Workers' Compensation Update from the DLA Injury Compensation Center

ICC Insider

Volume 2 Issue 4 August 2005

New Information Forthcoming from the ICC:

- Injury Compensation Handbook
- ICC Pocket Cards

"It is amazing what you can accomplish if you do not care who gets the credit."

—Harry S. Truman

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Supervisor, Specialist Retire After Many Years of Dedicated Service

The ICC announces the recent retirements for two of our own: Ms. Donna Williams and Ms. Bonnie Duvall. Both ladies are seasoned human resources professionals who have provided many years of dedicated service to the Federal Government. We wish them continued success in their future endeavors.

Ms. Williams came to DLA in January 2004 and assumed the duties of the Branch Chief of the ICC. Ms. Williams' Federal career has included appointments with the Departments of Army and Navy. Most recently, Ms. Williams worked at Headquarters, U.S. Marine Corps Base in Quantico, Virginia. Ms. Williams has extensive expertise with the workers' compensation program, and she has previously served as an Equal Employment Opportunity Counselor. She plans to relocate to Arkansas.

Ms. Williams and Ms. Duvall retire with over 55 years of combined service to the Federal Government.

Ms. Duvall transferred to DLA in December 2002, just after the ICC had officially opened for business, and became one of its original injury compensation specialists. Prior to her appointment with DLA, Ms. Duvall worked for the Defense Finance and Accounting Service located in Indianapolis, Indiana. Aside from workers' compensation, Ms. Duvall has a background in employee benefits and retirement counseling. She plans to relocate back to the Indianapolis area.

New Chargeback Report Indicates Workers' Compensation Costs Continue to Decline

The Agency is on a roll. For the chargeback billing (CB) year that ended on June 30, 2005, its compensation costs totaled $25.2M. This is an overall reduction of nearly $2M in 2 years. Also of note, during the 2005 CB year, the ICC received 1,082 new injury claims, a figure which was only slightly higher than the previous year.

The Agency's continued cost savings are attributed in part to the ICC's early return to work intervention efforts in new claims, as well as to several job offers extended to injured employees under the provisions of the DoD Pipeline Reemployment Program.

The ICC remains committed to continued compensation cost reduction. The ICC also remains committed towards assisting injured workers and their supervisors throughout the entire claims process. All individuals with questions or concerns are encouraged to contact the ICC.

Some Information Regarding Second Opinion and Referee Medical Examinations

The U.S. Department of Labor (DOL) relies on written medical reports to justify awards for compensation, support payment of medical expenses, and monitor the quality of care being provided. Normally, this documentation is provided by the injured employee's attending physician. Sometimes however, an additional medical opinion may be required.

Under 5 U.S.C. 8123, DOL has the authority to order examination of an injured employee as frequently as may be reasonably required. Second opinion and referee medical examinations are commonly used by DOL in its case management efforts. Each DOL district office maintains a listing of physicians who have expressed willingness to perform either second opinion or referee medical examinations.

Second opinion examinations may be warranted in cases where the attending physician is not a specialist in the field of medicine related to the employee's injury, or when the information provided by the attending physician is insufficient or incomplete.

Referee examinations may be warranted in cases whenever a conflict of medical opinion exists between the attending physician and a second opinion specialist. The referee, or impartial medical specialist's opinion is solicited to establish the weight of the medical evidence in a case.

Injured employees are notified in writing by DOL whenever the need for an additional medical opinion arises. They are provided with specific information regarding the scheduled appointment and are strongly encouraged to keep the appointment as scheduled. Any employee who refuses to submit to a DOL-directed medical examination will have his/her compensation benefits suspended until such time of compliance.

Supervisors Have Basic Responsibilities When Work-Related Injuries Occur

When a civilian employee is injured as a result of work, supervisors have certain basic responsibilities:

—if the employee requires emergency medical treatment, ensure that the injured employee receives immediate care.

—Complete the DLA Form 1591, *Mishap Report,* and forward it to the local Safety Office.

—Assist the employee in completing either the form CA-1 or form CA-2. CA-1, *Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation*, is used for injuries that occur over the course of a single work shift. CA-2, *Federal Employee's Notice of Occupational Disease and Claim for Compensation*, should be used when an injury occurs over the course of several work shifts.

—Ensure that the completed CA-1 or CA-2, plus any available medical and other supporting documentation, are promptly forwarded to the ICC.

—Provide reasonable accommodation to an injured employee's documented medical limitations.

Summer Brings Hot Weather, Poses Risk of Heat-Related Injuries and Illnesses

The dog days of summer pose special hazards for employees working outdoors. To help employers and workers stay safe throughout the season, the Occupational Safety and Health Administration (OSHA) is offering tips to prevent heat-related injuries, illnesses, and deaths.

Employees working outdoors should protect themselves from the harmful effects of sunlight by using sunscreen, wearing a hat, and limiting their exposure as much as possible during the peak hours of 10 a.m. and 4 p.m. Heat exhaustion and heat stroke are two serious conditions. Keeping well-hydrated, eating smaller meals, and taking frequent short breaks in cool shade are paramount.

Symptoms of heat exhaustion and heat stroke include headaches, dizziness, mood changes, confusion, and fainting or passing out.

OSHA's Heat Stress Card contains information about injury/illness warning signs and treatments. The card can be downloaded from OSHA's web site at: www.osha.gov.

