



Office of Workers' Compensation Programs

Division of Federal Employees', Longshore and Harbor Workers' Compensation

**Annual Longshore
Conference:**

March 23-24, 2023



UNITED STATES DEPARTMENT OF LABOR

Christopher Godfrey
Director, OWCP

Office of Workers'
Compensation Programs



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What's on the Horizon for OWCP? & Claims Trends



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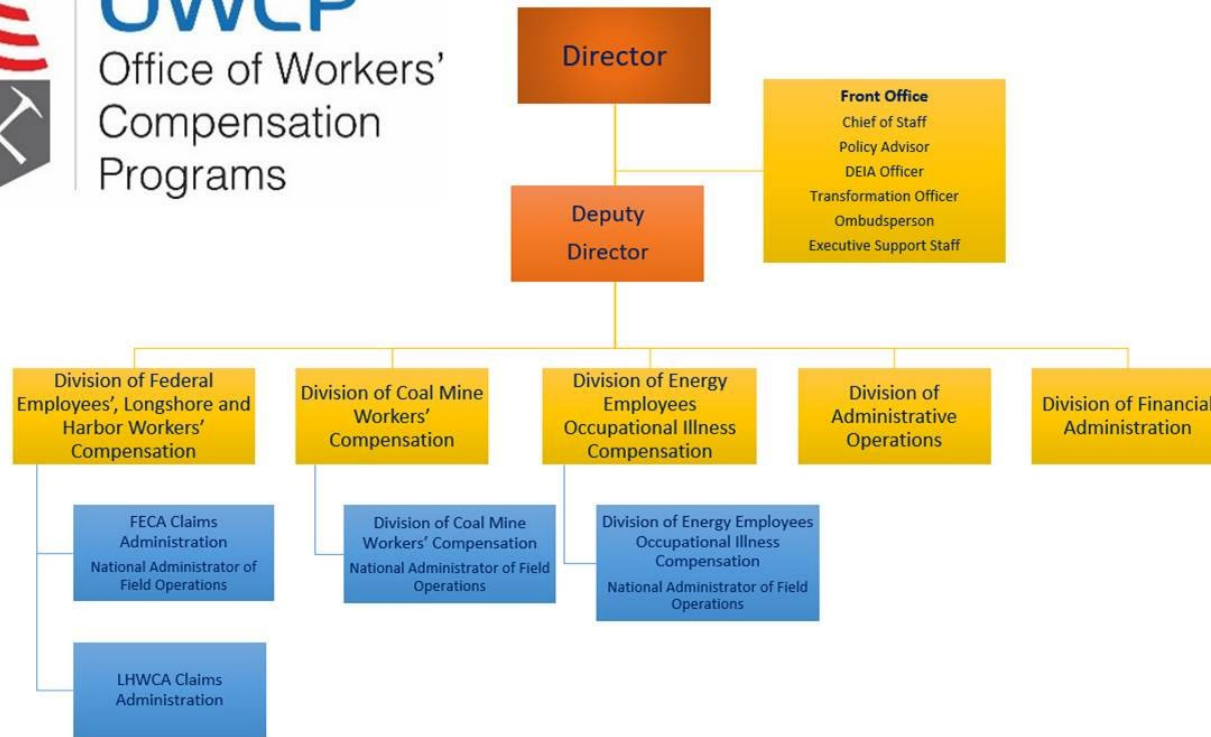
OWCP DIRECTOR, CHRISTOPHER J. GODFREY

- 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



OWCP

Office of Workers' Compensation Programs

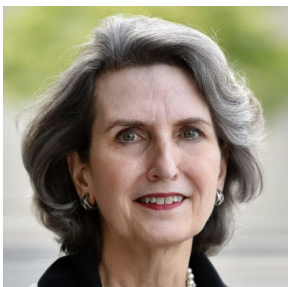


ORGANIZATIONAL CHART



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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.



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What's on the horizon at OWCP?

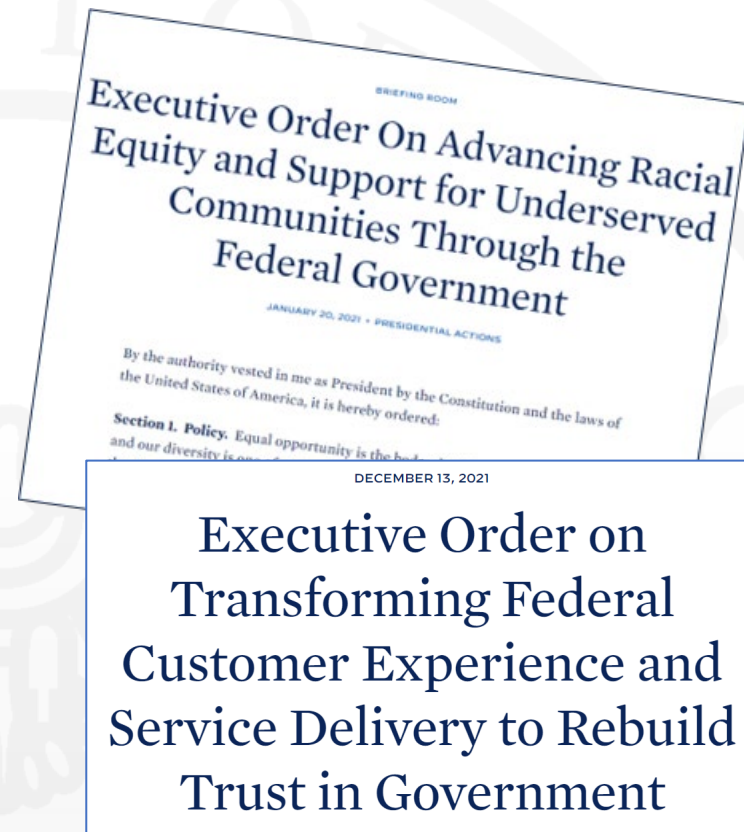
- Transforming Customer Experience & Service Delivery for Injured Workers
- Building a Diverse, Inclusive, and Model Federal Workforce & Workplace
- Strengthen Program Administration and the Business of Government



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Customer Experience & Service Delivery

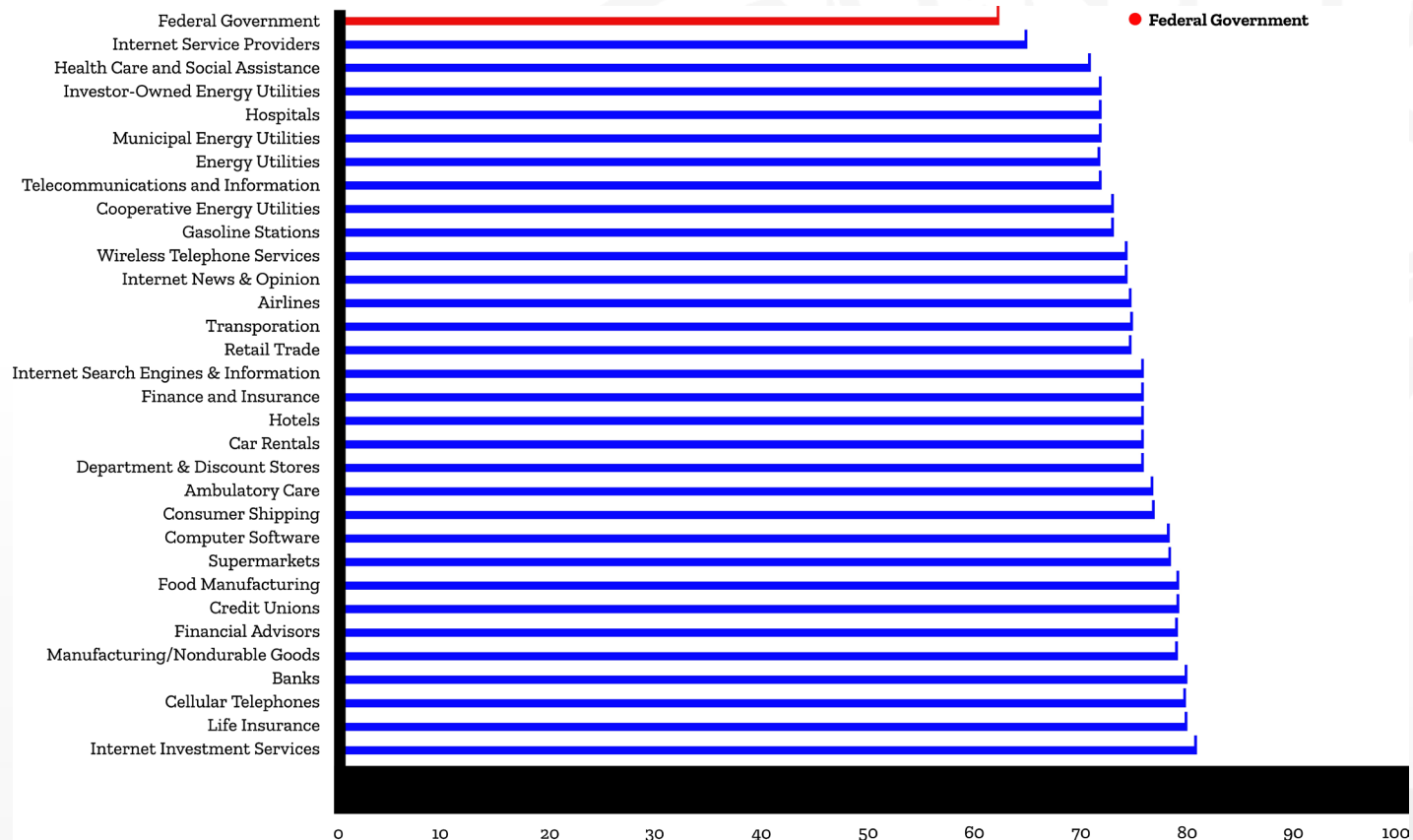
- Ombudsperson
- Compassion Campaign
- Language access efforts
 - Identifying key language groups among claimants and other customers
 - Translating vital documents and materials
 - Developing new strategies for serving public with limited English proficiency (LEP)





