

# Management of Student Injury and Death Under FECA/OWCP



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## OVERVIEW

This Technical Assistance Guide (TAG) provides suggestions to assist regional offices and Job Corps centers in:

- Managing student injury and death in accordance with the Federal Employees Compensation Act under Federal Regulation 20 CFR, Part 10. The specific operating requirements for managing student injuries and death are contained in PRH Chapters 5 (Appendix 505) and 6. Sections 3 through 6 of this TAG provide guidance on managing student injuries and death.
- Ensuring that Agency-operated Job Corps centers (AO-JCC) provide accurate and consistent Office of Workers' Compensation Programs (OWCP) reporting and Federal Employees' Compensation Act (FECA) cost accounting for AO-JCC staff injured while not in the performance of duty on an AO-JCC (Section 7).

This publication contains no additional requirements but offers technical assistance, suggestions, and guidance to assist Job Corps center operators in complying with the mandatory requirements of the PRH.

## FREQUENTLY ASKED QUESTIONS REGARDING FECA/OWCP

This section contains a list of frequently asked questions.

### 1. What is the Federal Employees' Compensation Act?

The Federal Employees' Compensation Act (FECA) as amended (5 U.S.C. 8101 et seq.) is a law that provides compensation benefits to civilian employees of the United States for disability due to personal injury (including occupational disease) sustained *while in the performance of duty* [see Question 6 for “performance of duty” definition]. FECA also provides for payment of benefits to dependents if a job-related injury or disease causes the employee's death. Appendix B provides an overview of available FECA benefits.

FECA coverage is provided by special legislation to Job Corps students (reference 5 U.S.C. 8143 and in the Workforce Investment Act at 157(a)(3)). Publication CA-810, Injury Compensation for Federal Employees, contains an overview of the federal Office of Workers' Compensation Programs (OWCP), program, it is available for download through the Department of Labor (DOL) website:

<http://www.dol.gov/compliance/topics/benefits-comp-fed.htm>.

### 2. Who administers the FECA?

FECA is administered by the Office of Workers' Compensation Programs (OWCP), U.S. Department of Labor, through district offices located throughout the United States, and can be found at <http://www.dol.gov/owcp/contacts/fecacont.htm>.

- The National OWCP office works closely with the Job Corps National Office to resolve any policy or legal questions that cannot be resolved at the regional level.
- The OWCP district offices accept and adjudicate student claims submitted by Job Corps centers via the Safety and Health Information Management System (SHIMS). Centers are authorized to communicate directly with the appropriate OWCP district offices with respect to submission of claims under FECA.

### 3. What are Job Corps center responsibilities for administering the FECA program?

Each Job Corps center shall establish and maintain an effective program for administering the provisions of FECA as they apply to Job Corps students. Specifically, centers should:

- Provide basic information to staff concerning their responsibility for the administration of the FECA and injury recordkeeping via the Department of Labor's SHIMS.

- Provide orientation for all students and appropriate staff about FECA benefits and requirements.
- Provide guidance, supervision, and assistance to students and staff in filing notices, submitting reports, and processing claims or appeals under FECA regulations.
- Initiate claims for treatment of injuries under FECA coverage (if appropriate) when students are separated from Job Corps and require immediate or continued medical care. Obtain a prompt decision from the OWCP as to eligibility for treatment and other benefits.

#### **4. What are Job Corps National and Regional Office responsibilities regarding the FECA program?**

- The Job Corps National Office works in conjunction with OWCP to:
  - Develop and issue policies and procedures for administering FECA within the Job Corps program.
  - Provide technical assistance to regions and centers in FECA program administration and in processing individual claims.
  - Provide training in OWCP procedures to center staff.
  - Maintain student death records on file in the National Office.
- The Job Corps Regional Offices:
  - Assist centers in FECA program administration.
  - Arrange for technical assistance from the Job Corps National Office or OWCP district offices, when necessary.
  - Review disapproved claims when requested by the student or by the center.

#### **5. How should information on the FECA be provided to staff and students?**

- New staff orientation should contain an overview of the FECA and basic procedures for ensuring compliance with filing and reporting requirements.
- During the career preparation period, students should be provided with information regarding the proper procedures to be used when an injury occurs in the workplace. This should include an overview of the FECA and reporting requirements.
- The student handbook should contain information about FECA benefits and procedures for reporting injuries.
- FECA information should be available throughout the center, especially in areas where on-the-job injuries could occur or are treated (vocational shops, dormitories, recreational facilities, wellness unit).

- Supervisory personnel should be provided training on the FECA program and its procedures, including SHIMS recordkeeping procedures.
- Copies of the FECA, OWCP regulations, PRH Chapter 6, which contains references to OWCP benefits applicable to students, and relevant Program Instructions, Information Notices, and user guides should be available to all staff.

## 6. How is the term “in performance of duty” defined under FECA?

While on center, students are considered in a continuous “performance of duty” status because they are under continual supervision (i.e., 24 hours per day, 7 days per week) of Job Corps staff. Students are protected by the FECA for most injuries that occur while they are on center or at approved off-center locations (e.g., college, work sites, recreational trips).

Injuries resulting from “horseplay” and “fighting” are frequent among the enrollees. It is the OWCP’s position that most of these injuries fall within the scope of FECA. The confining nature of the employment and the long absences from home are factors which contribute to this problem. The result is that “horseplay” and “fighting” are often an accepted element of the employment environment.

Any deleterious effects of medical treatment are also covered by FECA, such as a severe adverse reaction to medication.

Students are not covered by FECA while at home, whether on pass or leave. However, a student who is visiting the residence of another student, with the permission of the Job Corps, would be considered to be engaged in an authorized activity, and would therefore be covered during the entire absence from the center. No students are in performance of duty status when absent without official leave (AWOL)<sup>1</sup>.

- For **resident students**, performance of duty includes activities while on authorized leave or pass **except while at home**, and authorized direct travel to and from the assigned center.

**Nonresident students** are in performance of duty status from the time of arrival on center until they leave the center, and while engaged in other Job Corps supervised activities off center. They are not in performance of duty while in transit (except in a Job Corps center vehicle) or while at home.

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<sup>1</sup> For OWCP purposes, AWOL is defined as being away from the center without authorization regardless of the time away from the center.

## 7. What injuries are NOT covered by FECA?

A student injury or death will not be considered by OWCP as occurring while in performance of duty if caused by:

- Willful misconduct that is defined as an act committed with calculated disregard for enforced rules, regulations, and/or the law. The act must be deliberate and intentional as distinguished from being careless.
- Intention to cause injury or death to oneself or to another. In such cases malicious intent must be proven.
- Intoxication, as the proximate or sole cause of injury. Any allegation of intoxication must be supported by medical/legal evidence (e.g., blood ethanol report).

In all of the above instances, the center should conduct a thorough investigation and provide complete information on the appropriate forms and medical reports, but **should not make a final judgment or a decision in any case**. Based upon the complete information from the center, OWCP will determine the student's performance of duty status and approve or disapprove the claim for benefits.

## 8. Which OWCP forms are used most often on a Job Corps center and when are they completed?

The **CA-1 electronic form<sup>2</sup>, Notice of Traumatic Injury and Claim for Compensation**, is filed with OWCP within 7 calendar days of supervisor notification when there is an injury that requires separation from Job Corps. When the CA-1 is filed with OWCP at separation, a CA-16 paper form, Authorization for Examination and/or Treatment, and an OWCP-1500 paper form, the Health Insurance Claim Form, are sent to the provider.

If the injury is not severe enough to cause separation, the CA-1 should be completed, electronically filed in SHIMS within 7 calendar days of supervisor notification, printed, signed by the student and filed in the student's health folder.

The **CA-2 electronic form<sup>4</sup>, Notice of Occupational Disease and Claim for Compensation**, is rarely used in Job Corps because there are very few cases of occupational disease or illness related to enrollment in Job Corps. If such a situation does occur, contact the National Office of Job Corps before filing a CA-2. The CA-2 is filed with OWCP within 7 calendar days of supervisor notification and the Job Corps supervisor must contact OWCP before issuing a CA-16.

The **CA-6 paper form, Official Supervisor's Report of Employee's Death**, is filed with the OWCP district office if a student dies as a result of an illness/injury incurred

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<sup>2</sup> As of January 25, 2002, Job Corps centers should only use the web-based SHIMS for filing claims. (<http://shims.dol.gov>)

while in performance of duty. In the event of a student death, the Center Director should notify OWCP immediately by telephone or fax and mail the CA-6 to the OWCP district office.

**9. What immediate steps should be taken when a student is injured on center?**

The Center Director should:

- Initiate necessary action to secure prompt medical attention for injuries.
- Ensure that the student immediately notifies his/her immediate supervisor of any injury sustained or aggravated during enrollment in Job Corps (complete SHIMS Electronic Form CA-1 or CA-2).
- Inform injured student of his/her specific rights and possible courses of action; provide assistance when difficult questions arise regarding the FECA and OWCP regulations.
- Conduct a prompt, comprehensive investigation of the injury and document on the required forms.
- Determine whether to retain or medically separate the student from the program.
- Obtain the signed statements of any witnesses or persons who have first-hand knowledge of the student's injury or disease.

The student injury recordkeeper should:

- Maintain copies of all CA forms, correspondence, and medical reports relative to the student's claim for compensation in the student's health record.
- When the injury occurs in the performance of duty, complete the CA-1, electronically file it in SHIMS, or forward to OWCP depending on the student's status, and file a copy in the student's health folder.
- Issue a CA-16 when the separated student requires examination and/or treatment after separation as a result of traumatic injuries sustained while in Job Corps. Obtain OWCP district office authorization before issuing a CA-16 for occupational illness or disease claims (CA-2).
- Counsel the injured student regarding FECA benefits and how to initiate a claim for compensation (CA-7 form), which should be mailed to the OWCP jurisdiction office within 7 days.
- Assist the student, student's responsible person, or next of kin, in the case of death with additional compensation procedures.
- Send a copy of ETA 6-61, Job Corps Notice of Separation, to OWCP as verification of student's separation. Include the OWCP claim number on the upper right hand corner of this form.
- Notify OWCP immediately by phone and with a follow-up letter whenever a separated student who received OWCP benefits returns to Job Corps.

## 10. What are OWCP's payment procedures?

For medical expenses:

- OWCP will pay medical expenses beginning **the day following separation from Job Corps** when the CA-16 and the OWCP-1500 have been issued properly to the health care provider.
- The proper issuance of the CA-16 form authorizes OWCP to pay medical expenses incurred because of a work-related injury or illness.
- If a case is denied, OWCP will not pay any medical expenses.

For compensation:

- When the work-related injury involves the student's inability to participate in the Job Corps program, the student may be entitled to compensation payments.
- Entitlement to compensation payments begins after an initial 3-day waiting period.
- No waiting period is required when permanent disability exists or when the disability causing wage loss exceeds 14 days.
- If a case is denied, OWCP will not make any compensation payments.

## INITIATE AND PROCESS CLAIMS FOR FECA BENEFITS

This section provides step-by-step guidance to center staff in processing claims for FECA benefits. The section contains procedures to follow in the event of:

- Student first aid injuries
- Student traumatic injury or occupational illness; student is *NOT separated* from Job Corps
- Student traumatic injury or occupational illness; initially, student is *NOT separated* from Job Corps but is separated at a later date
- Student death

### Student First Aid Injuries

First aid is defined as any one-time treatment and any follow-up visit for the purpose of observation of minor scratches, cuts, burns, or splinters that do not ordinarily require medical care. Such one-time treatment and follow-up visits are considered first aid even if they are provided by a physician or other registered professional personnel. Examples of first aid treatment (e.g., one-time treatment and subsequent observation of minor injuries) are shown at right.

The following procedure, by itself, is not considered medical treatment:

- Administration of *tetanus shot(s) or booster(s)*. However, these shots are often given in conjunction with more serious injuries; consequently, injuries requiring these shots may be filed in SHIMS for other reasons.

