

# Military disability benefits and workers' compensation



Kevin  
Card

**M**ilitary veterans are, and long have been, important and valued members of the letter carrier craft. The NALC and the U.S. Postal Service benefit from the experience, knowledge and work ethic that military veterans bring to our workplaces. As we honor all veterans on Nov. 11, we should be mindful of the continuing sacrifices our military veteran letter carriers make as they deliver the mail.

Many veterans come to carry mail with service-connected disabilities and have long, injury-free careers. For others, previous service-connected disabilities can be aggravated by the wear and tear of carrying the mail. Veterans should understand their rights to compensation for on-the-job injuries under federal law.

Letter carriers who are military veterans are eligible for protection under both the Department of Veterans Affairs (DVA), and the Federal Employees' Compensation Act (FECA) administered by the Office of Workers' Compensation Programs (OWCP). Letter carriers with DVA disability ratings are eligible for coverage under FECA if their job duties aggravate, accelerate or precipitate their pre-existing, service-related disability.

**While such injuries are protected under FECA, veterans need to be mindful of both the benefits and the limitations the dual coverage of DVA disability and FECA impose.**

Under FECA, an injured letter carrier whose claim is accepted is entitled to medical benefits and wage-loss compensation. For letter carriers with DVA disability ratings, applying for some FECA benefits may require an election between the DVA benefits and FECA benefits.\*

An on-the-job injury unrelated to a DVA disability rating is eligible for full coverage under FECA. If the injury as a letter carrier is for the same body part as a service-related disability, the injured worker always should file a claim with OWCP. Even if you already have a service-related disability rating, an accepted claim under FECA can provide benefits above and beyond the original DVA disability rating.

FECA regulations address the apportionment of injury and require claims examiners to communicate with the DVA prior to the award of wage-loss compensation to prevent the dual payment of benefits. This is not always done properly, resulting in overpayments of FECA benefits.

Injured letter carriers with DVA disability ratings need to be alert to the danger of an overpayment. OWCP asks injured workers if they have ever applied for disability benefits from

the DVA on forms CA-7 and EN 1032. Compensably injured letter carriers with DVA disability ratings should provide accurate information regarding their service-connected disability when claiming wage-loss compensation from OWCP.

DVA disability ratings may be increased due to the on-the-job injury. Such increases also will affect the eligibility of wage-loss compensation under FECA. This can result in substantial charges for overpayment by OWCP, causing financial hardship on injured workers.

This may sound complicated, but even if you have a DVA disability rating for an injury, there are good reasons to file a claim under FECA.

Because most veterans with service-connected disabilities continue to get their health care from the VA, they may want to continue to use their DVA physician. However, injured workers covered by FECA with DVA disability ratings are not prohibited from seeing a non-DVA physician for their on-the-job injury. Under FECA, a compensably injured letter carrier has the option of choosing the attending physician and can be referred to specialists for his or her particular injury. Getting medical treatment promptly is essential to getting a claim accepted.

---

**“Letter carriers with DVA disability ratings are eligible for coverage under FECA if their job duties aggravate, accelerate or precipitate their pre-existing, service-related disability.”**

---

If a veteran prefers to use his or her DVA physician, it's important for injured letter carriers to inform their physician that by having an accepted OWCP claim, the Postal Service has an obligation to find them work within their limitations. Physicians want their patients to heal and return to work when possible.

**While the regulations for coverage under both FECA and DVA disability have complex rules, any letter carrier with a service-connected disability who suffers an injury in the course of performing his or her duties should apply for protection under FECA. If you have any questions about such claims, call your national business agent's office for help.**

---

\* 5 USC 8116(a)(3). An individual entitled to benefits under this subchapter because of his injury, or because of the death of an employee, who also is entitled to receive from the United States under a provision of statute other than this subchapter payments or benefits for that injury or death (except proceeds of an insurance policy), because of service by him (or in the case of death, by the deceased) as an employee or in the armed forces, shall elect which benefits he will receive.