UNITED STATES MARINE CORPS
MARINE CORPS LOGISTICS BASE
814 RADFORD BOULEVARD
ALBANY, GEORGIA

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15 Sep 03

BASE ORDER 12810.1

From: Commanding Officer
To: Distribution List

Subj: WORKERS' COMPENSATION PROGRAM ADMINISTRATION

Ref: (a) DOD Directive 1400-25.M, Subchapter 810
(b) DOL Publication Injury Compensation for Federal Employees, CA 810

Encl: (1) Workers' Compensation Claims Procedures

1. Situation. The goal of the Workers' Compensation Program is to ensure that employees receive all entitled benefits and are returned to work as soon as possible. If used properly, workers' compensation can help the Marine Corps maintain production, save money due to expenses related to retraining, increase morale of the injured employee, and greatly reduce workers' compensation costs. For the program to work, it is essential that each employee is responsible and uses safe work practices, uses proper safety equipment, and wears appropriate personal protective equipment, as required. Employees are also responsible for immediately reporting unsafe and unhealthful working conditions.

2. Cancellation. Chapter 15 of BO P12000.6A

3. Mission. The purpose of this Order is to provide policy and guidance for employees and their supervisors who file a workers' compensation claim.

4. Execution

a. Enclosure (1) will be used as a guide for submitting a workers' compensation claim.

b. This Order will be reviewed annually by all supervisors and will remain available for review by all employees.

5. Administration and Logistics

a. Administration. It is the responsibility of the Injury Compensation Program Administrator (ICPA) to ensure this Order is maintained and complies with regulatory requirements.

b. Logistics. The Injury Compensation Program Administrator will ensure organizations which process workers' compensation claims through the MCLB, Albany ICPA adhere to the policies and procedures published in this Order.

6. Command and Signal

a. Command. This Order is applicable to appropriated fund employees of Marine Corps Logistics Base, Albany and Blount Island Command.

b. Signal. This Order is effective the date signed.

J.R. Wingard
J.R. WINGARD

DISTRIBUTION: A

WORKERS' COMPENSATION CLAIMS PROCEDURES

1. General

a. Each employee has the responsibility to use safe work practices, use proper safety equipment, and wear appropriate personal protective equipment, as required. Employees are also responsible for immediately reporting unsafe and unhealthful working conditions to their supervisor.

b. The Federal Employee Compensation Act (FECA) is administered by the Office Of Workers Compensation Programs (OWCP) within the Department of Labor. The FECA provides compensation benefits to civilian employees for disability due to personal injury or disease sustained while in the performance of duty. Benefits provided under the FECA constitute the sole remedy against the United Sates for work-related injury, illness, or death. The burden of proof to claim a work-related injury or illness lies with the employee. To do so, the employee must prove the injury meets the following five criteria:

(1) The claimant is a government employee.

(2) The claim was filed within 3 years from the date of injury.

(3) The injury occurred while in performance of duty.

(4) Fact of injury is supported by medical documentation.

(5) Causal relationship exists between the type and severity of an injury and the mishap.

c. Claims for injuries caused by willful misconduct such as intention to bring about the injury, intoxication, or deliberately violating a safety rule may be denied.

d. This Command will controvert, investigate, and/or prosecute fraudulent claims to the maximum extent allowed by law. Any person who knowingly commits an act of fraud, including sick leave abuse, to obtain FECA benefits or who accepts illegitimate compensation is subject to investigation and prosecution.

e. Supervisors and management will make every effort and use all resources to keep injured employees at work to perform light or limited duty within the physical capabilities and limitations established by their attending physician.

f. There are two types of work-related occurrences that could result in a workers' compensation claim. They are:

(1) Traumatic Injury. Traumatic Injury is a wound or other condition of the body caused by external force, including physical stress or strain. It must be identifiable by time and place of occurrence and a member or function of the body affected. Further, it must be caused by a specific event or incident or a series of events or incidents within a single day or workshift. Traumatic Injury is reported on a Form CA-1, *Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation*.

(2) Occupational Disease or Illness. Occupational Disease or Illness is produced by systematic infection, continued or repeated stress or strain, exposure to toxins, poisons, fumes, noise, etc., in the work environment over a period of time longer than 1 day or 1 workshift. An Occupational Disease or Illness is reported on a Form CA-2, *Federal Employee's Notice of Occupational Disease and Claim for Compensation*.

2. Responsibilities

a. Employees will:

(1) Immediately advise their supervisor that an on-the-job injury has been sustained.

(2) Report all absences from work due to disability caused by a traumatic injury or occupational illness to their supervisor as soon as possible. Employees will also, ensure all medical documentation in support of such absences is submitted to supervisors and the Injury Compensation Program Administrator (ICPA).