The following steps should be followed for first aid injuries:

*Step 1: In SHIMS, Initiate a New Case for Job Corps Student and Complete the OSHA 301*

*Step 2: Complete OSHA 300*

Only work related injuries that meet the OSHA-recordable criteria are to be recorded on the OSHA log.

#### Examples of First Aid Treatments

- Application of antiseptics during initial visit to medical personnel
- Treatment of first degree burn(s)
- Application of bandage(s) during any visit to medical personnel
- Use of elastic bandage(s) during initial visit to medical personnel
- Removal of foreign bodies from wound; if procedure is uncomplicated (e.g., by tweezers or other simple technique)
- Use of nonprescription medications and administration of single dose of prescription medication on initial visit for minor injury or discomfort
- Soaking therapy on initial visit to medical personnel or removal of bandages by soaking
- Application of hot or cold compress(es) during initial visit to medical personnel
- Application of ointments to abrasions to prevent drying or cracking
- Application of heat therapy during initial visit to medical personnel
- Negative x-ray diagnosis
- Observation of injury during visit to medical personnel

**Step 3** *Complete the Electronic CA-1 form*

Select the “first aid injury” filing instruction and file with SHIMS. Upon completion, the system will notify. Filing for ICN#XXXXX is completed. File a copy in the student’s health record.

**More Serious Injuries Not Resulting In Student's Separation**

This category includes injuries that result in medical treatment beyond first aid but not medical separation. As shown at right, this category includes those injuries serious enough to need a specialized referral.

The following steps should be taken for these types of injuries:

**Step 1:** *In SHIMS, Initiate a New Case for Job Corps Student and Complete OSHA 301*

**Step 2:** *Complete OSHA 300*

Only work related injuries that meet the OSHA-recordable criteria are to be recorded on the OSHA log.

**Step 3:** *Complete the Electronic CA-1 form*

Select the “student was not medically separated” filing instruction and file with SHIMS. Upon completion, the system will notify, “Filing for ICN# XXXXX is completed.” File a copy in the student’s health record.

- | Examples of Serious Injuries  |
|---|
| <ul style="list-style-type: none"><li>• Fractures</li><li>• Head injuries with loss of consciousness (lost time or no lost time)</li><li>• Positive x-ray diagnosis</li><li>• Lacerations with nerve or tendon damage</li><li>• Injuries needing sutures/SteriStrips/adhesive butterfly</li><li>• Foreign body embedded in the eye</li><li>• Jaw fracture/dental damage</li><li>• Treatment of infection</li><li>• Treatment of 2nd or 3rd degree burns</li><li>• Food poisoning</li><li>• Dislocated shoulder</li><li>• Any injury that results in a medical separation with reinstatement</li></ul> |

**Forward a Case to OWCP Previously Filed In Shims as First Aid or More Serious Injury**

In some instances, a student will require medical separation some time after the occurrence of the injury. Following Job Corps recordkeeping procedures, the injury will have been filed in SHIMS. Contact the National Office for approval prior to forwarding the electronic claim to OWCP. After approval is received, retrieve the case previously filed in SHIMS and electronically forward the CA-1 to OWCP. See Section 4.4, Steps 4 through 12 for additional requirements.

## **Injuries Resulting in Separation from Job Corps**

This category includes injuries resulting in the student's death or serious injuries that result in the student's separation from Job Corps.

The following steps should be taken for these types of injuries:

*Step 1: In SHIMS, Initiate a New Case for Job Corps Student and Complete the OSHA 301*

*Step 2: Complete the OSHA 300*

Only work-related injuries that meet the OSHA-recordable criteria are to be recorded on the OSHA log.

*Step 3: Complete the Electronic CA-1 form*

Select the "student was medically separated" filing instruction and forward to OWCP. Upon completion, the system will notify, "Filing for ICN# XXXXX is completed." File a copy in the student's health record.

*Step 4: Mail the CA-7 (when indicated) and a Copy of the ETA 6-61, Job Corps, Notice of Separation, to the OWCP District Office*

These forms should list the separated student's home mailing address and OWCP claim number. A copy of the CA-1 (or CA-2) and copies of all forms should be filed in the student's health record.

*Step 5: Mail Medical Report (CA-20) to OWCP District Office*

Each claim must be supported by a medical report because the question of causal relationship between the occurrence of an injury and performance of duty is usually resolved on the basis of medical opinion. The medical report must contain a complete diagnosis of the disability and a reasoned opinion as to the causal relationship between the injury and conditions of employment.

*Step 6: Provide Student with OWCP District Office Information*

Provide the student with the OWCP claim number, address, and phone number of the OWCP district office that is handling the student's claim.

*Step 7: Provide Student with Referrals*

Arrange to refer the student to a health or welfare resource outside of Job Corps and without cost to Job Corps.

*Step 8: Issue CA-16*

Issue form CA-16 to the health care provider or facility to which the student is being referred for treatment of traumatic injury. In cases of occupational disease, request permission from the OWCP district office to issue a CA-16. Send the OWCP-1500 form to the health care provider along with the CA-16.

*Step 9: Notify the Job Corps Regional Office of Separation and Referral Plans*

In accordance with PRH Chapter 5, prepare a Significant Incident Report (SIR) that details the circumstances of the student's injury and medical separation. Indicate on this form that appropriate OWCP forms have been filed and that referrals on the student's behalf have been completed.

*Step 10: Provide Additional Assistance as Needed*

The center should make certain that inquiries from a separated student or the student's responsible person receive a prompt response and that any additional forms or other necessary information are forwarded to OWCP.

Center staff should encourage direct communication between the former student and the appropriate OWCP district office and should assist in the process by:

- Establishing the initial contact between the student and OWCP.
- Providing needed records and forms.
- Providing OWCP district office addresses and telephone numbers in writing.
- Helping the student or his/her responsible person understand that OWCP has the sole responsibility for adjudicating the claim.

*Step 11: Follow-up on OWCP Decision*

When OWCP reaches a decision regarding the claim, a copy of the decision will be mailed by OWCP to the student (or to a designated representative) and to the Job Corps center. This document notifies the student and the center of "findings of fact" (approval or disapproval of the claim). It includes a statement of reasons for the decision and information about appeal rights and instructions for filing an appeal if desired when a claim has been disapproved.

If the student and the center have not received written notification of approval or disapproval of the claim within a reasonable length of time (30 working days):

- The Center Director should contact the OWCP district office for information regarding the status of the claim only if the claim has been assigned an OWCP claim number and should follow-up until final adjudication has been made. The Center Director should assist with an appeal upon request by the student or survivor, or
- The Center Director should contact the National Office of Job Corps if the claim has not been assigned an OWCP claim number.

Anytime an adverse formal decision involving entitlement is reached by OWCP, such as denial of an initial claim or denial of continuing benefits, the claimant may request one of three forms of appeal, but only one form at a time. The request should be sent to the address specified in the decision.

- **Hearing**—A hearing is a review of an adverse decision by a hearing representative and may be either an oral review or a review of the written record. The claimant may specify the type of hearing desired. In addition to the evidence of record, the claimant may submit new evidence. The hearing request must be sent within 30 days of the date of the decision for which a hearing is sought.
- **Reconsideration**—An application for reconsideration must be sent within one year of the date of the review decision. It must:
  - Be submitted in writing.
  - Include all supporting documents.
  - Set forth arguments and contain evidence that either (1) shows that OWCP erroneously applied or interpreted a specific point of law, (2) advances a relevant legal argument not previously considered by OWCP, or (3) constitutes relevant and pertinent new evidence not previously considered by OWCP.
- **Review by the Employees' Compensation Appeals Board (ECAB)**—Only final decisions of OWCP may be appealed to the ECAB. Some decisions that are not appealable to the ECAB are those concerning the amounts payable for medical services, decisions concerning exclusion and reinstatement of medical providers, decision by the director to review an award on his/her own motion, and denials of subpoenas independent of the appeal of the underlying decision. In appeals before the ECAB, attorneys from DOL's Office of the Solicitor will represent OWCP.

Detailed information about the appeals processes are contained in 20 CFR, Part 10, Subpart G.

*Step 12: Notify OWCP When Student Returns to Job Corps*

Medical expenses are discontinued when a separated student is readmitted to Job Corps. Therefore, it is important that the center promptly notify OWCP when a student receiving OWCP benefits returns to Job Corps. Notification should be made by letter on the date of return. A copy of the letter should be placed in the student's health record.

## **Student Death**

Activities required in the event of a student's death will vary depending on whether the death occurred on or off center and whether or not the student was in "performance of duty" at the time of death. Appendix D provides step-by-step instructions and Appendix E provides a checklist to follow in the event of student death.

*Step 1: Determine Circumstances of Death*

Center staff should immediately attempt to determine the circumstances of the death by securing all available facts about the events surrounding the student's death.

- Where did the death occur?
- How did the student get there?
- What was he/she doing there?
- Was he/she on pass?
- Who was present when the death occurred?

*Step 2: Contact Mortuary*

Staff should ensure that the remains of the deceased are properly attended until the arrival of local authorities. When approval has been obtained from the appropriate medical or legal authorities, arrangements should be made to move the remains to a mortuary or morgue.

The center should request that the mortuary provide only preservation services until information is received from the decedent's family concerning their desires for final disposition of the remains.

*Step 3: Notify Next of Kin*

The student's next of kin must be notified of the death by telephone, when feasible, and by telegram with confirmation requested after positive identification has been made. A sample telegram for notification is contained in Appendix B. The center should delay public announcement or issuance of a news release of the death until the next of kin is notified.

*Step 4: Notify Job Corps National and Regional Offices*

The Job Corps National and Regional Offices must be notified by means of a significant incident report immediately (within 6 hours) following a student's death [reference PRH Chapter 5].

*Step 5: Notify Occupational Safety and Health Administration (OSHA)*

Centers must contact OSHA within 6 hours of the death of an active student. Centers must orally report the fatality by telephone or in person to the area OSHA Office nearest to the site of the incident, or use the OSHA toll-free central telephone number (800) 321-OSHA (800-321-6742).

*Step 6: Notify OWCP*

When a Job Corps student dies because of an injury or illness incurred while in the performance of duty, the OWCP district office should be notified immediately by telephone or fax to be followed with a CA-6. The CA-6 should be submitted when it is established that the student's activities (or circumstances) fall within the "performance of duty" definition [see Section 3.0 FAQs Regarding FECA/OWCP, Question 6].

If death was due to a disease that may have been caused or aggravated by the conditions of enrollment, a medical report supporting this contention should be submitted along with the CA-6 as soon as possible.

The FECA provides compensation and other benefits when a student's death results from an injury or illness caused while in the performance of duty. OWCP will make all decisions regarding what is considered performance of duty based upon information provided on the CA-6 and supporting data. The completion and filing of the CA-6 are required to initiate action on the claim.

The CA-5 (or CA-5b) is necessary to establish a claim for compensation by the surviving dependents and should be filed by them directly with the OWCP district office.

*Step 7: Notify Center Staff and Students*

All staff and students who knew the deceased should be informed of the death and circumstances surrounding it in a sensitive fashion. Students who were particularly close to the deceased or who express concern over the circumstances of the death should be gathered into small groups for discussion sessions with a trained staff member such as a counselor, center nurse, or mental health consultant.

*Step 8: Appoint Center Representative*

It is suggested that the Center Director select a center representative to handle arrangements and communicate with the student's family. See Appendix E for a list of suggested duties.

*Step 9: Send Letter of Sympathy*

Within 24 hours of notification of next of kin, the Center Director should send a letter of sympathy [see sample letter in Appendix B], that includes:

- Cause of death
- Circumstances surrounding the death, if known
- Date (and time, if known)
- Place of death
- Information concerning any religious services provided to the individual before death
- Information of a personal or sentimental nature that may be of comfort to the addressee

All information furnished should be based on facts. Photographs of the remains should not be included.

