

PART 0 - OVERVIEW

(Issued 09/94; Trans. No. 94-40)

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Chapter 0-0100 INTRODUCTION TO FECA AND DFEC

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1. Purpose and Scope. This chapter provides a brief overview of the Federal Employees' Compensation Act (FECA) and the background and structure of the Division of Federal Employees' Compensation (DFEC). It also addresses the relationships between DFEC and the Office of Workers' Compensation Programs (OWCP) and the Employment Standards Administration (ESA); the various components of the DFEC; and training for DFEC employees.
2. The FECA. In 1908, President Theodore Roosevelt signed legislation to provide

workers' compensation for certain Federal employees in unusually hazardous jobs. The scope of the law was very restricted and its benefits were quite limited. However, it was the first workers' compensation law to pass the test of constitutionality applied by the U. S. Supreme Court. The FECA, which superseded the 1908 statute in 1916, is a workers' compensation law for all civilian Federal employees. It provides for wage loss compensation, medical care and survivors' benefits.

Organization. This paragraph describes the structure and authority of the national, regional, and district offices. The ESA has five agencies, of which OWCP is one (the others are the Wage and Hour Division, the Office of Federal Contract Compliance Programs, the Office of Labor-Management Standards, and the Office of Management, Administration, and Planning).

In turn, OWCP has four divisions, of which DFEC is one (the others are the Division of Longshore and Harbor Workers' Compensation, the Division of Coal Mine Workers' Compensation, and the Division of Planning, Policy and Standards).

a. Assistant Secretary for Employment Standards. While the Assistant Secretary retains authority for administrative management, the authority for the execution of the program and activities of the OWCP as a whole resides with the Deputy Assistant Secretary for Workers' Compensation, who retains final authority over claims under the FECA.

The functions of budget, accounting, personnel, management of priority correspondence and forms, and disposition of records are centralized within ESA. The functions encompass all operations of the DFEC that are not directly concerned with the administration of the FECA.

b. Regional Director. ESA has 10 regions. OWCP programs in each region are administered by a Regional Director (RD), who reports to the Deputy Assistant Secretary for Workers' Compensation. (Exhibit 1 contains a list of ESA regions and FECA district offices, along with a jurisdictional map.)

c. District Director. DFEC has a total of 12 district offices (DOs), which include one in each of nine regions, two in Region 6, and the National Operations Office. Each DO is headed by a District Director (DD), who reports to the RD. (Addresses, telephone numbers, and fax numbers for the DOs and the Branch of Hearings and Review can be obtained from the program's web site, www.dol.gov/dol/esa/dfec.htm.)

4. Responsibilities. The purpose of this paragraph is to describe the roles of the various components within DFEC and the Employees' Compensation Appeals Board, which are as

follows:

- a. District Offices. The DD is responsible for the FECA program and operations in the DO. DO staff administer the FECA within their respective geographic boundaries.
 - (1) Claims Functions. In each DO are two or more Supervisory Claims Examiners, who are responsible for the operation of individual claims units, and a number of Senior Claims Examiners and Claims Examiners, who have primary responsibility for handling claims, including authorization of compensation and medical benefits. Individuals at each level of authority from DD to Claims Examiner have been delegated specific responsibilities for issuing decisions on claims.
 - (2) Fiscal Functions. Each DO has a Fiscal Officer and at least one Benefit Payment Clerk. Some DOs have a Bill Pay Supervisor as well. The unit is generally responsible for resolution of problems with medical bills, complex calculations of benefits and overpayments, maintenance of the Debt Management System, adjustments to compensation and bill pay histories, changes in health benefits and life insurance coverage, and financial management records. In some DOs, fiscal personnel enter compensation payments into the automated system.
 - (3) Medical Functions. Each DO has at least one District Medical Adviser (DMA) who works under contract to review individual cases, and some DOs have a District Medical Director (DMD) as well. Each DO also has a Medical Management Assistant (MMA), who arranges referrals to second opinion and referee specialists. Each DO also has a Staff Nurse, who is responsible for coordinating a number of field nurses who monitor claimants' medical progress and assist their efforts to return to work.
 - (4) Mail and File Functions. Personnel in this area open, sort, and place mail; make up case files; retire case records according to established schedules; and transfer case files in and out of the DO.
 - (5) Vocational Rehabilitation Functions. Each DO has at least one Rehabilitation Specialist (RS) and usually a Rehabilitation Clerk. The RS manages a number of Rehabilitation Counselors, who work under contract with OWCP to help claimants obtain employment.
- b. National Office (NO). The Director for Federal Employees' Compensation has final authority over program matters. Under the immediate supervision of the Director for FEC are the following functions:
 - (1) Branch of Hearings and Review (H&R). Personnel in this Branch are responsible for conducting hearings and reviews of the written record in FECA

