



DECA DIRECTIVE 50-23

INJURY COMPENSATION PROGRAM

Originating Component:	Human Resources Directorate
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Releasability:	Unlimited. This directive is approved for public release and is located on the Defense Commissary Agency's (DeCA's) internet website at www.commissaries.com .
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Approved by:	Christopher S. Lyons Director, Administration & Legislative Affairs Office

Purpose: This directive contains information and guidance about injury compensation benefits to be paid to DeCA civilian employees for disability due to personal injury, disease, or death arising from or within the scope of their employment with DeCA.

- Is established in compliance with references listed above.

TABLE OF CONTENTS

SECTION 1: GENERAL ISSUANCE INFORMATION	3
1.1. Applicability.	3
1.2. Policy.	3
SECTION 2: RESPONSIBILITIES	5
2.1. Employee.	5
2.2. Supervisor.	5
2.3. Injury Compensation Program Administrator (ICPA).....	6
2.4. Store Point of Contact (SPOC).	7
2.5. Federal Employees Comensation Act Working Group (FWG).....	7
2.6. DeCA Agency/Safety Support Manager.....	8
2.7. HQ Director of Human Resources	8
GLOSSARY	9
G.1. Acronyms.	9
REFERENCES	10

SECTION 1: GENERAL ISSUANCE INFORMATION

1.1. APPLICABILITY. This directive applies to all DeCA activities and all DeCA personnel in accordance with (IAW) Department of Defense (DoD) Directive 5105.55.

1.2. POLICY. It is DeCA's policy that:

a. An employee who is injured or who suffers an illness because of job-related factors may be eligible for compensation payments under the "Federal Employees' Compensation Act" (FECA), Title 5 United States Code, Section 8101et seq. It is the policy of DeCA to facilitate processing of such claims to the Office of Workers' Compensation Program (OWCP), in a timely manner, based upon acquisition of needed information so that a final OWCP decision concerning benefit entitlements can be reached. DeCA recognizes and endorses an employee's right to benefits. When claims are submitted that are not substantiated by the facts, these findings will be raised to OWCP for consideration. In cases where fraudulent claims are supported by evidence, appropriate action will occur, which may include submission of the case to the U.S. Department of Justice for prosecution.

b. DeCA Headquarters (HQ) Workers' Compensation Program Manager (WCPM) will provide operational guidance, advice, and assistance concerning injury compensation program matters. The HQ WCPM will oversee the overall administration of the program, develop broad program policy and guidance, and provide guidance concerning policy interpretation or changes.

c. Included under the HQ WCPM are Injury Compensation Program Administrators (ICPA), IAW the "ICPA for Federal Employees," U.S. Department of Labor Publication CA 810, who are functionally assigned to manage their respective areas of responsibility. ICPAs develop strategies and methods to manage the program, ensuring accountability of all costs; timely processing of claims; and advising supervisors, managers, employees, medical and safety personnel, as well as any other officials about their responsibilities regarding this program.

d. The HQ will establish a FECA working group to discuss matters pertaining to the Injury Compensation Program. This group is authorized to review processes and make recommendations concerning all facets of the Injury Compensation Program. This group will be comprised of the program manager who will chair the group, ICPAs, representatives from Safety, Operations, Resource Management, and/or General Counsel areas as determined appropriate. Officials from the medical community may also be invited to participate, if determined appropriate. This group will meet quarterly and more often if needed.

e. To the extent possible, supervisors will accommodate the needs of an employee who has suffered an on-the-job injury or illness, unless undue hardship to the mission would result. When feasible, every effort will be made to reemploy current long-term and former DeCA employees who are in receipt of disability compensation in accordance with Title 20, Employees' Benefits, Code of Federal Regulations (CFR), Part 10, April 2009.

f. While DeCA fully supports an employee's entitlement to workers' compensation benefits for a work-related injury, DeCA's primary objective is to keep compensation costs down. To this end, the Agency will aggressively pursue costs containment measures. Such measures will include promoting a safe working environment and aggressively managing workers' compensation claims.