*Step 10: Inventory Student's Personal Belongings*

Center staff should promptly collect and inventory the deceased student's personal effects, including money, clothing, personal papers, and miscellaneous articles of sentimental value. The inventory should be witnessed and recorded, and a personal effects letter should be prepared. Copies of the inventory should be distributed as follows:

- Original retained on center
- One copy to accompany personal effects given to the next of kin
- One copy placed in the personnel record of the deceased

The student's personal belongings should be taken to the next of kin by a center representative.

*Step 11: Arrange Transportation and Payment of Funeral Expenses*

The student's duty status at the time of death determines what actions are required with regard to payment of funeral expenses and transportation arrangements:

- **Death in the Performance of Duty**—If it is reasonably certain that the death of the student resulted from the performance of duty, the center should inform the student’s next of kin that the government (OWCP) will pay for:

- Transporting the student’s remains to a mortuary (designated by the next of kin) that is located near the student’s home or last place of residence. The cost of transporting the remains to the home (mortuary) is limited to:

- ▶ The cost of preparing and embalming the remains.
- ▶ The cost of a hermetically sealed casket, if required by State law (the mortician can provide the center with information about State laws).
- ▶ Transportation charges for shipping the remains.

**Allowable Funeral and Burial Expenses up to \$800**

- Funeral services
- Clergy
- Hearse, cars
- Lowering device
- Grave digging
- Grave rental
- Perpetual care of grave
- Grave marker
- Funeral notice

- Other necessary funeral and burial costs incurred at the designated destination up to \$800.
- An additional \$200 allowance for administrative costs of separating the student’s status as a federal employee to be paid to the personal representative (e.g., next of kin).

The itemized bill for these services should be sent to the local OWCP district office. In cases where adjudication is delayed, the center should pay the undertaker and shipper for costs incurred locally and submit the bill to the OWCP district office. If the claim is approved at a later date, OWCP will reimburse Job Corps for such disbursement subject to FECA limitations. OWCP makes the final decision as to what are necessary and reasonable funeral expenses.

The next of kin should be notified that the final decision regarding eligibility for benefits rests with the OWCP.

- In addition to the \$1,000 provided through OWCP, the personal representative of the deceased student may be eligible for an additional gratuity (not to exceed \$10,000) in accordance with Section 651 of Public Law 104-208 (The Omnibus Consolidated Appropriations Act). The Job Corps National Office will review the decedent’s record to determine if the decedent’s next of kin qualifies for this additional gratuity.

- **Death not in the Performance of Duty**—If the OWCP district office informs the center that death was not due to performance of duty, the center should then inform the next of kin that the government (Job Corps) will pay only for expenses involved in transporting the remains to a mortuary in the student's home area as selected by the next of kin. Thereafter, the next of kin will be responsible for funeral expenses. The cost of transporting the remains home is limited to:
  - The cost of preparing and embalming the remains.
  - The cost of a hermetically sealed casket, if required by State law.
  - Transportation charges for shipping the remains.

*Step 12: Provide Assistance to the Next of Kin*

Following initial notification to the next of kin, the center should:

- Inform the next of kin that a representative of the center will escort the remains home and may assist with local funeral arrangements in the decedent's home area, if requested by the next of kin.
- Ask the next of kin if there are any special requests regarding funeral arrangements. (Avoid providing the next of kin and the mortician any misleading information pertaining to expenses to be borne by the government.)
- Arrange to have the remains embalmed and select a casket for the deceased. Any special requests received from the next of kin or family spokesperson regarding funeral arrangements within the authority of the Center Director should be granted. The center should inform representatives of the local mortuary (near the center) about allowable costs for the services authorized and for the transportation of the remains to the place designated by the next of kin.

*Step 13: Funeral and Burial Arrangements When Remains are Refused by Next of Kin*

If the deceased student's next of kin refuses to accept the remains for burial (or when there is no family or suitable person to accept the remains), the Center Director must arrange for burial at a site close to the center and at a cost not to exceed the amount authorized in Section 8134 (a) of the FECA [reference PRH Chapter 6]. The Center Director should:

- Arrange to have the remains prepared for burial.
- Select a casket and burial site. The burial site should be located within the vicinity of the center and should be decided upon through consultation with appropriate local officials.
- Dispose of personal effects according to any wishes expressed by the next of kin.

- Follow appropriate OWCP procedures if student's death is in the performance of duty.

The necessary cost for preparation of remains, funeral, and burial (including site, if not provided by local community) should be reasonable.

*Step 14: Coordinate with Local Health and Community Authorities*

The Center Director should:

- Establish appropriate agreements with local authorities and morticians covering student deaths both within and outside the limits of the center.
- Provide necessary assistance with inquests when required. Inquests are authorized by State laws in cases involving accidental deaths or suspicious circumstances.
- Provide assistance to hospital or physician requiring consent for an autopsy from the next of kin. The Center Director should furnish the name and address of next of kin to the hospital or physician. The Center Director should ensure that no contact is made with the next of kin to request an autopsy until he/she is certain that the next of kin has been properly notified of the student's death.
- Obtain death certificates for all deaths that occur on center including those located on federal reservations, and obtain a State transit or burial permit before remains are removed from such a federal reservation for shipment or burial. (Normally, the funeral director will obtain required permits.)
- Notify the local public health authorities when required.
- Notify the local funeral director if the decedent was a veteran who served at least one enlistment during peacetime and/or was eligible for veteran's benefits. Such veterans are eligible for burial in a national cemetery with a headstone or grave marker, provided discharge was honorable. The locally-based mortician should be requested to advise the mortician in the decedent's home area of veteran entitlements.

*Step 15: Send Student Record to Job Corps National Office*

The complete official student personnel record of a deceased student, including the **sealed health records**, must be forwarded by certified mail or overnight delivery within 10 working days [reference PRH Chapter 6] to the:

National Health and Wellness Manager  
Office of Job Corps  
U.S. Department of Labor  
200 Constitution Avenue, NW  
Room N-4507  
Washington, DC 20210

Health records of deceased students must include the following:

- Copy of the significant incident report notification of the death to Job Corps National and Regional Offices.
- Copies of all CA forms and correspondence relating to the status of OWCP claims and/or performance of duty determinations.
- Death certificate, if available. Otherwise, forward death certificate to the Job Corps National Office as soon as it is available.
- Autopsy report, if available.
- Medical/coroner's report and the chemical analysis report of all body fluids/tissues, if applicable.
- Counseling record.

Copies of any subsequent correspondence relative to the case or its claim status with OWCP should be sent to the Job Corps National Office for review and inclusion in the student record.

## OWCP FORMS AND INSTRUCTIONS

This section contains a list of OWCP forms and step-by-step instructions for preparing and filing OWCP forms.

### OWCP Forms

Centers should maintain a supply of the basic forms needed to process claims. Forms required to be on hand at Job Corps centers are marked with an asterisk (\*). Copies of all forms can be downloaded from the Job Corps Community website at <http://jcweb.jobcorps.org/Pages/Forms.aspx> or at the DOL website: <http://www.dol.gov/owcp/dfec/regs/compliance/forms.htm>.

Form #	OWCP Form Title
CA-2a*	Federal Employee's Notice of Recurrence of Disability and Claim for Continuation Pay/Compensation
CA-5	Claim for Compensation by Widow, Widower, and/or Children
CA-5b	Claim for Compensation by Parents, Brothers, Sisters, Grandparents, or Grandchildren
CA-6*	Official Superior's Report of Employee's Death
CA-7*	Claim for Compensation on Account of Traumatic Injury or Occupational Disease
CA-16*	Authorization for Examination and/or Treatment
CA-20*	Attending Physician's Report
OWCP-1500*	Health Insurance Claim Form

### Instructions for Preparing and Filing OWCP Forms

Because OWCP forms are designed primarily for the use of regular federal employees, some instructions and items will not apply to Job Corps students. The initials "NA" for "not applicable" should be entered in those item numbers on the form (except for electronic CA-1 and CA-2 forms).

#### **CA-1—Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation (completed in SHIMS)**

The CA-1 is the basic claim form for traumatic injury. It records a student's statement of the injury as well as those of witnesses and the student's official supervisor. It should be completed and electronically forwarded to OWCP immediately following the student's injury and separation from Job Corps in order to establish and preserve the student's claim for FECA benefits. The CA-1 must be submitted within 7 calendar days of supervisor notification. **A copy should always be placed in the student's health record.**

The electronic CA-1 form should **not** be forwarded to OWCP if, in the physician's opinion, the injury does not seem likely to result in the student being medically separated or if the

- Disability for work does not go beyond the day or shift of injury
- There is no need for prolonged treatment
- There will be no medical charge against OWCP (after a student's separation from Job Corps)
- No permanent impairment
- No future disability

This includes first aid injuries. **In such cases, the form should be completed, filed in SHIMS, and a copy printed, signed by the student, and filed in the student's health record.** This satisfies FECA reporting time requirements. The form will then be available for transmittal to OWCP if needed in the future.

Upon completion of the CA-1, the student's immediate supervisor and/or the student injury recordkeeper should answer any questions the student may have regarding FECA benefits, the form, its purpose, processing, and possible outcomes. The receipt of notification of injury included on the form should be signed by the student and his/her immediate supervisor. It should be given to the student as evidence of official notification of injury.

### **CA-2—Federal Employee's Notice of Occupational Disease and Claim for Compensation (completed in SHIMS)**

Form CA-2 gives notice of an occupational disease and claim for compensation. It records a detailed history of the student's disease or illness and its possible relationship to performance of duty, the statement of the student's official supervisor, and detailed medical reports from an attending physician. The National Office of Job Corps must be contacted before completing and submitting a CA-2. The CA-2 must be submitted electronically to OWCP within 7 calendar days of supervisor's notification. **A signed copy of the CA-2 should always be placed in the student's health record.**

The completed CA-2 form should be electronically submitted to OWCP when a disease or illness results in or is likely to result in:

- Disability for work for more than 14 days
- The need for prolonged treatment
- A claim or charge for medical care against the compensation fund (after a student's separation from Job Corps)
- Permanent disability including the total or partial loss, or loss of the use of a body part
- Future disability
- Serious disfigurement of the face, head, or neck

The CA-2 should not be completed and electronically submitted to OWCP if, in the physician's opinion, the disease does not seem likely to result in any of the above situations or conditions and is not likely to result in medical separation from Job Corps. Contact the National Office of Job Corps for guidance.

Upon completion of the CA-2, the immediate supervisor and/or the student injury recordkeeper should answer any questions the student may have regarding FECA benefits, the form, its purpose, processing, and possible outcomes. The receipt of notification of disease and illness should be signed by the student and his/her immediate supervisor. It should be given to the student as evidence of official notification of disease and illness.

### **CA-2a—Notice of Recurrence**

Form CA-2a, Notice of Recurrence, is filed when a medically separated student returns to Job Corps and aggravates the original injury or illness again requiring medical separation. Complete the CA-2a and submit it with the CA-7 to the OWCP district office. It should clearly show the dates of the subsequent absence from Job Corps. A copy should be placed in the student's health record.

If a new injury or exposure to the cause of an occupational illness occurs, and disability or the need for medical care results, a new form CA-1 or CA-2 should be filed. This is true even if the now incident involves the same part of the body as previously affected.

### **CA-5—Claim for Compensation by Widow, Widower, and/or Children**

Center staff should assist the deceased student's family by providing available information regarding claim status and any possible financial obligations or benefits.

This claim form should be completed and filed by the widower or widow for himself/herself and/or surviving children. The survivors should be provided with the OWCP district office address and telephone number in order to secure this form and for more complete information and assistance. Documentation supporting the claim should be submitted when the claim is filed, including a copy of the student's marriage certificate(s) for a widow or widower; death certificate for the deceased student if not previously submitted; and birth certificates, adoption documents, or letters of guardianship for children.

