What's on the Horizon for OWCP? & Claims Trends
OWCP DIRECTOR, CHRISTOPHER J. GODFREY

- Sworn in as OWCP Director by President Biden on January 20, 2021

- Previously served as Chief Judge and Chairman of the Employees' Compensation Appeals Board (ECAB) under Secretary of Labor Thomas Perez in the Obama Administration

- Served as part of ECAB's leadership until his appointment as OWCP Director

- Former Iowa Workers' Compensation Commissioner 2006 – 2014 and practicing attorney
ORGANIZATIONAL CHART

Director

Deputy Director

Front Office
- Chief of Staff
- Policy Advisor
- DEIA Officer
- Transformation Officer
- Executive Support Staff

Division of Federal Employees', Longshore and Harbor Workers' Compensation
- FECA Claims Administration
  - National Administrator of Field Operations
- LHWCA Claims Administration

Division of Coal Mine Workers' Compensation
- Division of Coal Mine Workers' Compensation
  - National Administrator of Field Operations

Division of Energy Employees Occupational Illness Compensation
- Division of Energy Employees
  - Occupational Illness Compensation
  - National Administrator of Field Operations

Division of Administrative Operations

Division of Financial Administration
OWCP Front Office Leadership

Nancy Griswold
Deputy Director

Tyler Green
Policy Advisor

Jean Mauss
Transformation Officer

Paige Brown
Diversity, Equity, Inclusion and Accessibility (DEIA) Officer
OWCP Mission

The Mission of the Office of Workers' Compensation Programs is to protect the interests of workers who are injured or become ill on the job, their families and their employers by making timely, appropriate, and accurate decisions on claims, providing prompt payment of benefits and helping injured workers return to gainful work as early as is feasible.
What's on the horizon at OWCP?

- Transforming Customer Experience & Service Delivery for Injured Workers
- Building a Diverse, Inclusive, and Model Federal Workforce & Workplace
- Strengthen Program Administration and the Business of Government
Customer Experience & Service Delivery

- Ombudsperson
- Compassion Campaign
- Language access efforts
  - Identifying key language groups among claimants and other customers
  - Translating vital documents and materials
  - Developing new strategies for serving public with limited English proficiency (LEP)
INSIGHT: 2020 Customer Satisfaction scores across industries
Model Workforce & Workplace

- 100% Remote Work option
- Career Development Training Plan
- Mentorship Program
- Strategic Employee Engagement Drive (SEED) & Innovation Hub
- Diversity, Equity, Inclusion and Accessibility (DEIA) Council
  - Barrier Analysis – Hiring, Training, Retention, Promotion, Exits
  - DEIA Strategic Plan
INSIGHT: Employee engagement at most Federal agencies lags the private sector

AVERAGE EMPLOYEE ENGAGEMENT SCORE PER FEDERAL AGENCY VS. PRIVATE SECTOR AVERAGES (ON A SCALE OF 0-100)
Program Admin & The Business of Government

- OWCS Steering Committee
  - Short-term, immediate steps to stabilize and improve functionality

- Enterprise Architecture Analysis
  - Outside, independent assessment of agency-wide IT systems & structure
  - Path forward for secure, stable and user-friendly mission critical applications
New Cases Created by Act

Year | Longshore | DBA | NAFIA | OCSLA | Total
--- | --- | --- | --- | --- | ---
2018 | 14542 | 6676 | 6868 |  | 28178
2019 | 15430 | 8447 | 6668 |  | 30682
2020 | 13905 | 15336 |  |  | 34371
2021 | 15245 | 18596 |  |  | 39414
2022 | 14650 | 15605 |  |  | 35948

03/27/2023
Trends – Claims Reported FY2017 – FY2022
Longshore & DBA

<table>
<thead>
<tr>
<th>Year</th>
<th>DBA</th>
<th>Longshore</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>6,676</td>
<td>14,542</td>
</tr>
<tr>
<td>2019</td>
<td>8,447</td>
<td>15,430</td>
</tr>
<tr>
<td>2020</td>
<td>13,905</td>
<td>15,336</td>
</tr>
<tr>
<td>2021</td>
<td>18,524</td>
<td>15,235</td>
</tr>
<tr>
<td>2022</td>
<td>15,605</td>
<td>14,650</td>
</tr>
</tbody>
</table>
Trends – New Claims Reported FY2018 – FY2022
Traumatic and Occupational
Stephanie Brown, Deputy Director of Longshore Claims

