

CHAPTER 46

JOB INJURIES

46-1. GENERAL.

a. The Federal Employees Compensation Act (FECA) provides for the payment of worker's compensation benefits to all civil service employees for disability due to traumatic injuries sustained while in the performance of duty and occupational diseases caused by employment.

b. The supervisor plays a key role in administering FECA since the supervisor's statements concerning the job relatedness of a given injury or illness usually constitutes the official Army position. Once reported as job related a change is very difficult, even though added facts may tend to prove the injury was not job related. The supervisor must also report injuries and complete needed forms promptly, even when there is strong disagreement with the employee's position. Unreasonable delay may be grounds for legal or disciplinary action.

c. The supervisor must keep abreast of the disabled employee's work status and work closely with the FECA Program Administrator and the Labor Management Office, Civilian Personnel Advisory Center to restore the employee to duty in a full or limited capacity, depending on the degree of recovery.

46-2. OBJECTIVES.

The main objective in the administration of the FECA is to provide as promptly as possible, all the benefits to which an injured employee is entitled while protecting the interests of the United States Government. Claims for compensation must be processed promptly. Department of the Army is also concerned with the return to work of employees who have recovered from their injuries, either partially or completely. A light-duty program to temporarily employ persons while they recover from injuries has been established. Also, a program to reemploy long-term disabled employees on a permanent basis is in effect to reduce FECA costs. Continuation of pay (COP) claims will be controverted when facts show that the claimant may not be entitled to COP.

46-3. MEDICAL TREATMENT.

a. When an employee experiences an on-the-job injury and elects medical treatment, the supervisor will accompany the employee to Womack Army Medical Center, Emergency Room for initial evaluation. The supervisor will complete the front of

Form CA-16 for the employee, annotating to the physician the physical requirements of the injured employee's position and the availability of light duty. **In an emergency where there is no time to complete Form CA-16, the supervisor may authorize medical treatment by telephone and forward the completed form to the medical facility within four hours after the emergency.** Only one CA-16 is issued for a traumatic injury. After initial evaluation, the employee can choose to be treated by Womack Army Medical Center, Occupational Health Clinic or by a personal physician of the employee's choice. Any change in the treating physician after the initial choice must be specifically approved by OWCP in advance. Otherwise, OWCP will not be liable for the expenses of the treatment. The injured employee will complete a Form CA-1/CA-2 and submit it to the immediate supervisor within two days of injury/illness. If the employee is incapacitated, a family member or agency official may act on the employee's behalf. The form must contain the original signature of the person providing notice. Upon completion of the Form CA-1, the supervisor will submit it to the Business Center Director for review, who will forward it to the FECA Administrator, Civilian Personnel Advisory Center. If the employee, requests additional assistance he/she should contact the FECA Administrator, 396-8905/9138. (A CA-16 will not be issued if the employee is claiming an occupational disease or illness on a CA-2).

b. If the employee does not want to obtain medical treatment, the supervisor should ensure that the employee completes a Form CA-1, Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation. The supervisor will annotate in block 32 of the Form CA-1 that the employee elected not to seek medical treatment. Upon completion of the Form CA-1, the supervisor will submit it to the Business Center Director for review, who will forward it to the FECA Administrator, Civilian Personnel Advisory Center.

46-4. CONTINUATION OF PAY (COP).

a. The FECA provides that an employee's regular pay may be continued for up to 45 calendar days of wage loss due to disability and/or medical treatment following a traumatic injury. The intent of this provision is to eliminate interruption in the employee's income while the claim is being adjudicated. After entitlement to COP is exhausted, the employee must apply for salary compensation with Department of Labor or use leave. Employees (including temporary employees) are entitled to receive COP when absent from work due to disability or medical treatment. An employee who is claiming an occupational disease or illness is not entitled to receive COP.

b. In order to qualify for COP, the traumatically injured employee must file written notice of injury on a Form CA-1 and claim COP within 30 days after the date of the injury. COP may be terminated if medical evidence (documentation/notes) of the injury related disability is not submitted to the supervisor within 10 workdays. **The employee is responsible for ensuring that medical documentation is submitted to the supervisor each time medical treatment is received.** The supervisor will submit medical documentation to the Business Center Civilian Coordinator for forwarding to the FECA Administrator, Civilian Personnel Advisory Center.

c. An employee may use annual or sick leave to cover all or part of an absence due to injury. If an employee elects to use leave each full or partial day for which leave is taken will be counted against the 45 days of entitlement. Therefore, while an employee may use COP intermittently along with sick or annual leave, entitlement is not extended beyond 45 days of combined absences.

46-5. LIGHT DUTY FOR INJURED EMPLOYEES.

Employees who are injured in the performance of duty and found to be temporarily unfit to perform their normal duties, but able to perform light duty as determined by proper medical authority, will be given such duties. Supervisors play an important role in light duty reemployment by determining specific jobs an employee can perform. In determining light duty assignments, the following factors must be considered:

- a. The employee's medically defined work limitations.
- b. The employee's job skills.
- c. The work organization to which the employee is regularly assigned. The light duty position does not have to be the same position an employee was in at the time of disability. It is extremely important that supervisors assist the FECA Administrator, CPAC in this matter.

46-6. CONTROVERSION.

The employing agency may, on the basis of the information submitted by the employee or obtained by an investigation, controvert a claim and terminate an employee's pay. Every effort must be put forth to identify those employees who have questionable records relative to using and abusing the injury compensation program and to ensure those claims that should be challenged are challenged.

46-7. TRAINING.

A one-hour training class is available to supervisors. Training is conducted on site and covers this subject in detail. To schedule training, contact the FECA Administrator, Civilian Personnel Advisor Center at 396-6122.