### **CA-5b—Claim for Compensation by Parents, Brothers, Sisters, Grandparents, or Grandchildren**

Survivors in this category must have been wholly or partially dependent on the deceased student in order to receive benefits. This claim form should be completed and filed with OWCP by the deceased student's parents, grandparents, or representative (custodian or guardian) of minor brothers or sisters. A separate form is required for each person claiming benefits. Documentation supporting the claim should

be submitted when the claim is filed, including a copy of the birth certificate of the deceased student if not previously submitted; birth certificates for minor brothers and sisters; and birth certificates of a decedent's mother or father as appropriate if claim is made on behalf of a grandparent. Evidence to establish dependency, such as records of an allotment, letters from the decedent, and statements regarding financial support, should be submitted by or on behalf of the person claiming benefits. Survivors should be directed to the OWCP district office to secure this form and for assistance with this claim.

### **CA-6—Official Superior's Report of Employee's Death**

If an injury or employment-related injury or disease results in a student's death, the Center Director should:

- Notify the appropriate OWCP district office immediately by telegram, telephone, or fax of the details and circumstances surrounding the student's death.
- Prepare the CA-6 **in triplicate** indicating the student's performance of duty status at the time of death.
- Forward the original of the CA-6 to the appropriate OWCP district office within 10 working days with a certified copy of the death certificate, if available, and all other associated papers. A copy of the CA-6 must be forwarded to the National Office of Job Corps. Send funeral bills from the center's mortician and from the student's hometown mortician to the OWCP district office for payment as soon as possible; file the second copy of the death certificate and the CA-6 in the deceased student's health record; and, file the third copy with the National Office of Job Corps.

### **CA-7—Claim for Compensation on Account of Traumatic Injury or Occupational Disease**

This form is the actual claim for monetary disability benefits due to traumatic injury or occupational disease. Center staff should assist the student in completing it to ensure accuracy and completeness. The claim is based on evidence contained in the CA-1 or CA-2 and the medical report of disability. It should be submitted to the appropriate OWCP district office immediately after the student's official separation from Job Corps.

When the CA-7 is forwarded, the Center Director/designee should also:

- Submit a current medical report on the disability in question or a completed form CA-20, Attending Physician's Report. If a narrative medical report is used, it should include those items covered on the CA-20, at a minimum.
- Electronically submit the CA-1 (or CA-2) if it has not been filed with OWCP.
- File copies of all CA forms and copies of medical reports related to the claim in the student's health record.

The CA-7 is submitted only when the student agrees and when:

- The Center Director/designee believes that the student may, based on the CA-1 or CA-2, be entitled to compensation for a temporary or permanent disability.
- The student, with or without the advice of the Center Director/designee, feels that he/she is entitled to compensation or continuing compensation for a temporary or permanent disability.

### **CA-16—Authorization for Examination and/or Treatment**

Whenever a student separates from Job Corps and needs examination and/or treatment as a result of traumatic injury, the Center Director should issue a CA-16 to the physician or medical facility. This form authorizes the injured student's examination and/or treatment from a physician or medical facility. When a CA-2 is electronically submitted to OWCP in cases of separation because of work-related illness or disease, a CA-16 is issued only if prior approval is obtained from OWCP.

This form provides OWCP with an initial medical report and the physician or medical facility with a billing form for emergency treatment. Issuance of the CA-16 authorizes OWCP to pay medical expenses incurred.

Part A is completed by the student's supervisor and submitted to the physician or medical facility within 48 hours of examination and/or treatment. Part B is completed by the attending physician as promptly as possible after initial examination and sent to the appropriate OWCP district office.

When there is a need for medical follow-up for the work-related injury by a second health care provider, the center should mail the name and address of that provider to OWCP or instruct the student (in writing) to do so.

### **CA-20—Attending Physician's Report**

This report provides medical support of claims for compensation. It is submitted to OWCP upon completion of the medical examination and treatment. It is also used to provide additional medical information regarding the claim.

### **OWCP-1500 (also known as HCFA-1500)—Health Insurance Claim Form**

This form accompanies the CA-16 to all medical care providers, except hospitals. It is used by health care providers to bill the OWCP district office for services rendered.

## THIRD PARTY CLAIMS

This section contains information regarding the investigation of a student injury or death, legal liability information for students or survivors, and associated costs.

### Legal Liability Information for Students (or Survivors)

When a student sustains an injury or dies because of some action creating a legal liability upon a party other than the federal government, the Center Director/designee should inform the student or survivor that, after the CA-1 or CA-2 (or CA-6) has been approved by OWCP, the student (or survivor) may be required to seek damages from that party.

The Center Director should advise the student, parent, or guardian (or, if the student is deceased, the next of kin, parent, or legal guardian) not to sign any waivers or other similar papers that may be presented for settlement by the third party or a representative of the third party without prior approval of the OWCP and Job Corps. Third parties may include owners of private vehicles, common carriers, manufacturers, and pet owners. The student or survivor should be advised of the right to consult an attorney (at the student's expense) and may select his/her own attorney provided that prior notification is given to OWCP and Job Corps of that intention. The above provisions ensure that the federal government is reimbursed for benefits rendered to the student. Unauthorized settlements may jeopardize any OWCP benefits that may accrue to that student.

### Investigation

The Center Director/designee should simultaneously conduct an investigation of third party liability and submit the findings as soon as possible to the appropriate OWCP district office with a copy to the student's health record.

These findings should contain:

- Name and address of third party
- Name, address, and insurance policy number (if possible) of third party's insurance company
- Copy of center accident report
- Copy of police accident report
- Witnesses' statements
- Photograph of the accident scene (if feasible)
- Completed original CA-7 form
- Other available pertinent information
- A copy of the electronically submitted CA-1 form

The above documentation should be submitted to OWCP and the student (or his/her survivors) should be contacted if indicated.

## **Associated Costs**

The Center Director should maintain in the student's health record an account of all costs involved in furnishing medical care and treatment to the student. In third party claims, OWCP may seek reimbursement from the third party for all health costs incurred by the federal government for care and treatment of the injured student.

## OWCP REPORTING AND FECA COST ACCOUNTING FOR AGENCY-OPERATED JOB CORPS CENTERS

This section provides: Suggested practices and procedures to ensure that Agency-operated Job Corps centers (AO-JCCs) provide accurate and consistent OWCP reporting and FECA cost accounting for AO-JCC staff<sup>3</sup> (does not include Job Corps students) injured while in the performance of duty on an AO-JCC.

An overview of the FECA chargeback process and procedures<sup>4</sup> for determining allowable FECA costs, correcting chargeback codes prior to filing OWCP injury, identifying and correcting errors in subagency chargeback codes after claim filing, and reporting FECA costs for closed AO-JCCs.

### Overview of the FECA Chargeback Process

When an AO-JCC employee is injured while in the performance of duty on an Agency-operated Job Corps center, an OWCP claim form (CA-1 or CA-2, depending on the nature of the injury) is completed by the employee, reviewed by the employee's supervisor, and filed with the OWCP district office for review and disposition. If the claimant is determined eligible under FECA, he/she receives payment and the Agency is notified of claim payment. Agencies may dispute claim assignment and related *chargeback* costs at any time during the claim processing and report period as follows:

- **Initial Submission:** Once the initial CA form is filed with and processed by OWCP, OWCP sends the Agency a postcard (Form CA-801) indicating that the claim has been filed. If an Agency receives a CA-801 that it believes to be incorrect, it should notify OWCP in writing within 60 days.
- **Quarterly Chargeback Report:** OWCP provides each Agency with a quarterly listing of the cases and charges that will appear on its yearly chargeback bill in the Quarterly Chargeback Report. If after review, an Agency identifies an error in the Quarterly Report, the Agency should request a change through the OWCP district office. The request should be made within 90 days of receipt of the report.
- **Annual Chargeback Bill:** If after reviewing the annual chargeback bill, the Agency identifies a disputed charge, the Agency must send a request for adjustment directly to the OWCP National Office. Any adjustments deemed appropriate by the National Office will be made on the Agency's next-year billing statement.

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<sup>3</sup> Agency personnel include those staff on Job Corps centers operated by the Department of Agriculture, Forest Service; Department of Interior, Bureau of Reclamation; Department of Interior, Fish and Wildlife Service; Department of Interior, Federal Park Service.

<sup>4</sup> Authorities: Title 5, United States Code, Chapter 81, Federal Employees Compensation Act (FECA); Title 20, Code of Federal Regulations, Chapter I, Parts 1 – 199; Publication CA-810.

An overview of the chargeback process is shown in Appendix G.

To minimize coding errors and subsequent chargeback discrepancies, it is suggested that AO-JCC staff responsible for reviewing and submitting CA forms and Agency personnel responsible for verifying chargeback reporting, follow the procedures outlined in sections 7.2 through 7.6 below:

### **Determine Allowable/Unallowable FECA Costs for AO-JCCs**

To determine whether FECA costs for an injured federal employee are chargeable to Job Corps, the following conditions must exist:

#### **Condition 1: The employee must be an AO-JCC staff member.**

Only Agency employees who are injured while assigned to an AO-JCC are chargeable to Job Corps. Agency employees who are not AO-JCC staff members must not be charged to the Job Corps appropriation; they are chargeable only to the employing Agency.

#### **Condition 2: The injury/illness must have resulted while the staff member was engaged in activities reasonably related to the AO-JCC operations.**

The injury/illness must have resulted while the staff member was engaged in activities reasonably related to AO-JCC operations. To be chargeable to Job Corps, the injury/illness must have occurred while the staff member was primarily engaged in an activity reasonably associated with the operations of the AO-JCC. If the staff member was not primarily engaged in such an activity, then the FECA costs are not properly chargeable to Job Corps. The most common example of this is firefighting activities. These activities are not related to operations of an AO-JCC, but are reasonably related to duties associated with the Departments of Interior or Agriculture (OWCP has set up emergency firefighter chargeback codes for these activities).

#### **Condition 3: The proper OWCP Agency Code must be assigned on the original CA-1 or CA-2 form.**

A compensation claim is identified as belonging to a particular Agency based on the OWCP Agency Code entered into OWCP's data processing system when the case is created (form CA-1 or CA-2 is processed). Therefore, to avoid or reduce chances of errors, the following OWCP Agency Code should be placed in the designated box, shown below, on page 2 of the CA-1 or CA-2 when filed with the OWCP district office.

Official Supervisor's Report: Please complete information requested below:

Supervisor's Report	
17. Agency name and address of reporting office (include city, state, and zip code)	 OWCP Agency Code

The Agency OWCP codes are as follows:

Agency	OWCP Agency Code
Department of Agriculture <ul style="list-style-type: none"> <li>• Forest Service</li> </ul>	8627
Department of Interior <ul style="list-style-type: none"> <li>• Fish &amp; Wildlife Service</li> <li>• Bureau of Reclamation</li> <li>• Federal Park Service</li> </ul>	7530 7507 7502

Refer to Exhibit 7-2 for an overview of this step.

**Verify Correct Chargeback Codes Prior to Filing Injury Reports with OWCP District Office**

A compensation claim is identified as belonging to a particular Agency based on the agency code entered into OWCP's data processing system when the case is created (through CA-1 or CA-2 forms). In an effort to reduce subagency chargeback errors, supervisors should fill in the OWCP Agency Code on the back page of the CA-1 form (or CA-2 form as applicable) prior to filing the form with the OWCP district office.

An AO-JCC staff member must complete a CA-1 to claim an injury (or CA-2 for illness). Once an injured staff member submits the CA-1 form to his supervisor, the supervisor must review the form and complete the applicable sections, including the OWCP Agency Code.

To determine the correct OWCP Agency Code, the supervisor needs to determine whether the injury/illness resulted while the staff member was engaged in activities reasonably related to the AO-JCC operations. If so, the Job Corps OWCP Agency Code (shown in section 7.2 above) should be used. If not, then the supervisor should contact the local OWCP district office (or use the DOL Department/Agency Code Query at: <http://www1.dol-esa.gov/AgcyData/AgCode.html>) to determine the correct OWCP Agency Code.

