

FECA Transmittal 26-2: Making the claims process more difficult for injured letter carriers, Part 4



Regional Workers' Compensation Assistant Coby Jones

This month's column wraps up our discussion of *FECA Transmittal 26-2*¹ issued by the Department of Labor (DOL) on April 24 that announced changes to the *FECA Procedure Manual (FECA PM)*, including changes that will have an adverse effect on our injured members.

FECA Transmittal 26-2 has revised *FECA PM 2-0805, Causal Relationship*, in ways that will negatively affect the recovery of our members who have been assaulted

and attacked on the street and who have sustained emotional trauma. Here is the revision:

Reinstate the requirement that all emotional conditions require a medical report from a psychiatrist or psychologist. See *FECA Transmittal 23-04*, May 2023. DFEC has determined that psychiatrists or psychologists are the most appropriate specialists for assessing these types of injuries.

In recent years, because of the unfortunate surge in assaults and attacks on letter carriers, traumatic emotional injuries have become more and more common. As President Brian L. Renfro describes it in his President's Message in the September 2023 *Postal Record*: "Every day our members are being targeted in neighborhoods nationwide. Violence, assault, robbery, shootings, and even murder have become part of the job in many locations."

One of the most welcome changes to OWCP procedure in recent years came with *FECA Transmittal 23-04*, published in May 2023 that revised *FECA PM Chapter 2-805, Causal Relationship*, regarding the requirements for a medical specialist needed to establish an emotional condition. With the revision, only extended occupational disease claims for emotional conditions would require a medical report from a psychiatrist or clinical psychologist in order to support the explanation of causal relationship required for the claim to be accepted.

Early intervention and treatment are essential in many emotional trauma cases. Yet it can take the traumatized worker months, and sometimes even the better part of a year, to find and schedule an appointment with a psychiatrist or a qualified licensed clinical psychologist. The revision to the *Procedure Manual* allowed physi-

cians with other specialties or even family physicians to submit medical reports to establish initial claims and provide treatment in traumatic emotional injury cases.

The revision was a lifesaver for letter carriers who had been emotionally traumatized by assault and were ill-equipped to deal with jumping through bureaucratic hoops. Not only were their claims accepted more quickly, but they more promptly received the benefits they were entitled to under the FECA, such as counseling and wage-loss compensation if they were incapacitated from working due to their condition.²

FECA Transmittal 26-2 reverses all these positive outcomes. Unlike some of the detrimental changes brought about by *FECA Transmittal 26-2*, such as the elimination of the interim development letters³, which can at least be understood as fiscal triage in an agency suffering from severe staffing shortages brought about by the new administration, the reversal of *Transmittal 24-2* makes no fiscal sense at all. It just seems cruel and unnecessary.

Last month's column discussed changes made to *FECA PM 2-0803, Fact of Injury*, that deliberately ignored longstanding Employees' Compensation Appeals Board precedent that gives deference and "great probative value" to the injured employee's statement. *FECA Transmittal 26-2* also contains another detrimental change to Chapter 2-0803, Fact of Injury. The transmittal revises Chapter 2-0803 to:

Reverse prior changes that prevented DFEC from considering a delay in filing a claim or a delay in seeking medical treatment as reasons to cast doubt on the validity of a claim.

The change referred to in *FECA Transmittal 26-2* came in November 2023 in *FECA Transmittal 24-2*, which stated:

Delays in notification or seeking medical treatment have been removed as an example of an inconsistency within the factual evidence.

The now-reversed 2023 change was simply a common-sense change that recognized that delays in seeking care or notifying a supervisor are often tied to injured workers waiting to see if minor or even substantial pain subsides rather than an underlying factual contradiction about whether the actual injury took place. Far too many letter carriers who get injured try to tough it out in the hope that they will recover and not have to deal with either blow-

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¹ *FECA Transmittal 26-2* can be found at: dol.gov/agencies/owcp/FECA/regs/compliance/DFECfolio/FECATransmittals#FECA2602.

² The benefits of the now-rescinded policy are discussed in more detail in this column in November 2023 and April 2025, and in Director of Safety and Health Manuel Peralta's column in the June 2024 *Postal Record*.

³ Discussed in this column July 2026.



Year-end updates

I want to apologize for my absence at the national convention. I really did miss you, brothers and sisters. However, I want to thank all those who stepped up to help in my absence. You all rock!

Wow. I blinked my eyes and now summer is already coming to an end. MDA Summer Camp 2026 was truly one for the books! This year, once again, brought us 23 in-person sessions and one virtual session across three months. MDA stated:

Thank you for bringing your heart, commitment, and creativity to camp sessions. Because of you, each one became something truly unforgettable for everyone who took part. And remember what was accomplished and created this summer doesn't fade as the season ends. The impact will live on through the memories, stories, and experiences shared by every person involved for years to come.

In the meantime, the excitement doesn't stop here. MDA Family Getaways kicked off! Think camp, but for the whole family. Be sure to read more about MDA Family Getaways and this exciting opportunity at mda.org/family-getaways.

It's official, the 2026 Q3 Branch Challenge raised almost \$250,000 for MDA! Thank you to everyone who has helped raise money for MDA so far this year. We're heading into Q4 and the year end, and I know many branches have events and fundraisers planned. We wish you the best of luck as you wrap up your 2026 MDA fundraising efforts. Now, let's celebrate our Q3 winners:

- Erie, PA Branch 284: \$18,010
- Garden Grove, CA Branch 1100: \$15,603.99
- Mansfield, OH Branch 118: \$13,659
- Camden, NJ Merged Branch 540: \$10,430
- Saginaw, MI Branch 74: \$9,715
- Team NALC: \$9,390
- Syracuse, NY Branch 134: \$6,956.02

- Greater East Bay, CA Branch 1111: \$6,664.51
- San Diego, CA Branch 70: \$6,528.81
- Rochester, NY Branch 210: \$6,518

Congratulations to all our Q3 winners. Our top three winners will receive an MDA prize pack.

MDA September updates

- The FDA approved Itsembli (apitegromab-mstn), the first and only muscle-targeted therapy for spinal muscular atrophy (SMA), marking a new milestone in SMA treatment.
- The U.S. Senate passed the House version of the ACT for ALS Reauthorization Act of 2026. Reauthorization of the landmark 2021 ACT for ALS will help sustain the momentum created over the past five years, supporting faster therapeutic development while expanding access to care, services and research opportunities for those facing this devastating disease.

Year-end donation reminder

A friendly reminder that all 2026 MDA donations must be received by Dec. 31. MDA will be closed for the holidays beginning Dec. 24 and will reopen on Jan. 4. Tawny will be on leave beginning Dec. 18, but she will be checking in periodically to answer any last-minute questions about submitting your donations. However, please don't wait until the last minute—get your donations submitted as soon as possible!

As always, if you have any questions, please don't hesitate to reach out to Tawny at 719-640-8625 or nalc@mdausa.org.

Thank you for all you do to support the MDA community.

—Submitted by Christina Vela Davidson

Staff Reports

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back from their supervisors or the bureaucratic entanglements of OWCP's claims process.

And while it is not uncommon for injuries to resolve themselves on their own, the takeaway from this rescission of *Transmittal 24-2* is that injured workers should file a claim immediately when hurt to avoid "casting doubt on

the validity" of the claim. This can only congest the workload of already overburdened claims examiners.

Finally, on another note, while I will still contribute to this column as assistant to the president for workers' compensation, beginning next month our regional workers' compensation assistants will also contribute to future columns to share their insights and experience.