

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

Article 34

Employee Disability Compensation (OWCP)

Section 1. Counseling

A. The Employer agrees that when an employee suffers job-related illness or injury in the performance of duties and reports it to his or her supervisor, the supervisor and/or the personnel office will counsel the affected employee as to the following:

1. His/her right to file for compensation benefits;
2. The types of benefits available; and
3. The procedure for filing claims.
4. The option to use compensation benefits in lieu of sick or annual leave.
5. Whether Continuation of Pay (COP) is applicable.

- 23 B. The supervisor will notify the local Union steward when he or she becomes  
24 aware that a bargaining unit employee has filed an OWCP claim.  
25
- 26 C. An employee who has filed for compensation benefits will be counseled, upon  
27 request, by his/her supervisor and/or a personnel specialist at any stage in  
28 the processing of the case concerning such options as may be available to  
29 the employee at that point.

30

31

32 Section 2. Employee Options

33

- 34 A. An employee with a job-related injury/illness (including conditions aggravated  
35 by job-related factors) may elect to be placed on sick or annual leave instead  
36 of leave without pay, pending approval or disapproval of his/her  
37 compensation claim.

38

- 39 B. Employees shall have the option of buying back the leave used and having it  
40 reinstated to their account if their claim for compensation is approved.

41

- 42 C. An employee with a job related traumatic injury may claim up to 45 days of  
43 COP. The entitlement to COP is not available to employees who file an  
44 occupational disease claim.

45

46

47 Section 3. Placement of OWCP Claimants

48

49 A. Where the employee requests and supports his/her request with appropriate  
50 medical information, the Employer will make a serious effort to assign the  
51 employee on a temporary basis to duties consistent with the employee's  
52 medical needs, pending resolution of his/her claim.

53

54 B. Where the employee requests and supports his/her request with an approved  
55 OWCP claim and appropriate medical information, the Employer will make a  
56 serious effort to assign the employee to duties consistent with the employee's  
57 medical needs. Any such action will be consistent with the negotiated merit  
58 promotion article.

59

60 C. When an employee who has been determined by OWCP to be disabled has  
61 recovered sufficiently that he or she is required or permitted to seek  
62 reemployment, management will make a serious effort to offer appropriate  
63 employment.

64

65

66 Section 4

67

68 Information on forms, rights and procedures under Worker's Compensation will  
69 be maintained on SSA's Intranet at <http://co.ba.ssa.gov/ope/forms/worker's.html>.

- 70 Annual reminders on how to access the site will be given to all employees.
- 71 Information posted on the Intranet will also include mutually agreed upon
- 72 excerpts from DOL Regulation or Handbooks.