

Best Practices for Injured Federal Employees

- Fill the CA-1 within the first 10 days if you are using continuation of pay (45 days) That include COVID 19 exposure. If the employee is on Ventilator, ask the agency to fill the form for the employee.
- Notify your supervisor of the injury in writing via email to their government email
- Seek assistance from your union if you have any question
- You must provide the agency with a doctor note the first 10 days for your case to be approved for continuation of pay (45 days)
- The medical provider you elect to see must be a physician (MD)
- Review the packet attached for more helpful information

Things to Avoid when filling the forms

- Do not abbreviate on the forms
- Fill the employee portion completely
- Ensure that you keep a copy of all the forms
- Ask for a copy of the forms CA-1 or CA-2 after your supervisor completes the agency portion
- You are entitled to select your own physician; the agency cannot force you to see their physicians. Do not see a Physician Assistance or Nurse Practitioner.
- Review the packet attached for more helpful information

ELEMENTS YOU MUST MEET FOR YOUR CASE TO BE ACCEPTED:

- The claim was filed within the time limits specified by the FECA
- The injured person was, at the time of injury, an employee of the United States as defined in 5 U.S.C. 8101(1) and §10.5(h) of this part
- The fact that an injury, disease or death occurred
- The injury, disease or death occurred while the employee was in the performance of duty
- The medical condition for which compensation or medical benefits is claimed is causally related to the claimed injury

HOW AND WHEN IS A NOTICE OF TRAUMATIC INJURY CA-1 FILED:

- To claim benefits under the FECA, an employee who sustains a work-related traumatic injury must give notice of the injury in writing on Form CA-1, which may be obtained from the employer or from the Internet at www.dol.gov under forms. The employee must forward this notice to the employer. Another person, including the employer, may give notice of injury on the employee's behalf. The person submitting a notice shall include the Social Security Number (SSN) of the injured employee. All such notices should be submitted electronically whenever feasible to facilitate processing of such claims
- For injuries sustained on or after September 7, 1974, a notice of injury must be filed within three years of the injury. The requirements for filing notice are further described in 5 U.S.C. 8119.
- If the claim is not filed within three years, compensation may still be allowed if notice of injury was given within 30 days or the employer had actual knowledge of the injury or death within 30 days after occurrence.

Your Workers' Compensation Claim can be held up for months if your physician does not have experience working with federal workers comp claims. Research and be cautious in choosing your physician to ensure that he or she:

- Accepts federal worker's compensation claims
- The physician you select is in a large medical group or clinic
- Ensure that the physician is familiar with the ACS process and system
<https://OWCPMED.dol.gov>
- Always obtain a physician's note that contains diagnoses, prognosis, and date of recovery, if this information is not included in the note, the agency will ask for another doctor note that is more specific
- Remember that the burden of proof is on the injured employee.
- Dept. of Labor/OWCP rarely allows change of physician.

TYPE OF BENEFIT YOU ARE ENTITLED FOR

- Medical Treatment
- COP (Continuation of pay) Commonly called 45 Days.
- Vocational Counseling
- Physical Therapy
- Occupational Therapy
- Surgical Procedures
- The American Rescue Act for COVID 19

WHERE CAN YOU GET HELP WITH YOUR FEDERAL WORKERS COMPENSATION CASE :

- Your local representative
- Your Council
- AFGE District office
- AFGE Headquarter (OWCP Specialist)