SECTION 2: RESPONSIBILITIES

2.1. EMPLOYEE. Employees shall:

- a. Strive to work safely and immediately report all unsafe working conditions or practices to their supervisor or manager on duty.
- b. Immediately report a work-related traumatic injury or occupational illness to the first level supervisor or manager on duty. Complete the Occupational Safety and Health Administration (OSHA) Form 301 and CA-1, Notice of Traumatic Injury or CA-2, Notice of Occupational Illness/Injury, through the Employee Compensation Management Portal (ECOMP). (NOTE: Procedures to report hazards and to file an accident report (DeCA Form 30-301)) are contained in DeCA Manual (DeCAM) 30-17.1, "Safety and Occupational Program Health Manual." . The importance of immediately reporting and providing required medical information concerning all on-the-job injuries or illnesses to the immediate supervisor cannot be over-emphasized. Delay in reporting an injury or illness and completing the CA-1 and CA-2 can impact timely processing of claims. Prompt and accurate reporting of all facts pertinent to claims will help expedite OWCP decisions. Reporting injuries and illness and completing required forms can be accomplished by someone acting on an employee's behalf, to include a family member, union official, representative, or Agency official, in the event the employee is incapacitated.
- c. Be responsible for immediately providing medical documentation. Failure to provide this information may impact processing; delay benefit entitlements; delay a decision concerning the claim; or may result in a denial of Continuation of Pay (COP), if medical documentation is not provided within 10 calendar days from date of injury. An employee filing a claim for compensation benefits, that knowingly provides false statements or fraudulent information, is accountable under criminal or civil prosecution guidelines, administrative directives, or both.
- d. Be responsible for ensuring that all billing for services from medical providers and others for which they believe reimbursement is authorized are submitted to the OWCP.
- e. Be responsible for providing the OWCP claim number to the medical provider.
- f. Be responsible for returning to work when medical documentation indicates that the employee may return to full or limited duty.

2.2. SUPERVISOR. The supervisor shall:

- a. Enforce safety and health regulations and promote safe working practices.
- b. Immediately, upon notification of an on-the-job traumatic injury or illness, advise the employee that they may file their claim through the ECOMP system and choose any licensed physician who is not excluded, or may choose to be treated at a government facility, if one is available.

c. Complete the supervisor's portion of the OWCP claim submitted by the employee. The CA-1 or CA-2 must be forwarded to reach OWCP within 10 business days, to be considered "timely filed" with OWCP. Therefore, it is imperative that the supervisor complete the application as soon as possible but no more than 5 business days after receipt of the email from ECOMP to ensure it is submitted to OWCP in a timely manner.

d. Investigate the circumstances of the incident, obtain statements from witnesses, if any, and record findings on the appropriate OWCP claim form. If the supervisor challenges the claim, the supervisor must provide the controversial rationale, along with any documentation that supports the position.

e. Participate in efforts to restore partially recovered employees to duty by providing restricted/limited duty assignments either in the employees' original department or within any department within the store that can accommodate the limitations/restrictions of the employee.

f. Review DeCAM 30-17.1 Chapter 6, "Accident Reporting and Recordkeeping, or confer with the facility's safety representative or safety support manager to determine the necessity to additionally report and record the event as an accident (report on DeCAF 30-1301 and record on OSHA Form 300).

g. Supervisors should review DeCA Directive 55-3, "Procedures for Providing Reasonable Accommodations for Individuals with Disabilities," to determine whether they need to explore reasonable accommodation of a disability.

2.3. INJURY COMPENSATION PROGRAM ADMINISTRATOR (ICPA). The ICPA shall:

a. Offer counseling, provide advice and assistance to employees and supervisors concerning the program, and coordinate the submission of OWCP claims.

b. Coordinate with supervisors when challenging a claim to ensure all documentation is complete and forwarded to OWCP in a timely manner.

c. Ensure claims are processed in a timely manner and forwarded to OWCP within 10 business days. Time limits are established by the Department of Labor (DoL).

d. Review medical documentation to determine if COP is warranted and advise supervisor in controverting the COP or requesting acceptable medical documentation. If the controversion is upheld by OWCP, the ICPA will advise the supervisor and coordinate to have the time cards corrected accordingly. If the claim is denied, the ICPA will notify the supervisor.