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INSIGHT: 2020 Customer Satisfaction scores across industries

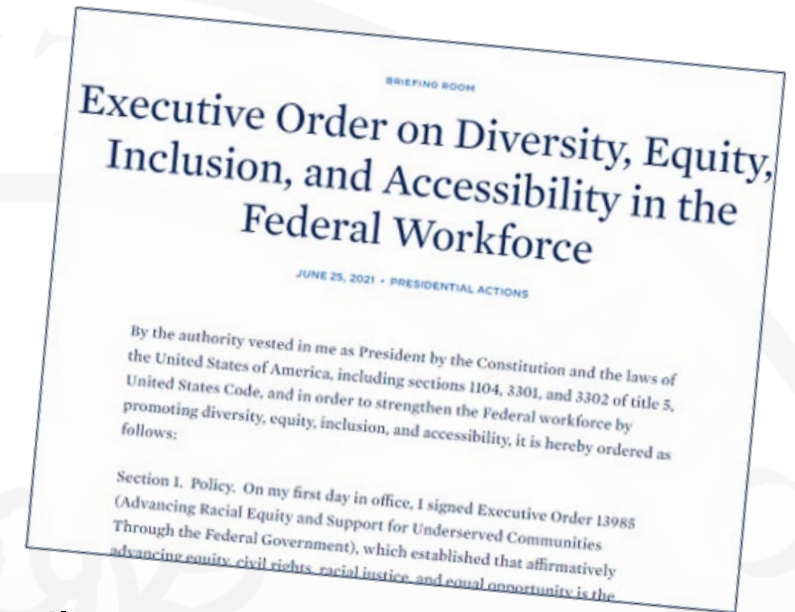




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Model Workforce & Workplace

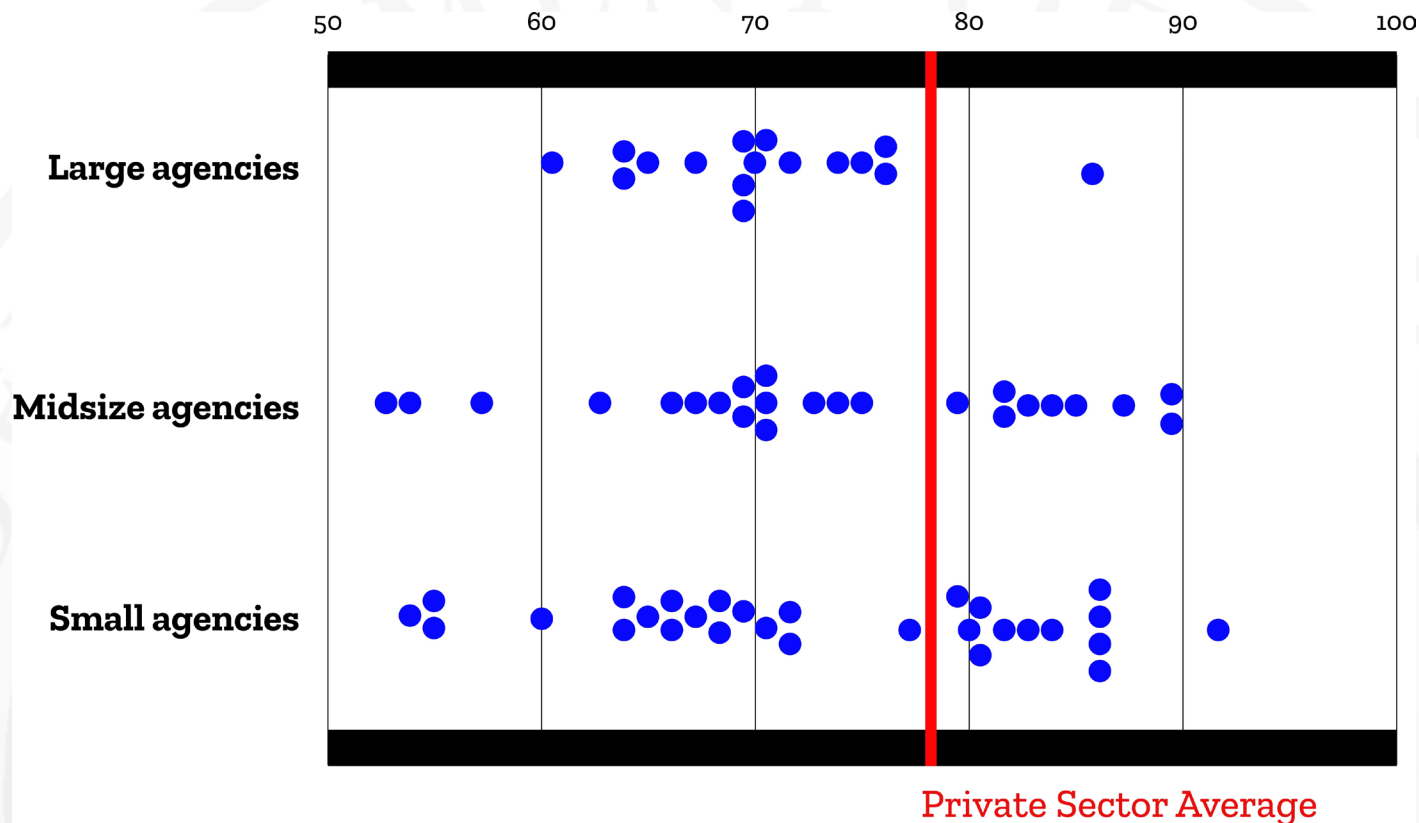
- 100% Remote Work option
- Career Development Training Plan
- Mentorship Program
- Strategic Employee Engagement Drive (SEED) & Innovation Hub
- Diversity, Equity, Inclusion and Accessibility (DEIA) Council
 - Barrier Analysis – Hiring, Training, Retention, Promotion, Exits
 - DEIA Strategic Plan





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)



