

OIG finds rampant USPS falsification of OWCP documents



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The USPS Office of Inspector General (OIG) recently released a report that found USPS employees responsible for processing injury claims routinely changed crucial information on workers' compensation claim forms.* The OIG's investigation found that USPS officials changed dates on claim forms so the agency appeared to meet OWCP guidelines for timeliness.

Postal Service compliance for timeliness has hovered near or above 95 percent since the Department of Labor started tracking it in 2009. The timeliness numbers are posted on the Department of Labor's website.

The report states:

In 102 of 471 (22 percent) case files reviewed, personnel made improper revisions to the employee and supervisor sections of the claim forms. Specifically, in 77 of 102 case files, personnel in the Arizona, Capital, Suncoast, and Hawkeye districts improperly revised dates on forms in three places: 1) the date the employee completed the form, 2) the date the supervisor was notified, and 3) the date the supervisor signed the form.

The importance of the accuracy of these dates cannot be understated. The date an injured worker files a claim determines rights to continuation of pay (COP), claim timeliness and the potential for claim acceptance. The date the supervisor was notified and signed the form is essential in starting timelines for claim processing.

However, falsification was not limited to dates on the forms, as the report also states:

In 25 of 102 case files, personnel in Arizona and Suncoast districts improperly revised, but revisions were not limited to, the place and the date injury occurred, the cause and the nature of injury, the date stopped work, the date pay stopped, and the date returned to work. Revising information on the claim forms without documenting the changes gave the appearance that claim forms were completed and submitted timely to the DOL.

Specifically, HRM specialists improperly revised forms by whitening out and changing pertinent information and failing to document revisions to the employee and supervisor sections of forms as required.

This is very disturbing. Changing critical information like the place, date, cause and nature of injury raises serious issues that could lead to claim denial, depriving the injured worker of fundamental rights under federal law.

The report goes on to say:

These conditions occurred because the Postal Service used a labor-intensive manual claims process for OWCP

claim documents, which increased opportunities and the risk for personnel to alter the documents. Additionally, personnel in the Capital and Hawkeye districts stated they felt pressure because although no longer a goal, the Postal Service monitors timeliness for OWCP claim form submission.

Think about that: Postal supervisors feeling pressure to meet timelines resort to falsification of federal claim forms.

The new OIG report on Postal Service falsification of OWCP documents is quick to point out procedural causes for the violations found. Specifically, it states:

In addition, district personnel were not always aware of policies and procedures for claim forms; and the Postal Service did not establish policies and procedures for revising pertinent dates on the CA-1 form, or revising CA-2 and CA-7 forms, and date stamping outgoing claim documents.

Section 540 of the *ELM* and the USPS Workers' Compensation *Handbook EL 505* are both clear in the procedures for processing OWCP claim forms. Additionally, Article 21.4 of our contract incorporates federal workers' compensation laws and regulations into our contract, and federal laws are very clear in the requirement for processing claim forms.

The Postal Service is required to submit CA-1 and CA-2 claim forms to the appropriate OWCP district office within 10 working days after it is received from the employee. If postal managers offer to type out the form, you should decline and fill it out yourself to confirm accuracy. Injured workers should request a copy of the completed form and get the signed receipt immediately. A properly signed receipt is the only proof the claim was filed.

The problems with USPS' processing of claim forms is not limited to initial claim filings. When a CA-7 claim for compensation is submitted, the agency must forward the CA-7 to OWCP within five working days, regardless of any errors the claimant may have made in filling out the employee portion of the form.

Claimants should carefully examine CA-7s for accuracy prior to submitting them to postal officials. If any postal official sends a CA-7 back to the claimant, the postal official is violating postal regulations and federal law.

Injured workers have the right under federal law and postal regulations to review their file at Postal Service injury compensation offices. To do so, they must contact the injury compensation office and request a review. The review must be done off the clock.

If you have had problems with issues surrounding COP entitlement, claim timeliness or submission of CA-7 forms, contact your national business agent's office for assistance.

* usps.oig.gov/document/postal-services-handling-office-workers-compensation-program-claim-forms.