- e. Track and monitor COP and process claims for compensation or leave buy-back.
- f. Review claims for compensation benefits, to ensure required documentation is provided in order to determine eligibility for compensation.
- g. Review leave buy-back requests and coordinate with the payroll office and DoL to ensure entitlement.
- h. Develop and implement processes that may result in reduction in injury/illness costs, such as reemployment strategies.
- i. Provide statistical data related to compensation claims and the reduction of injuries/costs.
- j. Review the DoL chargeback listing for accuracy and for use in case management. Track old and new claims through established procedures by the program manager. Coordinate costs and payment procedures with Resource Management.
- k. Work with OWCP officials, rehabilitation counselors, management, and the medical community to return employee to duty.
- l. Work with appropriate DoD workers' compensation liaison officials to resolve difficult issues and problem cases.
- m. Provide training to supervisors as necessary.

2.4. STORE POINT OF CONTACT (SPOC). The SPOC shall:

- a. Assist employees logging onto the ECOMP program.
- b. Forward documentation on behalf of the employee/management.

2.5. FECA WORKING GROUP (FWG). The FWG shall:

- a. Discuss matters pertinent to the Injury Compensation Program. The FWG is authorized to review processes and make recommendations concerning all facets of the ICP.
- b. Make recommendation on the operation of the ICP, including but not limited to:
 - (1) Reemployment of injured workers;
 - (2) Processes that may result in reduction of injuries/illnesses associated with the job;
 - (3) Challenging claims;

- (4) Fraudulent claims;
- (5) Other related FECA matters.

2.6. DeCA AGENCY/SAFETY SUPPORT MANAGER. The safety manager shall:

- a. Use factual information from the injury/illness compensation forms via the ECOMP system to determine if the event satisfied accident reporting/recording criteria.
- b. Provide factual information from the accident investigation, for the use in compensation investigation report.
- c. Serve as a member of the FECA working group.

2.7. HQ HUMAN RESOURCES (HR) DIRECTOR. The HR Director shall:

- a. Provide overall policy guidance on matters pertaining to the ICP.
- b. Appoint a workers' compensation program manager, who will assist in the development of Agency-wide policy, program goals monitoring progress, and compliance with DoL rules and regulations.

GLOSSARY

G.1. ACRONYMS.

COP	Continuation of Pay
CFR	Code of Federal Regulations
DCPAS	Defense Civilian Personnel Advisory Service
DeCA	Defense Commissary Agency
DeCAD	Defense Commissary Agency Directive
DeCAM	Defense Commissary Agency Manual
DoD	Department of Defense
DoL	Department of Labor
ECOMP	Employees' Compensation Operational Management Portal
FECA	Federal Employees' Compensation Act
FWG	FECA Working Group
HQ	Headquarters
IAW	in accordance with
ICP	Injury Compensation Program
ICPA	Injury Compensation Program Administrator
OSHA	Occupational Safety and Health Administration
OWCP	Office Of Workers' Compensation Program
SPOC	Store Point of Contact
WCPM	Workers' Compensation Program Manager

REFERENCES

- DeCA Directive 50-23, "Injury Compensation Program," February 28, 2022
DeCA Directive 55-3, "Procedures for Providing Reasonable Accommodations for Individuals with Disabilities," November 2001
DeCAM 30-17.1, "Safety and Occupational Health Program," February 3, 2010
DoDD 5105.55, "Defense Commissary Agency (DeCA)," March 12, 2008
Title 5 United States Code Section 8101 et seq., "Federal Employees' Compensation Act", March 17, 2021
Title 20, "Federal Employees' Compensation Act," Code of Federal Regulations, Part 10, April 2009.
U.S. Department of Labor Publication CA 810, "Injury Compensation for Federal Employees," 2009