

How HRM Programs Affect OWCP Claimants #26

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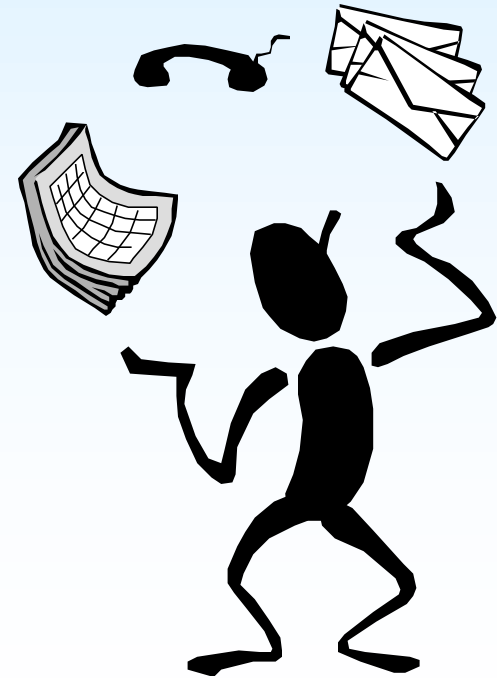
OBJECTIVES

- Define proper duty status
- Identify effects of LWOP
- Health/Life Insurance premiums
- Light Duty objections/techniques



Pay and Leave Status for Injured Employee

- Employee files CA-1 or CA-2
- If CA-1, eligible for Continuation of Pay (COP)



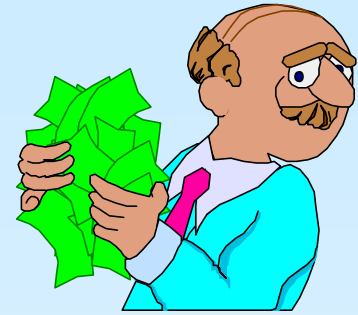
Continuation of Pay (COP)

- Employee continues regular pay w/out any charge to sick or annual leave.
- Manager must advise employee
- Maximum 45 days, must file within 30 days after injury

Leave Status

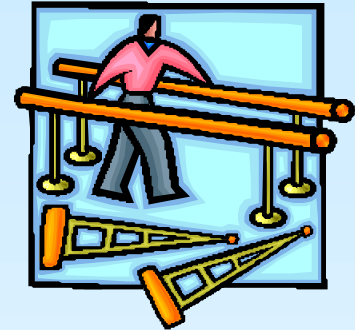
- If CA-1 is not timely filed, employee may elect sick, annual leave, or leave without pay.
- All CA-2 claims must use sick, annual, or leave without pay.

Leave Buy-Back



- Must initiate Leave Buy-Back w/in one year of the date the leave is used, or one year from OWCP approval of claim
- Fill out CA-7 for any leave used
- Buy only sick or annual leave

Leave Buy-Back



- Documentation required
- All donated leave must be restored to leave bank
- Benefits paid at rate 66 2/3% or 75%, if dependents
- Employee agrees to pay balance

Effects of LWOP

- Leave accrual adjusted for every 80 hours of LWOP.
- No effect on WGI waiting period
- Full credit for retirement purposes.
- If processed in same year as injury, W-2 will reflect non taxable income for that year.

Affects of OWCP on HR Programs

- Employee recovers w/in one year.
- Employee recovers to partial duty w/in one year.
- Employee recovers after one year.
- Employee partially recovers after one year.

Employee Recovers w/in 1 year

- Employee is returned to full duty in a position of equal stature.
- Physical statement should state employee is fully recovered.
- Prepare letter to employee to return to duty - give date/time.



Employee partially recovers within one year

- Write doctor to get description of employees limitations or accommodations.
- If can make reasonable accommodations of light duty assignments - offer light duty in writing.



Employee partially recovers within one year

- If employee declines light duty, and medical advice says they are capable of doing duties:
 - Fitness for duty
 - Revisit job and make accommodations
 - Advise OWCP of outcome



Refusal of Light Duty

- If fitness for duty shows employee is capable of limited light duty, and declines, agency may begin removal process based on non-performance of duty.
- Agency should advise OWCP of refusal to accept accommodations.

Employee Recovers After One Year

- Agency has no legal obligation to give employee job back.
- Agency still responsible for chargeback compensation to employee.
- Contact retirement counselor



Employee Partially Recovers After One Year

- Agency has no legal obligation to accommodate employee.
- Agency still responsible for chargeback compensation to employee
- Contact retirement counselor



Electing Between OWCP and Annuity

- Must apply for retirement benefits to preserve CSRS/FERS rights.
 - Survivor Benefits
 - Health Insurance
 - Life Insurance
- Must apply w/in 1 yr of separation



Disadvantage of Applying for CSRS/FERS

- Applying for annuity = you are an annuitant.
- If reemployed = you are reemployed annuitant.



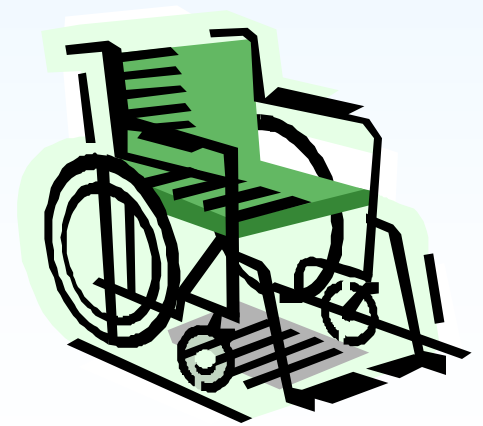
Disadvantage of Being a Reemployed Annuitant

- No recomputation for annuity if subsequently rehired.
- May not work long enough for supplemental annuity.



OWCP Recipient on Permanent Rolls

- Apply for a refund of CSRS/FERS
 - Forfeit future benefits
 - CSRS, reemployed to make redeposit
 - FERS, forfeit FOREVER.



Affects of CSRS/FERS Refund

- Medical condition may improve or treatment for condition may become available.
- Rehabilitation
- Availability of work (accommodation)



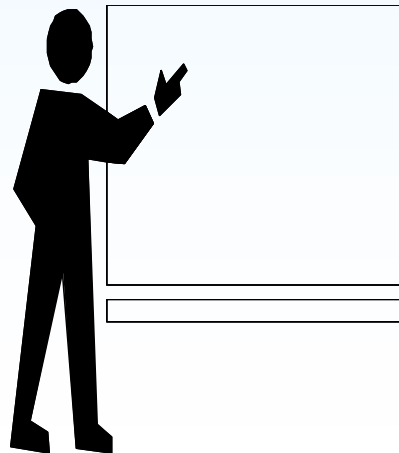
Election of an Annuity

- Time spent on OWCP rolls does not count towards annuity.
- High-3 on date of final separation.
- All COLA's are included in annuity.



Electing OWCP in Lieu of Disability

- Not eligible for alternative annuity.
- If elect and receive annuity, will have to pay back if OWCP accepts your claim for compensation.



Computing Your Annuity Based on Loss of Wage Earning Capacity

- Use Scheduled Rate of Pay at time of LWEC employment.
- May be based on part-time.
- Use part-time calculation.



NOW YOU KNOW

- Define proper duty status
- Identify effects of LWOP
- Health/Life Insurance premiums
- Light Duty objections/techniques