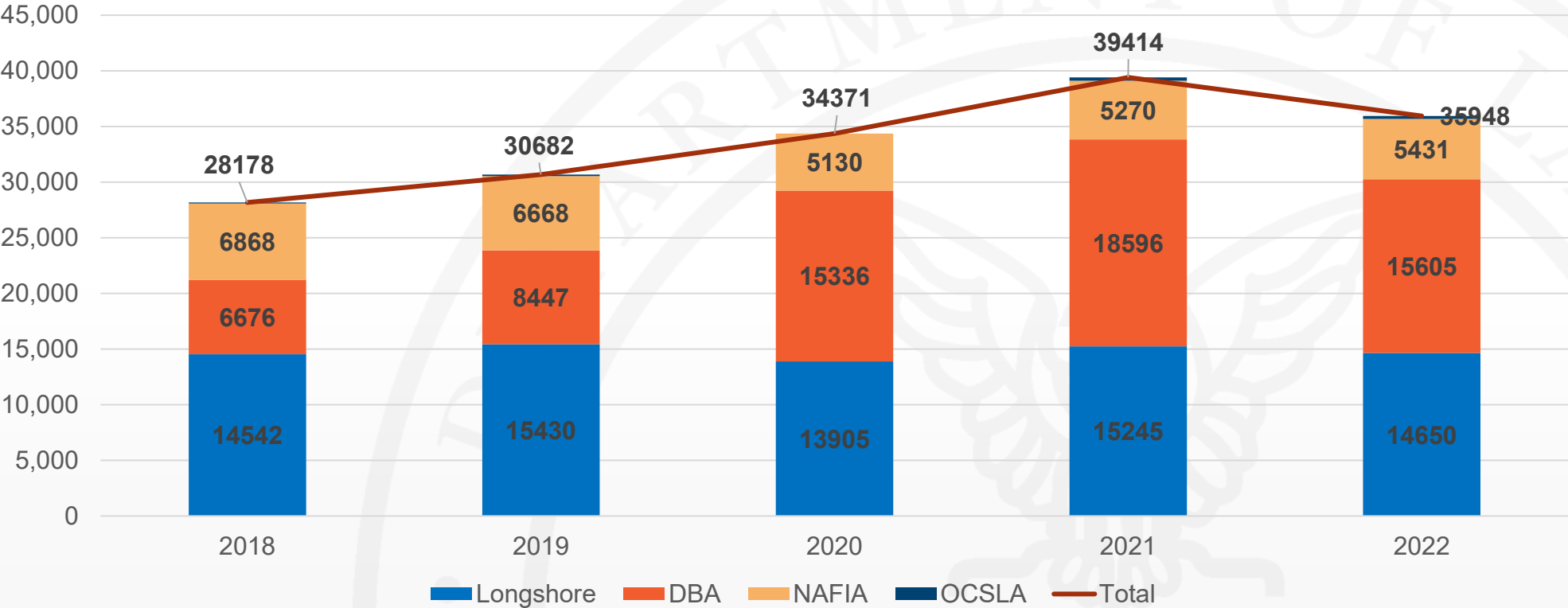


Program Admin & The Business of Government

- 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



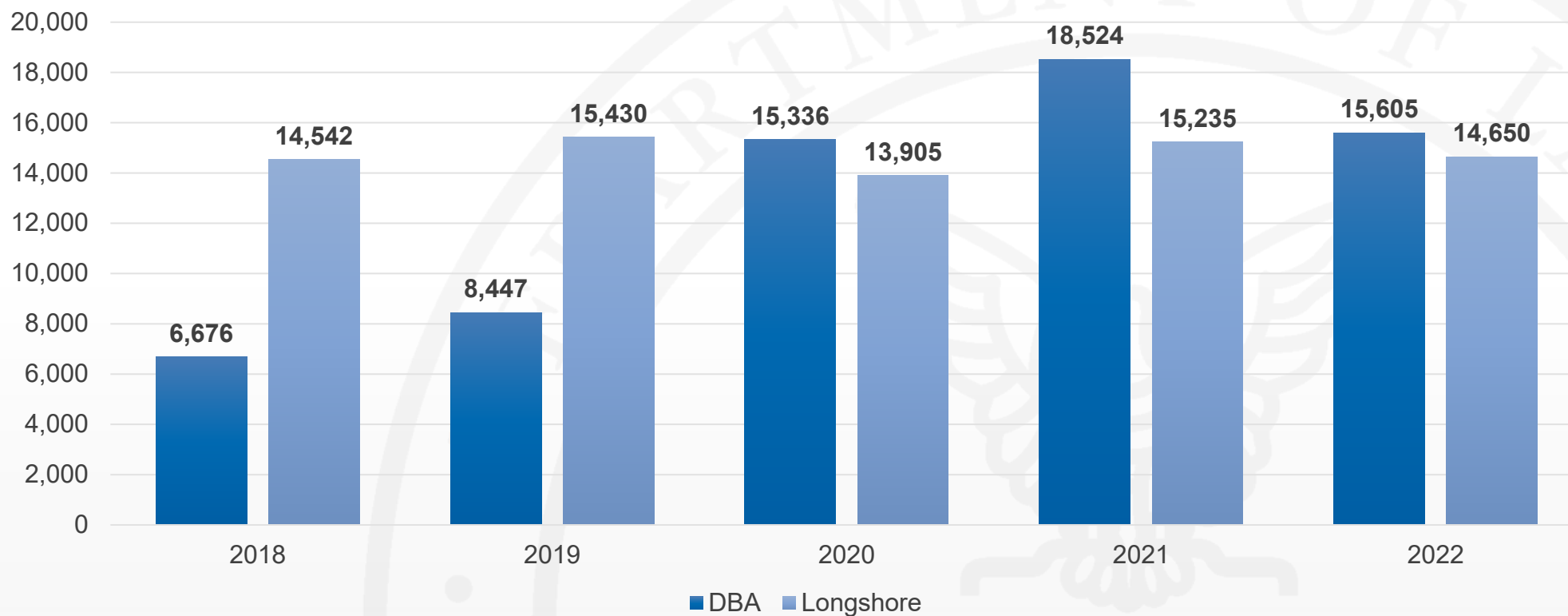
New Cases Created by Act





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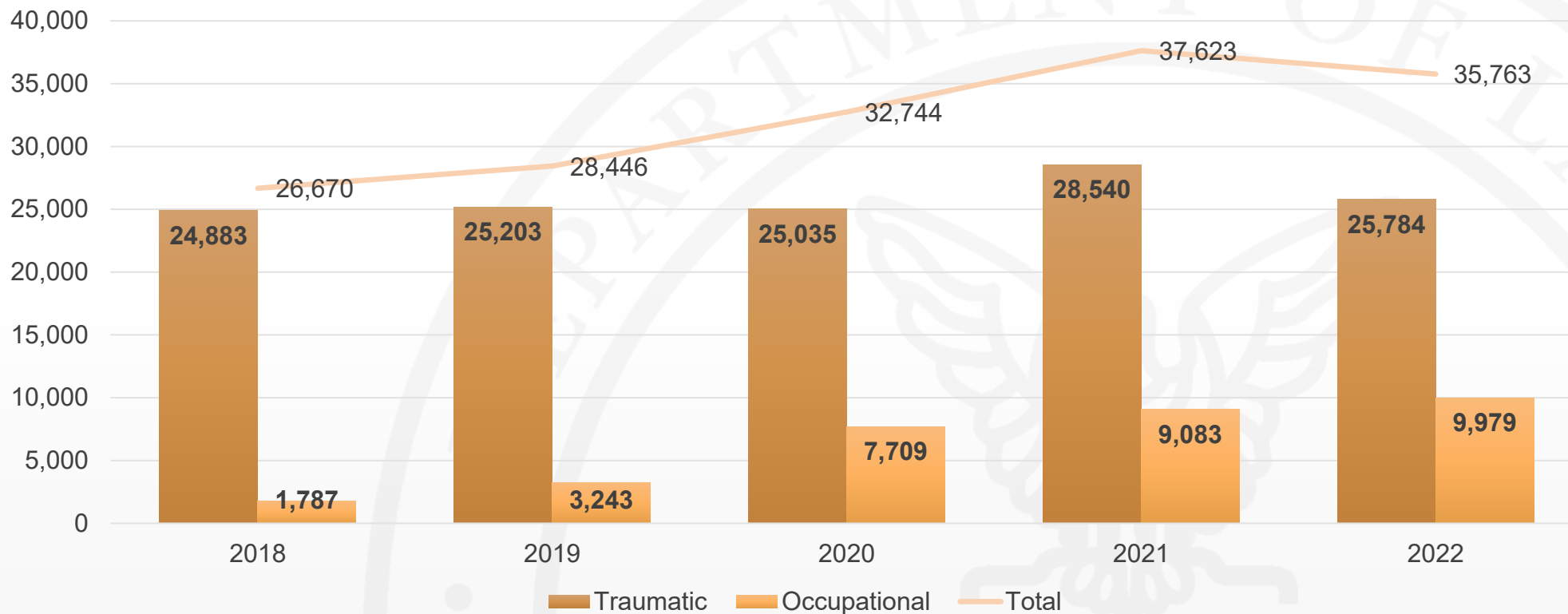
Trends – Claims Reported FY2017 – FY2022 Longshore & DBA





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Trends – New Claims Reported FY2018 – FY2022 Traumatic and Occupational





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Stephanie Brown, Deputy Director of Longshore Claims

**Division of Federal Employees', Longshore and
Harbor Workers' Compensation (DFELHWC)**



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- **Industry Performance**
- **Longshore Performance**
- **Organizational Changes**
- **Industry Notices**
- **Reopening of Virtual Offices**

