



UNITED STATES  
DEPARTMENT OF LABOR

## Office of Workers' Compensation Programs Division of Energy Employees Occupational Illness Compensation (DEEOIC)

### How is my EEOICPA claim processed?

The Division of Energy Employees Occupational Illness Compensation (DEEOIC) provides benefits to atomic weapons industry workers who developed illnesses linked to their employment. The DEEOIC staff must assemble a case file containing evidence that indicates eligibility for compensation and benefits under the EEOICPA.

#### **I have filed an EEOICPA claim under Part B, E or both. What happens next?**

Our claims examiners (CEs) and Resource Centers (RC) will work with you to obtain the necessary evidence to process your claim.

#### **What are the claims processing steps?**

- File a Claim for Benefits; Form EE-1 or EE-2 along with Employment History Form EE-3:
  - via the Energy Document Portal (EDP) website at <https://eclaimant.dol.gov>
  - at any of our 11 Resource Centers
  - or by mail at the address below:  
U.S. Department of Labor OWCP/DEEOIC  
P.O. Box 8306  
London, KY 40742-8306
- One of the DEEOIC Resource Centers will contact you to complete an Occupational History Questionnaire (OHQ).
- The RC will forward the OHQ to the District Office CE.
- The CE may request any additional documentation regarding employment, medical, or other necessary evidence to support your claim.
- Upon receiving all necessary information, the CE will adjudicate your claim and issue a Recommended Decision.
- The Final Adjudication Branch (FAB) will do an independent evaluation and issue a Final Decision.

#### **What evidence is required to process my claim?**

**Employment evidence** include contracts, pay stubs, W2s, etc. Your CE will also verify the claimed employment with the Department of Energy (DOE), a corporate verifier, the Social Security Administration, or other organizations. Statements from coworkers supporting employment during a covered time period may also be submitted to support the claimed employment.

**Medical Evidence** includes treatment records, attending physician records, evidence of diagnostic testing, and independent medical examinations or other evaluations.

### **Part B Causation**

The CE forwards claim evidence to the National Institute for Occupational Safety and Health (NIOSH) for a dose reconstruction to assess the level of occupational exposure to radiation a claimant incurred during covered employment. Eligibility for compensation is possible if DOL determines that the cancer was “at least as likely as not” caused by radiation doses incurred in the performance of duty while working in a covered DOE facility, that is, a 50% or greater probability as calculated through the results of the NIOSH dose reconstruction.

- Special Exposure Cohort (SEC): for certain claims where designated facilities and employment criteria are met and the employee has one of 22 specified cancers, the employee is considered a member of the SEC. For SEC members causation as a result of occupational radiation exposure is presumed.
- Other conditions covered under Part B are beryllium sensitivity, Chronic Beryllium Disease (CBD), and chronic silicosis.

### **Part E Causation**

Under Part E, evidence must show that toxic exposure at a DOE facility was a significant factor in causing, contributing to, or aggravating the claimed condition. The CE will use a variety of tools to try to establish this connection, including information from the DOE about the facility, information in the Site Exposure Matrices (SEM) database developed by DOL, and referral to a physician, industrial hygienist, or toxicologist. The CE may also ask for any information you have to support your exposures.

### **Issuance of a Recommended Decision**

The CE will issue a Recommended Decision (RD) to accept or to deny your claim. The RD explains the basis for the proposed decision to accept or deny. The CE’s recommendation is forwarded to the FAB for an independent review and assessment of the evidence and issuance of a Final Decision.

**What if I disagree with the Recommended Decision?** If you disagree with the RD, you may exercise your right to object and/or request a hearing through the FAB.

### **Issuance of a Final Decision**

A Final Decision (FD) may accept the findings in the RD, or it may reverse a recommended denial if the FAB, in its independent assessment, determines that the claim should be accepted. If the FAB disagrees with the outcome of the RD, but there is insufficient basis to warrant a reversal, it issues a separate type of decision called a Remand Order, which sends the claim back to the district office with the reasons for the remand and instructions regarding how the district office should proceed further with the claim.

### **Claimant Rights Following the Issuance of FAB FD**

A claimant may seek review of a FD by filing a request for reconsideration or within 30 days following the issuance of the FD, if the time has elapsed for requesting reconsideration, by filing a request for reopening of the claim.