources Service Center (HRSC) is responsible for:

(1) Conducting the designated job search once the activity determines the employee cannot be placed within their activity.

(2) Documenting the HRSC job search efforts.

(3) Determining the best-fit for job placement if there are multiple identified vacancies.

i. Managers and supervisors are responsible for:

(1) Contacting promptly the Command's Reasonable Accommodation Point of Contact upon receipt of a request for reasonable accommodation.

NOV 23 2009

(2) Participating as a member of the Advisory Team.

(3) Processing all reasonable accommodation requests in accordance with the procedures outlined in reference (g).

(4) Maintaining an open line of communication with the employee seeking an accommodation and engaging in on-going, informal discussion(s) with the employee during the reasonable accommodation process.

(5) Considering the use of Alternative Dispute Resolution techniques at any stage in the reasonable accommodation process to resolve any conflicts at the lowest level possible.

(6) Implementing the Department of the Navy's policy to provide reasonable accommodation to qualified employees and applicants with disabilities.

j. Employees and/or applicants for employment shall:

(1) Immediately notify their first-level supervisor or Reasonable Accommodation Point of Contact when it is believed that accommodation is required to perform one or more of the essential function(s) of their position of record.

(2) Participate actively in the interactive discussion portion of the reasonable accommodation process.

(3) Provide medical documentation, if requested, as part of the reasonable accommodation process.

4. Administration and Logistics. Any questions regarding this Order may be directed to the Equal Employment Opportunity Office at (843) 228-2647/4919.

5. Command and Signal

a. Command. This Order is applicable to all civilian personnel assigned to Marine Corps Recruit Depot, Eastern Recruiting Region, Parris Island, South Carolina.

DepO 12713.11

NOV 23 2009

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

  
R. L. GRABOWSKI  
Chief of Staff

DISTRIBUTION: A



NOV 23 2009

Definitions of Reasonable Accommodation Terms

Accommodation: An 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.

Agency: For purposes of these procedures, the agency is the Department of the Navy, including all of its claimancies and the activities within the claimancies.

Alternative Dispute Resolution (ADR): ADR is a process that parties agree to use, instead of formal adjudication, to resolve issues in controversy. ADR may include, but is not limited to, mediation. ADR does not replace traditional processes for resolving conflict, and employees do not waive any legal rights by participating in an ADR process. ADR expands the options available to disputants and provides prompt, cost effective, and equitable resolution to a person's concerns. All methods and attempts at ADR should be done in compliance with the terms found in the activity's negotiated agreements.

Appellate Authority: The appellate authority is a higher level management official designated by Echelon 1 and 2 Commands to evaluate an individual's request for reconsideration from a denial of an accommodation request.

Decision-maker: The decision-maker is typically an employee's first level supervisor. If the first-level supervisor is unavailable, the next level supervisor or manager in the immediate chain of command is the decision-maker. The HRSC employee identified in the vacancy announcement is typically the decision-maker for an applicant's request for accommodation in the application process. If that individual is unavailable, the first-level supervisor or manager in the immediate chain of command is the decision-maker for a request for accommodation in the application process. HRSC decision-makers for applicants have the same responsibilities as a supervisor decision-maker for employees.

Disability: A person with a disability is one who: (1) has a physical or mental impairment which substantially limits one or

NOV 23 2009

more of such person's major life activities; (2) has a record of such impairment; or (3) is regarded as having such an impairment. An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active. An impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability. The determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measures such as medication, medical devices, assistive technology; reasonable accommodations or auxiliary aids or services, or learned behavioral or adaptive neurological modifications. However, the ameliorative effects of the mitigating measures of ordinary eyeglasses or contact lenses shall be considered in determining whether an impairment substantially limits a major life activity.

Essential functions: The essential functions of a job are those job duties that are so fundamental to the position that the individual cannot do the job without being able to perform them. Determination of the essential functions must be based on the job as actually performed, not simply the components of a generic position description. Factors to consider include: (a) whether the position exists specifically to perform that function, (b) the experience of present or past employees in the job; (c) whether the function requires a degree of specialization or skill and the incumbent was hired based on his/her ability to perform it; (d) there are a limited number of other employees who could perform the function if it were assigned to them; (e) whether a written job description or terms of the collective bargaining agreement define the function as essential; (f) whether employees in the same or similar positions spend a significant amount of time performing the function; and (g) consequences of not performing the function.

Extenuating Circumstances: Extenuating circumstances are factors that could not reasonably have been anticipated or avoided in advance of the request for reasonable accommodation, such as limited situations in which unforeseen or unavoidable events prevent prompt processing and delivery of an accommodation.

Interactive process: The interactive process is a process used by the individual and the decision-maker to identify and clarify

NOV 23 2009

an individual's accommodation need(s) and to ensure that all effective accommodations have been considered. The interactive process may be used where the specific limitation, problem, or barrier is unclear; where an effective accommodation is not obvious; or where the parties are choosing between different possible reasonable accommodations. However, the interactive process may not always be necessary, for example, where the existence of the disability, the need for accommodation and the nature of the effective accommodation are clear.