Industry Performance



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FY22 Industry Performance

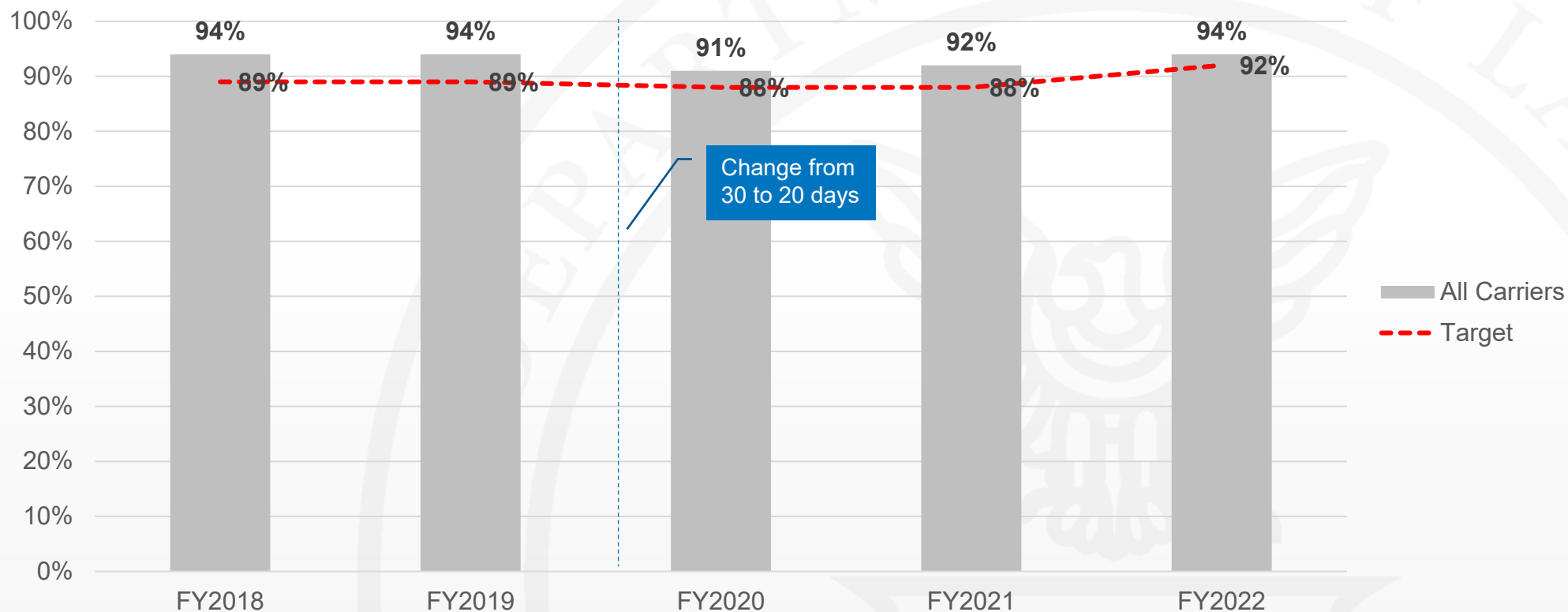
1st Report of Injury within 20 days

Measure	FY22 Result	FY22 Target
1st Report of Injury filed within 20 days for DBA cases	94%	85%
1st Report of Injury filed within 20 days for non-DBA cases	93.5%	92%



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Industry Performance First Report of Injury within 20 days Non DBA

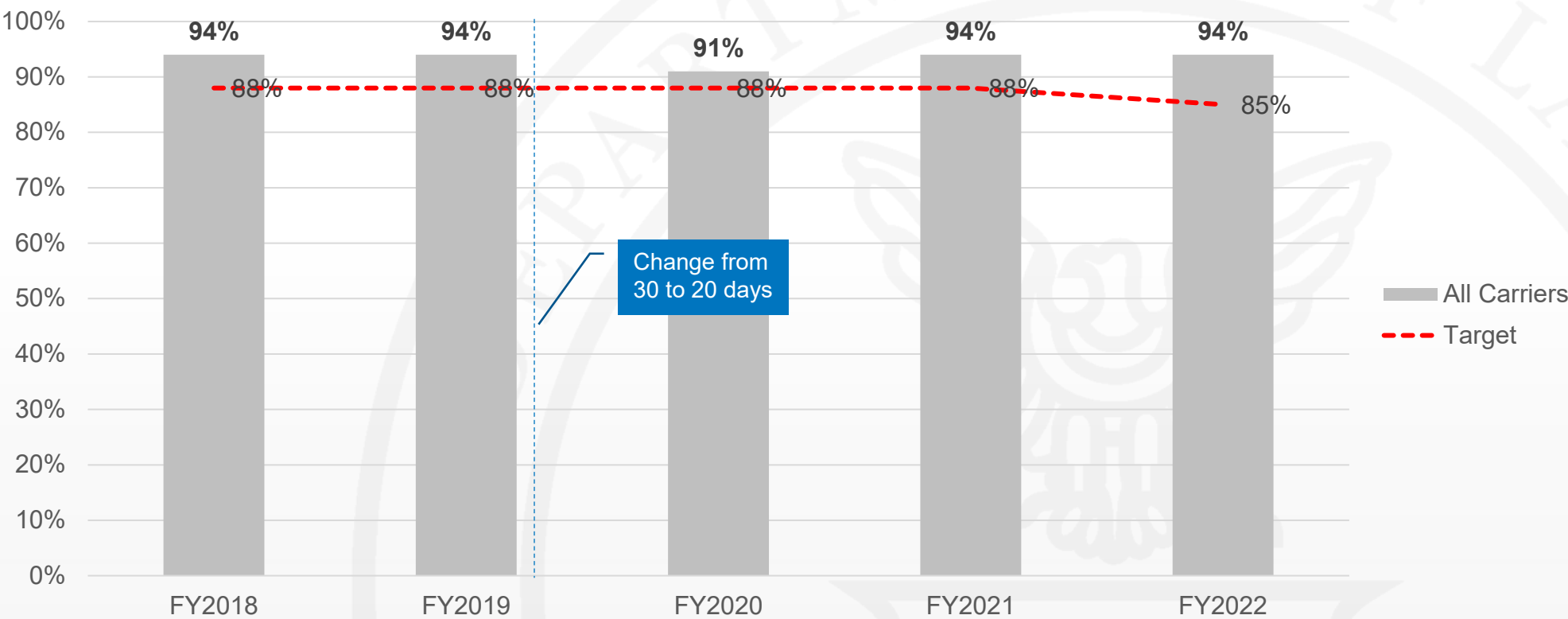




Industry Performance

First Report of Injury within 20 days

DBA



Longshore Performance



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FY22 Longshore Performance

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



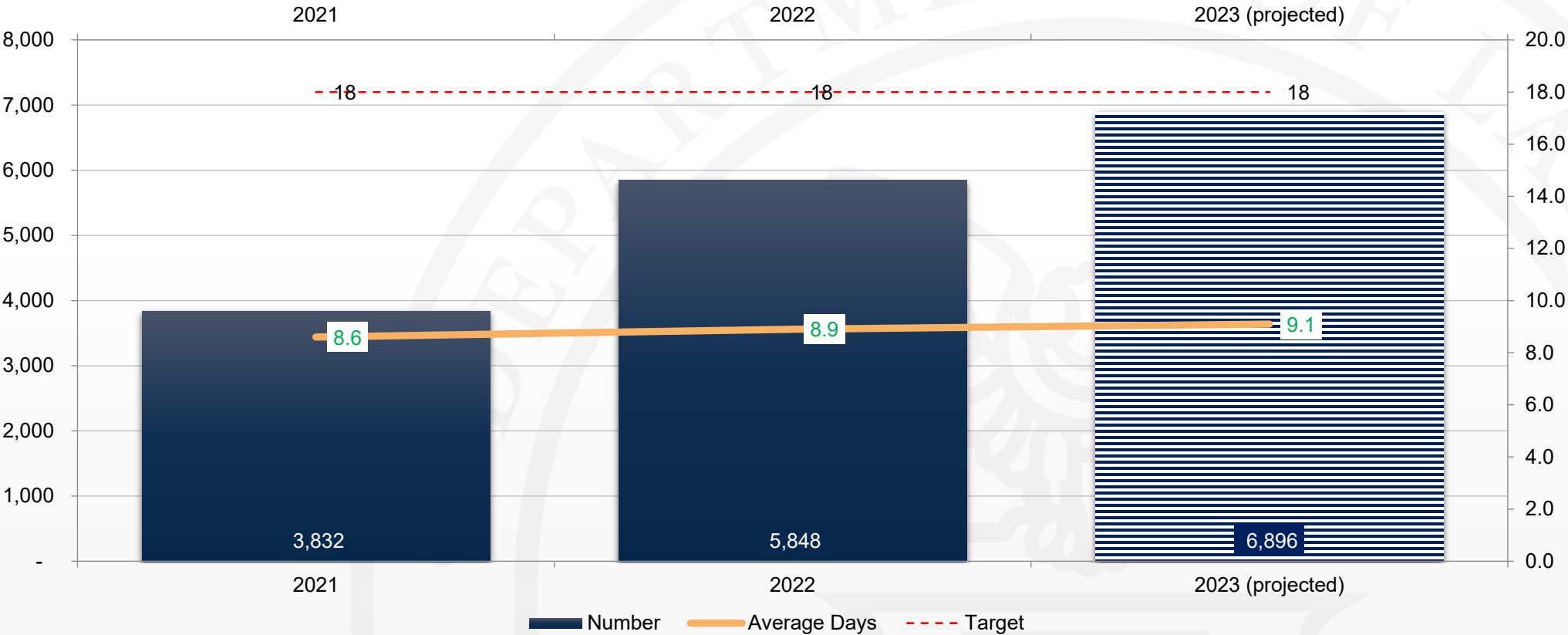
FY22 Longshore Quality Performance

Measure	FY22 Result	FY22 Target
Informal Conference action sampled for quality are rated as correct	95%	89%
Settlement actions sampled for quality are rated as correct	97%	90%
Second Injury Fund Application actions sampled for quality are rated as correct	96%	85%
Second Injury Fund payments sampled for quality are rated as correct	97%	95%