Once the correct OWCP Agency Code is determined, the supervisor must enter the code on the applicable claim form and file it with the local OWCP district office. No claim forms should ever be sent to OWCP without an OWCP Agency Code.

Refer to Appendix G for an overview of this step.

### Identify Subagency Chargeback Errors After Initial Claim is Filed

Once the initial form is filed with and processed by OWCP, OWCP sends the Agency a postcard (Form CA-801) indicating that the claim has been filed. To prevent incorrect entries from appearing on the quarterly chargeback report and yearly bill, agencies should review CA-801 forms and report errors to their respective district offices as soon as possible. If no objection is raised upon receipt of the form, OWCP will assume that the chargeback code is correct and will charge the costs associated with the case to that Agency's account.

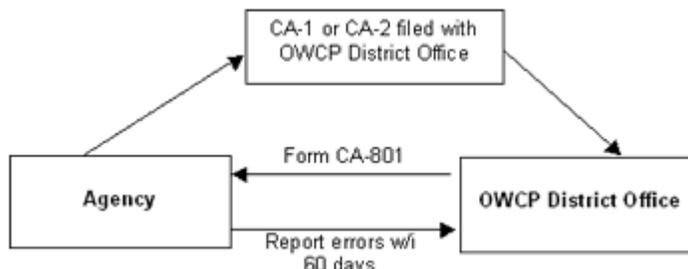
If an Agency receives a CA-801 that it believes to be incorrect, it should notify OWCP in writing within 60 days. The district office will then review the disputed case to determine whether a keying or coding error occurred and correct the Agency Code if necessary.

Once an error is identified on a quarterly report, the Agency should check current personnel and payroll records as well as search the service record file and/or send an inquiry to the Federal Records Center.

Refer to Appendix G for an overview of this process.

### Request Changes to Quarterly Chargeback Reports

On a quarterly basis, OWCP provides each Agency with a listing of the cases (Quarterly Chargeback Report) and charges that will appear on its annual chargeback bill. The Agency has 90 days after report receipt to identify errors and request an adjustment be made to the Agency's quarterly report. This request, which is made to the OWCP District Director, must be accompanied by appropriate documentation, such as copy of an SF-50, service record card (SF-7), or response from the Federal Records Center.



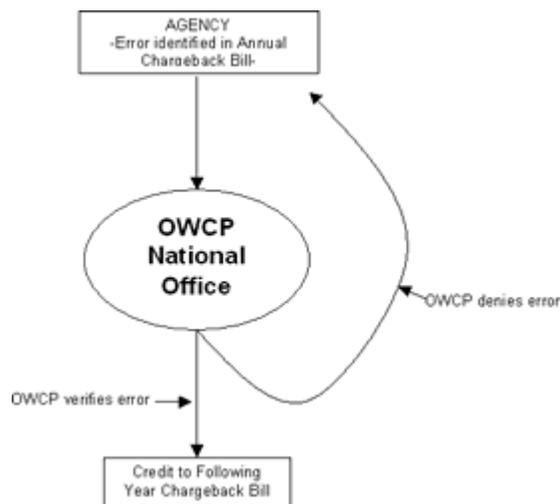
OWCP reviews the case file and supporting evidence to determine whether an incorrect code was assigned.

- If the evidence does not support the Agency's request, OWCP will send the Agency a copy of the CA-1, CA-2, or CA-6 from the case file and explain the basis for its finding.
- If the evidence shows that the disputed case belongs on another Agency's account, OWCP will notify the new Agency and forward a copy of the CA-1, CA-2 or CA-6 from the case file. Before changing the Agency Code, OWCP will provide the Agency 60 days to advance any arguments for disputing ownership of the case. Due to the time needed to verify information and correct errors, problems brought to

OWCP's attention during the fourth quarter of a fiscal year may not be corrected in time for that year's bill. If incorrect charges appear on the bill, adjustment will be handled as described below in Section 7.6 Request Changes to Annual Chargeback Billing.

### Request Changes to Annual Chargeback Billing

When an adjustment to the yearly chargeback bill is desired, the Agency must send the request directly to the OWCP National Office. The request must be accompanied by either (1) documentation, which shows that the disputed charge did not involve an employee of that Agency, or (2) a complete explanation of the basis for the Agency's objection. OWCP will make a decision and correct verified errors by crediting the next year's billing statement.



### Report FECA Costs for Closed AO-JCCs

If an Agency-operated center is closed or converted to a DOL contracted center, the FECA costs shall continue to be reported under the original OWCP code.

However, since the Agency will no longer be providing Job Corps with a center report, the Agency is required to create a new report to track FECA costs from the closed or converted AO-JCC. The report must contain the following information:

- Closed or converted AO-JCC name and 2-digit alpha code
- Period included
- OWCP Agency Code originally reported
- AO-JCC staff member name
- AO-JCC staff member social security number
- Amount claimed per staff member

**APPENDIX A**  
**OVERVIEW OF FECA BENEFITS**

<b>Overview of FECA Benefits</b>	
<b>Benefit</b>	<b>Description</b>
<b>Medical</b>	<p>FECA provides compensation for any medical services needed to provide treatment to counteract or minimize the effects of any condition, disease, or injury judged to be causally related to federal employment.<sup>1</sup></p> <p>There is no limit on the monetary amount of medical expenses paid, nor on the length of time for which expenses are paid, as long as the need for medical treatment can be substantiated and related to the injury or disease sustained on the job.</p> <p>OWCP has a fee schedule that limits medical reimbursements to certain dollar amounts. The medical provider must accept this as payment in full. NOTE: The employee may not be billed for any difference.</p> <p>Compensation will be paid for first aid, medical treatment, hospitalization, and expenses for travel to obtain medical treatment, as well as for any drugs, appliances, or other supplies directed for any use by a qualified physician. Only original bills for hospital and related expenses should be submitted (and original OWCP-1500 for doctor's bills) to OWCP for payment. The employee may elect to use the services of the hospital and/or qualified physician of his/her choice. One exception to medical care is that OWCP will not pay for any preventive treatment.</p>
<b>Temporary Total Disability</b>	<p>When an employee sustains an employment-related traumatic injury or occupational disease and the medical evidence shows that the employee is totally disabled to perform any type of work for a certain period of time, that employee is considered to have a temporary total disability, and is eligible for the minimum compensation rate for total disability which is 75 percent of GS-2, step 1 with at least one dependent and 66 2/3 percent with no dependent.</p>
<b>Permanent Total Disability</b>	<p>This includes employees whose employment-related injuries are so severe that they leave the employee permanently and totally disabled for any type of work. The loss or loss of use of both hands, arms, feet, legs, or eyes is considered by OWCP to result in permanent total disability and to entitle employees to benefits.</p> <p>Benefits provided in this category are identical to those provided for temporary total disability, and include monthly compensation payments for loss of wages for the remainder of life or until such time as an earning capacity is demonstrated. Disability compensation accrues as of:</p> <ul style="list-style-type: none"> <li>• The first day <b>after official separation</b> from Job Corps for permanent disability.</li> </ul> <p>The fourth day of temporary disability for work after official separation from Job Corps. (If the period of disability for work later exceeds 14 days, the first 3 days will be compensated.)</p>

<sup>1</sup> For purposes of OWCP, Job Corps students are considered as federal employees.

<p><b>Permanent Partial Disability</b></p>	<p>Permanent partial disability applies when the injury prevents the employee from performing the job held at the time of the injury, but does not prevent the performance of some type of employment consistent with the work limitations imposed by the injury. Compensation will be adjusted (relative to the pre-injury salary) to reflect improved wage-earning capacity at the rate of 2/3 or 3/4 of the loss of wage earning capacity. (Note: Since Job Corps students must be separated from the program in order to receive FECA benefits, this paragraph does not apply.)</p> <p>The term “permanent partial disability” also applies to an employee who may or may not be able to return to the job held at the time of the injury <b>and</b> who sustained permanent impairment of a member of function of the body. Such an employee is eligible to receive <b>compensation</b> benefits and also is entitled to schedule awards.</p>
<p><b>Death</b></p>	<p>To qualify for death benefits, the employee's survivors must establish that the employee's death was causally related to the employment. In addition, the survivor must submit a claim within FECA time limits (within 3 years of occurrence).</p> <p>Widows/widowers of deceased employees are eligible for wage loss compensation equal to 50 percent of the deceased employee's regular pay. An eligible child may receive compensation equal to 45 percent of the employee's regular pay, plus an additional 15 percent for each child, to a maximum not to exceed 75 percent of the deceased employee's regular pay. The minimum rate of pay used to compute death compensation is the lowest wage step of GS-2.</p> <p>Beneficiaries receiving death benefits for more than one year become eligible for annual cost-of-living increases. If the deceased employee leaves no spouse, or the spouse is no longer entitled to spouse's benefits, dependent children are eligible for compensation equal to 40 percent of the deceased employee's regular pay, plus 15 percent for each additional dependent child, to a maximum of 75 percent of the employee's regular pay.</p> <p>If the deceased employee leaves no widow, widower, or child, the benefits will be paid to the surviving legal dependents of the employee specified in the FECA. Benefits are paid to widows and widowers until death or remarriage if the beneficiary is under age 55. If a widow or widower under age 55 remarries, a lump-sum payment is made equal to 24 times the monthly compensation he/she is receiving at the time of remarriage. If remarriage occurs at or after age 55, there is no change in monthly benefits.</p>
<p><b>Death Benefits</b></p>	<p>Surviving children receive benefits until they die, marry, or reach age 18. Beyond that age, a surviving child who elects to pursue higher education on a full-time basis (generally 12 semester hours) will continue to receive payments until 4 years of study beyond high school have been completed or until age 23. Payments will in no event extend beyond the semester or enrollment period in which the beneficiary reaches the age of 23, or completes the fourth year of higher education (whichever occurs first), except for a dependent who provides medical evidence that he or she is incapable of self support. Benefits may then continue until such a dependent is capable of self support.</p> <p>Funeral expenses up to \$800 are provided to survivors. If the student dies away from his/her home, the cost of transporting the deceased to the place of burial will be paid in full. In addition, a \$200 allowance will be paid in consideration of the expense of terminating the federal employment status of the deceased.</p>

<p><b>Other Benefits Related To Disability</b></p>	<p><b>Attendant's Allowance</b>—If an injury is so severe than an employee is unable to care for his/her physical needs, such as feeding, bathing, or dressing, an attendant's allowance of up to \$1,500 per month may be granted. The attendant can be a family member. This allowance is supplemental and is paid in addition to compensation for loss of wages. This can be given with all classes of disability.</p> <p><b>Schedule Awards</b>—In addition to income maintenance benefits such as those described above, the FECA provides for limited term payments in cases where an employee suffers serious disfigurement of the head, face, or neck, or suffers loss or loss of use of body parts listed in the Schedule found in Section 8107 of the Act. Benefits under these provisions are calculated in the same manner as those paid for total disabilities, but are paid for a specified period of time which is proportional to the severity of the loss. In cases where an employee suffers disfigurement of the face, neck, or head, the FECA provides that an employee will be paid an award of compensation not to exceed \$3,500. A schedule award can be paid even if the employee returns to work. Employees may receive wage loss compensations and schedule award benefits for the same injury, but not at the same time. The list containing lengths of times for schedule award payments can be found in 20 CFR 10.404.</p> <p>Compensation not to exceed \$3,500 may be awarded for serious disfigurement of the face, head, or neck, if the character of the disfigurement is likely to handicap the employee in securing or maintaining employment.</p> <p><b>Vocational Rehabilitation</b>—FECA provides for the cost of OWCP-directed vocational rehabilitation necessary to counteract the disabling compensable effect of any permanent illness or injury causally related to federal employment. The cost of rehabilitation is paid from the Compensation Fund, and rehabilitation is usually administered through private and State rehabilitation agencies under the direction of OWCP.</p> <p>Vocational rehabilitation benefits, including a monthly maintenance allowance not to exceed \$200, are supplemental, and entitle recipients to collect total disability payments during the period of their rehabilitation.</p> <p>Vocational rehabilitation services may be provided to permanently disabled employees to assist them in returning to gainful employment consistent with their physical, emotional, and educational disabilities. (Such services may not, be provided to employees whose disabilities are temporary.) Extended disability cases may be considered for rehabilitation services if requested by the attending physician, the employee, or the employing agency.</p>
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**APPENDIX B**

**SAMPLE CORRESPONDENCE FOR NOTIFYING  
THE NEXT OF KIN IN THE EVENT OF STUDENT DEATH**

**INITIAL NOTICE OF DEATH TO NEXT OF KIN**

I deeply regret to inform you on behalf of the National Director, Job Corps, that your (Relationship, Name) died on (Date) at (Center or Local City) as a result of (Cause of Death - Brief). A telegram requesting your wishes concerning necessary arrangements follows. Please accept my most heartfelt sympathy in your great loss. If I can be of any assistance to you, or if you have any special requests, you may get in touch with me immediately by telephone (Number) on (Location) Please call collect.

