

OWCP suspends USPS access to information

The Office of Workers' Compensation Programs (OWCP) has suspended USPS electronic access to information regarding on-the-job injury claims and has otherwise severely restricted the ability of the USPS to obtain OWCP case file documents.

Three key points should be kept in mind regarding this suspension:

- OWCP's action does not in any way diminish the rights of injured workers to OWCP benefits;
- OWCP's action does not in any way diminish or waive Postal Service obligations under the Federal Employees' Compensation Act (FECA) or the National Agreement; and
- OWCP's action should not in any way have an adverse impact on NALC members' ability to obtain information or advice.

The dispute that led to OWCP's decision to suspend USPS access to information concerns the Privacy Act. OWCP believes that its Privacy Act regulations control the release of agency copies of OWCP claim file documents. OWCP says the Postal Service believes that its own Privacy Act regulations control the release. When USPS refused to sign a memorandum of understanding drafted by OWCP on the issue, OWCP suspended its access.

OWCP has posted information on its website regarding this matter. It can be accessed at the following address: dol.gov/owcp/dfec/uspsdatasuspension.htm.

OWCP anticipates that the suspension will restrict USPS employees' ability to obtain current information about their claims from USPS injury compensation specialists. While this is true, it should not cause problems for our members.

First, the Postal Service and its Injury Compensation offices have never been permitted a role in the claims adjudication process. Instead, the Postal Service is largely limited to forwarding information to OWCP, certifying wage rates, and accommodating work restrictions with limited duty. In many cases, Postal Service Injury Compensation offices have caused claim problems by unjustified controversions, delays in forwarding documents to OWCP, and failures to provide appropriate limited duty. On the whole, injured workers' reliance on Postal Service Injury Compensation offices for advice regarding their claims has not been helpful.

Second, NALC members with on-the-job injuries will continue to have electronic access to claim file information through their national business agent's office and/or directly through OWCP.

- The NALC national business agent (NBA) offices retain access to OWCP's Agency Query System (AQS), even though that access has been withdrawn from

the Postal Service. AQS is a web-based data source containing status information about specific claim files, including adjudication status, accepted diagnoses, wage-loss compensation claims, medical procedure authorizations and bill payments.

- Employees with an Internet connection can access OWCP's Claimant Query System (CQS). This system is similar to AQS and provides a wealth of information about specific claim status. It can be accessed at dol.gov/owcp/dfec/CQo61709.pdf.
- OWCP can be contacted directly for claim status updates. Contact information is found at dol.gov/owcp/contacts/fecacont.htm.

In addition to USPS injury compensation specialists not having access to current claims information, OWCP also anticipates that use of USPS-sponsored programs for supply of prescriptions (PMSI), durable medical equipment (Coventry) and physical therapy (Align Networks) may be affected.

“The NALC is committed to ensuring that the USPS complies with its legal and contractual obligations related to OWCP requirements and that its members are not harmed due to the dispute between OWCP and USPS.”

However, use of these USPS-sponsored providers is completely voluntary on the part of injured workers. Injured employees are not required to use the PMSI prescription card or other cards provided by the USPS. Medical providers may submit bills directly to OWCP's bill-pay contractor (ACS) without using PMSI, Coventry or Align Networks.

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The NALC also is committed to ensuring that its members receive the necessary advice and assistance with on-the-job injury claims. Many branches have developed injured worker specialists with expertise in OWCP regulations, and they should continue to provide advice and representation in the OWCP forum. NALC members in branches that do not have OWCP expertise should contact their national business agent for advice and assistance regarding on-the-job injury claims.