

# ON - THE - JOB INJURIES



CIVILIAN PERSONNEL DIVISION  
HEADQUARTERS

USATCFE

Fort Eustis, Virginia



## WHAT TO DO WHEN INJURED AT WORK

OBTAIN FIRST AID OR MEDICAL TREATMENT even if the injury is minor. While many minor injuries heal without treatment, a few result in serious, prolonged disability that could have been prevented had the employee simply stopped a few minutes for treatment when the injury occurred.

REPORT EVERY INJURY TO YOUR IMMEDIATE SUPERIOR even if the injury is minor. Ask him for the notice of injury form, CA-1. The employee, or someone acting on his/her behalf should complete the form and return it to your immediate superior. It may be difficult to establish that an injury occurred on-the-job weeks after it happened if no notice was given at the time.

SUPERVISORS are charged with the responsibility of insuring that all necessary forms are completed for every on-the-job injury. Since these forms are the only record of the injury they are necessary to substantiate any future claims arising from the injury or a reoccurrence.

The Federal Employees Compensation Act (FECA) provides compensation and medical care for all civilian officers and employees of all branches of the Government of the United States for temporary or permanent disability due to personal injuries sustained while in the performance of duty. You may not, however, recover damages from the United States in a court action for the effects of this injury. The benefits provided by the FECA constitute the exclusive remedy for work-related injuries or death.

#### TRAUMATIC INJURY

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

#### TIME REQUIREMENTS

You are required to give your immediate superior written notice of the injury within 48 hours after you are injured in the performance of duty. A written claim for disability compensation must be filed within 30 days after the injury before you may be paid compensation.

In the event of your death, a written claim by or on behalf of your dependents is required before compensation may be paid, and it must be filed within one year after your death. This requirement may be waived under certain circumstances; also, time limitations do not apply to (1) a minor until he reaches the age of 21 or has had a legal representative appointed and (2) an incompetent who is mentally and physically incapable of self-support and has no duly appointed legal representative.

#### MEDICAL CARE

An injured employee is entitled to first aid and medical care for an injury; this includes hospital care when needed. The medical care is to be provided by any duly qualified local physician or hospital of the employees choice. When travel is necessary to receive medical care, the injured employee may be furnished transportation and may be reimbursed for travel and incidental expenses. "Physician" includes osteopathic practitioners within the scope of their practice as defined by State Law when treatment from one is requested by the injured employee.

### CONTINUATION OF PAY - TRAUMATIC INJURY

An employee who sustains a disabling job-related traumatic injury is entitled to continuation of regular pay for a period not to exceed 45 days. The 45 day period is counted as calendar days and if the employee has stopped work because of the disabling effects of the injury, the period starts at the beginning of the first full day or first full shift on which the disability begins. The 45 day period does not have to begin immediately after the date of the injury. A person can be injured and not realize the severity of that injury for a period of time, however the 45 day period must first occur no more than six months following the injury.

### MONEY BENEFITS

Compensation for loss of wages is payable after the 45th day. Compensation may not be paid while an injured employee receives pay for leave. While you have sick or annual leave to your credit, you may elect whether to receive pay for leave or to receive compensation.

### AMOUNT OF COMPENSATION

For periods of total disability you will ordinarily receive compensation at the rate of 66 2/3% of your salary and 75% if you have a dependent. The least you will receive for a month of complete disability is three-fourths of the monthly pay of the lowest rate of basic pay for grade 2 of the General Schedule of the Classification Act of 1949, as amended, or your full wages, whichever is less. Similarly, the most you can receive is three-fourths of the monthly pay of the highest rate of basic pay provided for grade 15. Dependents include a wife, unmarried children under 18 years of age, and a wholly dependent husband or parent. Benefits to an unmarried child may continue after he reached the age of 18 if he is a student at the time he reaches 23 or has completed 4 years of education beyond the high school level.

### PERMANENT INJURY

The Act provides scheduled benefits and payments based upon loss of earning capacity. If you are permanently and totally disabled, compensation may continue for life, and should your condition require a constant attendant, an additional \$500 per month may be allowed.

### SCHEDULED BENEFITS

Scheduled benefits are awards made for specified periods of time for the permanent and total loss, or loss of use of each of certain members and functions of the body such as loss of an eye, arm, leg, and others. For example, compensation for 160 weeks is payable for loss of an eye in addition to payments for any temporary disability. In addition, benefits for loss of earning capacity due to the injury may also be paid after the scheduled award has terminated.

### VOCATIONAL REHABILITATION

The Bureau of Employees' Compensation may arrange for vocational rehabilitation where necessary and may provide you with a maintenance allowance not to exceed \$2,400 a year. You may also apply to the U. S. Civil Service Commission to have your name entered on a Civil Service list for possible appointment to any vacant position for which you are considered physically and otherwise qualified.

### DEATH BENEFITS

The amount of death benefits depends upon your monthly pay and the number and kinds of dependents found to be eligible for benefits. If your wife is the sole survivor she receives each month 50% of your monthly wage rate for the remainder of her life, so long as she does not remarry. If there is a widow with children, 45% is paid for the widow and 15% for each child up to a total of 75%. If children are the sole survivors, 35% is paid for the first child and 15% for each additional child up to a total of 75%, share and share alike. Awards to children terminate upon death, marriage, or reaching 18 years of age unless extended for educational purpose. Others, such as dependent grandparents, parents, brothers, sisters, and grandchildren may also be found entitled to benefits. The monthly payment to all dependents can never exceed three-fourths of the monthly pay of the highest rate of basic pay provided for grade 15.

### BURIAL EXPENSES

Burial expenses not to exceed \$800 are payable in any individual case. Transportation of the body to its former residence in the United States is provided when an employee dies away from the home station.

### ADDITIONAL INFORMATION

Any bona fide occupational disease is covered by the Compensation Act. In general if you have been receiving disability benefits for more than a year, the law provides an automatic increase in benefit payments after there has been an increase in the Consumer Price Index of at least 3% for 3 consecutive months over the price index for the most recent base month.

### APPEALS

If you are dissatisfied with any decision rendered in your case you are entitled to a hearing, where you will be afforded an opportunity to present evidence in further support of your claim. There is also provisions for additional review by the Bureau of Employees' Compensation Appeals Board. If you are in doubts about your rights under the compensation law you may write to the U. S. Department of Labor, Bureau of Employees' Compensation.

### RESPONSIBILITY OF SUPERVISOR

Upon receiving notice that an employee has sustained a job-related traumatic injury, the supervisor will promptly authorize medical care in accordance with the following procedures:

- a. Provide the employee or someone acting on his/her behalf with Form CA-1 for reporting the injury and upon receipt of the completed form, return to the employee the Receipt of Notice of Injury.
- b. Advise the employee of the right to elect continuation of regular pay or use annual or sick leave, if the injury is disabling.
- c. Form CA-16 should accompany the employee to specified physician or hospital of the employee's choice and should be completed by the attending physician.
- d. Form CA-1 and CA-16, fully completed, should be forwarded to Civilian Personnel Division to assist in substantiating any future claims arising from the injury or a reoccurrence. These forms will be forwarded to the Federal Employees' Compensation Bureau for a determination on any benefits due the employee.
- e. A copy of CA-1 should accompany the employees time & attendance card if continuation of pay is used.