Stephanie Brown, Deputy Director of Longshore Claims

Division of Federal Employees’, Longshore and Harbor Workers’ Compensation (DFELHWC)
Agenda:

▪ Longshore Workforce and Performance
▪ Claims Trends
▪ What the Industry is Seeing
▪ Continued Modernization
Longshore Workforce
Model Workforce and Workplace

- 100% Remote Work option
- Career Development and Mentorship Programs
- Volunteer-led Innovation and DEIA Programs and Initiatives

Longshore Workforce and Workplace

- Following the phased return to the office from pandemic-induced 100% telework, most Longshore employees opted to continue full-time remote work.
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**
Compensation District Workload – Case Assignment breakdown as of 05/04/2020

Case assignment breakdown post-OWCS
Reassignment of Cases and CEs on 01/05/2021 to establish a more equitable distribution of cases.
Compensation District Workload – Case Assignment breakdown as of 08/15/2023

- **Western District**
  - 1 Lead Claims Examiner
  - 8 Claims Examiners
  - 20% of Total CEs
  - 22% of All Cases Created in FY2022

- **Southern District**
  - 1 Lead Claims Examiner
  - 12 Claims Examiners
  - 29% of Total CEs
  - 29% of All Cases Created in FY2022

- **Eastern District**
  - 2 Lead Claims Examiners
  - 21 Claims Examiners
  - 51% of Total CEs
  - 49% of All Cases Created in FY2022
The model built allows the program the flexibility to reorganize and reassign based on need (patterns/trends).
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>
<tr>
<td>Measure</td>
<td>FY22 Result</td>
<td>FY22 Target</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>-------------</td>
<td>-------------</td>
</tr>
<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</td>
<td>96%</td>
<td>85%</td>
</tr>
<tr>
<td>correct</td>
<td></td>
<td></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)**

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Average Days</th>
<th>Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>2021</td>
<td>3,832</td>
<td>8.6</td>
<td></td>
</tr>
<tr>
<td>2022</td>
<td>5,848</td>
<td>8.9</td>
<td></td>
</tr>
<tr>
<td>2023 (projected)</td>
<td>6,896</td>
<td>9.1</td>
<td></td>
</tr>
</tbody>
</table>
Initial Intervention (response to request for conference) FY2021/FY2022/FY2023 (projected)
Referrals to OALJ
FY2021/FY2022/FY2023 (projected)
Claims Trends
New Cases Created by Act

- **2018**
  - Longshore: 14,542
  - DBA: 6868
  - NAFIA: 6676
  - OCSLA: 6676
  - Total: 28,178

- **2019**
  - Longshore: 15,430
  - DBA: 8,447
  - NAFIA: 6,668
  - OCSLA: 6,668
  - Total: 30,682

- **2020**
  - Longshore: 13,905
  - DBA: 5,130
  - NAFIA: 15,336
  - OCSLA: 15,336
  - Total: 34,371

- **2021**
  - Longshore: 15,245
  - DBA: 18,596
  - NAFIA: 5,270
  - OCSLA: 5,270
  - Total: 39,414

- **2022**
  - Longshore: 14,650
  - DBA: 15,605
  - NAFIA: 5,431
  - OCSLA: 5,431
  - Total: 35,948

The chart shows a steady increase in new cases created by different acts from 2018 to 2022.
Trends – Claims Reported FY2017 – FY2022
Longshore & DBA
Trends – New Claims Reported FY2018 – FY2022
Traumatic and Occupational
## 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>83%</td>
</tr>
<tr>
<td>FY2019</td>
<td>94%</td>
<td>89%</td>
</tr>
<tr>
<td>FY2020</td>
<td>91%</td>
<td>86%</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>FY2018</th>
<th>FY2019</th>
<th>FY2020</th>
<th>FY2021</th>
<th>FY2022</th>
</tr>
</thead>
<tbody>
<tr>
<td>94%</td>
<td>94%</td>
<td>91%</td>
<td>94%</td>
<td>94%</td>
<td>85%</td>
</tr>
</tbody>
</table>