(3) Keep their supervisor and ICPA informed of his/her medical status at all times.

(4) If receiving medical treatment off-Base,

(a) Notify the supervisor and ICPA of the medical appointment prior to the scheduled date and time.

(b) Have the physician complete Forms CA 16, Authorization for Examination and/or Treatment, (required for the initial vist), and CA 17, *Duty Status Report*, then return them to the supervisor who will forward it to the ICPA.

(c) Advise the physician on the availability of light duty and part-time duty.

(5) Complete the appropriate injury form (CA-1/CA-2) within 1 day of the occurrence and provide it to the supervisor. If the injured employee is unavailable to complete the form, the supervisor or coworker with first hand knowledge of the mishap may complete the form on the injured employee's behalf.

(6) Supervisors should use the Civilian Personnel Management Service (CPMS) on-line CA-1 and CA-2 forms available via a link on the Risk Management Office Website. When completed on-line and sent to CPMS, a case number is assigned and the case is emailed directly to the MCLB, Albany ICPA for immediate processing. To retain a paper copy, the supervisor must print and obtain all signatures required on the completed CPMS forms. This becomes the official OWCP injury record. Supervisor and the injured employee will maintain a copy of claims forms. The originals will be provided to the ICPA.

b. Supervisors will:

(1) Call 911 from a Base telephone (639-5911 from a Cell Phone) for emergency medical treatment. If it is not an emergency but medical treatment is necessary, provide an escort to take the employee to the Branch Medical Clinic for treatment.

(2) Immediately notify the Unit Safety Officer of the mishap who, in turn, notifies the Risk Management Office.

(3) Assist the employee in completing and submitting required forms in order to receive entitlements.

(4) Monitor the employee's recovery, time and attendance.

(5) Maintain a log of absences due to injury or illness, Continuation of Pay used and remaining for all injured employees.

(6) Immediately report and provide evidence of suspected fraud, malingering, or false workers' compensation claims to the Claims Investigator in the Risk Management Office.

c. Injury Compensation Program Administrator shall:

(1) Administer the Workers' Compensation Program.

(2) Provide liaison between the claimants and the Office of Workers' Compensation District Office.

(3) Provide counsel and advise on program entitlements, schedule awards, explanations of benefits, etc to claimants.

(4) Provide required forms for filing a workers' compensation claim and subsequent case management.

(5) Be the sole contact for providing approval/disapproval for all diagnostic medical tests and medical treatment procedures ordered by treating physicians. The ICPA will provide approval/disapproval directly to the treating physician.

(6) Provide training to supervisors and employees on workers' compensation procedures.

(7) Keep the Base Commanding Officer abreast of compensation issues and provides cost and trend analysis.

(8) Provide case information to the Claims Investigator upon request.

3. Medical Treatment

a. Treatment at the Branch Medical Clinic is preferred because it is immediate and greatly reduces Federal Employees' Compensation Act (FECA) costs.

b. In the event the Branch Medical Clinic is closed the injured employee may seek treatment at an off-Base medical

facility. The employee or employees' supervisor will notify the ICPA of this treatment at the start of the next work shift.

c. If an employee does not wish to be treated at the Branch Medical Clinic, he/she has the right to be seen by the medical provider of their choice. Employees who wish to be treated at an off-Base facility must first come to the Risk Management Office to consult with the ICPA and obtain a completed Form CA-16, *Authorization for Examination And/Or Treatment* and Form CA-17 *Duty Status Report*. The ICPA will fax these forms to the medical treatment facility for medical emergencies.

d. If the employee elects to see a private physician, he/she may not change physicians without prior OWCP approval or referral by the attending physician.

e. Branch Medical Clinic physicians may refer an employee to an off-base medical physician when deemed appropriate for more advance diagnosis or treatment. When this occurs, the injured employee will be advised to see the ICPA to make an initial appointment with the off-base medical provider.

4. Continuation of Pay

a. Continuation of Pay (COP) is the continuation of an injured employee's regular pay for up to 45 calendar days with no charge to sick or annual leave. Employees have the option of electing COP, sick or annual leave when absent from work due to an occupaitonal injury.

b. Employees disabled as a result of an occupational illness or disease are not eligible for COP. Only injured employees working full-time, part-time, temporary, and intermittent are eligible for COP. Absences due to injury in excess of 45 calendar days are charged to sick leave, annual leave, or leave without pay (LWOP).

c. All periods of COP must be supported by appropriate medical documentation.

d. Continuation of Pay may be used for doctor visits, approved diagnostic tests, and Physical/Occupational therapy. Employees are required to provide a work excuse or proof of medical appointment. COP will not be approved solely on the basis of an employee's statement.