cases. Hearing Representatives issue decisions which sustain, reverse, modify, or remand cases to the OWCP district offices.

(2) Branch of Regulations and Procedures. Examiners in this unit assist in developing claims and benefit payment policies, regulations and procedures; prepare and maintain the program's manuals; plan and conduct studies of claims and benefit payment functions; and participate in training activities and accountability reviews of district offices.

(3) Branch of Technical Assistance. Members of this unit develop materials for use by district offices and other Federal agencies to educate Federal employees in reporting injuries and claiming compensation under the FECA. They also hold workshops for compensation personnel in various Federal agencies and for groups of employee representatives.

(4) Branch of Coordination and Control. This branch provides ADP support services for the FECA program. It coordinates the overall ADP work of DFEC and provides policy direction for ADP systems activities.

c. Employees' Compensation Appeals Board (ECAB). This body is under the jurisdiction of the Secretary of Labor but is entirely separate from OWCP. It is authorized to hear and determine appeals from claimants involving questions of law or fact after DFEC has issued a final decision on the issue in question.

5. Standards. This paragraph describes the time frames within which district offices must act to adjudicate new cases and claims for recurrence; make compensation and bill payments; respond to priority inquiries and routine inquiries; make decisions on reconsideration requests; and resolve cases handled under Quality Case Management (QCM) procedures; and adjudicate cases remanded for further action. The standards are:

a. Adjudicate Traumatic Cases

- (1) 90% within 45 days
- (2) 99% within 180 days

b. Adjudicate Administratively Reopened Cases

- (1) 80% within 45 days

c. Adjudicate Basic-Development Non-traumatic Cases

- (1) 75% within 90 days

(2) 95% within 180 days

d. Adjudicate Extended-Development Non-traumatic Cases

- (1) 70% within 180 days
- (2) 98% within 365 days

e. Process Medical Bills

- (1) 90% within 28 days
- (2) 95% within 60 days

f. Process Claims for Payment [CA-7 entered into Automated Compensation Payment System (ACPS)]

- (1) 82% within 14 days
- (2) 95% within 60 days

g. Respond to Written Priority Inquiries

- (1) 90% within 14 days
- (2) 98% within 30 days

h. Make Reconsideration Decision

- (1) 80% within 90 days
- (2) 95% within 150 days

i. Make Remand Decisions

- (1) 80% within 120 days
- (2) 95% within 180 days

j. Adjudicate Claims for Recurrence

- (1) 80% within 90 days
- (2) 95% within 180 days

k. Quality Case Management Resolutions

- (1) 90% within 30 months

l. Respond to General Inquiries

- (1) Telephone--90% within three days
- (2) Written--85% within 30 days

6. Training. This paragraph describes the information new employees should be given and addresses the kinds of training which OWCP provides to its employees.

a. Orientation. It is the responsibility of the Regional Director (RD) and/or District Director (DD) to orient and train all new employees in their respective district offices. The RD/DD will, on the new employee's first day of employment, address the following topics:

- (1) Organization of the DO, the regional office, OWCP, and ESA.
- (2) Mission and objectives of DFEC.
- (3) General description of duties.
- (4) Staffing pattern, chain of command.
- (5) Floor plan--physical layout of office, unit locations, etc.
- (6) Mail handling, paper and case flow.
- (7) Working hours, breaks, lunch hour, sick and annual leave arrangements, Flextime, telephone use, overtime authorization, etc.
- (8) Introduction to staff, etc.