Change from 30 to 20 days
What the Industry is Seeing
# Settlements

<table>
<thead>
<tr>
<th>Issue</th>
<th>OWCP's Stance</th>
</tr>
</thead>
<tbody>
<tr>
<td>All-inclusive language in Settlement agreements</td>
<td>• OWCP <em>still</em> will not approve Settlements with all-inclusive language.</td>
</tr>
<tr>
<td></td>
<td>• OWCP will contact parties to have it stricken (either by deficiency letter or phone call).</td>
</tr>
<tr>
<td>Settling for additional conditions not originally claimed</td>
<td>• Conditions not originally claimed must be supported by medical.</td>
</tr>
<tr>
<td></td>
<td>• Specific consideration for these additional conditions must be outlined in the settlement.</td>
</tr>
</tbody>
</table>
# Claims-Related Issues

<table>
<thead>
<tr>
<th>Issue</th>
<th>OWCP's Stance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supporting the claims with medical evidence</td>
<td>• Necessary to make a good faith effort to resolve disputes  &lt;br&gt;• OWCP will delay referral to the OALJ where there is not any medical on file and develop for it, but, our obligation is to refer the case when requested by parties.</td>
</tr>
<tr>
<td>Multiple attorneys on case</td>
<td>• Where claimant has SSN, duplication of claims should be very minimal.  &lt;br&gt;• Where no SSN, search by name is performed, but with name variations for foreign nationals, this is not a fail-safe.  &lt;br&gt;• If you identify these, notify OWCP ASAP. The earlier in the life of the claim, the better.</td>
</tr>
</tbody>
</table>
# Budget and Innovation

<table>
<thead>
<tr>
<th>Issue</th>
<th>OWCP's Stance</th>
</tr>
</thead>
</table>
| FY23 to FY24 budget and outlook            | • Level or less  
• Development freeze                                                                          |
| Creative Innovation                        | • Where we can innovate without development or utilize our in-house staff and current partnerships, we are, as always pushing forward.  
• Where development is required or major projects such as ECOMP access for Employers/Carriers, the program plan has not changed, but the timeline has. |
Jamie Margherio,
Deputy Branch Chief of Policies, Regulations and Procedures

Division of Federal Employees’, Longshore and Harbor Workers’ Compensation (DFELHWC)
Continued Modernization
Continued Modernization (2020-2023):

- System-to-System transfer and Online Accessibility
- ECOMP
- Online Resources
- Forms
- Digitization
System-to-System Transfer and Online Accessibility

Connect Direct:
- Longshore
- DBA
- NAFI
- Medical Records

SEAPortal

OWCP Workers' Compensation System

ECOMP

Claimants

Entities

OALJ

EFS Public Portal

Public User
We've worked with our current Connect Direct partners to begin accepting DBA cases electronically.
ECOMP

Are you a Claimant or Claimant's Attorney who would like online access to your cases?
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 – History

2021: ECOMP introduced to Longshore Claimants
2022: Claimant and Claimant Attorney Imaging introduced
2023: PILOT – Foreign National Attorney Access
  - 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.

Future
ECOMP – Claimant Experience

CASE DATA

- Employer:
- Claimant Name:
- Date of Injury:
- Date of Birth:
- Details of the case such as AWW, CR, Body part, etc.

Claimant SSN:

PAYMENT HISTORY

- Payments made by OWCP Special Fund

PARTIES

- Shows Employer, Carrier and Attorneys on file

CASE IMAGING

- Documents in the OWCP case file
# Case Documents

## Case LS-0

### CASE DATA
- Employer: General Dynamics
- Claimant Name: 
- Date of Injury: 
- Date of Birth: 

### CASE DOCUMENTS

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

### Filters
- Filter By Date: Start
- Filter By Date: End
- Clear Date Filter
- Favorites Only (0)
Welcome to the Entities Page

Entities Overview

Entities are individuals, business entities, or organizations that may be given access to specific OWCP case files. To be an authorized Entity user within OWCP’s ECOMP portal, each user must register and be identity verified within ECOMP.