Division of Federal Employees’, Longshore and Harbor Workers’ Compensation (DFELHWC)
- Industry Performance
- Longshore Performance
- Organizational Changes
- Industry Notices
- Reopening of Virtual Offices
Industry Performance
## FY22 Industry Performance

### 1st Report of Injury within 20 days

<table>
<thead>
<tr>
<th>Measure</th>
<th>FY22 Result</th>
<th>FY22 Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st Report of Injury filed within 20 days for DBA cases</td>
<td>94%</td>
<td>85%</td>
</tr>
<tr>
<td>1st Report of Injury filed within 20 days for non-DBA cases</td>
<td>93.5%</td>
<td>92%</td>
</tr>
</tbody>
</table>
Industry Performance
First Report of Injury within 20 days
Non DBA

<table>
<thead>
<tr>
<th>Year</th>
<th>All Carriers</th>
<th>Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY2018</td>
<td>94%</td>
<td>89%</td>
</tr>
<tr>
<td>FY2019</td>
<td>94%</td>
<td>89%</td>
</tr>
<tr>
<td>FY2020</td>
<td>91%</td>
<td>88%</td>
</tr>
<tr>
<td>FY2021</td>
<td>92%</td>
<td>88%</td>
</tr>
<tr>
<td>FY2022</td>
<td>94%</td>
<td>92%</td>
</tr>
</tbody>
</table>

Change from 30 to 20 days
Industry Performance
First Report of Injury within 20 days
DBA

<table>
<thead>
<tr>
<th>Year</th>
<th>All Carriers</th>
<th>Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY2018</td>
<td>94%</td>
<td>94%</td>
</tr>
<tr>
<td>FY2019</td>
<td>94%</td>
<td>88%</td>
</tr>
<tr>
<td>FY2020</td>
<td>91%</td>
<td>88%</td>
</tr>
<tr>
<td>FY2021</td>
<td>94%</td>
<td>88%</td>
</tr>
<tr>
<td>FY2022</td>
<td>94%</td>
<td>85%</td>
</tr>
</tbody>
</table>

Change from 30 to 20 days

03/27/2023
Longshore Performance
## FY22 Longshore Performance

<table>
<thead>
<tr>
<th>Measure</th>
<th>FY22 Result</th>
<th>FY22 Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complete action on request for Intervention within 15 days</td>
<td>94%</td>
<td>85%</td>
</tr>
<tr>
<td>Conference held within 45 days</td>
<td>93.5%</td>
<td>92%</td>
</tr>
<tr>
<td>Conference Memorandum issued within 10 days</td>
<td>93%</td>
<td>92%</td>
</tr>
<tr>
<td>Recommendation for Intervention issued within 90 days (if no conference held)</td>
<td>98%</td>
<td>85%</td>
</tr>
<tr>
<td>Settlement applications processed within 18 days</td>
<td>98%</td>
<td>90%</td>
</tr>
<tr>
<td>Stipulation applications processed within 30 days</td>
<td>93%</td>
<td>85%</td>
</tr>
<tr>
<td>Second Injury Fund requests processed within 45 days</td>
<td>92%</td>
<td>85%</td>
</tr>
<tr>
<td>Attorney Fees agreed upon processed within 15 days</td>
<td>97%</td>
<td>85%</td>
</tr>
<tr>
<td>Attorney Fees not agreed upon processed within 120 days</td>
<td>91%</td>
<td>85%</td>
</tr>
<tr>
<td>Referrals to the OALJ processed within 21 days</td>
<td>100%</td>
<td>90%</td>
</tr>
</tbody>
</table>
### FY22 Longshore Quality Performance