e. Continuation of Pay is charged at full day intervals. A full day of COP will be charged even for part of a day's absence from work. If OWCP should disallow the injury claim, an employee has the option of charging his/her absence to personal leave (sick/annual) or to LWOP and refunding the salary received for the COP period.

f. The ICPA will monitor the COP used by injured employees to ensure the employee is not granted more than 45 calendar days of COP. The ICPA will notify the employee and employee's supervisor when 45 COP days are exhausted. Employees still unable to return to work will be charged personal leave or LWOP for any days absent not covered by COP.

g. To be eligible for compensation, after the 45 days of COP have been exhausted, the employee must be in a no-pay (LWOP) status and must submit Form CA 7/20, *Claim for Compensation on Account of Traumatic Injury*.

5. Time and Attendance Recording

a. Employees must support all absences from work by medical statement or documentation. It is very important that supervisors monitor employees' recovery progress, appointments, time and attendance. Not only is it important for sustainment of the employee's income but for reporting purposes to CPMS. The codes entered on a time and attendance record are reported to CPMS and are used to track mishap rates, COP lost workdays, and LWOP lost workdays by Command and installation. The best way to keep track of the days lost due to injury is to maintain a log of COP days used and remaining.

b. When a traumatic injury occurs, time sheets should be coded "LU" on the date of injury. The "LU" code establishes the date of injury within the Defense Finance and Accounting System.

c. The employee will be granted official time to receive treatment for a traumatic injury on the day of injury. If the employee is placed on temporary disability to work on the day of injury, any remaining time in the employee's scheduled workday will be regarded as official duty time and coded as "LU" on time and attendance record.

d. The code "LT" is used on the time and attendance record to indicate the employee's absence from work while receiving COP.

e. The code "KD" is used on the time and attendance record to indicate the employee's absence from work after the 45 calendar days of COP is used. It is also used to indicate days absent from work due to an occupational injury or disease.

f. The time and attendance record codes are summarized in the following table:

Code	Description
LU	Used to indicate absence on date of traumatic injury.
LT	Used to indicate absence while receiving COP.
KD	Used to indicate absence if employee elected to take LWOP after 45 days of COP or absence due to occupational illness or disease.

Time and Attendance Codes Related to Workers' Compensation

6. Light Duty Assignments

a. Supervisors and management at all levels will diligently attempt to place injured employees in light duty assignments where they can perform within the limits of their capabilities until they fully recover from an injury or treatment for an injury. Benefits of returning an injured employee to work as soon as possible are enormous. It maintains production, saves money due to expenses related to retraining, increases morale of the injured employee, and greatly reduces workers' compensation costs. The Marine Corps has determined that providing light duty for injured workers is vital if the Marine Corps' FECA costs are to be significantly reduced.

b. Light duty is the assignment of an employee to work in a position that meets the physical restriction(s) imposed by the attending physician either full time or for a restricted number of hours. Light duty is temporary and terminates when the employee fully recovers. Upon termination of the light duty assignment the recovered employee returns to his/her regular position. Light duty assignments do not normally exceed 1 year.

c. If the treating physician determines the employee has reached his or her maximum medical improvement, and is still

unable to return to full duty, a permanent physical restriction may be assigned. If this occurs, the ICAP will work closely with the employee's supervisor and staffing specialists at CHRO to accommodate the employee. This can be done by several initiatives, which include: modifying the employee's position description, placing the employee in another position within the organization, or transferring the employee to another organization where he or she can perform within the physical restriction. If a position cannot be located for a disabled employee, the employee may be terminated. Employees terminated due to occupational disability may be eligible for disability retirement or worker's compensation for wage loss.

d. Senior leadership in each subordinate command and division will:

(1) Identify positions within their organization suitable for light duty.

(2) Determine if an employee's medical restrictions can be accommodated by temporarily modifying the employee's regular duties. If an accommodation cannot be made, refer the employee to the ICPA for possible placement in another organization.

e. The ICPA will work closely with treating physicians to ensure they know that light duty assignments are available for capable employees.

7. FECA Working Group

a. The purpose of the FECA Working Group is to resolve problems with active injury claims, identify program trends, and develop cost containment initiatives. The working group consists of the following members:

(1) Injury Compensation Program Administrator (Chairman)

(2) Branch Medical Clinic Occupational Health Nurse

(3) Unit Safety Officer

(4) CHRO Staffing Specialists

(5) Safety and Occupational Health Specialists

b. The FECA Working Group will meet once a quarter. The ICPA is responsible for arranging the time, date, location, and agenda for the meeting.