



# THE UNITED STATES DEPARTMENT OF DEFENSE CIVILIAN EXPEDITIONARY WORKFORCE

We go together



## Workers' Compensation Program

# Could this happen to you?

- Image: *Newscom*



# Or this?

- Image © KeystoneUSA-ZUMA/Rex Features



# In Theater:

## Work Related Injuries

- Iraq                    607 (Includes fatalities)
- Afghanistan            463 (Includes fatalities)

Total 1070 including fatalities



# Types of Injury Claims

## Traumatic Injury

- Injury caused by a specific event or series of events *during one work shift*
- CA-1

## Occupational Disease

- Condition produced in the work environment over a period of *more than one day or shift*
- CA-2



# Don't try this in theater.

- **Air-conditioner mounting**



# Federal Employees' Compensation Act (FECA)

- Federal Employees' Compensation Act (FECA) passed in 1916
- Exclusive remedy for workplace injuries for Federal employees
- Non-adversarial procedure – is a benefit to injured workers
- Administered by the Department of Labor, Office of Workers' Compensation Programs (OWCP)



# Role of DOL

- The Federal Employees' Compensation Act is administered by the Department of Labor, NOT the Department of Defense
- The Department of Labor has final decision on approval and the termination of benefits of all workers' compensation claims
- The Division of Federal Employees' Compensation adjudicates new claims for benefits and manages ongoing cases; pays medical expenses and compensation benefits to injured workers and survivors; and helps injured employees return to work when they are medically able to do so



# FECA provides:

- Medical Coverage
- Continuation of Pay
- Compensation for Lost Wages
- Schedule Awards
- Vocational Rehabilitation
- Death/Burial Expenses/Death Gratuity



# Medical Coverage

- Civilians requiring treatment while deployed are eligible for medical evacuation and healthcare treatment and services in Military Treatment Facilities (MTF)
- Treatment will be at the same level and scope as provided to Military members
- No cost to the employee



# Continuation of Pay (COP)

- Employer continues regular pay for 45 calendar days in cases of traumatic injuries
- COP is subject to taxes and other payroll deductions
- Must file CA-1 within 30 days from date of injury
- Must submit medical evidence supporting disability within 10 days in order to be eligible for COP



# Compensation for Lost Wages

- Filed using form CA-7
- Supervisor must complete side 2 of the CA-7 and submit to OWCP
- Medical evidence must support period of disability
- Compensation is paid at 75% of pay if dependents, 66 2/3% if no dependents
- Health Benefits and Optional Life Insurance are deducted
- Tax free



# Schedule Awards/Vocational Rehabilitation

- Schedule Award is compensation for loss of a body part or loss of use of a body part
- Filed on a form CA-7 once Maximum Medical Improvement has been reached
- Vocational Rehabilitation is available if work related injuries necessitate permanent work restrictions



# Deployed Civilian Death Benefits

- **Three types of death benefits available**
  - Ongoing benefits through FECA
  - Death gratuity through FECA
  - Death gratuity through employing agency



# Deployed Civilian Death Benefits

- **Ongoing death benefits through FECA**
  - All Federal employees are eligible, not exclusive to deployed civilians
  - Filed using a form CA-5
  - Spouse receives regular compensation benefits in an amount equal to 50% of the deceased employee's salary at the time of death; if there are dependent children, the surviving spouse may receive 45% of salary plus an additional 15% for each child, up to a total of 75% of salary. Spousal benefits are payable for life or until remarriage if before age 55; benefits for dependent children continue until they turn 18, or up to age 23 if they are in a full-time undergraduate program
    - If there is no spouse, compensation for one child totals 40% of the salary; compensation for multiple children can be up to 75% of the salary, divided equally among all children
  - Benefits are not subject to Federal or state income tax



# Deployed Civilian Death Benefits

- **Death Gratuity Payment**
  - Benefit for designated beneficiaries of Federal employees deployed in support of a Contingency Operation
  - One-time \$100,000 payment to designated beneficiaries
    - Designate beneficiaries using form CA-40 – submit this form to your personnel office before deploying
  - Paid by FECA
  - Tax free benefit



# Deployed Civilian Death Benefits

- **Death Gratuity Payment**
  - Paid by the employing agency
  - \$10,000 one-time payment to designated beneficiaries
  - Death must have resulted from a traumatic injury
  - Subject to income taxes



# Requirements for Coverage under FECA

- Timely Filed
- Federal/Civilian Employee
- Fact of Injury
- Performance of Duty
- Causal Relationship



# Timely Filed

- **Employee has three years from:**
  - Date of injury
  - Date of first awareness/should have been aware
  - Date of last exposure



# Federal Employee

Section 8101 (1) (A) of the FECA defines a Federal employee as: A civil officer or employee in any branch of the Government of the United States, including an officer or employee of an instrumentality wholly owned by the United States



# Helmet Please...

- Foreman



# Fact of Injury

- Employee must provide factual and medical evidence to establish that an injury occurred as alleged
- Burden of proof rests with employee
- Agency can assist in gathering some evidence



# Performance of Duty

The Employees' Compensation Appeals Board has continuously affirmed that an injury, incident or exposure **must arise out of and in the course of employment** for it to be considered in the performance of duty



# Causal Relationship

- Link between the work-related exposure and the medical condition being claimed
- Established through a medical report from the treating physician
- Medical report should contain history of injury, physical findings present upon examination, test results (if any), diagnosis, well-reasoned opinion as to the link between the work incident and the diagnosed condition
- Types of causal relationship (direct cause, aggravation, acceleration, precipitation)



# REPORTING INJURIES



# When Injured at Work

- Immediately obtain medical treatment
- Report any work-related injury to your supervisor
- To protect your rights to benefits, complete Form CA-1 or CA-2 electronically using Electronic Data Interchange (EDI) with your supervisor as soon as possible, but not later than 30 days after your injury



# REMEMBER

FECA is a benefit available to you in the event of a work related injury – there is no penalty for filing a claim!



# How to File a Claim

- Electronically using Electronic Data Interchange (EDI) with your supervisor

[https://cacdiucs.cpms.osd.mil/forms/frmservlet?config=SAFER\\_ALONE\\_PRO](https://cacdiucs.cpms.osd.mil/forms/frmservlet?config=SAFER_ALONE_PRO)

- If EDI is not available you may also file your claim in paper format

NOTE: Someone MAY file a claim for you on your behalf



# Where do I find Evidence?

- Your Doctor
- Federal Medical Officers/Hospitals
- Safety Officer
- Police Reports

## What is good evidence?

- Narrative medical reports
- Tests, x-rays, treatment notes, etc.
- Pictures



# Or this ...Stay Safe at all times

- Electrician



# Internet Resources

<http://www.cpms.osd.mil/expeditionary/>

*and*

<https://extranet.apps.cpms.osd.mil/Divisions/Benefits%20and%20Worklife/Injury%20and%20Unemployment%20Compensation%20Branch.aspx>

*Provides up-to-date information on injury compensation issues. Also provides links to sites pertaining to the workers' compensation program.*

<http://www.dol.gov/owcp/dfec/>



# Do Not Attempt at Home!

- **Mechanic**

