

OWCP

File a claim and
File a grievance!

Solidarity In Action

Kevin Card

Assistant to the President for Workers' Compensation

LETTER CARRIER injuries by the numbers

USPS has the highest injury rate among federal employees

FY 2015

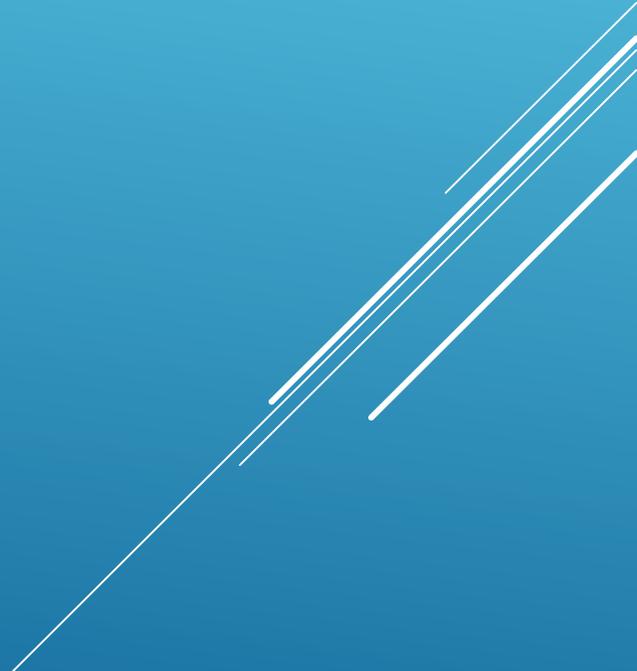
City Letter Carrier Injuries

12,000 + letter carriers reported injuries

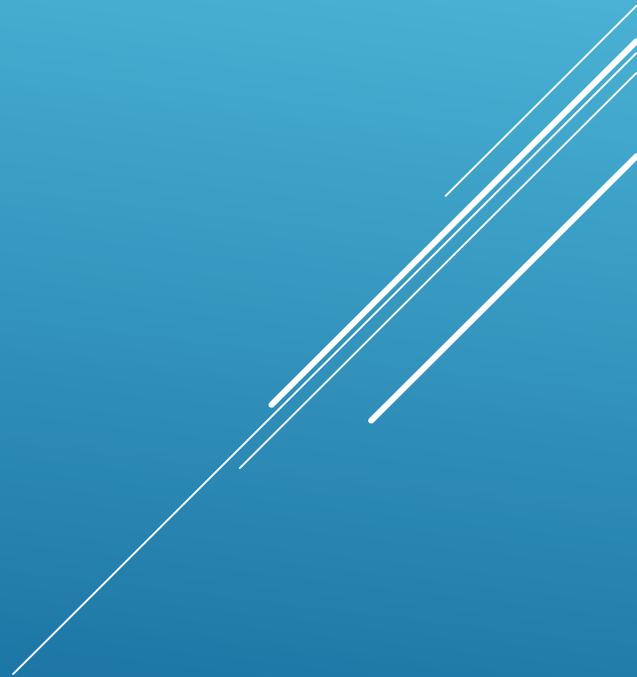
Over 6,000 resulted in lost time from work