The RD or DD should also ensure that each employee possesses copies of the reference materials necessary to perform his or her job and understands their use. Each new employee should become familiar with this material as soon as possible.

b. Training for Specific Job Duties. Several formal training courses have been developed for claims examiners. These include:

- (1) New Hire Claims Examiner Course. This self-instructional course requires approximately three months to complete. It is designed to teach basic adjudicatory and case management skills. A medical terminology course is given as an adjunct.
- (2) Periodic Roll Review Course. This course can be taken in either a self-instructional or classroom version. It focuses on evaluation of medical evidence and other entitlement issues often encountered in periodic roll cases. The class is four weeks in length.
- (3) Senior Claims Examiner Training. This course, which is given in a classroom setting and is several days in duration, concentrates on reconsiderations, overpayments and conferencing.

In addition, training in the automated system, including use of Folioviews, is available, and training in topics such as the Privacy Act and Freedom of Information Act is offered

periodically as well

c. Other Training. The ESA offers courses of varying lengths on many different subjects. The local Training Officer should be consulted for a listing of currently available offerings. Further details on programs in management development and upward mobility may be obtained from local personnel offices. Generally, ESA requires that requests for training meet the following minimum standards:

- (1) Relationship to Work. The requested training must be related at least indirectly to some job the employee holds now or may hold at some time in the future. Training request priorities are determined on the basis of how closely and immediately they are related to improving job performance.
- (2) Approval. The requested training must be approved by your immediate supervisor.
- (3) Cost of Training. The cost of the training must be within the office's budget limits for such expenditures.

0-0100 Exhibit 1: JURISDICTION OF DISTRICT OFFICES

Jurisdictional Map ([Link to Image](#))

REGION I--BOSTON

1--Boston, MA - Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont

REGION II--NEW YORK

2--New York, NY - New Jersey, New York, Puerto Rico, and the Virgin Islands

REGION III--PHILADELPHIA

3--Philadelphia, PA - Delaware, Pennsylvania, and West Virginia

REGION IV--ATLANTA

6--Jacksonville, FL - Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina,

South Carolina, and Tennessee

REGION V--DALLAS

16--Dallas, TX - Arkansas, Louisiana, New Mexico, Oklahoma, and Texas

REGION VI--CHICAGO

9--Cleveland, OH - Indiana, Michigan, and Ohio

10--Chicago, IL - Illinois, Minnesota, and Wisconsin

REGION VII--KANSAS CITY

11--Kansas City, MO - Iowa, Kansas, Missouri, and Nebraska; all employees of the Department of Labor (except Job Corps enrollees) and their relatives.

REGION VIII--DENVER

12--Denver, CO - Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming

REGION IX--SAN FRANCISCO

13--San Francisco, CA - Arizona, California, Hawaii and Nevada

REGION X--SEATTLE

14--Seattle, WA - Alaska, Idaho, Oregon, and Washington

NATIONAL OPERATIONS OFFICE

25--Washington, DC - District of Columbia, Maryland, and Virginia; all areas outside the U.S., its possessions, territories, and trust territories; and all special claims

Chapter 0-0200 PROGRAM DIRECTIVES

<u>Paragraph and Subject</u>	<u>Date</u>	<u>Trans. No.</u>
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1. Purpose and Scope. This chapter describes the communications and directives system used by the Division of Federal Employees' Compensation (DFEC). It focuses on the structure of the Procedure Manual governing claims under the Federal Employees' Compensation Act (FECA) and addresses its relationship to the program's other written directives.

2. Directives. The purpose of this paragraph is to describe the publications relating to the Federal employees' compensation program. These publications include both internal and external releases, as follows:

a. External Directives. These may consist of either legal or informational releases.

