

FECA BENEFITS

CONTINUATION OF PAY (COP) – The FECA provides that an employee’s regular pay may continue for up to 45 calendar days of disability following a traumatic injury. COP is not provided for occupational disease or illness. Use of COP days must be supported by medical evidence.

WAGE LOSS - If an employee is disabled for work as a result of the accepted condition for a period that exceeds the 45 days of COP, or is disabled for work as the result of an occupational disease or illness, he/she may claim compensation for wage loss.

LEAVE REPURCHASE – The employee may decide to use sick or annual leave during a period of disability from work. If/when the claim is accepted, the employee is eligible to apply for the repurchase of this leave.

MEDICAL SERVICES – Under FECA, an injured employee is entitled to the payment of medical bills incurred for the treatment of any accepted work-related condition. The employee also is entitled to the initial choice of physician for the treatment. Medical bills must be received by OWCP by the end of the calendar year of the date of service or by the date that the claim was accepted, whichever is later.

OUT OF POCKET EXPENSES - If the employee has incurred expenses for the treatment of the work-related injury, he/she may make a claim for reimbursement to OWCP on Form CA-915.

TRAVEL - Travel to and from medical treatment may also be claimed by an employee with an accepted Worker’s Compensation claim.

THE EMPLOYEE’S RIGHTS AND RESPONSIBILITIES

- **Report work-related injuries or illness as soon as possible**
- **Ensure that the Supervisor completes his/her portion of the appropriate claim form**
- **Submit completed claim forms to the USDA Workers’ Compensation Center within 24 hours of receipt**
- **Provide evidence to support the claim in a timely manner to the USDA Center.**
- **Immediately report all changes in medical status to his/her supervisor**
- **Return to work as soon as the effects of the injury or illness have resolved and/or as soon as the physician says you can**
- **When medical evidence shows that total disability has ended, OWCP requires that the injured employee seek work**
- **The USDA Center will work with the Agency and employee to determine if light or limited duty would be available to accommodate any medical restrictions**



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EMPLOYEES’ GUIDE TO WORKERS’ COMPENSATION

**USDA Workers’
Compensation Center**

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WHAT IS FECA?

FEDERAL EMPLOYEES' COMPENSATION ACT

Civilian employees of the United States are covered under the Federal Employees' Compensation Act (FECA). The FECA provides compensation benefits to Federal employees for disability due to personal injury or disease sustained while in the performance of duty. The FECA also provides for payment of benefits to dependents if a work-related injury or disease causes an employee's death. This coverage is extended to all civilian employees of the Federal Government and others covered by law or regulation and are intended to be remedial in nature. Proceedings under the FECA are nonadversarial.

Benefits under the FECA are the sole remedy available to Federal employees against the U.S. Government for work-related injury, illness, or death. A Federal employee or surviving dependent is not entitled to sue the United States or recover damages for such injury or death under any other law.

The FECA is a Federal law administered by the U.S. Department of Labor (DOL), Office of Workers' Compensation Programs (OWCP). The U.S. Department of Labor makes all entitlement decisions.

The USDA Workers' Compensation Center serves the injured employee by providing the appropriate FECA forms and information regarding entitlement, benefits, and other workers compensation issues. The FEMA Center offers guidance and counseling regarding the FECA process to injured employees and supervisors and acts as a liaison between the Agency and OWCP and the claimant.

SIX REQUIREMENTS FOR ENTITLEMENT

REPORTING – Employees who are injured while in the performance of duty must complete Form CA-1 or CA-2 for a work-related injury or illness and report his/her injury as soon as possible to a supervisor and provide the form to the supervisor.

TIME – All compensation cases must satisfy the time requirements of FECA. A claim for compensation must be filed within three years of the injury or death for traumatic events. (If a claim is not filed within three years of the injury or death, compensation may be allowed if written notice of injury to USDA was given within 30 days after occurrence.) This knowledge may consist of written records or verbal notification; an entry into an employee's medical record may also satisfy this requirement if it is sufficient to place the Agency on notice of a possible work-related injury or illness. However, in cases of a latent disability, the time for filing a claim does not begin to run until the employee becomes aware, or reasonably aware, of a possible relationship between the medical disability and the employment.

CIVIL EMPLOYEE – It must be established that the injured or deceased individual was an employee within the meaning of the law at the time of the event that caused the injury/illness or was otherwise covered by legislation or regulation.

FACT OF INJURY – The claim must demonstrate that the employee, in fact, sustained an injury or disease. Two factors are involved in this determination:

1. The employee actually experienced the accident, event, or exposure.
2. A medical condition is present, which could have resulted from the accident or employment factor.

PERFORMANCE OF DUTY – The claim must establish that the employee was performing assigned duties at the time of the injury or was engaged in an activity reasonably incident to the employment.

CAUSAL RELATIONSHIP – Unlike Fact of Injury, which merely determines if a medical condition is present, Causal Relationship requires establishment of a connection between the injury/illness and the medical condition found. This factor is based entirely on medical evidence provided by physicians who have examined and treated the injured individual.

WHAT IS COVERED UNDER THE FECA?

TRAUMATIC INJURY – A traumatic injury is a wound or other condition of the body caused by external force, including stress or strain, and identifiable by time and place of occurrence. A specific event or series of events within a single workday or shift causes a traumatic injury.

FORM CA-1 is filed in the event of a traumatic injury

OCCUPATIONAL DISEASE OR ILLNESS An occupational disease or illness is a condition produced in the work environment over a period longer than one workday or shift. It may result from systemic infection, repeated stress, and exposure to toxins, poisons, fumes or other continuing conditions of the work environment.

FORM CA-2 is filed in the event of an Occupational disease or illness

The Form CA-1 or CA-2 should be given to his/her supervisor as soon as possible for their completion and signature. The supervisor must submit the CA-1 or CA-2 to LIFECARE within 24 hours after receipt of the form from the employee.