Informal dispute resolution process: An informal dispute resolution process is any voluntary mechanism through which an individual can request re-consideration of a denial of reasonable accommodation, regardless of whether the person has initiated the Equal Employment Opportunity (EEO) complaint process.

Major life activity: Major life activities include functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, breathing, working, etc. Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. Other major life activities include, but are not limited to, bodily functions such as functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

Mediation: A neutral third party with no decision-making authority conducts an informal, yet confidential, process to assist disputing parties in reaching a mutually acceptable and appropriate resolution. Mediation follows specific steps, which include the introduction, issue identification, option generation, and resolution/agreement writing. The mediator may use both joint sessions and separate sessions called caucuses. The mediator's flexibility may lead the parties to go beyond traditional settlement discussion and discover creative resolution options. Benefits include: awareness of a continuing relationship among the parties, thereby focusing discussion toward the future; providing information through a subject matter expert; and allowing the parties to reveal their concerns and hear the other party's perceptions within a neutral climate, thus clarifying issues.

NOV 23 2009

The parties' voluntarily participated in this process through consensus building methods to aid in reaching resolution.

Nexus: To be entitled to accommodation, the qualified individual with a disability must show that there is a connection between the disability and the request for accommodation

Physical or mental impairment: A physical or mental impairment is any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems (e.g. neurological, cardiovascular, etc.) or orally mental or psychological disorder such as mental retardation, learning disabilities, etc.

Qualified individual with a disability: A qualified individual with a disability is a person who, with or without reasonable accommodation, can perform the essential functions of the position. A disabled employee is not "qualified" for a position if s/he would pose a direct threat to his or her own safety or health, or that of others when working in that position.

Reasonable accommodation: There are three categories of reasonable accommodations: (1) modifications or adjustments to a job application process to permit an individual with a disability to be considered for a job (such as providing application forms in alternative formats like large print or Braille); (2) modifications or adjustments necessary to enable a qualified individual with a disability to perform the essential functions of the job (such as providing sign language interpreters, or reassignment); and (3) modifications or adjustments that enable individuals with disabilities to enjoy the benefits and privileges of the workplace afforded to all individuals (such as removing physical barriers in an office cafeteria). Reasonable accommodations may include, but are not limited to, making existing facilities used by employees readily accessible to and usable by individuals with disabilities. Reasonable accommodations may also include, but are not limited to, job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.

NOV 23 2005

Request for reasonable accommodation: A request for reasonable accommodation is a statement that an individual needs an adjustment or a change at work or in the application process for a reason related to a disabling condition. An individual does not need to mention the Rehabilitation Act or use the phrase "reasonable accommodation" for the request to be identified as a request for reasonable accommodation.

Substantially limits: The term "substantially limits" is not further defined in the controlling references. However, it should be understood that a major life activity need not be so impeded that it is significantly restricted in order to meet the threshold of substantial limitation.

Undue Hardship: An undue hardship means that a specific accommodation would require significant difficulty or expense. The factors considered in assessing the degree of difficulty and expense of a specific accommodation include the nature and cost of the accommodation, a business' financial resources, and a business' operations.

NOV 23 2008

### Tri-Command Request for Accommodation

Individual's Name	Position/Series/Grade	Activity Code/Shop	Phone No.
-------------------	-----------------------	--------------------	-----------

Supervisor Name	Phone No.
-----------------	-----------

Describe the nature of your disability and your limitation(s).

Describe any impact your present limitation(s) have on the performance of the essential elements of your position or on your participation in the application process

If accommodation request is time sensitive, please explain.

**Medical Documentation:** Provide appropriate medical documentation regarding the nature of the disability, the limitation(s) identified above, and the requested accommodations(s).

Medical Documentation Attached? (Check One)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
---	------------------------------	-----------------------------

**Privacy Act Statement:** The information provided by you will be used primarily to facilitate your request for accommodation. Parties with a need to know will have access to this information as necessary and appropriate to make a determination. Failure to provide accurate and complete medical reports may make it difficult to process your request.

I hereby give permission to release any information contained in this request to authorized agency officials with a need to know.

Print Employee Name	Employee Signature	Date
---------------------	--------------------	------

Supervisor's signature acknowledges the receipt of this Request for Accommodation, along with medical documentation, as appropriate

Print Supervisor Name	Supervisor Signature	Date
-----------------------	----------------------	------

Reasonable Accommodation Point of Contact's (RAPOC) signature acknowledges the receipt of this Request for Accommodation, along with medical documentation, as appropriate

RAPOC Print Name	RAPOC Signature	Date
------------------	-----------------	------

Employees and Supervisors are advised to maintain a signed copy of this document for their records.