500 lost-time injuries/month

OWCP charged –back \$1.4 billion to the USPS



The NALC and OWCP



NALC Regional Workers' Compensation Assistants

Jeff Fultz: Region 1

Coby Jones: Regions 2, 4 & 10

Dave Teegarden: Regions 3, 5 & 7

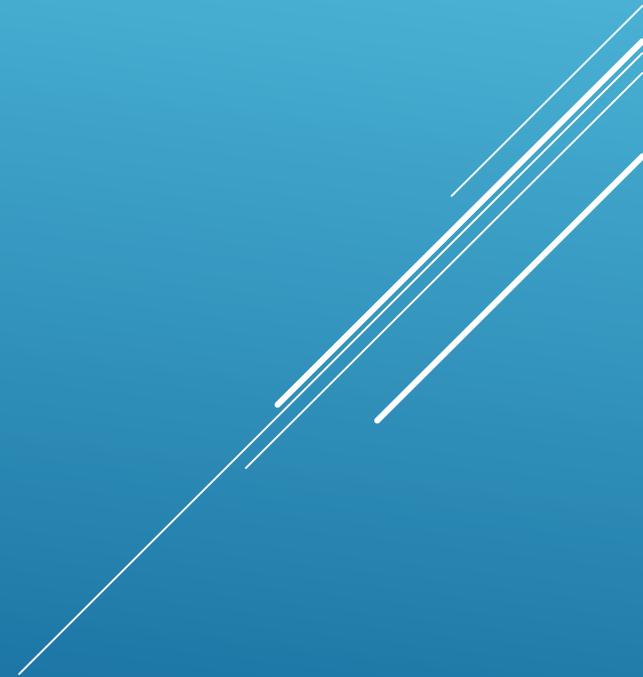
Joanne Wright: Regions 8 & 9

Ron Adams: Regions 6 & 11

Joanne Wright: Regions 8 & 9

Leo Zachwieja: Regions 12, 13 and New Jersey

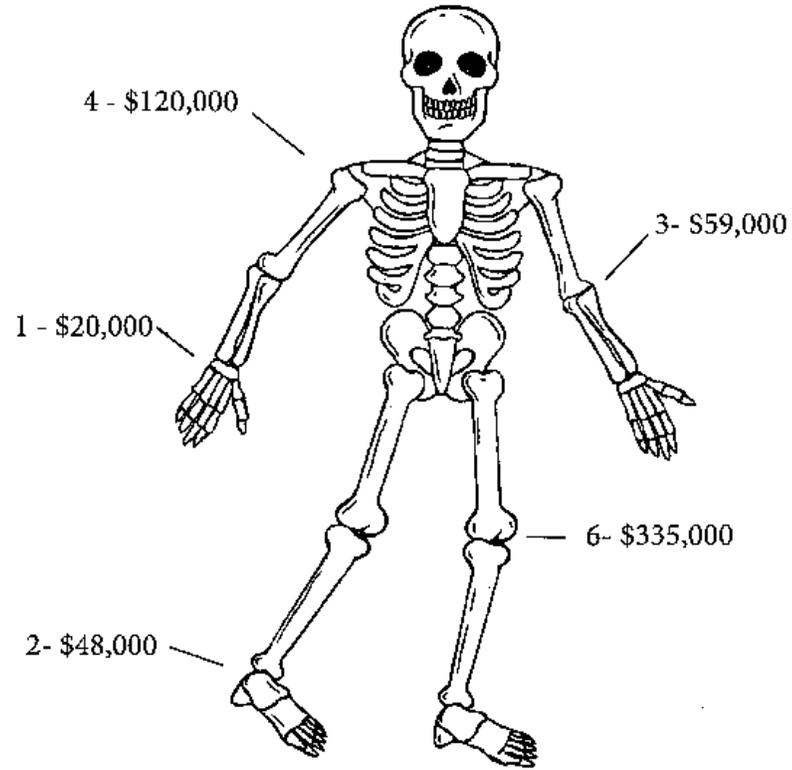
Bill Bothwell: Region 14, NYC, Long Island, PR & USVI