Some Entities are granted access to claimant files based solely on the claimant’s designation of representation. These Entity types include attorneys/law firms, union representatives and non-attorney authorized representatives.

Entities

Register for an account or sign in to get started!

Sign In

Email or Username

Password
ECOMP – Entity Basics

- Entity users must register in ECOMP, and Entities must be created in ECOMP.

- Claimants must register in ECOMP and select the entity representative in ECOMP. There is no other way for an entity representative to obtain access.
  - This is true even if the representative is already the designated representative for the OWCP file.
  - Selecting a representative occurs on a case-by-case basis.

- ECOMP entity registration and access is NOT required in order for a representative to represent a claimant, but if that representative wants ECOMP access to view their claimant case information, registration and claimant selection in ECOMP are required.
Representation Memos for ECOMP Actions

1. ECOMP Entity Transaction Memo – This memo will be added to the OWCP case file when any entity related case specific transaction occurs in ECOMP, such as:

• Authorization of Representative Memo – See Industry Notice and Bulletin below
• Representation Request Denied
• Representation Request Revoked by Claimant

Industry Notice 190; Bulletin 22-01

**Purpose:** To announce that the Office of Workers’ Compensation Programs (OWCP), Longshore Program, has added designation of a representative through ECOMP as an acceptable form of written notice of authorization for representation.
Online Resources
Online Resources - Longshore Internet

- DBA Report card and Case Summary Reports updated through FY2022 and will be further updated after the end of FY2023

**CUMULATIVE REPORTS** (September 1, 2001 through December 31, 2022)

<table>
<thead>
<tr>
<th>REPORT</th>
<th>EMPLOYER</th>
<th>CARRIER</th>
<th>NATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>DBA REPORTS BY:</td>
<td>EMPLOYER</td>
<td>CARRIER</td>
<td>NATION</td>
</tr>
</tbody>
</table>

**FISCAL YEAR REPORTS**

<table>
<thead>
<tr>
<th>REPORT</th>
<th>EMPLOYER</th>
<th>CARRIER</th>
<th>NATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>DBA REPORTS BY(FY2022):</td>
<td>EMPLOYER</td>
<td>CARRIER</td>
<td>NATION</td>
</tr>
<tr>
<td>DBA REPORTS BY(FY2021):</td>
<td>EMPLOYER</td>
<td>CARRIER</td>
<td>NATION</td>
</tr>
</tbody>
</table>
Online Resources - Longshore Internet

- DBA Waivers page updated – Issued and Active

<table>
<thead>
<tr>
<th>Expiration Date (YYYY-MM-DD)</th>
<th>Location</th>
<th>Type</th>
<th>Number</th>
<th>Issued Date (YYYY-MM-DD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2027-05-16</td>
<td>Bosnia-Herzegovina</td>
<td>Geographic</td>
<td>2022-11</td>
<td>2022-05-17</td>
</tr>
</tbody>
</table>

Showing 1 to 1 of 1 entries (filtered from 45 total entries)
Online Resources - Longshore Internet

- DBA Waivers page updated – Archived

  - Download-able Excel
  - Instructions for effective filtering

Archived Waivers

View the [Archived Waivers Excel Sheet](#).

NOTE: This is not a comprehensive list. If you do not see the archived waiver for which you are searching, please contact the Office for further information.

Please reference the instructions below if you require assistance with using Excel.

Using Excel to Filter

1. When you click on the Archived DBA Waivers link, you will be brought to the excel table that will collect Waivers that have expired. To filter, you will left click on the arrow icon.

   In the example seen here, the first column header arrow icon is circled. You may also filter additional columns as shown by where the other red arrows are pointed.
Online Resources - SEAPortal

- Updated HELP menu with new resources
- Instructional video – NEW!
- Forms training video – Coming Soon!

### SEAPortal -
- Secure submission of a new or Report of Injury,
- Electronic Upload of documents to an existing case,
- Access to Intervention and communication with an assigned Claims Examiner to request action on a case.
Other Updates
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.*
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
Questions?