**LETTER OF SYMPATHY**

John Q. Jones  
5166 78th Street  
Tyler, Texas

Dear Mr. Jones:

This is a follow-up to the telegram I sent to you on (Date). This letter gives you more information about the untimely death of your son.

The report of the accident reveals that John was a passenger in an automobile driven by a staff member of the Job Corps. During a heavy rain late in the evening, the automobile ran off the road near Oak City, Idaho, and struck a concrete barrier, overturned, and rolled down into a ravine. An ambulance was summoned immediately by a passerby who witnessed the accident. John was admitted to the Oak City Hospital where, despite every effort to save his life, he died at 10:15 p.m. the same evening of a fractured skull and internal injuries. Before he passed away, John received the religious ministrations of his church. Memorial services were conducted at the center on the 23rd of July by Reverend Thomas J. Brown, an Episcopal priest from Oak City.

John was well liked by all of his associates. He performed all tasks assigned to him in a cheerful and efficient manner. His death came as a great shock to all who knew him. Please know that your grief is shared by all of us who knew him.

The National Director, Job Corps, and all our staff extend our sincere sympathy to you in your sorrow.

Sincerely,

**SUPPLEMENTAL DEATH NOTIFICATION TELEGRAM****(PERFORMANCE OF DUTY)**

In connection with the untimely death of your (Relationship), (Name) at (Place) on (Date) of which you were informed by my telegram dated (Date).

There are some matters that require prompt attention. I am ready to arrange to have the remains prepared, placed in a casket with an outer case, and transferred in the company of an escort to the funeral director in your home area as selected by you. Please have the funeral director forward all invoices to me. A letter setting forth the circumstances of the death of your (Relationship) will follow. The government will assume responsibility for necessary funeral expenses up to \$800 and an additional \$200 for administrative costs.

Please furnish the following information to me at (telephone number of center) by collect call as soon as possible:

- the name and address of the funeral director to which you desire the remains to be sent.
- the name, address, and telephone number of a spokesperson for the family.
- any special request regarding funeral arrangements.

**SUPPLEMENTAL DEATH NOTIFICATION TELEGRAM  
(NON-PERFORMANCE OF DUTY)**

In connection with the untimely death of your       (Relationship), (Name)       at (Place) on       (Date)       of which you were informed by my telegram dated (Date).

There are some matters which require prompt attention. I am ready to arrange to have the remains prepared, placed in a casket with an outer case, and transferred in the company of an escort to the funeral director in your home area selected by you. The government will pay only for the expenses incurred in sending your (relationship)'s remains home. Funeral expenses incurred thereafter cannot be paid by the government. A letter setting forth the circumstances of the death of your (relationship) will follow.

Please furnish the following information to me at (telephone, number of center) by collect call as soon as possible:

- the name and address of the funeral director to which you desire the remains to be sent.
- the name, address, and telephone number of a spokesperson for the family.

**SUPPLEMENTAL DEATH NOTIFICATION TELEGRAM  
(PERFORMANCE OF DUTY)**

In connection with the untimely death of your (Relationship), (Name), I am informed that his/her remains are now at (Name and Address of Funeral Home or Morgue).

I am sending a representative of (Name of Center) to assist you. The government will assume responsibility for up to \$800 of the total burial expenses, and an additional \$200 for administrative costs. Please have the funeral director forward all invoices to me. If you have any special requests in connection with funeral arrangements, please advise me.

**SUPPLEMENTAL DEATH NOTIFICATION TELEGRAM  
(NON-PERFORMANCE OF DUTY)**

In connection with the untimely death of your,           (Relationship), (Name)          , I am informed that his/her remains are now at           (Name and Address of Funeral Home or Morgue)          .

I am sending a representative of           (Name of Center)           to assist you in settling the affairs of your           (Relationship)           with Job Corps. Be advised that Job Corps cannot pay for any funeral expenses. If there are any questions you wish to ask me, please contact me.

**APPENDIX C**  
**STEP-BY-STEP INSTRUCTIONS IN THE**  
**EVENT OF STUDENT DEATH**

### STEP-BY-STEP INSTRUCTIONS IN THE EVENT OF STUDENT DEATH

STEP	DESCRIPTION
<b>Step 1: Determine Circumstances of Death</b>	<p>Center staff should immediately attempt to determine the circumstances of the death by securing all available facts about the events surrounding the student's death.</p> <ul style="list-style-type: none"> <li>• Where did the death occur?</li> <li>• How did the student get there?</li> <li>• What was he/she doing there?</li> <li>• Was he/she on pass?</li> <li>• Who was present when the death occurred?</li> </ul>
<b>Step 2: Contact Mortuary</b>	<p>Staff should ensure that the remains of the deceased are properly attended until the arrival of local authorities. When approval has been obtained from the appropriate medical or legal authorities, arrangements should be made to move the remains to a mortuary or morgue.</p> <p>The center should request that the mortuary provide only preservation services until information is received from the decedent's family concerning their desires for final disposition of the remains.</p>
<b>Step 3: Notify Next of Kin</b>	<p>The student's next of kin must be notified of the death by telephone, when feasible, and by telegram with confirmation requested after positive identification has been made. The center should delay public announcement or issuance of a news release of the death until the next of kin is notified. [see Appendix C Sample Letters for Notifying the Next of Kin in the Event of Student Death]</p>
<b>Step 4: Notify Job Corps National and Regional Offices</b>	<p>The Job Corps National and Regional Offices must be notified by means of a significant incident report immediately (within 6 hours) following a student's death [reference PRH Chapter 5].</p>
<b>Step 5: Notify Occupational Safety and Health Administration (OSHA)</b>	<p>Centers must contact OSHA within 6 hours of the death of an active student. Centers must orally report the fatality by telephone or in person to the Area OSHA Office nearest to the site of the incident, or use the OSHA toll-free central telephone number 800-321-OSHA (800-321-6742).</p>
<b>Step 6: Notify OWCP</b>	<p>When a Job Corps student dies because of an injury or illness incurred while in the performance of duty, the OWCP district office should be notified immediately by telephone or fax to be followed with a CA-6. The CA-6 should be submitted when it is established that the student's activities (or circumstances) fall within the "performance of duty" definition [see Section 3.0 FAQs Regarding FECA/OWCP, Question 6].</p> <p>If death was due to a disease that may have been caused or aggravated by the conditions of enrollment, a medical report supporting this contention should be submitted along with the CA-6 as soon as possible.</p> <p>The FECA provides compensation and other benefits when a student's death results from an injury or illness caused while in the performance of duty. OWCP will make all decisions regarding what is considered performance of duty based upon information provided on the CA-6 and supporting data. The completion and filing of the CA-6 are required to initiate action on the claim.</p>

	The CA-5 (or CA-5b) is necessary to establish a claim for compensation by the surviving dependents and should be filed by them directly with the OWCP district office.
<b>Step 7: Notify Center Staff and Students</b>	All staff and students who knew the deceased should be informed of the death and circumstances surrounding it in a sensitive fashion. Students who were particularly close to the deceased or who express concern over the circumstances of the death should be gathered into small groups for discussion sessions with a trained staff member such as a counselor, center nurse, or mental health consultant.
<b>Step 8: Appoint Center Representative</b>	It is suggested that the Center Director select a center representative to handle arrangements and communicate with the student's family. See Appendix E for a list of suggested duties.
<b>Step 9: Send Letter of Sympathy</b>	<p>Within 24 hours of notification of next of kin, the Center Director should send a letter of sympathy [see Appendix C Sample Letters for Notifying the Next of Kin in the Event of Student Death], that includes:</p> <ul style="list-style-type: none"> <li>• Cause of death</li> <li>• Circumstances surrounding the death, if known</li> <li>• Date (and time, if known)</li> <li>• Place of death</li> <li>• Information concerning any religious services provided to the individual before death</li> <li>• Information of a personal or sentimental nature that may be of comfort to the addressee</li> </ul> <p>All information furnished should be based on facts. Photographs of the remains should not be included.</p>
<b>Step 10: Inventory Student's Personal Belongings</b>	<p>Center staff should promptly collect and inventory the deceased student's personal effects, including money, clothing, personal papers, and miscellaneous articles of sentimental value. The inventory should be witnessed and recorded, and a personal effects letter should be prepared. Copies of the inventory should be distributed as follows:</p> <ul style="list-style-type: none"> <li>• Original retained on center</li> <li>• One copy to accompany personal effects given to the next of kin</li> <li>• One copy placed in the personnel record of the deceased</li> </ul> <p>The student's personal belongings should be taken to the next of kin by a center representative.</p>
<b>Step 11: Arrange Transportation and Payment of Funeral Expenses</b>	<p>The student's duty status at the time of death determines what actions are required with regard to payment of funeral expenses and transportation arrangements:</p> <ul style="list-style-type: none"> <li>• <b>Death in the Performance of Duty</b>—If it is reasonably certain that the death of the student resulted from the performance of duty, the center should inform the student's next of kin that the government (OWCP) will pay for:             <ul style="list-style-type: none"> <li>- Transporting the student's remains to a mortuary (designated by the next of kin) that is located near the student's home or last place of residence. The cost of transporting the remains to the home (mortuary) is limited to:                 <ul style="list-style-type: none"> <li>▶ The cost of preparing and embalming the remains.</li> </ul> </li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>▶ The cost of a hermetically sealed casket, if required by State law (the mortician can provide the center with information about State laws).</li> <li>▶ Transportation charges for shipping the remains.</li> </ul> <ul style="list-style-type: none"> <li>- Other necessary funeral and burial costs incurred at the designated destination up to \$800.</li> <li>- An additional \$200 allowance for administrative costs of separating the student's status as a federal employee to be paid to the personal representative (e.g., next of kin).</li> </ul> <p>The itemized bill for these services should be sent to the local OWCP district office. In cases where adjudication is delayed, the center should pay the undertaker and shipper for costs incurred locally and submit the bill to the OWCP district office. If the claim is approved at a later date, OWCP will reimburse Job Corps for such disbursement subject to FECA limitations. OWCP makes the final decision as to what are necessary and reasonable funeral expenses.</p> <p>The next of kin should be notified that the final decision regarding eligibility for benefits rests with the OWCP.</p> <ul style="list-style-type: none"> <li>- In addition to the \$1,000 provided through OWCP, the personal representative of the deceased student may be eligible for an additional gratuity (not to exceed \$10,000) in accordance with Section 651 of Public Law 104-208 (The Omnibus Consolidated Appropriations Act). The Job Corps National Office will review the decedent's record to determine if the decedent's next of kin qualifies for this additional gratuity.</li> </ul> <ul style="list-style-type: none"> <li>• <b>Death not in the Performance of Duty</b>—If the OWCP district office informs the center that death was not due to performance of duty, the center should then inform the next of kin that the government (Job Corps) will pay only for expenses involved in transporting the remains to a mortuary in the student's home area as selected by the next of kin. Thereafter, the next of kin will be responsible for funeral expenses. The cost of transporting the remains home is limited to:             <ul style="list-style-type: none"> <li>- The cost of preparing and embalming the remains.</li> <li>- The cost of a hermetically sealed casket, if required by State law.</li> <li>- Transportation charges for shipping the remains.</li> </ul> </li> </ul>
<p><b>Step 12: Provide Assistance to the Next of Kin</b></p>	<p>Following initial notification to the next of kin, the center should:</p> <ul style="list-style-type: none"> <li>• Inform the next of kin that a representative of the center will escort the remains home and may assist with local funeral arrangements in the decedent's home area, if requested by the next of kin.</li> <li>• Ask the next of kin if there are any special requests regarding funeral arrangements. (Avoid providing the next of kin and the mortician any misleading information pertaining to expenses to be borne by the government.)</li> <li>• Arrange to have the remains embalmed and select a casket for the deceased. Any special requests received from the next of kin or family spokesperson regarding funeral arrangements within the authority of the Center Director should be</li> </ul>

