

PUZZLE SOLUTION – May 2009 *DHRC-I Insider*

Scenario: You are a supervisor with an employee who has just provided you with a completed CA-1, *Notice of Traumatic Injury* form, for an injury that occurred six months ago. You vaguely remember the incident and recall that the employee missed a couple of days of work, which was covered by his sick leave at his preference. The employee originally elected not to file a workers' compensation claim for his injury. He tells you he is providing you with the CA-1 form now because he has received several notices that his medical bills are going to collections. The employee wants to know if his injury will be covered by workers' compensation. What do you tell him?

The best answer is:

B. You accept the CA-1 form from the employee. You advise him that he will need to submit supporting medical documentation. You advise him that while his claim would be considered to be timely filed by DOL, they will likely seek additional information from him during the claims adjudication process.

The Federal Employees' Compensation Act (FECA) provides that an injured employee has up to three (3) years from the date of injury to file a timely claim.

Bonus Question: What if the employee asks about having Continuation of Pay in lieu of the sick leave he used?

The employee would be ineligible for Continuation of Pay (COP). Although FECA permits an employee up to three (3) years to file a timely traumatic injury claim, an injury MUST be reported on a CA-1, *Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation* within 30 days of the injury to preserve the employee's entitlement to COP.