Injured Employees Afforded Several Appeal Rights to Pursue Adverse Claim Decisions

An employee not satisfied with a decision from the U.S. Department of Labor (DOL) has three options: reconsideration by the DOL district office, a hearing before a DOL hearing representative, or an appeal to the Employees' Compensation Appeals Board (ECAB). Specific guidance on each option is provided by DOL in writing at the time of their decision.

Requests for reconsideration must be made in writing by the employee, or his/her designated representative, within 1 year of the date of the DOL decision for which review is sought. New evidence not previously considered by DOL may be submitted. A claims examiner who did not participate in the original claims process, conducts a merit review of the claim and issues a new decision.

A hearing is a review of an adverse decision by a hearing representative. The employee may choose either an oral hearing or a review of the written record. As with reconsideration, new evidence may be submitted. Hearing requests must be made in writing by the employee, or his/her designated representative, within 30 days of the date of DOL's decision.

At the oral hearing, testimony is made under oath and is recorded. After the testimony has concluded, the hearing remains open for the submittal of additional evidence for 30 days. At that time, a new merit decision is made and mailed to the employee's address.

An appeal to ECAB must be filed in writing within 90 days of a final DOL decision. In appeals before ECAB, attorneys from the Office of the Solicitor of Labor represent DOL. ECAB has the final authority to determine questions of law and fact. Its determinations are binding upon DOL. ECAB will not consider any new evidence, so employees must proceed on the basis of the record as it stands at the time of DOL's decision.

Reminder to Supervisors: Notify the ICC Promptly When an Injured Employee Returns to Work

All supervisors are reminded that they are required to notify the ICC when an injured employee returns to work. Prompt notification is required to ensure the accuracy of compensation benefits paid by DOL.

Additionally, it assists the Agency in accurately tracking its lost production days, which is a requirement under President Bush's Safety, Health, and Return-to-Employment (SHARE) Initiative.

When contacting the ICC, supervisors should be prepared to advise the exact return to work date, whether the employee is working full duty or light duty, and in cases where an employee is working less than a full tour of duty, the exact number of hours being worked per day and week.

Injured employees are expected to return to work as soon as they are medically capable. Injured employees are responsible for providing medical documentation supporting all work releases. This documentation must be forwarded to the ICC for submission to DOL.

The ICC Staff Have Been Asked...

Q: An employee of mine was recently injured in an automobile accident on his way home from work. Is this considered work-related?

A: The Federal Employees Compensation Act does not normally extend coverage to workers for injuries which occur before they reach the employer's premises or after they have left it. However, coverage may be extended when the employer provides transportation to and from work, when the employee is required to travel during a curfew or an emergency, or when the employee is required to use his/her automobile during the work day.

Q: How long will my case remain open?

A: An accepted case remains open for as long as medical care or disability continues. Cases in which there is no activity for a period of several months are closed and may be sent to the Federal Records Center. However, these cases may be reopened at any time.

CONTACTING THE ICC

Defense Logistics Agency, J-1
Injury Compensation Center
8725 John J. Kingman Road, STOP 6231
Fort Belvoir, VA 22060-6221

ICC Business Hours: 6:00am—6:00pm (EST)
Toll-Free Phone: 1-866-737-9724
Phone: (703) 767-7494 or (703) 767-2958
DSN Prefix 427
Fax: (703) 767-7128 or (703) 767-8348 DSN 427
Email: ICC@dla.mil
Website: http://www.hr.dla.mil

"Deliberately simple." As part of its HealthierFeds campaign, OPM is touting MyPyramid, a recently unveiled interactive food guidance system, to all federal employees:

1. Make smart food group choices
2. Balance food and physical activity
3. Maximize nutrition from calories

Source: United States Department of Agriculture, www.mypyramid.gov/

DLA HUMAN RESOURCES

The DLA Injury Compensation Center (ICC) was established to provide comprehensive claims processing assistance to the entire Agency and its serviced customers. Concurrent with its operational responsibilities, the ICC is also focusing on cost reduction by performing extensive chargeback review and case management. All Agency workers' compensation case files are maintained by the ICC, located at DLA Headquarters in Fort Belvoir, VA.

The ICC officially opened for business on November 4, 2002 and is currently staffed by a team of six (6) Specialists and three (3) Assistants under the direction of the DLA Injury Compensation Program Manager.

"You can't build a reputation on what you are going to do." —Henry Ford

Just For Fun—Workers' Compensation Puzzle Offers a Lighter Side of Learning

Everybody loves a puzzle. If you're feeling game, give this one a try. Determine which numbers correspond to individual letters and use them to complete the phrase below. The solution is available on our web site: http://www.hr.dla.mil/hr/bnfts/owcp/owcp.htm

Source: Discovery School's Puzzlemaker; www.puzzlemaker.com Create and print customized puzzles using your own word lists.

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z
				15							6		25				12	17	24						

T	E		E	R						R	L	L		S			S		S	T	E	
24	1	15	23	15	12	4	10	8	4	7	12	10	6	6	4	17	3	17	13	17	24	15	20

	S	E		T								E	N	S		T			N		N
19	17	15	8	24	10	23	3	13	7	10	20	23	15	25	17	3	24	4	10	25	4	25

	R		L		N		E				S				L		T				S	E	S
23	12	10	6	10	25	18	15	8	8	4	17	3	9	4	6	4	24	13	7	3	17	15	17