

# **NALC Buxmont 920**

## **Frequently Asked Questions Regarding Injury Compensation**

These are some of the frequently asked questions I encounter regarding on-the-job injuries. Knowledge is power and we have to educate ourselves on our rights when we are injured on duty! If you have any additional questions, please feel free to contact the Branch at 215-721-2232 or you can e-mail [buxmont920@verizon.net](mailto:buxmont920@verizon.net).

### **Q: What is a workers' compensation claim?**

A: The Federal Employees' Compensation Act (FECA) provides compensation benefits to civilian employees of the United States for disability due to personal injury sustained while in the performance of duty. The Act also provides for compensation for employment-related diseases.

### **Q: I just got injured, what do I do?**

A: You should inform your supervisor that you were injured as promptly as possible. If you wish to file a workers' compensation claim, register for an ECOMP account and file a CA-1 or CA-2 electronically.

### **Q: What is a traumatic injury?**

A: According to the Federal Employees' Compensation Act, a traumatic injury is defined as "a wound or other condition of the body caused by external force, including stress or strain, which is identifiable as to the time and place of occurrence and member or function of the body affected. The injury must be caused by a specific event or incident or series of events or incidents within a single workday or work shift." The key to this definition is that an event must have occurred during one workday.

### **Q: What is a CA-1?**

A: A claim CA-1 refers to a traumatic injury. The CA-1 notifies management of a traumatic injury and serves as the report to OWCP, when needed. The employee, or someone acting in his or her behalf, should submit the CA-1 to the supervisor as soon as possible following injury but no later than 30 days for COP entitlement. Statutory requirements will be met for FECA benefits if the CA-1 is filed within 3 years from the injury. The supervisor should submit this form to the ICCO within 24 hours from receipt from the employee. The ICCO must submit this form to OWCP within 10 working days from the date received by the supervisor (or other postal official) from the employee.

**Q: I was just injured; do I have to go to the postal doctor?**

A: Yes, you may be given an instruction from management to see their doctor, but the appointment should not interfere with your doctor's appointment. You are not required to receive treatment from the Postal Service contract doctor.

**Q: I saw the Postal Service contract doctor, am I stuck with them?**

A: The Postal Service contract doctor will become the doctor of record when the injured employee elects the USPS contract medical provider for continued medical treatment beyond the first-aid care (after the first two visits).

**Q: What is a CA-16?**

A: This form authorizes medical treatment, and it provides an initial medical report. Its front is completed and signed by postal management and guarantees payment by the Office of Workers' Compensation Programs (OWCP) to the attending physician for treatment up to 60 days. The reverse is completed by the treating physician and helps ensure that OWCP immediately receives an initial medical report. Form CA-16 is used for traumatic injuries. It is rarely used for occupational disease or injury. It must be issued by management in most cases where a CA-1 is submitted, and the employee seeks medical attention. The CA-16 must be promptly issued within 4 hours in traumatic injuries requiring medical attention, except first-aid injuries where the employee has elected treatment by a contract medical provider. You have the right to seek medical attention from the physician of your choice. You are not obligated to seek treatment from the Postal Service contract doctor. You should always request a CA-16 to see your own choice of physician.

**Q: What is COP?**

A: COP stands for Continuation of Pay. It is a substitute for compensation benefits during the first 45 days of an employee's wage loss caused by a traumatic on-the-job injury. The Postal Service will continue to pay your salary up to 45 calendar days if you are eligible for COP. Although the COP period begins with the first day of lost time due to the injury, the actual COP compensation does not begin until after the 3-day wait. The injured carrier uses their own leave or LWOP for lost time from work during the 3-day wait. The 3-day wait includes holidays and drop days. The leave or LWOP may be converted to COP after 14 days of disability.

**Q: Does COP include the weekends and holidays?**

A: Yes, COP includes weekends and holidays. COP is 45 calendar days.

**Q: What do I do when my COP ends and I have not returned to duty?**

A: When disability is expected to extend beyond the COP period in traumatic injury cases, the injury compensation office provides the employee with a CA-7 10 days before the end of the COP period. The employee is instructed to complete his or her portion, have the attending physician complete the CA-20. If you are not working due to management not providing you with work within your medical restrictions, you need to fill out your 3971 and indicate in the remark section that you are being sent home due to management stating they have no work available in your medical restrictions. The injury compensation office submits the completed CA-7 to OWCP not less than 5 working days before termination of COP.

**Q: How long will it take me to get paid once I file my CA-7?**

A: It could take 20 days or longer before you receive your check.