RWCA's provide advice and representation to NALC members at no cost

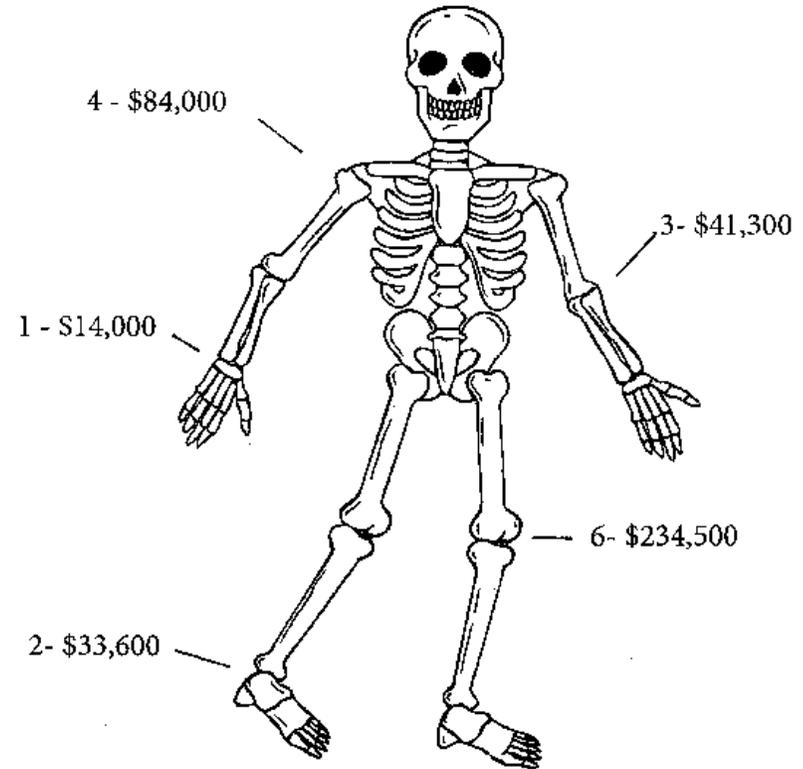


2016 Schedule Awards
1 RWCA



Total: \$582,000

2016 Schedule Awards
Minus 30% Attorney's Fees



Total: \$407,400

NALC members get \$174,600 less

Signed into law on September 7, 1916



FECA: The Law

5 USC 81

20 CFR Part 10

The Implementing Regulations

Both available on the Injured on the Job page at nalc.org



20 CFR10.1 What rules govern the administration of the FECA and this chapter?

Except as otherwise provided by law, the Director, OWCP and his or her designees have the exclusive authority to administer, interpret and enforce the provisions of the Act.



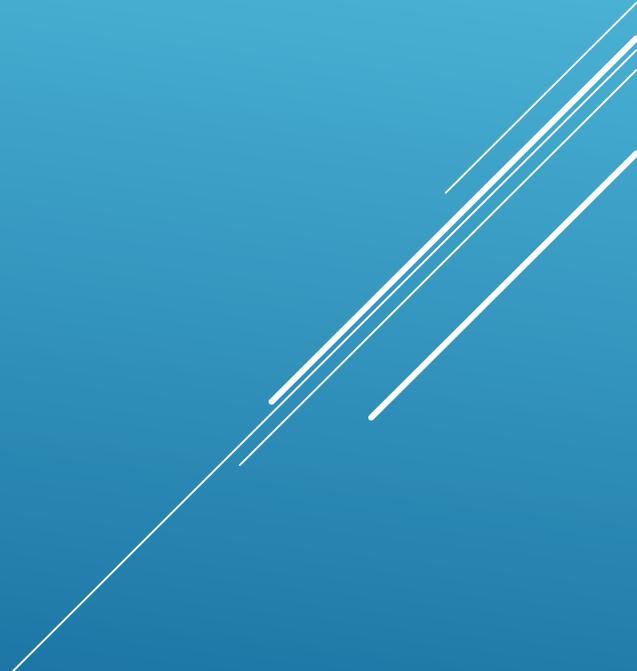
FECA and the NALC Contract

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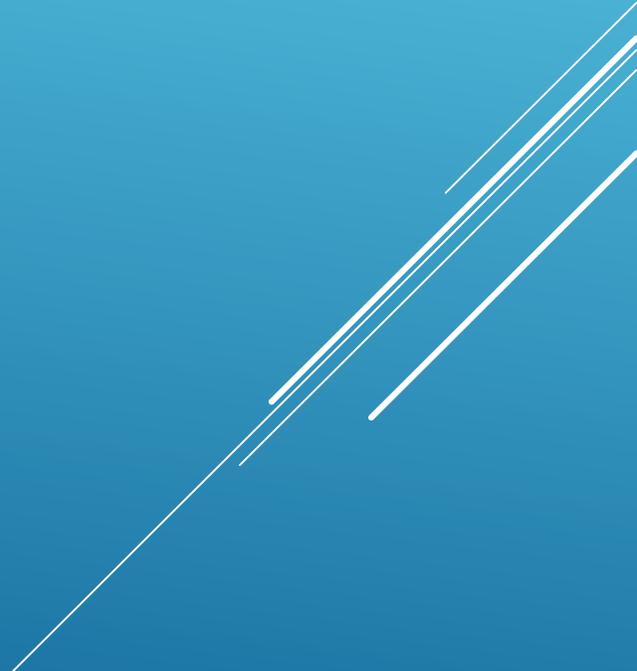
Article 21 Section 4. Injury Compensation

Employees covered by this Agreement shall be covered by Subchapter I of Chapter 81 of Title 5, and any amendments thereto, relating to compensation for work injuries.

The Employer will promulgate appropriate regulations which comply with applicable regulations of the Office of Workers' Compensation Programs and any amendments thereto.

