



Veterans Affairs benefits and OWCP

Military veterans who suffer a workplace injury while carrying mail are protected by the Federal Employees' Compensation Act (FECA). The Office of Workers' Compensation Programs (OWCP) is responsible for adjudicating claims under the FECA.

A military veteran filing a claim for an injury as a letter carrier can be confusing when the injury is to the same body part where Department of Veterans Affairs (VA) disability benefits are being paid. Military veterans should not be discouraged from filing claims if an older military injury is worsened by carrying mail.

OWCP claims can be accepted when letter carrier duties aggravate or accelerate an older underlying condition, including those suffered while on military duty and for which the veteran is receiving VA disability benefits.

OWCP defines aggravation as a relationship that occurs when a pre-existing condition is worsened, whether temporarily or permanently, by an injury that occurs while in the performance of duty as a letter carrier. For instance, a traumatic back injury caused by lifting a parcel may aggravate pre-existing degenerative disc disease, and OWCP compensation would be payable for the duration of the aggravation.

A temporary aggravation involves a limited period of medical treatment and/or disability, after which you return to your previous physical status. A permanent aggravation occurs when a condition will persist indefinitely due to the effects of the work-related injury or when a condition is materially worsened such that it will not revert to its previous level of severity.

Letter carrier duties may also accelerate an underlying condition. A work-

related injury or condition may hasten the development of an underlying condition, and acceleration is said to occur when the ordinary course of the disease does not account for the speed with which a condition develops.

For example, a claimant's VA-accepted knee arthritis may be accelerated by letter carrier duties like walking, stooping and squatting. An acceptance for acceleration of a condition carries the same force as an acceptance for direct causation. A condition that has been accepted as an acceleration has no set limitation on its duration or severity.

Every claim for a workplace injury needs to be filed via OWCP's ECOMP web portal, which can be accessed at ecomp.dol.gov. Instructions for registering and filing claims via ECOMP can be found at ecomp.dol.gov.

If you do not have a computer to file the claim, the Postal Service is required to provide a computer for your use. To ensure accuracy in your claim filing, never let a supervisor register and file a claim on your behalf.

Once a military veteran's claim is accepted, there may be times when the worker must decide between receiving benefits from the VA or OWCP. For example, if a letter carrier has a pre-existing shoulder injury that the VA has accepted as service-connected for which the VA has granted a disability rating of 20 percent, and the letter carrier further injures that shoulder in the performance of their postal duties, they may be eligible for both OWCP benefits and an increase in their VA disability rating.

Let's say in this example that the VA determines that the on-the-job injury warrants an increase in the rating of the service-connected shoulder disability from 20 to 40 percent. OWCP

also determines that injured letter carrier is eligible for wage-loss compensation. The letter carrier must now elect whether they want compensation from OWCP or the increased VA rating. If the letter carrier elects VA compensation based on the increased rating of 40 percent, they are prohibited from receiving compensation from OWCP. On the other hand, if the letter carrier elects compensation from OWCP, they may still continue to receive VA compensation for the shoulder disability at the pre-injury 20 percent rate as well as their OWCP benefit.

It should be noted here that the VA does not bar the continuation of VA benefits for the disability on which the OWCP benefits were predicated when the OWCP benefits end. In the above example, once the OWCP benefits end, the VA award may be increased to the 40 percent rate for the shoulder disability.

If you are a military veteran who has questions regarding OWCP and VA benefits, contact your national business agent's office.

Join the NALC Veterans Group

The NALC Veterans Group is designed to provide NALC members—both active and retired letter carriers—who are also military veterans the ability to connect with fellow NALC veterans and stay informed on issues of importance to letter carrier veterans. It is free to join.

Members receive a pin as a symbol of gratitude for their military service and membership in NALC.

If you are interested in joining the group, complete the sign-up card at nalc.org/veterans.