	<p>granted. The center should inform representatives of the local mortuary (near the center) about allowable costs for the services authorized and for the transportation of the remains to the place designated by the next of kin.</p>
<p><b>Step 13: Funeral and Burial Arrangements When Remains are Refused by Next of Kin</b></p>	<p>If the deceased student's next of kin refuses to accept the remains for burial (or when there is no family or suitable person to accept the remains), the Center Director must arrange for burial at a site close to the center and at a cost not to exceed the amount authorized in Section 8134 (a) of the FECA [reference PRH Chapter 6]. The Center Director should:</p> <ul style="list-style-type: none"> <li>• Arrange to have the remains prepared for burial.</li> <li>• Select a casket and burial site. The burial site should be located within the vicinity of the center and should be decided upon through consultation with appropriate local officials.</li> <li>• Dispose of personal effects according to any wishes expressed by the next of kin.</li> <li>• Follow appropriate OWCP procedures if student's death is in the performance of duty.</li> </ul> <p>The necessary cost for preparation of remains, funeral, and burial (including site, if not provided by local community) should be reasonable.</p>
<p><b>Step 14: Coordinate with Local Health and Community Authorities</b></p>	<p>The Center Director should:</p> <ul style="list-style-type: none"> <li>• Establish appropriate agreements with local authorities and morticians covering student deaths both within and outside the limits of the center.</li> <li>• Provide necessary assistance with inquests when required. Inquests are authorized by State laws in cases involving accidental deaths or suspicious circumstances.</li> <li>• Provide assistance to hospital or physician requiring consent for an autopsy from the next of kin. The Center Director should furnish the name and address of next of kin to the hospital or physician. The Center Director should ensure that no contact is made with the next of kin to request an autopsy until he/she is certain that the next of kin has been properly notified of the student's death.</li> <li>• Obtain death certificates for all deaths that occur on center including those located on federal reservations, and obtain a State transit or burial permit before remains are removed from such a federal reservation for shipment or burial. (Normally, the funeral director will obtain required permits.)</li> <li>• Notify the local public health authorities when required.</li> <li>• Notify the local funeral director if the decedent was a veteran who served at least one enlistment during peacetime and/or was eligible for veteran's benefits. Such veterans are eligible for burial in a national cemetery with a headstone or grave marker, provided discharge was honorable. The locally-based mortician should be requested to advise the mortician in the decedent's home area of veteran entitlements.</li> </ul>
<p><b>Step 15: Send Student Record to Job Corps National Office</b></p>	<p>The complete official student personnel record of a deceased student, including the <b>sealed health records</b>, must be forwarded by certified mail or overnight delivery to the National Health and Wellness Manager, Office of Job Corps, U.S. Department of Labor, 200 Constitution Avenue, Room N-4507, NW, Washington, DC 20210, within 10 working days [reference PRH Chapter 6].</p>

	<p>Health records of deceased students must include the following:</p> <ul style="list-style-type: none"><li>• Copy of the significant incident report notification of the death to Job Corps National and Regional Offices.</li><li>• Copies of all CA forms and correspondence relating to the status of OWCP claims and/or performance of duty determinations.</li><li>• Death certificate, if available. Otherwise, forward death certificate to the Job Corps National Office as soon as it is available.</li><li>• Autopsy report, if available.</li><li>• Medical/coroner's report and the chemical analysis report of all body fluids/tissues, if applicable.</li><li>• Counseling record.</li></ul> <p>Copies of any subsequent correspondence relative to the case or its claim status with OWCP should be sent to the Job Corps National Office for review and inclusion in the record.</p>
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**APPENDIX D**  
**PROCEDURES IN THE EVENT OF A STUDENT DEATH**

## CHECKLIST OF PROCEDURES TO FOLLOW IN THE EVENT OF STUDENT DEATH

- \_\_\_ Obtain full and detailed report regarding circumstances of death.
- \_\_\_ Notify appropriate local authorities.
- \_\_\_ Notify student's next of kin.
- \_\_\_ Notify Job Corps National Office.
- \_\_\_ Notify Job Corps Regional Office.
- \_\_\_ Notify OSHA immediately by telephone.
- \_\_\_ Notify OWCP immediately by telephone.
- \_\_\_ Notify students and staff. Provide counseling when necessary.
- \_\_\_ Forward the CA-6 paper form to OWCP. Forward other available documentation to OWCP as soon as received.
- \_\_\_ Make arrangements with local mortician.
- \_\_\_ Send letter of sympathy to next of kin.
- \_\_\_ Appoint center representative.
- \_\_\_ Complete inventory of personal effects of deceased student.
- \_\_\_ Make transportation arrangements for student's remains and for center representative.
- \_\_\_ Deliver personal effects to next of kin.
- \_\_\_ Make arrangements for center memorial service, if desired.
- \_\_\_ Forward deceased student's complete personnel and training record, including the sealed health record, by overnight delivery or certified mail to the National Health and Wellness Manager, National Office of Job Corps, U.S. Department of Labor, 200 Constitution Avenue, NW, Room N-4507, Washington, DC 20210, within 10 working days [reference PRH Chapter 6].
- \_\_\_ Forward invoices to OWCP for settlement when appropriate.

## SUGGESTED DUTIES OF CENTER REPRESENTATIVE

The representative should:

- Familiarize himself/herself with details incidental to the death in order to be able to relate these details to the family.
- Express sympathy to the decedent's family on behalf of the Job Corps National Director, the Center Director, and fellow students.
- Inform the family of the limits of the government's financial responsibility and the funeral arrangements that have been made. The representative should further inform them that he/she is available to assist them with final arrangements.
- Not commit the government to any unauthorized expenses. The representative should advise the funeral director in the student's home area that the government will pay only necessary funeral and burial expenses. If OWCP is paying the funeral expenses, the representative should advise the funeral director in the decedent's home area to forward all invoices directly to OWCP.
- Advise the next of kin that written information will be received from OWCP and/or Job Corps pertaining to any benefits that may be due from the government at a later date (e.g., the final Job Corps check or OWCP dependent's benefits). However, if the representative determines that it would be appropriate to discuss FECA benefits with the next of kin or family spokesperson, he/she should be prepared to do so. The representative should explain that OWCP does not pay benefits in cases of non-Job Corps-connected death occurring after a student arrived at his/her home.
- Make it clear that FECA benefits are decided, paid, and administered by OWCP, which is an agency apart from Job Corps, and that he/she cannot speak for OWCP. The interested survivor should be given the address and phone number of the OWCP district office if questions arise that can be answered only by OWCP.
- Relate to the family any personal accomplishments of the deceased during enrollment at the center and be available to accompany the remains and to attend services in connection with the funeral, if requested to do so by the family. At an appropriate time, the representative should present the personal effects to the next of kin.
- Make notes of the services he/she renders and the family and community reactions, and submit a comprehensive written report to the Center Director upon completion of duties.
- Obtain Center Director authorization to issue necessary transportation for shipment of the student's remains. Shipment of the remains by rail requires a minimum of two first class fares. The representative should travel on one of these fares. Shipment of remains by air carrier should be by air freight service; the representative should accompany the remains on the same flight. Transportation costs and other expenses for the center representative should be borne by the center.
- Contact the Center Director in case of unresolved serious problems.

**APPENDIX E**  
**OWCP FORMS AND PROCESSING INSTRUCTIONS**

OWCP FORMS PROCESSING INSTRUCTIONS				
Form #/Title	Purpose	Prepared By	When Submitted	Completed Forms Sent To
<p><b>CA-1</b></p> <p><b>Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation</b></p> <p><b>Note:</b> Job Corps students are not eligible for continuation of pay.</p>	<p>Notifies supervisor of a traumatic injury and serves as the report to OWCP when (1) the employee<sup>1</sup> has sustained a traumatic injury that is likely to result in a medical charge against the compensation fund; (2) the employee loses time from work on any day following the injury date, whether the time is charged to leave or to continuation of pay; (3) disability for work may subsequently occur; (4) permanent impairment appears likely; or (5) serious disfigurement of the face, head, or neck is likely to result.</p>	<p>Student Injury Recordkeeper</p>	<p>Within 7 calendar days of supervisor notification</p>	<p>Electronically submitted via SHIMS to the appropriate OWCP office by the student injury recordkeeper and a signed copy filed in the student's health folder</p>
<p><b>CA-2</b></p> <p><b>Federal Employee's Notice of Occupational Disease and Claim for Compensation</b></p>	<p>Notifies supervisor of an occupational disease and serves as the report to OWCP when (1) the disease is likely to result in medical charge against the compensation fund; (2) the employee loses time from work on any day because of the disease, whether the time is charged to leave or the employee chooses to claim injury compensation; (3) disability for work may subsequently occur; (4) permanent impairment appears likely; or (5) serious disfigurement of the face, head, or neck is likely to result.</p>	<p>Student Injury Recordkeeper only upon consultation with National Office of Job Corps</p>	<p>Within 7 calendar days of supervisor notification</p>	<p>Electronically submitted via SHIMS to the appropriate OWCP office by the student injury recordkeeper and a signed copy filed in the student's health folder</p>
<p><b>CA-2a</b></p> <p><b>Notice of Recurrence</b></p>	<p>Notifies OWCP that an employee, after returning to work, is again disabled due to a prior injury or occupational disease. It also serves as a claim for continuation of pay or for compensation based on the recurrence of a previously reported disability.</p>	<p>Employee or someone acting on employees behalf</p>	<p>Immediately upon receiving notice that the employee has suffered a recurrence. When the employee stops work as result of recurring disability, the employee shall advise the supervisor whether he/she wishes to continue to receive regular pay provided qualifications are met or charge the absence to sick or annual leave.</p>	<p>Supervisor, by employee or someone acting on employee's behalf, then to the appropriate OWCP office by the supervisor. If no longer employed by the federal government, the employee should complete Parts A and B and submit all materials directly to the appropriate OWCP office.</p>