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You CAN grieve when the Postal Service fails to follow the regulations found in ELM 540 and EL - 505



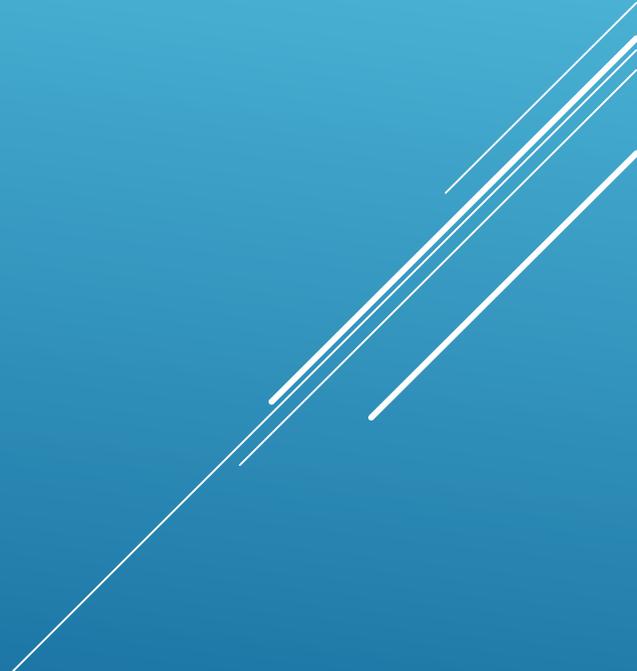
Call their supervisor



ELM 541.3 Forms

Each installation head/Health & Resource Management office must maintain an adequate supply of the following basic forms, which are needed for recording and reporting injuries.

CA-1, CA-2, CA-2a, CA – 7, CA-7a, CA-16, CA-17, CA-20, CA-35 ...



ELM 544.11 Immediate Supervisor Responsibility

When a notice of traumatic injury or occupational disease is filed, the immediate supervisor is responsible for doing the following:

- a. Immediately ensuring that appropriate medical care is provided.
- b. Providing the employee a Form CA-1 or a Form CA-2.
- c. Completing the receipt attached to Form CA-1 or CA-2 and giving the receipt to the employee or the employee's representative.
- d. Investigating all reported job-related injuries and/or illnesses.
- e. Immediately notifying the control office or control point of an injury, disease, or illness.
- f. Prompt completion and forwarding of Form CA-1 or CA-2 to the control office or control point on the same day it is received from the employee

Getting the bills paid

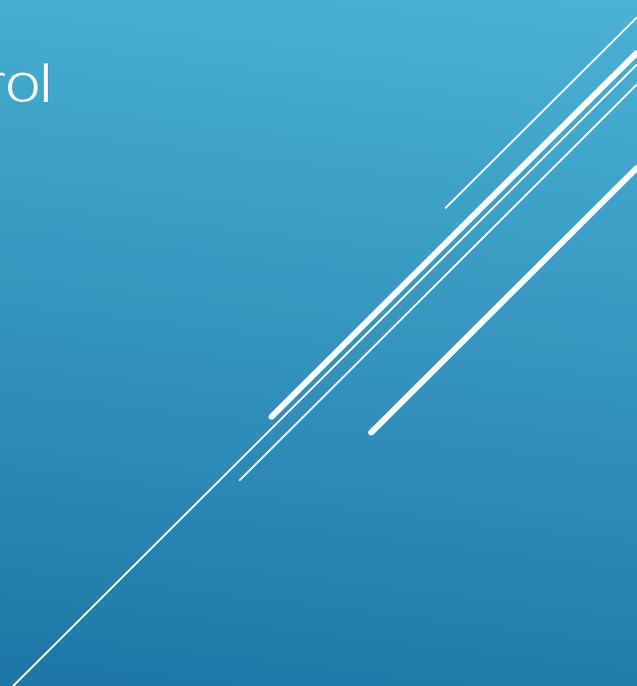
The CA-16



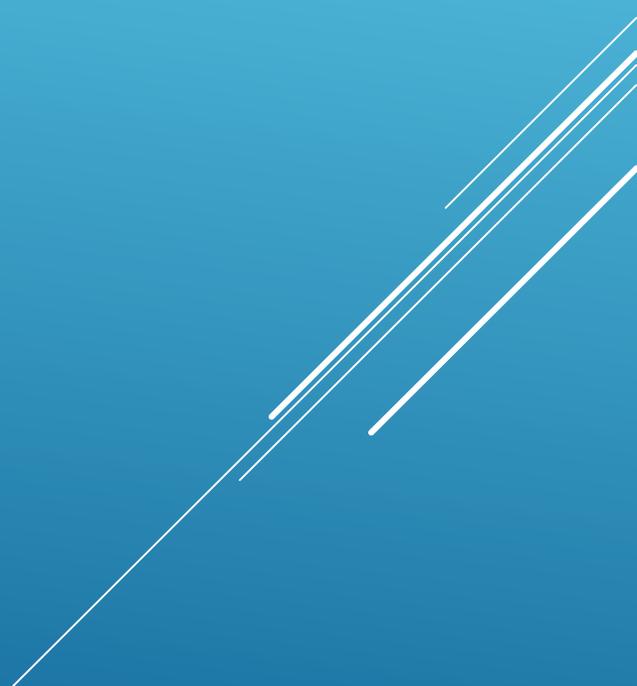
545.2 Authorizing Examination and/or Treatment With Form CA-16

545.21 Traumatic Injury

When an employee sustains a work-related traumatic injury that requires medical examination, medical treatment, or both, the control office or control point must authorize such examination and/or treatment by issuing a Form CA-16.