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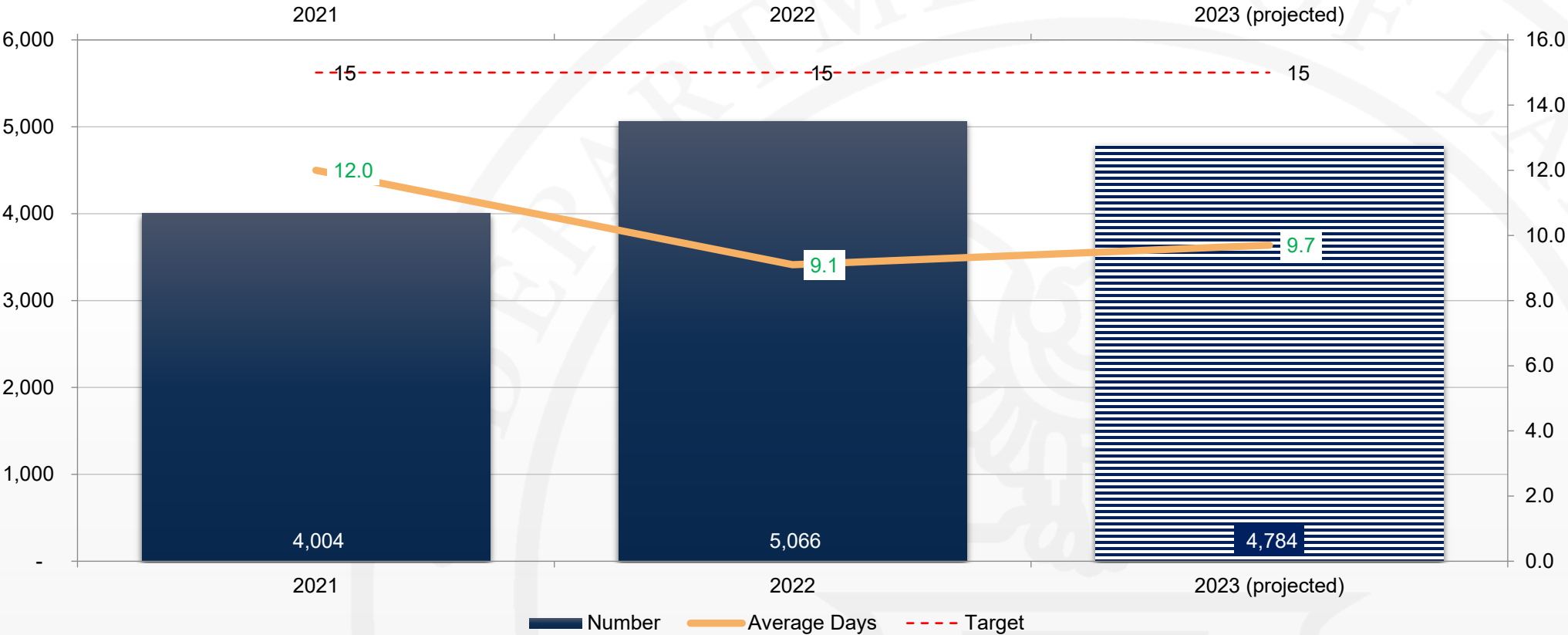
Settlements FY2021/FY2022/FY2023 (projected)





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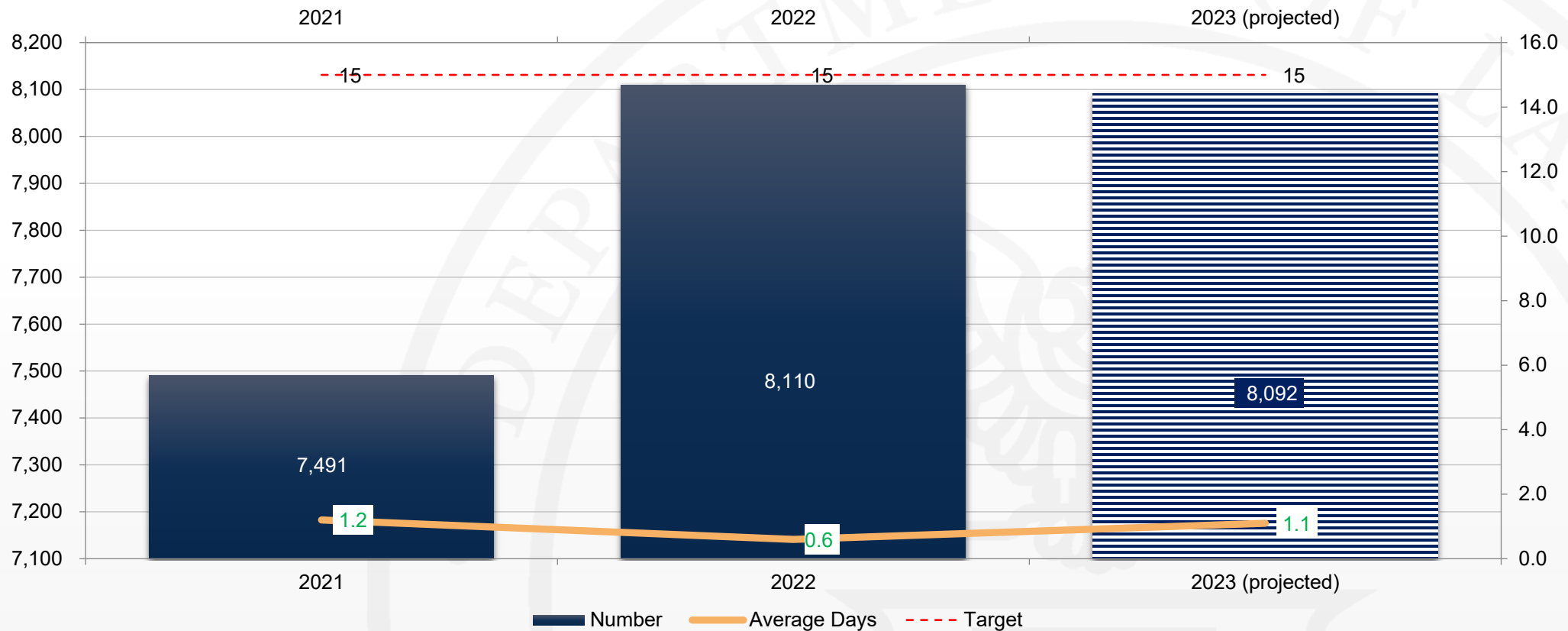
Initial Intervention (response to request for conference) FY2021/FY2022/FY2023 (projected)





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Referrals to OALJ FY2021/FY2022/FY2023 (projected)

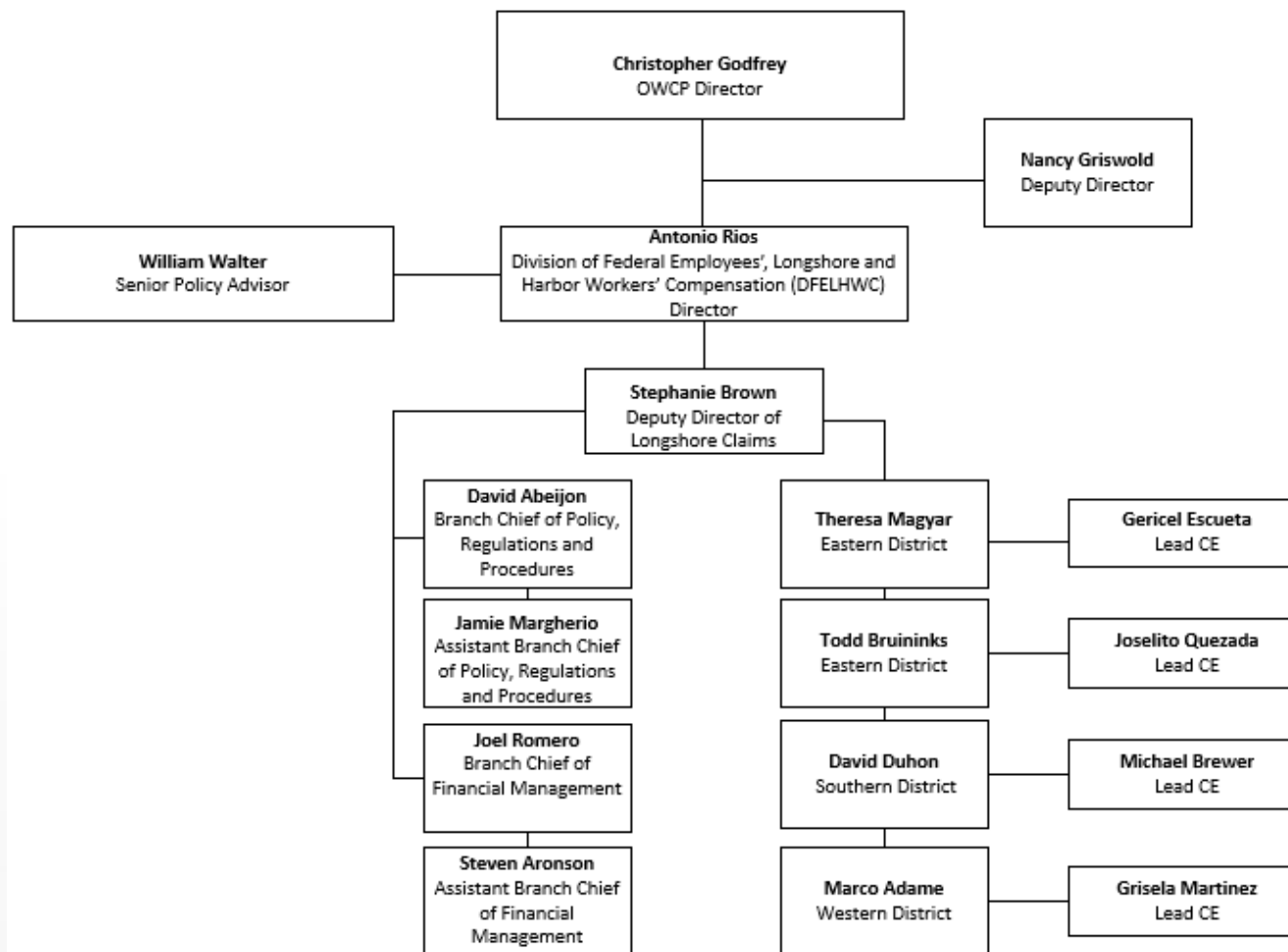


Organizational Changes



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DFELHWC – Longshore Organizational Chart





