

Your Guide to the Federal Workers' Compensation Program



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All employees have rights if they are injured on a job, but there are special procedures and protocols that must be followed if you are a federal employee. The most important steps to take when involved in a work accident as a federal employee include:

- **Reporting it to your supervisor.**
- **Obtaining appropriate medical care.**
- **Filing written notice.**
- **Receiving a receipt of notice.**
- **Submitting a claim for COP/leave or compensation for wage loss.**

The Federal Employees' Compensation Act is administered on the part of the Office of Workers' Compensation Programs under the U.S. Department of Labor. Federal employees who meet the qualifications for a claim may receive benefits including continuation of pay for traumatic injuries, compensation for wage loss, and medical care associated with a job related injury.



What to Do After a Work Injury or Illness

One of the most important steps you can take after being injured on the job is to report the situation to your supervisor as soon as possible. Any illness or injury needs to be reported to a supervisor immediately. Make sure to keep your employer informed during this time, and don't miss any appointments. It's a good idea to take your own notes after each appointment so you have a record.



Who Is Covered Under This Act?

All civilian employees of the United States of America are covered, except for those individuals who are paid from non-appropriated funds. Special legislation also provides additional coverage to VISTA volunteers, volunteer members of the Civil Air Patrol, members of the Peace Corps, reserve officer training corps cadets, youth conservation corps enrollees, neighborhood youth corps members, and federal petit or grand jurors.

FECA coverage is also expanded to any federal employee, regardless of how long he or she has been in his or her position. Individuals who are term, temporary or probationary employees are covered the same as permanent employees. Intermittent, part-time and seasonal employees are also covered as well.



What injuries are covered under FECA?

A broad range of injuries and illnesses associated with employment are covered if they happen in the performance of your job duties. If the death or injury was caused by willful conduct of the injured worker, however, benefits will not be paid.

The same is true of situations where the injury is caused by intoxication of the injured employee or when the employee intended to bring about the injury or death of himself or another person. Any illnesses or diseases that are precipitated, aggravated or accelerated by an individual's employment are also covered under FECA. In order to prove this, an employee is responsible for submitting appropriate details about the condition.



Do I Have to Report Every Injury That Happens at Work?

It can seem tempting to avoid reporting minor injuries that you do not intend to find a claim for. However, all injuries should be reported to your supervisor as soon as they happen. This is because you may not always be able to tell when a minor injury will develop into a more serious one. Benefits will not be paid under the FECA unless you have reported an injury to your supervisor as soon as possible after it happens.



What Happens If the Disability Comes Back Later On, Is This Different from A New Injury?

A recurrence of disability for a federal employee is defined as an inability to work. If that employee has made an effort to return to work, but a sudden change in a medical condition associated with a previous illness or injury appears, you need to consider another claim. This must have happened without any new exposure to the work environment causing the illness or any other intervening injuries. Inability to work can also happen when a light duty assignment that has been given to an employee has been altered such that he or she can no longer complete it.



When Do You Need an Attorney for A Federal Worker's Compensation Claim?

More than 3 million postal and federal workers are protected by the Federal Employees' Compensation Act. In theory, reporting an injury to your supervisor and triggering the claim process will help to protect you in the event that you have been injured on the job.

There are certain situations, however, in which you may need an attorney's insight. In order to receive Federal Workers' Compensation benefits, an employee is responsible for gathering records and completing forms with the Department of Labor.

Mistakes or omissions made on these forms could lead to your claim being rejected or delayed. Working with a Philadelphia federal worker's compensation attorney can help you to avoid costly mistakes and increase the chances that your workers' compensation claim for federal benefits is accurate, filed on time, and to provide insight if these compensation benefits are denied.



When Do You Need an Attorney for A Federal Worker's Compensation Claim?

The Office of Workers's Compensation Programs adjudicates federal workers' compensation claims. In certain situations, the employee must attend an appointment with a doctor who is contracted with the federal government. Usually a representative of the OWCP, like a nurse, will participate in these medical visits with the physician as well as meeting privately with the claimant's doctor to provide a report to OWCP.

In the event that the claims decision comes down and is denied, you can request a hearing at the next level. If the decision after this level of the appeal is not to your satisfaction, you can elevate your request for approval one final time to the ECAB board.

A broad range of benefits are available through the federal workers' compensation program.



When Do You Need an Attorney for A Federal Worker's Compensation Claim?

FECA provides benefits to federal workers who become ill or injured in the course of their employment. Benefits may also be paid out to survivors of employees who are killed on the job. There are four major types of benefits paid through the federal government in the event that a claim is approved. These include:

- Temporary total disability, for situations in which traumatic injuries have occurred. Beneficiaries would be able to receive a continuation of their full pay for the first 45 days after their disability. If the worker has sustained a disabling illness or injury, then he or she may be eligible to receive two thirds of the pre-disability employment wages. If there are one or more dependents associated with that employee, he or she may be entitled to three quarters of pre-disability wages.**
- Medical benefits. These benefits cover transportation, devices, medications, medical treatment, and therapies. The worker does have the opportunity to select the initial care provider.**
- Death benefits: In the event that an injured employee passes away as a result of the illness or injury, survivors of that employee may be entitled to additional benefits. This includes dependent parents, grandparents, siblings, grandchildren, a spouse and whether or not this individual had children. A deceased worker's family may also be able to receive some funds for burial expenses.**



Federal Workers Who May Be Eligible to File a Claim

If you work for any of the following government agencies or offices, you may be entitled to workers' compensation benefits at the federal level:

**US Marine Corps
Department of the Army
Department of the Navy
Forest Service
Department of Agriculture
Farm Service Agency
Army Corps of Engineers
Department of Defense
Animal and Plant Health Inspection Service
National Security Agency
Secret Service
U.S. Coast Guard
Department of Homeland Security
Customs and Border Patrol
National Park Service
Federal Bureau of Investigation
U.S. Department of Transportation
Bureau of Alcohol, Tobacco, and Firearms
Immigration and Customs Enforcement
Federal Emergency Management Administration
Transportation Security Administration
Maritime Administration
Federal Transit Administration
Internal Revenue Service
Department of the Treasury
United States Mint
National Highway Traffic Safety
Social Security Administration
United States Postal Service**

When Do You Need an Attorney for A Federal Worker's Compensation Claim?

If you believe that you will have difficulty with your federal worker's compensation claim, it is in your best interest to consult with a knowledgeable attorney sooner rather than later. An experienced attorney can help you figure out your next steps and help you navigate the process when your claim has been denied.



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