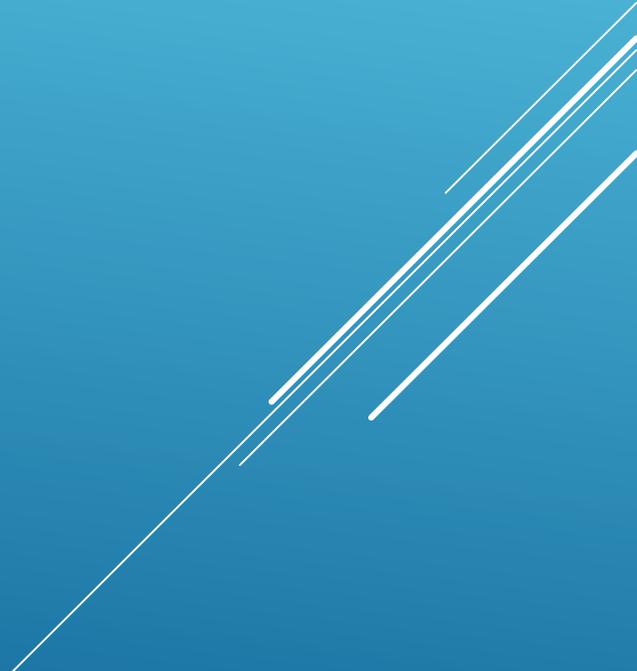
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What's a Control Office or Control Point?



Injury Compensation Control Office

Health Resource Management

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544.12 Control Office or Control Point Responsibility

The control office or control point is responsible for completing Forms CA-16 and CA-17 (see 545.21 and 545.53).

Control office and control point supervisors are responsible for reviewing all claims for accuracy and completeness and for forwarding claims and related documents to OWCP within prescribed FECA time frames.

The control office or control point must advise the employee whether COP will be controverted and whether pay will be interrupted.

The control office must provide the employee a copy of the completed CA-1 or CA-2 and all correspondence between the Postal Service and the treating physician.

Highlights

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Findings

Recommendations

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OFFICE OF INSPECTOR GENERAL

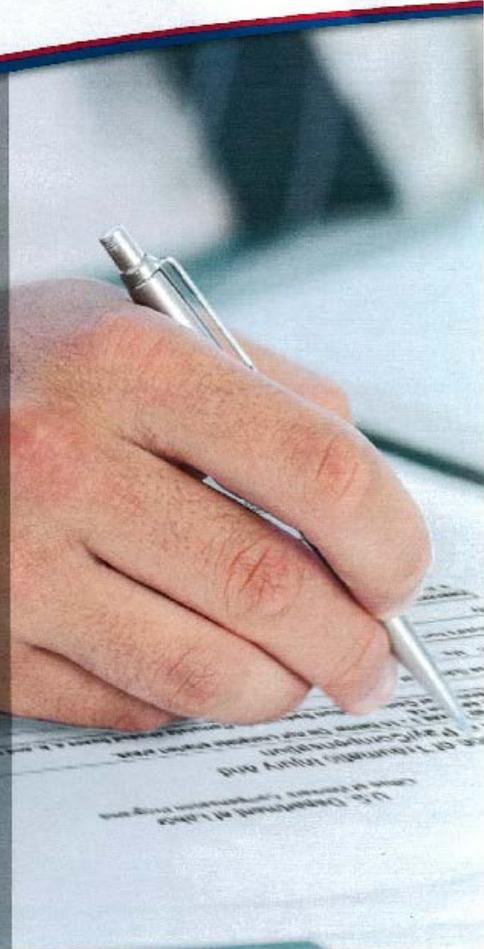
UNITED STATES POSTAL SERVICE

The Postal Service's Handling of Office of Workers' Compensation Program Claim Forms