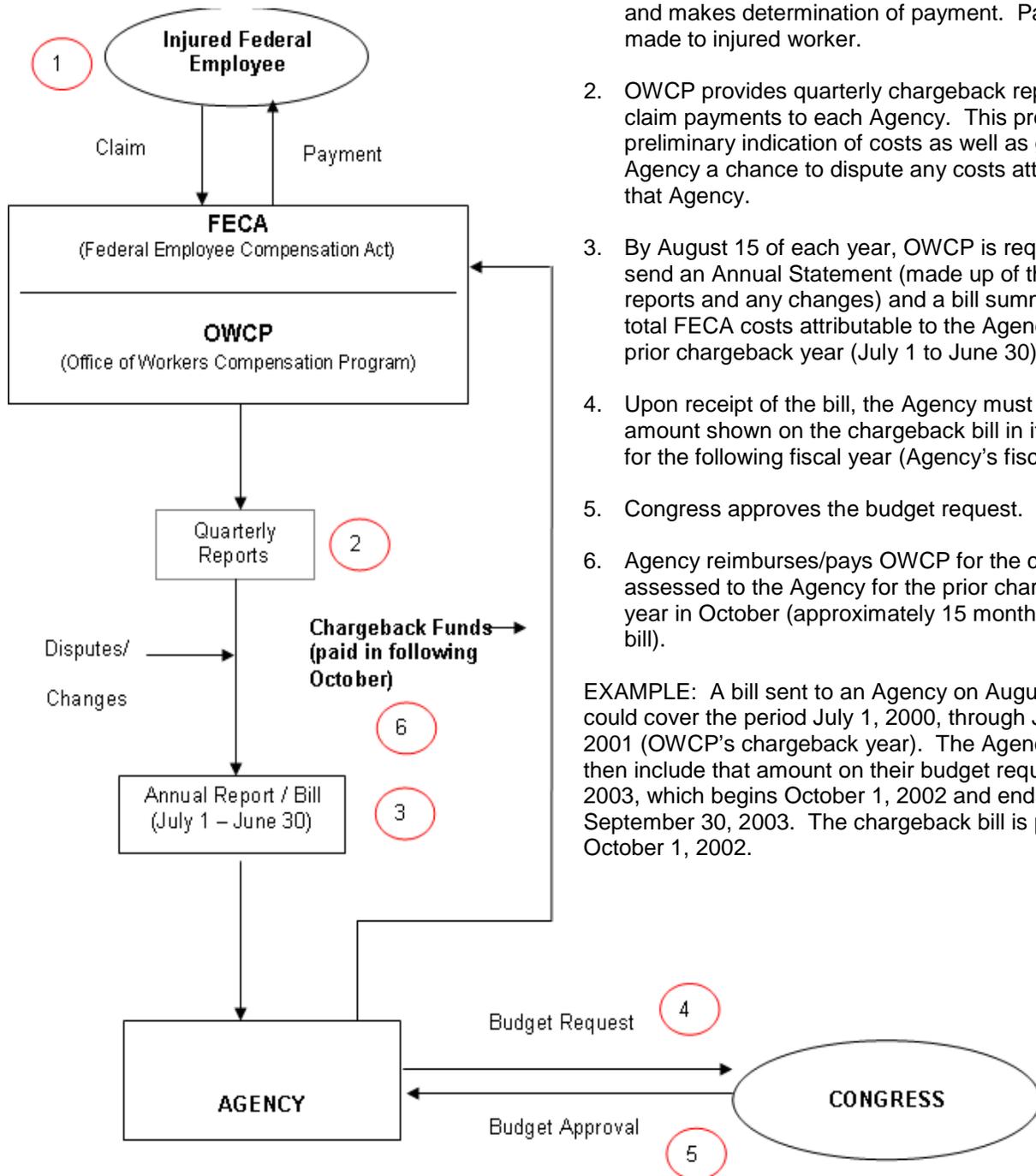
<sup>1</sup> For purposes of OWCP, Job Corps students are considered as Federal employees.

<b>OWCP FORMS PROCESSING INSTRUCTIONS</b>				
<b>Form #/Title</b>	<b>Purpose</b>	<b>Prepared By</b>	<b>When Submitted</b>	<b>Completed Forms Sent To</b>
<b>CA-5</b> <b>Claim for Compensation by Widow, Widower and/or Children</b>	Claims compensation on behalf of these dependents when injury results in death.	Person claiming compensation (for self or on behalf of children) and attending physician	Within 30 days, if possible, but not later than 3 years after death. If the death resulted from an injury for which a disability claim was timely filed, the time requirements for filing death claim have been met.	To appropriate OWCP district office by claimant or someone acting on claimant's behalf.
<b>CA-5b</b> <b>Claim for Compensation by Parents, Brothers, Sisters, Grandparents, or Grandchildren</b>	Claims compensation for these dependents when injury results in death.	Person claiming compensation (or guardian on behalf of children) and attending physician	Within 30 days, if possible, but not later than 3 years after death. If the death resulted from an injury for which an disability claim was timely filed, the time requirements for filing death claim have been met.	To appropriate OWCP district office by claimant or someone acting on claimant's behalf.
<b>CA-6</b> <b>Official Superior's Report of Employee's Death</b>	Notifies OWCP of the employment-related death of an employee.	Center Director	Within 10 work days after knowledge by supervisor of the employment-related death of an employee.	Appropriate OWCP district office.
<b>CA-7</b> <b>Claim for Compensation on Account of Traumatic Injury or Occupational Disease</b>	Claims compensation if (1) medical evidence shows disability is expected (and is not covered by center operating procedures in traumatic cases); (2) the injury has resulted in permanent impairment involving the total or partial loss, or loss of use, of certain parts of the body or serious disfigurement of the face, head, or neck; (3) loss of wage-earning capacity has resulted.	Employee or someone acting on employee's behalf; supervisor, and attending physician (on attached form CA-20)	In case of traumatic injury, the form must be completed and filed with OWCP not more than 5 working days before the termination of the 45 days. In case of occupational disease, this form should be submitted as soon as pay stops.	Supervisor, by employee or someone acting on employee's behalf; then to the appropriate OWCP district office by the supervisor

<b>OWCP FORMS PROCESSING INSTRUCTIONS</b>				
<b>Form #/Title</b>	<b>Purpose</b>	<b>Prepared By</b>	<b>When Submitted</b>	<b>Completed Forms Sent To</b>
<b>CA-16</b> <b>Authorization for Examination and/or Treatment</b>	May be used for initial medical report. Authorizes an injured employee to obtain examination and/or treatment for up to 60 days and provides OWCP with initial medical report. Treatment may be obtained from a local hospital or physician (who may be surgeon, osteopath, podiatrist, dentist, clinical psychologist, optometrist, or, under certain circumstances, a chiropractor), or from a U.S. medical facility, if available. May also be used for illness or disease only if prior permission is obtained from OWCP. The employee may initially select the medical provider of his/her choice but must request any change from OWCP.	Part A – Supervisor  Part B – Attending Physician	Part A – By supervisor, in duplicate, within 48 hours, of first examination and/or treatment.  Part B – By attending physician or medical facility as promptly as possible after initial examination.	Part A – Physician or medical facility  Part B – Appropriate OWCP district office
<b>CA-20</b> <b>Attending Physician's Report</b>	Provides OWCP with medical information and support for the claim. May be used for initial and subsequent reports.	Attending physician	Promptly upon completion of examination or most recent treatment.	Appropriate OWCP district office
<b>OWCP-1500</b> <b>Health Insurance Claim Form</b>	Provides OWCP with standard billing form to facilitate payment of medical bills. The form should accompany the CA-16 when employee is referred to a physician.	Attending physician; employee must sign in item 12	Promptly upon completion of examination or treatment; physician may submit in usual billing cycle.	Appropriate OWCP district office

**APPENDIX F**  
**FECA FLOW CHARTS**

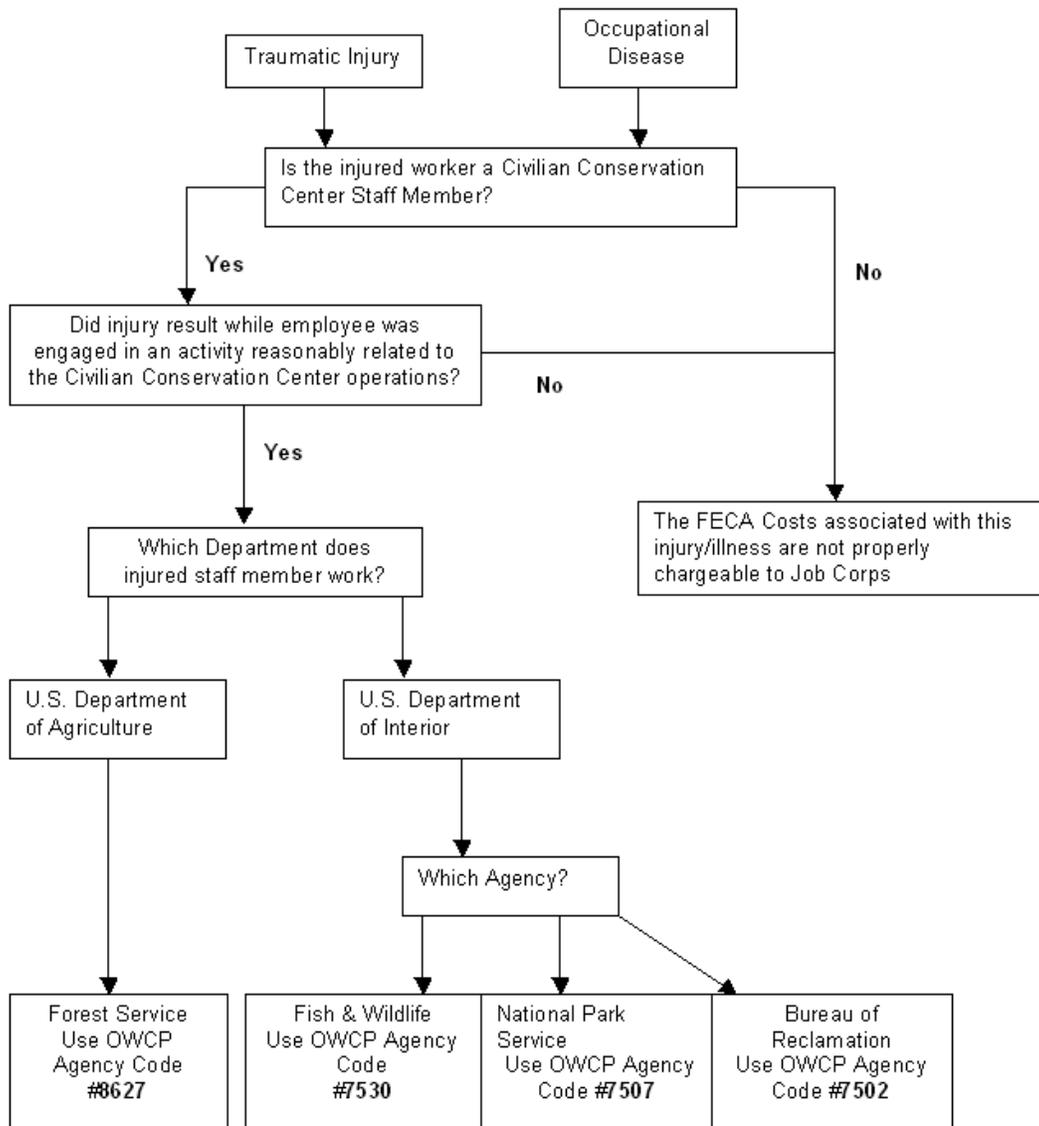
### OVERVIEW OF THE FECA CHARGEBACK PROCESS



1. Injured worker files a FECA claim. OWCP evaluates and makes determination of payment. Payment is made to injured worker.
2. OWCP provides quarterly chargeback reports of claim payments to each Agency. This provides preliminary indication of costs as well as gives the Agency a chance to dispute any costs attributed to that Agency.
3. By August 15 of each year, OWCP is required to send an Annual Statement (made up of the quarterly reports and any changes) and a bill summarizing the total FECA costs attributable to the Agency under the prior chargeback year (July 1 to June 30).
4. Upon receipt of the bill, the Agency must include the amount shown on the chargeback bill in its budget for the following fiscal year (Agency's fiscal year).
5. Congress approves the budget request.
6. Agency reimburses/pays OWCP for the charges assessed to the Agency for the prior chargeback year in October (approximately 15 months from the bill).

EXAMPLE: A bill sent to an Agency on August 15, 2001, could cover the period July 1, 2000, through June 30, 2001 (OWCP's chargeback year). The Agency must then include that amount on their budget request for FY 2003, which begins October 1, 2002 and ends on September 30, 2003. The chargeback bill is paid on October 1, 2002.

### DETERMINE ALLOWABLE/UNALLOWABLE FECA COSTS FOR AO-JCCS



**VERIFY CORRECT CHARGEBACK CODES PRIOR TO FILING  
INJURY REPORT WITH OWCP DISTRICT OFFICE**