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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

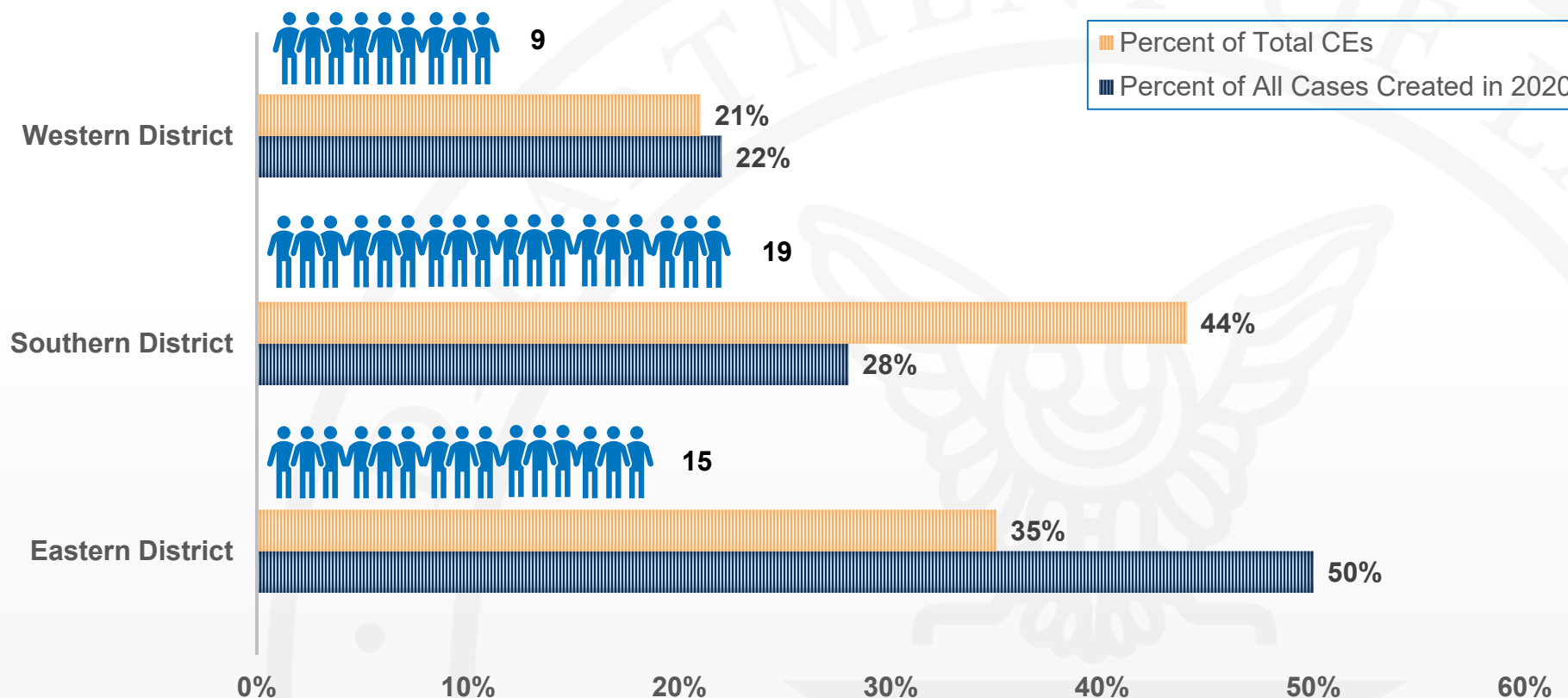


Longshore Workforce (2020-2023)

