

Was your injury due to a specific event?

What to do when you have a traumatic injury

A traumatic injury is defined as:

“A wound or other condition of the body caused by external force, including stress or strain, which is identifiable as to the time and place of occurrence and member or function of the body affected. The injury must be caused by a specific event or incident or series of events or incidents within a *single work day or work shift*.”

The key to this definition is that an event or events must have occurred during a *single workday or work shift*.

Step 1: Notifying your Supervisor

Immediately notify your supervisor and request:

Form CA-1, Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation (must be supplied immediately)

Form CA-16, Authorization for Examination and/or Treatment (must be supplied by your manager within 4 hours)

Form CA-17, Duty Status Report (must be supplied immediately)

Forms CA-1 and CA-17 are available at the Department of Labor website:
<http://www.dol.gov/owcp/dfec/regs/compliance/forms.htm>

Step 2: The CA-1

If you do not need immediate medical attention, fill out the CA-1. The burden of proof in every OWCP case rests on the injured worker; you must be an active participant in the claims process. Be thorough in describing the accident and related factors.

Fill out the CA-1 yourself – do not let a supervisor fill it out for you! At the bottom of the CA-1, question number 15 allows you to choose either Continuation of Pay (COP) or Sick leave. If you elect COP you will be paid your regular pay for 45 calendar days.

For the first three days of COP, you must use either sick leave, annual leave or leave without pay. After that, you will continue to get paid every two weeks as if you were working. If your absence exceeds 14 days, ask the Postal Service to convert your 3 days to COP and credit the proper leave account. You must supply medical evidence of your injury, signed by a doctor within 10 days to qualify for COP.

Once you have reviewed and signed your CA-1, physically hand the completed CA-1 to your supervisor. Do not leave it on your supervisor's desk or inbox. Request that your supervisor gives you the signed receipt (page 4) immediately. Once you are certain that the CA-1 has been properly completed, request a copy for your file.

The CA-1 receipt establishes a record of your injury and the date you filed your claim.

The Postal Service has 10 working days to submit the CA-1 to the Office of Worker's Compensation Programs, (OWCP). Once management has completed their portion of the CA-1, get a copy of it for your files. Build a file of every document related to your injury, including medical reports and documents from the Postal Service and OWCP.

Step 3: Seeking Medical Treatment

Form CA-16 authorizes payment for medical treatment and provides an initial medical report. Make sure the Postal Service properly fills out their portion of the CA-16, signing and dating it and putting OWCP's address in Box 12. The CA-16 is a payment voucher for medical treatment for on the job injuries. You can use the CA-16 to see the doctor of your choice.

You have the right to seek treatment from your own doctor. If the Postal Service insists that you go to their doctor, you have to be seen by them but **you do not have to be treated by them.**

If you are examined by a physician's assistant or nurse practitioner, your medical report must be counter-signed by a doctor.

Provide the doctor with a copy of the CA-17. The Postal Service is responsible for filling out the job requirements on the left (side A) of the CA-17. Your doctor fills out the right (side B) of the CA-17, listing any medical restrictions. Make a copy of the completed CA-17 and give one copy to your supervisor.

The Postal Service has 10 business days to send your claim to OWCP. OWCP will send you a notification including your claim number. If you do not receive a notice from OWCP with your claim number contact your shop steward or National Business Agent's office.

Your medical records are protected by the Privacy Act. Your Postmaster, manager and supervisor are not entitled to your personal medical records. OWCP is responsible for the protection of all of your medical records.

Step 4: Continuing Treatment/Returning to Work

Follow your doctor's restrictions. Delivering mail is physically demanding work, and returning to work before you have healed can lead to life-long debilitating injuries. Take a CA-17 to every medical appointment and provide a copy to your supervisor.

The Postal Service has an obligation to offer you work within your restrictions. The completed CA-17 must be provided to the Postal Service to determine if there is work available within your

restrictions. If the Postal Service offers you work and you are uncertain if you can do it, you have the right to request a written job offer to take to your doctor.

Medical reports should be sent directly to OWCP, not the Postal Service. Your doctor may send the reports directly to OWCP or you can upload them into your file via ECOMP.

Step 5: Managing your Claim

Once you have filed your claim, OWCP has three options:

1. Request more information

OWCP will notify you if your case lacks enough information to make a decision in your case. They will send you a development letter requesting more information listing a series of questions for both you and your doctor to answer. These letters always give you exactly 30 days from the date on the letter to respond.

It is important that you act quickly to get the questions answered within the 30-day time limit. Make an appointment with your doctor as soon as possible. Bring the OWCP letter to your appointment. and ask your doctor to thoroughly answer the questions. OWCP must receive the information within the 30 days, a postmark is insufficient. Make sure your doctor understands the urgency. Use ECOMP to upload your documents directly to your file if necessary.

Never forward documents without first making copies for your own records. You need to organize your records to be ready to respond to OWCP. If you have problems with your claim, contact a branch officer or National Business Agent to find an NALC representative to assist you. FECA gives you the right to appoint a representative of your choice.

2. Claim acceptance

In accepting your claim, OWCP has determined the documentation provided was sufficient. If you are on COP and it appears you will not return to work after 45 days, the Postal Service is required to provide you with form CA-7 to request wage-loss compensation after 45 days. The CA-7 comes with instructions on how to properly fill it out and submit it.

If you do not receive a CA-7 from the Postal Service, request one from your supervisor or print one from the DOL's website. Submit the completed CA-7 every two weeks, usually on the last Friday, to your district Health Resource Management, HRM office. Send a written request for a copy of the completed CA-7, including management's portion, for your file every time you submit it to HRM.

Ask your supervisor for the HRM office's address and fax number. The Postal Service has five working days to complete their portion of the CA-7 and send it to OWCP. Always keep a copy of your CA-7 for your file.

If the Postal Service notifies you that they have a Limited Duty Job Offer (LDJO) for you, you need to examine it and see if it falls within your doctor's restrictions listed on your most recent CA-17. If the job offer looks reasonable and is within your medical restrictions, accept the job offer and begin working it. If you think the job offer exceeds those limitations, you have the right to take the job offer to your doctor and let the doctor determine if the job offer is within your medical restrictions.

NEVER refuse a job offer. If management demands you accept or reject a job offer, accept the offer and write "*pending doctor's approval*" next to your signature. FECA regulations allow you to have your doctor review any job offer for compliance with your medical restrictions.

You should take the job offer to your doctor as soon as possible and give a copy of the response to the Postal Service and OWCP. The Postal Service may make you multiple job offers and you should follow the procedures above every time.

OWCP has the sole authority to determine whether the LDJO is suitable. If OWCP determines that the job offer is suitable, it is required to notify the employee in writing and give the employee 30 days to begin the job.

3. Claim Denial

If OWCP denies your claim, they will normally list the reason(s) why. Along with the denial, OWCP will give you a list of your appeal rights. Each venue has specific time limits that are absolute. In order to successfully appeal a denial, you must address OWCP's reason(s) for the denial. It often involves further medical documentation and new medical opinions from your doctor or a specialist.

Contact a branch officer or NBA's office to solicit help in choosing the proper venue for appeal.