

COVID-19 and workers' compensation, two years later



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Just what you don't want to read: another column about the pandemic! I get it—after two years of mask-wearing and pandemic restrictions, most of us are ready to move on and get back to the pre-pandemic lives we were living. If only the virus would cooperate.

Two years ago, when the news of a new highly communicable virus first appeared in the media, I took notice. The medical community had been predicting such an event for decades. The historical record of pandemics is long and well-documented. Be it polio, smallpox, yellow fever or bubonic plague, humanity has a long history of confronting deadly pathogens.

Medical innovations in the 20th century beat back many deadly diseases, perhaps giving us a false sense of invincibility. Due to the nature of letter carrier work, I worried that letter carriers were prime targets for a communicable pathogen. As the first cases of COVID-19 infections hit letter carriers in a handful of large cities, NALC began reaching out to our afflicted colleagues to help them file claims for work-related infections.

As I write this, more than 111,000 postal employees have tested positive for COVID-19, including 33,000 letter carriers. During the holiday rush in 2020, there were more than 18,000 postal employees out of work, either quarantined or testing positive for the virus. One year later, due to the highly communicable Omicron variant, there were more than 20,000 postal employees out.

Given the size and scope of work by postal employees, it is remarkable that these numbers were not higher. The precautions taken by letter carriers and the success of vaccine technology helped keep infections in check. If a new dangerous variant does not arise, the scientific community thinks we may see the disease go from a pandemic to an endemic virus. But now that's just speculation. Most pandemics are judged years after they are over.

The likely future of COVID-19 should be viewed in context with other endemic diseases, such as malaria, which continues to kill many people. "It just means [the death rate] won't go up and down," former Occupational Safety and Health Administration Director David Michaels said. "Once we get to that endemic stage, we need to have protections in place."

The simple measures we have taken—wearing

masks, social distancing when possible and practicing good hygiene—will help keep us healthy and safe at work and at home. With travel and mask mandates disappearing, we should continue to be mindful that the virus is still in our communities and workplaces.

If you had COVID-19 and have not filed a claim

If you had COVID-19 and have not filed a claim, it is not too late to do so. Fewer than one-third of letter carriers who tested positive for COVID-19 have filed claims with the Office of Workers' Compensation Programs (OWCP). The majority of claims were filed within the last six months after COVID-19 Emergency Federal Employee Leave (EFEL) leave ended.

The benefits afforded by the American Rescue Plan Act (ARPA) have made it easy for letter carriers to file a claim for COVID-19. ARPA gave letter carriers presumed exposure to the virus in the workplace, so you do not need the kind of detailed medical narratives required in other traumatic injury claims.

To get a claim accepted, you need to have been working within 21 days prior to your positive COVID-19 PCR or antigen test. OWCP has made it easy to file a claim specifically for COVID-19 via the ECOMP web portal. OWCP created a special CA-1 for COVID-19 claims that makes the claim filing process seamless.

All you need to do is register in ECOMP, follow the directions for filing a CA-1 claim for COVID-19, and upload your positive PCR or antigen test results. A positive COVID-19 antibody test, coupled with a doctor's medical report documenting your symptoms, can also get a claim accepted. Home test results are insufficient.

Most COVID-19 claims are being accepted and then placed in a short-form closure status. Short-form closures cover up to \$1,500 in medical expenses and assume the injured worker will return to work within the 45 days covered by Continuation of Pay (COP). If the claim exceeds those parameters, OWCP will open the claim for formal adjudication.

Many postal managers have been refusing to pay COP. You are entitled to COP if you filed your claim within 30 days of the date of your positive test and you have provided the Postal Service with evidence of your disability. If you have not been paid COP, you should notify your shop steward so that a grievance investigation can be initiated.

I hope this is the last column I need to write about this pandemic. Keep doing your best to keep the virus at bay so that we can all get back to our pre-pandemic lives.