



## Memo

**To: All Branch 2184 Stewards**

**From: Michele Szafran and Joe Golonka**

**Date: 06/05/2020**

**Re: "Statements" requested by USPS management following Letter Carrier injuries**

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Following a letter carrier's notification to management that they have incurred a job-related traumatic injury, typically the first response from management is "I need you to write a statement." Not an inquiry about the need for medical evaluation or treatment, not an inquiry about the well-being of the carrier, and not any of the other steps required of management following the report of an injury as detailed in the Employee and Labor Relations Manual (ELM) sections 544 and 545 – for example, advising them of their right to medical evaluation and/or treatment from a physician of their choice. No, typically the only thing that management is concerned about is getting that statement.

Unfortunately, many carriers are erroneously led to believe that such "statements" are necessary for the filing of an OWCP claim. However, there has never been any requirement or provision within the Federal Employees Compensation Act for injured employees to provide the employing agency with supplemental "statements" as a condition of initiating an OWCP claim. In fact, everything that USPS management needs to know about the details of an employee injury already appears on OWCP Form CA-1, lines 9 through 14, "Description of Injury." Management's actual intent with this practice is a not so subtle attempt to find a way to try to discredit the injured carrier or their OWCP claim.

So, what is an injured carrier to do if requested or instructed to write a supplemental statement after reporting an injury? A mere request to write such a statement can be and should be ignored. However, a specific instruction from management to write a supplemental statement should be complied with, as it is within management's scope of authority to give instructions, even improper instructions. However, if such an instruction is given, the injured employee should merely provide exactly the same information that was provided on the CA-1, no more and no less.

In summary, supplemental statements for the employing agency are NOT required as a condition of initiating a traumatic injury claim. However, management's fishing expeditions need not be problematic for an injured letter carrier. It's simply a matter of "need to know." All that management needs to know is provided by injured employee through the employee's completion and submission of OWCP Form CA-1. Injured carriers should keep it simple and remain focused on what matters – reporting the injury, completing a CA-1, seeking medical treatment if needed/desired from a physician chosen by the employee, and providing medical documentation in support of the claim if work loss occurs or restrictions on regular work duties are necessary.

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