Audit Report

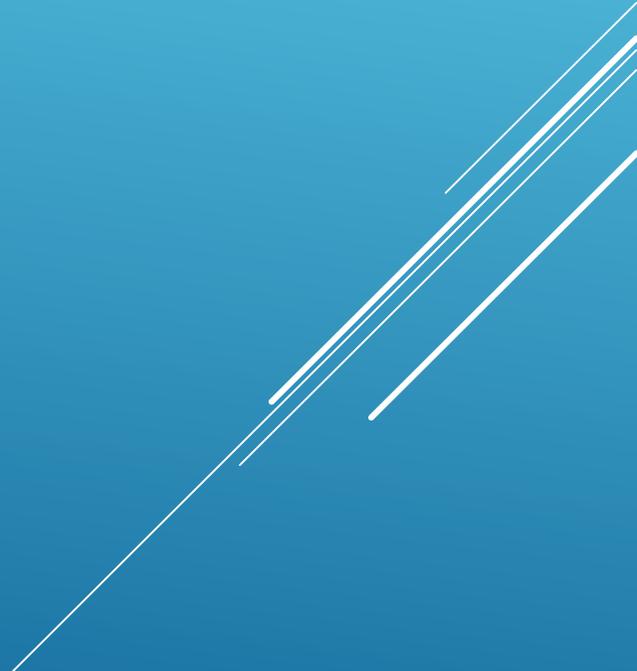
Report Number
HR-AR-16-002

April 7, 2016



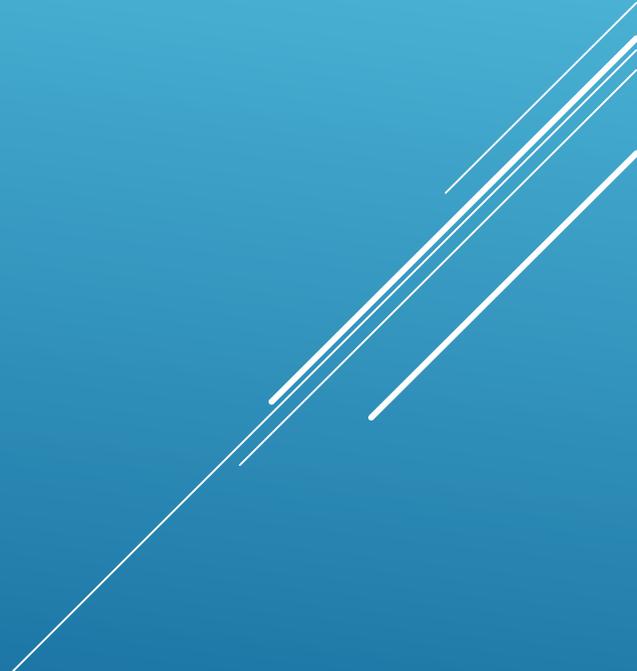
What The OIG Found

The Postal Service did not appropriately handle claim forms to ensure accurate and timely submission to the DOL.



OIG

Specifically, in 77 of 102 case files, personnel in the Arizona, Capital, Suncoast, and Hawkeye districts improperly revised dates on forms in three places:

1. the date the employee completed the form
 2. the date the supervisor was notified, and
 3. the date the supervisor signed the form.
- 

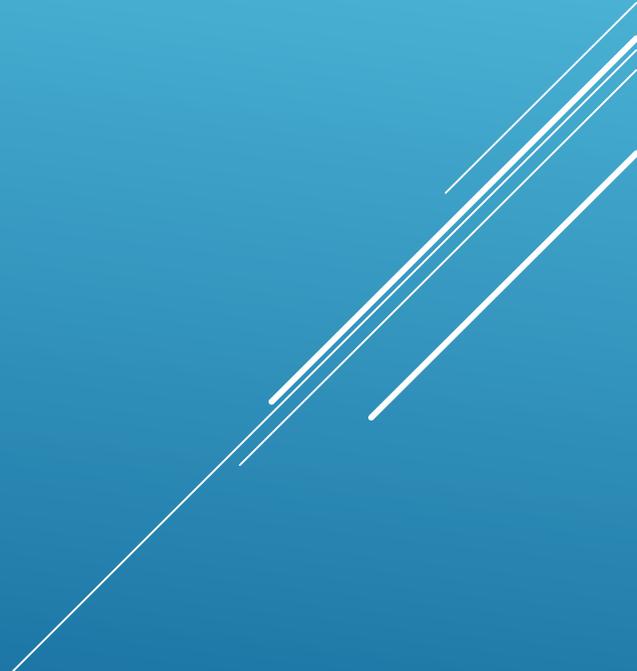
OIG

In 25 of 102 case files, personnel in Arizona and Suncoast districts improperly revised, but revisions were not limited to:

1. the place and the date injury occurred
2. the cause and the nature of injury
3. the date stopped work
4. the date pay stopped
5. and the date returned to work.

