

OWCP communication breakdown



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Compensably injured workers often get frustrated at the slow pace of the workers' compensation claims process. Decisions for wage-loss compensation payments or authorization of needed medical procedures often appear arbitrary and unreasonably delayed. For some claimants, the natural instinct is to lash out at their claims examiner. That is the wrong thing to do.

For nearly 40 years, there has been a concerted effort to demote the federal workforce and reduce the wages and benefits for the people who keep our government running. The zealots who attack federal workers do so with the smug assertion that the private sector is always more efficient in providing goods and services.

Lost in this simple-minded thinking is a closer examination of the important role of the government in providing checks and balances to keep the wealthy and politically

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connected from exploiting the rest of us. Absent the watchful eye of federal regulators, could we trust the food we eat, the water we drink or the very air we breathe? Absent federal laws, who would protect the interests of injured workers?

Over the last decade, data provided to Congress by OWCP show a steady drop in workplace injuries. This was primarily driven by a focus on workplace safety, particularly at the Department of Homeland Security (think about grabbing 50-pound suitcases off of a swiftly moving conveyor belt), and the consequences of a smaller federal workforce.

Meanwhile, new technology implemented at OWCP has attempted to improve claim-processing efficiency. The new technologies have moved claim files from hardcopy to digital, streamlined billing procedures and allowed claimants access to claim information via the Internet. All of these changes are pieces of OWCP's strategic plan to improve agency-wide operations, governance and infrastructure.

Yet with all of these changes, injured letter carriers continue to suffer long delays in getting claims accepted and benefits paid. What's up with that?

For one thing, budget sequestrations in place since 2013 have restricted the ability of every federal agency to increase hiring. OWCP is not immune to the sequestration cuts. Over

the past decade, the number of employees processing claims and ensuring that injured workers receive the benefits guaranteed by FECA has steadily shrunk. Unlike letter carriers, claims examiners cannot work overtime if the need arises.

The gains to be realized from the drop in workplace injuries and improvements in technology have been offset by the smaller staff at OWCP. That means fewer claims examiners are handling larger case loads. It's like getting more deliveries added to your route with no added time for delivery.

While the NALC has successfully negotiated contractual raises and cost-of-living adjustments at the bargaining table with the Postal Service, federal employees must rely on friends in Congress and the White House for wage increases. Federal employees went without raises in 2011, 2012 and 2013.

By executive order, President Obama instituted 1 percent raises in 2014 and 2015. Both were less than the rate of inflation. The 2016 budget passed by the Republican-controlled House and Senate would leave federal workers even further behind due to increases in health benefit and retirement contributions.

Before injured workers contact their claims examiners, they need to understand how the claims process works. There are three parties responsible for making the OWCP process function: the claimant, the employing agency and OWCP.

FECA places the burden of proof for proving a claim for compensation directly on the claimant. In most cases, getting a claim accepted will require more effort than just filing the correct form and submitting initial medical reports. Claimants can make grave errors in thinking that either the Postal Service or OWCP will do the work necessary to get a claim accepted.

The Postal Service plays an equally important part in the OWCP claims process. The Postal Service is responsible for meeting strict timelines when submitting OWCP claim forms and is responsible for submitting any other injury related documents in its possession. That does not always happen, leaving claims examiners in the dark about important facts surrounding injuries.

OWCP's role in processing claims for compensation is to be a neutral arbiter of the facts and to apply them to FECA laws and regulations. Claims examiners are totally dependent on the claimant providing the needed documentation to make decisions on claims.

Injured workers struggling with delays in the OWCP process should carefully review any correspondence from their claims examiner and provide the requested information promptly. This can be difficult in that FECA regulations generally give 30 days to respond to requests for information.

If you need to contact your claims examiner, do so respectfully. Always call or write with a specific request. Never call just to vent your frustration. Claims examiners are workers, too, and deserve our respect.