

The Union's Role in OWCP Claims



Milly Rodriguez
Health & Safety Specialist
AFGE National Office

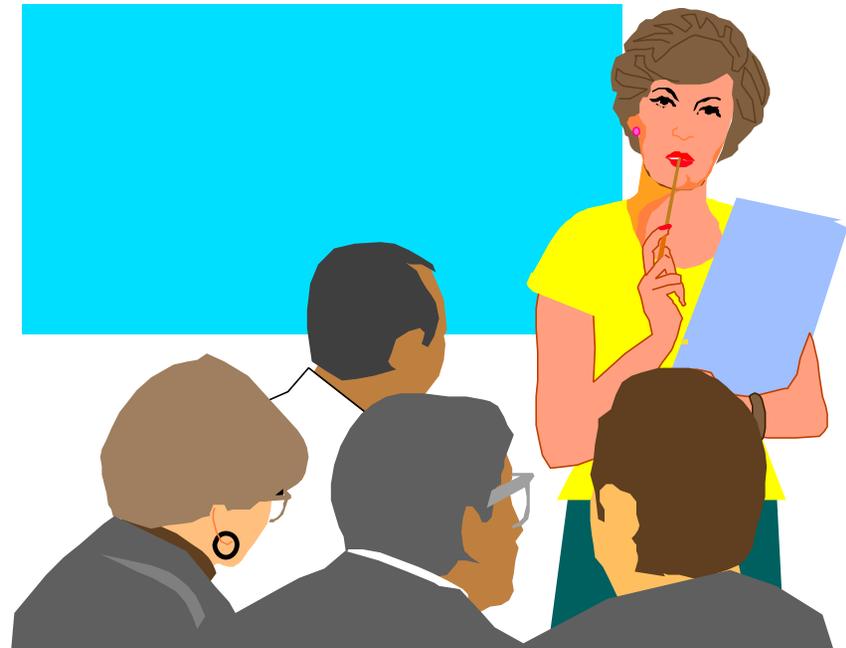
Representation under FECA Regulations



- ⌘ Lawyer or representative is not necessary
- ⌘ A federal employee cannot be a representative unless an immediate family member of the injured federal employee
- ⌘ A federal employee can be a representative in an official union capacity
- ⌘ Employee must notify OWCP in writing of the name of the representative

Union Roles

- ⌘ Educator
- ⌘ Mediator
- ⌘ Representative
- ⌘ Advocate
- ⌘ Liaison
- ⌘ Support



Collective Bargaining Agreements



⌘ Management Rights and Responsibilities

- ☑ Provide information to injured employee
- ☑ Process claims in a timely manner
- ☑ Light/limited duty considerations
- ☑ Third physician evaluation
- ☑ Publicize information on where to file
- ☑ Distribute WC information at least annually
- ☑ Notify the union when an employee is injured

CBAs (Cont'd)



- ⌘ Employee Rights and Responsibilities
 - ☑ Report to supervisor promptly
 - ☑ Fill out forms within specified times
 - ☑ Provide required documentation
 - ☑ Report for medical determination if the agency requires it for placement after injury

The Union Rep



⌘ The Steward

⌘ The Chief Steward

⌘ The National Representative

☑ They may represent employees at different steps of the process.

The Union Rep can:



- ⌘ Help the member understand the filing process
- ⌘ Help fill out forms and write the narrative
- ⌘ Help respond to agency and OWCP requests for information
 - ☑ This includes helping the employee obtain the appropriate medical reports from physicians.

Union Rep (cont'd)



- ⌘ Help monitor progress on the claim
- ⌘ Help arrange/negotiate accommodations
- ⌘ Help employee with appeals process
- ⌘ Represent employee in hearing
- ⌘ Help employee through EEO process to request reasonable accommodation
- ⌘ Advise employee on retirement options

The Grievance Procedure



- ⌘ To provide a process for settling disputes in an orderly manner
- ⌘ To enforce the negotiated agreement and agency regulations, and
- ⌘ To protect employee rights

Grievances on WC Issues



- ⌘ A violation of the negotiated agreement
- ⌘ Improper working conditions
- ⌘ Unequal/unfair treatment
- ⌘ Improper disciplinary action
- ⌘ Disagreement over interpretation of agency policies
- ⌘ Violations of health and safety standards

Common Interests



- ⌘ Helping the injured employee obtain prompt medical treatment and workers' compensation benefits
- ⌘ Help keep the employee in a pay status
- ⌘ Help the employee return to work when medically appropriate
- ⌘ Help keep the employee from being re-injured

Working Together



⌘ Federal Worker 2000 Presidential Initiative

- ☑ Lower workers' compensation costs
- ☑ Prevent injuries and illnesses
- ☑ Improve timely submissions

⌘ Better training and information for case managers and employees

⌘ Improve OWCP claims handling and processing time