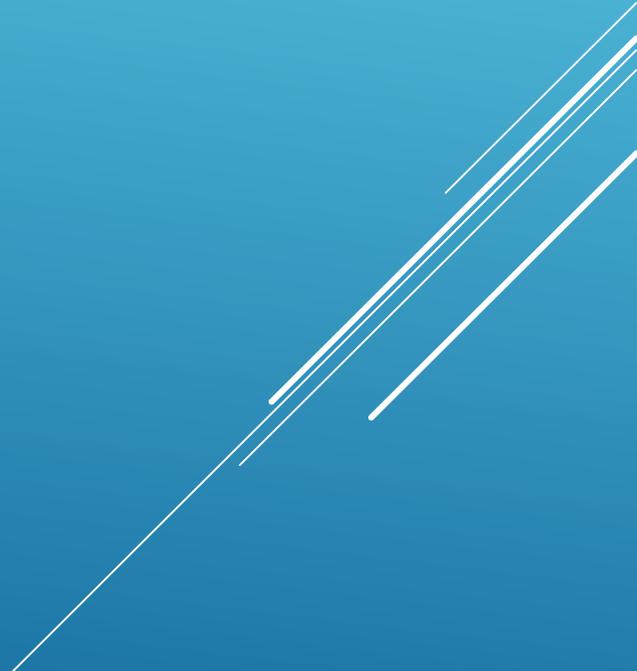
OIG

Revising information on the claim forms without documenting the changes gave the appearance that claim forms were completed and submitted timely to the DOL.

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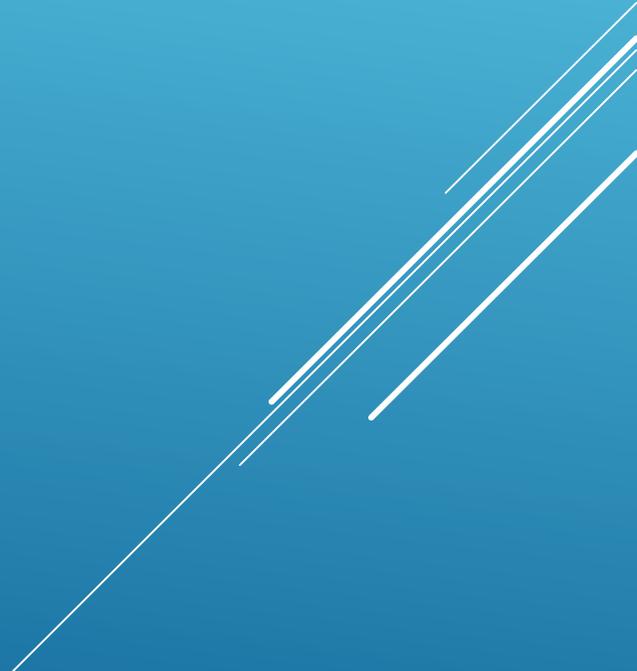
OIG

These conditions occurred because the Postal Service used a labor-intensive manual claims process for OWCP claim documents, which increased opportunities and the risk for personnel to alter the documents.



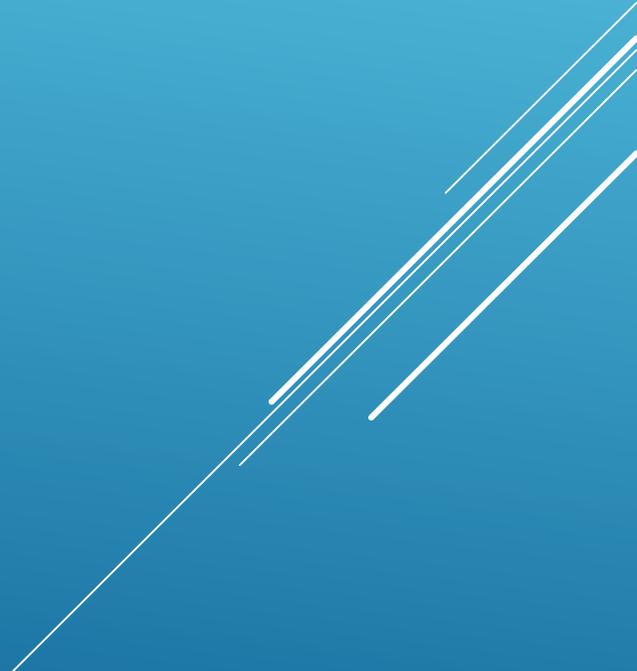
542.31 Penalty for False Statement

Any employee, supervisor, or representative who knowingly makes a false statement with respect to a claim under FECA may be subject to a fine of not more than \$10,000 or 5 years in prison, or both.



