



June 25, 2012

File Number:

INDUSTRY NOTICE No. 139

NOTICE TO EMPLOYERS, INSURANCE CARRIERS AND SELF-INSURED EMPLOYERS UNDER THE LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT, AND OTHER INTERESTED PERSONS

SUBJECT: Transfer of cases from the Baltimore, Maryland District Office of the Office of Workers' Compensation Programs (OWCP), Division of Longshore and Harbor Workers' Compensation, to the Norfolk, Virginia Longshore District Office

Effective July 1, 2012, with the exceptions explained below, all open cases for claimants living in Pennsylvania, Delaware and West Virginia, will be transferred from the Baltimore, MD District Office, to the Norfolk, VA District Office. Authority for this action is provided by 33 U.S.C. §§ 919(g) and 939(b) and 20 C.F.R. §§ 702.102 and 702.104. This action is necessary in order to efficiently administer the Act.

Existing cases will be transferred as soon as practicable after July 1, 2012, starting with the oldest cases first, until all affected files have been transferred. All newly created case files for injuries in Pennsylvania, Delaware and West Virginia will be transferred to Norfolk on a weekly basis. Cases that require immediate action by OWCP staff, including but not limited to requests for informal conference, independent medical examinations, vocational rehabilitation, referral for formal hearing, and Special Fund Relief, will be transferred immediately to the Norfolk District Office.

NEW REPORTS of injuries or death that occur within Pennsylvania, Delaware, West Virginia, Maryland and the District of Columbia will continue to be reported to and created in the Baltimore District Office. The Baltimore District Office retains jurisdiction of cases in which the claimants reside in Maryland and the District of Columbia.

All parties to the cases will be notified of the transfers in writing. Any party objecting to a transfer must do so in writing, stating the reasons why the case should not be transferred. Transfer will only be stayed for good cause. The objection must be mailed to the District Director of the Norfolk, VA District Office.

EXCEPTIONS: The following types of cases, all of which have pending actions by Baltimore District Office staff, will be transferred to Norfolk after the pending action is completed:

1. Cases in which an informal conference has been scheduled will be transferred after the informal conference is held and the Baltimore District Office written recommendation is issued.

2. Cases in which an informal conference has been held and written recommendation is forthcoming will be maintained in the Baltimore District Office and that office will issue the recommendation. Thereafter, the case will be transferred from Baltimore to Norfolk.
3. Cases with pending or recent settlements pursuant to 33 USC §908(i).
4. Cases where a civil penalty has been assessed and payment is still pending.

Parties with cases transferred to Norfolk, VA may request that informal conferences be conducted via telephone, or via video link. The OWCP has videoconference equipment available at the Baltimore, MD, Longshore District Office and the Philadelphia, PA, OWCP Regional Office. For more information, please contact your local OWCP/DLHWC offices at:

Longshore District Office 4, Baltimore

U.S. Department of Labor
OWCP/DLHWC
31 Hopkins Plaza
Room 410-B - Federal Building
Baltimore, MD 21201
Phone: (410) 962-3677
Fax: (410) 962-2796

Longshore District Office 5, Norfolk

U.S. Department of Labor
OWCP/DLHWC
Federal Building, Room 212
200 Granby Mall
Norfolk, VA 23510
Phone: (757) 441-3071
Fax: (757) 441-6909



MIRANDA CHIU
Director, Division of
Longshore and Harbor
Workers' Compensation