

Article 34

Employee Disability Compensation (OWCP)

Section 1. Counseling

- A. The Employer agrees that when an employee suffers job-related illness or injury in the performance of duties and reports it to his or her supervisor, the supervisor and/or the personnel office will counsel the affected employee as to the following:
1. His/her right to file for compensation benefits;
 2. The types of benefits available; and
 3. The procedure for filing claims.
 4. The option to use compensation benefits in lieu of sick or annual leave.
 5. Whether Continuation of Pay (COP) is applicable.
- B. The supervisor will notify the local Union steward when he or she becomes aware that a bargaining unit employee has filed an OWCP claim.
- C. An employee who has filed for compensation benefits will be counseled, upon request, by his/her supervisor and/or a personnel specialist at any stage in the processing of the case concerning such options as may be available to the employee at that point.

Section 2. Employee Options

- A. An employee with a job-related injury/illness (including conditions aggravated by job-related factors) may elect to be placed on sick or annual leave instead of leave without pay, pending approval or disapproval of his/her compensation claim.
- B. Employees shall have the option of buying back the leave used and having it reinstated to their account if their claim for compensation is approved.
- C. An employee with a job related traumatic injury may claim up to 45 days of COP. The entitlement to COP is not available to employees who file an occupational disease claim.

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Section 3. Placement of OWCP Claimants

- A. Where the employee requests and supports his/her request with appropriate medical information, the Employer will make a serious effort to assign the employee on a temporary basis to duties consistent with the employee's medical needs, pending resolution of his/her claim.
- B. Where the employee requests and supports his/her request with an approved OWCP claim and appropriate medical information, the Employer will make a serious effort to assign the employee to duties consistent with the employee's medical needs. Any such action will be consistent with the negotiated merit promotion article.
- C. When an employee who has been determined by OWCP to be disabled has recovered sufficiently that he or she is required or permitted to seek reemployment, management will make a serious effort to offer appropriate employment.

Section 4

Information on forms, rights and procedures under Worker's Compensation will be maintained on SSA's Intranet at ***[only from an Agency computer connected to the Agency intranet]*** <http://co.ba.ssa.gov/ope/forms/worker's.html>. Annual reminders on how to access the site will be given to all employees. Information posted on the Intranet will also include mutually agreed upon excerpts from DOL Regulation or Handbooks.