**Q: How can I tell if OWCP has received my CA-7?**

You can view the dashboard in your ECOMP account. Click on the appropriate file number. Click on forms. You should see your electronically filed CA-7 and CA-7a (if applicable). If it says "pending review by supervisor", it has been received by OHC (Occupational Health Claims). Once it has been reviewed, it will be forwarded to OWCP and will appear under the case imaging tab.

**Q: How will I know if management has processed my CA-1 or CA-2?**

A: If a claim number is provided, it has been processed. Normally, if you have notified your branch OWCP rep, he will check a few days after you submit the claim to check on a claim number, however you may receive an email from ECOMP first. If no number is provided, your OWCP rep will investigate for you.

**Q: How long will it take before my claim gets accepted?**

A: It could take 2 months or longer.

**Q: What happens if my claim is denied?**

A: You can appeal your decision. Please contact the Branch to get assistance with appealing your claim.

**Q: What is an occupational disease?**

A: A CA-2 claim refers to an occupational disease or illness. The Office of Workers' Compensation Programs defines an "occupational disease or illness" as a medical condition produced in the work environment over a period longer than a single workday or shift by such factors as systemic infection; continued or repeated stress or strain; or exposure to hazardous elements such as, but not limited to, toxins, poisons, fumes,

noise, particulates or radiation, or other continued or repeated conditions or factors of the work environment.

**Q: What is a CA-2?**

A: The CA-2 notifies management of an occupational illness or disease and serves as the report to OWCP, when needed. Statutory requirements will be met if filed within 3 years from date of awareness. The supervisor submits this form to the ICCO within 24 hours. The ICCO submits this form to OWCP within 10 working days from the date received by the supervisor or other postal official.

**Q: What is a CA-17?**

A: The CA-17 provides management and OWCP with an interim medical report containing information as to the employee's ability to return to any type of work. The employee is responsible for having the attending physician complete the CA-17 at each visit when there is a change in medical condition and for its prompt return to the ICCO or control point. Management is responsible for providing you with a CA-17. The injury compensation department submits the completed form to OWCP within 10 days from date of receipt.

**Q: How do I get paid for being off work due to my on-the-job injury.**

A: If you lose time from work due to your injury, you may be entitled to compensation from OWCP. You will have to request LWOP from the Postal Service and fill out the appropriate documentation to request compensation from OWCP. Please do the following if you would like OWCP to pay you:

Fill out your 3971 and mark LWOP.

Get a completed copy of your 3971 from your supervisor

Have documentation to support your absence.

Fill out a CA-7.

If the period claimed on the CA-7 is intermittent, you need also to complete a CA-7a "Time Analysis Form".

Submit all of the above to injury compensation or to your local supervisor. Please keep copies of all documentation.

Remember, OWCP will not compensate if your claim has not yet been accepted(approved).

**Q: Management paid me sick leave when I requested LWOP what should I do?**

A: You should always fill out a 3971 to indicate what type of leave you wish to have. Keep a copy of your 3971 indicating your choice (AL, SL, or LWOP). File a grievance for management paying you something other than what you requested. The remedy would include that management make an adjustment.

**Q: Management does not have any OWCP forms, what should I do?**

A: You should inform your shop steward so that a grievance can be filed.

**Q: I have a medical restriction, and my supervisor keeps forcing me to violate it. What should I do?**

A: Be sure to have a copy of your medical restrictions. Inform your supervisor that you are not able to perform the duty because it is outside of your medical restrictions. You should also file a grievance for the improper instruction.

**Q: How do I receive my compensation payment via direct deposit?**

A: To receive compensation payments via Electronic Funds Transfer (EFT), please complete form SF-1199a "Direct Deposit Form" and mail it to U.S. Department of Labor, DFEC Central Mailroom, and P.O. Box 8300, London, KY, 40742-8300. You must ensure your case file number is on the form. It can also be submitted electronically(recommended) through ECOMP. The SF-1199a is available at <https://www.dol.gov/agencies/owcp/FECA/regs/compliance/forms>.

**Q: How do I request a change of physician?**

A: To request a change of physician, put the request in writing, detail the reason why you wish to change physicians, include the new physician's name, specialty, and contact information, and sign the request. This can be mailed to U.S. Department of Labor, DFEC Central Mailroom, and P.O. Box 8300, London, KY, 40742-8300 or submitted electronically(recommended) through ECOMP. Your claims examiner will review the request and advise you whether the change is approved. As is always the case, please be sure to include your claim number on every page you send. You will receive written notice of the approval of your request.

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