<table>
<thead>
<tr>
<th>Measure</th>
<th>FY22 Result</th>
<th>FY22 Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>Informal Conference action sampled for quality are rated as correct</td>
<td>95%</td>
<td>89%</td>
</tr>
<tr>
<td>Settlement actions sampled for quality are rated as correct</td>
<td>97%</td>
<td>90%</td>
</tr>
<tr>
<td>Second Injury Fund Application actions sampled for quality are rated as correct</td>
<td>96%</td>
<td>85%</td>
</tr>
<tr>
<td>Second Injury Fund payments sampled for quality are rated as correct</td>
<td>97%</td>
<td>95%</td>
</tr>
</tbody>
</table>
Settlements
FY2021/FY2022/FY2023 (projected)
Initial Intervention (response to request for conference)
FY2021/FY2022/FY2023 (projected)
Referrals to OALJ
FY2021/FY2022/FY2023 (projected)
Organizational Changes
Compensation Districts
Eastern, Southern & Western

**EASTERN DISTRICT**
Suboffices:
- Boston – Theresa Magyar
- New York – Theresa Magyar, Todd Bruininks
- Philadelphia – Theresa Magyar
- Norfolk – Theresa Magyar

**SOUTHERN DISTRICT**
Suboffices:
- Jacksonville – David Duhon
- New Orleans – David Duhon
- Houston – David Duhon
- Chicago – David Duhon

**WESTERN DISTRICT**
Suboffices:
- Seattle – Marco Adame
- San Francisco – Marco Adame
- Long Beach – Marco Adame

Industry Notice #175
Industry Notice #193
Longshore Workforce (2020-2023)

- District Reorganization, OWCS and remote work provide flexibility to hire throughout the country
  - Larger talent pool to fill vacancies/needs
- 4 CEs promoted to Lead CE
- 12 new CEs hired and onboarded
- 3 new CEs hired to fill vacancies due to promotion
  - Uniform program-wide new CE training via Teams
  - Expansion of online training resources for all staff
- Workload Equity
  - Flexibility to reorganize and reassign based on patterns/trends that drive the workload
CE Workload – Case Assignment breakdown as of 05/04/2020

<table>
<thead>
<tr>
<th>District</th>
<th>Percent of Total CEs</th>
<th>Percent of All Cases Created in 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Western District</td>
<td>21%</td>
<td>22%</td>
</tr>
<tr>
<td>Southern District</td>
<td>19%</td>
<td>28%</td>
</tr>
<tr>
<td>Eastern District</td>
<td>15%</td>
<td>35%</td>
</tr>
</tbody>
</table>
CE Workload – Case Assignment breakdown as of 01/05/2021

Reassignment of Cases and CEs on 01/05/2021 to establish a more equitable distribution of cases.
CE Workload – Case Assignment breakdown as of 02/26/2023

Case Assignments following 12 new Claims Examiner hires in 2022 and 4 new Lead Claims Examiner promotions in 2023.
Industry Notices
Industry Notices

- No-197 (Updated Longshore Forms Effective March 8, 2023)
- No-196 (2023 Advance Assessment for the Special Fund and Submission of form LS-513)
- No-195 (2023 Penalty Inflation Notice)
- No-194 (NAWW Maximum and Minimum Rate Adjustments FY23)
- No-193 (Reopening District Offices and Restating Administrative Case Procedures)
- No-192 (2022 Final Assessment for the Special Fund)
- No-191 (Claimant and Entity Imaging through the ECOMP)
- No-190 (Notice of Authorization for Representation through ECOMP)
New Penalty Amounts after January 15, 2023

- Section 14(g) of the LHWCA, 20 C.F.R. § 702.236: Failure to Report Termination of Payments - increased from $320 to $345

- Section 30(e) of the LHWCA, 20 C.F.R. § 702.204: Penalty for Late Report of Injury or Death - increased from $26,269 to $28,304

- Section 49 of the LHWCA, 20 C.F.R. § 702.271(a)(2): Discrimination Against Employees Who Bring Proceedings - increased from a $2,627 minimum and $13,132 maximum to a $2,830 minimum and a $14,149 maximum.
Reopening of Virtual Offices
Reopening of Virtual Offices (Industry Notice No 193)

