

## **ARTICLE 43 WORKERS COMPENSATION**

**Section 43.01 - General.** If an employee is injured while on duty or becomes ill as a result of the workplace environment, the employee may be entitled to workers' compensation benefits in accordance with the Federal Employees Compensation Act (FECA). Unless otherwise specified in this Article, the Agency will process claims for and provide Office of Workers Compensation Program (OWCP) benefits in accordance with FECA.

While the Agency may use a third party to administer OWCP, to ensure proper functioning of the program, it is the responsibility of the Agency to take the following actions in a timely fashion: advise employees, or their representative(s), of their rights under OWCP; assist employees in filling out forms or refer employees to the appropriate resource, act on forms that require agency or supervisory action; follow up with designated third parties if appropriate and requested; and prominently display, and maintain links to current OWCP policies and procedures on the internal HUD web site.

**Section 43.02 - Reporting.** When an employee suffers an illness or injury in the performance of their official duties, they or their representative must:

Notify the employee's supervisor as soon as practical.

Submit the appropriate claims forms in a timely manner to the supervisor.

Submit documentation requested by OWCP.

If the injury has caused the employee to miss work, notify the employee's supervisor of the date the employee expects to return to work.

If applicable, employees may use an appropriate amount of time and government equipment to complete workers compensation claims.

An employee who files a false report to obtain OWCP benefits is subject to criminal prosecution and/or agency disciplinary action.

**Section 43.03 - Leave/Continuation of Pay.** An employee who suffers a traumatic injury while on duty may be granted up to 45 days of Continuation of Pay (COP) after filing a form CA-I, if requested and in accordance with OWCP rules and regulations. Employees should review the OWCP area of HUD's web site for leave and COP options. COP does not apply when filing a CA-2 for Occupational illnesses or diseases.

Once the Department of Labor approves an employee's claim for compensation, an employee may request a re-credit of leave used during recovery from a job-related injury. If and/or when the Department of Labor (DOL) approves the request for the re-credit of leave or has waived the repayment, and once the employee repays the Agency for the leave that has been used, the Agency shall process the change into the payroll system within two (2) pay periods from the receipt of the payment.

**Section 43.04 -Return to Duty.** Employees returning to duty from an approved Workers' Compensation injury or illness will be restored in accordance with applicable OWCP Rules and Regulations.

**Section 43.05 - Review of Documents.** Employees shall be permitted to review documents in the possession of the Agency that OWCP has authorized to be made available. Employees may be accompanied by their designated representative.