



AFGE OWCP FACT SHEET COVID-19

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What we Know According to the Center for Disease Control (CDC):

The CDC is responding to an outbreak of respiratory disease caused by a novel (new) coronavirus that was first detected in China and which has now been detected in almost 70 locations internationally, including in the United States. The virus has been named "SARS-CoV-2" and the disease it causes has been named "coronavirus disease 2019" (abbreviated "COVID-19").

On January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the outbreak a **"public health emergency of international concern."** On January 31, 2020, Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19.

What it Means

How the disease spreads and where the disease is spreading are still developing questions. Our personal risks for exposure vary, but the Department of Labor's Office of Workers' Compensation Programs has identified two key groups of Federal Employees who may be at heightened risk for exposure to COVID-19. OWCP identifies two groups of federal employees who may experience a heightened risk of contracting COVID-19:

- 1 Certain federal employees assigned to certain positions and locations overseas; and
- 2 Federal medical personnel or other federal personnel whose duties may cause them to come into close contact with travelers or other members of the public infected with the disease.

What this Means for Federal Employees

- 1 **Be Safe**
 - a Follow all guidance about how to stay safe in the workplace.
 - b Follow CDC, OSHA, Agency, OPM, and AFGE news for how to stay safe at work.
- 2 **Be Aware**
 - a If you demonstrate the symptoms of COVID-19, you should immediately follow CDC guidelines.
 - b Call your local HR office and local union to learn if there are any confirmed cases at the work site.
 - c Obtain any correspondence relating to confirmed cases of COVID-19 at your workplace- this could serve as evidence of a work related injury.

What this Means for Federal Employees

3 Know the Law

The same five elements apply for COVID-19 as any other OWCP claim:

- a A claim for compensation under the Federal Employees' Compensation Act (FECA) must be filed timely;
- b The injury must have occurred while the affected individual was a civilian federal employee;
- c There must be an actual injury;
- d The injury must have occurred in the performance of the employee's duties;
- e The medical condition to be compensated must be causally related to the claimed injury

What This Means for You – Requirements for an OWCP Claim

As the OWCP Recently *provided*:

- 1 Under *20 C.F.R. § 10.303*, exposure to COVID-19 alone does not constitute a work-related injury entitling an employee to medical treatment under the FECA. The employee must actually be diagnosed with COVID-19 to potentially be afforded coverage.
- 2 To establish coverage, the employee must submit a medical report from a qualified physician as defined in *5 U.S.C. § 8101(2)* reflecting a positive test result for COVID-19 based on established employment-related exposure to COVID-19. The Centers for Disease Control and Prevention (CDC) website contains *information about the testing and diagnosis of COVID-19*.
- 3 The FECA does not authorize payment for provision of preventive measures such as quarantines. In general, preventive treatment is a responsibility of the employing agency under the provisions of 5 U.S.C. § 7901.

If you believe you have an OWCP case relating to COVID-19, please contact your local and District. If you have COVID-19 questions, please contact coronavirus@afge.org.