- Effective August 26, 2022
- In accordance with 20 CFR §702.102 and 20 CFR §702.102 to efficiently administer the LHWCA
- All LHWCA cases (and DBA/NAFIA cases where claimant resides outside of U.S. and injury occurred outside of U.S.) assigned to suboffice based on place of injury;
- DBA cases where claimant resides in the U.S. assigned to suboffice based on where claimant resides.
- Examples:

  **LHWCA case (injury occurred in Michigan)**
  - Assigned to Chicago (10) (based on Place of Injury)
  - Assigned on rotational basis to Southern District CE

  **DBA case (injury occurred in Iraq; claimant resides in Michigan)**
  - Assigned to Chicago (10) (based on Place of Residence)
  - Assigned on rotational basis to Southern District CE
Appeals Jurisdiction of Longshore Claims

Jurisdiction is based on where the injury occurred. 33 U.S.C. § 921(c)
Then and Now – Longshore Claims

<table>
<thead>
<tr>
<th>Pre-Reopening</th>
<th>Post-Reopening</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Scenario 1: Injury occurred in Illinois.</strong></td>
<td></td>
</tr>
<tr>
<td>✓ Case given Houston (08) prefix</td>
<td>✓ Case given Chicago (10) prefix</td>
</tr>
<tr>
<td>✓ Managed by CE in Southern District</td>
<td>✓ Managed by CE in Southern District</td>
</tr>
<tr>
<td>✓ Appealed to 7th Circuit</td>
<td>✓ Appealed to 7th Circuit</td>
</tr>
<tr>
<td><strong>Scenario 2: Injury occurred in Pennsylvania.</strong></td>
<td></td>
</tr>
<tr>
<td>✓ Case given Norfolk (05) prefix</td>
<td>✓ Case given Philadelphia (03) prefix</td>
</tr>
<tr>
<td>✓ Managed by CE in Eastern District</td>
<td>✓ Managed by CE in Eastern District</td>
</tr>
<tr>
<td>✓ Appealed to 3rd Circuit</td>
<td>✓ Appealed to 3rd Circuit</td>
</tr>
</tbody>
</table>
David Abeijon, Branch Chief of Policy, Regulations and Procedures for Longshore Division of Federal Employees’, Longshore and Harbor Workers’ Compensation (DFELHWC)
The Effect of a Pandemic on Technology

- Remote Work
- Mail Service and Receipt
- Digitization
- Resources
- ECOMP
Remote Work

- Pre-pandemic, vast majority of employees teleworked just 2 days/week with 16% not teleworking at all.
- Full-time telework increased to 100% of employees and 100% of the time, as mandatory telework was enacted in March 2020 through 2021.
- Most employees stayed full-time telework following return to office in 2022 with a few returning 2 days per pay period.
Mail – Method of Receipt

2019

- FTP: 28%
- SEAPortal: 42%
- Paper: 30%

2022

- FTP: 28%
- SEAPortal: 72%
- Paper: 9%
- eFAX: 2%

- Significant increase in mail received electronically pre- to post-pandemic
Mail - Outgoing

- Outgoing Correspondence Center (OCC) in Jacksonville, FL
- Flexibility to move (OCC)
  - Pandemic, natural disasters, etc.
Digitization

- **Back File Conversion (BFC)** - In our quest to become fully paperless, we completed the scan and upload of all paper files in OWCP possession to OWCS.
  - *What this means? When you request a file, you get the previous paper portion as well as the electronic portion in a convenient way - via password-protected email.*
  - *Over 9 million pages scanned.*

- **Federal Records Center (FRC)** – Cases that are recalled from the FRC are scanned and uploaded to OWCS.
  - *What this means? All cases retrieved from FRC are now available to CEs in digital format.*
Digitization

- **Insurance Cards** –
  - *What this means? All coverage cards in the possession of OWCP have been scanned and uploaded to a database.*
  - *Over 420,000 insurance cards are now accessible by OWCP staff.*
Online Accessible Resources

- Longshore Internet
  - DBA Report card and Case Summary Reports updated
  - Longshore News
  - Industry Notices
  - DBA Page

- SEAPortal
  - Instructional video – Coming Soon!
  - Forms training video – Coming Soon!