- **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

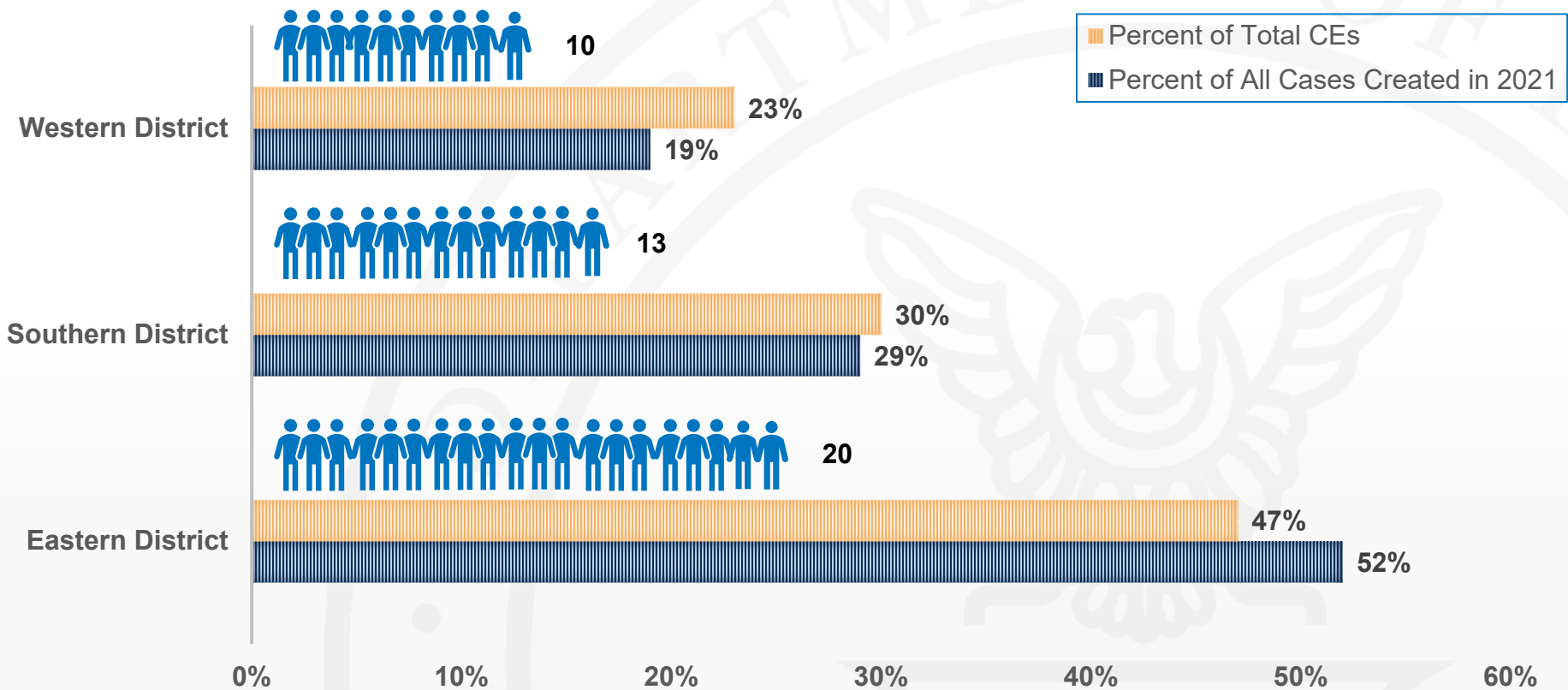


CE Workload – Case Assignment breakdown as of 05/04/2020





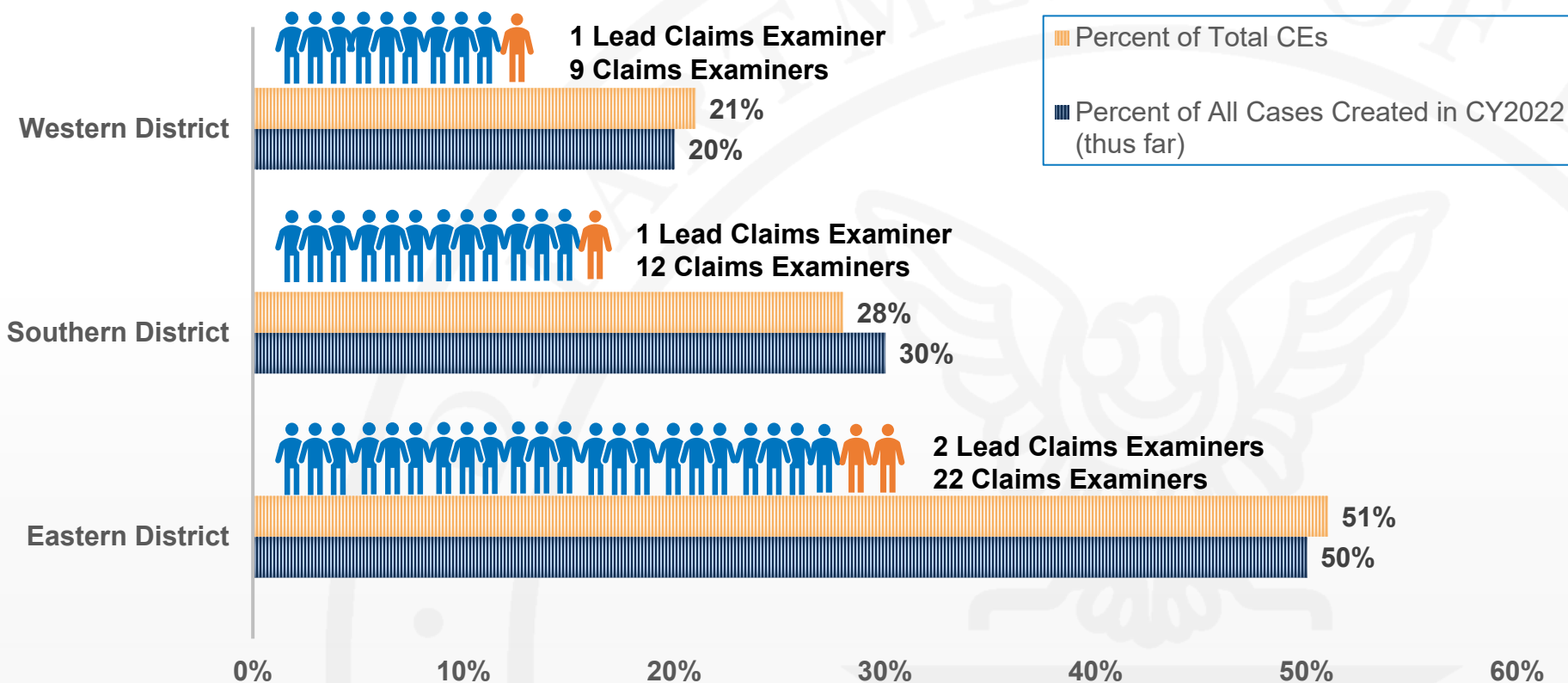
CE Workload – Case Assignment breakdown as of 01/05/2021





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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



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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)

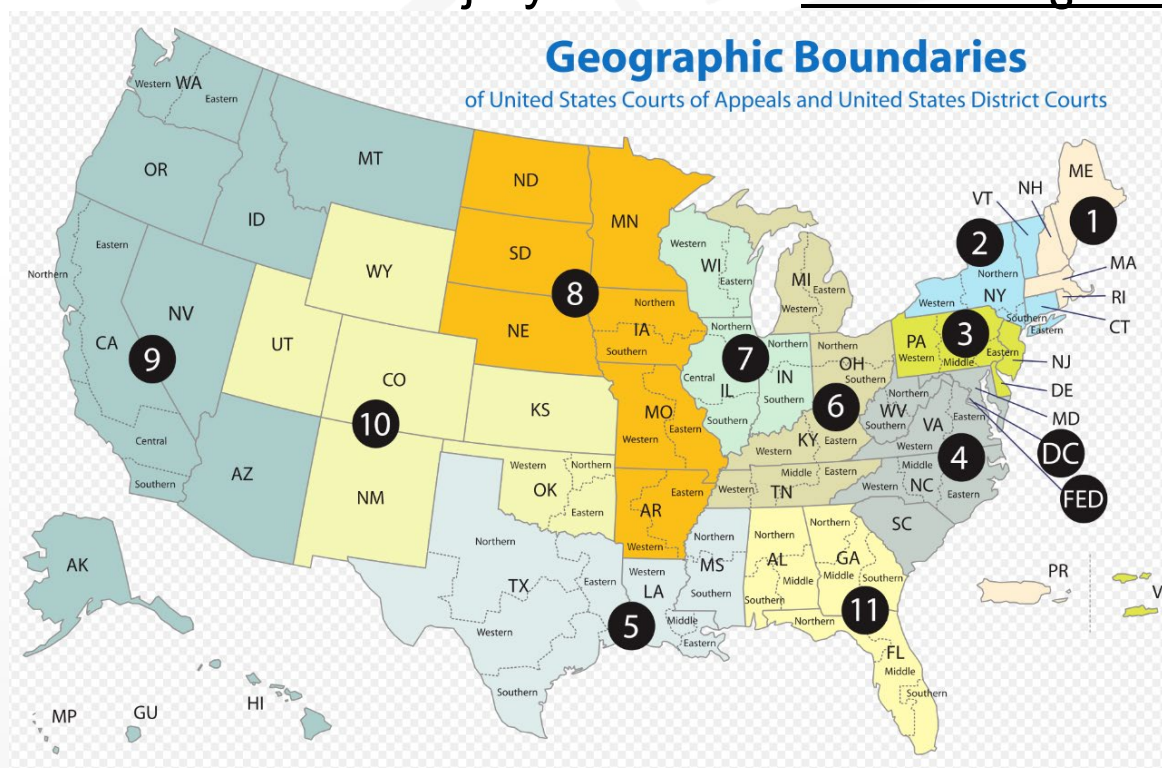


Assigned on rotational basis to Southern District CE



Appeals Jurisdiction of Longshore Claims

Jurisdiction is based on where the injury occurred. 33 U.S.C. § 921(c)





Then and Now – Longshore Claims

Pre-Reopening	Post-Reopening
<i>Scenario 1: Injury occurred in Illinois.</i>	
<ul style="list-style-type: none">✓ Case given Houston (08) prefix✓ Managed by CE in Southern District✓ Appealed to 7th Circuit	<ul style="list-style-type: none">✓ Case given Chicago (10) prefix✓ Managed by CE in Southern District✓ Appealed to 7th Circuit
<i>Scenario 2: Injury occurred in Pennsylvania.</i>	
<ul style="list-style-type: none">✓ Case given Norfolk (05) prefix✓ Managed by CE in Eastern District✓ Appealed to 3rd Circuit	<ul style="list-style-type: none">✓ Case given Philadelphia (03) prefix✓ Managed by CE in Eastern District✓ Appealed to 3rd Circuit



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David Abeijon, Branch Chief of Policy, Regulations and Procedures for Longshore

