

You Have the Right to File an OWCP Claim When Diagnosed with COVID-19

Currently, there is a spike of COVID-19 diagnosis throughout the United States. Postal Employees are not exempt from contracting COVID-19. Following national trends, there is also a spike in the number of COVID-19 cases at the Postal Service. Not knowing how COVID-19 can affect any one person whether it is a mild illness, a severe case, a case of “long” COVID-19, what the long-term effects might be, or sadly even death, it is vital that those who contract the virus understand that it is their right to apply for worker’s compensation benefits to protect themselves and their families.

If you are a postal employee, no matter if you are a career employee or non-career employee, you are entitled to file a claim with the Office of Workers Compensation Programs. The one caveat is that you must have worked at the Post Office at some point during the 21-days prior to your COVID-19 diagnosis. Employees that have claims approved are entitled to have their medical costs and lost wages paid. Approved Claimants are also entitled to request that any annual sick or annual leave used be “bought back” and redeposited to their leave balances. Also, should a postal employee pass away due to COVID-19, their survivors are entitled to benefits under the compensation programs if there is an approved claim.

As previously reported, under the American Rescue Plan Act of 2021 signed into law on March 11, 2021:

Section 4016 of the law provides that a federal employee who is diagnosed with COVID-19 and carried out duties that required contact with patients, members of the public, or co-workers, or included a risk of exposure to the novel coronavirus during a covered period of exposure prior to the diagnosis, is deemed to have an injury that is proximately caused by employment.

In simple terms, this means that if you are diagnosed with (have a positive test) and you file an OWCP claim, it will be more than likely approved. You are not required to prove you contracted the disease at work. In order to receive benefits, those diagnosed must submit a claim. Do not expect management to do this for you and do not expect them to inform you that you have the right to file a claim.

When you file a claim for COVID-19 you are entitled to request continuation of pay (COP). This is pay at your regular rate of pay paid to you by the postal service during your COVID-19 illness absence. You are entitled to COP if you file your claim within 30-days of your diagnosis. If you are filing more than 30-days after your diagnosis, you are not entitled to COP. Please note, that for the first three days, the law requires a “waiting period” that you must use sick, annual, or leave without pay (LWOP) before COP kicks in. However, if your absence lasts longer than 14-days, the first three days will be converted to COP. Any non-scheduled days also count towards the three day “waiting” period. COP can be paid for up to 45 calendar days after which any additional missed time will be paid as worker’s compensation payments by OWCP.

In order to file a claim, it is recommended that you do so through e-COMP. You must register at <https://www.ecomp.dol.gov>. Doing so ensures that OWCP receives your claim form, receives the necessary laboratory reports because you upload the documents. They system automatically forwards documents to your supervisors to complete and tracks whether or not the Postal Service has done their part. Using e-COMP gives you tracking and you can hold management accountable because you can see what they have and have not done. It should be noted that you can register on e-COMP at any time—

whether you have an injury or not. In fact, it is a good idea to register and establish an account in case you need to use it anytime during your career for any at-work injury. It is also one thing less to worry about if you are diagnosed with COVID-19.

The instructions below are not all inclusive and do not guarantee claim approval.

To file a claim and to receive COP:

- Notify your supervisor that you are sick with COVID-19
- Submit a PS-Form 3971 and check COP as the reason
- Register on e-COMP if you have not done so: <https://www.ecomp.dol.gov>
- Once registered on e-COMP, login to your account
 - Click on new claim on top right of page
 - On next screen, make sure “Federal Employee” is selected
 - Make sure to select Postal Service as the agency
 - Click “File Claim”
 - Click “next”
 - Select the COVID-19 Claim and enter information requested in the online form
 - Once requested information is entered, upload a copy of the positive laboratory COVID-19 results or other relevant medical documentation
 - After uploading, make sure you select “continuation of pay”
 - It is recommended you save a copy of your claim or at least write down the ECN number for your claim

Here are some links to references for OWCP claims due to COVID-19:

[Video Tutorial on Registering for e-COMP](#)

[Video Tutorial on Filing COVID-19 Claim through e-COMP](#)

Register for e-COMP: <https://www.ecomp.dol.gov>

[Now It Is Easier to File FECA COVID Claims | American Postal Workers Union \(apwu.org\)](#)

[Claims under the Federal Employees' Compensation Act due to the 2019 Novel Coronavirus \(COVID-19\) | U.S. Department of Labor \(dol.gov\)](#)

[FECA Bulletins \(2020-2024\) | U.S. Department of Labor \(dol.gov\)](#) *this is the instructions claims examiners must follow*

You have the right under the law to file an OWCP claim for COVID-19! Do not let management discourage you from filing a claim. Do not let them tell you that you have to prove your sickness was contracted at work as this is not a requirement of the law. It is in your best interest to file for the benefits. You protect yourself and your families by doing so. If you follow the steps and have a laboratory test confirmed case of COVID-19, you will likely be approved. However, the APWU cannot guarantee claim approval.