- ECOMP
Welcome to ECOMP

The Employees’ Compensation Operations & Management Portal

Total Users – 650,000+
- Includes 423,454 identify verified FECA claimants and 5,997 Energy claimants
- Longshore Claimants – 2,722 registered, 2,340 identity verified

Entities
- FECA – 538 Entities (law firms, unions, non-attorney reps)
- Longshore - 128 Entities (law firms)
ECOMP Imaging
### Case Documents

**CASE LS-0**

**Employer:** General Dynamics

**Claimant Name:** [Redacted]

**Date of Injury:** [Redacted]

**Date of Birth:** [Redacted]

### CASE DOCUMENTS

<table>
<thead>
<tr>
<th>Export</th>
<th>Fav</th>
<th>Subject</th>
<th>Category</th>
<th>Authored</th>
<th>Received</th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>ECOMP Entity Transaction Memo</td>
<td>MISC</td>
<td>01/14/2022</td>
<td>01/14/2022</td>
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<tr>
<td></td>
<td></td>
<td>Auth by Claimant (ECOMP)</td>
<td>INCOMING COR &amp; CALLS</td>
<td>01/14/2022</td>
<td>01/14/2022</td>
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<td>INCOMING COR &amp; CALLS</td>
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<td>01/14/2022</td>
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<tr>
<td></td>
<td></td>
<td>Other/Multiple</td>
<td>OUTGOING COR &amp; CALLS</td>
<td>06/07/2021</td>
<td>06/07/2021</td>
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<tr>
<td></td>
<td></td>
<td>Other/Multiple</td>
<td>INCOMING COR &amp; CALLS</td>
<td>06/07/2021</td>
<td>06/07/2021</td>
</tr>
</tbody>
</table>

### Filters

- **Authored Date**
- **Received Date**
- **Filter By Date: Start** (mm dd yyyy)
- **Filter By Date: End** (mm dd yyyy)
- **Clear Date Filter**
- **Favorites Only** (0)
Industry Notice 191

Purpose: The purpose of this Notice is to announce that the Office of Workers’ Compensation Programs (OWCP), Longshore Program, has added imaging for claimants and claimant representatives through ECOMP. The web-based portal ECOMP permits online access to basic information for Division of Federal Employees’, Longshore and Harbor Workers’ Compensation (DFELHWC) under the Longshore and Harbor Workers’ Compensation Act (LHWCA), and its extensions. With the additional functionality, claimants and claimant representatives can now access case documents and download these documents.
ECOMP Access for Attorneys of Foreign Nationals – PILOT Program

- Currently in PILOT phase
- Allow foreign nationals who cannot identify verify to authorize their representatives access to their cases in ECOMP
- Based on PILOT results, possible expansion to all represented foreign nationals.
Updated Forms (Industry Notice No 197)

- Instrumental in expediting delivery of benefits
- Available on Longshore Internet - File format changed – no more need for download – can be opened and filled out in browser
- LS-7 Request for Intervention updated to allow for identification of a specific “Other” issue (free form)
- LS-8 Settlement Application updated to allow easier completion of a single form for multiple claims
  - One LS-8 for up to 4 cases.
  - Submit to one case file, not all.
Communications
Central Mail Receipt

U. S. Department of Labor
Office of Workers’ Compensation Programs
Division of Longshore and Harbor Workers’ Compensation
400 West Bay Street, Suite 63A, Box 28
Jacksonville, FL 32202

Case Create Documents only: FAX (202) 513-6814

SEAPortal: https://seaportal.dol.gov/portal/

Preferred method of submission

Telephone Number for all offices: (202) 513-6809

ECOMP Longshore page for Claimants: https://dlhwc.dol.gov/
ECOMP Longshore page for Entities: https://owcp.industrypartners.dol.gov/#/
Western Compensation District

Lead Claims Examiner
Grisela Martinez

Claims Examiners
Amanda Cerda
Audrey Smith
Benjamin Guillermo
Christopher Green
Kelly Johnson
Laurie Yager
Marc Wilkinson
Michele Daniels
Michelle Franklin
David Duhon, District Director
Southern District Office
Division of Federal Employees’, Longshore and Harbor Workers’ Compensation (DFELHWC)