(1) Federal Register. This publication contains notices and rules pertaining to new or revised policy. Notices advise the public of proposed changes and invite comments on them, while rules state the final changes adopted by the program.

(2) Injury Compensation for Federal Employees. This handbook, which supersedes Federal Personnel Manual (FPM) Chapter 810, provide information to employing agencies concerning adjudication and management of claims under the FECA. OWCP Letters provide updates to this handbook.

(3) Pamphlets and Notices. These publications are designed to inform the public of the availability of FECA benefits. They include:

(a) Form CA-10, What a Federal Employee Should Do When Injured on the Job.

- (b) Form CA-11, When Injured at Work.
- (c) Form CA-13, FECA Information.
- (d) Folder CA-100, Federal Injury Compensation (Technical Assistance Packet).
- (e) Pamphlet CA-550, Federal Injury Compensation (Questions and Answers).
- (f) Pamphlet CA-688, Facts about Compensation for Non-Federal Law Enforcement Officers.
- (g) Form CA-723, Federal Benefits for Injury or Death of Non-Federal Law Enforcement Officers.

b. Internal Directives. These include three kinds of issuances: permanent (unless superseded), time-limited, and informational.

(1) Permanent Directives include the following:

- (a) FECA Procedure Manual (FECA PM), which is updated by FECA transmittals (published on yellow letterhead).
- (b) FECA Program Memorandums (FECA ProMs).
- (c) Other guides, including the DOL Correspondence Guide (DLMS Handbook 1-2); the GPO Style Manual; and the Federal Employees' Compensation System (FECS) Users Manual, which provides users and operators of the FECS with guidelines for interacting with the system.

(2) Time-Limited Directives are issued as FECA Bulletins. They may involve changes to procedures, special reports, or pilot programs. Bulletins require or invite action from two or more district offices and always bear an expiration date and a reference to any PM chapters affected. They may be discarded after expiration or when the required action is completed. Bulletins are published on blue letterhead.

(3) Informational Directives are issued as FECA Circulars. They are used to announce personnel changes, interesting events or activities, or other items of informational value; to call attention to standing instructions or performance standards which may require compliance or improvement; to announce proposed plans or anticipated program changes; or to keep district offices informed of the activities and interests of the NO. They do not require specific action. Circulars are published on white letterhead.

3. Procedure Manuals. The purpose of this paragraph is to describe the sections of the

FECA Procedure Manual and the personnel to whom they are distributed.

- a. Part 0, Overview. Part 0 of the FECA PM is an introduction to the FECA, the program which administers it, and the directives issued to implement it. This section provides all employees with a quick look at operations, and it also contains an index to all parts of the PM.

Part 0 is distributed to all FECA employees.

- b. Part 1, Communications and Records. This section discusses the movement of mail and other documents within the DO. It provides guidance on the priority assigned to each type of mail and describes the work flow for the FECS. This section also addresses how reports of injury and occupational disease are made into case files, and how case files are maintained. It also contains guidelines for transferring files between DOs and to and from the NO, as well as procedures for transferring and disposing of inactive files and records.

Part 1 is distributed to Supervisors, Index and Files Personnel, Systems Managers, and Technical Assistants.

- c. Part 2, Claims. This section describes policies, responsibilities and procedures for adjudicating and managing claims filed under the FECA. Used mostly by claims personnel, Part 2 describes the sequential handling of claims as they are screened, developed, accepted or denied, tracked, managed, appealed (if applicable), and administered in all respects.

Part 2 is distributed to Claims Examiners, Supervisors, District Medical Advisers, Systems Managers, Technical Assistants, Rehabilitation Specialists, and Staff Nurses.

- d. Part 3, Medical. This section discusses the functions and responsibilities of the medical advisory staff in each district office. It also addresses administration of the OWCP medical care program and otherwise implements and supplements the provisions of 5 USC 8101 et seq. pertaining to medical care.

Part 3 is distributed to Claims Examiners, Supervisors, District Medical Advisers, Systems Managers, Technical Assistants, Rehabilitation Specialists, and Staff Nurses.

