

Which form do I file?



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It's not uncommon for letter carriers to experience a myriad of aches and pains while sorting and delivering mail. The routine physical nature of our work is such that we often ignore these events and think we can "walk them off." Sometimes it works and sometimes it does not. If the pain won't go away and we seek treatment from a doctor, it may be necessary to file a claim for an injury.

For some injuries, deciding what type of claim to file can be challenging.

The Office of Workers' Compensation Programs (OWCP) defines a traumatic injury (CA-1) as a condition of the body caused by a specific event or incident, or series of events or incidents, within a single workday or shift. Conversely, an occupational disease (CA-2) is a condition of the body that is caused by events over more than a single workday.

If you suffer a slip, trip or fall that results in an obvious injury to a specific part or parts of your body, it's pretty clear you have suffered a traumatic injury and should file a CA-1, Claim for Traumatic Injury. In such instances, OWCP procedures allow a claims examiner to quickly adjudicate a claim.

However, not every injury is obvious, and determining whether an injury is traumatic or an occupational disease requires a close understanding of how OWCP looks at an injury.

Suppose your route gets a half-dozen extra heavy boxes that you deliver over the course of a workday. The next morning, you get up to go to work and you feel back pain. You go to your doctor and are diagnosed with a back strain. In this case, you would file a CA-1, as the exposure to lifting the boxes occurred over one workday.

Now suppose your supervisor tells you to split the very same boxes and deliver them on two consecutive days. On the morning after the second day, you awaken to a sore back, so you see your doctor and are diagnosed with a back strain. In this instance, due to the exposure to the work factors over more than one workday, you would file a CA-2 claim for occupational disease.

Doing the same amount of work, distributed over two days, changed the type of claim and the way the claim is adjudicated by OWCP.

OWCP places the burden of proof on the injured worker in every claim, whether traumatic or occupational. Proving that an injury was traumatic, as opposed to occupational, requires an injured worker to accurately describe the specific events surrounding the injury with supporting documentation from a doctor. A doctor's opinion, based on a thorough understanding of the history of the injury, along with results from physical examinations or objective medical evidence (X-rays, MRIs, etc.), will ultimately determine

what type of claim should be filed.

In the tumult surrounding many injuries, supervisors may tell an injured worker which form should be filed. Some injured workers even let their supervisor fill out the employee portion of the form. That is a big mistake, as most supervisors have minimal training in OWCP regulations and procedures.

OWCP claims examiners look closely at the cause and nature of the injury to determine what type of injury is being claimed. Incorrect or insufficient information on claim forms can delay treatment and benefits.

If there is insufficient evidence in a claim file, OWCP claims examiners will normally send the injured worker a development letter requesting more information. The development letter affords the injured worker another 30 days to get the requested information to OWCP, further delaying adjudication of the claim.

To prevent delays, injured workers need to take the burden of proof seriously. Taking the time to write an accurate description of the events surrounding an injury makes the claims examiner's job easier, and it protects you from costly delays in claim processing. Misplaced trust that your supervisor will correctly fill out a form and forward medical information to OWCP has doomed many a claim.

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Injured workers should be mindful to follow certain steps when filing any claim. Always fill out the claim forms yourself. Review the form before signing and submitting the form. Both the CA-1 and CA-2 require your supervisor to provide you with the signed receipt; make sure it has been accurately filled out.

Additionally, the Postal Service must provide you with a copy of the completed CA-1 or CA-2.* Request a photocopy of the CA-1 or CA-2 immediately. If your phone has a camera, take a photo of the completed form as a backup.

* ELM 544.12