**Division of Federal Employees',
Longshore and Harbor Workers',
Compensation (DFELHWC)**



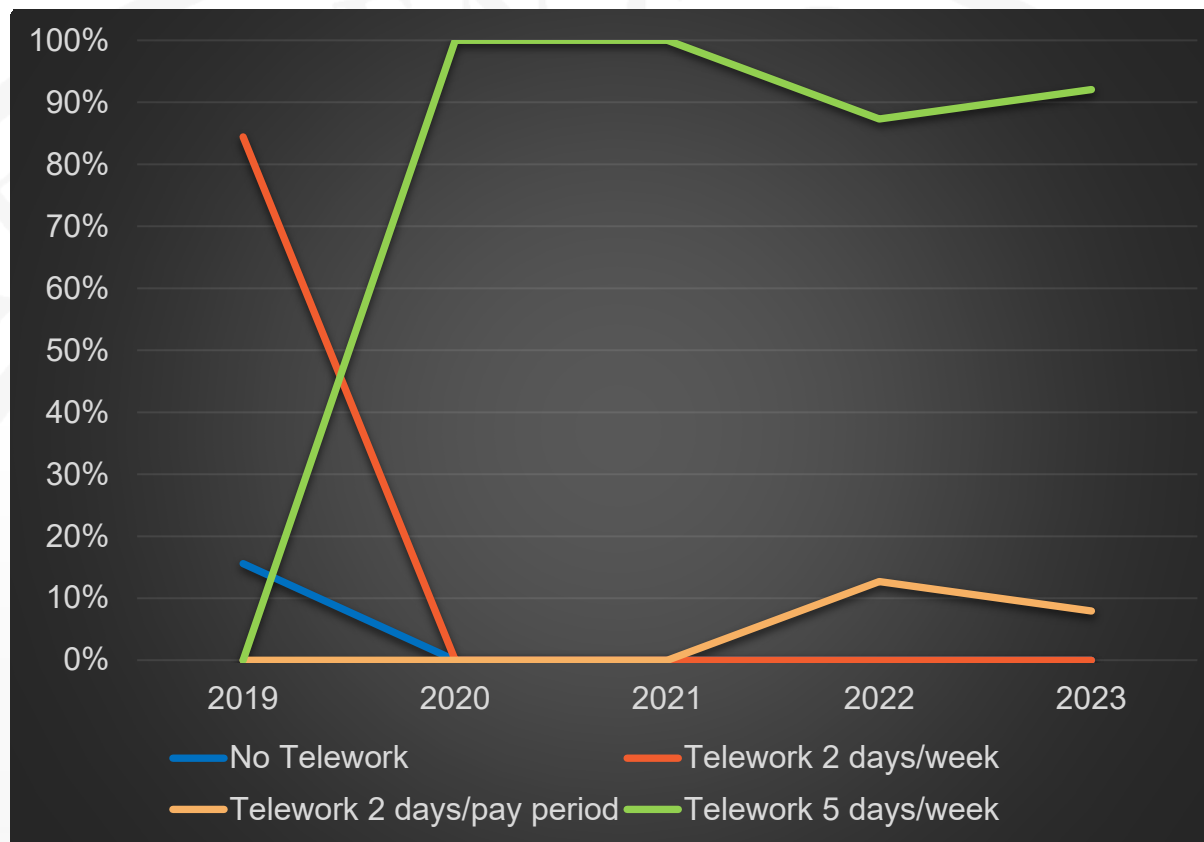
The Effect of a Pandemic on Technology

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



Remote Work

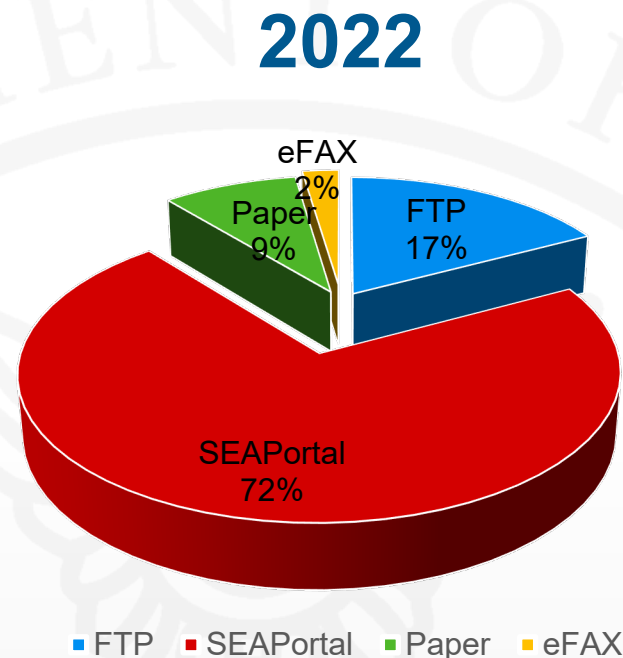
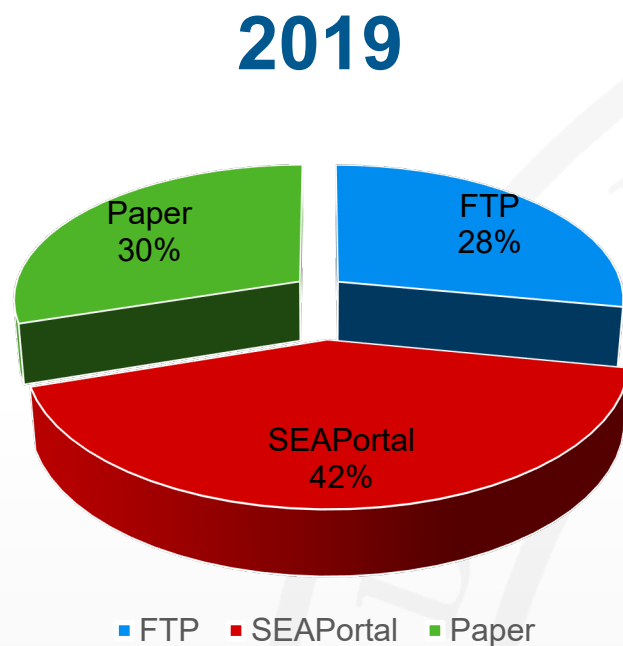
- Pre-pandemic, vast majority of employees teleworked just 2 days/week with 16% not teleworking at all.
- Full-time telework increased to 100% of employees and 100% of the time, as mandatory telework was enacted in March 2020 through 2021.
- Most employees stayed full-time telework following return to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





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Mail – Method of Receipt



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



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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.*



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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**



Claimant/Injured Worker Page
Employers and Insurers
About The Longshore Program
En Español
Medical Provider Page
Laws & Program Guidance
Claims under the Longshore and

About Longshore

The mission of the Longshore Program is to minimize the impact of land based, maritime employment injuries and deaths on the injured employees and their families by ensuring that workers' compensation benefits are provided promptly and properly under the [Longshore and Harbor Workers' Compensation Act \(LHWCA\)](#), [Defense Base Act \(DBA\)](#), [Non-Appropriated Fund Instrumentalities Act](#) and the [Outer Continental Shelf Lands Act](#).

[About Us](#)
[Contact Us](#)
[ECOMP](#)
[Forms](#)

[Frequently Asked Questions](#)
[Frecuentes Preguntas en Español](#)
[New Claim Submission](#)



SEAPortal



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ECOMP



Welcome to ECOMP

The Employees' Compensation Operations & Management Portal

Total Users – 650,000+

- Includes 423,454 identity 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



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Case Documents

CASE LS-0

[SEAPortal](#)

Employer: General Dynamics

Claimant SSN: ●●-●●-●●●●

Claimant Name:

Date of Injury:

Date of Birth:

Representation

Select

[Do you have a Representative?](#)



CASE DATA

PAYMENT HISTORY

PARTIES

CASE IMAGING

CASE DOCUMENTS

[Clear Favorites](#) [Clear Export Queue](#) [Add all to Export Queue](#)

Authorized Date ☐ Received Date

Filter By Date: Start

(mm) (dd) (yyyy)

Filter By Date: End

(mm) (dd) (yyyy)

[Clear Date Filter](#)

☐ Favorites Only (0)

Export	Fav	Subject	Category	Authored	Received
<input type="checkbox"/>		ECOMP Entity Transaction Memo	MISC	01/14/2022	01/14/2022
<input type="checkbox"/>		Auth by Claimant (ECOMP)	INCOMING COR & CALLS	01/14/2022	01/14/2022
<input type="checkbox"/>		Removal of Rep	INCOMING COR & CALLS	01/14/2022	01/14/2022
<input type="checkbox"/>		ECOMP Entity Transaction Memo	MISC	01/14/2022	01/14/2022
<input type="checkbox"/>		Other/Multiple	OUTGOING COR & CALLS	06/07/2021	06/07/2021
<input type="checkbox"/>		Other/Multiple	INCOMING COR & CALLS	06/07/2021	06/07/2021



Case Documents

 Favorite Document

 Add to Export Queue

File Number: 502500000

U.S. DEPARTMENT OF LABOR

August 23, 2021

Date of Injury: 05/01/2005
Employee: TESTCASE TESTCASE

TESTCASE TESTCASE
123 UNION SQUARE
MARLBORO, MA 01752

Dear TESTCASE TESTCASE:

 Favorite Page

Page 1  

Download



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.



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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.

Settlement Approval Request Section 8(i)

U.S. Department of Labor
Office of Workers' Compensation Programs



You must use this form to request approval of a settlement under Section 8(i) of the Longshore and Harbor Worker's Compensation Act and its Extensions. You must attach a fully executed 8(i) settlement agreement.

OMB No.: 1240-0058
Expires: 03/31/2026

Submit form and attachments to the OWCP/DLHWC Central Mail Receipt site by certified mail with return receipt requested or commercial delivery service with tracking capability at the following address:
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

Or upload directly to the case file using the Secure Electronic Access Portal (SEAPortal)

Access the SEAPortal directly at:
<https://seaportal.dol.gov/portal/>

You must include the following in the 8(i) settlement agreement: Brief summary of facts; Issues in dispute; Claimant's current work status; Medical reports describing injuries, impairment, and date of maximum medical improvement; Anticipated future medical treatment, the costs thereof, and medical paid in the last three years; Collateral sources for future medical treatment, if medical benefits are being settled; Explanation of why the settlement is adequate and not signed under duress; and Signatures of all parties. The application must be self-sufficient when read on its own without any background information. See 20 C.F.R. 702.242, 702.243.

1. Date of Accident/Illness:	2. Carrier's No.	3. OWCP No.
4. Name of Injured Worker and Claimant <i>if other than injured worker</i>		
5. Claimant's Telephone Number <i>(required if claimant is not represented by an attorney)</i>		
6. Average Weekly Wage	7. Compensation Rate	
8. Settlement Amount for Compensation (Provide the Case # and Amount for Each Case – up to 4 cases)		
9. Settlement Amount for Medical Treatment (Provide the Case # and Amount for Each Case – up to 4 cases)		



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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/>

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/#/>



Preferred method of submission



UNITED STATES DEPARTMENT OF LABOR

Marco Adame, District Director Western District Office

**Division of Federal Employees',
Longshore and Harbor Workers',
Compensation (DFELHWC)**



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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



UNITED STATES DEPARTMENT OF LABOR

David Duhon, District Director Southern District Office

**Division of Federal Employees',
Longshore and Harbor Workers',
Compensation (DFELHWC)**



UNITED STATES DEPARTMENT OF LABOR

Todd Bruininks, District Director Eastern District Office

**Division of Federal Employees',
Longshore and Harbor Workers',
Compensation (DFELHWC)**



Questions?