

Workers Comp Overview for Supervisors

Being a good steward of Army's employees and money

Cost of Workers Comp

- Every DAY the Dept. of Defense spends almost 2 million dollars on workers comp
- 80% of this amount goes to “old cases” where the injured employee was never brought back to work

What can a supervisor do ?

- Supervisors have several important roles
 - Prevent injuries
 - Keep your work area as safe as possible. Most workplace injuries are completely avoidable
 - Enforce all safety rules
 - Document even verbal warnings about safety violations
 - Remember, people pay attention to the example you set

What can a supervisor do? (continue)

- Provide guidance to the employee on how to submit a claim in ECOMP: <https://www.ecomp.dol.gov/#>
- When an employee has filed a form via ECOMP and identified you as his or her supervisor, you will receive an email message notifying you that the form requires your review
- The message will contain a link to access the employee's form
- After you have reviewed the form and completed the supervisor portion of the form, it will be routed to the designated ICS for final review

What to do when injury occurs

- Give immediate, sympathetic caring
- Ensure employee seeks medical treatment, such as local clinic, emergency room or private doctor. You cannot require injured worker to use military clinic
- Never prevent an employee from getting medical attention even if you don't think it is serious
- Furnish hard copy CA-16 if employee needs emergency room or private MD care. The CA-16 guarantees Army will pay. **By law**, you must furnish these forms.

Follow-up on an injury

- Visit place where injury occurred. Make notes of what happened
- Speak with witnesses, what they saw & heard. Write down what they say
- Speak with Safety Officer about what can be done to ensure this injury never happens again (example, pull up ragged carpet if carpet caused employee to trip)

Follow up with employee

- Phone employee at home:
 - Ask what limitations doctor placed and why
 - When will employee be able to return
 - Emphasize light duty, modification of duties
 - Emphasize sympathetic caring
 - If employee must be off more than a week, phone employee every week for status
 - Remind employee he/she must furnish a medical statement ASAP supporting time off work

What if you think this injury is not “legit” ?

RED FLAGS to be aware of:

- Unexplained time delay in reporting injury or getting medical care
- There are no witnesses even though injury happened in area where it should have been observed
- Witness frequently serves as witness for other injuries
- Disciplinary action, downsizing, transfer facing employee
- Injury reported immediately after weekend or holiday
- Employee changes account of how injury happened

If you spot a “Red Flag”

- You must give copy of CA-16 to ICS *but* communicate to ICS questions you have about injury being Army’s fault
- Write down all information you have and give to ICS. A challenge must be mailed to OWCP immediately on all suspicious claims
- Army has only ONE opportunity to challenge a suspicious claim, and that is when the claim is first made

Challenge a Suspicious Claim

- Challenge must be based on facts;
being a poor performer is not adequate reason
- Your investigation & notes are crucial
- There is no format or form for a challenge,
 - It is simply a free type write-up of the facts, signed by you or by the ICS
 - The suspicious claim you don't challenge may become Army's million-dollar claim in the future

Timecards for injured employee

- Day of injury: mark hours missed as LU
- Day after injury, “COP” (Continuation of Payment) begins. COP does not deduct from employee’s leave balances.
- Timecards are marked LT while on COP for the number of days doctor says employee must be off. Employee must give you doctor’s written statement, with number of days needed to be off. Be sure ICS gets a copy

What if COP is used up ?

- COP is capped at 45 calendar days, which includes weekends & holidays
- If injury recovery lasts longer than 45 days, employee can use own leave and pay continues as usual. Employee can also use LWOP and apply for “compensation” on a CA-7 form. This means he gets 75% of pay with dependents or 66 2/3% if no dependents. “Compensation” is non-taxable. Be certain which choice employee wants to make. Confer with ICS

What if employee returns part-time?

The employee can either use own leave for hours not worked – or can chose LWOP for those hours and claim “compensation” on a CA-7 form. Work closely with ICS to ensure all steps are followed correctly

What if employee can't do full duties ?

- Sometimes doctor places restrictions on what returning employee can do.
- We must abide by these restrictions !! Example, if doctor says cannot lift more than 10 pounds, do not assign any heavier work than that.
- If restrictions are permanent, job may need be assigned to another employee and modified job created for returning employee.
- If restrictions appear unreasonable, work with ICS to request OWCP get 2nd medical opinion

Supervisor's Final responsibility

- Get injured employee back to work
- If an employee is “out on injury comp”
Army pays him. If we don't get employee back, Army pays him for his entire life !!
- If employee returns to work, eventually he retires like the rest of us
- If employee returns, he is subject to same personnel regulations as all other employees

What if injured employee can't return ?

- If employee is never able to meet physical requirements of old job, work with staffing & ICS to create new job within employee's capabilities
- Remember Army is paying employee whether he works or stays home

Why is it so important to get injured employees back ?

- Remember 80% of DOD's workers comp \$ are spent on compensation for employee who are out for years
- If Army doesn't get workers back, Army still pays them
- Most injured employees can do "something" so find out what employee can do & build a position around that

DOD's Pipeline Program

- “Pipeline” provides billet & pays salary for first 365 days for returning employees who have been out for 90 days or more
- DOD transfers money to your activity on a MIPR
- Designed to assist installations in returning employees to work

Recap of supervisor's role

1. Prevent injuries
2. Handle injuries correctly if they occur
3. Investigate all facts of injuries and challenge all suspect claims
4. Provide the employee with ECOMP website and if employee has no computer access contact the CPAC
5. ICS is your partner in all aspects of Workers Comp
6. Getting injured employees back to Army's workforce is a win-win for everyone

Where to get more information:

- Contact your ICS

 - (Injury Compensation Specialist, located in the CPAC office)

- Search in PERMISS under OWCP & FECA

- DOD instruction 1400.25 M, subchapter 810

- Dept. of Labor's web site: <http://www.dol.gov/owcp/dfec/>