542.33 Penalty for Refusal to Process Claim

Any employee or supervisor responsible for making reports in connection with an injury who willfully fails, neglects, or refuses to do so; induces, compels, or directs an injured employee to forego filing a claim; or willfully retains any notice, report, or paper required in connection with an injury may be subject to a fine of not more than \$500 or 1 year in prison, or both.



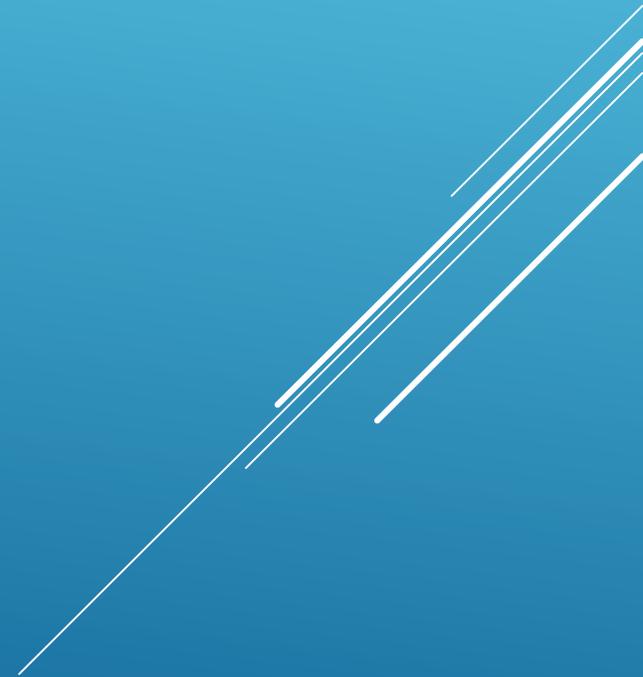
EL – 505 12-10 Granting On-Site Access to IC File Information

Establish the identity of the requester.

If the request is from the file subject or another authorized individual:

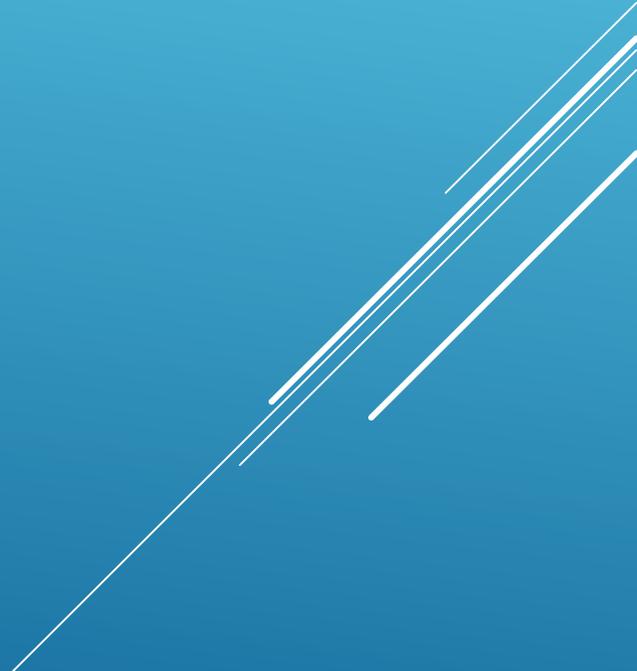
- Inform the requester that:
 - Postal employees who wish to review any of their own records must do so on their own time, except as provided for under current collective bargaining agreements.
 - Records are available for inspection and copying during normal ICCO business hours.
 - A complete official file can be obtained from the OWCP district office.
 - Schedule an appointment with the requester for the earliest possible date but not more than 10 working days from the date of request.
 - Before the scheduled appointment, review the file to ensure that the file is in proper order.
 - If the file subject is accompanied by another individual, have the file subject sign a statement that he or she authorizes a representative to be present during his or her review of the specific record or records.
 - Allow the file subject and/or his or her authorized representative to review the file in your presence or that of another ICCO staff person. The ICCO representative must maintain control over the official record.

If you find that a document has been altered without the consent of the injured worker, you should?



I am always doing that which I cannot do,
in order that I may learn how to do it.

Pablo Picasso

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