- e. Part 4, Special Case Procedures. This section addresses groups of claims covered under the FECA by virtue of special legislation.

Part 4 is distributed to Claims Examiners, Supervisors, District Medical Advisers, Systems Managers, Technical Assistants, and Rehabilitation Specialists.

- f. Part 5, Benefit Payments. This section sets forth the policies and procedures for

administering the financial aspects of the Federal employees' compensation program. Used mostly by fiscal staff, this part includes the procedures for processing bills incurred for medical care; paying disability/death benefits to beneficiaries; handling health benefit and life insurance matters; maintaining fiscal registers, records, and reports; and charging back to employing agencies the amounts of their expenditures from the compensation fund.

Part 5 is distributed to Fiscal Officers, Benefit Payroll Clerks and Assistants, Supervisors, Systems Managers, and Technical Assistants.

g. Part 6, Debt Management. This section describes the responsibilities of the program regarding computation, waiver and recovery of overpayments under the FECA, and referral of debt claims to the Comptroller General and to the Attorney General.

Part 6 is distributed to Claims Examiners, Supervisors, District Medical Advisers, Fiscal Personnel, Systems Managers, Technical Assistants, and Rehabilitation Specialists.

h. Part 3 of the OWCP Procedure Manual. This section describes the vocational rehabilitation services which are available to injured employees and discusses the procedures by which they may be obtained.

OWCP Part 3 is distributed to Claims Examiners, Supervisors, Rehabilitation Specialists, Systems Managers, and Technical Advisers.

i. Part 4 of the OWCP Procedure Manual. This section contains procedures for evaluating the quantity and quality of work in the Federal employees' compensation program, including descriptions of performance standards, management reviews and accountability reviews.

OWCP Part 4 is distributed to Regional Directors, District Directors, and National Office Staff.

4. Automated Issuances. The purpose of this paragraph is to describe the issuances available in automated form. Most of the above-referenced Procedure Manuals are available to claims and other personnel in the district office through Folioviews, which also contains the text of the Federal Employees' Compensation Act, Injury Compensation for Federal Employees, and the following resources:

a. Medical Management. This section discusses the etiology of a number of disease processes and describes the kinds of information which Claims Examiners should obtain to adjudicate and manage claims arising from these conditions.

b. Correspondence Guide. This section contains an index of all forms and letters contained in the WP Letters system.

5. Maintenance and Revision. The purpose of this paragraph is to describe how new transmittals are released, and how they should be cited and filed. New material will usually appear in Folioviews slightly before the printed version becomes available.

a. Filing Instructions. Procedure Manuals are subdivided into and maintained in separate volumes or binders by part, chapter, and paragraph. For each transmittal:

- (1) Remove and destroy any material identified as superseded or obsolete.
- (2) File the new material in accordance with the instructions contained in the transmittal.
- (3) Obtain missing material from the National Office if not available locally.
- (4) File the transmittal behind the latest "Checklist" of all PM pages currently in effect. It is located in front of the PM.

b. Checklists. Each year a checklist is issued to identify the chapters and pages currently in effect. Each checklist is cumulative and supersedes its previous editions. When a new checklist is received:

- (1) Remove and destroy PM pages not listed.
- (2) Identify and obtain listed material which is not included in the PM.
- (3) Discard the transmittals which have accumulated behind the previous checklist. Keep only the latest checklist in the PM.

c. Citations to the PM. The FECA PM has eight parts as described in paragraph 3 above. Each part consists of several chapters, which in turn are divided into paragraphs, subparagraphs, and sometimes sub-subparagraphs. Chapters and subdivisions should be cited as follows:

Citation to a part of the FECA PM: FECA PM Part 0

Citation to a chapter: FECA PM 0-200

Citation to a paragraph: FECA PM 0-200.5

Citation to a subparagraph: FECA PM 0-200.5b

Citation to a sub-subparagraph: FECA PM 0-200.5b(1)

FECA PM PT 0 11/1/95